CIVITAS MAXIMA

TRIAL MONITORING

Gibril Massaquoi

First Instance Proceedings

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Disclaimer

Civitas Maxima believes that local populations, those who bear the consequences of the most serious international crimes and human rights violations committed in their countries, have the right to accessible and unbiased information about the trials of alleged perpetrators.

This is why we conduct trial monitoring, so that what is said in court is available to all, especially affected populations who cannot travel to the country where the trial is held or otherwise do not have access to the hearings.

Civitas Maxima does not provide official court transcripts.

The names of certain witnesses and civil parties are withheld for privacy and security reasons.

Verbatim notes taken by our trial monitors are available to journalists on request. Please contact **comms@civitas-maxima.org** to request access.

Trial Monitoring: Gibril Massaquoi's first instance proceedings

Gibril Massaquoi, former Lieutenant-Colonel and spokesman of the Revolutionary United Front (RUF), was tried before the District Court of Tampere, Finland, for allegedly committing and inciting the murders of civilians and enemy fighters, aggravated rapes, aggravated war crimes, and aggravated violations of human rights in a State of Emergency during the First Liberian Civil War.

Massaquoi's trial started on February 3, 2021, in Tampere. The Finnish court travelled to Liberia in mid-February – first conducting site visits in Lofa County and then going to Monrovia on February 23 to hear the witnesses. The hearings in Monrovia concluded on April 7, 2021. The Court then relocated in Sierra Leone on May 11, to hear additional witnesses. After a brief period back to Tampere, the Court returned in Liberia mid-September to hear more witnesses. One month later, the Court moved back to Tampere for the final stretch of the trial. Finally, the last witnesses were heard in January 2022, and the Defense and Prosecution pleaded their closing arguments.

On April 29, 2022, the District Court dismissed all charges and found that there was reasonable doubt that the defendant committed the offences he was charged with. In May 2022, the Prosecution filed an appeal. The appeal began on January 10, 2023, and lasted until September 8, 2023.

Civitas Maxima, in collaboration with Liberian and Sierra Leonean partners, the **Center for Human Rights, Gender, and Migration** of Washington University (United States), and **The Hague University** (Netherlands), provided a daily summary of the proceedings.

Art produced by **Kalonji Art**, and **Leslie Lumeh** in collaboration with **New Narratives**.

How trial monitoring for the Massaquoi case worked

Local partners were physically present at the venues where the hearings were held (Finland, Liberia, and Sierra Leone) in order to take notes of what is being said in court, as accurately as possible.

These draft notes were then summarized by students from the Hague University (Netherlands) and the Washington University **Center for Human Rights, Gender, and Migration** (United States).

Limitations

The official language of the proceedings was Finnish. While our Finnish-speaking partners could follow the entirety of the proceedings that were held in Tampere, our local partners in Liberia and Sierra Leone were only able to capture what was said in English or translated by the official Court interpreters. As a result, during the hearings in Liberia and Sierra Leone, any discussions between the parties conducted in Finnish and not translated were not captured in our trial monitoring.

Anonymization

While the Finnish authorities utilized a naming system (Civilian XX, Soldier XX, Employee XX, etc.) to protect the identities of persons and witnesses involved in the case, they did not anonymize the names of all persons mentioned during the trial or named in the pre-trial material.

Civitas Maxima's primary concern is the safety and security of all persons, and ensuring that we do not contribute to the possible identification of anyone involved. We therefore followed the naming convention utilized by the Finnish authorities and supplemented this with our own naming system in order to anonymize all named persons, with the exception of well-known individuals, such as senior officials, who have testified or been named in other public trials and/or the Reports of the Liberian Truth and Reconciliation Commission.

In addition, we anonymized a small number of place names (clearly marked in the summary with *[Place x]*) when this was considered necessary to protect identities or specific investigative practices.

Accuracy regarding locations

Wherever possible, we cross referenced the town and village names mentioned by the witnesses with official maps of Liberia and Sierra Leone, in order to capture as accurately as possible, the correct locations. However, there have been difficulties capturing some place names, particularly in respect of very small remote towns, and spellings varied. In cases of doubt, the names recorded by our local partners is followed.

February 3, 2021 – [Finland] Day 1: the Charges Are Read

The first day of public hearings in the trial of Mr. Gibril Massaquoi began at the Pirkanmaa District Court in Tampere, Finland on 3 February 2021, with District Judge Paiho (Chair) noting that, in the preparatory hearing, it was decided that a judicial examination of the case shall be arranged in Liberia, and that the details of this examination would be determined at a later date.

Following this, State Prosecutor Mr. Tom Laitinen proceeded to read aloud details of the charges from the annex to the Application of Summons (indictment).

State Prosecutor Laitinen stated that the Prosecution is seeking a sentence of life imprisonment for Mr. Massaquoi for the following four charges.

I. Murders, including of multiple civilians, including children, in Kamatahun Hassala village, Lofa County, Liberia; the murder of a woman in Yandohun village, Lofa County, Liberia; and murders of multiple civilians and suspected enemy fighters in Monrovia, Liberia;

II. Aggravated rapes against multiple civilians in Kamatahun Hassala and Foya villages, Lofa County, Liberia;

III, Aggravated war crimes in Hassala, Yandohun, Foya and Klay villages and their surroundings, Kamatahun, Lofa District, Liberia; and in Monrovia, Liberia. The underlying acts include murders, rapes, forced labor, the use of child soldiers in hostilities, infringement on the dignity of deceased persons and improper treatment of bodies, torture, and aggravated assault and assault;

IV. Aggravated violations of human rights in a state of emergency in Kamatahun Hassala and Yandohun villages and their surroundings, Lofa District, Liberia; and Monrovia, Liberia.

The first two charges are based on the Criminal Code of Finland (Chapters 5, 20, and 21), and the crimes are alleged to have occurred probably between June – December 2001.

The second two charges are based on the Criminal Code of Finland (Chapter 11), as well as the Geneva Conventions of 1949 and the Second Additional Protocol of 1977. Those crimes are alleged to have occurred probably between June 2001 – December 2002.

According to the Prosecution, Mr. Massaquoi's responsibility is based both on direct and indirect participation.

Mr. Massaquoi denied all charges presented against him. His Defense Attorney, Mr. Kaarle Gummerus, stated that Mr. Massaquoi was not present in Liberia when the crimes allegedly took place. Mr. Gummerus also stated that Mr. Massaquoi did not participate in the acts in question, specifically noting the long period of time between each act. Mr. Gummerus further noted that such serious allegations require very strong evidence. Finally, Mr. Gummerus reiterated that Mr.

Massaquoi has not been in Liberia since the summer of 2001. He stated that Mr. Massaquoi does not deny that these atrocities occurred, but denies having played any role in these acts.

The hearing ended at 10:58am and the trial was scheduled to resume at the Pirkanmaa District Court on Thursday, 4 February 2021.

February 4, 2021 – [Finland] Day 2: Introducing the Case

The second day of public hearings at the Pirkanmaa District Court began with the Assistant Prosecutor delivering an overview of the Prosecution's case. The Assistant Prosecutor began by showing various locations to make sure the Court had an overview of the crime sites. The following places were emphasized by the Assistant Prosecutor:

- Lofa County was shown on a map of Liberia. The villages of Kamatahun Hassala and Yandohun (both located in Lofa County) were presented as the sites of the alleged murders that form the basis of Charge 4.1.3. This includes the murder of civilians who were locked inside houses which were then set on fire.

- The Assistant Prosecutor also showed a few other maps of the villages, as prepared by the National Bureau of Investigation (Keskusrikospoliisi, KRP). The Assistant Prosecutor then showed aerial pictures, including one in which various sites were marked, indicating houses that had been burned down. Another aerial picture showed a house where the Prosecution claims that women were raped. This was followed by a picture of the entire village.

- The next location shown was the capital, Monrovia. It showed the Mesurado River and the west end of the "Old Bridge." The crime site was highlighted on a map of Monrovia and in an aerial picture of the area. The photographs of Monrovia were related to Charge 4.3. Mr. Massaquoi's base, a building used by his troops, was by the river. The Assistant Prosecutor showed an aerial picture of the base and Waterstreet. The Prosecution claimed that Mr. Massaquoi and his troops had patrolled the area close to Waterstreet and that six soldiers were shot there on Mr. Massaquoi's command.

- One picture highlighted the building in which the acts relating to Charge 4.2 allegedly occurred.

- An aerial picture was shown of Kamatahun Tahamba alongside a map of Liberia. According to the Prosecution and as part of Charge 4.4 (aggravated rape), Mr. Massaquoi is alleged to have found a civilian in the rainforest surrounding Kamatahun Tahamba, who he then brought to Foya and raped.

- With respect to the forced labor laid out in Charge 4.5.3.2, the Prosecution asserted that these acts were committed in Kortuhun 1, Kortuhun 2, and Vahun (in Lofa County).

The Prosecution's overview of the crime sites ended with a list of acts giving rise to the charges and the places where those acts occurred.

State Prosecutor Mr. Tom Laitinen took over the presentation of the case after the overview of the crime scenes, to demonstrate the legal basis of these charges. Mr. Laitinen showed a powerpoint presentation in which the homicides and sexual offenses were illustrated. Mr. Laitinen then listed three articles of **Chapter 1 of the Finnish Criminal Code**, including Section 6, Section 11 and Section 7. Mr. Laitinen clarified that "aggravated war crimes" and "aggravated violations of human rights in a state of emergency" are international crimes that can be prosecuted in Finland regardless of where they took place.

Mr. Laitinen further clarified that Finnish law has changed since the alleged crimes were committed. As such, the applicable law is the law that was in effect at that time.

The crimes were committed in the context of the second Liberian civil war (21 May 1999 – 18 August 2003). Mr. Laitinen noted that, during this period, the Revolutionary United Front (RUF) fought side-by-side with Charles Taylor's troops. According to the Prosecution's theory, Mr. Massaquoi was one of the authoritative RUF leaders who moved to Liberia and had the capacity to command RUF soldiers.

Charges

4.1-4.4 Murder and Aggravated rape

The Prosecution listed the murder and aggravated rape charges, which included: murders in Kamatahun Hassala village (Lofa County), described in Charge 4.1; the murder of Monjama in Yandohun village (Lofa County), described in Charge 4.2; murders in Monrovia, described in Charge 4.3; and aggravated rapes in Kamahatun Hassala and Foya villages (Lofa County), described in Charge 4.4.

The Prosecution clarified that these murders and rapes all related to the same course of events: civilians sought cover when they saw the RUF troops arriving in their village. They usually escaped. Sometimes, however, the RUF began to search for them; they did not want survivors. Civilians were then burned, and raped.

The murders in Monrovia are alleged by the Prosecution to have occurred during a later stage of war when people had settled in Monrovia. For various reasons, the RUF took civilians to its base, where they were killed. The Prosecution claimed that none of these actions had a purpose, nor was there any justification. The Prosecution highlighted that civilians must be protected from any violence.

4.5 Aggravated war crimes

The Prosecution listed the "aggravated war crimes" as charged, which included: the murders described in Charges 4.1-4.3; the rapes in Kamatahun Hassala and Foya (Lofa County), and Monrovia; forced labor of civilians in various parts of Lofa County; the use of child soldiers to participate in hostilities in Monrovia; the mutilation or maltreatment of the remains of the dead in Kamahatun Hassala (Lofa County); torture in Klays; and aggravated assault in Monrovia and assault in Kamahatun Hassala (Lofa County).

4.6 Aggravated violations of human rights in a state of emergency

The Prosecution then noted that the charge of "aggravated human rights violations in a state of emergency" related to each of the other charges.

The Prosecution explained that there generally are no plaintiffs in trials relating to "aggravated war crimes" or "aggravated violations of human rights in a state of emergency," as these provisions do not exist *per se* to protect individuals. If the rights of an individual have been violated, however, that individual may have the position of plaintiff.

Mr. Laitinen addressed the challenges regarding this case, which include: the length of time between the commission of the crimes and the present prosecution; cultural and societal differences; long-lasting traumatizing experiences; and the clear need to review credibility on an individual level. Mr. Laitinen stressed that overall assessment of individuals and evidence is required, adding that it is difficult to remember the details of events that happened ten or fifteen years ago, even for him.

The hearing broke at 11:45, to resume at 13:00.

[Break]

The afternoon session began with opening statements from the Defense team, Mr. Kaarle Gummerus, assisted by Ms. Paula Sallinen. The Defense team stated its intention to demonstrate that Mr. Massaquoi was not in Liberia during the actions described in the charges. Instead, the Defense stated that Mr. Massaquoi was in Sierra Leone when the charged acts took place. Using a powerpoint presentation, the Defense laid out the following:

- In 2000, Mr. Massaquoi worked in Freetown (Sierra Leone), at Mr. Foday Sankoh's residence, and also accompanied Mr. Sankoh to South Africa and Ivory Coast in February 2000. The RUF took UN peacekeepers as hostages in April 2000. There was a gunfight at Mr. Sankoh's residence on 8 May 2000 and Mr. Massaquoi escaped to Maken.

- In 2001, Mr. Massaquoi was involved in the peace negotiations in Sierra Leone as part of the UN's special mission starting in January 2001 until the end of that year. Mr. Massaquoi only visited Monrovia in February. The reason for this trip was to collect property he had left behind in Liberia, such as his car. In May, Mr. Massaquoi participated in a meeting in Nigeria.

- In 2002, Mr. Massaquoi lost favor with the RUF leadership and was removed from his position as the group's spokesperson. Former RUF soldiers attacked Mr. Massaquoi in March 2002, robbing him and vandalizing his car. Separately, Mr. Massaquoi was granted immunity for providing evidence to the Special Court for Sierra Leone.

- In 2005 Mr. Massaquoi **testified** before the Special Court for Sierra Leone.

Mr. Gummerus stated that Civitas Maxima and its Liberian sister organization the **GJRP** are in the background of this case, noting that Finnish police asked the NGOs for potential witnesses before their mission to Africa in March-April 2020. He asserted that this diminishes the credibility of those witnesses. Further, the Defense expressed its astonishment that this case was pursued at all, as the report of the **Truth and Reconciliation Commission for Liberia** includes no mention of "Gibril Massaquoi," "Angel Gabriel," "Angel," "Gibril," or "Gabriel."

The Defense acknowledged that, in the photographic material the police provided, one individual with the name “Massaquoi” is listed as being relevant to events occurring in July 2003, but stated that Mr. Massaquoi was in a safehouse during that time.

In addition, the report only names “Junior Massaquoi,” “John Massaquoi,” “Mohammed Massaquoi,” “Roland Massaquoi,” and “x Massaquoi.”

The Defense articulated that there were central changes in the witness statements, which he claims may be a result of the large number of relevant news reports. The Defense also stated that this could be a consequence of bringing up the name, “Angel Gabriel.”

Mr. Gummerus concluded the Defense presentation by noting that it provided vast written evidence and information about the witnesses as counter-evidence. The Defense relied on UN documentation, various media sources, and the reports of the Truth and Reconciliation Commissions for both Sierra Leone and Liberia. Moreover, the Defense claimed that Mr. Massaquoi’s witnesses are people who were very familiar with Mr. Massaquoi, his actions, and/or the actions of the RUF. In support of this contention, Mr. Gummerus showed an excel table listing all the witnesses, categorizing how the witnesses were involved in the pretrial investigation.

The hearing concluded at 13:50, and was scheduled to resume on 5 February 2021 at 10:00.

February 5, 2021 – [Finland] Day 3: Presentation of Documentary

The third day of public hearings was dedicated to the presentation of documentary evidence.

State Prosecutor Mr. Tom Laitinen began by presenting the Prosecution's evidence, summarized with relevant discussion as follows:

- **A list of witnesses, detailing how their interviews were conducted** (Annex 1.6 to the Application of Summons, pages 763-772).

  Mr. Laitinen indicated that this evidence served to demonstrate the different ways in which witnesses were located and highlighted that the majority of the witnesses were discovered without assistance from Civitas Maxima. Mr. Laitinen specified that 20 out of these 55 independently discovered witnesses would be heard at trial. Mr. Laitinen noted that these witnesses had not been influenced by Civitas Maxima, and stated that the similarities between their testimonies would prove the guilt of the accused, Mr. Gibril Massaquoi.

  Defense Counsel for Mr. Massaquoi, Mr. Kaarle Gummerus, responded by stating that many of the witnesses in the indictment had in fact been found with the help of Civitas Maxima, and that those witnesses then helped in finding additional witnesses. Mr. Gummerus provided two examples of witnesses who came forward in such a way and drew particular attention to their credibility, noting that there was no way to know what type of information passed between them about Mr. Massaquoi. Mr. Gummerus noted that, due to the tight-knit nature of the village communities, information can move quickly between people.

  Mr. Laitinen acknowledged that, in small villages, it was impossible to isolate witnesses from one another but asserted that there was no proof that the witnesses tried to influence one another. He stated that, had someone influenced the witnesses, it should be proven, and asked whether someone should testify on that issue.

  Mr. Gummerus stated that some witnesses said that they received information from others, citing two specific examples. He noted that the testimony of these witnesses may be contaminated. District Judge Juhani Paiho (Chair) stated that testimony from the police will be heard to determine whether the witnesses were properly selected.

- **"List of perpetrators" from Vol. II of the Liberian Truth and Reconciliation Commission's Report** (Annex 1.8 to the Application of Summons, pages 776-776, rows 14-18).

  Mr. Laitinen clarified that police had acknowledged this specific list did not include the names of commanders, contrary to the Defense's assertions.

  Mr. Gummerus argued that, while the other commanders are not found in that list, they are found elsewhere in the Truth and Reconciliation Commission's report. Mr. Gummerus highlighted the absence of Mr. Massaquoi's name in the report as a whole, while stressing that the names of other commanders and foreign mercenaries (such as "John Massaquoi" and "Mosquito") are

included in the report. Mr. Gummerus emphasized that the name "Gibril Massaquoi" is absent. Mr. Laitinen then turned to present an image of the form interviewers for Liberia's Truth and Reconciliation Commission used when interviewing witnesses (Annex 1.8 to the Application of Summons, page 776). He stated that the absence of Mr. Massaquoi's name in the reports is due to the fact that the form did not include Mr. Massaquoi's name, nor mention the RUF, nor of any other party which Mr. Massaquoi represented.

Mr. Laitinen argued that the witnesses were never asked about the RUF or its soldiers. This, Mr. Laitinen suggested, could be why the RUF and its soldiers were not discussed in the hearings and reports of the Truth and Reconciliation Commission.

Mr. Gummerus noted that interviewees were asked questions about other groups and that they had spoken about matters besides those mentioned on the interview form.

- **"Secret behind the gun: Massaquoi's report"** (Annex 1.25 to the Application of Summons, starting at page 3073) with Finnish translation (Annex 1.33, starting at page 3511).

  Mr. Laitinen explained that this document details Mr. Massaquoi's own explanations of where he was at various times during the conflict. Mr. Laitinen read an excerpt in which Mr. Massaquoi stated, "*I mentioned in many interviews that I was interviewed in X and not in Y, people thought that I was in Makeni (Sierra Leone) and not in Monrovia*." This excerpt concerned the time period between late 2000 and early 2001. Mr. Laitinen stated that Mr. Massaquoi knew how to make the interviewers believe he was somewhere other than his actual location, and that it was thus entirely possible that he was not where the interviews suggest. Mr. Laitinen noted that this was important when considering the credibility of Mr. Massaquoi's claim of being absent from Liberia.

  Mr. Gummerus replied by pointing out that the time period in question was very short, and that the report also shows that Mr. Massaquoi was ordered to move to Makeni in January 2001. Mr. Gummerus further noted that the Defense evidence showed only five interviews conducted with Mr. Massaquoi via satellite telephone from Makeni. He claimed that there were also many interviews conducted in person with Mr. Massaquoi in Makeni. Mr. Gummerus also noted that the excerpt was Mr. Massaquoi's own writing about old times.

- **Handwritten note from a meeting organized by Mr. Massaquoi in prison**, (Annex 1.26 to the Application of Summons, at page 3447).

  This exhibit shows Mr. Massaquoi's notes from a family meeting that was organised in prison. The Prosecution claimed that prison cleaners found these notes near a toilet after the meeting, and that the notes included guidance to several of Mr. Massaquoi's witnesses. According to the Prosecution, the note stated that all key witnesses were to be informed of certain things. The information related to where Mr. Massaquoi had been; he wanted to guide these witnesses as to what they should say on this topic. Mr. Laitinen clarified that the notes did not state that Mr. Massaquoi's ex-wife would have contacted other witnesses, and he noted that her story might be dictated in part by Mr. Massaquoi.

Mr. Gummerus stated that Mr. Massaquoi's note never left the prison and that it was written before witness groups three and four were heard. He posited that Mr. Massaquoi was worried but did not ask anyone to lie. Rather, Mr. Massaquoi was merely reminding them of different things that Mr. Gummerus stated were truthful. However, the Defence conceded that the writing of the note was wrong and should not have happened.

The session then shifted to the presentation of the Defense evidence.

Mr. Gummerus began with a PowerPoint that he said contained many dates during which Mr. Massaquoi was somewhere other than Liberia. The PowerPoint demonstrated the best pieces of evidence, but the Defence clarified that there were more. Mr. Gummerus also introduced media coverage collected from online sources such as **AllAfrica**, "The Sierra Leone Web", and UN sources mainly compiled from **Reliefweb.int**, as well as from the Truth Commission's reports.

Mr. Gummerus then formally introduced the following pieces of Defense evidence, with Defense exhibit numbers indicated:

- **Exhibit D1: Volume II of the Consolidated Final Report of the Truth and Reconciliation Commission of Liberia**

This report related to the murder of Samuel Bockary and his family in Nimba County on 6 May 2003. The Defense agreed that 6 May 2003 was the date the murders occurred, but argued that Mr. Massaquoi was not in Nimba County on that date. Mr. Gummerus asserted that witness stories to the contrary were not truthful. He noted that this evidence was adduced to demonstrate that references to the RUF were a consistent theme in the reported violations. Mr. Gummerus reiterated, however, that the Defendant was not on the list despite the report containing many RUF commanders and mercenaries who took part in the Liberian Civil War. The Defense also mentioned the fact that several other 'Massaquois' had been mentioned in the report, ranging from Edward Massaquoi to Roland Massaquoi, for different crimes in the conflict.

- **Exhibit D2: Volume III Appendices of the Truth and Reconciliation Commission**

Mr. Gummerus referenced a list of the names of those responsible and another list of names including people with the surname 'Massaquoi'. Mr. Gummerus noted that there was no mention of a 'Gibril Massaquoi' on these lists.

- **Exhibit D3: Police summary of the Truth Commission's statements**

Mr. Gummerus cited page 790, which provided information about the witness hearings in Kamatahun Hassala and Monrovia. Mr. Gummerus reiterated that there was no mention of Mr. Massaquoi by name.

The morning session ended with a dialogue between Prosecution and Defense regarding the Defense evidence. Mr. Laitinen acknowledged that Mr. Massaquoi was not on the list in the police summary but noted that these statements could not be regarded as witness hearings, nor

could these witnesses be heard in the courtroom. Mr Gummerus posited that the references to people with the surname 'Massaquoi' have nothing to do with his client. He asserted that these individuals, and not his client, might be implicated in the events that the witnesses in the case will speak of, and proposed a discussion about the value of these witness statements with Mr. Laitinen.

Mr. Laitinen responded that the reports could only be taken for what they said on their face. It was not possible to undertake in-depth analysis or hear from the people involved in the reports. Before the morning session closed, Mr. Gummerus reiterated that Mr. Massaquoi's name was not in the reports, despite their length and detail. Mr. Laitinen countered that not all Liberians were heard from in the reports, a point that the Defence conceded.

The morning session ended at 12:06.

[Break]

The afternoon session started at 13:16.

Defense Attorney Mr. Gummerus began by stating that the Defense and Prosecution had discussed the conflicting material they each had presented in the first session of the day. Mr. Gummerus clarified that neither the Defense nor the Prosecutor intended to make separate claims, rather, they both intended to demonstrate the in-depth nature of the reports.

The afternoon session continued with the Defense's presentation of evidence as follows:

- **Exhibit D4: Liberian Newspaper Material**

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- Mr. Gummerus presented material from Liberian newspapers dated between 1 November 1999 and 12 December 2004. He referred to the newspapers as a demonstration of the problem they faced, noting that there was a significant amount of evidentiary material annexed to the Application of Summons that they had not been able to review. Mr. Gummerus stated that the material does not contain any information regarding Mr. Massaquoi's guilt, nor anything else relevant to the case.

- **Exhibit D5: Photographs and Video**

  The Defense presented twelve photographs, including one photo of Mr. Massaquoi, and a video clip, which were used to identify Mr. Massaquoi in witness interviews. Mr. Gummerus alleged that some of the witnesses had only been shown the video clip.

- **Exhibit D6: Final Report of the Truth and Reconciliation Commission of Sierra Leone, Volume III A**

The Defense referred to sections 941, 1053, 1184, 1212, 1213, 1407 and 1417 of Chapter III, Volume III A of Sierra Leone's Truth and Reconciliation Commission Report. These sections refer to where Mr. Massaquoi was located at specific moments in time. Mr. Gummerus addressed each of these sections, elaborating on exactly where Mr. Massaquoi was at the relevant times.

- **Exhibit D7: News article from the Sierra Leone Web, September 1999**

The Defense alleged that this article from the Sierra Leone Web News placed Mr. Massaquoi in Makeni, Sierra Leone, on 3 September 1999. The Prosecution interjected and requested the source of the report. The Defense responded that the source was unknown, and that the exhibit is a news article based on a report which is mentioned in the article itself. The Judge asked what in the article constituted proof that Mr. Massaquoi was in Makeni, to which the Defense replied that it was their understanding when reading the article. The Prosecution asked whether the reporter actually saw Mr. Massaquoi in Makeni, and the Defense admitted to not having knowledge of this fact. Mr. Laitinen expressed his disagreement that the article proved Mr. Massaquoi was in Makeni.

- **Exhibit D8: News article from the Sierra Leone Web, December 1999**

This article mentioned that Mr. Massaquoi had made a statement in Freetown on 15 December 1999. The Prosecution again interjected to say that this did not prove that Mr. Massaquoi was in fact in Freetown, while the Defense disagreed.

- **Exhibit D9: News article from the Concord Times, 29 February 2000**

This evidence contained a statement from a reporter who listened to Mr. Massaquoi speak on the radio as he stated he was in Abidjan, Ivory Coast. The Prosecution responded that Massaquoi could have been anywhere.

- **Exhibit D10: News article from the Sierra Leone Web, March 2000**

This article noted that Mr. Massaquoi had met members of the Sierra Leonean Government at a conference in Freetown on 15 February 2000. The Defense added that this demonstrated Mr. Massaquoi's location and motives during this time period.

- **Exhibit D11: News article from the Sierra Leone Web, May 2000**

According to the Defense, this article placed Mr. Massaquoi in Sierra Leone on 19 May 2000. The Defense said that Mr. Massaquoi gave an interview via satellite phone from Makeni. The Prosecution responded that the satellite phone did not demonstrate with certainty that Mr. Massaquoi was really in Makeni. The Defense countered by stating that the article also provided that Mr. Massaquoi reached Makeni on 10 May 2000. The Prosecution requested the source of the article, which the Defense did not know.

- **Exhibit D12: News article from Sierra Leone Web, August 2000**

This article, dated August 2000, placed Mr. Massaquoi in Makeni, according to his own statements. On 28 August 2000, Mr. Massaquoi spoke in Monrovia and shared that he was in Monrovia.

- **Exhibit D13: Letter from Mr. Massaquoi to the President of Nigeria**

The Defense presented a letter written by Mr. Massaquoi to the President of Nigeria on 11 October 2000. It was written from the headquarters of the RUF in Makeni, demonstrated by the letterhead. In the letter, Mr. Massaquoi had written that he did not yet have satellite phones. The Prosecution noted that the letter was self-serving.

- **Exhibit D14: Official Statement from Sierra Leone in October 2000**

The Defense offered an official statement made by Mr. Massaquoi on 6 October 2000 from the headquarters of the RUF in Sierra Leone.

- **Exhibit D15: News article from the Sierra Leone Web, November 2000**

For this article, Mr. Massaquoi spoke with a report in Monrovia, where he said he was on a "quick stop." According to the Defense, Mr. Massaquoi was in Abuja on 10 November 2000, as he spoke to reporters from Abuja the following day. The Defense posited that, on 30 November 2000, Mr. Massaquoi was probably back in Sierra Leone.

- **Exhibit D16: Press Release from Sierra Leone, December 2000**

This press release from Mr. Massaquoi was sent from Sierra Leone on 14 December 2000. The Prosecution asked if Mr. Massaquoi wrote it entirely by himself. The Defense responded that he probably did and notes that the release demonstrated what Mr. Massaquoi was doing at the time.

- **Exhibit D17: Press Release from Sierra Leone, June 2001, from ReliefWeb**

This press release, posted from Sierra Leone on 16 June 2001, stated that Mr. Massaquoi met with people in Makeni that day.

- **Exhibit D18: News article from The Progress, September 2001**

This article, dated 18 September 2001, stated that there was a meeting between Mr. Massaquoi and people in Makeni.

- **Exhibit D19: News article from ReliefWeb, February 2001**

Dated 13 February 2001, this article stated that Mr. Massaquoi participated in a meeting the previous day in Makeni. Prior to the meeting, the participants visited a hospital in Makeni. Afterwards, they travelled to Magburaka.

- **Exhibit D20: News article from the Concord Times, February 2001**

  This article, dated 14 February 2001, mentioned a meeting in Makeni during which Mr. Massaquoi promised not to fight ever again. The Defense claimed that this article demonstrated that Mr. Massaquoi was in Makeni at that time.

- **Exhibit D21A [unclear]: News article from The Progress, March 2001**

  This article from 7 March 2001 stated that someone met with Mr. Massaquoi in Lunsar.

- **Exhibit D21B [unclear]: Letter to the United Nations, May 2001**

  The Defense entered the next piece of evidence in two parts. The first was a letter from Liberia to the United Nations dated 18 May 2001, in which the Liberian government informed the United Nations that not a single person described on Security Council Resolution 1343 was in Liberia after the Resolution's acceptance on 7 March 2001. The second piece was the Resolution itself, as Mr. Massaquoi was one of the individuals listed in the document. The Defense asserted that Mr. Massaquoi had thus not been in Liberia from 7 March 2001 to 18 May 2001.

- **Exhibit D22: News article from the Concord Times, March 2001**

  This article, dated 20 March 2001, placed Mr. Massaquoi in Makeni's state hospital. The Prosecution inquired as to how the article placed the Defendant there, and the Defense explained that, because the article detailed how Mr. Massaquoi had warned his men not to steal drugs from the Makeni hospital, it was reasonable to conclude he was there.

- **Exhibit D23: News article from Expo Times, April 2001**

  This article, dated 6 April 2001, described a RUF delegation meeting on 6 April 2001. Before the meeting, the delegation stopped in Lansar, Sierra Leone, on 31 March 2001. The Defense stated that the article included Mr. Massaquoi as part of this delegation.

- **Exhibit D24: News article from Reliefweb, April 2001**

  This article, dated 9 April 2001, showed officials from the RUF meeting with the UN Deputy Secretary-General in Lansar, Sierra Leone. The Defense asserted that Mr. Massaquoi was part of this meeting and that his presence demonstrated both his actions and motives during this time.

- **Exhibit D25: News article from the Washington Post, April 2001**

The Defense presented an article, dated 14 April 2001, that reported Mr. Massaquoi giving a statement in Makeni either on 14 April 2001 or slightly before that.

- **Exhibit D26: News article from Reliefweb, April 2001**

  The Defense used this article to demonstrate that Mr. Massaquoi was in Makeni on 20 April 2001. He reportedly had an interview in Makeni on this date, although the Defense noted it was conducted via satellite phone.

- **Exhibit D27: News article from Sierra Leone Web, April 2001**

  This article, dated April 2001, purportedly showed Mr. Massaquoi in a delegation that was departing to Abuja. On 3 April 2001 and 20 April 2001, he gave interviews in Makeni. The Prosecutor asked whether Mr. Massaquoi had himself reported his location. The Defense conceded that he had.

- **Exhibit D28: Youth Symposium in Makeni, 23-25 April 2001**

  The participant list for this Youth Symposium in Makeni (23 to 25 April 2001) indicated that Mr. Massaquoi had attended.

- **Exhibit D29: News article from Reliefweb, May 2001**

  This article, dated 12 May 2001, showed Mr. Massaquoi in a meeting with the United Nations Mission in Sierra Leone (UNAMSIL) in Magburaka, Sierra Leone, on 11 May 2001.

- **Exhibit D30: News article from Sierra Leone Web, May 2001**

  This article, dated May 2001, stated that Mr. Massaquoi was in Freetown to meet with a reporter at the Mammy Yoko Hotel. However, the Defense did not know whether the reporter was in Freetown.

- **Exhibit D31: Concord Times, 28 May 2001**

  This article, dated 28 May 2001, included an interview with Mr. Massaquoi in Makeni. The Defense asserted that Mr. Massaquoi was thus in Makeni from 25 to 26 May 2001.

- **Exhibit D32: Metadata from Sierra Leone Web, June 2001**

  The Defense described this exhibit as a 'special piece of evidence'. The Defense acquired it by searching for "Gibril Massaquoi" on Sierra Leone Web and sifting through the metadata to find reference to an interview conducted with Mr. Massaquoi in Makeni on 2 June 2001.

- **Exhibit D33: News article from the Concord Times, June 2001**

  The Defense produced this piece of evidence, an article dated 18 June 2001, to demonstrate Mr. Massaquoi's presence in Makeni on 15 June 2001. The Prosecution inquired as to who the interviewee in the article was. The Defense admitted to being unsure, but reiterated that Mr. Massaquoi was in Makeni.

- **Exhibit D34: News article from Reliefweb, June 2001**

  According to this article from 18 June 2001, Mr. Massaquoi met with a United Nations Ambassador in Makeni on 16 June 2001. The Defense clarified that the source of this article was the United Nations.

- **Exhibit D35: News article from the Sierra Leone Web, June 2001**

  This article, dated June 2001, included a picture of Mr. Massaquoi taken in Makeni on 24 June 2001. This photograph was the same one the Central Criminal Police used to identify Mr. Massaquoi. The Prosecution questioned whether the reporter was in Makeni as well. The Defense stated its opinion that both the reporter and Mr. Massaquoi were in Makeni.

- **Exhibit D36: USAID Field Report Sierra Leone, June 2001**

  This USAID report indicated that Mr. Massaquoi gave a joint interview with Mr. Sesay in Kono, Sierra Leone, in June 2001.

- **Exhibit D37: UNAMSIL Press Briefing, July 2001**

  This UNAMSIL press briefing, dated 6 July 2001, indicated that UNAMSIL and representatives of the Sierra Leone Truth and Reconciliation Commission met with Mr. Massaquoi in Makeni on 4 July 2001.

- **Exhibit D38: Concord Times, July 2001**

  This article from the Concord Times, dated 17 July 2001, showed the Special Representative's meeting with Mr. Massaquoi in Makeni between 4 July 2001 and 10 July 2001.

- **Exhibit D39: News article from the Sierra Leone Web, July 2001**

  A Sierra Leone Web article dated July 2001 indicated that Mr. Massaquoi took part in a RUF meeting in Makeni on 14 July 2001. Mr. Massaquoi also gave an interview from Makeni in late July 2001.

- **Exhibit D40: News article from the Standard Times, 25 July 2001**

This final piece of evidence was an article dated 25 July 2001. It referenced a statement the police took from Mr. Massaquoi in Makeni as part of an investigation in a counterfeiting case.

The hearing ended at 15:52 and was scheduled to continue on Monday 8 February at 10:00.

February 8, 2021 – [Finland] Day 4: Presentation of Documentary Evidence (continued)

The fourth day of public hearings resumed with the Defense presentation of documentary evidence.

Defense Counsel for Mr. Massaquoi, Mr. Kaarle Gummerus, began by presenting the following:

- **Exhibit D41: News article from the Concord Times, July 2001**

According to the Defense, Mr. Massaquoi gave an interview on 17 July 2001 to the Concord Times about the attacks against the United Nations Mission in Sierra Leone (UNAMSIL) peacekeepers in Makeni, Sierra Leone. The Defense asserted that the reporter was located in Makeni but acknowledged this was not a proven fact.

- **Exhibit D42: News article from L'Express, 26 July 2001**

The Defense then asserted that this article indicates that Mr. Massaquoi was at the Revolutionary United Front (RUF) base in Makeni on or slightly before that date. The Defense stated that the reporter noted that Mr. Massaquoi was sitting under a mango tree while they spoke. State Prosecutor, Mr. Tom Laitinen, asked whether the reporter was physically in Makeni, or if Mr. Massaquoi himself had told the reporter that he was sitting under a mango tree. The Defense could not confirm whether the reporter witnessed Mr. Massaquoi in Makeni.

- **Exhibit D43: Press release from Reliefweb, 7 August 2001**

The Defense presented this UNAMSIL press release, indicating that Mr. Massaquoi was in Makeni at the opening of the Sierra Leonean Truth and Reconciliation (TRC) Community Sensitization Program earlier that week. The Defense noted that Mr. Massaquoi gave comments at the event, thereby demonstrating that he was in Sierra Leone on 2 August 2001.

- **Exhibit D44: Communiqué on Reliefweb, 10 August 2001**

The Defense next presented a UNAMSIL communiqué they claim indicates Mr. Massaquoi was in Kenema, Sierra Leone (roughly 250 kilometers east of Freetown) on 10 August 2001, where he took part in the agreement between the Government of Sierra Leone and the RUF regarding the extension of the Kono disarmament. According to the Defense, Mr. Massaquoi signed papers relating to the agreement in Kenema. The Defense noted, however, that they have not yet been able to corroborate this theory with primary sources of evidence.

- **Exhibit D45: News article from Sierra Leone Web, August 2001**

The Defense stated that, on 13 August 2001, Mr. Massaquoi gave an interview to the BBC concerning the events in Kenema. The BBC archive has been closed due to COVID-19, however,

and as such, Defense Counsel stated that they could not obtain the original interview to verify where it took place. The Defense also stated that Mr. Massaquoi was in Freetown when the police raided his apartment on 20 August 2001.

The Prosecution questioned whether one could be certain of Mr. Massaquoi's whereabouts based on this piece of evidence.

- **Exhibit D46: Letter to the United Nations, August 2001**

The Defense presented a letter from Mr. Massaquoi to the UN, dated 17 August 2001. The Defense conceded that it was Mr. Massaquoi himself who said he was in Makeni when he signed the letter.

- **Exhibit D47: UN Commission on Human Rights (CHR) Report, February 2002**

The Defense then presented the November 2002 Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, based on her mission to Sierra Leone (21-29 August 2001). In the Report, the Special Rapporteur stated that she met with Mr. Massaquoi. The Defense acknowledged that the exact date of their meeting was not clear from the report.

- **Exhibit D48: News article from the Concord Times, 23 August 2001**

This article noted that Mr. Massaquoi had visited the Concord Times office in Freetown the day prior.

- **Exhibit D49: Letter to the United Nations, 27 August 2001**

The Defense stated that Mr. Massaquoi signed this letter to the UN while he was in Makeni. The letter described a meeting to be held in September at RUF headquarters. The Prosecution again noted that it was Mr. Massaquoi himself who explained his whereabouts.

- **Exhibit D50: Press release from Reliefweb (orig. UNAMSIL), 1 September 2001**

The Defense presented this press release as evidence that Massaquoi met with the Acting Force Commander of UNAMSIL in Makeni on either 30 August or 1 September 2001. According to the article, the discussion related to a meeting scheduled for 3 September 2001 in Kono.

- **Exhibit D51: News article from the Standard Times, 7 September 2001**

The Defense then presented this article to show Mr. Massaquoi took part in a meeting in Kono from 3 to 4 September 2001. Mr. Massaquoi commented on the meeting, but it was not clear from the article if he was present.

- **Exhibit D52: Statement by the Concord Times, September 2001**

  On 10 September 2001, the Concord Times made a statement which noted that "*the other day Gibril Massaquoi was in our office*." The Defense cited this statement as evidence that Mr. Massaquoi was in Freetown around the 8 September 2001. The exact day of the visit, however, was not clear.

- **Exhibit D53: News article from the Concord Times, September 2001**

  On 10 September 2001, Mr. Massaquoi gave an interview to the Concord Times in Makeni. The Defense asserted that this interview showed Mr. Massaquoi's motives and interests during that time.

- **Exhibit D54: News report from Reliefweb (orig. UNAMSIL), September 2001**

  This article, dated 19 September 2001, stated that Mr. Massaquoi took part in a Joint Committee on Disarmament, Demobilization and Reintegration (DDR) meeting as a member of the RUF delegation on 18 September 2001. The article also referenced upcoming meetings, including one scheduled for 11 October 2001 in Freetown.

- **Exhibit D55: Photograph in a news article from Justiceinfo.net, April 2020**

  This article included a photograph of Mr. Massaquoi captioned "*Gibril Massaquoi, when he was spokesman for the Revolutionary United Front, speaking to journalists in Makeni, northern Sierra Leone, in September 2001*." The Defense noted that they do not have access to an international photograph repository, so the only available information related to the photograph is the caption.

- **Exhibit D56: News article from Sierra Leone Web, October 2001**

  This Sierra Leone Web article from October 2001 purportedly showed that Mr. Massaquoi took part in a conference on 11 October 2001. The Defense acknowledged that, though Mr. Massaquoi commented on the conference, they could not confirm whether he took part in it.

  The same article reported that on 15 October 2001, Mr. Massaquoi announced he was moving from Makeni to Freetown, where the RUF's new offices were located. On 29 October 2001, he responded to reports of his alleged expulsion by RUF leadership from Makeni to Freetown. The Defense pointed to this exhibit to show Mr. Massaquoi was in Makeni or Freetown during this time.

- **Exhibit D57: News article from Reliefweb (orig. Reuters), 31 October 2001**

This article stated that Mr. Massaquoi was in Tongo "*last week*," thus suggesting he was there between 22 and 26 October 2001. The Prosecution requested the source of this information, but the Defense could not offer anything beyond what was stated in the article.

- **Exhibit D58: Sierra Leone Humanitarian Situation Report, October-November 2001**

This report by the UN Office of the Coordination of Humanitarian Affairs (OCHA) covered the period from 16 October to 5 November 2001. It describes the UN evacuation of Mr. Massaquoi to Freetown at the end of October 2001 due to conflicts within the RUF. The Defense did not claim that the reporter was present during the evacuation.

- **Exhibit D59: News Article from Reliefweb (orig. The Christian Science Monitor), 7 November 2001**

In this article, a reporter described Mr. Massaquoi as someone who "*fiddles with his heavy gold rings…*". The Defense inferred from this detail that the reporter spoke with Mr. Massaquoi in person while in Makeni. The Defense conceded, however, that the exact date of the meeting was unclear.

[…] a reporter described Mr. Massaquoi as someone who "fiddles with his heavy gold rings…" Artistic impression by JP Kalonji.

- **Exhibit D60: Report from Reliefweb (Sierra Leone Humanitarian Situation Report), March 2002**:

The final piece of evidence presented by Defense in the morning session was this OCHA report covering the period of 1-31 March 2002. The report stated that, on 24 March 2002, former RUF combatants attacked Mr. Massaquoi in Segbwema, Kailahun District, Sierra Leone.

The morning session ended at 11:30.

[Break]

The afternoon session started at 12:46.

The Defense continued with a presentation of documentary evidence, summarized with relevant discussion as follows:

- **Exhibit D61: News article from the Sierra Leone Web, 3 April 2002**

In this article Mr. Massaquoi gave a phone interview. The article referenced internal conflict within the RUF and stated that Mr. Massaquoi pledged his support to Mr. Foday Sankoh.

- **Exhibit D62: News article from the Concord Times**, **19 April 2002**

According to this article, Mr. Massaquoi personally delivered a protest letter to the National Electoral Commission (NEC) and the Concord Times.

- **Exhibit D63: News article from the Concord Times, 22 April 2002**

  This article referred to ongoing internal conflict within the RUF. The Defense noted this quarrel might become relevant later in the trial.

- **Exhibit D64: News article from Sierra Leone Web, September 2002**

  This article stated that Mr. Massaquoi had a fishing project which he said would continue for the next 18 months. In the article, Mr. Massaquoi distanced himself from the RUF, claiming that he had no political links to them, and that he had no involvement with executions within the RUF or with hostilities towards civilians.

- **Exhibit D65: Out Of Court Statements Made By TF1-046 to SCSL Office of the Prosecutor**

  This was a list of statements made by Mr. Massaquoi for the Special Court for Sierra Leone (SCSL) Office of the Prosecutor (OTP). Each statement featured a date and a place that demonstrated when and where they were given. The Prosecution questioned whether Mr. Massaquoi sent the statements to the OTP himself. The Defense replied that he had, and that there were also oral statements recorded in the OTP offices. As an example, the Defense referred to a recording of Mr. Massaquoi on 3 December 2002 in which he was heard saying "*we are sitting here at the offices in Freetown.*" The Defense also referred to statements that Mr. Massaquoi signed and dated. In response, the Prosecution asked whether there were stamps that acknowledged when the statements were received. The Defense said that there were not.

- **Exhibit D66: News article from Sierra Leone Web, October 2002**

  According to this article, Mr. Massaquoi was questioned by Sierra Leone's Criminal Investigations Department. The Defense asserted that, because it was the Sierra Leone Criminal Investigations Department, it could be presumed to have happened in Sierra Leone.

- **Exhibit D67: Witness Protection Agreement, 23 October 2002**

  This agreement for witness protection (presumably for testimony before the SCSL) was signed on 23 October 2002. Mr. Massaquoi was told that everything he said could be used against him if he committed human rights violations, and thus there was a risk in cooperating with the SCSL investigation.

  Following the presentation of this exhibit, Mr. Laitinen and Mr. Gummerus discussed the phrasing of the document, agreeing that it warned of possible risk of prosecution.

- **Exhibit D68**: **News article from Sierra Leone Web, March 2003**

According to this article, Mr. Massaquoi's fishing project was accepted. Defense Counsel noted that, according to the article, Sierra Leone's former Head of State, Mr. Johnny Paul Koroma, was still alive at the time of publication.

- **Exhibit D69: Police Report on Finding Witnesses**

This exhibit listed witnesses and detailed how and when they were found. The Defense pointed out that Finland's National Bureau of Investigation (NBI) used individuals associated with Civitas Maxima to interview witnesses in 2018, and therefore, there was a link between this case and the organisation. The Defense listed several witnesses located in Monrovia that they claimed were related to Civitas Maxima. The Defense also noted that the name "Angel Gabriel" came up in the witness hearings. The Defense questioned how certain individuals could know that some of the witnesses in this trial were former soldiers. The Defense also stated that some witnesses were found with the help of others who had a link to Civitas Maxima. The Defense then highlighted that this witness group's identification percentage was much higher than any other. According to the Defense, over 90% of information was shared between these witnesses prior to the interviews. The Defense asserted that issues relevant to this case had been discussed with the witnesses.

The Prosecution then briefly rebutted by stating that there was no difference between witnesses that were not to be heard in this process and those that will be heard.

The presentation of this evidence ended with the Defense asserting that there were many problematic witnesses on the list, and that certain witnesses had information about the matters relevant to the case before the NBI carried out its interviews.

- **Exhibit D70: News article from CNN, 14 August 2003**

The Defense presented this article, titled "**Hungry Liberians storm port**", to provide historical and contextual background. It described events during a food shortage in Monrovia, which, the Defense noted, led to robberies. According to the Defense, this evidence also regarded where witnesses were during certain events. The Defense asserted that Mr. Massaquoi was already in a safehouse and thus could not have been at the port. The Prosecution asked the Defense whether it presumed that, when witnesses spoke about robberies, they were speaking about this particular event. The Defense stated that, if witnesses made statements about food shortages and robberies, it would be in reference to events occurring in 2003, even if the witnesses could not remember the year correctly. The Defense also clarified that the port was the Port of Monrovia.

- **Exhibit D71: News article from the Guardian, 28 June 2003**

This article, titled, "**Hundreds killed in Monrovia chaos**," described a four-day battle for Monrovia, which took place while the people of the city struggled with hunger and potential epidemics.

While presenting this article, the Defense explained that in the summer of 2003, 42 people were murdered on the Johnson Street Bridge in Monrovia. This evidence was presented to pre-emptively raise the credibility of certain witnesses. The Defense asked the Court to specifically note that Johnson Street Bridge was in the Waterside area. The Prosecution noted that there was another bridge there and both parties agreed that they would need to mark the boundaries of the Waterside area.

- **Exhibit D72: Video Clip Used for Identification**

  A video clip was shown to the court, with no additional comments.

- **Exhibit D73: Associated Press Archive Video**

  The Defense stated that this video would show that Mr. Massaquoi was in Lunsar on 23 July 1999. The video could not be shown to the court, however, due to technical issues.

- **Exhibit D74**: **Interview with Mr. Gibril Massaquoi, May 2001 (video and metadata)**

  The Defense presented a videotaped interview with Mr. Massaquoi, along with the video's metadata, which indicated that the video was filmed in Makeni and published on 12 May 2001.

- **Exhibit D75**: **Expert Opinion regarding the timing of "World War I, II and III"**

  The Defense noted that in March 2003, the Liberians United for Reconciliation and Democracy (LURD) had moved towards Monrovia, but had not yet arrived. The Defense raised this because they believed witnesses were likely to discuss it, and that they would like expert opinion on whether such things happened in 2001 or 2002. The Defense said that they had located an expert who had conducted research about the situation in Monrovia in 2003 and earlier. The Prosecution had no objection to the use of experts generally but warned that experts may not be able to speak to all the things that witnesses describe.

- **Exhibit D76**: **Picture of Mr. Gibril Massaquoi**

  The Defense proffered this picture, taken in Sierra Leone and dated 26 September 2001, while also referring to an article in Helsingin Sanomat, dated September 2001. The Defense noted that metadata from international photograph repositories would make it easier to demonstrate the relevant dates.

- **Exhibit D77**: **News article from the Concord Times, 29 November 2001**

  According to this article, titled, "Makeni Declared No-Go Area for RUF Spokesman," Mr. Massaquoi escaped Makeni after having some problems with his superior. Mr. Massaquoi relayed this information to the press and was said to have been in Freetown waiting for an investigation.

The hearing ended at 15:09 and will resume on Thursday, 11 February 2021.

February 11, 2021 – [Finland] Day 5: Mr. Massaquoi is Heard

NOTE: During today's hearing, there were persistent difficulties in hearing the various names, places, and acronyms referenced, even for the Judges. This resulted in the Court providing Mr. Massaquoi with a board, upon which he could write the various names, places and acronyms that were difficult to hear. The board, however, was not visible to the audience. Where we were unable to accurately capture statements that seemed relevant to Mr. Massaquoi's defense, we have indicated that there is a gap in the information with [information unclear].

The fifth day of public hearings opened with the Judge announcing that Mr. Massaquoi, the Accused, would be heard today. He explained that the Defense, led by Mr. Gummerus, may ask questions first, and following that, the Prosecution, led by Mr. Laitinen, may also ask questions. The Judge stated that the Accused is under no obligation to answer the questions or to answer truthfully.

Mr. Gummerus began, explaining that the hearing will consist of several parts. The Defense would start with the history and background of Mr. Massaquoi's life, and then focus on relevant places, times, and dates. Additionally, the Defense would go through the persons involved. Mr. Gummerus explained that the events will be addressed chronologically and at the end of the questioning, there will be individual questions related to the investigation.

Personal background and joining the RUF

The Defense proceeded to ask Mr. Massaquoi about his background, including when and where he was born, where he was from, and what his educational background was. Mr. Massaquoi answered that he was born on 17 October 1969 in Kenema, Sierra Leone. He elaborated that he attended primary- and secondary-level schools in the southern part of Sierra Leone and that he began teaching in 1991.

After explaining Mr. Massaquoi's background, the Defense followed up by asking him when the RUF attacked. Mr. Massaquoi answered that the RUF attack happened in April 1991, when he was teaching. A few days after the attack, the RUF began opening offices there in order to take care of administrative matters. Mr. Massaquoi explained that he was one of the persons who started working in these offices.

Mr. Gummerus then asked Mr. Massaquoi why he was one of the ones who was chosen to work in the office. Mr. Massaquoi responded that he was actually chosen quite randomly to work in one of the offices. Following the question of whether he was working there voluntarily, Mr. Massaquoi confirmed that he was not paid for working there. The Defense asked him whether he joined the armed activity and whether he had any military training. Mr. Massaquoi confirmed that he did. He mentioned that he had once left the office to return to his mother's town after hearing she had been threatened. Upon his return to the RUF office, he was accused of providing information to the government and sent to military training with a few other men.

Mr. Gummerus proceeded to ask Mr. Massaquoi what his activities were after the military training he received in the RUF. In response, Mr. Massaquoi explained that the military training

lasted for three weeks. After the training, the Government troops attacked and the RUF had to retreat towards the Liberian border. Mr. Massaquoi explained that the RUF was close to the Liberian border, when Government troops also moved towards the border. Mr. Massaquoi stated that he was in one of the units pushing the Government troops back.

Roles within the RUF and 1997-1999 imprisonment

The Defense then asked Mr. Massaquoi about his position in the RUF and the battles he participated in, as well as the years in which he took part in the combat. Mr. Massaquoi stated that he was first a Deputy Commander and was later promoted to Commander. He explained that Alligator Forces were responsible for one of the main roads and the surrounding areas in 1993 until 1994. After being asked how his position in the RUF evolved, Mr. Massaquoi explained that, in 1995, he was relocated north by the leaders of the RUF, where he was a Commander. He stayed until 1996 when he became sick. Mr. Massaquoi explained that at this point in 1996, there was a ceasefire between the Government and the RUF. He was sent to the Ivory Coast to receive treatment. In 1997, Mr. Massaquoi had recovered and the RUF made him their spokesperson.

The Defense then proceeded to ask Mr. Massaquoi about his role as a spokesperson. Mr. Massaquoi responded that during that time he did not attend armed activities, as he lived in the Ivory Coast. While he was no longer an RUF commander, people still called him a commander .

Mr. Gummerus then asked Mr. Massaquoi what happened in 1999 and why he ended up in prison. Mr. Massaquoi explained that he and the leader of the RUF, Mr. Foday Sankoh, were in Nigeria at that time. At the instructions of Mr. Sankoh, Mr. Massaquoi returned to Sierra Leone in 1997, where a new government had been formed. RUF was part of the new government. Two months into his return to Sierra Leone, Mr. Massaquoi had left the capital and was heading towards the countryside when he was arrested on allegations that he had acted for the Armed Forces Revolutionary Council (AFRC). During his detention, Mr. Massaquoi was asked whether the RUF planned to overthrow the Government.

Mr. Gummerus than asked Mr. Massaquoi how long he was imprisoned during this time. Mr. Massaquoi noted the internal conflict within the RUF and stated that he was imprisoned from October 1997 until 6 April 1999.

Organization of the RUF and Mr. Massaquoi's evolving role

Following this exchange, Mr. Gummerus asked if Mr. Massaquoi could describe what the structure of the RUF was like during his imprisonment. Mr. Massaquoi described RUF battle commanders and area commanders he had known before going to prison. The Defense asked Mr. Massaquoi to explain his relationship with people within the RUF. Mr. Massaquoi replied that the commander of the western area, Dennis Mingo, was one of the people he was closest with in the RUF, along with one other area commander. He elaborated that he did not get along very well with the other members of the RUF and highlighted that these people tried to kill him when he was released from prison. The Defense requested the names of these other people, and Mr. Massaquoi gave three names.

The Defense moved on to ask what the chain of command was like when Mr. Massaquoi was released from prison. Mr. Massaquoi responded by stating that the chain of command consisted of former members of the AFRC who attacked Freetown and released them. Mr. Massaquoi stated that he was with them for a week and then left for the mountains, where he got information on the chain of command. When he returned, there had been many changes. For example, a Commander had become Chief of Defense Staff, and the colonels were now all generals. The Judge asked for a clarification of the names since it was very difficult to hear. Mr. Massaquoi repeated himself and clarified that the structure of the RUF was completely different from how he knew it before he was imprisoned.

When asked what position he held in the RUF in 1999, Mr. Massaquoi replied that he had no position. He explained that he next arrived in Waterloo, Sierra Leone, where he met Dennis Mingo (identified by Mr. Massaquoi using his alias, Superman), one of his friends. Mr. Massaquoi stayed there with Mr. Mingo, where they both were under threat of arrest. Mr. Massaquoi explained that there was an internal dispute dividing the RUF. Mr Massaquoi clarified that he was on Mr. Sankoh's side. Meanwhile, the internal fight continued as ceasefire negotiations were underway. It was agreed that Mr. Massaquoi would go to the negotiation events.

As some parts of Mr. Massaquoi's narration were difficult to hear, Mr. Gummerus began to ask Mr. Massaquoi whether he could spell something out. At this point, the Judge informed the parties that there would soon be a break.

Peace Negotiations and work with RUF chief, Mr. Foday Sankoh

When asked about the essential conditions for the RUF for the Peace Agreement. Mr. Massaquoi explained that these included Mr. Sankoh becoming the vice president and the RUF receiving four ministry positions. Since it was mentioned that Mr. Sankoh would become the head of mineral resources, Mr. Gummerus asked what the main mineral sources were. Mr. Massaquoi stated that there are many, including gold and iron.

The Judge called for a break of ten minutes, attempting to find a way for the judges to hear the names and locations Mr. Massaquoi was saying. After ten minutes, the hearing continued. Mr. Massaquoi had been given a writing board for writing names when they are difficult to hear. The board was not visible to the audience.

After the break, the Defense picked up from where they left off, asking Mr. Massaquoi to continue talking about what happened after the Peace Agreement. Mr. Massaquoi explained that in September, there was a meeting in Monrovia, Liberia. He and his companions traveled to the meeting, taking detours for safety. The Defense asked where he had been residing before this trip. Mr. Massaquoi answered that he had been living in Makeni. The Defense interrupted to ask what his position was in Makeni. Mr. Massaquoi responded that his position was somewhat unclear, but he was a secretary in the Commission for the Management of Mineral Resources (CMMRE). He also participated in the peace negotiations, which included meetings with officials from the commission that worked on disarmament and recovery.

Mr. Gummerus then asked Mr. Massaquoi whether he could tell the Court more about his time there between 1999 and 2000. Mr. Massaquoi said that he remembers attending meetings in November 1999 and plans to work on disarmament activities in early 2000. When asked, Mr. Massaquoi described a few meetings he attended in late 1999, including an attempt to travel to the Kailahun area that was aborted for security reasons. Mr. Massaquoi said that Mr. Sankoh was 'a crazy person' by mid-December 1999.

The Defense moved on to 2000, and asked about his position as a Special Assistant to Mr. Sankoh. Mr. Massaquoi clarified that this was from October 1999 until October 2000.

Mr. Gummerus started with a question about a trip to South Africa. Mr. Massaquoi explained that the group first went to the Ivory Coast and then to South Africa with Mr. Sankoh. The trip was to inform a group of companies in South Africa, particularly mining companies, that they were interested in conducting mining operations in Sierra Leone. Mr. Massaquoi explained that they came back the same route but spent three days in the Ivory Coast since Mr. Sankoh wanted to meet the former Prime Minister of the Ivory Coast. Mr. Sankoh also met other Ivorian officials. Mr. Massaquoi reiterated that these meetings were the reason for their three-day stop. He then returned to Freetown.

The Defense next asked whether anything remarkable happened in the spring. Mr. Massaquoi explained that over 500 United Nations Peacekeepers were kidnapped while he was in Freetown. Mr. Massaquoi said that they did their best to calm the situation. The Defense asked Mr. Massaquoi who was responsible for the kidnapping; he responded that it was RUF troops from the north. He elaborated that almost all members of the RUF were imprisoned in Freetown at this time. Demonstrators, supported by armed troops, demanded that Mr. Sankoh come and speak to them. When Mr. Sankoh did not, the demonstrators became violent. Several people died in these **demonstrations on 8 May 2000**.

Mr. Massaquoi explained that he had managed to climb a fence during the gunfire and escape towards the Peninsula Mountains. A few days later, Mr. Massaquoi heard that Mr. Sankoh had surrendered and there were attempts to start new peace negotiations. He noted that this meeting was in June of 2000. For this meeting, Mr. Massaquoi was appointed to lead an outside delegation, which was based in Monrovia, Liberia.

The morning session ended at 12.04.

[Break]

The afternoon session started at 13.00.

More travel to Liberia, Mali, Nigeria in 2000

The hearing continued with the Defense questioning Mr. Massaquoi about his travel to Monrovia, including the route taken to reach the city and the time period in which it took place. Mr. Massaquoi explained that he had left for Monrovia sometime in August of 2000. Along the way,

he had learned the names of some of the villages, but he could not remember all of their names. Additionally, Mr. Massaquoi noted that certain routes to Monrovia were controlled by the Government and thus inaccessible.

Mr. Gummerus continued this line of questioning by asking Mr. Massaquoi for details about the journey. Mr. Massaquoi explained that in order to cross the border to Monrovia, one must cross a bridge which leads to Grand Cape Mount. Additionally, he noted that he is very familiar with the territory, as it is the area he is from and where he had been teaching. He explained that the trip to Monrovia would take approximately 24-30 hours, depending on whether one started in Kono District or Makeni. Finally, Mr. Massaquoi noted that they had taken breaks on the way to Monrovia, but that he had no recollection of the villages in which they stopped.

The Defense then proceeded to question Mr. Massaquoi about his time in Monrovia. Mr. Massaquoi stated that while in Monrovia, he lived in the Sinkor area with a member of the RUF delegation. The Accused also had a girlfriend in Monrovia called Etna. Mr. Massaquoi stated that he and the RUF delegation arrived in Monrovia on 20 August to participate in peace negotiations. Mr. Gummerus asked Mr. Massaquoi about ECOWAS (Economic Community for West African States) and its importance to the visit. He replied that ECOWAS was responsible for the peace negotiations, and that while they were in Monrovia, the RUF delegation met with President Charles Taylor several times.

Following this, Mr. Gummerus asked about a trip to Mali and subsequent return to Monrovia. Mr. Massaquoi stated that the RUF delegation was in Mali for two days in October, and that they met the President of Mali before returning to Monrovia. Mr. Massaquoi stated that they had returned by road, but that he could not recall the villages they had passed. He also explained that the RUF delegation had arranged meetings upon return to Monrovia, including another with President Taylor. Following these meetings, the RUF delegation travelled to Abuja, Nigeria.

Mr. Gummerus proceeded by questioning Mr. Massaquoi on the RUF delegation's visit in Abuja, and the RUF delegation's subsequent return to Sierra Leone. Mr. Massaquoi stated that the RUF delegation stayed in Abuja for a day or two and took part in a meeting that resulted in the completion of the Abuja Ceasefire Agreement. The Agreement contained specifics on releasing UN Peacekeepers and ending hostilities in Sierra Leone. Mr. Massaquoi stated that the trip from Abuja to Sierra Leone took approximately 20 hours by road. The RUF delegation stayed in Sierra Leone for a day or two.

The Defense continued by asking Mr. Massaquoi to describe how he came to know someone called "Colonel Eagle". Mr. Massaquoi stated that the RUF delegation met Colonel Eagle in the city of Voinjama [Lofa County]. He noted that on the way to Voinjama, there were several checkpoints, but the RUF delegation were let through easily; all the soldiers along the way were armed.

Mr. Gummerus continued by asking about events which occurred in November in Monrovia. Mr. Massaquoi stated that they had many meetings related to the peace process in Sierra Leone over the course of several days, including another meeting with President Charles Taylor. Following this, Mr. Massaquoi stated that he visited Monrovia again in December, where he met some

Arabs with someone named Ibrahim Bah. Mr. Massaquoi explained that he gave diamonds to Ibrahim Bah and then returned to Makeni to spend Christmas with his family.

Defense counsel asked about the diamonds and more travel around Liberia and Sierra Leone. Mr. Massaquoi stated that Ibrahim Bah had taken the diamonds to President Charles Taylor for safekeeping. Additionally, he noted that he (Mr. Massaquoi) took a helicopter to Liberia, landing in Foya, Lofa County. Following this, he traveled back to Makeni into Sierra Leone, for a meeting requested by a special forces soldier called Benjamin [Yeaten]. Mr. Massaquoi then returned to Lofa County and then went on to Monrovia. This all likely happened in January.

Peace Agreement developments, 2001

Mr. Gummerus questioned the Accused about the political situation in January in Monrovia and the relationship between the RUF and the Liberian government. Mr. Massaquoi explained that it was peaceful in Monrovia and the relationship between both sides was free of conflict. He added that he returned because nothing was done in regard to the peace negotiations. The Defense then asked about "Abuja II" and its significance. According to Mr. Massaquoi, "Abuja II" was a follow-up agreement between the RUF and the Sierra Leonean government pertaining to disarmament. It was very significant and following that, they had tri-party negotiations. Mr. Gummerus asked what he did after the negotiations. Mr. Massaquoi answered that they spent a night in Monrovia. They then flew to Abuja by private plane and stayed there for two days.

Following a break, Mr. Gummerus continued the questioning about Mr. Massaquoi's involvement in the "Abuja II" negotiations and the details surrounding it. Mr. Massaquoi explained that the negotiations were a tri-party meeting involving the RUF, the Sierra Leonean government, and the United Nations. The objective of the negotiations was disarmament and recovery. The negotiations started in May 2001 in Freetown. They were held once every month until December 2001. Most of the meetings were in Freetown, but they also took place around the country, including in Makeni. Mr. Massaquoi stated that he did not recall the number of times they had been summoned; however, the disarmament started in May 2001. As the RUF representative, he was involved in almost every meeting.

The Defense then asked Mr. Massaquoi if he could recall not attending any of the meetings [information unclear].

Final trip to Liberia was in 2002

When asked about his last time in Liberia, Mr. Massaquoi said that it was at the end of June 2002 and he was only there to pick up his car and things he had left behind. On this trip, he heard about the death of Dennis Mingo. He later met General Benjamín Yeaten who told him the same thing. According to Mr. Massaquoi, Mr. Mingo was killed because he went to the American embassy. He noted that the "Arabs" he had met earlier were gone, but on this trip, he met a Senegalese man who was involved in the same diamond deals.

Mr. Gummerus asked about the significance of Mr. Mingo's death. Mr. Massaquoi said that he had mixed feelings about it. General Benjamin Yeaten told him that enemy troops had killed Mr.

Mingo when they came over the border. After this, Mr. Massaquoi affirmed that this was the last time he was in Liberia; the date he remembered is 28 June 2002.

Defense returns to 2001

Asked about his return to Sierra Leone, Mr. Massaquoi replied that he continued the tri-party negotiations and lived in Makeni until the end of October 2001. Mr. Massaquoi stated that he was involved in many things. When he was in Freetown, he was involved in the activities of the Truth and Reconciliation Committee of Sierra Leone. He also attended several meetings with the United Nations and was involved in ECOWAS meetings in Kono. He also drove a taxi in Freetown. He remembered an incident which involved a certain Alhaji Usman Kamara. According to Mr. Massaquoi, Mr. Kamara said he wanted to help Issa Sesay. Mr. Kamara stole money from Mr. Massaquoi and also stole his car so Mr. Massaquoi had to chase him in Freetown. Mr. Massaquoi states that he got his car back and submitted a police report.

The Defense then played a video showing an interview in 2001. Mr. Massaquoi confirmed that he remembered the interview and said that it related to the Government's statements about releasing prisoners. The Government intended to release the prisoners before the tri-party negotiations but it only happened afterward. Only 16 of the prisoners were RUF soldiers; the rest of around 40 prisoners were normal criminals. Mr. Massaquoi stated that he gave the BBC an interview about this via his satellite phone.

Mr. Gummerus proceeded to ask Mr. Massaquoi about his return to Freetown. Mr. Massaquoi stated that he first stayed at a friend's place in western Freetown. After that, he spent two weeks at his cousin's place, a clay factory in eastern Freetown. He then got his own apartment in Kissy, Freetown. His family escaped Makeni and came to Freetown later.

The Defense then asked about the political situation in Sierra Leone at the end of 2001. Mr. Massaquoi said that by December 2001, the RUF was already disarmed. The war ended on 17 or 18 January 2002 and there was peace.

Elections in Sierra Leone, 2002

Mr. Gummerus then questioned Mr. Massaquoi about whether he played any role in the Revolutionary United Front Party (RUFP). Mr. Massaquoi stated that he had no role; they all met at the party office as individuals. Mr. Massaquoi was running for parliament but cancelled his candidacy a few weeks before the election because, according to the Sierra Leonean Constitution, only a person chosen by the party could represent it in parliament. He did not want to take part in it and wrote to the national election committee about it. He explained that his relationship with the RUFP executives was not good and he had criticized them for recruiting people into positions they had not been elected for.

Mr. Gummerus, referencing the documentary evidence, next asked about an attack on Mr. Massaquoi's car. Mr. Massaquoi stated that his car was attacked by the former security person of Issa Sesay, who smashed a large rock into his windscreen.

Mr. Gummerus then went on to ask about the RUFP party house acquisition. The Accused replied that they went to Freetown to acquire a party house for the RUFP and the money was paid to someone in the UK. The Accused stated that the disagreements regarding acquisition of the party house lasted from August 2001, when the man in the UK was paid, until March 2002.

Life after the 2002 elections

When asked about his life after the elections, Mr. Massaquoi stated that he continued his normal life with his family. The only thing he remembered is that the RUFP was not elected. He also met with the staff of the Truth Commission in his house. They questioned him for 5 days about the RUF. He also wrote a project for the NCDDR (National Committee for Disarmament Demobilisation and Reintegration). Following that, he wrote about a fishing project that included the education of 120 former soldiers in order to integrate them back into society.

Mr. Massaquoi noted that, at some point, he received a phone call from a woman. He met up with her in Freetown in June or July 2002. She told him that a special court was going to be set up in Sierra Leone and she wanted him to participate in the trials.

Mr. Gummerus then asked Mr. Massaquoi about Etna, his ex-girlfriend in Monrovia. Mr. Massaquoi stated that they became friends in Freetown and he got a call from her in July 2001 – she had a child. They met frequently in Freetown from 2001-2003.

Finally, the Defense referred to a book, *The Secret Behind the Gun*, that had been confiscated by the prosecution. The book was about the RUF and the economic situation of Sierra Leone at the time. Mr. Gummerus asked Mr. Massaquoi if he had written the book. Mr. Massaquoi said he tried to write everything he knew, starting in 2000 or 2001, but some parts of it are written by other contributors.

The hearing ended at 16:02 and will resume on Friday, 12 February 2021.

February 12, 2021 – [Finland] Day 6: Mr. Massaquoi is Heard (continued)

The sixth day of public hearings opened with the Judge stating that the hearing was to continue from where it had left off the previous day.

Relationship with the Special Court for Sierra Leone in 2002

The Defense, led by Mr. Gummerus, began by questioning the Accused, Mr. Massaquoi, about his whereabouts in August 2002. Mr. Massaquoi responded that on 14 August, 2002, he attended a meeting with people working for the Special Court for Sierra Leone (SCSL): Corinne Dufka, Alan White, and David Crane. Mr. Massaquoi added that he met with these people every couple of days during August 2002, and that such gatherings included unofficial meetings and drinking.

Next, the Defense questioned Mr. Massaquoi about the date on which he was approached to testify for the SCSL and why he required immunity. Mr. Massaquoi replied that he signed the witness protection document in October 2002, and that he needed immunity both for his role as a combatant and his role as a diamond transporter for the RUF. Mr. Massaquoi claimed that because there was a possibility that all RUF members could be arrested, his role as an insider increased his need for protection. Finally, Mr. Massaquoi said that he required protection for himself and his family because of concerns for their security. He noted that he had already been attacked at his safe house.

The Defense continued its line of questioning by asking Mr. Massaquoi about statements made to the SCSL in late 2002 and about the significance of some of the dates mentioned in the statements. Mr. Massaquoi stated that there was an unrecorded general statement, along with additional statements made at various stages. Mr. Massaquoi also indicated that, on several occasions, he spoke with the SCSL team on the phone to arrange meetings with them. Mr. Massaquoi clarified that the dates in the statements are not necessarily indicative of when the statement was given, but rather of the date on which he handed the statement over to the SCSL.

Return to Freetown, Sierra Leone in 2003

The Defense then proceeded to ask him about 2003, opening with a question about 9 March. Mr. Massaquoi recounted that on that day, he was driving to Freetown and was stopped by Issa Sesay on the road. Mr. Sesay told him that a court had been set up in Freetown and Mr. Sesay and others needed to escape Sierra Leone. Mr. Massaquoi recalled that he had been in possession of money from the [RUFP] Party House, and Issa Sesay and others needed this money for their escape. Mr. Massaquoi said that he and Mr. Sesay agreed to go and meet with President Charles Taylor. Mr. Massaquoi stated that he then contacted the SCSL's Investigation Team, which agreed to meet the following morning. Mr. Massaquoi additionally noted that the Office of the Prosecutor (OTP) for the SCSL did not know who had tipped people off about the start of the trial. Mr. Massaquoi explained that RUF members had heard rumors that the SCSL would be starting trials soon and they were anxious to escape the country. Mr. Massaquoi concluded by stating that he told the OTP when the meeting with President Charles Taylor would be. Based on this information the OTP came to the meeting and arrested everyone. The OTP accused those present at the meeting of taking part in war crimes and crimes against humanity.

Freetown safe house

Following the line of questions related to Freetown, the Defense asked Mr. Massaquoi about the circumstances of his safe house and to describe the safe house's surroundings. Mr. Massaquoi testified that he met a man from the Witnesses and Victims Support Unit in Freetown's Kissy neighborhood at around 23:00, after which he was taken to the safe house. Mr. Massaquoi noted that he was unfamiliar with the Pipeline area of Freetown, where the house was located. Mr. Massaquoi added that the safe house was constantly guarded by two security guards, no one was allowed to leave for months, and there was a tunnel for escape. Mr. Massaquoi concluded that the only other people in the safe house were his family and half-brother.

Fame and hiding

The Defense questioned Mr. Massaquoi about the impact of the witness protection agreement, and whether it restricted Mr. Massaquoi's future activities. Mr. Massaquoi replied that it was clear that if he were to commit any war crimes in Sierra Leone or another country, he could be accused of them.

The Defense turned to a series of questions about Mr. Massaquoi's level of fame during the 1990s and early 2000s. Mr. Massaquoi explained that he was not well-known in the 1990s, during his time as an activist and teacher. Mr. Massaquoi testified that in the 2000s, however, an increase in his media presence led to both his name and face being well-recognized in Sierra Leone. Mr. Massaquoi indicated that he was not sure how well-known he was in Liberia at the time, but that Liberian officials and some security people seemed to know him. He said he was well-known in Liberia because of his frequent press releases.

Mr. Massaquoi further elaborated that he gave interviews to the Liberian media through his satellite phone at various locations throughout Sierra Leone. Mr. Massaquoi noted that he received his first satellite phone – the size of a laptop – from President Charles Taylor, along with instructions as to how to avoid having the call traced. According to Mr. Massaquoi, he was instructed to press an orange button prior to answering a call so that he could hide his physical location. In the beginning of 2000, Mr. Massaquoi obtained his own satellite phone. Mr. Massaquoi says that he only ever hid his location on one call, during a BBC interview. He noted that, in other calls, people demanded he reveal his location, even asking what the weather was like to ensure he was telling the truth.

The Defense asked Mr. Massaquoi whether he had personally witnessed violence in Liberia to which Mr. Massaquoi responded "no," and noted that he was treated "as a diplomat'' when in Liberia. He said he had never witnessed any violence in Lofa County, Liberia.

Vantaa Prison Note

Mr. Gummerus recalled that the Prosecution had raised the issue of the note in Mr. Massaquoi's handwriting that had been found in Vantaa Prison by the cleaning staff. The Defense asked Mr. Massaquoi about the motivation behind writing the note for his family. [Other discussion of the Vantaa Prison note is available under the "04/02/21 [Finland] Day 2: Introducing the Case" daily

summary.] Mr. Massaquoi contended that the note was not written to influence witnesses, emphasizing that all information contained within the note was public and that the note simply served as a reminder to the witnesses about how events took place twenty years ago.

Moreover, Mr. Massaquoi explained that he had written the note because he felt that the police did not believe his testimony but instead believed the witnesses questioned in Lofa.

Prosecution begins with questions about knowledge and responsibility

After the Defense finished, the trial turned to the Prosecution's questions. Mr. Laitinen, for the Prosecution, asked if there was war in Liberia between 1999-2003. Mr. Massaquoi stated that he was aware that there was war in some parts of Liberia, especially in Lofa near the border of Guinea. When asked about the perpetrators of the attacks, Mr. Massaquoi stated that he believed the attacks in Lofa County were launched from Guinea by an RUF army commander named Sam Bockarie (whom he identified using Mr. Bockarie's alias, "Mosquito Spray").

The Prosecutor asked Mr. Massaquoi to elaborate on visits to Liberia in 2000 and 2001. Mr. Massaquoi confirmed that he was in Monrovia and travelled through parts of Lofa where there was no conflict. He explained that he was at times unable to travel to southern Liberia because after the 1997 presidential election, the border between Liberia and Sierra Leone was occupied by government troops. It was impossible for the RUF to cross. When asked how he knew about the situation at the border, Mr. Massaquoi says he read about attacks committed by Mr. Bockarie between 1999 and 2001 "from Guinea to Lofa" when he was in prison.

The Prosecutor then asked Mr. Massaquoi whether he had heard about attacks in 2002 from the BBC, also asking him to clarify the RUF's connection to the attacks. Mr. Massaquoi responded that he had also heard about the 2002 attacks from the news and that he was a spokesperson of the RUF at the time of the attacks, in 2002 and 2003. Additionally, Mr. Massaquoi stated that Mr. Bockarie had escaped to Liberia with his family in December 1999.

When asked about his position within the RUF at the time, Mr. Massaquoi explained that he was the group's spokesperson and head of its peace delegation. When asked by the Prosecution whether he had been informed about these attacks, Mr. Massaquoi said that in this capacity, he was not responsible for RUF troops or for knowing about these attacks.

The Prosecution then asked if he was nonetheless responsible for asking questions about the troops. Mr. Massaquoi responded by saying that he was never interviewed about the RUF's fights in Lofa County, as the RUF only operated in Sierra Leone and focused on supporting the Liberian government. Mr. Massaquoi explained that the RUF was helping the Liberian government regain control of Lofa from the Liberians United for Reconciliation and Democracy (LURD) rebel group.

The Prosecution raised Mr. Massaquoi's earlier mention of running into RUF troops en route to Lofa County, asking if those RUF troops had informed him of the situation in Liberia. Mr. Massaquoi said no, they had not. He was not a commander and so the RUF soldiers had no reason to report these things to him.

Following this, the Prosecutor asked Mr. Massaquoi why he was chosen to represent the RUF during peace negotiations if he was insignificant within the RUF and his knowledge about the conflict situation was so limited. Mr. Massaquoi explained that he was primarily involved with the political side of the RUF, with little involvement in the military structure. He explained he received information from RUF executives, not commanders. According to Mr. Massaquoi, he was chosen by the RUF to take part in peace negotiations due to his experience in peace negotiations. The Prosecution asked if the political and military arms of the RUF communicated with each other at all, to which Mr. Massaquoi confirmed that they were.

The morning session ended at 11:45.

[Break]

The afternoon session started at 13:30.

As the hearing resumed, the Prosecution continued questioning Mr. Massaquoi. Mr. Laitinen sought to clarify Mr. Massaquoi's intentions in writing the notes found in Vantaa prison. Mr. Massaquoi replied that his only intention was to remind people that their memory may not be perfect, especially after twenty years.

Addressing inconsistencies: The death of Superman

The Prosecution then asked Mr. Massaquoi when he heard that Superman (Mr. Dennis Mingo) was dead. Mr. Massaquoi said that he found out in June 2001. Mr. Laitinen then asked whether Mr. Massaquoi remembered how he answered the same question during earlier investigations. Mr. Massaquoi stated he did not remember. Mr. Laitinen then noted that Mr. Massaquoi said on page one of the prior [SCSL?] investigation summary that he learned of Superman's death between July and October. Mr. Massaquoi stated that if the date was anything other than June 2001, there was probably a mistake.

The Prosecution then asked if Mr. Massaquoi had seen Superman's body, to which he replied "no." Mr. Laitinen then showed Mr. Massaquoi part of the prior investigation summary in which he said he had gone to where Superman was said to have died and had seen his body. The Prosecution asked whether Mr. Massaquoi remembered this conversation. Mr. Massaquoi said that he remembered it, but that his security person had told him. Mr. Laitinen asked to invoke this as written evidence, which the judge approved.

Addressing inconsistencies: Mr. Massaquoi's role with the RUF

The Prosecution moved his line of questioning to the time period in which Mr. Massaquoi had fought for the RUF, noting inconsistencies in what Mr. Massaquoi had said in yesterday's hearings compared to what he had said during the investigation. Specifically, the Prosecution noted that yesterday, Mr. Massaquoi said he fought with the RUF from 1993 to 1994, whereas in the investigation, he had stated that he fought with the RUF between 1992 and 1996. Mr.

Massaquoi clarified that there was not really a difference and that he had actually been fighting in 1993 and 1994.

Mr. Laitinen went on to ask him why he was called "commander" even after his role as a combatant in the RUF ceased. Mr. Massaquoi stated that because he was an RUF Lieutenant Colonel, many people still referred to him using his military rank even though he was a spokesman. This, Mr. Massaquoi explained, was due to the culture of the group.

The Prosecution asked whether Mr. Massaquoi was the leader of the delegations that had previously been discussed, and Mr. Massaquoi confirmed he usually was.

Addressing inconsistencies: Locations and modes of travel

Mr. Laitinen then shifted the questioning back to several villages Mr. Massaquoi mentioned yesterday. The Prosecution noted that, yesterday, Mr. Massaquoi had indicated that there were certain villages he could not remember that were along his routes when he traveled throughout the region. The Prosecution recalled that Mr. Massaquoi had mentioned an airstrip in Foya and asked whether Mr. Massaquoi remembered this airstrip or the villages Kamatahun Hassala and Yandohun. Mr. Massaquoi responded that he did not recall these places.

Mr. Laitinen referred again to yesterday's hearing, in which Mr. Massaquoi stated he often went by car from Sierra Leone to Foya, Liberia, and from there by helicopter. Mr. Massaquoi recalled having flown from Monrovia to Foya, then taking a car from there to Sierra Leone. He recalled that the trip was usually a mixture of flights and car journeys. Mr. Laitinen then referenced the pretrial record, where Mr. Massaquoi had said that he always traveled by car. Mr. Massaquoi responded that was not true and stated that if the report said "always," then it meant "often" or "frequently."

Mr. Laitinen then asked Mr. Massaquoi if he recalled the village Kailahun. Mr. Massaquoi noted that he only knew a Kailahun in Sierra Leone but not in Liberia.

Addressing Inconsistencies: Meetings, diamond transportation, and Mr. Massaquoi's car

The next line of questions focused on Mr. Benjamin Yeaten, Mr. Joseph "ZigZag" Marzah, and Sam "Mosquito" Bockarie, and inconsistencies between Mr. Massaquoi's statements during this trial and statements he gave in earlier investigations. Mr. Massaquoi said he believes he remembers meeting them. Mr. Laitinen asked Mr. Massaquoi if he remembered his comments in earlier investigations regarding meeting Mr. Marzah. Mr. Laitinen produced these comments, in which Mr. Massaquoi said he never met Mr. Marzah.

Mr. Laitinen continued this line of questioning, referencing Mr. Massaquoi's book, *The Secret Behind the Gun*. The Prosecution pointed to a passage in which Mr. Massaquoi mentioned a discussion with Mr. Marzah. Mr. Massaquoi said that he may have met Mr. Marzah but could not remember.

Mr. Laitinen then asked Mr. Massaquoi about his compensation for the transportation of diamonds for the former President of Liberia, Charles Taylor. Mr. Massaquoi recalled that diamonds were brought to Mr. Taylor but did not remember receiving anything for his role in their transportation. He also stated he was aware Mr. Taylor supported the RUF.

Mr. Laitinen turned to Mr. Massaquoi's earlier explanation that he returned to Monrovia to pick up his car, first asking why Mr. Massaquoi had a car in Monrovia. Mr. Massaquoi noted he was given the car due to his role in the RUF's various delegations and did not actually own it. He also remembered being given the car around the end of June. Mr. Laitinen then questioned why Mr. Massaquoi specifically recalled the date being 28 June in the previous hearing. Mr. Massaquoi stated that it was an estimate based on the day he had left Monrovia and that his memory was not clear since it happened a long time ago.

Addressing Inconsistencies: Mr. Massaquoi's satellite phone and his location

The Prosecution then asked Mr. Massaquoi about his satellite phone, noting that Mr. Massaquoi had received it from Mr. Taylor and that it had an orange button which could be used to conceal location data during calls. The Prosecution asked whether Mr. Massaquoi had previously told a journalist that he was in Makeni when he was not. Mr. Massaquoi responded that he had done this once because he was specifically instructed by Mr. Taylor to do so. Mr. Taylor had explained that he wanted to distance himself from the RUF.

Mr. Laitinen turned back to Mr. Massaquoi's book, asking whether Mr. Massaquoi recalled what he had written about hiding his location data when making calls with the satellite phone. Mr. Massaquoi did not, instead noting a conversation he recalled writing about in which Mr. Sesay called him back to Sierra Leone. Mr. Laitinen closed the day by displaying a part of the book in which Mr. Massaquoi wrote that on several occasions, he had said he was in Makeni (Sierra Leone), while actually being in Monrovia.

The hearing ended at 14:30 and continues next week in Monrovia.

February 23, 2021 – [Liberia] Day 7: The hearing of Witness 1

*The trial resumed after the Finnish judges, prosecutors, investigators, and defense counsel travelled to Lofa County and locations in Monrovia to visit the sites of Gibril Massaquoi's allegedly crimes. To know more about this, you can read about it **here**, and see footage **here**.*

The seventh day of public hearings resumed on 23 February 2021, with the trial moving from Tampere, Finland to Monrovia, Liberia, to hear witnesses. The Accused, Mr. Massaquoi, remained in Finland.

Witness 1 is heard

(Finnish Witness ID: Civilian 07)

The Defense questions Witness 1

The day began with Defense counsel, Mr. Gummerus, questioning a Witness. The identity of Witness 1 was not disclosed, and Witness 1 testified with her back to the video feed that was available to trial observers.

Mr. Gummerus began by asking Witness 1 about what she saw during the civil war in Liberia. Specifically, Mr. Gummerus asked if she recalled a day when she was looking for food in Monrovia and ran into soldiers. Witness 1 responded that, while she could not remember the day, she recalled it was the year 2000, which she remembered because it was the year she went looking for food.

Mr. Gummerus then asked Witness 1 to explain what happened to her on the day in question. Witness 1 explained that she joined a group of men and women leaving Logan Town, Monrovia, to go to Vai Town on Bushrod Island. The group, which included two of her friends, was trying to find food. The group began to cross the bridge, going towards Waterside.

Witness 1 explained that when the group got to the edge of the bridge, soldiers stationed at a checkpoint ordered them to stop and form a straight line. As they were following the order, Witness 1 noticed a man wearing a white t-shirt and camouflage pants. According to the Witness, the man stated: "*I am the Angel Gabriel Massaquoi. I am the one who can send you to God and you tell him that I sent you.*"

Witness 1 further explained that, as he was walking through the crowd he saw her friend [FNM-001]. She stated that the man then took [FNM-001]'s hand and attempted to take her out of line to a road under the bridge. When [FNM-001] resisted, the man shot into the air.

Witness 1 went on to explain that more shots were then fired by some boys who were with "Angel Gabriel Massaquoi", and the group began to scatter. According to the Witness, shots continued as they started to run. Witness 1 was not sure if it was government troops or rebels

who were firing at them. Witness 1 fled to the West Point area and ran into a man's house, where she slept. The next morning, Witness 1 heard that people were heading back across the bridge, so she decided to join them.

When Witness 1 arrived, she was told to wait and see to what happened to the first group of people who were trying to cross the bridge. Witness 1 testified that while she was waiting, she began to grieve for her friend, [FNM-001]. She explained that a boy saw her grieving and informed her that her friend had been killed. At this point, Witness 1 stated that she began to cry for her friend.

As Witness 1 crossed the bridge, she explained that she saw her friend [Civilian 37], who was [FNM-001]'s sister. [Civilian 37] told Witness 1 that [FNM-001] had been killed. After Witness 1 crossed the bridge, she went home. Witness 1 explained that she did not go back to the bridge again because she was afraid.

After Witness 1 explained what happened, Mr. Gummerus asked if she personally saw her friend [FNM-001] being killed. Witness 1 responded that everyone went their own way, and that it was a boy who told her that [FNM-001] was dead. Witness 1 did not identify the boy, but noted that [Civilian 37] also confirmed that her friend had been killed. Mr. Gummerus asked if Witness 1 knew how [Civilian 37] found out about her sister's death, and she clarified that [Civilian 37] told her that she had been present when [FNM-001] was taken under the bridge because she had also been taken there, and that boys began torturing [Civilian 37], but she was able to escape.

Earlier interactions with the Finnish police and the events on the bridge

Mr. Gummerus asked Witness 1 if she remembered talking to the Finnish police about these events. Witness 1 explained that she told them the same thing she had just stated. Mr. Gummerus asked Witness 1 about inconsistencies between her testimony now and what she had told the Finnish police earlier. In particular, Mr. Gummerus told Witness 1 that when the Finnish police had interviewed her, their notes said that the Witness 1 personally observed [FNM-001] being killed. Witness 1 clarified that the Finnish police might not have understood her, and that when [FNM-001] was being taken under the bridge, Witness 1 and others scattered because shots were being fired behind them. She then repeated that [Civilian 37] confirmed [FNM-001]'s death.

Mr. Gummerus also questioned Witness 1 about the man who introduced himself as "Angel Gabriel Massaquoi." He asked Witness 1 who that was and if she understood what role he played. Witness 1 answered that he said he was the commander and that he was "*Angel Gabriel […] the one that can take people to heaven.*"

Witness 1 then explained that she was so scared by what happened that she stayed in Logan Town. In order to feed her children, she sold wood and potato greens. She stated that stores were not open, so only brave people went across the bridge. Mr. Gummerus also asked why the situation was so bad that people were looking for food. In response, Witness 1 explained that there was fighting and people were scattered – she clarified that the fighting had been going on for a long time.

Mr. Gummerus then asked Witness 1 who had contacted her about these events. Witness 1 explained that only the Finnish police contacted her, and that they had reached her through [Civilian 37]. Mr. Gummerus then asked Witness 1 if she knew how [Civilian 37] had met the Finnish police. Witness 1 explained that [Civilian 37] told her she had met someone named [Employee 1]. She further stated that [Employee 1] had told [Civilian 37] that white people came and wanted to hear people's views on what happened during the war. Mr. Gummerus asked Witness 1 if [Civilian 37], [Employee 1] or anyone else told her what to say to the Finnish police. Witness 1 responded that [Civilian 37] had only told her that [Employee 1] wanted her phone number to give to the Finnish police, which is how she was contacted.

Mr. Gummerus asked Witness 1 about the multiple wars that occurred in Liberia and if there was peace between the wars. She explained that there were breaks in the fighting. For this reason, different periods were named "World War 1" (WW1), "World War 2" (WW2), and "World War 3" (WW3), but it was the same war in the same year.

Mr. Gummerus then asked if she remembered anything in particular about "Angel Gabriel Massaquoi". Witness 1 explained that she remembered he had an accent that sounded like he was from Sierra Leone, as he didn't speak like a Liberian – one could tell when someone from a different country is speaking.

Mr. Gummerus asked Witness 1 about the bridge from Vai Town being closed. She explained that it was closed because of the fighting, and that no one could cross it unless soldiers allowed them to. Mr. Gummerus asked Witness 1 to clarify who was fighting at the time, and she explained that the government forces were on one side, but she was not sure which side the man with the accent, "Angel Gabriel", was from. Witness 1 supposed that this man may have been fighting for a force opposing the government, but it was difficult to be certain who was fighting for whom, as they all wore the same camouflage.

Mr. Gummerus asked where else in Monrovia did fighting occur. Witness 1 answered that all of the city was affected by the fighting, but the bridge was the main place where it occurred because people used it to go buy. Mr. Gummerus asked Witness 1 the name of the bridge, which she identified as "Old Bridge" – she further elaborated that there are two bridges, one going to Johnson Street and the other going to Waterside. Mr. Gummerus asked if any other fighting occurred on Old Bridge after 2000. Witness 1 explained that even if there were breaks in the fighting, more happened during the same year.

Mr. Gummerus resumed asking Witness 1 about the context of her prior interview with the Finnish police. Witness 1 stated that [Civilian 37] told her that she, Witness 1, was the first to talk to the police. Witness 1 spoke to [Employee 1] on the phone, and he was the one who took her to the Finnish police; she did not discuss the matter with [Employee 1].

According to the police's summary of the interview, Witness 1 had stated that WW3 was what she was supposed to have been interviewed about, but Defense counsel noted she was talking about WW1 and WW2 in the present trial. Witness 1 explained that she was talking about WW1 and WW2 because there was a break in the conflict. When asked what her understanding of WW3 is, Witness 1 stated that it was just a name for that part of the war. There was a ceasefire, but it was the same war.

The next line of questioning centered around Witness 1's knowledge of the name of the man who introduced himself as "Angel Gabriel Massaquoi" on the bridge. Mr. Gummerus stated that during the police interview at the end of 2019, Witness 1 did not say the name "Massaquoi," so he asked how she knew the name "Massaquoi". Witness 1 insisted that during her interview with the police, she had said the name "Angel Gabriel Massaquoi." She further stated that, during the incident she had described, he was the only person to introduce himself, and he started to fire shortly after doing so.

Mr. Gummerus then resumed asking Witness 1 about the timing of the incident. She stated that it had happened in 2000. Mr. Gummerus stated that she had said June/July 2003 in her earlier interview and asked if she thought the police wrote it down incorrectly. She said she thought so, pointing out that the police were the ones taking notes, with the assistance of an interpreter.

Mr. Gummerus asked how long after the incident the war ended. Witness 1 stated that it did not take long; she reiterated that her experience was in WW1 and there were breaks in the war between WW1, WW2, and WW3. Witness 1 further explained that after the incident, she stayed with her daughter in Jacob Town for about a year, and then moved to Nimba in 2003.

Witness 1's earlier interview with the Finnish police

After a ten minute break, Mr. Gummerus played the video of Witness 1's interview with the Finnish police. Mr. Gummerus wanted to call attention to two things: the name and the year Witness 1 referenced in the interview.

NOTE: The audio from the video was difficult to hear through the video link used to observe the trial. In the video, it appears that Witness 1 described the incident at the bridge. She explained that she and other women went to the market to sell things around the West Point area near the "Old Bridge". She stated that a lot of people were beaten and three boys were killed. She said that a tall man with a Sierra Leonean accent who called himself "Angel Gabriel" took [FNM-001]. He brought her back and killed her with his gun. He also killed three boys. Witness 1 said that they escaped when Liberian soldiers came. Witness 1 noted that she had been 2 months' pregnant at the time and miscarried after this event.

After the video was played, Witness 1 confirmed that she remembered the interview. Mr. Gummerus pointed out that in the interview she did not state the name "Massaquoi", although she had just stated that she did. Witness 1 acknowledged that while she did not say "Massaquoi" in the interview, that was what he had said: "I am Angel Gabriel Massaquoi."

Mr. Gummerus then again focused on the timeline of the events, asking whether Witness 1 wanted to explain why she told the Finnish police that the incident happened in 2003, but now was stating that it occurred in 2000. Witness 1 responded that she said 2000 because the war started in 2000. Mr. Gummerus followed up by asking why she had not said that it was 2003 when he had questioned her before, and she said it was because the war lasted until 2003. Mr. Gummerus pressed further on this point, noting that the Finnish police had asked her about the time of her experience with "Angel Gabriel," rather than the war. He also pointed out that she had just said the war was from 2000 to 2003, but she had previously said the war was in 2000.

Witness 1 explained that she had said 2000 because that was when the war started and there were breaks in the war. This concluded Mr. Gummerus's questioning of Witness 1.

The Prosecution questions Witness 1 about events

The Prosecution then began its questioning of Witness 1. First, the Prosecution referred to the interview recording in which Witness 1 described "Angel Gabriel" killing the three boys and [FNM-001], and then asked whether she had witnessed these killings with her own eyes. Witness 1 clarified that someone else had told her of those deaths. The Prosecution asked if anyone told her before her testimony not to talk about the deaths. Witness 1 denied this.

The Prosecution then asked about Witness 1's sister. In the recording, Witness 1 said her sister had been killed in Freeport, and she mentioned Gabriel in connection to that. Witness 1 clarified that it was not "Angel Gabriel" who killed her sister. – her sister was killed at a warehouse in 2000.

The Prosecution also asked about [Civilian 37] being interviewed by the Finnish police with regard to the same incident. He stated that, when Witness 1 was asked about this, she had said [Civilian 37] did not say she had already been interviewed, but simply that [Employee 1] wanted to speak with her. The Prosecution noted that in his view, when the Finnish police mentioned [Civilian 37]'s interview, Witness 1 already knew about it.

Finally, the Prosecution asked if Witness 1 tended to tell stories as if they had happened to her when in fact they were about things she had heard about, but not seen personally. Witness 1 denied this. The Prosecution asked if that was what she had done during the interview with the police. To this, Witness 1 simply responded that she, [FNM-001], and [Civilian 37] had all been together throughout this experience.

The hearing concluded and will resume in Monrovia on Wednesday, 24 February 2021.

February 24, 2021 – [Liberia] Day 8: The Hearing of Witness 2 and 3

The eighth day of public hearings resumed on 24 February 2021 in Monrovia, Liberia.

Witness 2 is heard

(Finnish Witness ID: Civilian 24)

The Prosecution questions Witness 2 about events near the bridge and his experience with "Angel Gabriel Massaquoi"

The day began with the Prosecution questioning Witness 2 regarding his experience in Liberia. The Prosecution asked the Witness whether he remembered well what had happened, and if he saw many people with guns in Monrovia. Witness 2 said that he did, and that he remembered them coming from Logan Town. When asked his age at the time, Witness 2 said that he was born in 1952 and would have been around 47 years old.

The Prosecution then focused on the day in question. Witness 2 explained that he was getting food with his friend and brother at a shop in Waterside near a roundabout. The Witness clarified that by "friend and brother" he meant two separate people. The Prosecution recalled that the Witness had previously stated that he heard gunshots when he was in the shop, and asked if he knew who was shooting. The Witness responded that he only saw one man firing shots with a pistol. He called this man "Gabriel Massaquoi." The Witness explained that this person had many other fighters with him – though he did not have an exact count – and that a few of them carried guns, and wore camouflage uniforms.

The Prosecution then asked how the Witness knew the name of the man who was shooting outside the shop. Witness 2 replied that the man had identified himself by name after he finished shooting, saying, "I am Gabriel Massaquoi". The Prosecution asked the Witness to confirm that the man specifically used the name "Gabriel Massaquoi," and the Witness responded affirmatively.

The Prosecution asked if anyone was shot when the Witness heard the gunshots and exited the shop. The Witness said "no" and further stated that he did not see any wounded individuals at that time. The Prosecution referred to the Witness's earlier statement that individuals were brought to a "control building," and asked where this building was located. The Witness said that the building was near the Old Bridge, and that it was where a man had been killed. He said that he and his friends were taken to the same place near the bridge, along with at least thirty other people. The Witness mentioned that he could see many dead bodies under the bridge.

The Prosecution asked Witness 2 to elaborate on his earlier statement regarding "lines and shooting." The Witness explained that when they went outside, everyone was told to line up single file. The Prosecution then asked the Witness for more details regarding what happened under the bridge and whether there was any gunfire. The Witness stated that the firing happened at two checkpoints. When asked whether the place under the bridge was a checkpoint or a base,

the Witness responded that it was a base. The Prosecution then asked whether the Witness had been taken to the base with his friend and his brother. Here, the Witness stated that his friend and brother had been killed earlier when they were taken from the line and carried under the bridge. Witness 2 confirmed that he had seen them being killed. The Prosecution asked who had done the shooting. The Witness responded that it was Gabriel Massaquoi; he remembered it was a pistol.

The Prosecution asked whether the Witness' brother and friend both died immediately after being shot. Witness 2 replied that they died at that time but that they were alive when they were taken from the line and brought under the bridge. The Witness mentioned that everyone who was not taken from the line found a way to escape. At the request of the Prosecution, the Witness confirmed again that his brother and friend were alive when they were carried under the bridge, and that they were killed under the bridge. The Witness explained that people were just being picked out of the line at random to be taken under the bridge, and that he himself was not taken there. The Prosecution again asked the Witness whether he personally witnessed Gabriel Massaquoi shooting these people. The Witness said he saw this with his own eyes.

The Prosecution then asked for the names of the Witness's friend and brother, and Witness 2 provided them. The Witness also explained that he knew some other people who had also been in the line and that some of them were his friends. The Prosecution asked whether the Witness was present when any other individuals were killed. The Witness replied that they did not kill any other people while he was there.

The Prosecution resumed its questioning about Gabriel Massaquoi, asking whether the Witness knew the name of Mr. Massaquoi's group. Witness 2 responded that there were people behind Mr. Massaquoi wearing a lot of camouflage. The Prosecution repeated the question, and the Witness responded that it was the first time he saw Mr. Massaquoi armed. The remainder of his answer was unclear.

The Prosecution returned to the subject of the shooting at the shop, asking who else was in the shop. The Witness said that he went there with his friends to look for food, since they did not have any. He indicated that there were more than twenty people in the shop, including himself and his brother.

The Prosecution then asked whether, in the Witness's mind, Gabriel Massaquoi was leading the group. Witness 2 confirmed that Gabriel Massaquoi was the Commander. The Prosecution asked whether the Witness saw several commanders, or only one. To this, the Witness clarified that he only saw one: it was Gabriel Massaquoi, who came in front of him and killed. The Prosecution asked if the Witness was referring to a specific incident. The Witness said that Gabriel Massaquoi took people from the line, carried them under the bridge, and killed them with a pistol.

The Prosecution then reminded Witness 2 that they were discussing the year 2000 and asked whether the Witness remembered what season or time of year these events took place. The Witness responded that it was the beginning of the year.

The Prosecution then stated that the Witness had talked about the incidents at the shop and the bridge before and asked if the Finnish police had asked him about them, but Witness 2 said they hadn't. When asked again whether the Witness had previously been questioned about these incidents, the Witness responded that friends who had been in the line with him that day had told him that there were white people who wanted to know what had happened. However, the Witness said he had not told them about it, he didn't talk to the Finnish Police, and it was his first time seeing a white man.

The Prosecution then asked if Witness 2 knew a person named [FNM-044]. The Witness confirmed that he knew him, calling him his brother. However, the Witness noted that he died last year from an illness. The Prosecution then asked if the Witness knew [FNM-045]. The Witness confirmed that yes, he knew him, and this was also his brother. He had been sick and died, but the Witness did not recall exactly when.

The Prosecution turned back to the Witness's recent meeting with the white men, asking him what they had discussed. Witness 2 responded that he told them that he was happy, because they came here to get justice. The Prosecution asked if he talked to the white men about the incidents at the bridge, to which the Witness replied, "no." When asked what he did talk about with them, the Witness responded that this hearing was his first time seeing white men. The Prosecution asked him whether he was talking about today; the Witness clarified that he meant yesterday. Following this, the Prosecution asked him whether he remembered meeting white people over a year ago. Witness 2 responded that he only met two gentlemen from Finland and this happened yesterday.

The Defense questions Witness 2 about Gabriel Massaquoi and Mr. Varney

The Defense then began its questioning of Witness 2. When asked how he became involved with the case, the Witness replied that a lady who had been on the line had told him that white people from Finland came to help and ask about the bad people. When asked, the Witness explained that the *"bad people"* were the ones who had taken people from the line and killed them. He mentioned that he was happy to hear that white people came to render justice. The Defense pressed the Witness to explain what he had discussed with the lady. The Witness confirmed that they did talk about what had happened and also specific names of people, including his friend and his brother.

The Defense asked whether they discussed Gabriel Massaquoi. Witness 2 responded that since the incident, he had not seen him. To clarify, the Defense asked again whether they talked about Gabriel Massaquoi or whether the lady asked him about Gabriel Massaquoi. The Witness responded that she did not ask him, but that he explained it to her.

The Defense then switched gears, asking about Mr. Gabriel Varney. The Witness responded that he was one of the workers on the field, also confirming that Gabriel Varney had been on the bridge. The Defense asked what Varney had been doing there, to which the Witness responded that he was the commander on the line, only there to tell people what to do. When asked how he knew Mr. Varney's name, the Witness simply stated that on the field, people were calling him *"Varney."*

To close, the Defense then asked if, at the end of 2019, Witness 2 had talked with two white men from Finland. The Witness responded by stating that *"no,"* he did not.

The Prosecution continues questions Witness 2 about Mr. Varney and Gabriel Massaquoi

The Prosecution began by asking Witness 2 about what exactly Gabriel Varney did. The Witness responded that Varney was on the field. He added that sometimes, when people were killed, he told people to stand in line. When asked whether the Witness saw Varney shooting anyone, the Witness said that the first person he saw shooting was Gabriel Massaquoi. The Prosecution attempted to clarify whether Gabriel Varney and Gabriel Massaquoi were the same person, to which the Witness explained that no, they were two different people. The Prosecution then asked who Varney had killed. The Witness responded that Varney had not killed anybody, he was just there to arrange the bodies under the bridge.

The Prosecution asked if the Witness could share any details about Gabriel Massaquoi. The Witness responded that when he came from the store, he saw him with a pistol. When he shot, he said, *"I am Gabriel Massaquoi, if you play with me, you will die right now."* The Witness highlighted again that this is how he knew his name. When asked what language Gabriel Massaquoi spoke, the Witness said he spoke Liberian English.

The Defense questions Witness 2 about armed groups in Monrovia

The Defense returned, asking Witness 2 why people were looting the store. The Witness simply responded that there was no food.

The Defense then began a line of questions about various armed groups. First, when asked whether he knew who or what LURD is, the Witness stated that at that time, there were many forces. There was *"RU"* (LURD), there was ULIMO-K, ULIMO-J, and others. The Defense asked whether these groups included ECOMOG as well. The Witness confirmed, also noting that ECOMOG was in Monrovia.

When asked if he remembered when LURD came to Monrovia, the Witness responded that he had heard about them and that they came to Monrovia. The Defense then asked if the incident happened at the same time LURD came to Monrovia, or before. The Witness replied that it was long before then. He further noted the war lasted so long that he cannot remember exactly how much time had passed. The Defense asked whether he could remember ECOMIL, to which the Witness responded that he did not; he only knew ECOMOG.

The morning session ended at 10:52.

[Break]

The afternoon session started at 13:10.

The Prosecution and the Defense conclude questioning of Witness 2

The Prosecution continued questioning the Witnesses about their experiences during the Liberian wars and their encounters with the Accused, Mr. Gibril Massaquoi.

The Prosecution began by recalling that during the morning session they had asked Witness 2 whether they had previously discussed anything with the Finnish police, which the Witness denied. The Prosecution then proceeded to show the Witness a video and ask questions about it.

[Note: The audio from the video was difficult to hear through the video link used to observe the trial.]

The Prosecution recalled that Witness 2 mentioned [FNM-044] and [FNM-045] by name in the recording and asked why he mentioned them. The Witness responded that both were his brothers who were shot by Mr. Gibril Massaquoi. However, Witness 2 noted that [FNM-044] later died of illness and not the gunshot. The Prosecution followed up by asking whether Witness 2 saw dead bodies outside the store where [FNM-044] and [FNM-045] were shot, which Witness 2 denied.

The Defense continued by asking what year this event took place. According to Witness 2, the events took place in 2000, instead of 2003, which he had previously stated in the pre-trial investigation. The Defense was curious to know why Witness 2 decided to correct the year now during this hearing. To this, the Witness explained that so much time has passed and he is not very educated, so it is difficult to remember years.

The Defense then asked whether Witness 2 had discussed this matter with anyone after he had mentioned the year 2003 to the Finnish police during the pre-trial investigation. Witness 2 explained that he had discussed the matter with his friends which was why he came to the conclusion that the events took place in 2000 instead of 2003. He offered to bring the names of these friends if needed.

The Defense continued the line of questioning by addressing other inconsistencies in Witness 2's statements. Specifically, the Defense asked why Witness 2 previously stated that there were dead bodies in front of the shop in the recording of the pre-trial investigation when he testified today that there were no dead bodies in front of the shop. Witness 2 denied that he ever said that there were dead bodies in front of the shop.

At this point, a discussion ensued regarding the area where the described events had taken place and where the LURD forces were, farther from the center of Monrovia. The Defense again asked about discrepancies between today's testimony and what was heard on the video, to which Witness 2 agreed that there are differences because many things have "skipped" his mind over time.

At this point, the trial observers lost access to the video feed for some moments. When the connection was re-set, the Judge was explaining to Witness 3 that the Prosecution had brought him as a Witness and that he should answer questions as best he can.

Witness 3 is heard

(Finnish Witness ID: Civilian 31)

The Prosecution questions Witness 3, who lost his wife by the bridge

The Prosecutor began asking Witness 3 whether he recalled the day when his wife went out to get food from the Waterside Market. Witness 3, similar to Witness 2, first explained that during the preliminary investigation, he had placed the event in the year 2003, but later corrected it to the year 2000 (WW1). He then noted that at the time, he had been living in West Point. On the day in question, his wife had heard that the stores in Waterside were open so she had gone down there to look for food. Looking ahead, Witness 3 explained that fighters had grabbed his wife and carried her back down the bridge to their commander *"Angel Gabriel Massaquoi."*

Backing up in time, the Witness described how first, after his wife failed to return home, he went out to search for her. When he got there, they questioned him, arrested him, and put him in 'line'. According to the Witness, there were two lines; one in the front and one in the back – he was put in the former, with his wife. However, the Witness saw two other people walk from the front of the line to the end, which influenced him to leave the line he was in and go to the end of the other line. The Witness then described how much he feared when he saw "Angel Gabriel Massaquoi" kill two boys. Afterward, the same person gave an order to shoot the people on the first line. Following the incident, Liberian soldiers arrived at the bridge and began shooting in the air while asking, "*Why are you killing our people?*" This led to confusion on all sides, including for "Angel Gabriel Massaquoi" and his bodyguards. In the resulting chaos, Witness 3 was able to run away.

Witness 3 mentioned that, before the shooting, he had recognized a lady whom Angel Gabriel Massaquoi's soldiers had slashed on the foot with a bayonet. This was because she had refused to follow them.

The Witness then continued with details about the shooting. He again noted that because the shooting created such chaos, he was able to escape. Witness 3 noted that it was due to the grace of God that he is alive and able to testify today.

He also noted that he has not seen Angel Gabriel Massaquoi since 2000. He was surprised and moved at being called to testify, because Angel Gabriel Massaquoi had killed his wife, and he had to take care of his children alone.

The Prosecutor then asked Witness 3 how he knew the name "Angel Gabriel Massaquoi." The Witness explained that this person had stood before them and introduced himself that way, saying, "*I am Angel Gabriel Massaquoi, go tell God I am the one who sent you*."

The Prosecutor then proceeded to ask if Witness 3 had seen the murder of the two boys with his own eyes. Witness 3 confirmed that yes, he was there when the two boys were killed. He added that later, Angel Gabriel Massaquoi issued orders to kill other people, including Witness 3's wife.

The Witness then described how "Angel Gabriel Massaquoi" had called the boys out and fired at each of them with his pistol. This had made Witness 3 afraid. When asked, the Witness confirmed that the boys were civilians and not soldiers.

He also stated that Angel Gabriel Massaquoi ordered his bodyguards to kill the other people using their "long" guns.

Switching gears, the Prosecutor then asked about how Angel Gabriel Massaquoi spoke. The Witness answered that it was with a Sierra Leonean accent.

When asked how many Liberian soldiers had arrived, Witness 3 said that due to the shooting, he could not stay there to count. Nor could he count the number of Liberians who asked, *"Why are you killing our Liberian soldiers?"*

The Prosecutor then focused on an apparent error in the Witness' recollection of the year these events took place. The Witness said that even though he previously mentioned the year 2003, the incident really took place in 2000. The Witness also stated that with the exception of the Finnish police, he had not spoken about the year in question with anyone else.

The Prosecution then asked the Witness how he came into contact with the Finnish police. The Witness explained that he had talked to women in Waterside who were telling others about what happened to them during the war. According to the Witness, there was a person, [Employee 2] who heard them, and said that he knew people who would want to listen to their stories. [Employee 2] then took their contact information and provided the information to the Finnish Police. According to the Witness, the first person [Employee 2] contacted regarding the matter was [FNM-046].

The Prosecution closed this examination by asking Witness 3 if anyone at all had told him what he should or should not talk about. Witness 3 confirmed that this had not happened; this was his own story.

The Defense questioned Witness 3 about timeframes, armed groups, and prior conversations about the events in question

The Defense picked up on this thread, asking Witness 3 to confirm that he had not talked to anyone except the women and the judge present, which the Witness confirmed. The Defense asked about [Employee 2]: how long did it take after [Employee 2] wrote down his contact information before he was contacted. The Witness answered that he was contacted approximately five days later.

The Defense proceeded to challenge Witness 3's ability to recall the correct year, pointing out that all three witnesses had previously said these events took place in 2003 but were now saying it was 2000. Witness 3 acknowledged that he had made a mistake with the year and had tried to contact the interviewers to correct this, but he was unsuccessful. He simply said the mistake was because his head had been disturbed and much time had passed.

The Defense then asked the Witness whether he could describe the situation in Monrovia at the time of the incident. Witness 3 noted that there was fighting in Monrovia, with both goverment forces on one side and rebel forces on the other. He noted that fighting in the city would start and stop, with different periods called WWI, WW2, and WW3. Witness 3 explained that during this time, one could only travel to areas controlled by the government.

When asked to describe the fighting that took place in 2000, the Witness responded that they were in West Point at the time, lying down in fear. He could not describe it further. The Defense noted that the Witness stated in his pre-trial interview that the battle was rough. The Witness corrected Defense counsel, saying that he had not called it *"war"* – it was just Liberian fighters who were firing and yelling at "Angel Gabriel Massaquoi," asking, *"Why are you killing our Liberians?"*. Witness 3 noted that they were all fighting for President Charles Taylor.

The Defense then returned to [Employee 2] and [FNM-046]. The Witness stated that [Civilian C] works in business while [Employee 2] seems to be an "agent" of the Finnish actors, though he was not entirely sure where he works. When asked if he had ever discussed the incidents in [Employee 2]'s presence, Witness 3 clarified that [Employee 2] only collected his information. When the Defense asked why, after not speaking about these events for 19 years, Witness 3 suddenly discussed them with [Employee 2]. The Witness responded by saying that he did not discuss anything with [Employee 2] directly. Instead, the woman said [Employee 2] may have heard something when he was passing by as she sold fish.

The Defense then returned to the issue of armed groups active in the area at the time. Counsel noted that, though Witness 3 seemed to be saying ULIMO forces were there fighting at the time, other information indicated that ULIMO had not been there since 1996. The Witness replied that he simply accepted what the fighters had told him. When asked if he had seen all the warring factions, Witness 3 said he had only seen Charles Taylor's group – they had been there the day he lost his wife. He clarified that he had not seen ULIMO fighters himself, and had only heard from Charles Taylor's men that they were fighting ULIMO forces.

Defense counsel returned briefly to the events concerning Witness 3's wife. When prompted for more detail, Witness 3 explained that the shop had *"burst open"* so people were looting it in search of food; he had waited for his wife at home for about 45 minutes before he went out to look for her.

The hearing was scheduled to resume on 26 February 2021.

February 25, 2021 – [Liberia] Day 9: The Hearing of Witnesses 4, 5, and 6

The ninth day of public hearings resumed on 25 February 2021 in Monrovia, Liberia.

Witness 4 is heard

(Finnish Witness ID: Civilian 37)

The Prosecution questions Witness 4

Witness 4 stated that during the crisis, they usually went out to look for food and sell goods. They had gone to Waterside, where a biscuit store was being looted. There were many there, her sister [FNM-001], [FNM-049, and [FNM-046], they were all trying to get food for their families. After the store was broken into, a group of soldiers came and the Witness stated that their commander said he was "*Angel Gabriel, I can take people to God*" and he threatened to kill everybody. They took them to their offices, by the bridge, where soldiers started to beat them. Witness 4 stated that she still has bruises all over her, and that if she took her clothes off, the Court would be able to see them.

The Witness recounted how her sister, [FNM-001], was being pulled by Angel Gabriel in a room to be raped. When she resisted, he said to his men: "*you take the motherfucker from the line and do her work*". When the soldiers started firing at them, another group from across the bridge started shooting, and people started to run, scattering, not knowing where to go.

Going back to her previous statement, the Witness specified that she was not in the store, and that shortly after the soldiers arrived: that is when she saw the commander for the first time. Even though people called him Gabriel Massaquoi, he introduced himself as Angel Massaquoi, the angel that could take people to God. The Witness chronicled that there was no shooting going on before the soldiers arrived. She was captured by the store, and that everyone there was captured as well – it was too many for her to remember the exact number, she could only remember the people she had initially gone there with.

The Witness continued by saying that she was taken to the soldiers' base, which was across the bridge, in a small building. She was carried in, and that is where they were beaten by the soldiers. Witness 4 explained that the commander wanted to take her sister, [FNM-001], to a certain room. When she resisted, he told his soldiers to take her and kill her – the Witness heard him giving the command herself. The Witness also added that she herself was raped.

Witness 4 explained that she saw her sister being taken outside, and that is when another group of soldiers came shooting on the bridge. The Witness couldn't really tell if it was a different fighting group, she was too scared. She did not look back after the killing, she was too afraid and she was crying. The Witness was not on the scene when her sister got killed, but she heard a gunshot. She added that some friends were on the scene, and told her that her sister [FNM-001] had been killed. She never saw her sister again after that.

The Prosecution wanted to know who witnessed her sister being killed, to which the Witness replied it was [FNM-046], but others also told her about it.

Witness 4 said she saw the commander carrying a gun, but she didn't know what kind. She repeated that it was her first time seeing him, and that he had a Sierra Leonean accent, as he did not sound like a Liberian. She said she couldn't really tell what year this happened, it could have been between 1991 and 2001.

The Witness described that there were many soldiers in Monrovia at that time, especially in the city center. She said the soldiers were from many different groups: government forces, Liberians United for Reconciliation and Democracy (LURD), Movement for Democracy in Liberia (MODEL), and others. The Witness couldn't tell which group had captured her.

When asked how she had gotten in contact with the Finnish Police, the Witness replied that [Employee 1] had called her one day, as [FNM-046] gave him her number, and asked her if she knew anything of what happened in Waterside. When she replied affirmatively, he told her that white people were there, and wanted to talk to her about it. She did not speak about the incident to [Employee 1], nor has she ever got into details about her sister's death to anyone.

The Defense questions Witness 4

Witness 4 stated that she couldn't remember the exact year of the incident, as war had been going on in Monrovia. Even in 1990, Doe and Taylor, government and Rebel forces, were fighting. She specified that the rebels were then called freedom fighters. The Witness explained that in 1990 they also had World War 1 (WW1), World War 2 (WW2), and World War 3 (WW3) – when asked by the Defense, the Witness said that she thought WW3 was in 1990, but she was unsure as she was getting older.

The situation was bad at the time the biscuit store was looted, but they still went out looking for food because they didn't want to die of hunger. Despite the fact that there had been shooting on the other side of the bridge, there had been none on Waterside, and she had reached the bridge from Johanssen. The Witness stated that there was no food because of the war, there was no free movement: Monrovia was not under siege, but fighting was raging in the center.

The Witness said she was not aware of the Truth and Reconciliation Commission (TRC). She said she heard plenty of *"funny names"* used by the soldiers when she was around the bridge, like *"Kill The Dog"* and *"Town Devil".* The Defense asked her if the only real name she heard was Massaquoi, and the Witness stated that he had called himself *"Angel Gabriel"*, and that he could take people to God. According to the Defense, on the interview recording, the Witness also talked about people called *"Dirty Water"* and *"Spirit"*. The Witness said she hadn't mentioned them in the hearing because she couldn't remember all names, given the passage of time. However, she stated that everyone who was there during the crisis knows those names.

Witness 4 stated that Gabriel Massaquoi was a name people were aware about, and he would say his name "*when he was about to do wickedness*". She had talked about him to others because her sister was the only person she had in this world.

The Defense wanted to return on the issue of the soldier's names, and asked if "Country Devil", "Kill the Dog", "Spirit", and "Dirty Water" were present when her sister had been killed – the Witness confirmed that they were the main people that took them to the office.

The Witness unsurely stated that she was born in 1976, but then corrected it to 1974. Her age was not verified when she was interviewed, she knew the year because her mother had told her. She initially could not remember how old she was when her sister had been killed, but then the Defense reminded her that in the recording she had stated she was 19 – the Witness confirmed, as she was still living with her sister at the time. She said that her sister, [FNM-001] was a grown woman, and far older than her – but could not remember her age. She was reminded by the Defense that in the recording, she had said that [FNM-001] was only three years older than her. Witness 4 said that she had said that because she had it written on her phone, which she lost. The Witness also had a picture of her sister on that phone.

Last questions to Witness 4

Prompted by the Prosecution, the Witness stated that Charles Taylor was President at the time the incident occurred. She had initially said to the Police that the events occurred in 2002, but she recalled they took place in 2001, and corrected herself. She could not remember when Charles Taylor became President and when he left, but she was sure he was President when the incident at Waterside happened. The Defense asked what was Taylor's role as President, and the Witness responded that he was a rebel leader.

<u>Witness 5 is heard</u>

(Finnish Witness ID: Civilian 80)

The Prosecution questions Witness 5

Witness 5 testified that between 2001 and 2003 there was no food – and he went to Waterside to find some. When he saw a looted shop, him and his older brother, [FNM-002], went in order to find something to eat. Whilst there, a group of soldiers arrived, and started beating and killing people – the soldiers captured Witness 5 and his brother, and took them to their base, right besides the bridge. Once there, Witness 5 said that someone named Angel Gabriel Massaquoi took his brother and another person, and shot them because he claimed they were rebels. Gabriel Massaquoi then put him in a line with other people and ordered the soldiers who were pointing guns at the group to shoot. Witness 5 saw a lady named [FNM-046] leaving the line, so he did the same. At that moment, the Witness heard gunshots behind him: people started running and got wounded – he saw [FNM-046] bleeding from her leg. He managed to escape.

Asked by the Prosecution, Witness 5 specified that the man who gave orders had said "*My name is Angel Gabriel Massaquoi, I have sent them to God*" and that is how he learned his name. Witness 4 said he didn't know the name of the other person who was killed with his brother, but he confirmed that Angel Gabriel Massaquoi killed them in front of him. He remembered that this took place in 2001, during the dry season – even if he had initially said to the Finnish Police that

the incident took place in 2003. The Witness recalled that that period was what it is locally referred to as WW1, followed after a few months by WW2 and then WW3.

When asked about how the Finnish Police contacted him, he said that last year he received a call from [Employee 1], who told him [FNM-046] had given him his number. [Employee 1] asked him if he knew anything about the events that took place in Waterside, and he replied that his brother had been killed there. He strongly denied that neither [Employee 1] nor anyone else instructed him on what to say to the Finnish Police.

The Defense questions Witness 5

On cross-examination, the Witness said that even before [Employee 1] reached out, he had been in contact with [FNM-046] because they were both sellers in Waterside, but they had not discussed the incident during all of those years. They knew each other because they both sold goods in the same place, but they were not close.

The Witness explained that during WW1, Charles Taylor's Anti-Terrorism Unit (ATU) were fighting against rebels, in Waterside, Monstserrado County. He stated that he got confused about the dates when talking to the Finnish Police because WW1, WW2, and WW3 all happened the same year, with a few breaks in between. After 2001, he left Monrovia and went to Bomi Hills, and he didn't hear about war again.

The Witness stated that he knew about LURD, and that he knew they were close by, even if he didn't know where they were. He had heard about their base in Monrovia, but he didn't want to know where it was. Witness 4 explained that during the WWs, government troops and rebels were fighting, but he was not aware of the names of the latter because he only knew about them from Government troops; besides LURD, he did not know any other rebel group name.

Witness 4 elucidated that people were looting because there was no food, as the conflict made it hard to find something to eat – he stated that the fighting took place in Monrovia. He recalled that Angel Gabriel Massaquoi spoke with a Sierra Leone accent. He ended his testimony by stating that it took until 2005 for "*total peace*".

[Break]

<u>Witness 6 is heard</u>

(Finnish Witness ID: Civilian 46)

The Prosecution questions Witness 6

The Witness recalled that between 2000 and 2001, he was living in Elwa Junction with his elder brother, [FNM-003]. One day, he went to Waterside to buy goods, and he saw people in a store that sold biscuits – the store was broken into. As he spoke with a boy who had biscuits and milk he was interested in buying, his brother left him to go inside the looted store. Witness 6 stated

that a man with an accent from Sierra Leone ordered soldiers to shoot the crowd – many died, including his brother and a girl he knew, [FNM-004]. As he was trying to escape, he was arrested by the soldiers that took him to the "big man", who ordered to tie him up – the soldiers tabeyed him. Witness 6 mentioned that the soldiers were wearing army fatigue, which was used back then by the ATU.

Witness 6 stated that other people in line were also tied, and he saw the "big boss" take 4 people from the group, 2 boys and 2 girls. He stated that his name was Gabriel Massaquoi, and "his" Sierra Leoneans called him that: this is when the Witness learned he was from Sierra Leone. Then he talked to the people he had pulled out, and said to them that his name was Angel Gabriel, and this was the name he used for "*destruction*". He continued: "*As I'm about to send you people, tell God I was the one that sent you*", and he shot the 2 boys and the 2 girls. He then ordered his soldiers to carry their corpses under the bridge, which is where they kept dead bodies.

As the Witness was still tied, he noticed a man he knew from Nimba County amongst the soldiers, [FNM-101]. He stated he had never seen him bear weapons before that day. He asked one of his bodyguards to request [FNM-101] to release him, and he told him to "*leave your own with God, as you are finished*".

Witness 6 said that he started crying – the person he knew was speaking to another soldier, but then saw him. [FNM-101] said he was surprised to see him, and asked the Witness what he was doing there. Then Gabriel Massaquoi came and said that the group Witness 6 was with were spies, and that they were going to kill them. Witness 6 begged [FNM-101] to plead on his behalf, so he went and talked to Gabriel Massaquoi. The Witness stated that [FNM-101] was like an *aide de camp* of the "big boss". He was released, and [FNM-101] escorted him and gave him bread to eat: this is how he escaped.

The Prosecution revisits some details of the testimony

The Witness specified that the girl he knew, [FNM-004] was already there when he met her – he also knew two other people, [FNM-047] and [FNM-048] – he used to sell with them. Witness 6 confirmed that Gabriel Massaquoi gave the order to shoot on the crowd, he saw and heard him himself.

When they arrested the Witness, they brought him around the bridge – there were many people there. Witness 6 said that he did not know the 2 boys and the 2 girls that were taken out of the line, nor did he know the reason why they were chosen. When asked further, Witness 5 said that Gabriel Massaquoi didn't give any explanations, but in any case he was not listening properly because he was *"praying to God to get me out of there"*.

Witness 6 said he saw with his own eyes those people being taken out of the line, and that Gabriel Massaquoi gave the order to kill them, as he was controlling the whole group. The Witness did not know what kind of weapon he used to kill people, as he wasn't a soldier and didn't know enough about weapons. He stressed that Gabriel Massaquoi's accent didn't resemble a Liberian one.

When asked about what faction did Gabriel Massaquoi belong to, Witness 6 responded that among his men there were ATU soldiers. The Witness stated that there were also child soldiers, and that these child soldiers were present at the shooting in the store, mixed up with the others. Whilst he knew LURD and RUF, he didn't know much about the groups.

The Witness admitted to being confused about the dates – he had said 2000 because that is when the ATU was around, but what occurred to him happened in 2001.

He was interviewed by the Finnish Police the year prior, as he was in [Place 3]. However, he was contacted the first time in [Place 1], where he lived. People were discussing the Waterside incident, and he joined the conversation, stating: "*I myself was at Waterside, it's just God that saved me*". It was then that a man, [Employee 1], approached him, and told him that what had happened at Waterside was no small incident, and that security people from Finland would be interested in talking to him about it. The Witness stated that the incident had happened so long ago, and that he had lost his elder brother who was supporting his education – it was frustrating for him to think about that if his brother hadn't died back then, the Witness probably would have had multiple degrees by now: he did not like to talk about the Waterside incident.

The Witness didn't have a phone, so he gave [Employee 1] the number of his uncle's daughter and said that "*since you have spoken to me in this manner when the people come I would like to talk to them*". One day, he was called and told that the Finnish Police was in Liberia. He went to Monrovia and met with a man who was from the Finnish Police, and an interpreter. The Witness specified that he didn't talk to anyone else, including organizations, about the incident; he also added that: "*no one can influence me or stop me from talking*".

The Defense questions Witness 6

The Witness stated that he had talked to [Employee 1] at the end of 2019, when the rainy season was coming to an end. He explained he had met him in [Place 1], where there were often political conversations. The Witness had briefly explained to [Employee 1] about the Waterside incident, but he didn't go into details.

Witness 6 explained that during WW1, in 2001, the elected government was fighting against the LURD rebel group: the fighting took place all over the country. However, he did not know if LURD was in Monrovia or not.

When the police had interviewed him, the Witness had declared that Gabriel Massaquoi was part of the RUF. During the testimony, Witness 6 said he didn't know what faction Gabriel Massaquoi belonged to, but that he was assigned to the ATU forces.

The Court played a recording of the Witness's interview with the Finnish Police. In the recording, the Witness said that WW1 was during 2001, and at the time LURD forces were in Monrovia. In 2001, and 2002, fighting was also intense in Lofa, as his aunt who lived there called him and told him about it.

Asked by the Defense, the Witness reiterated what he had said on the recording, and specified that in 2001 LURD forces were in Monrovia, but they were there for reconnaissance – things escalated in 2002. The Defense inquired if at Waterside there were any fights or battles going on between government forces and LURD. The Witness responded that at Waterside there was no fighting, it was just civilians looking for food. He further explained that in 2001, LURD had entered Monrovia, but that it was in Lofa that massacres were taking place.

The Witness, when asked by the Defense, specified that when he was talking about his brother being killed, he referred to [FNM-003].

Even if he said he didn't know about guns, the Witness explained that in the interview he had stated that AK-47 were used because [FNM-047] and [FNM-048], who also had escaped, had told him.

Prosecution questions the Witness again

The Witness explained that he has many siblings, and prompted by the Prosecution, he stated that with him that day at Waterside, was also another brother of his [FNM-005]. Witness 6 explained that after [FNM-005] entered the store, he did not hear from him again – the Witness stated that it was not a small number of people that got killed that day.

The Prosecution asked the Witness if he also saw [FNM-005] being killed. The Witness said that he saw both [FNM-005] and [FNM-003] entering the store, and that Gabriel Massaquoi's men killed them.

The Defense questions the Witness again

The Witness said that he did not know if there were many Sierra Leoneans on that bridge, as he was praying for his life, and he was only aware of Gabriel Massaquoi being there, as he spoke with an accent from Sierra Leone. Witness 6 added that he had never been to Sierra Leone, but he had dealt with many Sierra Leoneans, so he could recognize the accent.

As the Defense stated that they were surprised to hear that the Witness lost two of his brothers that day, Witness 6 stated that he had told the Finnish Police about both of them, but that the recording was not on, so it wasn't on tape.

The hearing concluded and will resume in Monrovia on Monday, 1 March 2021, at 9:00.

March 2, 2021 – [Liberia] Day 10: The Hearing of Witnesses 7, 8, and 9

The tenth day of public hearings resumed on 2 March 2021 in Monrovia, Liberia.

Witness 7 is heard

The Prosecution questions Witness 7

Witness 7 recalled an incident in which soldiers shot several people in front of a store. According to Witness 7, during that morning in early 2001 all the stores in Waterside were closed except for one which was being looted. Later in her testimony, when asked how she remembered that the incident took place in early 2001, she replied that she remembers it because that year she was selling products in Waterside.

Witness 7 noted that she lined up together with [FNM-052] to buy food from the people who were looting the store. It was then that Witness 7 saw armed men shooting at people and they both ran away. Witness 7 stated that [FNM-052] ran in a different direction, while she escaped to the Waterside Bridge, where she met her friend [FNM-050]. Once there, Witness 7 encountered a group of six soldiers who started beating and dragging her and her friend, [FNM-050], to a checkpoint. The soldiers had tied them "tabay", and as Witness 7 and her friend [FNM-050] were carried off, they were forced to look directly at the sun. Witness 7 recounted how one of the soldiers was called "Angel Gabriel" by another soldier. Later in her testimony, she explained that the checkpoint was located at the Old Bridge.

The man called "Angel Gabriel" had told Witness 7 and her friend that they were enemies there to spy on Angel Gabriel and his group. Witness 7 recounted that Angel Gabriel ordered her and her friend to get in a line with other people. People from the line were taken under the bridge to be killed. Witness 7 recalled that she and her friend were waiting under the bridge for some time before a car drove up with a man wearing a Liberian Army uniform. The man asked why the people were in the line and told Angel Gabriel that they were not enemies but were definitely civilians. Witness 7 recalled that her aunt's friend, [FNM-055], was also in the car. [FNM-055] took Witness 7 and her friend to Elwa Junction. Witness 7 stated that she still has a scar on her body from the incident. Later in her testimony, Witness 7 showed the Court these marks and explained that they were caused by being dragged over glass bottles.

Witness 7 said that she did not recognize whether the soldiers in front of the store were part of any specific group or faction. Witness 7 clarified that the people who the soldiers shooting at at were civilians and that many people died in front of the store. Witness 7 could not confirm how many, as there were too many victims.

The Prosecution asked how Witness 7 knew the name of the man who called her an enemy. The Witness replied that she heard the other men call him "Angel Gabriel." Witness 7 said that she heard this person giving orders to the other men, including the order to kill people in the line. Witness 7 said that he held a gun when he gave the order, although she did not see him fire it. She did see the other man carry out his order. She could not remember how many died.

The Prosecution asked if the man who gave the order to kill was a Liberian man. Witness 7 replied that *"he was not Liberian man,"* further clarifying that he spoke in "*the Sierra Leonean way of speaking, not the Liberian way*." During the Defense's questioning later, Witness 7 clarified that Angel Gabriel spoke Temne, a language of Sierra Leone. The Prosecution asked whether Witness 7 had heard of the LURD or the RUF, but she said she had not.

The Prosecution turned to an earlier interview Witness 7 had given about this incident. The Witness said she was contacted for the interview through [Employee 1] and [FNM-050] and that she did not know whether [Employee 1] or [FNM-050] had also been interviewed about the incident. She said she had not spoken about the incident with any other organisation, or anyone other than her parents.

Finally, before proceeding with the Defense's line of questioning, Witness 7 said she could not remember whether the events took place during the rainy or dry season.

The Defense questions Witness 7

The Defense began by asking about [Employee 1]. The Witness did not know [Employee 1]'s family name, or what he did for work. She stated that [FNM-050] had given her number to [Employee 1] and that [Employee 1] called her to say that people wanted to talk to her about the incident at Waterside.

The Defense asked about the name the Witness used to refer to her aunt in the interview with the Finnish police. The Witness clarified that her aunt had two different names: one used by her mother, the other used by the Witness.The Defense then asked Witness 7 about Angel Gabriel. Witness 7 stated that the only name she heard him use was Angel Gabriel, she specifically remembered him saying *"I am Angel Gabriel."* She also explained that this man spoke in a Sierra Leonean dialect. When asked whether she recalled her previous statement made during the pretrial interview, Witness 7 stated she had said he spoke like a Sierra Leonean. The Defense noted that during her pretrial interview she had said that Angel Gabriel spoke Temne. Witness 7 recalled saying this and confirmed.

The Witness continued by explaining that when the incident occurred there was no war or fighting in the area, noting that there might have been fighting in other areas of Liberia. The Witness did not recall whether this time period had a name. When asked about "World War " "World War 2," and "World War 3," the Witness confirmed that she has heard those terms. The Witness stated that she only remembered when WW1 took place because she was in Monrovia at the time but was *"out of town''* during WW2 and WW3. Subsequently, the Witness then clarified that the incident at Waterside took place during WW1.

The Defense returned to the previous statements regarding the shops at Waterside. Witness 7 said that by the time she arrived in Waterside, the shops were closed, but she did not know why. She said that the incidentat Waterside was the only attackshe had witnessed in Monrovia, and she left the city after that.

At this point, one of the Judges asked for more information regarding where and when the Witness lived in Monrovia. The Witness explained that she lived in the interior of the country and moved to an area of Monrovia called Police Academy in 2000 to help her aunt sell in Waterside, and that after the incident she moved back to the interior.

When asked by the Defense what year she was selling at Waterside, the Witness explained that she started selling in Waterside during 2000 and continued to sell there in 2001. Prior to year 2000, she did not sell in Waterside, because she was in the interior.

The Defense asked the Witness about the terms "WW1," "WW2," and "WW3," and how she knew what year the incident in Waterside took place. The Witness explained that she heard people use these terms to describe periods of war after she came back to Monrovia in 2010. The Witness did not recall what day or month the incident took place. However, she recalled she might have mentioned May or April during the pretrial interview with the Finnish police. The Defense said she had mentioned the events took place right after her sister's birthday on March 3rd. The Witness confirmed that she remembered her sister's birthday and that this event took place afterwards.

Witness 8 is heard

The Prosecution questions Witness 8

Witness 8 began by testifying about an incident related to a store in Waterside which had been broken into. Witness 8 explained that he lived in Paynesville but would often go to Waterside to purchase goods to sell. On this particular morning, all of the stores were closed except for one which had been broken into. He said that people were bringing goods out of that store to sell outside. However, Witness 8 himself did not go to that store because there were armed men and he felt afraid of them.

After a while, Witness 8 saw people shooting and began running in the direction of the Liberia Electricity Company. While running, Witness 8 heard [FNM-053], whom he knew from the Waterside Market, calling out out to him to wait for her, and they proceeded to run together. However, Witness 8 and [FNM-053] did not make it far, as six armed men stopped them and took them to a checkpoint. Witness 8 described other people who had already been taken to the checkpoint, some of whom were tied up with rope. He also heard some men saying that some of the girls were "*Angel women,*" and soon after the *"Angel Man"* arrived. When he arrived, the soldiers told him that the people at the checkpoint were enemies they had captured. Witness 8 noted that he was confused by the fact that the soldiers were wearing Liberian Army uniforms but speaking in a different accent. After this, "Angel" began to pick girls from the group, saying: *"These are my women for today. Kill the others, and let them go tell God I sent them in front. I, Angel Gabriel, sent you."* Witness 8 stated that this person referred to as "Angel" ordered the soldiers to kill people, and the soldiers did so.

While the Witness was being beaten, a Liberian General arrived and began asking Angel who the prisoners were and why they were being beaten and killed. The General was accompanied by a woman who knew [FNM-053], who was still with Witness 8. Prompted by the woman, [FNM-053]

explained that they were simply trying to escape when they were captured and brought to the checkpoint. The lady then saved them and took them to Vai Town, where they were instructed to leave. Witness 8 noted that Vai Town is the first community across the Old Bridge. Witness 8 further explained that the checkpoint was located near the Old Bridge, by the end nearest Waterside.

Witness 8 stated that he became aware of the name 'Angel Gabriel' because the soldiers at the checkpoint were calling the commander by this name. Witness 8 heard Angel Gabriel give a command to the soldiers to kill people: *"Go and tell God I, Angel Gabriel, sent them."* Witness 8 stated that the soldiers obeyed this man's orders to kill people. Witness 8 was unable to estimate how many people were killed, however, citing the trauma that he had experienced. When asked about his comment that Angel Gabriel spoke differently, Witness 8 stated that it was a *"British accent, like a Sierra Leonean."* He added that he knows what a Liberian sounds like, he knows what a Sierra Leonean sounds like, and this man did not sound Liberian to him.

Asked to revisit a few earlier lines of questioning, Witness 8 said he could not remember the name of [FNM-053]'s aunt, nor could he recall the day when this incident took place. He estimated that it took place during the dry season in 2001.

When questioned about how he came into contact with the Finnish people, Witness 8 explained that an acquaintance of his from Waterside, [FNM-054], called him asking if he remembered the incident. After this, [FNM-054] told him that [Employee 1] wanted to talk to him about it, so Witness 8 agreed to share his phone number with [Employee 1]. After [Employee 1] contacted Witness 8, he met with the Finnish police. Witness 8 noted that [Employee 1] did not talk with him about the events at the checkpoint, but instead directed him to the Finnish investigators. Witness 8 said that he did not talk to any other organization or government about the incident, adding that *"the whole country knew about it."* When asked to elaborate, Witness 8 stated that the whole country knew about the incident because it was on the radio, as Waterside is a big market and the killing that occurred there was notable. However, he added that he did not focus on the radio, as he was too disturbed. He stated that *"even up to now, when I think about it, the flashback disturbs me."*

The Defense questions Witness 8

Witness 8 stated that he was eighteen years old at the time of the incident, and that he is thirty-nine now. The Witness recalled that he was surprised when he arrived at Waterside that day because some of the stores were closed and people were running around. He added that he did not know why the stores were closed, noting that upon arrival he saw soldiers with weapons — although there was no fighting going on that particular morning.

Interjecting, the Prosecution asked Witness 8 to specify where the incident took place. The Witness replied that it was in Waterside and that people were killed both inside and outside the store which had been broken into.

The Defense then resumed its questioning, asking whether the Witness knew the names of any of the individuals who were shooting or were shot, and whether he remembered what he stated

regarding the names of the victims when he was interviewed by the police last November. The Witness answered no to each of the questions.

The Defense then asked Witness 8 about whether he remembered [FNM-009]. The Witness replied that he was disturbed by the incident and that he believed that [FNM-009] was a seller in Waterside who was killed during the incident, as Witness 8 had not seen him since. The Defense reiterated that the Witness had recalled [FNM-009]'s name in the interview which took place in November 2020, questioning why the Witness could not now remember anyone who had been killed during the incident. The Witness stated that the war and memories associated with the war are traumatic.

Witness 8 stated that he did not remember the specific month of the incident. The Defense noted that in his interview with the Finnish police, the Witness had stated the incident took place in May, without naming the season. The Witness paused, then reiterated that he had stated to the police that the incident had been in 2001, but they repeatedly asked him to state a specific month, as well. The Witness says he had told them he could not remember which specific month; he said that if he had stated a specific month at all, it would have just been a guess. Finally, the Witness stated that today he had said that the incident occurred in early 2001 during the dry season, without naming a specific month.

The Defense then asked the Witness more details about how he came into contact with the Finnish police. Initially, the Witness stated that he came to Monrovia a day after [Employee 1] had called him. However, there appeared to be some confusion between the Defense and the Witness about the specific timeline. The Witness reiterated that [Employee 1] got his number from [FNM-054] and then clarified that he arrived in Monrovia about three or four days after [Employee 1] had called him. The Witness added that the travel from his home to Monrovia took two days, so by the third day after the call from [Employee 1] he had arrived, and he met with the Finnish police the day after his arrival.

The Witness testified that he had not heard any other names during the incident besides "Angel Gabriel." The Defense then questioned the Witness about the terms "WW1," "WW2," and "WW3." He replied that he had heard these terms being used in Liberia, noting that although he did not know the difference between them, he recalled that President Taylor was in power during that time. The Witness added that when the incident in Waterside occurred, it could be described as "war," since people were being killed; he believed that it was during WW1 but he was not sure of the difference between periods. The Defense noted that when the Witness spoke with the police, he had stated that WW1 took place in 2001, WW2 in 2002, and WW3 in 2003. The Witness replied that he was simply estimating the years between "WW1," "WW2," and "WW3," adding that he believed WW1 lasted for a year. The Witness noted that these terms were used by civilians, militia, and soldiers during the war, and that is where he had originally heard the terms. Finally, the Witness was questioned about LURD and whether he knew anything about them. The Witness stated that although he had heard about the LURD rebels, he was not a military man and did not know whether LURD had attacked Monrovia at any point.

Witness 9

Witness 9 was heard in closed session, so trial monitors were unable to take notes.

The hearing concluded and will resume in Monrovia on Thursday, 4 March 2021, at 09:00.

March 4, 2021 – [Liberia] Day 11: The Hearing of Witnesses 10 and 11

The eleventh day of public hearings resumed on 4 March 2021 in Monrovia, Liberia.

Witness 10 is heard

(Finnish Witness ID: Civilian 05)

The Prosecution questions Witness 10

Witness 10 recalled an incident that occured in 2001, when he was arrested in Waterside. The Witness was 14 or 15 years old when the incident occurred. He explained that people used to go to Waterside to buy goods to sell; although it was difficult to find food at that time, the easiest place to do so was Waterside. That day he decided to follow a friend and other people who were going there to get food. (Later in his testimony, the Witness clarified that this was not a personal friend and that he did not know the identities of the other people who were with them in Waterside.) He recalled that he was afraid when he went down to Waterside; he saw "*people going down, but the place was quiet and lonesome*." His friend encouraged him by saying, "*Let's go, let's go*."

When Witness 10 arrived at the scene, he saw some soldiers, whom he later identified as Charles Taylor's soldiers. This made him feel brave. The store was closed when they arrived. The soldiers told them to put money together so that they could break into the store; they then fired at the door. The Witness recalled that everyone started to rush in because they would be able to keep anything they could get. The Witness explained that while they were doing that, the soldiers left and went to their checkpoint, which was near the store area. Witness 10 later clarified that the checkpoint was on the Old Bridge, with a rope dividing the area before the bridge and the bridge itself.

Witness 10 explained that while they were in the store, a pickup truck was approaching. The soldiers who had broken into the store began shooting. According to Witness 10, one of the soldiers said, "*Our boss [is] coming, if we don't shoot at [the civilians], they would know that we opened the store, so let's shoot at them*." Some people were killed, while others were captured by the same soldiers who had broken into the store. The Witness later clarified that he saw a man and a woman killed. They were taken to the checkpoint, where they were held on the ground while some soldiers stood over them. The Witness later stated that he saw dead bodies around the checkpoint and the road leading to the former Vice President's area, towards the Liberian Bank for Development and Investment. The Witness then stated that one of the soldiers' big men came and asked what they were doing there. The soldiers told him that the captured civilians had broken into the store and that is why the soldiers captured them. The man accepted this explanation and said that he was coming so they could get rid of them.

There were dead bodies lying near the Witness and the other captured civilians. The soldiers said, *Y'all see the dead bodies over there? That the same thing they did.*" The big man, whom the Witness later identified as "Angel Gabriel," then sat down and told the soldiers to bring him his bowl. He said, "*This plate is about to turn red. The thing that can make this plate red, that's what*

we are about to take from in y'all." The man commanded the soldiers to bring him a stone, and each time he gave the command, they would just say, "*Yes sir, yes sir.*" When the soldiers brought the stone, the big man brought forward the person who had been sitting next to the Witness. This was the first time the Witness saw the big man.

According to the Witness, the big man told the soldiers to bring the plate and to lay the man's head on the stone. He said, "Y*'all see? I am about to do the same thing I did to those other bodies*." He put his knife to the man's neck, so the Witness closed his eyes. When he opened them again, Witness 10 saw that the big man had cut the other man's neck and he recalls that the body was still jerking. The Witness later noted that when he opened his eyes, the big man was wiping the knife on his clothes. He said he did not know what happened to the body afterward.

Witness 10 said that the big man took a girl who was beside the Witness; he later explained that she was taken to another room, but he did not know what happened to her. Witness 10 said the big man then ordered the other people to be taken below the bridge. They were kept under the bridge for a while; the Witness recalled seeing bodies along the river. The Witness also recalled hearing, "*Go and bring one of those guys."* When a person was taken up, they were not seen again.

One of the soldiers was sent under the bridge to guard the captives. The soldier who was guarding them called the big man *"our chief*" and said that his name was "Angel Gabriel." Witness 10 stated that the soldier pitied the captives because they were crying and very afraid. The soldier told them, "*When he says go to God, that means he is going to kill you*." They then asked the soldier what "go to God" meant, to which he responded, "*Our chief says he is the angel that can send people to heaven. Because of that, when he says 'go and carry this message to God,' it means he is going to kill you*." They pleaded to the soldier to help them, and asked how they could leave. The soldier responded that the big man would kill soldiers if they did not agree with the orders he gave.

In that moment, Witness 10 recalled that they heard a pickup truck heading in their direction, with people saying, "*Bring them over*." The group, about eight or nine people including the Witness, were thrown into the pickup truck and taken to the 12-Houses community near Elwa Junction. Because the Witness lived near Elwa A Junction, he thought for a moment that they would be freed. Instead, the group was held in a house with a guard posted at the gate; no one could leave. The boys, some of whom the Witness had already met, and girls were separated and put in different rooms. They stayed there for some time, until they heard someone knocking on the door. The man who knocked then opened the door saw them and exclaimed, "*Oh, but what are you people doing here? This place is not good for y'all oh*!" The man told the captives they should wait and that he would be right back. Witness 10 assumed he had gone to speak with the guard. When he returned, the man led the boys out of the gate and told them to leave.

The Prosecution thanked the Witness for sharing his story and asked a series of questions to clarify certain events, described above.

The Prosecution then asked about the name "Angel Gabriel." The Witness stated that he heard the commander use that name himself while the Witness was being held inside the checkpoint.

He heard from outside, "*I, Angel Gabriel, can send people to God*." When asked about the way he spoke, the Witness recalled that this man did not talk like a Liberian, stating that he had a different accent and spoke a foreign language, like a Sierra Leonean. The Witness said he recognised the accent because some Sierra Leoneans live around here.

The Prosecution moved to questions about the soldiers present during the incident, asking if the Witness was familiar with the Revolutionary United Front (RUF). The Witness responded "*RUF? The President soldiers?*" He clarified that he had said the President's soldiers were fighting because of the uniform some were wearing, but he did not know at the time what the RUF was. The Witness did know of the Liberians United for Reconciliation and Democracy (LURD) and the United Liberation Movement of Liberia for Democracy (ULIMO). Asked for more information about LURD, Witness 10 stated that they were fighters, fighting against the government.

Witness 10 was also asked about the date of the incident, which he estimated occured in 2001. He referenced WW1, WW2, and WW3 to mark time, with WW1 occuring in 2001, WW2 in mid-2002, and WW3 in 2003. Later in the testimony, the Witness indicated that the incident happened in the middle of the dry season in 2001, around the time a holiday was approaching.

Witness 10 then testified as to how he came in contact with the Finnish police. The Witness had been in a shop and was talking with others in the shop. A man brought up the incident, which he said had occurred in 2003. The Witness was surprised and said to the man, "*Oh! You were there too?*" The Witness mentioned that he thought the incident was in 2001 and the two began speaking about it. This prompted a different man named [Employee 1] to approach them. According to the Witness, [Employee 1] told him that people wanted to know about the incident and asked for his number. The Witness gave [Employee 1] his number and [Employee 1] told him somebody would be in touch with him. Witness 10 confirmed that he had not spoken to any organization other than the police about his experience in Waterside and that no one had tried to influence his testimony.

The Defense questions Witness 10

The Defense began by asking how Witness 10 became involved in the investigation with the Finnish police. Counsel initially referenced a prior statement from the police that [Employee 1] had acquired the Witness' contact information from "a middleman." After a discussion with the Prosecution, the Defense rephrased the question, instead asking if it was a coincidence that the Witness had met [Employee 1]. Witness 10 confirmed that it had been a surprise meeting, that he had never seen [Employee 1] before, and that he could not have arranged their meeting.

The Defense also sought to clarify inconsistencies in dates that Witness 10 gave to the Finnish police over two interviews in 2019. The Witness had given a different birth year during the interviews that he gave during the testimony. He explained the discrepancies, stating that he had been relaxed in the first interview as only two others were present, but "*too many faces*" in court had confused him. The Witness had also told the police that the events occurred in 2003. The Defense asked if there had been any fighting in Monrovia at that time. Witness 10 explained that there were not all-out attacks, but it was still wartime and the situation was difficult for civilians. Food was scarce and movement was limited as soldiers would "*lay hands on you*" if they saw people in the street or "*carry you to the war front.*"

Witness 10 then clarified his testimony regarding his presence at the store in Waterside. Defense Counsel noted that the Witness had told the Finnish police that others had entered the store, but that today in court the Witness had mentioned entering the store himself. The Witness reiterated that he had been standing by the store and his friend urged him to go in. The Defense also noted that Witness 10 had told the Finnish police that he saw dead bodies when he arrived, to which the Witness clarified that he had not been referring to dead bodies at the store, but either at the checkpoint or the house in which he was held. The Witness also addressed some confusion about what he went to the store to get. The Finnish police had recorded that he was looking for a "goose," but the Witness explained that he had said he was not looking for anything particular, just food or general "goods." The Witness also stated that he lived in Elwa Junction at the time of the event. He had lived there before WW1 and stayed for five to six years before moving to another county in 2005.

The Defense returned to Witness 10's statement to the police that the event occurred in 2003. He explained that he considered WW1, WW2, and WW3 a "*one time operation*" even though they occurred in different years: WW1 in 2001, WW2 in 2002, and WW3 in 2003. The Defense noted that according to the summary, the Witness told the police all three wars occurred in 2003. The Witness questioned why he would say that, as he knows when the wars occurred. Defense Counsel asked several times if the Witness still believed this and why he told the police 2003 when he meant 2001. The Witness became visibly agitated with repeated questions, believing that he had already answered the Defense's questions. The Witness stated he had told the Finnish police 2003, assuming they understood the difference between WW1, WW2, and WW3; he was referring to a three year period, 2001-2003.

The court then played an audio clip of the Witness' police interview. In the first clip, the Witness explains that he went with his friend in part because his brother was a soldier. Because of this contact, he was only handcuffed and sat alone while a boy and girl were killed in front of him. In the second clip, the Witness discusses the date of the incident. He initially says it occurred in 2001 or 2002 but cannot remember. Because the speech was very fast, a section of the recording was unclear even after replaying it. In the next intelligible section, the Finnish police say that the incident happened in 2003 and the Witness notes that he cannot be certain of the month.

After playing the recording, the Defense again questioned Witness 10 about the different years stated to police, asserting that he had told the police the incident occurred in 2003. The Witness maintained that 2003 was WW3 and that he had referenced that time period (WW1, WW2, WW3) as 2003 "*just to put it together*." He confirmed that he was sure the incident happened in 2001 and did not deliberately give police the wrong date.

The Defense next asked Witness 10 about his statement that he did not know the people that were in Waterside during the incident with him. He responded that he did not know them personally, much like "knowing" the different people in the courtroom. However, he did remember [FNM-056], who was at Waterside with him and gave police his name. The Defense highlighted that Witness 10 remembered this person's name eighteen years after the incident. The Witness stated that he and [FNM-056] were not close and that he was not aware of [FNM-056] giving his information to the FP.

The Defense moved to questions regarding the war. Witness 10 stated he was aware LURD forces were coming to attack government forces, but did not see the fighting himself. He also noted it was difficult to determine which troops were fighting each other because they were made up of people from different backgrounds and who spoke different languages, including Liberians. Finally, the Witness confirmed that war was ongoing when he was arrested. He also noted that there were no-go zones in which you would be arrested.

The Prosecution redirects

The Prosecution questioned why Witness 10 had stated that "*our own soldiers would arrest us*" in earlier testimony. The Witness explained that some of the soldiers who were speaking foreign languages had power over Liberian soldiers. If given the command by the foreign commander, the Witness felt the Liberian soldiers would arrest him.

Witness 11 is heard

(Finnish Witness ID: Civilian 73)

The Prosecution questions Witness 11

Witness 11 recalled an incident in which she was captured in front of a store by a group of soldiers. According to the Witness, she used to go buy products at the Waterside market, but on that occasion there was nothing to buy. Witness 11 said that while waiting around the market, she heard a "*heavy noise*" and that "*the entire Waterside got upside down*." She heard noise coming from the biscuit store and saw people breaking in and bringing biscuits outside. When she arrived there with her business friend, they encountered two pickup trucks filled with armed soldiers. There was also a crowd of people gathered at the store who became afraid. Witness 11 stated that the soldiers put some people in the pickup and fired their guns at the store, killing some people.

Witness 11 and her friend, [FNM-057], were captured barefoot and placed in the pickup. The Witness recalled how they were crying and asking the soldiers where they were being taken. The soldiers took them under the bridge at Waterside, by some dry land. She then explained that she and her friend were beaten with a gun by the soldiers for "*making noise*" as they cried for help. The Witness explained that at the time, a person would be lucky to be raped instead of killed. She recounted how the person doing the killing said "*I am Angel Gabriel, you pass through me before going to Heaven*." An old man was beaten with the butt of a gun by the soldiers and was bleeding. People were crying and asking for help. Witness 11 described how frightening this Angel Gabriel was; she explained that they were even afraid to look at his face, because he could tell his men to rape or even kill you. Witness 11 recalled that they were under the bridge for almost an hour crying for help, when they saw a jeep coming. A man, who appeared to be above Angel Gabriel in rank, stepped out and began to question Angel Gabriel and his men as to what was going on. The man became vexed when he saw the old man bleeding, leading Angel Gabriel to apologize. Finally, Angel Gabriel and his men were commanded to release all the people. This gave the Witness and the others a chance to escape.

The Prosecution then followed up with some questions. Witness 11 said the incident happened in 2001. The people were filled with fear and running. Witness 11 testified that she witnessed shooting at the store and people being killed at the bridge. She reaffirmed that she was under the bridge with [FNM-057] with whom she always bought goods, but she did not know anyone else there. She also stated that the boss who gave the orders to kill called himself "Angel Gabriel." Witness 11 reiterated that if you looked at him too much, he would order someone to shoot you. She noted her surprise at Angel Gabriel's Sierra Leonean accent. Witness 11 stated that she personally heard "the boss" giving the order to kill. She also confirmed that she saw him kill others for looking at his face. In a firm voice, Witness 11 repeated that she witnessed Angel Gabriel kill others. According to her, Angel Gabriel killed three people in her presence, two men and a woman; she did not know them personally. The Witness noted that "*his boys*" did most of the killing.

The Prosecution then asked further questions about the fighters. Witness 11 explained that while Angel Gabriel was speaking like a Sierra Leonean, the man who appeared higher in rank spoke Liberian English. The soldiers wore camouflage uniforms with green inside. She also stated that neither "LURD" nor "RUF" brought anything to mind.

The Prosecution turned to an earlier interview Witness 11 had given about this incident. She explained that she was contacted through [FNM-058], her "*play ma*" (an older woman who serves as a guardian). The Witness said that she had not discussed her experience with any other organization. The Prosecution then questioned her with regard to [FNM-057] from the Waterside incident, and the Witness stated that her friend was hit with the butt of a gun on her leg and was crying because of it.

Witness 11 noted that she remembered the year of the incident because she had received a call about her sister having labor pains and being brought to the hospital around that time. The Witness stated that her sister gave birth in early February. The Witness explained to the Prosecution that her sister lives in a rural area and getting her on the phone was difficult. However, after the first interview, she was able to confirm the year it happened because her sister stated that early in February she gave birth. Witness 11 further clarified that she could not confirm whether the incident happened before or after her sister gave birth because the child had died, so her sister did not want to discuss the story with her. After this, Witness 11 explained to the Judge that she only received a call that her sister was in pain and was not present when she was taken to the hospital. She did not remember the month the Waterside incident happened, but she confirmed that it happened in 2001.

The Defense questions Witness 11

The Defense began by asking about when Witness 11 spoke to the Finnish police. The Witness stated that it was three to four months ago; the Defense noted that the police report stated 2019 but suggested it should be 2020, which Witness 11 confirmed.

The Defense then asked about the man in military uniform called "Angel Gabriel," asking whether Witness 11 could recall the name of his army. She stated that he had a uniform and a gun, and he was not speaking Liberian English. She also confirmed that he spoke in a Sierra Leonean accent and she was afraid of him. Witness 11 stated that apart from the *"boss himself,"* she did not hear

the name of any other fighters because she was afraid and did not listen. She specifically remembered *"Angel Gabriel"* because that is what he identified himself as. Even at the bridge, she was not focused on other names; she was just afraid. The Witness also stated that she had not heard about LURD.

The Judge then played the recording of Witness 11's interview with the police. In the recording, Witness 11 said that she could not give the exact month of the incident because she had not confirmed it with her sister. The Witness was asked about her knowledge regarding WW1, WW2, and WW3. She stated that they had passed through all those wars and WW1 happened around 2002; however, her memory regarding WW2 and WW3 was not very clear. The interviewer asked whether Witness 11 heard about LURD rebels and whether they were in Monrovia when she was at Waterside in 2001. The Witness responded in the affirmative, explaining that whenever she went out to buy goods, they would hear people talk about LURD. She did not know their location.

After a break, the Defense requested that the audio recording be replayed. After, the Defense continued questioning Witness 11. Witness 11 said that she recalled being asked about LURD by the police and stated, "*I might have said yes, but I was not sure about it*." She explained that she didn't see them personally; she only heard people talking about them and she did not pay attention to it. The Defense pointed out that earlier, when he had asked if she had heard about LURD, she said no, and he repeated the question. She reiterated that she did not personally discuss LURD.

The Defense's questions then returned to [FNM-058]. Witness 11 first asserted that [FNM-058] was not under the bridge with her and [FNM-057]. When the Defense noted that she had said [FNM-058] was under the bridge in the recording, the Witness explained that "*you can say something and after sometimes you don't remember.*" The Defense continued to press her on this point, and she maintained that she could not remember [FNM-058] being under the bridge. The Defense, Prosecution and Judges spoke briefly in Finnish, and then the Defense again asked whether [FNM-058] was under the bridge with Witness 11. Witness 11 responded by saying, "*Let me make a statement*," and explained how [FNM-058] had connected her to [Employee 1], leading to her testimony at trial.

The Defense then returned to the timing of when her sister gave birth. Witness 11 said she told the police that she did not remember the specific time that her sister gave birth. The police asked the Witness to confirm the time with her sister and her sister said it had been February.

At this point the Prosecution interjected. Noting that the Defense had asked the Witness about LURD, the Prosecution asked if it made a difference if she heard the term "LURD rebels" instead. Witness 10 answered that people discussed this name but she did not pay attention to it. The Prosecution and Judge continued asking whether it would make any difference to refer to "LURD rebels". At this, Witness 11 became very annoyed, again explaining that she did not pay attention to what was said about the group and did not know if the two terms were the same.

The hearing concluded and will resume in Monrovia on Friday, 5 March 2021, at 09:00.

March 5, 2021 – [Liberia] Day 12: The Hearing of Witnesses 12, 13, and 14

The twelfth day of public hearings resumed on 5 March 2021 in Monrovia, Liberia.

Witness 12 is heard

(Finnish Witness ID: Civilian 64)

The Prosecution questions Witness 12

Witness 12, a traditional Liberian soap maker, testified that he was present at Waterside market the day of the incident because he was trying to purchase caustic soda and sodium hydroxide to make soap, which was in short supply during this period. Although he clarified that he could not remember exactly when the event took place he remembered it being during 2001. The Witness claimed that while at Waterside market, he was abducted by "Angel Gabriel Massaquoi" while trying to escape violence and was taken to the Old Bridge. While on or near the Old Bridge, Witness 12 alleged that his belongings were stolen by "Angel Gabriel Massaquoi's" men who accused him of being a spy and stabbed him in the left eye, causing him to bleed a lot from that eye socket. The Witness noted that the soldiers believed he was using the soap chemicals to create bombs. The Witness explained he is still blind in the eye that the soldiers injured that day.

Witness 12 recalled that while at Old Bridge he witnessed many people being killed by "Angel Gabriel Massaquoi's" men (who included many fighters who were still "small boys") and that these same fighters carried women away to the bush and then left them at a nearby stall. Witness 12 mentioned that at some point in all of this, he was taken under the bridge. Additionally, he explained that his wife, [FNM-010], and his stepfather, [FNM-011], were carried away by soldiers and he has not seen them since. Witness 12's granddaughter, [FNM-059], was also taken by soldiers under the Old Bridge where "Angel Gabriel Massaquoi's" men attempted to rape her— but she managed to escape.

According to Witness 12, there were two armed groups present at the Old Bridge that day, the Revolutionary United Front (RUF) and President Charles Taylor's National Patriotic Front of Liberia (NPFL). Furthermore, the Witness was able to identify several members of the NPFL "Special Forces," including [FNM-102] and [FNM-103]. [FNM-102] and [FNM-103] knew Witness 12 from before, as they both used to buy soap from him to wash their clothes. They asked the Witness why he was being detained. Witness 12 stated that, once he explained that he was carrying the chemicals to create soap, the two soldiers spoke to his captors, explaining that he is just an old man who makes soap, not bombs. They then spoke to "Angel Gabriel Massaquoi" to ask that he let Witness 12 go. The Witness explained that this is how he was released; he was too afraid at the time to ask them to return the things he had bought.

Witness 12 closed his initial comments by explaining that he recalled hearing on the radio that people were violating international humanitarian law in Liberia. He mentioned that he had received training on international humanitarian law from the International Red Cross (IRC) in 1986, so he knew that when a combatant surrenders, that person should not be harmed.

However, he also knew that in Liberia, these rules did not seem to apply – if you were captured and you said you are a Gio or Mandingo, you would be killed.

At this point, the Prosecution stepped in to ask Witness 12 how he knew the name, "Angel Gabriel Massaquoi." Witness 12 simply stated that he knew the name, then went on to explain that [Employee 1] used to buy soap from him and that, once when [Employee 1] was heading to Lofa, Witness 12 mentioned the incident at Waterside. [Employee 1] mentioned that Witness 12's story about the "notorious" Sierra Leonean at Waterside was very interesting; he gave the Witness his number so they could speak again.

A slightly confusing exchange ensued about what names [Employee 1] and the various soldiers used to address the man being called, "Angel Gabriel Massaquoi." The Defense objected to the Prosecution's ongoing attempt to clarify how Witness 12 knew this name. However, the judges permitted the Prosecution to continue.

Witness 12 went on to explain that he was able to identify "Angel Gabriel Massaquoi" because of how he introduced himself as being the one who could "send people to God." The Witness identified "Massaquoi" as a senior commander of the RUF because of the way that he and the men spoke to one another in Krio rather than Liberian English, and the way that "Angel Gabriel Massaquoi" was the one to give the order to tie the Witness up and arrest him for being a "dissident" or a spy. Additionally, the men referred to "Angel Gabriel Massaquoi" as their commander.

Finally, Witness 12 explained how he knew about the Global Justice and Research Project (GJRP). He stated that [Employee 1] told him about the organization when Witness 12 shared his experience at Old Bridge. The Witness had also told his story to someone named [FNM-059], but he had not seen [FNM-059] since. When asked about names [Employee 1] had mentioned to him, Witness 12 explained that, after he mentioned to [Employee 1] that he had heard some people call the commander "Gibril" and others call him "Angel", [Employee 1] explained that this person was "Angel Gabriel Massaquoi." The Defense interjected, telling the witness that the Prosecution was asking if it was [Employee 1] that told him "the name". The witness answered that it was not. *It is unclear if the witness understood which name the Defense was referring to.*

The Defense questions Witness 12

In response to Defense counsel's clarifying questions about Witness 12's relationship with [Employee 1], the Witness explained that [Employee 1] used to buy soap from him back in 2001. Witness 12 explained that after the Waterside incident, [Employee 1] had stopped by *en route* to Lofa County. This was when they discussed the events at Waterside, including "Angel Gabriel Massaquoi," whom everyone already knew about. The Witness explained that [Employee 1] had suggested they should talk again, but had not said he was looking for witnesses at that time.

The Defense then returned to the Waterside incident, asking Witness 12 how "Angel Gabriel" was dressed. Witness 12 stated that he was wearing camouflage and a t-shirt. When asked how he was aware that "Angel Gabriel" was a member of the RUF, Witness 12 explained that he was

familiar with Charles Taylor's forces, and that two of them, [FNM-102] and [FNM-103], had told him that the man who had injured Witness 12's eye was a Sierra Leonean member of the RUF.

At this point, the Defense noted that when the Finnish police interviewed Witness 12 last year, he had been unable to state whether "Angel Gabriel" was a member of the RUF. The Witness explained that he had been confused at the time. He explained that he had heard that [FNM-102] and [FNM-103] had died, but could not confirm.

When asked if anyone else could possibly have shared Witness 12's story with others, the Witness said he did not know.

Finally, the Witness recalled that the LURD rebels entered Ganta on 3 March 2003. He then proceeded to describe his understanding of the terms WW1, WW2, and WW3. According to the Witness, WW1 took place when Charles Taylor entered Liberia with his men in 1989, WW2 occurred when ULIMO came in 1990, and WW3 occurred in 2003 when LURD rebels entered Ganta.

Witness 13 is heard

(Finnish Witness ID: Civilian 66)

The Prosecution questions Witness 13

Witness 13's testimony began with her recollection of the day her aunt, [FNM-012], was killed and Witness 13 was captured. She and her aunt sold fish in Waterside. Early on this particular day, which the Witness recalled being in 2001, Witness 13 and [FNM-012] saw people running around when they arrived at Waterside and heard the sounds of guns. The two decided to escape but, while trying to leave, [FNM-012] was shot and killed. Witness 13 later clarified that soldiers calling themselves "ATU" were doing the shooting. As she wept over her aunt's body, the Witness was arrested by these soldiers and taken down to Waterside bridge.

Under the bridge, Witness 13 was tied tabey and sat down with other arrestees. The soldiers went to call their "big man." When he arrived, he grabbed a young girl from beside the Witness and said, *"I, Angel Gabriel, I am going to kill you and you should tell God I sent you."* Witness 13 said he spoke like a Sierra Leonean. The Witness stated that she saw this "Angel Gabriel" shoot the young girl with her own eyes, and that they started to beat people after that.

Witness 13 said they sat there for some time as the soldiers grabbed some women and carried them to a small building. The Witness stressed that she was lucky not to be taken to the building; she had heard from the soldiers who came back that they were raping the women they took to the building.

Witness 13 described these soldiers as a mixed group of Liberians and Sierra Leoneans; there were also children with guns. Later, a man arrived and asked the soldiers who the arrestees under the bridge were. The soldiers claimed the arrestees were *"rebels,"* but Witness 13 and the

others explained themselves to the man and asked him to help. Witness 13 remembered the man loosening the rope from them and saying they should escape. Witness 13 and other arrestees were able to do so. She stated that she felt lucky she got away; the soldiers had killed many people.

After clarifying a few details from earlier testimony, the Prosecution then asked the Witness about her earlier interview on this same incident. The Witness recalled that [Employee 1] initially contacted her, telling Witness 13 he got her number from [FNM-061]. [Employee 1] asked the Witness whether she had heard that some people were coming to talk about the incident that took place in Liberia, and the Witness asked whether he meant the incident in Waterside. She explained this is how she became a part of the process.

Witness 13 stated she had not discussed the incident with any other organization. She further clarified that while she was familiar with [FNM-061] from their shared time in Waterside, she did not know [FNM-061]'s family name and only found out he gave [Employee 1] her number when [Employee 1] called her.

The Defense questions Witness 13

The Defense began its questioning by asking why Witness 13 had told the police earlier that [FNM-062] had shared her number. The Witness clarified that it was [FNM-061] not [FNM-062] who gave her number. When the Defense pointed out that the Finnish police wrote that [FNM-062] gave Witness 13's number, Witness 13 suggested that they may have made a mistake and reaffirmed that it was [FNM-061]. When asked whether she knew [FNM-062], the Witness responded *"Who is [FNM-062]?"* At this point, the Defense noted to the Court that they would listen to the audio clip of the interview.

Moving on in response to Defense questions, Witness 13 stated her aunt's name and that she was her aunt from her mother's side. Asked how old she was when the incident occurred, Witness 13 gave her birth year, and invited the Defense to *"do the calculation."* Witness 13 was sure the incident happened in 2001 because it was the year her aunt was killed; she could not forget that year. Witness 13 did not remember any other incidents in Monrovia that year.

The Defense noted that in her earlier interview, Witness 13 told the police that the young girl killed in front of her had her throat cut, but here the Witness said the girl was shot. Witness 13 responded emphatically that, *"They shot her!"* and that the man who shot her stated *"I am Angel Gabriel…"*

The court played a recording in which Witness 13 tells investigators that one Person S]] gave her number to [Employee 1] and [Employee 1] called her. Upon hearing this recording, Witness 13 agreed that she said [FNM-062] gave her number in the video and noted that [FNM-062] was with her in Waterside and *"is on this same program."* The Witness explained that [Employee 1] initiated this program, but did not tell Witness 13 anything about it. [Employee 1] only asked her about the incident, and Witness 13 did not know other specific people in the program.

The Defense then played another video clip in which Witness 13 said that the man calling himself "Angel Gabriel" killed the young girl by cutting her neck. The Witness explained this inconsistency—as well as her earlier statement that [FNM-062] gave her number—by noting her fear and discomfort when she made the statements, as it was her first time. Witness 13 reiterated that the main person who gave her number was [FNM-061], and that the man had shot the girl.

Witness 14 is heard

(Finnish Witness ID: Civilian 77)

The Prosecution questions Witness 14

Witness 14, a used clothing reseller, explained that he was searching for goods in Waterside with his friend [FNM-014] at the time of the incident. The Witness was unsure of the exact month because the war had dragged on, but that the year of the incident was either 2001 or 2002. Witness 14 described this period in Monrovia as having intermittent warfare, and that *"some days things can be normal and on other days, things cannot be normal."* The Witness and his friend had taken the bus to Waterside, and upon their arrival, they saw fewer people were selling than normal. They walked throughout Waterside to find something to buy. As they approached the intersection of Mechlin Street and Water Street, they saw people carrying biscuits from near an old bank. They decided to go over there.

Witness 14 recalled that there was a crowd at the place and many people were going in and out of the building. The Witness and his friend decided to stay outside of the building and buy goods from the people who had managed to get some things from inside.

As they were buying goods, Witness 14 suddenly heard shouting coming from behind the crowd, followed by gunshots, and people then began to fall to the ground or run away. The Witness then saw soldiers with guns, and he and [FNM-014] tried to run away with the crowd. However, before they were able to escape, [FNM-014] fell to the ground, wounded and shouting. The Witness testified that he tried to check on [FNM-014] but before he had the chance, the Witness noticed blood coming from his own hand: he had been shot. At this point, he and others were captured by the soldiers. Witness 14 testified that [FNM-014] was no longer speaking when the soldiers took them and carried them to the Old Bridge checkpoint.

The Witness explained that the soldiers stated they would kill all of them for looting the store. He explained that they had put everyone on the ground and began shooting into the air. The Witness was unable to identify any of the soldiers at Old Bridge because they spoke with Sierra Leonean accents.

Witness 14 explained that he was able to identify one of the men as the commander because the soldiers responded to him by saying, *"Yes chief, yes chief."* The Witness recalled that the soldiers called him "Angel Gabriel" and that this man told the captured people that he would kill all of them for looting and to tell God that "Angel Gabriel" had sent them. "Angel Gabriel" then took two men from the four sitting opposite the Witness far away from them, said that he was going

to show them what he could do, and shot them. The Witness said "Angel Gabriel" then ordered the two other men be removed to West Point, at which point they were placed in a truck and not seen again.

Witness 14 went on to explain that uniformed soldiers loyal to Charles Taylor jumped down from the bridge and asked what was happening. An argument ensued between the uniformed soldiers and the Sierra Leonean soldiers. The Witness testified that he recognized two of the uniformed soldiers, [FNM-104] and [FNM-105]. Witness 14 called out to [FNM-105], who asked the Witness what he was doing there. Witness 14 explained to [FNM-105] that the soldiers had killed [FNM-014]. At this point, the other captured people began running away, but he ran to [FNM-105] who told him that he had been sent by Benjamin Yeaten to rescue them and take control of the situation. The Witness then described how [FNM-105] took him and some other wounded people to J.F.K. Hospital in Sinkor in a pickup truck. Witness 14 asked [FNM-105] to tell his friends what happened to him the next time he was at the market.

Though Witness 14 was unable to specify what month these events took place, he did state his belief that the incident took place in 2001 or 2002. He also noted that he still bears a scar on his hand from being shot that day.

When asked how he came into contact with Finnish police, Witness 14 explained that a friend, [FNM-063], had called him and explained that he had a conversation with someone inquiring about the incident at the biscuit shop. Although the friend had not been there himself, he had told the inquirer that Witness 14 had been victimized at Waterside and thought it may be related to the biscuit store incident. Although skeptical as to why someone would want to contact him about *"something that happened way back,"* Witness 14 eventually gave [FNM-063] permission to put this person in contact with him. They called the Witness that same day.

The person asked Witness 14 whether he could come to town. The Witness indicated it would be difficult, but relaxed when the person said they could meet at the friend's place. Witness 14 came the next day and the person told him that another man also wanted to hear what Witness 14 had to say. Witness 14 wanted to bring his friend, and the person said that their friend was not a bad guy, suggesting Witness 14 need not be scared. Witness 14 followed the person and met the people who questioned him. Witness 14 was asked whether he would tell his story again if called at any time, and the people who interviewed him paid for his transport. Witness 14 asserted in a firm voice that this was the first time he had talked about his experiences to any other person or organization.

The Defense questions Witness 14

The first stage of questioning from the Defense focused on earlier testimony about the Waterside incident. When pressed to clarify which bridge he had mentioned earlier, the Witness explained that at the time of the incident, the bridge was known as "New Bridge" and that its proper name is *"Gabriel Talker Bridge."* He also reiterated that the head of the "uniform soldiers" had told the soldiers speaking in Sierra Leonean accents that Benjamin Yeaten had sent him to control the situation. It had taken about three hours for the troops to arrive. Witness 14 also mentioned that there had been sounds of bombing that day; he assumed from the direction of the sounds that the bombing was from the LURD.

The Defence next asked about Witness 14's initial contact with Finnish police. Witness 14 said that [FNM-063], who gave his number to the interested party, had several names.s. It was in [FNM-063]'s house that Witness 14 met [Employee 1]. Witness 14 said he did not talk about the incident at Waterside at this meeting; [Employee 1] simply brought Witness 14 to see "the people." The Witness could not remember the day this took place, only that it was in 2001 or 2002. He attributed his uncertainty on the passage of time.

The hearing concluded and will resume in Monrovia on Monday, 8 March 2021.

March 8, 2021 – [Liberia] Day 13: The Hearing of Witnesses 15, 16, and 17

The thirteenth day of public hearings resumed on 8 March 2021 in Monrovia, Liberia.

Witness 15 is heard

(Finnish Witness ID: Civilian 79)

The Defense questions the Witness

The Witness began her testimony by explaining how she became involved in the Finnish police's investigation. The Witness explained that she went to the Red Light Market, where she saw her friend, [FNM-058], who sold goods in Waterside with the Witness before the incident. [FNM-058] later called her and explained that a man, later identified as [Employee 1], had asked her if she had been in Waterside during the incident, and that white people wanted to know about it. [FNM-058] gave the Witness's number to the man, who later contacted her for an interview. Witness 15 told the man she was scared, but he told her there was nothing to be afraid of, as the people "*just want to ask questions."*

The Witness recalled telling the white people about the incident at Waterside, explaining that she lived in Paynesville, a suburb of Monrovia, and used to go to Waterside very early in the morning to sell goods. One day, upon arriving in Waterside, she heard the sound of gunfire coming from every direction. She later clarified that the shooting was coming from Waterside towards West Point, where the fighting was concentrated. She and [FNM-014] tried to run away, but some people – later described as soldiers – grabbed and captured her. The Witness recalled how, as she was trying to escape, she was still carrying goods on her head in a plastic bag, and how it fell when she was grabbed. The soldiers dragged her and [FNM-014] towards West Point and under the bridge, where there was a small house in which the group was based. The Witness described having seen people being beaten and killed all around her, and she saw dead bodies everywhere. She later noted that the soldiers were firing as they were taking the captives to West Point.

The soldiers ordered Witness 15 to drink dirty water from a puddle. The Witness began to cry, and one of the men told the others, *"Y'all carry this woman, y'all send her to heaven."* The Witness noted that the man identified himself by saying, *"I, Angel Gabriel, sent them to heaven! When y'all go, tell God I sent you."* The soldiers then beat her with the butt of a gun, and she cried out in her dialect, *"God here am I!"* This caught the attention of one of the soldiers who was standing in front of "Angel Gabriel". He asked her what dialect she had just spoken, to which the Witness responded that it was Gio. He then asked the Witness if she knew who he was. After Witness 15 said she did not, the man introduced himself as "Devil Working-God Working." He turned to the man identified as "Angel Gabriel" and told him that she had spoken in his dialect. Devil Working-God Working then asked "Angel" to let the Witness go. The Witness recalled that Angel said, *"I say let the woman go to heaven"* and told her to tell God that he sent her. The soldiers then began kicking her and telling her to leave the area. The Witness started running away and saw many dead and dying as she escaped. When asked who killed these people, the Witness noted that she saw a man giving orders, but that it was the soldiers who were killing people. The Witness clarified that she did not see this man kill anyone, but that he had hit her

with the butt of his gun. The Witness confirmed she did not see the man doing anything with the dead bodies.

The Witness believed that the man's soldiers were the ones shooting as they were all around him. She did not recall any other troops around the area. When questioned whether she knew the names "RUF", "LURD" or "LURD Rebels", she stated that she did not know RUF, but had heard of LURD rebels. The witness did not know with what group the troops shooting and beating people were affiliated, but noted that the uniform worn by the man giving orders was grey and black with a white shirt.

The Prosecution questions Witness 15

The Prosecution began by questioning the Witness about the man who was giving orders during the incident. Witness 15 explained that the man who beat her with the butt of the gun was also giving orders, and that Devil Working-God Working called him "Gabriel." She added that "Gabriel" also referred to himself as "Angel Michael." The Witness explained that this man was giving orders to kill people, to send people to heaven, and that the men killed [FNM-014] before reaching West Point. The Witness recalled this event taking place between 2000 and 2001, around the end of 2000. Finally, the Witness was asked whether she remembered the man who had initially contacted her via her friend, [FNM-058]. She stated that the man's name was [Employee 1]. The Witness confirmed that she and [FNM-058] were in Waterside at the same time. She did not know what happened to [FNM-058] after they scattered during the shooting, and they only met later on.

The Defense questions Witness 15 further

The Witness stated that she and [FNM-058] had spoken on the phone, the morning of the incident, about going to Waterside. In response to questioning as to whether Witness 15 and [FNM-058] had ever discussed the incident before talking to [Employee 1] , the Witness stated [FNM-058] gave her number to [Employee 1]. The Defense pressed the point, asking whether, in the past twenty years, Witness 15 and [FNM-058] had ever discussed the incident. Witness 15 confirmed that they used to be together, but had not thought about that time.

The Defense then asked whether "Angel" did anything other than give orders during the incident. The Witness stated that he was beating people and giving orders to *"Fire the man! Fire the woman!"* The Defense asked again whether the Witness had seen him doing anything to the dead bodies. After confirming she had not, the Defense noted that the Witness had previously told the Finnish police, in 2019, that *"the commander took from the dead people stomach, intestines, and made it out of checkpoint."* The Witness stated that she was human and had forgotten this detail, but clarified that she had indeed seen the man take intestines from a body and *"made a checkpoint out of it,"* which she clarified was a line in the road indicating where people should not cross.

The Witness recalled this incident as taking place in early 2001. The Defense noted that she told the Finnish police that it might have taken place in April or May 2002, between the dry and rainy seasons. The Witness reaffirmed that the incident took place in early 2001, and referenced the

different parts of the war: WW1, WW2, and WW3. She believed that the incident was in connection to the war that occurred in 2000. She attributed the discrepancies in her interview and testimony to nerves before the interview, and that she has now had more time to think.

The Defense then questioned Witness 15's understanding of the groups involved in the incident. Reading from the summary of the earlier police interview, the Defense noted that the Witness had stated to the Finnish police that there were two groups present at the time: government troops in Waterside, and LURD on the other side of the bridge in Vai Town. The Witness recalled that she had indeed said that "Angel Gabriel" and his people were at the end of the bridge near Waterside, and "other people" were on the other side of the bridge in Vai Town. The Defense pressed the issue of whether it was "LURD" on the other side. The Witness added that, although she did not know the differences between these groups, she knew the man that took her under the bridge. The Defense noted that the Witness had also told the Finnish police that she had heard about RUF being part of the government's troops, and that "Angel Gabriel" was their commander. The Witness noted that she may have forgotten this. The Defense then asked the Witness if she knew any other names of RUF members. She stated that, besides "Angel Gabriel," who she also named as "Angel Gabriel Massaquoi," she did not. At the Defense's prompting, the Witness recalled that she had given two other names of RUF fighters to the Finnish police, Benjamin Yeaten and a soldier, [FNM-106]. Witness 15 had heard of the names during the war, and said they were from Nimba County.

Witness 16 is heard

(Finnish Witness ID: Civilian 69)

The Prosecution questions Witness 16

The Witness began his testimony by recalling the Waterside incident. He explained that he went to Waterside one day to purchase goods. There was significant commotion at Waterside when he arrived; people were looting and nobody was selling. He described the place as *"upside down,"* explaining that he could only see soldiers and captured civilians. The civilians, including the Witness, were captured and placed in a specific area. The Witness identified the man controlling the soldiers as "Angel Gabriel." The witness noted that he did not know whether "Angel Gabriel" was this man's full name or his birth name, but confirmed that he was the one giving orders. In addition, the witness noted that "Angel Gabriel" did not speak Liberian English.

The Witness then said that the commander would send soldiers to beat people inside the building where they (including Witness 16) were being held. When people were called outside, the Witness said that he could hear guns firing and someone saying, *"Go and tell the papay that I sent you."* There were fewer and fewer people left in the building, because the ones being called outside never returned. When the soldiers called the group of people in front of him, the Witness wondered if he would be called outside, too. The Witness explained that he was eventually freed because his grandmother, [FNM-064], was a seller in Waterside and a lot of the soldiers knew her. One of the soldiers, [FNM-107], recognized the Witness. The Witness specified that [FNM-107] was a Liberian soldier who was working with "Angel." [FNM-107] found a way for the Witness and several other men to escape through the back of the store. The Witness explained that this was the reason he is still counted among the living.

Following the Witness's explanation of events, the Prosecution asked questions to clarify certain parts of the story. The Witness said he did not know specific names of buildings in Waterside, but later explained that the building where he was held was quite some distance from the bridge, not too close to the river. When asked, the Witness also clarified that he knew the name "Angel Gabriel", both because the soldiers would shout his name, and because "Angel Gabriel" himself stated his name several times when the shooting took place. Following a question from the Prosecution asking whether Angel Gabriel himself shot a gun, the Witness responded that Angel Gabriel was the one giving orders, and therefore was responsible for the shooting. When asked if he saw corpses once he stepped outside, Witness 16 responded that he left via the back of the building, as he could not go out the front.

The Witness also recalled that the event he described took place in 2001, but noted that he could not remember the month; he simply thought it had not been during the rainy season. He did not know how old he was at the time, either. When asked about the identities of the soldiers doing the shooting, the Witness stated that he did not believe they were government troops, since he did not believe government troops would kill their own people. The Witness also emphasized that their commander did not speak Liberian English.

Recalling his contact with the Finnish Police, the Witness explained how one of his friends, [FNM-065], asked him about the incident and if he knew anything about it. When the Witness responded that he had been there, his friend told him that there was a group who wanted to know more about what happened. When asked, the Witness confirmed that he has not talked about the incident he recounted with any other organizations.

The Defense questions Witness 16

The Defense began by asking what kind of place the Witness was held in: a store or a building. Witness 16 answered by describing a store where goods are sold. When asked if he had seen [FNM-107] since his escape, the Witness said no, as Monrovia is a big place and the Witness did not live there. He further clarified that [FNM-107] knew his grandmother, [FNM-064], and not his mother, who had died before the incident. The Defense pointed out that in a recording with the Finnish Police, it sounded like the Witness was talking about his mother. Witness 16 responded that his grandmother was the person who raised him, so she was like a mother to him. Later in his testimony, the Witness stated that [FNM-107] was the only person he knew in Waterside.

When asked about his age during the incident, the Witness responded that he was probably around ten or twelve at that time. After the Defense indicated that, in his police interview, the Witness had stated he was ten or eleven, the Witness explained that he was born in the "bush" and only his mother, who had died, would have known his exact age. The Witness further noted that the incident happened in 2001, explaining that he knew the date because in 2000 they left his hometown of Nile in Bong County, and tried to make a living in Waterside the following year.

The Prosecution interjected and asked the Witness to explain his interview with the Finnish police. The Witness stated that he was asked if he knew anything about what happened in Waterside in 2001, and if he remembered which year it happened.

The Defense resumed its questioning and asked the Witness about the police interview, particularly whether he felt worried or scared. The Witness confirmed that it was his first time seeing these people, so he did not feel "*free to talk*."

The Defense pointed out that, during the interview with the Finnish police, the Witness had stated that the incident occurred either in February or March 2002. The Witness stated that it might have been possible, but could not remember exactly. However, the Witness was clear that it was impossible for the incident to have occurred in 2003 or 2004, as he was not in Monrovia at the time. Less than a year after the incident, the Witness moved from Monrovia back to Nile.

When asked if there was a war going on at the time of the Waterside incident, Witness 16 answered that there was no real war, but everything was "*upside down."* He went on to explain that he did not know anything about the wars, only that the Waterside incident happened in 2001. The Defense pointed out that the Finnish police's summary of the interview stated that the Witness had indicated that WW2 was in 2001. The Witness said he could not remember, and could not be expected to know the exact time.

The Witness also expressed familiarity with both ULIMO-K and ULIMO-J, but did not know the difference between them. He had also heard about LURD, since many people used to say "*LURD rebels."* However, the Witness was unable to tell if they were in Monrovia at the time, since he did not fight in the war, stating only that he knew they used to *"cause trouble."*

At this point, the Prosecution interjected briefly to ask Witness 16 if he had been alone at Waterside, or if he saw anyone he knew there. Witness 16 responded that he only remembered knowing one person: the man who rescued him, [FNM-107]. The Prosecution asked if he knew someone named "J" to which Witness 16 answered yes, that person helped him escape.

The Defense resumed questioning, asking how Witness 16 knew [FNM-107]'s name was "J." The Witness said he knew it from his grandmother. Defense then pointed out that when the Witness had spoken to the Finnish police, the Witness had called [FNM-107] a different name, and that the only "J" Witness 16 had mentioned at the time was in reference to a friend who had died in the incident. In response, the Witness stated that people could have different names in different places, and that in Liberia people have different names. The Witness also stated that he had lost many friends during the war, and when the police interviewed him, he only remembered the name that he gave.

Referring back to the conversation with the Finnish police, the Defense noted that the Witness used the name "Angel Gabriel" in his court testimony, but only used the name "Angel" when talking to the Finnish police. The Witness explained that "Angel Gabriel" was his full name, but at the time of the interview he only called him "Angel." This was because the Witness believed "Angel Gabriel" to be a biblical name, reserved for people who work with God. He also explained that it is possible he told the police the man referred to himself as "Angel Gabriel."

Witness 17 is heard

(Finnish Witness ID: Civilian 08)

The Defense questions Witness 17

After Witness 17 introduced himself as a medical personnel, Defense asked about his earlier interactions with the Finnish police. Witness 17 explained that he had seen them down at Waterside and had asked them what they were there for. Upon learning that they were interested in wartime events in 2001 and 2002, the Witness took them to the biscuit store that was broken into, as well as to the Housing and Saving Bank on Water Street.

The Defense asked the Witness if he had mentioned the date 20th June 2003 when interviewed by the Finnish Police, to which the Witness agreed.

The Witness went on to describe what happened when he met the Finnish Police: how he had explained to them that there had been shooting at the biscuit store where civilians went to steal. The Witness mentioned seeing two dead bodies at the Housing and Saving Bank, one dead body at the intersection of Mechlin and Water Street, and one dead body at the intersection of Randall and Water Street.

The Witness went on to testify as to what he heard, around 2001 and 2002, from his patients who were wounded in the Waterside incident. As they cried, most of his patients said the name "Massaquoi." Witness 17 did not know or see "Massaquoi" himself, but any time he treated a wounded person, they would say that name. One of the wounded individuals he treated was a commander, Major Fokoe who told the Witness that he had been protecting civilians so that they could get more food, and while he was protecting them, a group affiliated with Charles Taylor came and shot him. Witness 17 explained that there was no food because the government was not making supplies available and *"LURD was on the other side giving government hard time."* Civilians had to find food, which is why they broke into the biscuit store.

The Defense asked the Witness if he could say something about the year 2003, to which the Witness responded that the war was almost over, and he had to pass by the bodies to get to where Major Fokoe lived. Witness 17 said this was between 2002 and 2003. In response to another question from the Defense about what happened in 2003, the Witness mentioned Charles Taylor's forces taking over Waterside, which the victims told him was around June/July, between 2002 and 2003. The Witness described how he had learned from the wounded he was treating that the incident at the biscuit store happened between 2002 and 2003, and most of the patients had been hiding in their homes because they were afraid to come out.

When the Defense asked if the Witness had been in contact with any other organization, Witness 17 mentioned that MSF Belgium (Médecins Sans Frontières) and Merlin (Medical Emergency Relief International) were on the field, but he was not in contact with them.

The Prosecution questions Witness 17

The Prosecution began by asking what Witness 17 had heard at the biscuit store. The Witness clarified that he had received patients from the incident who had bullet wounds. The Prosecution asked Witness 17 about "Massaquoi" being mentioned by the victims he was helping. The

Witness related how the victims had told him that the man was “so wicked” and began to fire at them.

The Prosecution asked what Major Fokoe told the Witness as he was treating him. Witness 17 recalled that Fokoe had called him for help, and said he was shot by a militia group while protecting civilians who were at the biscuit store to buy food. The Witness related that the only name Fokoe mentioned to him was Massaquoi, who Fokoe said was the commander. The Witness recalled that Fokoe had come to him as a patient from 2002 ending in early 2003, having remained as a patient for 3 months.

The Prosecution then asked about the location of the biscuit store, which Witness 17 explained was opposite to the New Bridge; leaving from Vai Town and crossing to Waterside, the biscuit store was on the right, by a light pole.

The Defense resumes questioning Witness 17

The Defense asked about the presence of military troops at Waterside. The Witness explained that Major Fokoe was the commander at the government joint security base in 2001, 2002 and 2003. He stated that the government soldiers were there to protect the civilians, and the militia group used to come and harass civilians and then go. The Witness stated that he did not know whether the militia group also had a base in Waterside at that time, as he was busy treating people

When asked by the Defence about LURD rebels, the Witness responded that they were throwing missiles at them in Waterside including to the hospital where he worked. Witness 17 stated that this occurred in “WW1, WW2, WW3”. When asked by the Defence when this was, the Witness said that the war really intensified in 2001, 2002, and 2003.

The Defense then asked the Witness specifically about June 2003. The Witness replied that he had observed fighting on both sides, and in June there was a major attack by both sides because LURD wanted to cross. During this time, the Witness continued to treat people.

The Defence asked the Witness if LURD had attacked Monrovia before June 2003. The Witness answered yes, and explained that this is what they call WW1, WW2, WW3. The Witness clarified that the government was fighting LURD during these “WWs”

The Defense then asked the Witness about something mentioned in the summary from the Finnish police: a letter the Witness wrote in June 2003 to MSF in Mamba Point asking for help. Witness 17 clarified that he had been in West Point when he wrote the letter. The Defense asked if this was during the time the Witnesses’ patients were talking about Massaquoi, to which Witness 17 responded, yes. In response to a question from the Defence whether people were talking about Massaquoi at the same time he wrote the letter, on 20th June, the Witness clarified that he wrote the letter for help when he ran out of his own medicine supply.

The Defence asked the Witness if he knew why they were shooting civilians, and the Witness said the only reason he knew was that civilians were looking for food. When asked by the Defence about having stated in the recording that the army was angry with the civilians because they were turning to LURD, the Witness clarified that he had said that civilians were searching for food, and the militias got angry and said they wanted to turn to LURD.

The Defence noted that the Witness stated in a recording that when he wrote the letter, civilians were looking for food, the army was firing at them and that was Massaquoi, and the first six persons were shot in July 2003. The Witness clarified that this was the narration from the patients.

The Defense then asked whether LURD was in Monrovia when the biscuit store incident occurred. Witness 17 replied that this incident occurred during WW3, which was between 2002 and 2003. The Witness clarified that LURD was in Monrovia at the time of the incident, because from 2002 LURD had attacked Monrovia, retreated, and attacked again. The Defence asked if the Witness thought that the biscuit store incident happened during the first LURD attack, to which the Witness responded that the patients he was treating explained that it happened between 2002 and 2003. When the Defence raised that Witness 17 had written to MSF for help in June 2003, the Witness stated that he was treating patients in 2002 and 2003 with his own medicine, and when he ran out, he wrote to MSF.

The Defense then asked if Witness 17 told the Finnish police about any incident that happened between 2001 and 2002. The Witness replied that he only took them to the bridge and to the E.J. Roye building where there had been snipers shooting in 2001, 2002, and 2003. The Defense noted that in the recording, the Witness said six people were shot in June 2003. The Witness explained that patients had told him, in 2003, that it was done at the biscuit store.The Defense concluded that they would need to review the recording.

At this point, the Judge interrupted the questioning because the Witness needed to leave. Witness 17 will continue his testimony on Tuesday, 16 March 2021.

The hearing concluded and will resume in Monrovia on Tuesday, 9 March 2021.

March 9, 2021 – [Liberia] Day 14: The Hearing of Witnesses 18 and 19

The fourteenth day of public hearings resumed on 9 March 2021 in Monrovia, Liberia.

Witness 18 is heard

(Finnish Witness ID: Civilian 68)

The Prosecution questions Witness 18

Witness 18 testified as to what she remembered about the incident in Waterside. The Witness often went to Waterside to purchase goods between *"*WW1" and *"*WW2", later clarifying that the events she and her friend [FNM-066] experienced took place in the middle of 2001. She explained that when she arrived the morning of the incident, all of the stores were still closed. She became fearful and wanted to leave Waterside, but her friends insisted on waiting for the shops to open. They stayed and began to hear what sounded like gunshots. The sound caused them to leave the area, at which point they saw a crowd of people gathered near the bridge. Some people were crying and some were being put into a pickup truck and taken across the Old Bridge, somewhere in the direction of Clara Town.

The Witness reported seeing a man near the bridge wearing army camouflage with an open, white shirt. She saw wounded people near the bridge and her friend suggested they move closer. The Witness described a man standing and holding a pistol. The Witness later clarified that she had seen this man shoot two boys, whose bodies she saw by the Old Bridge. According to the Witness, the man holding the pistol said, *"When you go, tell God that I, Angel Gabriel, sent you."* Later in her testimony, Witness 18 noted that he sounded Sierra Leonean.

The Witness saw a building near the area to which some girls were taken. When she turned around, a boy hit her on the head with the butt of a gun and she collapsed. She noticed, when she regained consciousness, that all of the money she had to buy goods was stolen. After this, her friends brought her up the hill to a Mandingo man's drugstore. The Witness explained that after she was taken care of at the drugstore, they left and saw a pickup truck full of *"army people"* who told the other fighters to *"leave the people, what are you doing to the people*". She later said that, other than a woman who suffered a hand wound, Witness 18 could not recognize anyone else who was hurt during the incident, because she, herself, had been wounded in the head and could not remember.

The Witness stated that they managed to reach their parking area and left Waterside. Since that day, she has not returned to Waterside, and only recently began coming back into town to purchase goods.

Finally, the Witness explained how the Finnish police contacted her. She was in a taxi to go purchase goods when another rider, [FNM-067], asked her if she witnessed the events at Waterside. When she answered *"yes,"* he asked for her phone number and two or three months later, [Employee 1] informed her that people from Finland were coming to talk to her about the

incident. Although she was afraid, he eventually convinced her to speak with the Finnish police by explaining that it was "*nothing much*" and that they would only ask her questions. The Witness finished her responses to the Prosecution by asserting that she had not spoken to anyone about the incident except for the Finnish police.

The Defense questions Witness 18

The Defense began by asking about Witness 18's conversation with [FNM-067]. When asked if she knew [FNM-067]'s surname, the Witness said she had not asked for it. Pressed to explain how this conversation about the Waterside incident arose with a stranger in a taxi twenty years after the event, the Witness clarified she was conversing about what happened in Waterside, and that there were other passengers besides [FNM-067] in the car – however, she did not know if [FNM-067] had told anyone else about it.. The Witness said she generally only spoke about the Waterside incident with the friend she was with that day. Defense asked why Witness testified that she did not know [FNM-067]'s last name, when she had told the Finnish police in the earlier interview. She clarified that she had not asked for a last name that day in the car; it was [Employee 1] who later told her who had given him her number, mentioning [FNM-067] by his full name.

The Defense then alleged that the Witness's claim that she saw Angel Gabriel kill the boys was inconsistent with her police interview, wherein the Witness said that uniformed soldiers had killed the boys. The Witness disagreed that her statements were inconsistent, saying that her testimony had been that the man who killed the boys wore a uniform with a white t-shirt underneath.

The Defense also asked Witness 18 why she had testified in court that that the incident occurred during the middle of 2001, while she had told the Finnish Police that it had occurred during January/February 2001, in WW1. The Witness explained that the incident happened a long time ago and leaving the police interview, she realized the incident occurred during April and May because that is when she had gone to market to buy goods.

When asked about LURD, the Witness acknowledged that she had heard LURD rebels were in Liberia at the time of the incident. She clarified that she heard LURD was in Monrovia, but she was in Nimba.

Finally, Witness 18 also discussed WW1, WW2, and WW3. Witness 18 also explained the term, "Taylor Normal Day," which referred to time when people could leave their houses and go out – like in 2003 and 2004, after Charles Taylor had left.

The Prosecution reexamines Witness 18

The Prosecution returned to ask two more sets of questions. First, it asked whether the mark on the Witness's forehead was from when the child soldier struck her in Waterside with a gun. The Witness said that it was, and upon invitation, she proceeded to show the mark to the Court.Second, the Prosecution asked whether the Witness remembered an elderly man who was

hurt. The Witness said she saw an elderly man with blood all over his head, indicating that his face had been cut at the jaw.

When the Judge asked about seeing a woman who had been injured in the leg, the Witness said she saw a lady bleeding from an injury, but did not see who had caused it.

Witness 19 is heard

(Finnish Witness ID: Civilian 05)

The Prosecution questions Witness 19

Witness 19 testified about an incident when he was detained in Waterside. The Witness later clarified, at the Prosecution's request, that the incident took place early in WW1, in 2001, but that he could not say what time of the year it was due to his education level. The Witness described how he and his bigger brother, [FNM-015] used to go to Waterside to get rice to sell. Just as he realized he had lost the money he was given to buy rice, and wondering how he would tell his brother, Witness 19 heard a heavy sound and saw people rushing to a store to take rice. The Witness said he joined the crowd, planning to take some rice to bring to his brother as if he had purchased it.

The Witness testified that when he was in the store, he heard another heavy sound and heard some of the others say that "Angel Gabriel" and his men were coming. As the Witness left the store with a bag of rice, he saw an armed group arrive in a vehicle. Witness 19 testified that he saw "Angel Gabriel" jump from the vehicle and order his soldiers to shoot anyone carrying rice. The men, including Angel Gabriel, opened fire for what the Witness estimated to be a minute and a half. During this shooting, some people were hurt and others were killed. The Witness dropped the bag of rice he was carrying and hid.

The Witness later explained that he had thought Angel Gabriel was leading the armed men during the shooting at the store and that he knew his name because he had heard people there say, *"Angel Gabriel and his man them coming!"*

After the gunfire stopped, the Witness said he heard Angel Gabriel order his soldiers to search the store and see who was still alive "or pretending that they were dead". The soldiers brought some older boys outside with their hands tied behind their backs, including his brother. The soldiers also brought Witness 19 and others outside, along with some women and girls who had been in the store; some carried babies on their backs. The Witness was placed with others, including the women and children, into a pickup truck. As they were placing older people into a separate pickup truck, a boy with his hands tied behind his back tried to resist, arguing with a soldier. Witness 19 said he saw Angel Gabriel shoot the boy dead with a pistol and heard him say to the soldiers, *"Take these guys and kill them! When they go, they will say I, Angel Gabriel, sent them."* Witness 19 later noted that, from the way Angel Gabriel spoke, Witness 19 felt he was not a Liberian.

The Witness described how his group was driven to an unfinished building beside the Old Bridge, were ordered out of the truck and told to sit on the floor. The Witness said Angel Gabriel first took a girl and said she was his woman, then told the soldiers to pick women and *"enjoy themselves*." One girl resisted, fighting with the man who tried to take her and biting his hand. The Witness said he saw Angel Gabriel turn around and shoot the girl. She fell into the Witness's lap. Angel Gabriel walked over and asked Witness 19, *"do you want to see God?"* Witness 19 testifed that he shook his head, afraid. The girls were carried out. The Witness said he could not see what happened next, but he heard crying, shouting, and a gunshot. He said he asked a lady next to him who the person in command was. According to the Witness, the lady said, *"That person you see there, they call him Angel Gabriel."* The Witness asked, *"Why will they call a person like this Angel Gabriel when he's not doing anything good?"* The lady responded, *"His name is Gabriel Massaquoi, but the name Angel Gabriel is his war name."* The Witness testified that, whilst there, he had also heard the name "Zizack," "Zayzay Massaquoi," or something similar.

When pressed by the Prosecution for more details, the Witness could not say exactly but estimated eleven to thirteen people were killed. He confirmed that he saw [FNM-016], who had resisted, being put into the pickup truck shot, and estimated that the victim was twenty-seven or twenty-eight years old, but that he might have been eighteen or nineteen. The Witness also could not say what type of weapons the soldiers were using, as he is not a soldier himself and never carried a gun, but he would recognise them if he saw pictures.

The Witness said that after some time a man in a camouflage uniform arrived with some soldiers. Witness 19 testified that the uniformed man said in a Liberian accent: *"But what are y'all doing here, this is not the place I expect y'all to be. This was not the reason I brought y'all here. I brought y'all here to help me, I did not bring y'all here to kill innocent people. What are y'all doing with these children?"* Witness 19 later clarified that this officer was addressing Angel Gabriel. The Witness heard others call this uniformed man "Chief 50" and "General 50." After the uniformed man arrived, the captives were brought out from the space. This is how the Witness was able to leave.

The Prosecution then turned to Witness 19's interview with the Finnish police. The Witness said he and a friend, [FNM-068], were watching football at an entertainment center when someone began to argue about the Truth and Reconciliation Commission and whether there should be a War Crimes Court in Liberia. While one man advocated for moving on, Witness 19 said he spoke up about the war and about his experience at Waterside. [FNM-069] approached the Witness and asked if what he was saying was true. When Witness 19 confirmed, [FNM-069] asked for his phone number, telling the Witness he or someone else would call. A few days later, the Witness received a call from [Employee 1], who said that some people might want to talk with the Witness. The Witness said that he had not talked to any organizations about the incident.

To close, Witness 19 stated that he believed the Waterside incident occurred in 2001.

The Defense questions Witness 19

The Defense began by asking the Witness about the timeframe of the incident and his relationship with [FNM-069]. The Witness responded that the incident was in 2001, that he was

probably fourteen years old, and that he was not close with [FNM-069], having only met him once. The Witness insisted that [FNM-069] did not tell him about his own experiences at Waterside or provide him the name "Angel Gabriel Massaquoi."

The Witness next testified that, when the Finnish police interviewed him, he knew the man giving commands during the Waterside incident as "Angel Gabriel," but that he learned from the woman next to him during the incident that his name was Gabriel Massaquoi. However, the name he heard most frequently was "Angel Gabriel."

The Defense repeated its earlier questions regarding the time of the incident and the Witness's age at that time. Witness 19 reiterated that he was fourteen years old at the time, but that he could not remember the month or season of the incident. When asked why he had given a different age to the Finnish police, the Witness said that he was young at the time of the Waterside incident and that his interview with the Finns was his first time being interviewed by white people. The Witness insisted that he was sure that the incident happened in 2001.

The Defense then introduced recordings of Witness 19's interview with the Finnish police. In the recording, the Witness told the Finnish Police that his friend, [FNM-069], provided his number to [Employee 1], who arranged the meeting between the Witness and the Finnish police. The Witness told the police that [FNM-069] was looking for witnesses to the Waterside incident. Witness 19 added that [FNM-069] told him Gabriel Massaquoi was the suspect; the Witness told the Finnish police that the only name he heard at the time of the Waterside incident was Angel Gabriel and that he did not know if Angel Gabriel's name was Gabriel Massaquoi. The Witness confirmed that [FNM-069] mentioned the name "Gabriel Massaquoi" in their conversation. The Finnish police asked the Witness to forget the name "Massaquoi," and to proceed with his recollections about "Angel Gabriel."

At this point, the Court paused the recording for the Defense and the Prosecution to speak with the Court. The Defense argued that if [FNM-069] told the Witness the name Massaquoi, as disclosed to Finnish police but in contradiction to the Witness's testimony in Court, then [FNM-069] may also have told the Witness what happened at Waterside, and Witness 19 may not have witnessed the incident himself.

The Court then resumed playing the recording. The Witness informed the Finnish police that he and [FNM-069] had spoken two days before the interview and [FNM-069] had told him, *"I will come to you to help you to explain what you experienced."* [FNM-069] also brought Witness 19 to his police interview. The Witness confirmed [FNM-069]'s name to the Finnish police, but could not spell [FNM-069's] surname and did not know whether he had already been interviewed.

At this point, the Defense paused the recording to ask the Witness whether [FNM-069] told him that Gabriel Massaquoi was the suspect in the investigation. The Witness said that the person who called him was [Employee 1] and they did not talk *"about anything like that."* When the Defense asked if [FNM-069] told Witness 19 that he was going to investigate Gibril Massaquoi, the Witness responded that [FNM-069] had said Witness 19 was someone he was looking for, as a witness to the Waterside incident.

The Defense then resumed playing recordings from the police interview. In the final part, the Witness confirmed that he did not discuss the case with [Employee 1]. The Witness also confirmed on the recording that [FNM-069] told him the name Gabriel Massaquoi, but that he (Witness 19) was more familiar with the "Angel Gabriel" from the Waterside incident.

After the recording concluded, the Defense again asked Witness 19 how old he was at the time of the incident. This time, the Witness said that he was fifteen or sixteen years old, and that the incident occurred in 2000 or 2001. The Witness reiterated that he told [FNM-069] that the name he heard at the incident was Angel Gabriel; the Witness also confirmed that [FNM-069] said that Angel Gabriel was also called Gibril. The Witness said that he told [FNM-069] that he was unfamiliar with the name, but [FNM-069] insisted that Witness 19 had mentioned the name earlier and explained that "Angel Gabriel" from the Waterside incident was Gabriel Massaquoi. Witness 19 attempted to clarify, saying that [FNM-069] was just copying everything the Witness had said when they first met at the video club.

Final Questions for Witness 19

The Witness confirmed [FNM-015]'s name and reported that he saw his brother, with his hands tied, lifted into a pickup truck from the store in Waterside. He has not seen his brother since.

The hearing concluded and will resume in Monrovia on Wednesday, 10 March 2021.

March 10, 2021 – [Liberia] Day 15: The Hearing of Witnesses 20 and 21

The fifteenth day of public hearings resumed on March 10th 2021 in Monrovia, Liberia.

Witness 20 is heard

(Finnish Witness ID: Civilian 61)

The Prosecution questions Witness 20

The Witness recalled an incident in which she was captured by soldiers at Waterside. Before the war broke out, the Witness used to sell clothes. Once war came, the clothes were no longer selling, so she began selling food. She used to go to Waterside with her little sister, [FNM-019], in order to buy goods to sell to the *"other side."* The Witness later clarified that she was referring to Red Light, and pointed in its direction when asked on which side of the Old Bridge it was situated. She explained that at the time, it was safe to go from Red Light to Waterside, which is why she and her sister were *"brave"* enough to undertake the journey.

Witness 20 explained that when soldiers would break open stores, the Witness and others would go and buy food from them. The day of the incident, she was doing business at the store in this way. At some point, she saw another group of soldiers approaching by car wearing the same uniform as the soldiers who would typically open stores and sell things to civilians. When that second group of soldiers arrived, they started firing into the crowd. Witness 20 confirmed that she personally witnessed the soldiers open fire on civilians. She also saw their commander giving them orders. She later clarified that he gave the order to shoot while he and his men were approaching in the car. She remembered a soldier clearly calling the commander "Angel Gabriel." The Witness further explained that whenever the commander killed someone, he would say that he was sending them to God. Later in her testimony, the Witness stated that "Angel Gabriel" did not speak Liberian English; he spoke like a Sierra Leonean.

According to the Witness, there was a large group of people present during the incident; some were killed, some were raped or tied up, and others were taken. When asked if she had seen anyone die at the store, Witness 20 recounted that when the soldiers started firing, she called for her little sister, [FNM-019]. As her sister ran towards her, she was shot and killed.

Witness 20 continued describing her capture. She stated that her captors were taking them towards West Point, to a spot after the Old Bridge towards LEC Junction. On the journey, they passed numerous bodies, some children and some tied up. The Witness was sure the soldiers would have killed her had they reached the spot. However, she knew one of the soldiers, later identified as [FNM-110], who saved her. This is how she was able to escape.

She did not know what happened at the Bridge as she never arrived there.

The Witness believed that the incident happened between WW1 and WW2, which she tied to 2001 and 2002, when the war was *"really hot"* in Monrovia. She could not remember with

certainty due to the time that had passed, but believed it occurred in the middle of the year. Citing her lack of education, Witness 20 could not recall the age difference between her younger sister and herself, nor could she remember her own age at the time.

The Prosecution concluded by asking the Witness about her interview with Finnish police. Witness 20 explained she got in contact with them indirectly through [Employee 1]. Her children's father, [FNM-073], called her and told her he had met [Employee 1] in Lofa County and that he was talking to people about the Waterside incident. The Witness stated that she had never personally spoken with [Employee 1] and did not discuss the incident with any other organization.

The Defense questions Witness 20

The Defense asked the Witness about her family. She said her children's father, [FNM-073], knew she had been wounded in the Waterside incident and that her sister died during the incident. She said she has three children and stated the years they were born.

When asked about the man who gave orders, the Witness said he wore a Liberian soldier uniform, calling it the Armed Forces of Liberia uniform. She pointed to someone in the courtroom who was wearing a green watch, saying that it was almost the same color.

As to whether the route between Red Light and Waterside was safe, Witness 20 reiterated that it was not dangerous, since there were government forces on that side of the bridge. However, she heard that Liberians United for Reconciliation and Democracy (LURD) forces were in the Duala area, across the bridge.

The Defense pointed to inconsistencies in the Witness's statements, saying that when the Finnish police interviewed the Witness, she had stated the commander was wearing regular clothes, but during the hearing she described him wearing a green uniform. The Witness explained that he was wearing camouflage over regular clothing and that she considered 'camouflage' and 'uniform' to mean the same thing. The Witness said the man was wearing camouflage over his t-shirt when she was carried away.

The Witness said she did not know when the war ended, as he had returned to Nimba County.

When asked for the names of people she had known at the Waterside incident, Witness 20 named the soldier who saved her, [FNM-110], and a friend called [FNM-074]. The Witness also stated that there were a few others she knew who had been there, though she could not recall their names. The Witness had learned later that one of her friends had died in the incident. Another two managed to escape, although she did not know how.

Witness 21 is Heard

(Finnish Witness ID: Civilian 60)

The Prosecution questions Witness 21

The Prosecution began by questioning the Witness regarding Foday Sankoh and the RUF.

The Witness began his testimony by explaining that Foday Sankoh was the former rebel leader of the RUF and that RUF is an abbreviation for the Revolutionary United Front of Sierra Leone. The Witness elaborated that the RUF was a group that fought against the government of Sierra Leone. Although he was not a member of the RUF at the beginning of the conflict, Witness 21 explained that he later joined the group. During his time with the RUF, the Witness became the bodyguard to Foday Sankoh. Around 1999, or the time the Lomé Peace Agreement was signed, Witness 21 was assigned to receive members of the RUF at a guest house in Monrovia. When asked whether he remembered any of the guests, Witness 21 recalled several names including Sam "Mosquito" Bockarie, Gibril Massaquoi, Ibrahim Bah, Abdul Razak, Kenneth McCauley, and Issa Sesay. He said they were "high authorities"in the RUF at the time, with Issa Sesay being the commander in charge when Foday Sankoh was away. He also explained Gibril Massaquoi was serving as the RUF spokesman at the time, but could not remember his rank.

Around 2000, the Witness recalled Massaquoi arriving at the guest house. This was during a time when Foday Sankoh had an issue with Mosquito and had appointed Issa Sesay to take over as commander. The Witness told the Court that Issa Sesay had traveled to Monrovia for a diplomatic mission with Gibril Massaquoi, Kenneth McCauley, and Abdul Razak; Sesay had told Witness 21 himself that he had brought these specific individuals with him.

The group stayed at the guest house during this trip and their movements were facilitated by Benjamin Yeaten, who would take individuals out from the house to go around. The Witness clarified that *"going around"* meant that the individuals from the guest house would go to places like Kolahun and Voinjama *"to be there to help to fight to put situation under control."* Witness 21 also noted that sometimes the group would go to White Flower, where Charles Taylor lived, to see him and obtain weapons. The Witness elaborated that Yeaten would take some of these men, including Massaquoi, to the frontline, either by road or by helicopter.

The Witness explained that he was aware of Yeaten taking Massaquoi and others to the frontline because the men would plan everything at the guest house and would sometimes go to the airfield in Monrovia to take a helicopter. Witness 21 was also aware of trips he did not personally join for, since he was the base head of the guest house and knew about everyone's comings and goings, as well as when the vehicles and helicopters were being used. The Witness recalled going only twice to Voinjama with Massaquoi and the others in early 2001. The Witness added that the group took other trips in 2000; however, he did not accompany them at that time.

When asked about the intention of the trips, the Witness stated: *"The intention was to go and fight because those areas had the enemies. The intention was to go and fight."* There were "50 calibres" loaded onto a pickup, and everyone would have a gun, including Massaquoi. On these trips, Witness 21 not only witnessed battles himself but also observed Massaquoi taking part in the fighting. While Witness 21 could not recall specific dates of trips taken by Massaquoi while he was in Monrovia, he knew that Massaquoi would travel with Yeaten to Lofa County, sometimes to Kolahun. The Witness clarified that Benjamin Yeaten would sometimes take Massaquoi and others to areas that the Witness did not know, including outside of Monrovia.

The Witness recalled Massaquoi staying in Monrovia until 2001, when they were told to leave the guest house. Massaquoi and others rented a new place, where they lived until they all returned to Sierra Leone. The Witness stated that when the group, including Massaquoi, left Liberia, they went by road through Gbarnga to Voinjama, and then through Foya to Koindu, which is in Sierra Leone. The Witness confirmed he was with them at the time they left Liberia.

In February 2002, Witness 21 returned to Monrovia, but could not remember if Massaquoi also returned. He stated that when in Monrovia, Massaquoi would spend time with Abdul Razak. Massaquoi also spent time with his girlfriend, [FNM-070]. The Witness added that Massaquoi had another girlfriend he later identified as [FNM-072]. The Witness stated that [FNM-070] was with Massaquoi in Monrovia and that she remained there after Gibril Massaquoi left for Sierra Leone in 2001, adding that she was pregnant at the time. The Witness recalled that when he would go on the trips to the frontline, Massaquoi would go there with his other girlfriend, [FNM-071]. The Witness recalled taking a trip with Massaquoi and [FNM-071] to Voinjama, where they would encounter ULIMO troops coming from the Guinea side. When asked whether he remembered any other names for [FNM-071], the Witness stated that he could not. However, he added that Abdul Razak had a girlfriend by the name of [FNM-072] and that both girlfriends would go to the frontline with them.

The Witness recalled that the trips he took with Yeaten to the frontline would last three to four days, and the trips he was not on with Yeaten and Massaquoi would sometimes take up to a week. The Witness explained that the group would transport equipment to the frontline, including AK-47s, grenades, bombs, RPGs, and other weapons. Witness 21 knew this because he was with the group when they went to President Charles Taylor's armory in White Flower. He also explained that there was a deal in place between the RUF and Charles Taylorand that sometimes they would pay for supplies and ammunition with diamonds. When asked if Massaquoi had any part in bringing diamonds to pay for supplies, the Witness explained that Ibrahim Bah used to work with Massaquoi and Issa Sesay on this matter, saying that *"all of them would sit together and know what to do."* They would then transport the supplies from White Flower to the frontline either by motor vehicle or helicopter. The Witness confirmed that they took supplies on the same trip he was on.

The Prosecution then inquired about the distance between the guest house and White Flower. The Witness explained that the guest house was located in Congo Town, which is approximately five minutes away from White Flower by car. When asked which of the individuals at the guest house had met with Charles Taylor, the Witness responded that Gibril Massaquoi, Issa Sesay, and Abdul Razak met with him. The Witness explained that whilst in Monrovia, they were *"under the umbrella of Benjamin Yeaten security,"* and that it was safe for them to move around the city.

The Witness explained that the RUF had come from Sierra Leone to help Charles Taylor and that some of them were based in Lofa County. When asked if he was aware of any activities involving the RUF in Monrovia, the Witness explained that when Mosquito arrived in Monrovia with RUF soldiers, he posted them to a unit known as "ATU" (Anti-Terrorist Unit). The Witness elaborated that when any fighting took place in Monrovia and the surrounding area, the soldiers used to be sent there to fight and that many RUF soldiers took part. The Witness could not recall if Massaquoi was involved in Monrovia "*activities*", but confirmed that Massaquoi did go to Lofa in 2000 or 2001.

The Witness was then asked if he recalled how the Finnish police contacted him. He explained that while in Freetown, he began receiving calls asking him to meet with some people from Finland, but he did not. When he came to Monrovia last year to visit family, he received a call from someone called "Thomas." During the call, Thomas explained that he had been unsuccessful reaching Witness 21 in Freetown. Thomas said he had gotten the number from someone named "Alain Werner." The Witness told Thomas he had known Alain Werner since 2007, when Mr. Werner was a prosecutor at the Special Court for Sierra Leone. During the call, Thomas told him that there was a case about Gibril Massaquoi and that Massaquoi had asked his lawyers to request that Witness 21 testify for him. The Witness indicated that he was willing to tell the truth about what happened. They then conducted the interview with Gibril Massaquoi's lawyer by videolink.

Asked to speak more about Alain Werner, Witness 21 said he was a lawyer who had worked for the Special Court for Sierra Leone, but clarified that he did not know where Alain currently worked. The Witness was then asked whether he was familiar with Civitas Maxima or of any connection between Civitas Maxima and Alain Werner. The Witness answered affirmatively to both questions. When asked about Alain Werner's role in Witness 21's interview with the Finnish police, Witness 21 explained that he had worked with Alain for some time on issues unrelated to Gibril Massaquoi, and that they had never discussed Mr. Massaquoi. He further stated that he was working with Mr. Werner on other issues which he could not disclose without Mr. Werner's consent. The Prosecution then concluded by asking if he had spoken about the matter discussed there today with anyone, to which the Witness replied he had *"not discussed with anyone here except the interview with the Finnish police"* and that the last time he met Massaquoi was in 2007 in Freetown.

The Defense questions Witness 21

The Defense began by questioning the Witness about the events of 1999. The Witness explained that he came to Monrovia in 1999 when the Lomé Peace Agreement was signed. He added that military groups used to cross the border from Sierra Leone to Liberia and explained that RUF soldiers would be sent to help Charles Taylor when he had difficulties in the war. At the time, those troops were led by a commander called Karmoh "War Eagle" Kanneh, who used to "come and go" to Liberia between 1999 and 2000. The witness stated that Kanneh's forces used to have battles between Voinjama and Kolahun; Gibril Massaquoi would not travel with Kanneh's forces, but he would come from Monrovia.

When asked about the most natural route from Monrovia to Sierra Leone via vehicle, the Witness explained that coming from Sierra Leone, you would go through Foya, Kolahun, Voinjama, Zozor, and then to Gbarnga; from there, you would pass through other towns to arrive in Monrovia. There was another southern route from Sierra Leone: if you were based in Vahun, you could reach Bomi, and that the main crossing between Liberia and Sierra Leone was from Koidu and Foya. Witness 21 clarified that there was no alternate route from Monrovia to Sierra Leone.

The Witness was asked whether Sam Bockarie was with the RUF when they crossed into Sierra Leone. He replied that Sam Bockarie had left the RUF and went to Monrovia with some RUF soldiers. The witness clarified that Massaquoi did not go with Bockarie's group. The Witness explained that Sam Bockarie was living at a friend's house in Elwa Junction while in Monrovia.

This was in 1999, and the relationship between Sam Bockarie and Gibril Massaquoi was not very cordial. The Witness explained that after "Mosquito" had left and Issa Sesay was in charge, Sesay and Massaquoi went to Monrovia with some other delegates for a diplomatic mission. At the time, Benjamin Yeaten was the commander and RUF troopsi arriving had to inform Yeaten what operation they were there for. Issa Sesay told everyone that Gibril Massaquoi was to be the spokesman. Sometimes Benjamin Yeaten would come and *"go around"* with Gibril Massaquoi, Issa Sesay, and others. The Defense asked the Witness if he knew of any instances or people that Massaquoi would have met as part of his diplomatic duties. Witness 21 recalled that he used to see some of Charles Taylor's officials at the guest house and that Yeaten or other people would call on him.

The Defense asked the Witness what he knew about ECOWAS and whether Massaquoi was connected to it in any way. The Witness stated that he knew Massaquoi came to Liberia during that time and that Sesay told him that Massaquoi was there for diplomatic purposes. The Witness was not present at these meetings.

The Witness was then asked about an arms delivery involving Benjamin Yeaten in Lofa. He recalled that they had some jeeps and a pickup which had a 50 calibre mounted on it. The Witness added that when they were transporting weapons by helicopter, they would either use one or two, and that up to thirty people could be on board. Weapons were delivered in Lofa County to the commander in charge, called Tamba, who represented the ATU. The RUF was also there to assist; they took instructions from Tamba. Witness 21 acknowledged that he had been present twice for the weapons delivery.

(*At this stage the Court requested the interpreter tell the Witness that: "The Court wants to warn you that you do not need to answer any questions that can incriminate you.")*

The Witness stated that he did not take part in the fighting. He said that while the others were engaged in combat, he would remain at the base. The Witness recalled that the first battle he was present at occurred when they went to Voinjama and were at the base Tamba commanded. During this time, ULIMO factions were attacking villages around Voinjama, near the Guinea border. Massaquoi, Yeaten, and others went to fight back, but the Witness was told by Yeaten to stay at the base in Voinjama Town. The Witness stated that the battle lasted approximately three hours before they returned. Witness 21 said he did not see the use of arms, but heard the sounds.

(*The Witness was reminded again by the Court that he has the right to not answer self-incriminating questions*).

The Defense asked the Witness about the second trip he took. The Witness stated that they took weapons and ammunition to Kolahun and stayed three days at the base, before returning. He added that there were no attacks during this trip, noting that some troops simply patrolled around the camp.

The Witness explained that the RUF troops were there to help Charles Taylor; he did not know why the RUF paid for weapons to fight for Taylor. The Witness only knew that Issa Sesay, Gibril

Massaquoi, and Ibrahim Bah used to come from Freetown with diamonds and they *"used to sit down and decide what to do."*

Following this, the Witness was questioned about Gibril Massaquoi's movements between Monrovia and Sierra Leone in 2000 and 2001. The Witness stated that he knew that they all went back to Sierra Leone in the middle of the year 2001, but he had no knowledge about Massaquoi travelling back to Sierra Leone during that time.

The Defense then asked if he recalled the season he had stated to the Finnish police regarding the time he went back to Sierra Leone. The Witness responded he could not remember.

At this point, the Court played a clip from the Finnish police interview, in which the Witness stated that Gibril Massaquoi was in Monrovia from early 2000 to early 2001, but he did not recall the month he left for Sierra Leone. When asked if Massaquoi took a lot of trips, the Witness replied "yes," and that Benjamin Yeaten was the security commander.

After the clip ended, the Witness restated that Gibril Massaquoi was in Liberia in early 2001, *not* that he had left at that time.

(The Court debates in Finnish)

The Defense resumed questioning to ask the Witness if they had gone back to Sierra Leone together in 2001. Witness 21 replied that they had, but once back in Sierra Leone, *"everyone went about his business."*

(The Court debates in Finnish)

When asked by the Defense about the timing of the guest house in Liberia, the Witness specified that they lived there from 1999 to 2001. Then, because the Liberian government had told them they *"should move because of the eyes on RUF,"* Gibril Massaquoi and the others rented a property, which was located only three hundred to four hundred meters away from the guest house.

The Defense followed up about a few additional points, establishing from the Witness that Gabriel Massaquoi had a war name, though he could not remember Massaquoi's radio call sign. It was also clarified that Witness 21 was initially contacted about speaking with the Finnish people by a man he knew in Freetown, whose name he could not remember. He specified that he knew this person because they were both Sierra Leonean, but they had not worked together.

The Defense asked the Witness if he had worked for an organization and if he had participated in activities with Civitas Maxima, like helping them obtain witnesses. The Witness stated that he had previously worked with Civitas Maxima, but *"not on this case of Gibril Massaquoi pertaining Liberia."* When asked if he had assisted Civitas Maxima on other cases, Witness 21 responded that he was present in Court for this case, and not other cases.

The Witness was asked why he did not want to be heard in Sierra Leone, since he was from there. He stated that he was in Liberia because he was visiting family and he had *"decided to finally talk."* The Defense asked if the Witness had messaged anyone about being afraid or the fact that he did not want to be heard in Sierra Leone. Witness 21 responded that he had told Thomas, the police officer who contacted him, that he wanted to testify in closed session due to security concerns. Following up, the Defense asked if the Witness had told anyone else about this before telling Thomas, and if the Witness could explain why Alain Werner had contacted Thomas regarding the Witness's concerns about testifying in Sierra Leone. The Witness responded that Freetown is his home, but he was worried about his security there and he had told Thomas. The Defense asked who had then told Alain Werner, because the Finnish police had informed the Defense that Mr. Werner had contacted Thomas regarding the Witness's security concerns. Witness 21 stated that *"Alain and myself can talk. But we didn't say anything about this case."*

The hearing concluded and will resume in Monrovia on the 16th of March 2021.

March 16, 2021 – [Liberia] Day 16: The Hearing of Witnesses 17 (continuation), 22, 23 and 24

The sixteenth day of public hearings resumed on 16th March 2021 in Monrovia, Liberia.

Witness 17 is heard

(Finnish Witness ID: Civilian 08)

The Defense questions Witness 17

The hearing opened with the continuation of Witness 17's testimony, which began on March 8, 2021 (Day 13). The Witness was a medical professional, and he treated patients from the Waterside biscuit store incident, who, according to the Witness, mentioned the name "Massaquoi."

The Defense resumed its questioning, and sought to clarify the year in which the incident at the biscuit store had occurred. The Witness explained that, from what he gathered from the victims and the patients, this had happened in 2002/2003.

The Witness had started treating individuals who suffered from bullet wounds and other war-related injuries in 2001 – as Charles Taylor's soldiers started attacking civilians – and continued this throughout 2002 and 2003. The Defence asked specifically whether the Witness heard patients speak about the biscuit store incident in 2003, rather than in 2000 or 2002, and the Witness confirmed this to be the case. Returning to the Witness' pre-trial investigation interview with the Finnish police, Witness 17 clarified that he had not told the police about anything occurring in 2001 or 2002, because the day he met them some "*criminals*" stole the Finnish police's phones, and the Witness was scared for his life. However, he had told them about the biscuit store incident because he knew what happened there was a "crime against humanity" from the patients' description that they had been in search of food and six people had died.

The Witness recalled that when the victims he was treating told him about the attack, the name he heard from them was "Massaquoi." He clarified to the Defense that he had indeed told the Finnish police about the incident at the biscuit store. The Witness said that the victim told him about the incident in June 2003. The Witness further explained that he was treating individuals who were injured in different incidents, some of whom told him about an incident at the biscuit store. The Witness stated that this incident occurred before he wrote the letter to MSF, on June 20, 2003. When asked whether he had any information about LURD rebels, the Witness said that the only thing he knew is that everyone was fighting to cross the bridge. The Witness did not clarify whether LURD was fighting on the bridge before or after he wrote the letter to MSF.

The Defense proceeded to ask questions about the patients who were evacuated by the MSF. The Witness explained that people from the Small Catholic clinic in West Pointwere brought to Medlink Clinic in Mamba Point. The Witness recalled that he had administered emergency treatment to patients at his medicine store in Waterside, [Place 2], which had beds for patients.

The Judge interjected, recalling that the Witness had spoken of an incident at a biscuit store in June 2003, and asked whether the patients had told the Witness when the incident happened; the Witness said no.

The Defense continued the line of questioning, and asked the Witness how fresh the wounds were that he was treating. The Witness described that the wounds were not fresh, since many of his patients were hiding in their houses during that time, and further clarified that some of the wounds he was treating were two, three, and more than three months.

The Defense then read from the police report, in which the Witness was recorded as saying that civilians were trying to cross the bridge because food and water were scarce, and that people were talking about one man called Massaquoi. The Witness confirmed that he was told this story by the patients he was treating, and clarified that they said Charles Taylor's forces shot at them for trying to cross the bridge. The Defense asked the Witness about LURD, and the Witness confirmed that the patients had told him about them. The Witness further affirmed that militias shot at the civilians who were looking for food.

The Defense noted that it seems from the summary as if everything took place at the same time, and asked if the Witness thought this. The Witness disagreed, and clarified that there were tens of thousands of residents in Waterside, and he received new patients every few minutes. He explained that he didn't have time to go and see what was happening outside until he was called by Fokoe, who said he had been shot by the militia and needed help. The Witness recalled that when we went out to go to Fokoe, he discovered the dead bodies. The Witness could not identify whether LURD had attacked, as he couldn't identify which force it was, and offered that if he had told the police otherwise, it was a mistake. The Witness noted that he treated individuals with wounds caused by bullets and rockets, but that he could only tell that individuals were wounded, and whether the wounds were new or old. He could not tell what type of bullet caused a particular wound. When asked by the Prosecutor whether he remembered when the rocket attack occurred, the Witness responded that it was during the WW1 attacks, but couldn't say when specifically, because he treated patients from 2001 to 2003. The Witness noted that after the war he changed the name of his medicine store, due to uncertainty whether some former fighters would be accepting of his treatment of patients, and handed it over to his son.

The Defense then asked the Witness whether he remembers marking places on a map during the pre-trial investigation interview, to which he replied that he doesn't. The Defense proceeded to show a map to the Witness. The Witness recalled that, when he had gone to Fokeo, they had started from the biscuit store, to the Housing and Saving banks, to Mechlin and Randall Street, and that was where Fokoe lived. He stated that was where he saw the bodies, and repeated that this was his first time going out. The Witness said he knew the biscuit store before the war, as he used to shop there.

The Witness was clear that he saw dead bodies at the banks, but not at the biscuit store, as he only heard about the biscuit store from his patients. The Defense recalled that the summary stated that the Witness saw six dead bodies at the biscuit store. The Witness was adamant that he told the police that he had seen six dead bodies: two at Housing and Savings banks; two at Mechlin Street; and two at Randall Street. The Defence queried whether the Witness had himself seen the six dead bodies, and the Witness clarified that the eye witness had told him of it. The

Defense played a recording in which the Witness had stated that he saw six bodies at the biscuit store, one body at the Housing and Savings Bank, one body at Micheline and Water Street, and one body at Randall and Water Street. The Witness clarified that he was nervous when he had said that, and made it very clear that he did not go to the biscuit store, but was told about the six dead bodies there by his patients. The Witness admitted that he trusted what the patients told him, so explained it to the Finnish police as though he had been there. The Defense asked the Witness whether it is common in Liberian culture to tell a story that you heard as if you had experienced it yourself, to which the Witness replied no.

Witness 22 is heard

(Finnish Witness ID: Civilian 36)

The hearing then moved from the Waterside incident to an incident that occurred in the village of Kiatahun.

The Prosecution questions Witness 22

The Witness began by recalling an incident where he was captured by a group of soldiers in the village of Kiatahun, where he resided. He did not identify the month, but remembered that it occurred in 2001. The group had included RUF and Charles Taylor fighters. This group captured the Witness; however, he managed to escape and hide in the bush. After this incident, the Witness and many others saw another group from Sierra Leone. This group also captured people, including the Witness. He stated that he tried to escape again, and that the Sierra Leoneans tried to shoot them, but the gun wouldn't shoot. The Witness explained that "when God does not agree for your life to be taken, it won't work."

The Witness stated that some of the Sierra Leoneans spoke Mende, and they said that they were going to burn all of them because they thought the captured people had protection (*magical charm*). The Witness stated that after all of this happened, they went into the bush again. He identified [FNM-161], [FNM-115], and Zigzag Marzah as part of the group. The Witness reiterated that the soldiers told them they would burn everyone they had captured. He then stated that they killed a man, [FNM-020], in front of everyone before they left. He recalled that they had buried the man in town, next to his uncle's house The Witness stated that the killer was called "Gibril man" and another name, which were the two names the man was using. He later stated that he doesn't know the name of [FNM-020]'s killer; however, he knows that the killer spoke Mende, and noted that there is a difference between the Mende and Gbandi tribes. The Prosecution asked the Witness if [FNM-020]'s killer said anything after murdering him. He stated that the killer said, "I have power today."

When prompted by the Prosecution about the capture of people, the Witness clarified that the soldiers who came to Kiatahun captured people. According to the Witness, they had captured more than 20 people. This included the Witnesses wife, [FNM-021], his brother-in-law, [FNM-023], his mother, [FNM-024], and [FNM-025]. The soldiers had killed them in Kiatahun after capturing them. According to the Witness, the soldiers burned them in a house after the gun

would not work. The Witness clarified that he did not personally see the house on fire; however, his sister witnessed it and told him.

The Prosecution then asked the Witness to provide more information about the "Gibril" he had mentioned earlier. The Witness stated that "Gibril Massaquoi" was a commander for the RUF rebels. He was with the RUF that had come to Kiatahun and captured the Witness and others. He said that he learned the name "Gibril Massaquoi" when the rebels came to town, because that was what Gibril's bodyguards called him. The Witness further stated that Gibril spoke Mende with his bodyguards in front of him. The Witness was able to identify the language because his town was only three hours from Sierra Leo ne. The Witness stated that Gibril was the commander, and that he heard Gibril Massaquoi say that "he was next to God" when they captured the civilians.

The Prosecutor sought to discover whether the Witness had any other family members. The Witness mentioned [FNM-075], his mother's younger sister, [FNM-076], and his daughter, [FNM-077]. The Prosecutor asked what happened to his captured wife, [FNM-021], and sister, [FNM-022]. The Witness confirmed that they were captured and killed. He clarified that after his wife was captured, she was taken away and never returned. He stated that he had one child with her, who was a young child at the time and was with her grandma. He said his daughter currently attends school in Monrovia.

When asked how he recalls that the incident occurred in 2001, the Witness responded that the war was going on, and while he cannot remember the month, he can recall the year. The Witness later recalled that the dry season was approaching, but he couldn't recall the month.

The Prosecution then asked if he recalled his interaction with the Finnish police. The Witness answered that the town chief told him that people from Monrovia had come to see him. The Witness said that he later met the police, and aside from them, he had not told any other organization about the incident.

The Defense questions Witness 22

The Defense began by asking the Witness about the Finnish police's visit. The Witness recalled that the town chief had told him and some others that strangers had come to know how the war went, but the Witness and others were not in town when they visited.

The Witness stated that months passed between the strangers' first visit to the town and their return. The Witness later clarified that it was three months after they first came, then the virus came. The Witness noted that the villagers were not expecting to see them again, and when the strangers did return, the villagers didn't know in advance, they just arrived in town. The Witness told the Defence that six persons interviewed them.

The Defense then queried the Witness regarding the identity and nationality of the strangers. The Witness explained that he was not there to see them the first time they came. He was only told that strangers had come seeking witnesses. The Witness then discussed how he came into contact with the police. He stated that the second time the strangers came, they put all the

witnesses together. The third time he was contacted was for him to come to Monrovia. He explained that he came to Monrovia by car, and was picked up from Kiatahun by a driver. The Finnish police had made the transport arrangements, giving them the time they would be picked up. There were four people in the car, including the driver. The Witness noted that they were all picked up from different places. The driver first picked up the Witness from Kiatahun, then picked up the others from Kolahun.

The Witness confirmed to the Defense that no one had spoken to him about the incident since 2019. The Defense then questioned the Witness as to whether he remembered anyone called [Employee 1]. The Witness stated that he had heard of the name; however, he did not know [Employee 1], nor has he met him before. He also did not know whether [Employee 1] played a part in his transportation to Monrovia.

Following this interaction, the Defense queried the Witness about discrepancies between what he said during the police interview and now. The Defense pointed out that the Witness had mentioned Monday 13 August as the exact date of the Kiatahun incident, and then proceeded to ask where the Witness got the date. The Witness explained that his remembrance had changed; however, he reiterated that he said 2001. The Defence noted that, had the Witness told the police that the incident occurred in 2001, they would have written it. The Witness maintained that he had told them 2001.

The Defense once again referenced the police interview, noting that the Witness had said no-one was killed. The Witness responded that the Finnish police had seen the grave. When queried again about the 13 August date, and asked if someone might have written it down, the Witness responded that, yes, his brother wrote it down on a piece of paper.

The Defense recalled the Witness mentioning his wife, [FNM-021], and wanted to know if she delivered a child before the incident. The Witness confirmed that she had given birth, and that the child was a month old. He also confirmed that the baby was with the Witnesses mother and not with his wife at the moment of her capture. The Defence referenced the police interview, noting that the Witness had said his wife had given birth only two weeks before being captured along with the baby. The Witness once again reiterated that only his wife was captured, and that baby had died while with him in the bush.

The testimony ended.

Witness 23 is heard

(Finnish Witness ID: Civilian 50)

The Prosecution questions Witness 23

The Prosecution started their line of questioning by asking whether the Witness remembers what happened in his village on the day of his son's funeral. The Witness stated that, on 7 April, soldiers entered Kiatahun and killed an old man named [FNM-29]. He further elaborated that

they left, and then came back again the next day and burned some houses and kitchens. After these events, he was bereaved; as his son had died and they had a funeral for him. The Witness noted that, after the funeral, they went to town and saw a group of armed men arrive. He stated that these men captured Witness 23 and some of his friends, though one of the armed men showed the Witness compassion.

The Witness described how some of the men spoke either Mende, Creole, and Liberian English. As the Witness himself speaks Mende, he was able to understand one of the men say in Mende "we are going to kill all of you that are here." The Witness noted that some of them were Charles' Taylor's men, and that the men were all together. He explained how they tied some of his friends together, "commanded all of them together, the way they used to carry slaves," and said they should go to Kamatahun.

The Witness added that he had not mentioned a few details to the Finnish Police during his pre-trial investigation interview. Firstly, that after their capture, one of the men hit him on the head with a gun, from which he suffered a wound. The Witness noted that he still has a mark on his head, and proceeded to show it to the court. The Witness further elaborated that, while en route to Kamatahun, fear took hold of him and his friends, because one of the men had told him that they would kill every one of them. The Witness noted that they took the narrow bush road to Kamatahun, not the road meant for cars, and they walked from town to town before getting to Kamatahun. He noted that there were a lot of men calling out their names to the Witness and his friends in order to intimidate them. He recalled that when they got to Kamatahun, they were not in a good condition, but a man approached and introduced himself as [FNM-112] from the RUF faction. The Witness stated that he was separated from his friends; they were kept in a house while the Witness slept with the soldiers. The Witness said they spent a whole day that way, and then were brought back together "in a forum" when the soldiers were about to kill them. The Witness recalled that some of the soldiers would call out their names, but it wasn't possible to recognize them because of the way they were dressed. The Witness detailed how he and his friends were called into a house; he was the last one, and as he was stepping foot inside, one of the soldier's colleagues asked the soldier why he was taking the Witness into the house, since he was important to them. This was because he could read and write, which the Witness indicated they had found out that day. The Witness recalled that, after all the people were put in the house, the soldiers set it ablaze. *At this point, the Witness started crying, and the Court took a break to allow the Witness to collect himself.*

The Witness continued his testimony, stating that 75 people had been captured in Kiatahun, though some escaped. From those remaining, the Witness stated that he was the only one to survive, the rest were "burned down." Later in the hearing, the Prosecutor asked the Witness whether he remembered some of the names of those who had been captured, to which the Witness responded he could write some of their names if given a pen and paper. The Witnessbegan to write down names, and after writing 16, asked whether he should write all the names he could remember, to which the Prosecutor replied "maybe not now." The Witness then noted an additional detail that he had not mentioned during the interview: that after they burned down the house with people inside it, they gave him ammunition to carry to Fokolahun.

The Witness recalled meeting Zigzag Marzah and others in Fokolahun, and noted that they were able to distinguish the men from each other by the way they spoke. According to the Witness, there was an attack against the RUF and government forces in Fokolahun on the day they were

there. Afterwards, the Witness returned with them to Kamatahun. The Witness stated that there were many people, and he cannot remember their faces, but he remembers the names they were called. The Witness said he left for Vahun with them, and to Sierra Leone, in order to sell a tin of oil, but when they asked him to go back with them, he declined and stayed in Sierra Leone.

The Witness recalled that a lot of massacres took place. He saw RUF soldiers ask people if they need long sleeves or short sleeves; the response determining where they would cut off the hand, and they used a power saw to kill someone in Vahun.

When asked by the Prosecution, the Witness stated that the incident during which one soldier said in mende that "we would kill all of you" was in 2001. He could not remember the name of that specific soldier, but recalled that many people were calling other soldiers' names in Kamatahun. He remembered hearing the names [FNM-113], [FNM-112], and Angel Gabriel. The Prosecution asked the Witness if he remembered who gave the order to set the house ablaze. The Witness said that it was Angel Gabriel. He recalled that, while this man hadn't mentioned his name at the time the Witness met them, the Witness knew he was the commander in charge as the soldiers used to salute and pay courtesy to him. The Witness noted that other soldiers had other names for him, but he normally called himself Angel Gabriel and would compare himself to God.When asked by the Prosecution what exact words Angel Gabriel used when giving the order to put people in the house and burn it, the Witness recalled that the soldiers said that if guns can't kill them, the fire would. The Witness noted that Angel Gabriel was from Sierra Leone and spoke Creole. When asked by the Prosecutor who had hit him with a gun, the Witness replied that he doesn't know.

The Prosecutor proceeded to ask whether the Witness had heard about any violence against women. The Witness stated that on the day he got captured he saw them having sex with a little girl on the road as they were going. The Witness noted that he heard that rapes happened, but he did not see it happen himself. The Prosecution asked whether there was a particular reason he could recall the date of the incident so clearly, to which the Witness replied that many things make him remember this date.When asked when the next time was that the soldiers came, the Witness reiterated that they had come back the next day to set fire to the houses and kitchens, and then after that they had come back to take them all on Monday 13 August. The Witness said he remembers this because he had written the date on the wall the day they were captured. The Witness explained that he was a teacher, and could read and write, and that he was the "s2" for the LURD rebels and used to be the person writing passes for people entering the LURD rebel areas. The Witness stated that when he returned from Sierra Leone, the date was still written on the wall.

The Defense questions Witness 23

The Witness began answering the Defense's question by first explaining why he didn't include some details in his original statement to the Finnish police. He explained that this was due to him being scared at first. The Witness elaborated that when the Finnish police first came, most of the people from his town were afraid of them, as they were white. He recalled that most people were not willing to talk to white people, and some even said that if you did so they would take you somewhere. Despite this, the Witness volunteered, and was one of four people who did so, but one of his friends left. The Witness described that they were taken somewhere for an

interview, and that is how he met the Finnish police. The Witness asserted that he had not discussed this matter to anyone apart from the Finnish police. He recalled that, when the coronavirus pandemic started, they thought that the police would not return. The Witness and the Defense went back and forth about the dates when the Witness had spoken with the Finnish police. The Witness stated that the interview took place in the end of 2018, while the Defence noted that the summary says it took place in 2019; to which the Witness responded "every living thing that drinks water can forget."

The Defense asked the Witness when he was asked to come to court, to which the Witness replied that it was after the interview; a man named [FNM-078] had called him and gave him the information. The Defense asked who coordinated the Witness' trip to Monrovia, and whether it was [FNM-078]. The Witness noted that there was a vehicle sent to take him from Voinjama to Monrovia. The Witness confirmed that [FNM-078] organised the car to take him from Voinjama to Monrovia. He further elaborated that there were four people in the car that took him from Voinjama to Monrovia.

The Defence questioned the Witness about the name Angel Gabriel, noting that the Witness had mentioned the name "Massaquoi" to the Finnish police, but was now saying Angel Gabriel in his testimony. The Witness explained that he didn't use the name Angel Gabriel with the Finnish police because he was afraid of going into too much detail, and that Angel Gabriel was his nickname, and he heard the men call him different names. The Defense wanted to focus more on why he mentioned the name Massaquoi during the interview but used the name Angel Gabriel today during trial. The Witness responded that "in my language if they say tie the goat here or there, it's the same goat", and reiterated that Massaquoi and Angel Gabriel are the same person. He stated that some used to call him Massaquoi, and others called him Angel Gabriel, which was also the name he called himself. The Defense then asked the Witness why he wasn't afraid to mention other soldiers such as Zigzag Marzah. He responded that everybody knew Zigzag Marzah, including because he had testified in the Hague. According to the Witness, he saw Zigzag Marzah the first time in Fokolahun. He recalled that it was the first time he saw him, and that he hadn't seen him since. The Defense asked the Witness why he was scared to mention the name Angel Gabriel but not scared to mention [FNM-161] and [FNM-112]. The Witness replied that there were issues in what he told the Finnish police, as he'd already said, but he told them what he saw.

Referring back to a detail in his testimony, the Defense wanted to know how the soldiers entered the town on 13 August. The Witness explained that war is not the same as it is in Europe, and that in Africa soldiers come "bush by bush'' until they enter the town. The Witness clarified that this meant that the soldiers entered the town walking.

The Defense noted that the interview summary noted the Witness as saying that the order to burn the house was given to Zigzag. The Witness noted that he did not see Zigzag until Fokolahun. The Defense asked the Witness whether Zigzag was the first commander that he saw. The Witness clarified that the group was large, and he avoided going out into the open. The Witness noted that he was young and afraid, and did not want to draw the attention of the other soldiers, so he used to stick by the soldier that was helping him.

The Witness repeated that he first saw Zigzag in Fokolahun, and stated that, if Zigzag had been in Kamatahun, he did not see him there. The Prosecution asked whether the Witness recalled an incident where only women were burned, and the Witness said he has heard of many incidents, but only stated what he saw, because he does not want to provide hearsay or second hand information.

Witness 24 is heard

(Finnish Witness ID: Civilian 43)

The Prosecution questions Witness 24

The Witness began by recalling an event when soldiers came to her village and she was captured. She stated that, while she did not remember the time, she did remember that many soldiers came to the village. She was with her mother and father in the town when the three of them were captured. They were grabbed and put at gunpoint, and told not to shake. They killed her mother and father in front of her. The Witness later clarified that one of the boys in Angel Michael's group, who were Sierra Leonean, killed her parents. The Witness elaborated that the boy was following an order from the commander to kill them.

Following this, they left the village and reached another village called Kamatahun. Once they reached the village, the Witness stated that they did not kill her, but she was beaten. When they got there, there were many people and they were put in a house. In the morning, they were taken out of the house and put at gunpoint. One of the boys said that these people would not die even if you shot them with a gun. To this, the Chief responded that he had a solution for this;that they should put them inside the house. The soldiers put them inside the house and set fire to it. The Witness mentioned the person saying "I am the second person after God."

The Witness later stated that this Chief was Angel Gabriel. When asked by the Prosecution whether she heard his name during the the time of the event, she stated that they were in Kamatahun, that the chief spoke Creole, he would say that he had been sent there to kill, that he would kill anybody who gave him cause to do so, and that he was "Angel Michael" and was not from there. When asked by the Prosecution about the two names, Angel Gabriel and Angel Michael, the Witness stated that it is the same person. When asked whether she saw if the Chief had a weapon, the Witness replied that he used to have a small gun hanging on him. She recalled that they were hiding and if he saw you come out he would order his men to kill you.

When they left Kamatahun, there was more fighting. The Witness stated that they then went to Foya. She said that, since that time, she was not able to go to school, there was no one helping her, she was just suffering. The Witness also noted that she did not go back because she was told they would kill everyone in town and bring new people to live there. The Witness stated that every day she curses the man who gave the order to kill her family. She said that she cannot write like other people her age, because she wasn't able to go to school, which she would have if her father had been alive.

The Prosecution then asked some clarifying questions. The Witness stated that because it was wartime, she cannot remember how old she was at the time of the incident. Later on, she clarified that she used to cook during this time, and children are usually taught to cook around 15, and by 17 they would be able to cook well; thus, she would have roughly been around this age. After being asked the name of her town, she answered that it was Gbeawuhun. The Prosecution then asked whether the Witness knew if people were killed in Kamatahun by methods other than burning, the Witness responded that once the fire started, she ran away and hid in the bush.

When asked if the Witness remembered talking with the police from Finland, she stated that she did. The Witness explained that the town chief facilitated the contact with the Finnish police. She said she was on a farm, and when they came into town the town chief talked to her as he knew that she doesn't have a mother or father. When asked by the Prosecution when she had talked to anyone other than the town chief about this event, she replied that "it has been a year before I saw the people." When asked whether she had spoken with any other organisation apart from the police , she responded that "since the war ended, we have not seen any other person besides the people who entered there", which she clarified was a reference to the people who interviewed her.

The Defense questions Witness 24

The Defense began their questioning by asking about the town chief who contacted the Witness about the investigation by the Finnish police. The Witness stated that he was the town chief of Bolahun Wahassan District. The town chief told her that the people came to know what happened to her during the war. The Defense then asked clarifying questions regarding what the Witness told the town chief about what happened to her during the war. The Witness explained that she told the town chief the same things she has told the Court today, and clarified that she told the town chief that Angel Michael gave the order to kill her parents, this was the only name she told him. She further stated that she used to hear many other names, including Zigzag Marzah, but couldn't not remember the other names. The Defense asked if she had heard of [FNM-161] or "Charge the Bush", to which she responded she had heard those names, but they were not in the group of Sierra Leoneans who killed her people.

The Defense then recalled that in her statement to the Finnish police, the Witness said that it was Gabriel's bodyguard, 'Charge the Bush', who had set the house on fire after Gabriel ordered it. The Witness clarified that there were many soldiers there, making it hard to tell which one had set the house ablaze. She remained clear that she saw the fire with her own eyes, elaborating that the soldiers had something called "charge" which they lit on fire and placed on the roof of the house. The Defense referred to her statement to the Finnish police, in which she said that 'Charge the Bush' decided to keep her as his woman. The Witness denied this, saying that they were only beating and killing her people. The Defense stated that in the interview, the Witness said that this did not happen for a long time and they were hearing gun sounds; to which the Witness responded that they were in the bush and did hear gun sounds, stating that maybe it happened.

When asked by the Defense, the Witness stated that she saw Angel Gabriel for one week when they were in Kamatahun, after which he left. The Defence questioned the Witness in detail about

the names she used for Angel Gabriel when she talked to the Finnish police. The Witness reiterated that he said his name was Angel Gabriel. The Defence queried, in particular, whether the Witness had known the "Angel" part of his name before she was interviewed by the Finnish police, as she had said he used the name Chief Gabriel. The Defense asked if she only used the full name "Angel Gabriel" after the Finnish police asked if she heard that name. The Witness responded that, at the time the police asked her, since it happened a long time ago, she was unsure whether it was Angel Gabriel or Angel Michael. The Defense asked again whether she had used the name "Angel" before she was asked about it, and she reiterated that she remembered the name "Angel", and had said Angel Gabriel before saying Angel Michael.

The Defense then asked about the recording where the Witness stated that *"her people"* were shot, asking who she is referring to as 'her people'. The Witness clarified that they killed her father and her mother, and they took different groups to Kamatahun. She elaborated that they killed many people, but before they did that, they killed her father and her mother. When asked where she was and why she thinks they killed her people, the Witness said that they were in the house when people came and surrounded it. The Defense stated that, on the recording, the Witness said that her people were shot and she was under the bed at this time, she heard the gunshot, and later saw the bodies. The Witness confirmed that when she heard the gunshot she ran outside, where she saw the bodies of her parents with bullet wounds and blood running from the wounds.

The Prosecution questions Witness 24 further

The Prosecution referred back to their earlier question about what else happened in Kamatahun apart from the burning, asking if the Witness remembers speaking about other events with the Finnish police. The Witness said that she cannot remember now as it has been a long time since it happened. The Prosecution said that in the interview the police wrote down a statement from the Witness where she said that "Gabriel had a woman that cooked for him. One morning Gabriel called the women to him and said she would be eaten" and "he said today you would be my soup." Following this, the Witness and the other women started to run, stating that while they did not see the actual killing, they all saw the body parts which were sold. The Witness had also said that Zigzag Marzah and [FNM-161] were present when this happened. The Prosecution then asked if this happened, to which the Witness responded that when she was asked if she saw Zigzag Marzah she said no. The Prosecution clarified that they meant to ask if Gabriel called the woman to him and said that she would be eaten. The Witness said that she did not say Gabriel called the women to him, and that she was with them in that group; clarifying that she said that he killed her father and mother and burned the other people.

The hearing concluded and will resume on the 17th of March in Monrovia, Liberia.

March 17, 2021 – [Liberia] Day 17: The Hearing of Witnesses 25, 26 and 27

The seventeenth day of public hearings resumed on March 17th 2021 in Monrovia, Liberia.

Witness 25 is heard

(Finnish Witness ID: Civilian 27)

The Prosecution questions Witness 25

Witness 25 testified about the arrival of soldiers in her hometown in Lofa County, and the subsequent events that she experienced. The Witness stated that these events occurred in 2001, during the dry season, and involved people she described as Sierra Leoneans led by "Angel Gabriel Massaquoi." The Witness recalled that she was in Kortuhun when she learned that soldiers had arrived, so she left to join her family in Mbabahun, a nearby village. Upon arrival, the Witness and her family were held at gunpoint by a large group of people who had surrounded Mbabahun. These people began taking property and goods out of Witness 25's father's house, and when the Witness protested, one of the soldiers hit her ear, causing hearing damage that she continues to experience today. The soldiers started burning houses, and said they were simply doing as ordered. They then gathered the villagers and made them carry the looted goods on their heads onto the road out of town. Witness 25 later explained that if they were unwilling to carry the stolen goods for the soldiers, they would be killed.

The Witness explained that, on the way to their destination, the soldiers tied her son up and demanded that she carry her father's belongings. When the Witness refused, a man said *"you know my name? I'm Quick-to-Kill oh!"* and ordered her to do as he said. When the Witness refused a second time, Quick-to-Kill stabbed her shoulder with his knife.

The soldiers stopped the villagers at a junction along the road to Kundo Bendu, at which point the soldiers shot and killed Witness 25's son. The Witness began crying after testifying to the loss of her son, and the Court gave her several minutes to compose herself before continuing the hearing. The Prosecution emphasized that anytime the Witness needed a break, she could just inform the Court.

The Witness continued, explaining that, after the soldiers killed her son, they began to argue amongst themselves about money. Taking advantage of the distraction, Witness 25 escaped from the soldiers into the bush, using a bypass between Kolahun and Kortohun. In the bush, the Witness reunited with her mother and father.

The Witness recalled that, every day while they hid in the bush, soldiers would attack and capture people. Eventually, the Witness and her mother were captured and brought into Mbabahun, where one of their captors explained that everything they did was part of their orders, and that, if they were ordered by their commander to kill everyone, they would. The Witness said that her captor, [FNM-111], wanted to cut off her whole ear, but was stopped by

another soldier who told the first that this would be beyond the scope of their orders. Instead, [FNM-111] cut off a piece of her ear.

While being held in Mbabahun, Witness 25 saw the soldiers kill [FNM-026, FNM-027, and FNM-028], and light her father's house on fire. [FNM-111] announced that their commander was on his way, and all of the soldiers gathered to see him. The Witness recalled that the commander introduced himself by saying *"I, Angel Gabriel Massaquoi"*, and the Witness added that his name was Gibril Massaquoi. She further stated that he spoke Krio with his soldiers. He told his soldiers to do anything he said, and announced: *"I don't want to see no living thing"*. He then told the soldiers to *"give him light"*, and the soldiers opened fire onto the villagers.

Witness 25 then explained that this was the first time she saw Angel Gabriel Massaquoi, and that he arrived at Mbabahun in a jeep. The Witness reiterated that Angel Gabriel was giving orders, and that at one point she heard him say, *"the order that I'm about to give, there should be no living thing around here."* Furthermore, Witness 25 said that, although Angel Gabriel was not there when they were carrying the loads of goods, it was his group that told her to carry the load, following his orders. The Witness said she was told to carry the goods from Mbabahun to Kundo Bendu (towards the Liberia-Sierra Leone border), and later stated that it was less than an hour's walk.

Finally, Witness 25 answered several questions about how she was interviewed by the Finnish police. The Witness stated that she was not in town when they first came, but she heard strangers had come to Kortuhun asking to speak with victims of the war. Witness 25 volunteered to speak to them because her son had been killed. She stated that she has not spoken with anyone since the interview about what happened to her during the war.

The Defense questions Witness 25

The Defense began by asking about Witness 25's interactions with the Finnish police. The Witness clarified that she was just outside town when the strangers first came. The town chief told her that these strangers wanted to speak to all those affected by the war, and that they would return again later. The Witness described them as two white men, and one female interpreter, and explained that they first asked everyone in the village whether they had been hurt or victimized during the war. When asked by the Defense whether she discussed what had happened in town, Witness 25 said she had not, but that she travelled with them to Voinjama, where she was interviewed. She stated that, when she went to Voinjama, she was the only person they brought there, and that she did not know who else they spoke to.

Next, the Defense asked about the name of the commander. The Witness said the commander, who did not want to see any living thing, said, *"I Gibril Massaquoi. I am Angel Gabriel Massaquoi, I am second to God!"* The Defense pointed out that, when the Witness spoke with the Finnish police, she only mentioned the name "Angel Gabriel Massaquoi", and not "Gibril Massaquoi". The Witness explained that, whether you say "Gibril Massaquoi", "Angel Gabriel Massaquoi", or "Gabriel Massaquoi", they are *"the same Massaquoi."* The Defense pressed the Witness on this point, asking whether the police had made an error by only writing down "Angel Gabriel Massaquoi", to which Witness 25 responded that she hadn't been the one writing things down.

Finally, the Defense identified several discrepancies in Witness 25's testimony compared to what she told the police. During the police interview, Witness 25 stated that she first saw Angel Gabriel Massaquoi in Kortuhun, although she now stated this was in Mbabahun. Witness 25 was firm that the location was Mbabahun, because, though she may have said Kortuhun, she had returned to Mbabahun to be with her parents when the war was coming. She further stated that, when she saw Angel Gabriel Massaquoi in Mbabahun, he wore camouflage, and arrived in a jeep with a driver, whereas the rest of the soldiers travelled through the bush on foot. Next, the Defense mentioned that Witness 25 had initially stated this event took place in 1997, but during the hearing she claimed it occurred in 2001. The Witness explained that, at the time she was interviewed, she was not sure of the year. Finally, the Defense asked why the Witness had not previously mentioned her ear injury. She explained that, when interviewed, she was solely focused on the death of her son and her stab wound, but that she has since had time to think about it. She added that she had not been raped by the soldiers.

Finally, when asked whether the Witness remembered what *"this Massaquoi guy"* looked like, or if police showed her a photo of him, Witness 25 responded that she saw him with her own eyes in Mbabahun, and that she was not shown a picture of Angel Gabriel Massaquoi nor anyone else by investigators.

Witness 26 is heard

(Finnish Witness ID: Civilian 18)

The Prosecution Questions Witness 26

Witness 26 began his testimony by recalling a time in 2001 when soldiers came to his village, Kortohun I, and captured him. On the morning the soldiers came, the Witness' wife, [FNM-033], and little sister, [FNM-034], had gone to produce palm oil in the pit. Witness 26 was met by the soldiers in town, who told the Witness not to move. He recalled that the soldiers were speaking Krio and Mende. He stated that they had many leaders in the group, but the main one that entered the village was speaking Krio, and the Witness said he could name him. The soldiers were all around in the bush, and also went to the pit where the Witness' wife and sister were. He explained that his wife and sister ran from the soldiers, and as they were running away, the soldiers shot them both. The Witness clarified that he heard this from someone else, as at the time he was held captive by the soldiers. After the Witness heard the news about his wife and sister, the soldiers started firing into the town.

Next, the Witness explained that he and other villagers were brought to the center of town, and the soldiers started entering their homes and taking things out of them. The Witness stated that, when the soldiers entered a house, they took any valuables they saw, such as rice, goats, chickens, or mattresses. After taking things from the houses, the soldiers set fire to about seven homes. The soldiers put the loads of goods on the heads of the villagers, and then they all went to another village, Kolahun. Once there, the soldiers placed loads on everybody's heads, and they started traveling to another town, Kundo Bendu, and then onto Foya. When they arrived, the soldiers took the goods from the villagers and put the villagers in jail, in a large old store. The Witness explained that the next morning, everyone was in jail together. The Witness later stated

that there were roughly 10-15 people kept in the same room, and that they were not free to walk around during the day.

The Witness then clarified that the soldiers had many leaders, but that the main leader spoke Krio. Describing his encounter with the leader, the Witness explained that, the morning after they were put in jail in Foya, he saw a tall light-skinned man in the center of the town. The soldiers brought the captured villagers to this man, who said "I am Angel Gabriel, next to God. All these people y'all keep them." The Witness explained that this was how he knew the leader's name. He stated that he also saw that commander the following day, though the commander did not speak that time. The villagers were kept in the same place for two days, and on the third day, the Witness escaped. Later, the Witness clarified that he had been able to escape because he was tasked by the soldiers to fetch water.

The Prosecution asked the Witness if anything else occurred in Foya. The Witness explained that the villagers were beaten. The Witness noted that the soldiers used to go to many other villages every day, but the only time he was forced to go to these other villages was when they took him to Kundo Bendu.

The Prosecution asked the Witness if the commander knew that the villagers were forced to carry the loads. The Witness responded that he did, because he saw the villagers in a group with loads on their heads, and further stated that the captured villagers had no shirts or footwear on. Witness 26 also explained that he knew there was a base for the soldiers in Foya, because he saw the base right on the main street. He explained that you would see civilians on one side and soldiers on the other.

After escaping, Witness 26 went back to the palm oil pit, where he saw his sister and his wife's bodies. He shouted, *"Oh God! My life is finished oh. I am destroyed! I had no more sister, and my wife is gone."* Witness 26 asked the townspeople to help bury his wife and sister, but because their bodies had been lying on the ground for three days, they were unable to bring them back to town. Instead, the group cleared an area in the bush and dug graves for his wife and sister. After arriving back in town, the families whose homes were burnt were told to live with other families until something could be done.

After the Witness recounted his experience, the Prosecution asked if the main commander was Angel Gabriel Massaquoi, the name the Witness used during his testimony. The Court interjected to correct the Prosecution, as the Witness said *"Angel Gabriel"* and not *"Angel Gabriel Massaquoi"*. The Witness then confirmed to the Prosecution that the man he called Angel Gabriel was the main commander.

When asked about the Finnish police, the Witness stated that white people came to speak with him about this incident roughly two years ago. The Witness also explained that, other than the Finnish police, some black people had come to his village to ask about the incident. The town chief called for elders, but they were not in town, and so the black men said they would come back another time. Witness 26 explained that the black men did come back, along with two white people. This group asked, *"Who in this town here something bad happened to during the war?"*, and the Witness raised his hand. He told them that his wife and sister were killed, that he was beaten, and that a load was put on his head.

The Prosecution asked the Witness whether his wife had a baby at the time of the incident. The Witness explained that she did, and stated that, when his wife was shot, the bullet pierced the baby's arm, leaving a mark that remained on the child's hand to this day. Witness 26 confirmed that the baby survived the attack.

The Witness confirmed that the event occurred in early 2001, but didn't recall the specific date or month. When asked where the women from the village were on the day of the incident, the Witness explained that many of them were at the market in Kolahun. He clarified that the events must have occurred on a Monday, as every Monday was market day in Kolahun, but noted that this did not allow him to link the incident to a particular date.

The Defense Questions Witness 26

The Defense began its questioning by asking about the different groups of people that had come to his village to inquire about the incident. The Witness explained that, around 2018, some black people came and asked for the town chief. The black people said that another group was going to come later. The Defense asked about the time between the first and second group coming, and the Witness said it took a long time. The Witness explained that the second group that came was composed of two black people and two white people, as well as a third black person who was driving them. However, he could not remember whether they told him their names, nor did the group tell him if they were representing any organization.

The Witness explained that he was contacted because the group asked for those affected during the war, and he had raised his hand. Later that same day, he was called to the town hall and asked to explain what happened. The Witness could not recall the names of the people who interviewed him, nor the exact date. The Defense asked the Witness why he had mentioned the date August 16, 2002, and the Witness said it was because he can forget. He was also asked if he knew [Civilian 45], to which the Witness responded that he did. The Defense asked the Witness to explain how [Civilian 45] also said the incident occurred on the same date, to which the Witness responded that [Civilian 45] was living on the road.

The Defense also asked Witness 26 why he did not tell the Finnish police that his wife or sister suffered violence. The Witness replied that he told the Finnish police his wife and sister were killed – however the Defense noted that during the interview the Witness had said that they found the bodies of two women, without specifying who they were to him. The Witness responded that, on the day of the incident [FNM-033] and [FNM-034] went to process palm oil, and on the day of his interview, he spoke of them. The Witness clarified that the child that was carried on [FNM-033]'s back was not his child, and that his wife was the baby's aunt.

The Court took a brief recess because of a power outage.

When questioning resumed, the Defense asked for the name of the commander of the group that made him carry the load of goods. When the Witness stated that he did not know, the Defense pointed to a prior statement, where he had named "Edward" as the group's leader. Witness 26 explained that he had mentioned the name Edward, because he had met Edward in the big store (the jail) when he was carried to Foya. The Defense stated that, in the recording, the Witness said

Edward from Sierra Leone was leading the people that came to his village. The Witness replied that they came in a group and he couldn't remember the name. The Court then played the recording, which included the Witness responding to a question about the group's leader by saying, *"When they entered, they were just commanding. But I remember one name, his name was Edward […] He called his name"*. After the recording ended, the Witness said that the soldiers came in a group, and that he now remembered the name, but was nevertheless firm that he did not say that Edward was the commander.

The Prosecution and the Defense spoke among themselves about the name Edward, and whether Edward was a commander. The Court replayed the audio clip twice, and accepted that Edward was not the name of a commander, but rather just a name related to the incident. This concluded Witness 26's testimony.

Witness 27 is heard

(Finnish Witness ID: Civilian 45)

The Prosecution Questions Witness 27

Witness 27 recounted an incident in which he and others were taken from their hometown by a group of soldiers, during the dry season in early 2001. The soldiers came at night, knocking on doors and bringing people outside, where they were beaten. They were led by [FNM-114], a Kissi man who the Witness later stated was part of the RUF. The Witness clarified that knew the group was the RUF because they spoke Krio and Mende.

[FNM-114] was looking for a "WO2", a government soldier named [FNM-115], who allegedly took one of their pigs from Konobo. The Witness told the soldiers he had not seen the man, but offered to find out and get back to them the next day. The soldiers accepted this, but added that if they did not see the pig the next morning when they returned, the town would be burnt. Witness 27 took the threat for a joke, but the next day the soldiers returned and gathered everyone in the town center. The soldiers started taking belongings out of the homes, and the Witness recalled a man who said, *"after we finish, let's give the people light."* Roughly five children under the age of ten were locked under a veranda so that they would not escape, and the soldiers began setting the houses ablaze.

The Witness and others from his hometown, including [FNM-036], who has since died, [FNM-037], [FNM-038], and [FNM-039], were told to take the goods from their homes and go. They went to Kortohun I, and then to Kortohun II, where the Witness reported the soldiers burned five houses. They continued to travel, and the soldiers beat the group along the way. They passed through Kolahun, where more people were captured and made to carry loads. Witness 27 carried a sewing machine. The captives carried these loads through Kundo Bendu and ran from there to Foya. [FNM-114] led the group until they arrived in Foya, where he turned the captives over to his Krio-speaking commander. The Witness later identified the commander as Gibril Massaquoi. Witness 27 clarified that he learned this name when they arrived in Foya, as [FNM-114] said, *"C.O. Massaquoi, here are the people"*. The Witness stated that this commander saw, but did not comment on, the load Witness 27 was carrying.

Witness 27 recalled that the first thing the commander asked was why [FNM-114] had brought *"this old pap"*. He then told [FNM-114] to hold the group in a room until the following morning. Witness 27 and [FNM-035] were placed in one room, while two underage girls and one woman, [FNM-032], were placed in an adjacent room. Witness 27 heard soldiers rape the two underage girls and gang rape [FNM-032]. [FNM-032] and the girls cried for the Witness to help them, and he remembered that he told the women he had no power, and because those people were treating them really badly, he started to cry.

The next morning, [FNM-035] and Witness 27 were taken to a different place. They were kept for two days and were then released. Witness 27 was left without shoes or a shirt, and only had a pair of shorts. The Witness remembered seeing many RUF soldiers in Foya on the day of his release. He and [FNM-035] started to take the road to their home, but were warned by a woman that there were many soldiers that way, so they struck off through the bush. There they met the two underage girls who had been raped, who they took to a clinic run by a man named [FNM-079] for treatment. Witness 27 noted that [FNM-032] died a few days later. Witness 27 testified that the whole ordeal saw him away from his hometown for five days.

Witness 27 said he was contacted by the Finnish police through his town chief, who told him and the other villagers that people had come and wanted to talk with them about their experiences during the war. The Witness spoke with the Finnish police in Voinjama, and clarified that he had not spoken with anyone other than the Finnish police as to what had happened to him because *"how will I explain this to other people when they have their own problems?"*

The Defense Questions Witness 27

The Defense asked the Witness about his experience with the Finnish police. Witness 27 explained that he was living in Kortohun II in 2019 when he first encountered them. The police had gone to Kortohun I and asked to speak with people about what happened during the war. The town chief of Kortohun I then sent a message to Kortohun II, saying that white people had come to ask about the war. During the town's Saturday meeting, the chief announced that people could voluntarily schedule a meeting with the police to tell them what they experienced. People were skeptical, but Witness 27 ultimately gave his name, as he wanted to say something. The meetings took place during the course of the week.

The Defense asked whether Witness 27 knew who [Employee 1] was, and the Witness said he did not, offering instead the name of a friend with the same first name as [Employee 1]. Witness 27 noted that no other people had come to his town asking about the war before the white people came. When asked about a report by [Employee 1] that placed Witness 27 in Kortuhun during the civil war, the Witness reiterated that he did not know [Employee 1].

The Defense then asked whether the Witness remembered the date that the incident occurred. Witness 27 explained that he was in a state of confusion when the Finnish police came, as he did not expect people to come asking about the war. He affirmed that, had he been prepared, he could have said more. The Defense noted that the police wrote that the Witness said the village was burned on 16 August 2002, but the Witness stressed that he did not recall the date. The Defense added that another witness, [Witness 26], gave that same date in his police interview, and asked Witness 27 whether he discussed what happened or the date it happened with

[Civilian 18]. The Witness denied having done so. The Defense repeated that Witness 27 had given the police the exact same date, month, year, and day of the week as [Civilian 18], and that they had provided the same reason for knowing this exact date. The Witness responded that he meant what he said, and that [Civilian 18] was *"an evidence for himself"*. The Defense pressed on, reminding Witness 27 that he had said he knew it was Monday, because that's when most women go to market in Kolahun, on 16 August 2002, but the Witness simply said *"I told you no."*

The Witness ended his testimony by clarifying that the man he identified as Massaquoi was the commander of the RUF in Foya, but that he did not know how long Massaquoi was in the Foya region, as he did not go there again after his release.

The hearing concluded and will resume on 18th March in Monrovia, Liberia.

March 19, 2021 – [Liberia] Day 18: The Hearing of Witnesses 28, 29 and 30

The eighteenth day of public hearings resumed on 19th March 2021 in Monrovia, Liberia.

Witness 28 is heard

(Finnish Witness ID: Civilian 35)

Before proceeding with his testimony, the Witness asked what policies the Court has put in place for journalists in order to protect the safety of the Witnesses. The Judge assured the Witness that the video material filmed inside the Court would only be used by the Court, and that they have an agreement with the press that Witnesses will not be named in their publications.

The Prosecution questions Witness 28

The Witness was visiting his family in Kolahun, Lofa County, when one night LURD forces attacked the village. They managed to escape to Masambolahun, however, there was another rebel group heading from Masambolahun to Vahun. They were caught and forced to carry arms and ammunition for them towards the Vahun area. After this, the Witness explained that they arrived at Kamatahun Hassala, and were faced by the government-backed resistance group consisting of Benjamin Yeaten, Colonel [FNM-161], Zigzag Marzah, and others. He noted that the group managed to seize an area which was occupied by the LURD forces. According to the Witness, the resistance group called for reinforcements, and another group arrived, later introduced as RUF. The Witness described how the RUF were all wearing yellow t-shirts and spoke Krio: he explained that *"Krio is similar to English, but you have to pay attention to understand it"*. They were also chanting a slogan *"we dey kill am all, one seh we dey lef"*, which he understood to mean "we will kill all, we won't leave one''. According to the Witness, RUF supported the government efforts in maintaining the areas under their control. He noted, however, that RUF never fought on the front line, but were attacking areas in Kamatahun.

The Witness stated that he was arrested, among others, by RUF as suspected spies. According to the Witness *"there is a lot of variety of torture from the RUF,"* and he described that they urinated in his mouth, used electric shocks, and they subjected him to something called *"sassy-wood,"* where the victim's legs are put between wooden planks and then stood on. He later clarified that the wood pressed his flesh and muscles, but he did not lose any blood. The RUF tortured them in order to obtain confessions. As they were being tortured, the government troop commanders came back to Kamatahun and asked the RUF members why they were harming civilians. The government commander, later identified as Benjamin Yeaten, then told the RUF to release them, and ordered both RUF and government troops to go collect the civilians who had run in the bushes to hide, and to bring them back to town. The Witness clarified that Benjamin Yeaten gave the order that nobody should harm civilians and said that *"our target is our enemy"*, but Gibril Massaquoi *"went [the] extra mile because he had more troops that he was controlling."*

The Witness recalled that it was then that one of the men introduced himself as *"Gebe"* Massaquoi. The Witness identified that he was a RUF commander and the

spokesperson for the RUF in Sierra Leone. He noted that they said that they were going to *"pick the rotten bitterballs from among the good ones".*

According to the Witness, while they were searching and collecting civilians from the bushes, the RUF took a man to the side of the town and butchered him for being a spy for the rebels. The Witness stated that Gibril Massaquoi authorized the execution. He explained that the RUF soldiers took this man's intestines and other internal organs and instructed a woman to cook pepper soup for them with his body parts. Later on in his testimony, the Witness confirmed that Gibril Massaquoi gave the order to execute and eat the man as they suspected him of being a member of LURD. He further explained that the man was crying in Gbandi dialect and said that he was not a rebel.

The Witness recalled that after the RUF soldiers had eaten the pepper soup, he and other captured civilians were instructed to carry the RUF's weapons and ammunition to a village named Yallahun near Kamatahun. He clarified later on in his testimony that it took less than 30 minutes to carry the weapons and ammunition to Yallahun, and that it was Gibril Massaquoi who instructed them to carry the weapons from Kamatahun to Yallahun. He stated *"Every atrocity that took place in my presence was commissioned; it was ordered by Gibril Massaquoi."* He also noted, however, that the first time he was forced to carry weapons and ammunition it was not the RUF's, but was for the LURD forces. When they arrived in Kamahatun, government forces attacked and scattered the LURD forces back into the bush.

The Witness explained that another massacre occurred in Yallahun. He described how a pregnant woman was walking towards them, and there was an argument between RUF soldiers. Some were guessing that she was pregnant with a boy, whereas others guessed that she was pregnant with a girl. The soldiers then, authorized by Gibril Massaquoi, decided to open the pregnant lady's stomach and identified the sex of the child. One of the soldiers reaffirmed his bet and said *"I was telling you, it is a girl child."*

The Witness described how there is a route from Yallahun which leads to Sierra Leone. He further elaborated that the route goes as far as to Masambolahun and Foya. The Witness stated that there was also a journalist, a former BBC correspondent, who was executed in the area: a rope was tied around the journalist's neck because *"y'all mouths can run too much"*. According to the Witness, before being executed the journalist said: *"y'all came to liberate us. We are afraid of the rebels then you, the government forces, are treating us like this?"* Moving on with his testimony, the Witness stated that there was a man named [FNM-080] who suggested that they leave or they would get killed before the soldiers returned to Sierra Leone. They escaped, and while his friend escaped to Foya, he went towards Guinea and came to Monrovia. He finished his story and stated that this is what he experienced in Lofa.

At this point, the Prosecution proceeded to ask some clarifying questions. The Prosecution recalled that the Witness mentioned the year 2002, and asked whether it was the same year that he was captured by the RUF. The Witness confirmed this. Later in his testimony, he noted that, although he remembers that the events took place in 2002, he cannot remember the exact time of year as *"when you are in a situation where they are shooting gun, you will not be able to remember."*

Furthermore, the Prosecution asked whether, at the time the RUF came to Kamatahun Hassala, they had a leader. The Witness confirmed this by stating that Gibril Massaquoi introduced himself by name and said that he was a commander and spokesperson of the RUF, and that they were there to help the government. He mentioned that Gibril Massaquoi introduced himself before Benjamin Yeaten could introduce them. According to the Witness, there were other soldiers there while Benjamin Yeaten was on the frontlines in Vahun, and that they were speaking different English than the government forces who were there. Benjamin Yeaten said that he was the one who called the RUF troops to come help, and he introduced Gibril Massaquoi to some other soldiers on the ground. The Witness recalled that he was there himself when the commander, Gibril Massaquoi, introduced himself.

The Witness specified that it was the RUF who tortured him. He reiterated what he had previously stated: that it was Gibril Massaquoi who authorized the soldiers to torture them, and Massaquoi asked the Witness to open his mouth and urinated in it. When asked if several people were executed there, or only the man he had mentioned during his testimony, the Witness said that there are many rumours in war – he had heard that Zigzag Marzah put people in a house and burned them, but he did not have evidence of that.

The Prosecution asked how many days it took the Witness to escape. The Witness explained that it took them three days from Kamatahun Hassala to Yallahun. According to the Witness, they spent two days in Yallahun, and on the third day they escaped from Yallahun. He explained that the person he escaped with was [FNM-080], as he was the one who proposed it in the first place.

The Prosecution asked whether the Witness sustained any injury from the torture. The Witness stated that they hit him using a knife that left a mark on his finger, which he then proceeded to show to the Court.

The Prosecution then asked about the Witness' interview with the Finnish Police. The Witness explained that he was working when he received a phone call from [Employee 1] asking whether he was in Lofa between 2001 and 2003. The Witness was wary and [Employee 1] told him that [FNM-080] told him part of the events, and gave him the Witness's number. The Witness told [Employee 1] to not call him again, and *"I was not a soldier I did not hold gun."* The Witness recalled that after two days [Employee 1] called him again from a different number and apologised – he explained that he just wanted to know if the Witness had any information from that particular period, and that he would take him to speak with people who would ask him about it. The Witness informed [Employee 1] that he would have to discuss with his lawyer first. When he did, the lawyer encouraged him to talk and said "there are people all around the world fighting crime and you don't know what they are calling you for so go and hear from them." When [Employee 1] called again, the Witness said he would come and speak with them, but wanted transport to be arranged for him. However, [Employee 1] said that *"right now, I can't give you money to come, but if you yourself can take the initiative to do it."* The Witness was hesitant, but decided eventually to go. According to the Witness, they invited him to [Place 3], where he went inside a house and met three white men. One of them introduced himself as a police officer, and the other one said that he was a *"finance person."* The Witness stated that the police asked him who he was and where he was from.

The Defense questions Witness 28

The Defense began their questioning, and asked if [Employee 1] promised financial gain if the Witness would testify in this hearing, to which the Witness responded that [Employee 1] *"never and ever even explain any issue concerning money I was going to receive. And if it was just money that I was going to receive, I was never going to come testify because I have a well-paying job. I have an independent mind; I make my own judgement."* He added that the police only asked him about what had happened in Lofa. The Defense then asked if somebody had promised him a scholarship if he would testify. The Witness explained that he already had a scholarship, he went to England where he studied for his master's degree, after which he came back. The only question that was asked him was *"what do you know about this period and are you prepared to testify?"*

A short conversation ensued between the Prosecution and the Defense, after which it was decided that they would listen to a recording of the interview between the Witness and the Finnish police. In the recording, the police asked the Witness who had contacted him. The Witness responded that it was [Employee 1] who called him at the beginning of December 2019, while on his way to Lofa. According to [Employee 1], some of the Witness' friends had given him his number and told [Employee 1] to contact him. The Witness said that at first, [Employee 1] *"put it in different context. He based it on a scholarship"* so the Witness was suspicious. [Employee 1] then said *"some people want to talk to you, just come to Monrovia so y'all can talk"*.

Following this recording, the Defense reiterated their question and asked if the Witness was promised a scholarship. The Witness stated that no one offered him a scholarship, and added that it is clear from the recording that it was a *"psychological context"* and that they wanted him to be present. At this point, the Judges were also asking the Witness to clarify what he meant when he said scholarship. The Witness stated that he was not promised a scholarship, and that [Employee 1] did everything just to try and get him to come talk to the Finnish police. The Defense then decided to move forward with their questioning. The Witness stated that he remembered what he told the Finnish police, but *"I am a human being if for any reason my brain is not a computer that you can store document in."* The Judge asked if the Witness remembered what date he had told the police. The Witness replied that the atrocities he experienced were in 2000-2002, and that he stated the year 2002 to the Finnish police.

The Defense pointed to the summary of the interview in which the Witness stated that the events he described happened in 2002 and 2003. The Witness explained that he was not there for most of the atrocities that took place in Lofa, some of them he heard about, and for some he had seen the aftermath, such as burned houses. But he was there when LURD forces hit Lofa. He said that the events ran into 2003, but he was not there anymore. He told the Finnish police that in 2001, 2002 and 2003 there were *"inside-outside missions"* going on in Lofa.

The Defense then asked about the incident when a man was made into pepper soup, and asked how many men were killed there. The Witness could not say how many men were killed, but mentioned that there was a man who was accused of being a spy who was killed right in front of him. The Witness stated that he was not there when this man was arrested, but he was there when they brought him in, tied him up, and killed him.

The Defense then asked who killed the man who was eaten. To this, the Witness responded that he does not know who killed the man, only who authorized the killing: Gibril Massaquoi. The Witness said that he also explained this to the Finnish police, but that if he forgot to tell them about some aspects, it is because he would have emphasised what came to his mind at the time. The Defense then quoted an excerpt from the Finnish police statement: *"I remember that Massaquoi brought two men from the bush and you remember that Massaquoi said I am Angel Gabriel, the last person you see before God."* The Witness responded that he had indeed said *"I am the messenger for God, you come to me before you see my Papay"* (*God)*, and the Witness it was Angel Gabriel, and everywhere he went that was his slogan.

Following this, the Defense asked the Witness to clarify if the man had referred to himself as "Gibril Massaquoi", as the Witness had stated today, or if he referred to himself as "Angel Gabriel Massaquoi", as the Witness had stated during the interview. The Witness explained that, before Benjamin Yeaten came to introduce the man to the other soldiers who were on the ground, the man had introduced himself as *"Gibril Massaquoi"*, because they did not know who he was. Then, Benjamin Yeaten came and also introduced him. The Witness explained that Angel Gabriel was his dual name, his *"wicked name"* , and he used both himself.

The Defense then asked if it is true that the Witness did not remember the name "Angel Gabriel" until he was reminded of it by the Defense, to which the Witness responded that he could even forgot what he said to his office yesterday; he said the statement before and he was reminded of it by the Defense, but it is true that he said it before, so he has done nothing wrong.

The Defense pointed out an inconsistency between the Witnesses statement to the Finnish police and the testimony he gave today, explaining that, to the Finnish police, the Witness had said that Massaquoi himself had killed two men who he labelled as rebels, but today, the Witness stated that Massaquoi gave the command to someone else. The Witness explained that it is hard to have a full picture of everyhing happening in a crisis, becasue you are afraid for your life, but that every atrocity that took place in Kamatahun Hassala was done by Massaquoi – whether he personally did it or comamnded someone to do it. The Defense pointed to a difference in the number of people he has said were executed: today he said one man, and to the Finnish police had said it was two. The Witness said that he had explained that it was one person who was executed and cooked. The Defense then quoted the police statement where the Witness said: *"after the execution, Massaquoi got some of the body parts from the bodies and told the women of the village to cook him food with the parts."* The Defense pressed the point, stating that he had understood the Witness testified that Massaquoi gave the order to cut the body, not that Massaquoi had done it himself. The Witness replied that his brain is not a computer or a database, and there are plenty of things that went on in Kamatahun and he cannot remember them all.

The Defense then referred to an earlier statement by the Witness where he said that Zigzag Marzah burned people, and asked if he was there when it happened. The Witness replied that it happened, and people had said it was Zigzag Marzah who did it, but he could not tell them when it happened because they were doing repeated *"inside-outside"* missions for months.

The Defense sought clarification that the Witness was not there, not in the room, not in the house, and had heard about the burning of people as a rumour. The Witness stated that he was

told, when he got there, that their *"own Gbandi brother"* had out people in the house and set it on fire.

He further stated that he told the Finnish police that this was not something that he saw; adding that he considers that a recording would have been better, as something can be written down incorrectly. The Defense asked if the Witness recalled what he had told the Finish police about the incident, and the Witness replied that he said he was not there, but had been sitting nor far away and he had gone and seen the place after. The Witness also detailed the context: that they were in Masambolahun when the LURD forces attacked, and they were made to carry LURD ammunition. There was another advance troop going toward Kolahun. The Government troops captured Kamatahun from the rebels. When the Government forces attacked the rebels in Kamatahun the Witness was carrying LURD ammunition to Kamatahun, and they scattered. This was when Zigzag locked people in the house, though the Witness was not there when they did it.

After a short break, the Judge opened the session by playing a recording. In it, the Witness recalled that: Massaquoi was *"beating his chest"* and saying *"I am Gabriel Massaquoi, commonly known as Angel Gabriel. You have to see me before you see God."* The Finnish police had asked the Witness if he knew the two individuals that were killed, and whether they were rebels or not. The Witness had stated that they were civilians, but he could not determine their age. The Witness had explained that Gibril Massaquoi was one of the people from the RUF side that supported Zigzag Marzah in the burning of the house. The Witness had said that he heard Angel Gabriel say *"y'all brought the rebels here, y'all were feeding and giving them sleeping place. Y'all will die"*. The Witness had repeated that he was sitting nearby and saw them bringing people into the town. When asked, he couldn't estimate how many people were put in the house and burned, but said it was *"a good number of people."*

After the recording was re-played multiple times, the Defense asked if the Witness wanted to comment on it. The Witness said that he started by explaining to the police officer that, when you are under duress, it is possible to remember things differently. He explained that him telling the Court that Zigzag burning the house was captured *"in a clear picture"* was not a reference to a visual "picture", but it was clear to him the Zigzag did it. According to the Witness, you could see that the atrocities were associated with Gibril Massaquoi, supported by Zigzag, and that Gibril Massaquoi's soldiers bringing people out of the bush by their trousers and bringing them into town was an order from Benjamin Yeaten to the RUF and government troops. Everything else that happened after the burning of the house by Zigzag was intimidation and threats that they were going to kill them. The Witness stated that he did not see them killing people at this time. The Witness added that, when the police officers asked if he saw the houses burning, then Witness had said that he was a few metres from the house.

When asked about a memorial that was placed in Kamatahun because of this incident, the Witness said that he heard about it but has not seen it, he has not been there for a long time.

Witness 29 is heard

(Finnish Witness ID: Civilian 70)

The Prosecution questions Witness 29

The Witness began by describing his experiences during 2001 when soldiers entered the town of Kpokulahun. The Witness explained that soldiers- rebels who called themselves government forces – entered Kpokulahun many times. Whenever they came, the soldiers would arrest people, and so sometimes the townspeople would run away into the bush, which prompted the soldiers to hunt for people in the nearby farms and bush. On one such occasion, the soldiers captured the Witness, along with his aunt, [FNM-041], and his wife, [FNM-040]. The Witness noted that the soldiers did the same in other towns in the area: capturing people, and taking them along as they went from town to town. The Witness recalled the names of some towns, noting that they went from from Kpokulahun to Polorwu, and also to Kiatahun and nearby Kimbalahun, as well as other towns. The soldiers took all of those they captured to Kamatahun, which the Witness noted looked like a displaced camp. Once there, the soldiers began humiliating them, as well as beating, killing, torturing, and making them carry loads around. The Witness stated that there were a lot of rebels present, some calling themselves commander or general. He recalled the names of some of the men: Zigzag Marzah, [FNM-161], [FNM-118], [FNM-119], Gabriel "Angel Gabriel" Massaquoi, [FNM-120], and [FNM-121]. He added that these men did whatever they pleased, and that some of them were RUF from Sierra Leone. The Witness explained that, when soldiers were going to the front line, most of the Sierra Leoneans would stay behind; adding that they never went to the front line. He stated that the Sierra Leonean soldiers were the main ones that *"carried out the wickedness"* against them.

The Witness recalled one night when he, his aunt [FNM-041], and some other people were sitting beside a house talking, but were fearful that the soldiers could come at and time and arrest them, as they knew the fighters believed that there was an elderly man with magical charm that protected people from being killed with bullets. The Witness noted that men were the soldiers' main target, and so he told his aunt that he was leaving.

Shortly after leaving, the Witness began hearing people speaking in the Mende dialect, saying: *"Your go inside, your put them inside. Since these people say they cannot die, we are going to burn them"* (*the Witness said he understands and speaks Mende*). The Witness said that he was a little bit of a distance away, but could still hear them. He added that this was the context in which they set the house on fire, and stated that his aunt, [FNM-041], was killed in the fire, along with many other people who had been put in the house.

The Witness recalled that it was the same night when seven young women were captured. The Witness recalled Zigzag Marzah, Angel Gabriel, and many others (who the Witness cannot remember) being the commanders giving orders that night. The Witness added that, even before the night of this incident, whenever Gabriel Massaquoi killed he would say *"go tell God I sent you"*, and boasted that no one goes to God except those passing through him. The Witness stated that he gave the order for the seven women, including the Witnesses wife [FNM-040], to be taken to the *"blacksmith area"*. The Witness went there to see, adding that he felt brave because his wife was there. One of the soldiers noticed him and asked what he was doing there as a civilian. The Witness was then beaten, and was injured near his eye, which the Witness still bears a mark from. The Witness stated that God was on his side that night, as one of the small soldiers present was Liberian and from his same tribe, Gbandi. After explaining to the soldier that his wife, [FNM-040], had been captured, the soldier agreed to help him, and said that if Zigzag Marzah and the others saw him there he would be killed. The soldier nonetheless said he would

help the Witness, and told him to get up from where he was sitting on the ground. The soldier walked the Witness away as if he was going to kill him, and this was how the Witness escaped into the coffee bush around the town.

The Witness stated that his wound bled for the entire night. In the morning, the Witness began hearing that the women who had been taken to the blacksmith area had been raped, but he was not sure if they had been taken to the frontline. Although the Witness was still bleeding from his injury, he wrapped his head and went to where the women had been taken, and saw that all seven women had been killed, some of them naked and others with torn clothes on. After seeing the women dead, the Witness left Kamatahun and went to Yandohun, and then Vahun, which the Witness described as a kind of headquarters for them. He explained that, because of the wounds he had, he was hiding in Vahun, but he didn't stay there long. He crossed the border to a refugee camp in Sierra Leone. The next day, he was picked up by a passing NGO car. The Witness was then taken from Sierra Leone through BO Waterside to Monrovia, and after receiving treatment the Witness returned home.

After being asked if he remembered Gibril Massaquoi being amongst the commanders, the Witness replied, in a stern voice, in the affirmative, and stated that he vividly remembered Gibril Massaquoi and Zigzag Marzah. When asked if he heard the names "Gabriel Massaquoi" and "Angel Gabriel" himself, the Witness answered *"yes, the man killed in front of me, he used his name."*

The Prosecution asked whether the Witness was there when the house was set on fire. The Witness explained again that he had not gone far from the house when it was set on fire, and that he had heard Zigzag Marzah and Gabriel Massaquoi give the order to light the house on fire, adding that the two of them were *"very fierce parading the town"*. He stated that it was Gabriel Massaquoi who had given the order for the seven women to be taken to the blacksmith area to be killed. The Witness noted that Gabriel Massaquoi behaved towards the Liberians as though they were not humans, adding that Gabriel Massaquoi was from Sierra Leone and did not have any feelings towards Liberians.

The Prosecution asked the Witness whether his wife was among the seven women he saw dead in the blacksmith area; the Witness replied in the affirmative. The Witness was then asked whether he had seen other atrocities besides the ones he had described this far. The Witness stated that he had seen a man captured and accused of being a LURD fighter, although the man claimed to be a civilian. The Witness stated that the man was carried to the area where they had previously burnt the house. Once there, Angel Gabriel gave an order to Zigzag Marzah, stating that *"that man that LURD rebel let's get rid of him. Let's eat his heart"*. After being given the order by Angel Gabriel, Zigzag Marzah killed the man: opening his stomach and extracting his heart and liver, which were put in a bucket. The man's heart and liver were then brought to a Gbandi woman, [FNM-081], to cook for the soldiers to eat. She was too distraught and was unable to cut the heart and liver, which were instead given to a soldier to cut. The Witness noted that he and others were watching from nearby, and they saw everything going on, although he did not go back to see who ate the meat.

The Witness was then asked questions to specify the time frame and place of the incidents he had described. He explained that he could not recall the exact month, but repeated that they

occurred in 2001. He went on to explain that, when entering Kamatahun from Kolahun, the house that was set on fire was on the left side of the road going towards the middle of town, and the blacksmith kitchen was on the right side. He stated that the seven women were not taken inside the blacksmith shop, but rather behind it. When asked where Massaquoi was when the Witness tried to go and see what was happening in the blacksmith area, the Witness stated that, after he gave the orders, Massaquoi said he would return later and was in the town carrying out their *"clandestine activities."*

When explaining how he became involved in the trial, the Witness stated that he came into contact with the Finnish police through a man called [Employee 1]. When asked whether [Employee 1] had called him at any point, the Witness stated that [Employee 1] had not called him prior to the two meeting one another. The Witness elaborated that he was sitting in a shop talking about Charles Taylor and how Zigzag Marzah had talked about eating people during the trial of Charles Taylor in The Hague. Someone in the shop mentioned that it was the same Zigzag Marzah who had eaten people in Kamatahun; the Witness replied that it was true, that he had seen Zigzag Marzah killing and eating people in Kamatahun. Unbeknownst to him, [Employee 1] had been listening to this conversation, and he approached the Witness and asked for his name. [Employee 1] asked the Witness if he was sure that he had been present during the events he had described, and asked if the Witness would be willing to explain it if someone were to ask. After the Witness answered affirmatively, he gave his number to [Employee 1]. After around 6 months, the Witness received a call in November from [Employee 1] asking where he was, the Witness replied that he was in Bong County. [Employee 1] asked if he would come and talk to the people that [Employee 1] had previously mentioned, only clarifying that they were his *"friends"*. The Witness jokingly asked if [Witness 1] was going to sell him. [Employee 1] responded that the people just wanted to talk to him about the atrocities, andadded that they would not pay the Witness for this. The Witness did not go, but then [Employee 1] called him again a week later and said that the people wanted to prosecute those responsible for carrying out the atrocities, the Witness then agreed to go talk with the people.

The Defense questions Witness 29

The Defense began by questioning the Witness about the discussion at the shop during which he had mentioned his experiences in Kamatahun. The Witness explained that they were talking about people who had carried out atrocities in the area, including Sam Bockarie, Liberty, [FNM-161], Gabriel, and many others. The Witness stated that he has discussed the events that took place in Kamatahun with others, and added that he had been to Kamatahun this past January. When asked whether he had been living in Kamatahun, the Witness reiterated that he was not living in Kamatahun, but rather that the rebels had captured people from all around and took them to Kamatahun. The Defense pointed out that this is inconsistent with what the Witness stated during the initial interview with the Finnish police, during which he had stated that he came from Kamatahun, Lofa County, and that his family was from Bopolahun. The Witness explained that, when he had first met with the Finnish police, he stated that he was from Lofa County, Kolahun District, Kpokulahun.

The Defense continued to question the Witness about his original interview with the Finnish police, asking if he recalled which year he had told them regarding the war. The Witness replied that he cannot remember exactly, stating *"by brain is not a computer"*. The Defense pointed out that in the police interview the Witness had stated that LURD attacked Lofa in 2000 / 2001. The

Witness repeated that the exact year he recalled was 2001. After this, the Witness explained that all of the names he had previously listed as having been present in Lofa were not all there at the time of the incident.

The Defense then asked the Witness about specifics regarding the incident at the blacksmith shop. The Witness reiterated that the seven women, along with his wife, [FNM-040], were carried behind the blacksmith shop, that he had gone to see what was happening, and he was subsequently captured and beaten. The Witness added that he was held by them and beaten for approximately 30 minutes, and that he was aware that other women had been raped in the town besides the seven women who were taken to the blacksmith shop. He concluded that he had been close enough to the women who were taken to the blacksmith shop that he could see them. The Defense alleged that the Witness had stated during the police interview:that he had heard about the women who were raped near the blacksmith shop. The Witness reiterated that he saw the women, and that he did not hear about it.

The Witness was then asked about his visit to Kamatahun in January 2021. He stated that it was the first time he had gone there since the incident took place in 2001, and that when he went this year he did not spend more than an hour there.

(*A recording is played: "In Kamatahun Hassala, were you present or did you hear about the raping of women in a house behind the blacksmith shop? Yes, yes, there was lot of atrocities. Raping was common, they were just raping women. For us, we were civilian, so we could not go too close. I spent more than one month in Kamatahun."*)

(*The Court replays parts of the recording multiple times*)

The Witness clarified that the question asked was whether he knew about the rapes that took place behind the blacksmith shop, and that he replied that he knew about it.

Witness 30 is heard

(Finnish Witness ID: Civilian 60)

The Prosecution calls upon Witness 30

Witness 30 began by describing the RUF guest house in Congo Town, Monrovia, and her experience there. The Witness said spent time there with her friend [FNM-071], however she didn't sleep there, but would return to her home, while her friend remained there. There were many other people staying there, and the Witness's friend [FNM-071] was friendly with many people, including Benjamin Yeaten, General Mosquito, and her fiance, Gibril, who they called *"uncle Massaquoi"*. Witness 30 recalled that the first time she went to the guest house was in 2000, but could not remember the exact month. She stated that she and [FNM-071] would follow Massaquoi and the others whenever they went out of town. The Witness also said that Massaquoi rented a place for her friend opposite the Kiss FM radio station. She had met Massaquoi several times, because she ended up staying with her friend in the rented apartment.

Witness 30 recalled that, besides the guesthouse, the other boys used to go to *"black gate"*, which was also in the city. She also stated that she did know how Massaquoi, Yeaten and Mosquito were allowed to stay in the guesthouse, as she had only met them there, and they also used to come to her friend's apartment. Witness 30 explained that whenever they all went out, she would follow them. She would travel with them in a convoy of three pickups. They would take the Witness and her friend to Voinjama, and leave them in a three bedroom house, sometimes for 5-6 days, before returning. Witness 30 and her friend were told not to enter one of the rooms in the house. The Witness recalled that one day they came in three pickups, one covered with tarpaulins, and told the Witness and her friend to go inside. Three days later the Witness spoke with her friend about this, as she was afraid and wondered why the man had ordered them inside the house as he did.

Witness 30 then described a day where one of the Sierra Leonean soldiers left the door of the forbidden room open. She entered the room looking for a cooking utensil, and was surprised to see a big gun *"like the one you would see in the commando show"*. The Witness called her friend to come and see, and when Massaquoi discovered that the boy had not locked the door, he came and caught the Witness and her friend inside the room. He beat them both, so much that it left a mark on the Witness, and shot the boy in his leg and apparently took him to the front line. The Witness did not see the boy again.

Witness 30 then revealed that her friend was pregnant to Massaquoi, and that he locked them in the house and left them for two days, before freeing them when he returned. The Witness convinced one of Massaquoi's drivers, a Sierra Leonean boy who she had befriended, to help them escape, and they came back to Monrovia. The Witness said that, when Massaquoi returned to Monrovia he convinced her friend to take him back because she was carrying his child. They went back to Lofa with Massaquoi, however this time they went by helicopter – landing in Kolahun, and were then taken to Voinjama. The Witness later added that there was ammunition transported in the helicopter with them, and that Massaquoi was with them. The Witness said that they had travelled by helicopter because they said there was a risk of ambush travelling by road.

The Witness stated that one morning a boy was shot, but stated *"I don't know if that was his boss man Benjamin Yeaten, he shot one boy."* She got scared and left her friend. The Witness did not know what her friend did after that as she didnt see her again, but she heard that her friend gave birth to a baby girl.

The Prosecution then asked the Witness about the trips to Lofa and the details regarding them. She said that she and her friend, [FNM-071] went with Massaquoi and others to Lofa three times. The first two times, in 2000, they were picked up from black gate where the men would pack things into the three pickups and cover them with black tarpaulins. Benjamin Yeaten, Mosquito, [FNM-123], [FNM-124], and a Sierra Leonean, Kallon were also with them on the trip in 2000. She said that, when they would get to Voinjama, the Witness and her friend would be locked up in the house, and the pickups taken for offloading. The Witness stated that her final trip was in 2001, when they went by helicopter, after that she did not go back She said she couldn't remember, as there were so many people, whether those she previously named were all on the 2001 trip, but the ones she was close to were those she named.

Witness 30 told the Prosecution she did not know where the men went, as they were left alone in the house, for between three and seven days. Sometimes [FNM-123] would return with wounded soldiers, especially Sierra Leoneans, from the front lines, and would take them to the hospital in Voinjama. The Witness stated that a Sierra Leonean – "uncle Massaquoi" / Gibril Massaquoi – would come later, and would spend time with her friend while the Witness would cook outside.

In response to a question from the Prosecutor whether she went on a trip where she and her friend returned from Lofa on a motorbike, the Witness answered in the negative – clarifying that she only took a car and helicopter. The Prosecutor then asked if she knew whether Massaquoi had any other girlfriends apart from [FNM-071]. She answered that she only knew about [FNM-071] because they were friends.

The questioning then shifted to her interaction with Finnish Police and how it began. Witness 30 described a time she was at the border at Bo Waterside to get goods, and ended up talking to a Sierra Leonean man who had been having issues at the border with an expired passport. She mentioned Benjamin Yeaten, and *"Butt Naked"*, but did not mentioned Gibril's name. She added that she not only knew Yeaten, but also knew "uncle Gibril Massaquoi", who she said her friend was in love with. The man asked for her number, which she gave, and he then asked for a picture before leaving.

The Witness received a call days later from the Sierra Leonean man she had spoken with at the border. He called again the next day and said he had a white friend who was interested in meeting her. She was scared to go and meet them, and initially thought the man, who introduced himself as [FNM-082], wanted to sell her to the white people, but she eventually agreed to go to a hotel to meet them, and eventually agreed to speak with them.

There was a white woman and man together, and a black man with them. They showed her pictures and asked her questions, recording her. She could not understand the white lady, but the black guy who was there interpreted. The white lady asked if the Witness knew anyone in the photos, and the Witness pointed at Gibril. The white woman then explained that this was why they wanted to speak with her: because someone had heard her talking about Yeaten and they wanted to get details.

Witness 30 stated that [Employee 1] called her on a Monday to tell her that the people who interviewed her wanted to see her again. She was scared, and so said she was not coming. However, [Employee 1] called her again to assuage her fears and told her to give his number to her parents in case something happened to her.

The Witness stated that she has not spoken to anyone else about this, and that she met one lady, a short man, and a tall man.

The Defense questions Witness 30

The defense began its questioning by asking Witness 30 about the person who spoke to her about Benjamin Yeaten at the border. Witness 30 stated that his name was [FNM-082], and she only met him once. She also said that till this day, she has not seen him. Witness 30 also told the

Defense that she has never seen [Employee 1] before, and does not know whether he is black or white. They only spoke on the phone and that was it. Before coming to testify, Witness 30 stated that she was given directions to a hotel, which she arrived at the night before.

The Defense then asked the Witness when she met [FNM-082] at the border, to which she replied: in November, which she knew because she was picking up her Christmas goods. She could not remember the exact date though. When asked how [Employee 1] got her number, she said she thought it was from the people who interviewed her. Witness 30 stated that she did know why they had wanted to interview her, and reiterated that they had shown her the pictures that same day when they interviewed here. The pictures were the first thing she was shown when the interview started.

The Defense then referenced the police interview summary where it was written that she had known the interview was about Gibril Massaquoi before the interview started. Witness 30 disputed this, stating that she never knew it was about Massaquoi, she only knew that a white guy wanted to meet her, and that was why she came. The Defense's questioning then moved to her relationship with [FNM-071]. Witness 30 stated that she used to visit her and go back, and that they stayed together in town for 5 years. The Defense asked who [FNM-083] was, and the Witness replied that she didn't know. She said that people had names and fighter names, and she was familiar with the fighting names. The Defense raised part of the police interview, in which she allegedly mentioned an [FNM-084] being at the guesthouse when she went there with her friend. Witness 30 denied mentioning him. She also denied saying her friend's name was [FNM-083]. Witness 30 explained that her friend's name was [FNM-071] not [FNM-083]. She also said that she does not know whether the Finnish police wrote it down wrongly, because she was explaining and was not shown what they wrote.

The next part involved the Defense playing a recording from the police interview. The Defense did this because an earlier witness had mentioned the name [FNM-083]. In the first part of the recording the interviewer asked the Witness if she knew she was there about Gibril Massaquoi, to which she said, yes. The Witness explained that, when she entered the interview, they said she had mentioned Benjamin Yeaten's name at the border, and asked whether she knew people under him, like Gibril Massaquoi. She said she knew Gibril Massaquoi, and that was how they brought the pictures and asked her to point to who she knew. The second part of the recording was played, in which the Witness mentioned a person named [FNM-084], and, when asked about her friend's name, stated the name [*variation of FNM-071's name*]. Witness 30 clarified that [FNM-071] had three names, and that she had mentioned her first and middle names in the recording, and today mentioned her first and married names. The Witness also later clarified that [FNM-084] is her deceased fiancé, who she has a child with, and whom she didn't want to talk about.

The Defense then queried her about her first visit to the guest house. Witness 30 said that it was in November, but she couldn't remember the exact date. She stated that she had also never mentioned a date to the police, and that she was scared that day. The Defense alleged that the police summary states that she went to the guesthouse on March 18, 2001. The Witness clarified that she had meant that that was the first time she actually entered the guesthouse. Before that, her friend would usually come out and meet her. On March 18 2001, her friend said she should enter and both of them went into the guesthouse.

The Defense then questioned the Witness how she remembered the exact date that she went to the guesthouse and met [FNM-084] and Massaquoi. Witness 30 explained that the date is one of her cousins' birthdays, and that her friend called her from the birthday and the Witness went to meet her. The Defense further questioned her about this, and the Witness specified her cousin's name, and added that she was the Witnesses late aunt's daughter. The Defense once again referenced the police interview, noting that Witness 30 mentioned that date was a friend's birthday. Witness 30 reiterated that the friend she mentioned was her cousin.

The Defense then asked when the first time was that she went to the Voinjama area, to which the Witness responded that it was the end of 2000, and further specified that they went twice at the end of 2000 and once at the beginning of 2001. The Defense queried whether she had gone to Voinjama before she had been in the guesthouse. She replied that she had been afraid when she used to meet her friend, so used to stay outside. The Witness said she could not remember if she had entered the guesthouse before she went on the trip to Voinjama. She also stated that she had first met Massaquoi face-to-face in 2001. The Defense questioned how this could be true when she had said to the Finnish police that she had travelled with Massaquoi in 2000 by road. The Witness clarified that she went with them in 2000, but didn't know Massaquoi's name then, she only knew Benjamin Yeaten and Mosquito's names.

The Defense again referenced the police summary, noting a statement where she said that, two weeks after meeting him, she and her friend went to Lofa with him, which she said was 2002, and flagged this apparent inconsistency with her testimony that the first trip was at the end of 2000. The Witness explained that maybe the police made a mistake, because she never said 2002, as she was in Nigeria in 2002. She reiterated that she had said 2000 and 2001, and then noted that maybe she had mentioned early 2002 as she had gone to Lofa then to tell her parents that she was travelling to Nigeria, but not with Gibril and [FNM-071].

The Defense turned back to the guesthouse, asking how many times she went inside, to which the Witness responded she had gone inside once. She stated that the first time she met Massaquoi was when her friend introduced them; he said his name was Massaquoi. And her friend said he was her boyfriend. The Witness said she didn't remember his name again.

The Defense questioned the Witness about how she had come back from Lofa, pointing to an apparent inconsistency in her story, to which the Witness clarified that she went to Voinjama twice and Kolahun once. The Witness clarified that she didn't say anything to the police about a helicopter. When asked about a motorbike trip, the Witness explained that when Gibril took them, the same pickup brought them back – the three pickups, and that she came back from her parents in Lofa by bike, as the road was bad and she had needed to return to go to Nigeria.

The next phase of questioning was on why she did not mention her own assault in the summary. Witness 30 reiterated that Massaquoi beat her friend when she had entered the forbidden room. She said that she had stepped in between them, and Massaquoi pushed her and she hit her nose on the door. Massaquoi then knocked her friend down and started to punch her. Witness 30 had left, and a soldier came and told Massaquoi that [FNM-071] was pregnant. The Witness confirmed that her friend had asked Massaquoi why he had weapons in the house, and that Massaquoi told her that she would have to come to the front line if she wanted to know, but [FNM-071] never went. The Witness confirmed that this was when she decided to escape.

The Defense then put to the witness that she had said that her and her friend stole money from Massaquoi and went to Monrovia by motorbike. The Witness suggested that maybe the police didn't hear her properly, and reiterated that she had ridden a motorbike when she went to visit her parents. She stated that, when she and her friend escaped, a driver who was a young Mende boy escaped with them. She clarified that her friend couldn't ride a bike because she was pregnant.

The Defense again played a recording snippet in which the Witness said: *"we never carried the child. She left the baby and they carried a Yamaha bike."*

Witness 30 replied that her friend and Gibril had a child; that she was pregnant when they went, but the beating made the baby move. Witness 30 stated that she did not remember the child's age, but that she used to go see the child when they had rented the apartment in Congo Town. The Defense stated that the Witness had been asked when the child was born, and that she had responded that her friend was pregnant after the first meeting and the child was born at the beginning of 2002. The Witness replied that maybe she forgot and that she can't remember everything.

Witness 30 stated that the reason she did not tell the police that she went to Lofa was because she could not explain everything entirely. They ran away twice;after the first time he came and begged, and her friend paid the Witness 300 USD towards her saving for Nigeria to go back with her, because her friend *"wanted something from him."* Witness 30 explained that she never saw Massaquoi after they escaped. She only saw [FNM-071], when she attended her wedding. She later went to look for [FNM-071], but was told by some that she had moved, told by others that she had travelled. She had told the police during the interview that she would find her, but couldn't see her when she went to look for her.

The Defense then asked if Massaquoi or anyone else used a fighter name, to which the Witness responded that maybe they said it, but she didn't hear it. She said that she only used to know him as "uncle Massaquoi", and it was only at the interview that she found out his name was Gibril.

The Prosecution then asked the Witness how the Finnish police had shown her pictures during the interview, to which she responded that they had shown her many pictures at the start of the interview. In response to a question about whether she met [Employee 1] when she came to Monrovia and has been waiting, the Witness stated no, she only received a call, and that she doesn't know if he is black or white, and recalled that last night she called him to pay for her food. The Defense picked up on this, asking if they had arranged her food. She replied that they gave her palm butter last night and tea and bread this morning, and noted that she is pregnant. The Defense asked if she knew the people she was staying with in Monrovia. The Witness stated that she met a woman but did know her name. She also stated that there were two men inside their own apartment, but she also didn't know them. When asked if she looked at pictures again after the interview, the Witness first said she couldn't remember, and then stated that she had been shown them one time.

March 22, 2021 – [Liberia] Day 19: The Hearing of Witnesses 31, 32, and 33

The nineteenth day of public hearings resumed on 22 March 2021 in Monrovia, Liberia.

Witness 31 is heard

(Finnish Witness ID: Civilian 13)

The Prosecution questions Witness 31

The Witness began by testifying about events that took place in Kamatahun, where he was living during the war. He explained that when LURD forces came, the Witness and others in the town fled into the bush. They remained there until the government forces came and took them back into town. The government forces then left the town in order to launch an offensive against the LURD forces, but were unable to repel them, and subsequently returned to the town.

The Witness recalled one day when the government forces had called *"their friends"* to come and help them; the reinforcements that arrived spoke Krio. They joined the government forces in a subsequent attack, and returned with some people. These people were divided by the government forces and reinforcements, who killed some of them, and left the others.

After three days, the group went out of the town once again, and brought back more people, who were subsequently placed inside a building. The next afternoon, one of the commanders who they used to call by the name *"General Gabriel"* gave an order to the *"children"* (*young soldiers*), saying, *"y'all put fire on that one leh it burn"*. Everyone stayed in the house and was burned alive. The Witness described feeling afraid at the time.

The Witness explained seeing the soldiers capturing seven women and tying all of them up. The same General Gabriel said to his soldiers: *"anything y'all want to do to them, y'all do to them"*. When the women were being taken away, General Gabriel followed. The next day, all of the women were found naked and dead. Upon seeing the women, the Witness recalled thinking that the soldiers had raped the women, and that was why they were naked.

One of the soldiers, [FNM-117], told the Witness to come with him to get food. Noting that he was very afraid after seeing the soldiers kill people, he followed the soldier into the bush but then escaped. The Witness recalled that these incidents took place in 2001 but couldn't recall the date. He clarified that there are two Kamatahuns but he was referring to Kamatahun Hassala.

The Witness further explained that the people were locked in a house near the mosque in the center of Kamatahun Hassala, which he noted was on the left side when going towards Vahun. He noted that Gabriel was the general among the soldiers, and reiterated that it was General Gabriel who gave the orders to put the people in the house, set it on fire, and later to tie the women up. He clarified that he heard General Gabriel give these orders, as he was close by and could hear anything they said. He stated also that he could see them.

The Witness explained that he knew that the man's name was General Gabriel because the soldiers called him by this name. The Witness added that he had not heard them referring to the man by another name. The Witness stated that he saw where the women were taken and that he knew the place, even to this day. He explained that they were taken behind the blacksmith's shop, to a house which has since broken down. The Witness recalled seeing Gabriel following the soldiers who were taking the women to the kitchen. When asked whether he had seen Gabriel go inside the kitchen with them, the Witness noted that they had remained in there all night, so he does *"not know exactly what happened"*. The next morning, the Witness saw the bodies of the women in the kitchen, and it made him so scared that he decided to hide. He explained that all of the women were naked, and some of them had been killed with a knife, whilst others had been beaten.

When asked how many people were in the house that was burned down, the Witness estimated that there were approximately thirty-five. The Prosecution then returned to questions regarding the women who had been taken to the blacksmith's kitchen. The Witness stated that he was not sure how old the women were, noting that some of them were *"matured."* He explained that there were too many soldiers that went with the women for him to count, and reiterated that, the General said: *"y'all go and do anything you feel like doing to them."*

The Prosecution then asked how the Witness had come into contact with the Finnish police. The Witness stated that, one day after he and others came in from the bush, they were told that people came to ask what happened during the war. According to the Witness, after six months, some white people came and began questioning them, and he told them about the incidents he described in the courtroom today. He concluded by remarking that he did not see the people who originally came, so could not say if they were white or black, and that no one else has come to ask them about the war other than the Finnish police.

The Defense questions Witness 31

The Defense continued the line of questioning about how the Witness had come into contact with the Finnish police. The Witness reiterated that he was not present when the people first came, and stated that they had met with the leaders of the town, who had then passed the information on to him. He noted that he did not ask whether it was black or white people who had first approached the leaders of the town. The Witness recalled that the first time he met with white people, they simply arrived, interviewed him, and left on the same day. The Defense asked the Witness whether any of his family members were interviewed before he was, to which the Witness replied that no one had told him this. The Defense noted that the police report stated that the Witness's brother had been interviewed the previous day, and that he was the one who brought the Witness to the Finnish police. The Defense further asked the Witness if he knew anything about two other people being interviewed on the same day as he was, as this was also stated in the police report. The Witness replied *"yes"*, and further elaborated that the people did not sleep there, they just interviewed them and went back. The Defense again asked if the Witness knew they had interviewed his brother the previous day, to which he replied that they did not know the people were coming before they arrived, but only knew what the elders had previously told them after the people first visited. When asked again if he knew they were coming that day, the Witness responded that the people had told them they were coming back, and then after six months passed, they had forgotten about it. When asked who had told them that the people were coming, he gave the name of the town chief, [FNM-086]. The Defense asked

if they used to call the town chief [FNM-078], to which the Witness replied that he knew [FNM-078] from when the white people came.

The Court called for a break for clarification, after the Defense questioning was interrupted by the Prosecution. The Defense also had an issue with the Gbandi translator for the next Witness, and claimed that there was a conflict of interest as the translator works for, or previously worked for, the Finnish police, and that he had also been in court during testimony.

The Defense asked the Witness when he had last seen [FNM-078]. The Witness stated that he did not know whether [FNM-078] had been present in the courtroom, and noted that he had not seen [FNM-078] that day. The Defense asked whether the Witness had seen [FNM-078] in his hometown, to which the Witness replied that there is no such person with that name in his hometown. He added that, the day the white people came was the day that he had met [FNM-078] for the first time, and since then, he hasn't seen [FNM-078]. The Witness recalled that [FNM-078] arrived with the white people and left with them as well. The Defense then asked if the witness knew [Employee 1], and the Witness replied that he had never seen [Employee 1].

The Defense asked the Witness if his interview with the Finnish police was recorded, to which the Witness replied that he did not know whether it was recorded. The Defense noted that it was recorded, and that the Witness had stated in that interview that he had met [FNM-078] before the Finnish police came, and that [FNM-078] had told him that white guys were going to come and interview the Witness about how the war ended. The Witness denied saying this, reiterating that the people had met with the elders and [FNM-078] had not told him about the people coming.

(The recording is played)

The Defense reiterated that, in the recording, the Witness stated that he had met [FNM-078] before the Finnish police were there. The Witness explained that there may have been some miscommunication, as he did not talk *"face-to-face"* with [FNM-078], but rather [FNM-078] had spoken with the people in the town. The Defense additionally noted that the police also told the Witness that they had spoken with his brother. The Witness stated that more than one person had come, so it was possible that, while one person was talking to him, other people were talking to others.

The Defense pivoted to questioning the Witness about the house that was burned down, and the women who had been taken behind the blacksmith's kitchen. The Witness stated that these incidents did not occur on the same day, but that he was not entirely sure how much time had passed between them, because it happened during a war. The Witness further stated that *"it was after one week the thing took place"*, because the soldiers would rest a little after going to fight. The Witness recalled that all of the houses in Kamatahun Hassala were burned down, except for the blacksmith's kitchen and one other house. He explained that the soldiers did not burn the entire town on the same day that they set fire to the house with people inside, because the soldiers were living in some of the houses themselves. He clarified that he and others had returned to the town after the war was over to see it burned down. The Witness again noted that it was 2001 when he was in Kamatahun Hassala and witnessed the incidents, after which he ran

away from the town, also in 2001. As a result, he said he could not say what happened there in 2002 and 2003.

The Defense put to the Witness that he had told the Finnish police that the soldiers had burned the whole town in 2003, to which the Witness replied that they were staying in the bush because the LURD forces were *"coming and going."* He also reiterated that the only houses that remained after the town was burned was the blacksmith's kitchen and one other house. The Defense further questioned the Witness about whether he saw, or only heard about, the burning of the house. The Witness reiterated that the event occurred close to his house, and he *"saw with [his] own eyes when they set the house on fire"*, clarifying that, when the people started crying, he left, as he could not stand there and watch. He further clarified that the incidents he described had happened from 2001 to 2002.

(A recording is played)

In the recording, the Witness stated that the whole village was burned down in 2003 and that the other incidents took place between 2001 and 2003. He explained that the soldiers said that the spirits of the people they had killed were haunting them in the houses, so they burned the whole town and left in 2003.

The Defense asked the Witness to estimate how many times he saw the commander who was giving the orders. The Witness stated that he believed that he had seen him six times, and reiterated that where he was living was not far from where they stayed. The Witness recalled that [FNM-114], Benjamin Yeaten, and *"Superman"* were in town, and noted that they were also commanders. When asked about the name Zigzag Marzah, the Witness stated that he had also been there doing bad things, and noted that he was from Liberia. The Defense then asked the Witness whether the Commander arrived on foot or by car, to which the Witness responded he saw all of them walking, and that they were not in a car.

The Prosecution asked the final question of whether the Witness knew where the other people, like General Gabriel, were from. The Witness replied that all of them were speaking Krio, and that he knows that Krio is from Sierra Leone.

<u>Witness 32 is heard</u>

(Finnish Witness ID: Civilian 16)

The Prosecution questions Witness 32

Witness 32 began by testifying to events that occurred in Kamatahun Hassala (*referred to simply as "Kamatahun"*). The Witness was the town chief there during the war, and still is today. Witness 32 began narrating the events that occurred there during the war, stating that a government commander first called him and told him to take their broken bike to Kolahun. While doing so, the Witness and others he was with encountered soldiers running towards them from Kolahun, going in the direction of Kamatahun Hassala. The soldiers told them that LURD forces

had already attacked Kolahun, so the Witness and others turned around to return to Kamatahun Hassala. The next day, the Witness saw Benjamin Yeaten and other soldiers pass by the town in a jeep, and tell the townspeople to fix a broken bridge. The next day, LURD forces attacked Kamatahun Hassala around 11 a.m., while the townspeople were fixing the bridge.

According to Witness 32, the whole town was *"upside down"* because there were about five thousand government troops there. He said everyone was *"mixed up"* the whole day — civilians and soldiers running. People were trying to find their families, and eventually gathered with them on their farms. Initially they didn't take it that seriously, but they ended up being in the bush for a month, until the government forces called and said they could come back. The Witness took a moment to explain that it is not hard for people to forget *"[a]fter some time"*. He then stated that everyone went back to live in Kamatahun Hassala; nobody returned to live in the towns nearby again.

He went on to explain that, a couple of months later, there was another attack by LURD forces coming from the side of Vahun. Fighting lasted for over three hours, and around 6-7 p.m., the government forces decided to retreat to Popalahun. The Witness stated that he was there with them for almost two months. He estimated that this would have been around July or August 2001.

Next, the Witness described one morning when they were sitting down and saw people running from Kiatahun who said "*the rebels took plenty people*." He explained that the reason why they were called "rebels" was because they were government troops who had been killing people. The "rebels" got to Popalahun and captured many people, including some of the Witness' and his townspeople's family members. The Witness said they even chased his deputy who had been in Kiatahun at that time, but he had managed to run away. After the people who came from Kiatahun told them these events, the Witness and others decided to walk to Kiatahun to attempt to see some of their family members. However, while they were on their way, they were captured. The Witness clarified that he couldn't say if it was the same group, but they were soldiers. He said they stayed with the soldiers for some time, and they were taken to Kamatahun via the bush road. The Witness stated that there were many people in Kamatahun, and they were all packed together in the center of town.

Witness 32 explained that the commander came and said *"I am Angel Gabriel. These people, we will burn them. I told y'all not to fire [shoot], we will burn them."* Witness 32 stated that there was a big house where more than one hundred women lived, and that was the house they put people inside and burned. He later clarified that the house was close to the town hall. The Witness described what occurred: The rebels went into the house and placed the beds against the walls, poured gasoline inside, put people in the house, and nailed the exits shut before setting fire to the house. He recalled that the people inside were crying until the roof collapsed into the flames. An old man, [FNM-042], who came from a surrounding town, fought hard to get out of the fire, and momentarily escaped, saying *"please help me, I want to live, I na die yet"* but was pushed back into the burning building and locked in by a soldier. After some time, the fire began to cool, which allowed some people to escape. After that, the Witness saw them take seven women, who were naked, behind the blacksmith's place. He noted that it was the only house that was standing in town at the time. The Witness was ordered to get some water for cooking, and when he went to do so, he managed to hide himself in the bush and went back to Popalahun. He recalled that they were in exile for less than a year, and people in Monrovia told

them to go back to Kamatahun Hassala. The Witness stated that, if you had gone there at the time, you would not believe that people could live there; women and children had been killed and they saw twenty-seven bodies packed into the house. They had checked them, but the bodies were rotten. The Witness noted that there were many bones in the town, which they packed all together. The Witness recalled finding bones tied together in front of the house of a *"big man"* who used to tie people together and kill them.

The Witness then described one morning when some people from an NGO came, and said they were from a humanitarian organization, and giving their condolences for what had happened. The Witness said they all went together to where the bones had been packed. The people from the NGO took many pictures and spent the whole day there, and when the NGO people were leaving, they suggested that the townspeople bury the bones. The townspeople then buried the bones beside the grave of one of their *"big men"*.

Witness 32 noted that another group came to visit, and told them that they had come to celebrate the dead. The group said it would make three big sacrifices because some of the people were *"Zoes"* (*traditionalists*), some were Christians, and some were Muslims. They returned a week later, and said they were going to build a palava hut in town over a grave with all the bones.

The NGO brought a pastor, an Imam, and *"the Zoe"* to commemorate the dead. The Witness recalled that the palava hut over the mass grave was the only development they did for them. Later on in the testimony, the Witness explained that the NGO "*did not come to investigate*" but only came because they heard about Kamatahun Hassala being burnt down. The Witness did not discuss the incident with them. He also did not remember the name of the organization.

Following the narration by Witness 32, the Prosecution asked which side of the road the house where the people were burned was on, when going towards Vahun. The Witness indicated that it was on the left, and now in its place stands a beautiful house that was built by the old man's sons.

The Defense then turned to questioning the Witness about the incident where people were locked in the house and burned. Witness 32 reiterated that, before the people were locked inside, the commander, Angel Gabriel, gave the order to *"put the people in the house and let it burn."* The Witness clarified that he was *"right there"* when Angel Gabriel gave the order.

The Witness was then asked what was done to the seven naked women, to which he replied he only saw the soldiers carry the women to the house behind the blacksmith's place, which was their *"headquarter"* where they were based. When the Defense asked if the Witness went to the house in question after the incident, he replied *"no,"* and that *"[i]t was the very day"* he and others left Kamatahun and did not return.

When asked to give an estimate of how many people were placed in the house to be burnt, he indicated that there were many, including children, but he could not estimate how many. The Defense recalled that the Witness had mentioned the incident occurring in July or August, and asked if he could remember the year, to which he replied 2001.

The Prosecutor then asked him if he remembered the words Angel Gabriel used when he locked the house. Witness 32 stated that Angel Gabriel said: "*I told y'all not to fire these people, bring them let's burn them*." He described Angel Gabriel as a slim, not tall, man who spoke Krio and wore a round hat.

The final line of questioning from the Prosecution centered on the interview with the Finnish police. Witness 32 recalled that last year, he was told by people in the village when returning from his garden that some people had come to see him. The villagers told him that the visitors were white people looking for individuals who could share their experiences during the war. They spoke with the Witness's deputy, [FNM-087], when they came.

The Defense questions Witness 32

Witness 32 reiterated that when white people came, he was not there. He also added that no black people had come to town inquiring about the same issue since the end of the war.

The questioning shifted to the presence of the NGO that had visited the town. Witness 32 stated that he did not remember the name of the organization. The Defense then began to set its focus on the people who created the memorial for the dead. The Witness stated that the memorial was still there and people still visited it regularly. Though he could not remember the exact year, he stated that it has been more than three years since the memorial was built. Witness 32 told the Defense that the people did not interview anyone, nor did they collect any information. The Witness also explained that his town did not experience Ebola.

The Defense then referred to the police summary in order to point out an apparent discrepancy in the dates stated by Witness 32. The Defense drew attention to the fact that Witness 32 had mentioned 2002, but the Witness stated that it must have been a mistake, since he recalled the year as 2001. He also recalled the months to be July or August, because they were harvesting peanuts. The Defense inquired about harvesting time for rice, and the Witness explained that it can be harvested in either July or August, but September is usually when most rice is haversted. The final line of questioning from the Defense focused on the burning of the house and the seven women. The Defense mentioned that Witness 32 had previously stated September 2002 as the month and year that both incidents occurred. Witness 32 replied that they had left Kamatahun Hassala to Kpanhun before going steadily to Kolahun. He explained the discrepancies by the fact that it had been more than ten years since the incidents occurred, and he did not expect anyone to ask him questions. Witness 32 clarified his statement to the Finnish Police regarding the rice and harvest time. He explained that they had not been living in Kamatahun Hassala. They were in Popalahun during that period. He further explained that the rice is usually ripening, and September is when the rice is usually dry and ready to be harvested.

The Prosecution asked one final question before the testimony ended, and Witness 32 said that he could not recall where Angel Gabriel was when the women were taken behind the blacksmith's house.

<u>Witness 33 is heard</u>

(Finnish Witness ID: Civilian 14)

The Prosecution questions Witness 33

The Witness began his testimony by recalling what happened in Kamatahun Hassala during the war. Witness 33 explained that he was in Kamatahun Hassala and recalled that LURD forces came and attacked government troops. The Witness said that he and the townspeople ran into the bush and eventually arrived at a village named Selahun. As the government troops went back to Kamatahun Hassala, one of the government commanders, *"No Monkey"*, went into the bush and brought the Witness along with others to the other commanders. The Witness stated that the other commanders were named [FNM-161], Zigzag Marzah, and [FNM-122]. He noted that there were other commanders, but he couldn't remember their names. The Witness stated that this occurred around the time when the RUF came from Sierra Leone to help the government troops; Sam Bokarie (*Mosquito*) and Angel Gabriel were with them. The Witness recalled that they brought people from nearby villages to Kamatahun Hassala, and that Angel Gabriel took the Witness's "*sister*", [FNM-162], as his wife.

The Witness remembered an instance when the soldiers gathered people in front of the town hall. He recalled that Angel Gabriel gave orders to the other soldiers to make people go inside a house, and to set it ablaze. He noted that he used to wash their dishes, and that he was also supposed to be inside the house which was set ablaze, but his friend, [FNM-162], saved him from going inside. Later in his testimony, he specified that this occurred around the dry season, between 2000 and 2001.

After two days, the soldiers captured some women and took them by the blacksmith shop and raped them. The Witness later confirmed that he himself saw the soldiers take women behind the blacksmith store, and that Angel Gabriel gave the order. He also noted that he did not see the women get killed, but he saw their bodies later. He further elaborated that soldiers said they would rape the women even before they took them behind the blacksmith shop. The Witness clarified that the women were taken to another building behind the blacksmith shop, which was located on the left side of the road, coming from Vahun, and on the right side of the road, coming from Kolahun.

Two days after the events at the blacksmith store, the LURD forces came back, and the townspeople escaped to the bush once again and went to Yandohun. The Witness stated that Angel Gabriel killed [FNM-162] in the house they shared in Yandohun. He further clarified that [FNM-162] was Angel Gabriel's "*wife*", and that Angel Gabriel murdered [FNM-162] with a knife, but the Witness did not know the reason as to why Angel Gabriel had killed her. The Witness stated that he got hurt while escaping from Yandohun. He recalled that he escaped to a LURD occupied area, where he remained until the end of the war. According to him, after the war had finished, he returned to Kamatahun Hassala.

The Prosecution asked some clarifying questions. The Witness explained that he and his friend [FNM-162] did not have the same parents, but he had called her his sister because they both spoke the same language and both were Gbandi. He then stated that there were many commanders at the town hall, but that Angel Gabriel gave the order to set the house on fire. The Witness confirmed he had heard Gabriel himself. The Witness noted that Angel Gabriel usually

said *"I am next to God"* as he was giving orders. The Witness did not know exactly how many people were inside the house, as "*[s]ometimes you can be looking, because of the fear, you remove your face from there.*"; however, he estimated that there were around fifty people. Later in his testimony, he also specified that the house was located opposite the town hall, near a mosque, and that the house was painted yellow. The Prosecution then asked the Witness about his escape to Yandohun. He explained that he fled together with the commanders and [FNM-162] to Yandohun, and that he helped them around the house.

The Prosecution asked the Witness how the Finnish police had contacted him. The Witness explained that the Town Chief knew who in town had been there until the war ended, which was how the Finnish police found him and others.

Finally, the Prosecution asked the Witness how Angel Gabriel spoke. The Witness explained that Angel Gabriel spoke Krio, and added that "*it was the sound of the gun they used to talk to us.*"

The Defense questions Witness 33

The Defense began its line of questioning by asking the Witness to identify which group of people first came to town to enquire about the war. The Witness explained that the Town Chief told them that a group of white people came to the village to ask questions about the war. The Defense questioned the Witness how long it took between the first contact and the interview. The Witness recalled that it was last year but couldn't remember when specifically. The Defense informed the Witness that, according to the summary, he was interviewed on 28 November 2019.

The Defense recalled that the Witness said he had fled Kamatahun Hassala and saw women taken behind the blacksmith's store. The Witness clarified that this happened when they left from Selahun and arrived at Kamatahun Hassala. Moreover, the Witness confirmed that he was in Kamatahun Hassala when the house was set ablaze and when the soldiers took the women behind the blacksmith's store. However, the Witness stated that he was not there when the rest of the town was burned, but he heard it happened. The Witness stated that they were the first to come back to Kamatahun Hassala after the ceasefire. The Defense pointed out that, in the Police report, the Witness stated that the town was burned down a few days after the women were killed in the house. The Defense asked whether there was a memorial built in Kamatahun Hassala, and the Witness explained that there was a palava hut built and put in place. He noted that he helped build the palava hut, but could not recall the exact date when it was built, nor did he know who the people that built the memorial were. He did not speak with them, but his brothers interacted with them.

Finally, the Defense asked whether the Witness was shown pictures during the police interview and when during the interview this was done. The Witness stated that they showed him many pictures after the interview had been going on for a while, and that they continued talking after he had seen the photos.

The hearing concluded and will resume in Monrovia on Tuesday, 23 March 2021.

March 23, 2021 – [Liberia] Day 20: The Hearing of Witnesses 34 and 35

The twentieth day of public hearings resumed on March 23 2021 in Liberia.

Witness 34 is heard

(Finnish Witness ID: Civilian 22)

The Prosecution questions Witness 34

Witness 34 testified about attacks in Kamatahun Hassala. The Witness had been in Nyewoihun, a village close to the Sierra Leone border, when he returned to the nearby town of Kamatahun Hassala. During the second war, while Charles Taylor was already president, several armed groups were active in Kamatahun Hassala, including Charles Taylor's soldiers and rebels as well as the RUF. LURD forces would frequently attack Kamatahun Hassala and then retreat. Many senior commanders of the RUF and Charles Taylor forces were present in the town, including *"5050,"* [FNM-161], and Zigzag Marzah. Because Kamatahun Hassala was a large town with many people, the commanders divided it among themselves and oversaw their own groups. They would leave Kamatahun Hassala for various combat missions and then return, often bringing captured civilians back with them.

The Witness recalled a day in which the forces brought a group of about thirty people to Kamatahun Hassala; they came from towns like Kpengbelahun, Kimbalahun, and Kiatahun. The captors brought the group into a house. Witness 34 heard a commander calling himself "Angel Gabriel" order the house to be burned down. The Witness later elaborated that he heard Angel Gabriel say in Krio, "*you put the house on fire*." The Witness saw the house set on fire.

Witness 34 later clarified that he had witnessed two fires. In the first one, "big people" were burned alive. In a second, also ordered by Angel Gabriel, about 20 to 25 "little children" were put in a cook shop and burned by Angel Gabriel and his group. He estimated the children were ten years old and younger.

The Witness also recalled that on that day, Angel Gabriel ordered his soldiers to carry a group of seven women to a blacksmith's kitchen. They had been tied up. Witness 34 later stated he remembered Angel Gabriel saying, "*carry these women and do whatever you want to do to them*" and then followed the soldiers to the kitchen. Witness 34 did not go into the kitchen; he was hiding. Still, he could hear the women crying; he does not remember for how long. He saw their bodies the next day and later helped bury them. Some had knife marks and others had broken bones, as if they were beaten to death.

When pressed, the Witness stated firmly that he heard and saw these events himself. He also noted that the kitchen was on the right if one was going towards Vahun. Witness 34 noted that, after the war, people came to the town and buried the bones of those who died in the fires. A palava hut, which they also called *"skeleton hut"*, was built on the site. The Witness later stated that the hut is on the left if one was entering Kamatahun Hassala from Kolahun.

After that day, the Witness traveled to Hembeh, Lofa County with a group of eight, where he stayed until disarmament. When he returned to Kamatahun Hassala, the bush had taken over the town. Every day, while cutting the grass, the people would discover dead bodies, which they would bury. The Witness stated that most people were killed in houses: after the war, they saw the bones and gathered them. Some people took pictures of the bones.

Witness 34 believed these events occurred in 2001. He recalled that they were planting at the time, which they do around April and May. He acknowledged that he did not know the year himself, but had heard it from others in town, where it appeared to be common knowledge.

After returning to Kamatahun Hassala, the Witness stated that the remaining townspeople and some people from Monrovia made a sacrifice. He later clarified that there were multiple sacrifices. The first was done only by people from Kamatahun Hassala and had no affiliation with NGOs or the Liberian government. Some families conducted individual sacrifices. In 2004, an NGO came to the town to help build the palava hut and they made a sacrifice again. The Witness could not remember the name of the NGO. He also stated that one of his uncles, [FNM-090], is a journalist, and came to film the event.

The Witness stated that he had spoken about the 2001 events with friends. He confirmed that no one associated with the government or other organizations except the white people who came to Kamatahun Hassala had ever come to ask him about the events.

The Defense questions Witness 34

The Defense began its line of questioning by asking about the women killed in the blacksmith's kitchen. The Defense noted that the Witness had told police he had been alone and he buried the women the next day. The Witness could not recall the exact date they were buried but stated that it was a few days after they had died, the bodies were almost rotten; he also stated that he had not been alone, and that multiple people helped bury the bodies. Additionally, Witness 34 noted that he had seen Angel Gabriel carrying one crying woman into the house. The Witness reiterated that he, himself, had not entered the house.

The Witness then stated that Angel Gabriel was the common name used in Kamatahun Hassala and if he used a different name, the Witness had not heard it. He could not confirm how often Angel Gabriel was in the village because he would come and go. The Witness recalled that Angel Gabriel spent three months in Kamatahun Hassala after the war intensified. After Angel Gabriel left again, he could not remember seeing him until the war was over.

Turning to the palava hut, the Witness confirmed that there is a memorial plaque on it. As he cannot read, he did not know what it said, when it was put up, or who brought it. He did remember that two individuals who headed the NGO, [FNM-091] and [FNM-092], were present. The Witness remembered they told the citizens of Kamatahun Hassala to "*forget all that has happened, let's work together*." The Witness did not talk to them about the events but recalled that [FNM-088] and [FNM-089] spoke on the village's behalf.

The Defense then questioned Witness 34 about his contact with Finnish Police, who the Witness referred to as white people. The Witness confirmed he was not aware if there was any arrangement with the police about when they would be in the village. Other townspeople knew the Witness had stayed in Kamatahun Hassala during the war, so they found him and told him not to go to his farm that day as some people wanted to talk to him. The Witness did not know if the Finnish Police spoke with [FNM-088] or [FNM-089] but remembered that [FNM-091] spoke with them. He confirmed that he spoke with [FNM-078], but he did not know [Employee 1]. He remembered [FNM-078] was brought to translate for the Finnish Police because the Witness does not speak English.

Witness 35 is heard

(Finnish Witness ID: Civilian 40)

The Prosecution questions Witness 35

Witness 35, a villager from Kamatahun Hassala, described a time when soldiers attacked his hometown and people were captured. He said that he was in Kamatahun during the war, where Charles Taylor's troops were also staying. One day, LURD forces came and attacked the town. The government troops left, and LURD captured him and took him to Kpokulahun. While in Kpokulahun, government troops attacked the LURD forces, who fled. The Witness was then brought back to Kamatahun.

On the way back to Kamatahun, the Witness met a Sierra Leonean man who called himself "Angel Gabriel." Witness 35 later testified that Angel Gabriel spoke Krio. Angel Gabriel ordered for a man to be killed and said that hewould eat the man's heart. Witness 35 stated later that the man was a civilian. He saw Angel Gabriel's bodyguard cut the man's throat; the man was butchered, with his heart removed. The Witness clarified that he did not see Angel Gabriel eat the heart.

Next, Angel Gabriel put people in a house in the center of Kamatahun and said, "*I am angel Gabriel, I am next to god. I am going to burn these people."* Witness 35 was unsure exactly how many people were in the house, but testified that there were more than 10. Angel Gabriel gave the order to burn the house and told soldiers to surround the house until it burned. The Witness said that the house was on the right side of the road when coming from Vahun, near the mosque and the town hall.

After the house burned, seven women were brought to Angel Gabriel, who ordered that they should be tied up. The Witness saw the women, who were stripped, being taken to a kitchen around the blacksmith area. The Witness described the kitchen as a hut that had two rooms where people used to sleep, located on the right side of the road when coming from Vahun. The Witness was sent to fetch water and did not see whether Angel Gabriel followed the women. The Witness said that the women were raped by many soldiers. The Witness heard the women crying and said that he saw the next day that the women were dead. When the Prosecution asked about specific injuries on the women and how they were killed, the Witness hesitated. He said that where women are raped and killed, one "*shouldn't go too deep in that one*." The Witness eventually noted that some of the wounds on the dead women looked like knife wounds, and

some wounds looked like they had been beaten with sticks. He explained that it was the commander who ordered the women to be taken to the kitchen.

The next morning, the Witness was made to put ammunition on his head and the group proceeded to Vahun. The Witness said that the soldiers used to burn houses one by one, or at times would burn two houses at a time. They would not burn all the houses at once. Due to the way the soldiers were killing people, the Witness was afraid and hid. In response to questioning, the Witness clarified that he saw many other people being killed. For those who were killed, there was no burial and the bodies would stay there and rot. The Witness also explained that these events occurred between 2001 and 2002, specifically noting that the people burned in the house were killed in 2001, during the dry season.

Finally, the Witness was asked about his experience talking to the Finish police about the incident. The Witness remembered seeing white people but did not know if they were police. He explained that he was in Kamatahun when two men came. One was [FNM-078], and the Witness could not remember the name of the other man. The men asked for the town chief, who was away, so they were brought to the deputy town chief instead. The men explained to the deputy town chief that there were white people coming to ask about the villagers' experiences during the war. The Witness was told about this by the deputy town chief, but the Witness did not speak with the men before they left. [FNM-078] then came back with white people, which was when the Witness was introduced to him. The Witness explained that the white people asked about the villagers' experiences and that several including himself told them what happened. The villagers also showed them the places where the soldiers raped and burned people. Over a year later, [FNM-078] came to the town and said that white people wanted to talk to the villagers. At the time, the Witness was in Sierra Leone. Upon receiving the message from the deputy town chief, Witness 35 came back.

The Defense questions Witness 35

The Defense began by clarifying that the Witness saw Angel Gabriel in Kamatahun, the Witness' home, and not on his way to Kamatahun, as previously stated in the testimony. The Witness recalled a memorial area in his hometown where they built the palava hut, but could not remember who brought it there or when. He explained that it was built because of the people that died, so that the villagers can remember. The men in charge of the palava hut project were [FNM-088] and [FNM-089]. When asked whether the white people interviewed [FNM-088] and [FNM-089], Witness 35 explained that they were not in Kamatahun when the incident took place and so they were not interviewed.

Witness 35 also recalled the identities of other soldiers present along with Angel Gabriel, including [FNM-161], Zigzag Marzah, Mosquito, and a man from Sierra Leone called Cobra. The Defense asked several times if anyone else other than Angel Gabriel ordered the soldiers to burn houses. The Witness answered that soldiers were "*wicked*" and followed these orders immediately; he also clarified that when he (Witness 35) was there, it was Angel Gabriel gave the orders. He did not know if someone else gave orders at other times.

The Defense then asked the Witness about his prior statement to the Finnish police that Zigzag Marzah had burned people in houses that same year. The Witness explained that he only talked

about Angel Gabriel and then was asked about these other people. After the Defense attempted to clarify if Zigzag Marzah burned people, the Witness clarified that he heard about Zigzag Marzah burning people but did not see it himself; he felt he should talk about what he saw. The Witness further explained that when he returned home, the soldiers had burned all the houses in Kamatahun and there was only one kitchen and the blacksmith place left. Defense counsel continued to probe Witness 35 about his police interview, asking why he only talked about Angel Gabriel and not about other people. The Witness responded that he was told to talk only about what he saw, not what he did not see.

When asked how long Angel Gabriel stayed in Kamatahun, the Witness estimated that he and Angel Gabriel were in the town at the same time for a week. The Defense noted that in the police report the Witness had said they overlapped there for two weeks. The Witness said that there might have been a mistake in the report. He went on to explain that when the soldiers put ammo on his and other villagers' heads, they had to leave other people in the town. He then went into hiding. Back in Kamatahun, soldiers stayed on and continued to do "*many bad things*."

In response to a question from the Defense as to whether the Witness saw anyone other than Angel Gabriel "*doing bad things*", the Witness said the man was the commander, and that if anyone was doing bad things it was because he gave the order for them to do it. The Witness reiterated that he could not speak to what happened or who gave orders after he left the town.

Returning to Witness 35's account of a civilian being ordered to be killed by a Sierra Leonean commander, the Defense asked if the man was a LURD soldier. The Witness explained repeatedly that he had not said it was a LURD soldier in his testimony. The Defense clarified that he was referring to the interview with the Finnish police, to which the Witness stated that he had not said anything about LURD soldiers to the Finnish police. Defense counsel repeated that Witness 35 had told the police that Angel Gabriel ordered the killing of a LURD soldier and his men then brought him the LURD soldier's heart to eat. Witness 35 denied saying these things.

The Court then played a recording from Witness 35's police interview in which the Witness mentions Angel Gabriel and states that "they" captured a LURD forces soldier. In the recording, he further stated that when they captured LURD soldiers, they took off the heart; Angel Gabriel said he would eat it. After the recording was played, the Witness asked to explain. He said that when the soldiers would capture civilians, they would call them LURD soldiers because that is who they killed. The Witness stated that this was why he referred to LURD soldiers in the recording. The Defense continued asking whether the man was a soldier or civilian, to which Witness 35 reiterated that this is what they called the victim. Asked why he did not tell the Finnish police that the man was a civilian, the Witness answered it was Charles Taylor's soldiers who said the man was a civilian.

The Witness also said that he left town after about ten houses were burnt, and after he left the soldiers burned the whole town down. He reminded the Court that many people like him had left town after ammo was put on their heads. The Defense pressed the Witness on whether he was present when Angel Gabriel gave the order for the town to be burnt. Witness 35 said about the Defense, "*I think he just wants me to lie.*" The Court stepped in, and asked the Witness if he heard with his own ears Angel Gabriel giving the order for Kamatahun to be burned down. The Witness said he did and stated that he heard this in 2001. When asked what happened after the

order was given, the Witness responded that he was not there so he did not know. He explained that at first, the soldiers had burned houses bit by bit. But when the soldiers left, they did not want LURD forces to take the place and make it a base, so they burned everything.

The testimony ended for the day. The hearing will resume on the 26th of March 2021.

March 26, 2021 – [Liberia] Day 21: The hearing of Witnesses 36, 37, 38

The twenty-first day of public hearings resumed on 26 March 2021 in Monrovia, Liberia

Witness 36 is heard

(Finnish Witness ID: Soldier 28)

The Defense questions Witness 36

The Witness began by stating that he was a soldier during the civil war from 1999 to 2000. He was ATU personnel and trained at Gbatala (Bong County); from there he was sent to Lofa County at the end of 1999. His commander was [FNM-126]. The troop he was in was a group of mixed soldiers, Liberian soldiers and RUF fighters who came to train along with them. There were troops that came to help them from Sierra Leone in early 2000; their commander was Sam Bockarie. There were many commanders, but Sam Bockarie was in charge. When asked if he remembered any names of the other commanders, the Witness said that he remembered Issa Sesay, Johnny Paul Koroma and [FNM-161]. Later on in the hearing, the Witness stated that he also remembered the name Superman.

When asked by the Defense, the Witness acknowledged that he did indeed remember someone called Massaquoi. He paused for a while, trying to recall his full name: unsurely, he said it could have been *"Jumbeh"*. The Witness also added that Massaquoi's war name was *"Angel Michael"*. He described him as a slim man from Sierra Leone, who spoke Mende. Later on, the Defense asked about Massaquoi's English, and the Witness responded that he did not speak English very well, comparing it to Krio. He added that Massaquoi had an interpreter. The Defense asked if the Witness knew what happened to Sam Bockarie in the war. To this, the Witness responded that Sam Bockarie was with them during the war. The Witness described that after Sam Bockarie arrested some Indian troops in Sierra Leone, they did not have sufficient arms; so he disarmed the Indian soldiers. Bockarie then sent the weapons and the people to Liberia. When asked, the Witness said that Sam Bockarie was not alive. According to the Witness, Sam Bockarie died in Liberia "*5:00 in the evening*", but he could not remember the date. He said that before Bockarie died, he deployed various commanders in Lofa to different areas.

The Witness stated that Sam Bockarie was killed by Benjamin Yeaten, and that Bockarie was killed "*because most of [the] commanders he deployed were doing bad things to Liberians*". His body was brought to Monrovia by a military helicopter, where it was embalmed. [FNM-127] was one of the generals who was on board the helicopter that transported the body. The Witness said he knew this because he was assigned with ATU, so anything in the country, *"they would be aware of"*. He was not involved in the body's transportation, but instead only saw it when they brought the body before *"the president"*. There were only ATU soldiers present for this. Most of the Sierra Leonean soldiers were assigned with *"50"* and they did not want them to see the body. The Defense then asked if the Witness remembered anyone called "Second God". The Witness responded that there was someone who used this name, but he died with Johnny Paul Koroma.

The Defense asked the Witness how the Finnish police got in touch with him. The Witness replied that a man named [Soldier 07], who was one of the commanders in Lofa, told him that some people wanted to come and speak with them. [Soldier 07] was the first who spoke with them, and gave the Witness's number to the Finnish Police. The Witness was contacted a few weeks later, but he could not understand their English. [Soldier 07], who had their number, arranged for the Witness to meet them at a hotel. When he went, he met two police officers who asked him why Sam Bockarie was killed. The Witness then told them that one of the commanders assigned in Lofa, Jumbeh, *"was very wicked"*. They wanted to kill him for *"the same reason they killed Johnny Paul Koroma"*. According to the Witness, Jumbeh Massaquoi carried out a massacre in Kamatahun, after which the Witness was sent to arrest him, but he escaped. Some Sierra Leonean soldiers were then arrested by [FNM-126] and given to "50" — he does not know what happened to these soldiers. Referring back to a previous statement by the Witness, the Defense asked if he told the Finnish police that "Gibril Massaquoi" killed people in Kamatahun, to which the Witness responded that he did.

When asked if the name [Employee 1] brought anything to mind, the Witness expressed that he knew the name, but that he has not seen that person. The Defense then asked if [Employee 1] carried on any investigation in Lofa, to which the Witness responded that the Witness was there in 2000 and 2001 but did not see him.

The Prosecution questions Witness 36

The Prosecution asked if the Witness could remember other names for Massaquoi besides "Angel Michael". The Witness replied that he only recalled the name "Jumbeh Massaquoi". The Prosecution then quoted a section of the Finnish police's summary which read: "*Because Liberians called him Jumbeh Massaquoi, that's when he started calling himself Angel Gabriel*". The Witness explained that Massaquoi never wanted people to call him by name, so he used the war name "Angel Gabriel". The Witness stated that Massaquoi was a commander in Liberia, a colonel, and that "*he had men*". After LURD attacked them, they fought for three months. Describing how Massaquoi looked as a soldier, the Witness recalled that he was well dressed, carried a pistol on his side and had a rifle. He had different sets of uniforms, both Sierra Leonean and Liberian.

With respect to the events described in Lofa, the Witness was originally in Kolahun. From there, they were sent to Masambolahun. They also went to Mbabahun, Nyangolahun and many other towns. There was a big town on the main road called Vezala which was the combat town for all of them. When they were not fighting, they would return there. Massaquoi was with them when they were in these towns. When they would attack the towns, they would bring the civilians and leave them with the other people in the town. When asked if Massaquoi was in Lofa all the time or if he went somewhere else, the Witness responded that he did not stay in Lofa all the time. According to the Witness, Charles Taylor sometimes brought these men to Monrovia, and specifically, he sent Sam Bockarie to 12 Houses. The Witness emphasized that Massaquoi was also brought to Monrovia, and that he was living behind Kiss FM. The Witness explained that when a person stays on the war front for a long time, three months for example, they would be brought to town to rest, sometimes for two weeks. When Massaquoi travelled to Monrovia, he drove in a Nissan Hardbody pickup truck which had been given to him. The Witness further stated that Massaquoi also travelled by helicopter because LURD had ambushed their convoy on several occasions.

The Prosecution asked the Witness about the year he spent with Massaquoi in Kolahun. The Witness stated that it was between the end of 2000 to 2001, elaborating that it was the time when Massaquoi carried out *"the atrocity"* and people were looking for him. They were based in Kamatahun at the time, which was some distance away from Foya. The Witness said that after Massaquoi escaped, he did not know where he went or whether he went to Monrovia, Sierra Leone, or Guinea. he clarified that the last time he saw Massaquoi was at the end of 2001 in a combat camp in Vezala, but he was not sure of the month.

The Defense questions Witness 36 again

The Defense asked the Witness how he came to hear the name "Gabriel" since the Witness said *"Jumbeh Massaquoi"* during this hearing. He replied that he had been mistaken because so many years had passed — however, he had used the name "Gabriel" during his interview with the police. The Defense replied that the name "Gabriel" was not mentioned in the police interview — but the Witness was sure he had said "Gabriel Massaquoi" and he had also described him. According to the Witness, Massaquoi changed his name because he did not want people calling him by his real name. Sam Bockarie also changed his name to 'Mosquito'. The Defense asked the Witness about the origin of the name "Jumbeh". The Witness attributed it to the police mishearing him, but the Defense reminded the Witness that he mentioned Jumbeh earlier in the hearings. Witness 36 responded that he had used Jumbeh because he could not remember that name at first, but *"as we were talking I picked the name up"*. He then asserted that Angel Gabriel gave himself the name, stating that "*nobody give him that name*".

According to the Witness, Massaquoi was not present when Sam Bockarie's body was transported to Monrovia, as "Jumbeh" was on the run. The Defense pointed out a discrepancy in that statement, that the Witness told the police he was with Massaquoi when Sam Bockarie's body was transported. The Witness replied that it was a mistake, and that he had only told the police that he was in Monrovia to receive the body and carry it to the President. The Witness also explained that during the four to five month stay in Voinjama, Charles Taylor discovered that the United Nations was looking for Bockarie. Due to Taylor's fear of Bockarie revealing his secrets, Taylor had told Benjamin Yeaten that he hoped the UN would not find Bockarie.

The Court then played a recording. The Witness was heard telling the police that Charles Taylor told Benjamin Yeaten to get rid of Bockarie so that the UN would not get a hold of him. The Witness also mentioned that they could not kill all the men, so Taylor ordered Jumbeh and Issa Sesay to bring the other men to Kolahun. The Witness also told the police that Benjamin Yeaten gave the order to kill Sam Bockarie since he was "*the four-star general for us, he controlled the entire country*." The Witness also described how Sam Bockarie was killed. The recording described the final moments of Bockarie's life, and how the Witness was with Issa Sesay and Jumbeh when the helicopter came and they carried the body to the funeral home

Following the recording, the Defense questioned the Witness as to his statements about transporting the body of Sam Bockarie. The Witness confirmed that what was said in the recording happened, but that only Issa Sesay was there, as Jumbeh was on the run. According to the Witness, when Sesay carried the body to Sierra Leone, "*he was arrested, sent to the criminal court of Rwanda and he stayed there and died*". The Witness asserted that Bockarie died in 2001. Another recording was played, where the Witness was heard saying that *"Jubli"* as *"the operation*

guy" was asked to *"take some other guys and take them to Kolahun".* In the recording, the Witness said that the troops got divided, Jubli Massaquoi with Second God, and Sesay with other people, and they moved to Kortohun. Once there, *"they decided to force civilians to dig diamond for them".*

Once the recording was stopped, the Witness clarified that Jubli was sent to Kortohun by Mr Taylor, but the Witness's role and Jubli's were different. He added that Jubli's base was Kolahun.

The Defense then focused on how the Witness got into contact with the police. The Witness reiterated that it was through [Soldier 07]. They had known each other before the war, and during the war they fought together before [Soldier 07] was sent to Foya. [Soldier 07] gave him the number of the people involved and directed him there. The Witness arrived the night before the hearing; however, [Soldier 07] was not waiting for him at the venue.

Witness 37 is heard

(Finnish Witness ID: Soldier 09)

The Defense questions Witness 37

The Witness began by stating that he had taken part in the Liberian civil war from 1999 to 2003 as a member of ATU, the presidential guard force. He added that he had been to Lofa County, Bomi, South-Liberia and Grand Gedeh as a soldier.

When asked about the death of Sam Bockarie the Witness stated that Bockarie had been sent from Liberia to Côte d'Ivoire and noted that he became a wanted man and subsequently began hiding in a motorcade. He explained that Sam Bockarie was sent to Troplay, Côte d'Ivoire, via the San Pedro Highway to a commander by the name of [FNM-128]. The Witness noted that Sam Bockarie was a stranger in Côte d'Ivoire, and that he stayed in Troplay for a month before the BBC began broadcasting his location. After his location was broadcast, he ordered half of the RUF soldiers — who had been fighting with the government forces — to come to him. After the soldiers arrived, Sam Bockarie and [FNM-128] got into a conflict, and [FNM-128] was killed whilst trying to arrest Bockarie. The Witness described the soldiers who arrived in Côte d'Ivoire as *"mercenaries"* and stated that after [FNM-128] had been killed, the mercenaries got into a conflict with the revolutionary forces. He noted that the revolutionary soldiers believed that the mercenaries had not arrived to help them because they had just killed their leader. The Witness described there being three commanders present at this time; Sam Bockarie for the RUF, [FNM-128] for the Ivorians, and [FNM-129] for the ATU forces.

While this conflict was taking place, Benjamin Yeaten, who was the special security commander, sent a message asking why they were losing territory. Additionally, Yeaten sent for Sam Bockarie to return to Liberia, specifically to Buutuo, Nimba County. After Bockarie arrived, he was told that he had to capture all of the areas that had been lost but Bockarie responded that it would be impossible. The Witness stated that this was a ruse against Sam Bockarie, as he had come to Liberia with almost seven trucks of armed men, which was considered significant manpower. Bockarie was instructed to take a specific route to go to Tabou, Côte d'Ivoire in order to receive

his new assignment. All the ATU soldiers in Buutuo were then taken to Toweh Town, to the home of the Vice President. Bockarie then entered Toweh Town with a few of his bodyguards, and an old paramount chief, [FNM-095], told Benjamin Yeaten that Sam Bockarie had arrived. Soldiers began to beat Bockarie, and Yeaten said "*don't beat him, shoot him*". After Sam Bockarie was killed, the soldiers were ordered to take his body to Côte d'Ivoire and leave it there. The Witness explained that he was present in Buutuo when Sam Bockarie arrived, but he was not present when he was taken to Côte d'Ivoire. He elaborated that he was also present when Sam Bockarie was beaten and killed, specifying that he was close enough to see what was happening. He stated that many of the commanders were present in addition to Benjamin Yeaten, including a commander for the Special Forces called *"God Father"*.

The Defense then asked the Witness if he had heard about a person by the name of Gibril Massaquoi. The Witness answered affirmatively, saying he had spoken to him twice. He elaborated that the first time he had seen Gibril Massaquoi was in a USC camp in Kumgbo, on the border of Sierra Leone and Liberia, and then saw him a second time in Fissiebu, Lofa County. The Witness stated that Gibril Massaquoi was not present at the meeting where Sam Bockarie was killed, and that he did not arrive there later either as he was in hiding because the authorities were angry *"with the whole group"*. The last time the Witness had been with Massaquoi was in Fissiebu and after then he had only seen him in a car. He added that he had not seen Gabriel Massaquoi at the Vice President's home.

The Prosecution questions Witness 37

The Prosecution continued by following a similar line of questioning, asking the Witness when he had seen Gabriel Massaquoi in Fissiebu. The Witness had seen Massaquoi in the USC Camp in 2000 and Fissiebu in 2001. He noted that they used to come get supplies on the Old Road in Tarr Town during 2001 as well. The Witness recalled that they used to go to a yellow building between Kailondo gas station and Nigeria House to conduct transactions with the President. He added that an advisor for RUF from Sierra Leone, by the name of [FNM-176], was also involved in these transactions. The goods would be brought from the mansion ground and would be subsequently covered with a tarp, then the men would get in a car in the morning and head to Voinjama. He explained that they mostly carried fuel, ammunition, and cigarettes to Voinjama, and noted that this transport was stopped after LURD forces disrupted the area and stopped them from forming an appropriate base. When asked whether he knew what the transactions with the President were related to, the Witness stated that he was not there to see the deliveries but noted that he had heard people saying that they involved gold and diamonds.

The Prosecution asked whether the Witness saw Massaquoi take part in carrying these supplies. The Witness stated that although he had not seen Massaquoi in the yard when the supplies were brought, when they met in Fissiebu, a car brought supplies to Massaquoi. He added that there was a top commander there by the name of [FNM-130]. The Witness clarified that Fissiebu was the boundary between Sierra Leone and Liberia and that they were responsible for repelling any attacks that occurred beyond Fissiebu. He concluded by stating that, after the death of Sam Bockarie, they were in hiding and did not resurface until they were called.

The Witness was questioned on his recollection of Massaquoi. The Witness stated that Massaquoi represented the RUF and that he spoke English in a Sierra Leonean or British manner,

further adding that sometimes he spoke Mende. He noted that Massaquoi was also called *"Gabriel Angel"* or *"Angel Gabriel"*, which he believed meant that when he passed by a person and did not kill them, they were safe.

When asked whether Massaquoi was commanding soldiers, the Witness stated that Massaquoi "*anywhere he appeared he had voice, because he was working with authority*."

The Witness recalled that Massaquoi had direct contact with President Charles Taylor, along with Sam Bockarie. He said that Sam Bockarie outranked Massaquoi, but noted that when they wanted something from the President, the request was made by Massaquoi. The Witness went on to explain that in December 2000, the ATU forces had lost Voinjama and as a result Massaquoi and other soldiers went to Kailahun to collect additional forces to invade Voinjama. Once there, they called on the government forces to arrive. The Witness noted that Sam Bockarie was not there at the time.

The Defense questions Witness 37 again

The Defense continued by asking the Witness about Fissiebu, and what year he had met Massaquoi. The Witness explained that everyone went to Fissiebu in early 2001, around January or February after losing Voinjama in December 2000. The Defense noted that the Witness had previously stated that he saw Massaquoi in Fissiebu at the end of 2001. The Witness responded that he saw him in 2001, at the beginning of the rainy season.

The Defense then focused on Sam Bockarie, and events related to Côte d'Ivoire. The Witness explained that Côte d'Ivoire had been attacked, and that he did not see Massaquoi during the conflict in Côte d'Ivoire. The Defense noted that the Witness had previously stated that Côte d'Ivoire had been attacked in 2002, and "*Chief Massaquoi*" and Salami had taken part. After denying this version of events, the Witness reiterated that Sam Bockarie was sent there as a commander and that he had not seen Massaquoi take part in this attack. He recalled the authorities being angry with Massaquoi around the time Sam Bockarie was killed, and added that when Sam Bockarie died, he did not see Massaquoi at the scene.

(A portion of the transcript of a prior interview of the Witness was read out, in which he stated that Sam Bockarie was invited to a meeting at the Vice President's house in Nimba, and the people present included Benjamin, the Vice President, and Chief Massaquoi. He added that really, the main reason for the meeting was to kill Sam Bockarie.)

The Witness reiterated that the people present were [FNM-161], [FNM-095], and Benjamin Yeaten. Massaquoi could not have been present because the RUF was in hiding at the time. He added that seven hundred Sierra Leonean troops were in fact killed in Sacleapea. After being asked whether he had previously stated seeing Massaquoi show up after Sam Bockarie's death, the Witness replied that when Bockarie was killed, he did not see Massaquoi. He explained that he had met Massaquoi at the Vice President's residence and in Fissiebu, adding that he used to see Massaquoi in the motorcade. The Witness recalled Sam Bockarie being killed some day in 2002. He had told the Finnish police that he had not seen Massaquoi there, because their group was accused of *"conniving"*.

The Defense noted that the Witness had used the name "Angel Gabriel" in the day's hearing, although in previous interviews he had only used "Gabriel Massaquoi" and "Chief Massaquoi". The Witness explained that the man's full name is Gabriel Massaquoi, and that they simply used to put "Chief" before his name. He went on to explain that "Angel Gabriel" was his fighting name, and that the police had not asked him to give every name the man had. He concluded by noting that most fighters had different names, and provided an example that most people did not know the Special Security Director ("50")'s name was Benjamin Yeaten.

(A recording was played which described the trap which had been set to kill Sam Bockarie. In the recording the Witness stated that the meeting group included the Director and Massaquoi, and that the Vice President had left for a village.)

After the Witness said that he could not recall Massaquoi being present when the trap was set, another recording was played.

(In the recording, the Witness described Chief Massaquoi arriving with additional forces, and noted that Chief Salami and [FNM-161] were the top commanders at the time. The Witness stated that an attack was subsequently launched on Côte d'Ivoire.)

After the Defense noted that the Witness's previous interview gave the impression that Massaquoi took part in the fighting in Côte d'Ivoire, the Witness reiterated that Massaquoi was not there.

The Defense then questioned the Witness about how he became involved in the process with the Finnish police. He stated that he was put in touch with the police after [FNM-131] gave his number to [Employee 1]. He was then told that the police wanted to meet with him, and he became involved in the process.

Witness 38 is heard

(Finnish Witness ID: Soldier 14)

The Prosecution questions Witness 38

The Witness began by saying he was the special bodyguard to [FNM-161], who was the regional commander in Lofa and was sent there by Charles Taylor. [FNM-161] was a Liberian man, and the Witness was with him both in Lofa and Monrovia. [FNM-161] never had any issues with civilians in that area; however, numerous other officers had problems with civilians whenever they came to Lofa. The Witness listed these officers as Sam Bockarie ("Mosquito"), Superman, Johnny Paul Koroma, Angel Gabriel, and Sierra Leone Devil. According to the Witness, these were the people who killed civilians. According to the Witness, they would label civilians as Sierra Leonean Army (SLA) soldiers and kill them. They also killed refugees. The Prosecutor then questioned the Witness as to his encounters with Angel Gabriel. The Witness stated that he met him several times and knew him personally. He met Angel Gabriel in Yandohun, Kamatahun Hassala and Vahun. The Witness started meeting Angel Gabriel in early 2000 and stopped in late 2001. He

described Angel Gabriel as one of the *"big men"* who brought packages for [FNM-161] to then give to Charles Taylor. They only found out later that the contents of the packages were some diamonds and gold, which were traded in exchange for weapons and ammunition. The purchased arms were sent to towns in Liberia that were extremely close to Sierra Leone, "*almost inside Sierra Leone*" : Kamatahun, Yandohun and Memolahun. The guns were handed to both Sam Bockarie and Angel Gabriel; however, it was mainly Angel Gabriel who received them because he was the spokesman for RUF. He was also known to the Witness and other Liberians as *"Black Friday Master"* because he used to kill regularly on Friday.

Angel Gabriel would speak either English or Mende. For example, Gabriel was speaking Mende when the Witness saw him kill [FNM-043]. [FNM-043] and [FNM-093] were the ones who always brought the package to Angel Gabriel. According to the Witness, Angel Gabriel accused [FNM-043] of tampering with the package. That is how the Witness and others found out about the contents of the package. The Defense later asked the Witness how [FNM-043] called Angel Gabriel, and the Witness said he called him *"Ngor Massaquoi"*, which meant *"big brother"*.

The Prosecution wanted to know about when the Witness saw Angel Gabriel in Monrovia. The Witness said that it was in February 2001, when Angel Gabriel delivered a package to Charles Taylor. The Witness described Angel Gabriel as being calm whenever he visited Monrovia, and that he occasionally had a motorcade with a presidential escort. The last time he met Angel Gabriel was in 2001. However, the Witness could not remember the month, but added that it was "*almost rainy season*". The Witness went into further description, recalling that it was around the time "*they clear[ed] Voinjama road*" while LURD rebels were based in Voinjama.

The Witness recalled that he was there on numerous Friday when Angel Gabriel killed people. He, along with the other soldiers, would whisper that "*Black Friday Master is here*". The Witness then proceeded to mention two primary places where the killings occurred: Combat Camp, and Kamatahun, where he brought some people from Nimhalhun to burn. The Witness stated that it was Angel Gabriel and Superman who burned people, which resulted in [FNM-161] being *"vexed with them"*.

The Witness stated that he was not present when Angel Gabriel burned people. He was with [FNM-161] in Golahun when Angel Gabriel caught those people. Gabriel took them from a town after a 'papay' there had a dream of taking a medicine that prevented him from being killed by a gun. The Witness and [FNM-161] heard about this when they reached Masambolahun. By the time they arrived in Kamatahun, Angel Gabriel had already put the people in a house, including children, and lit the building on fire. The Witness indicated that this caused a rift between Liberian forces and the RUF members, as the latter were meant to be helping, but were instead *"cruelly"* killing people. Along with Angel Gabriel, the Witness and [FNM-161] met with Mosquito.

According to the Witness, [FNM-161] confronted Angel Gabriel and said, "*you are killing my people; you need to stop*." Angel Gabriel then referred to the people as *"connivers"* and handed a package to [FNM-161]. From there, the Witness accompanied him back to Monrovia. He once again reiterated that Angel Gabriel was the commander who had ordered the burning and was the person whom [FNM-161] was angry with.

The Prosecution then asked the Witness how he remembered that it was a Friday. He explained that they met people praying in the mosque on the way to Sosohalun, but they passed by them and *"didn't do anything to them"*. The Witness recalled the year to be 2001 but could not remember the month.

The questioning then shifted to the Finnish police. The Witness told the Prosecution he recalled discussing the same incident with police last year. One day, while he was working, [Employee 1] called and told him [FNM-132] had spoken to them, and told them that the Witness knew about the transactions between RUF and government soldiers. [Employee 1] added that police from Finland wanted to speak with him. He then made arrangements with [Employee 1], who introduced him to the Finnish police. The Witness stated that he has not seen [Employee 1] since then; however, the police have called him twice. The Witness reiterated that it was [FNM-132], with whom he had fought together with during the war, who had given his name to [Employee 1].

Finally, the Witness told the Prosecutor that except for the Finnish police, no one else knew of this due to his fear of arrest.

The Defense questions Witness 38

The Defense began by asking the Witness about [Employee 1]. The Witness said that it was [Employee 1] who directed him to the venue, but he had not seen him. The Witness stated that he met one man and a woman from an organization that provided victim/witness support. He spoke to them at the venue. They encouraged him to speak the truth and told him not to worry; however, they avoided eating with him.

The questioning then shifted to the incident at Kamatahun Hassala. The Witness stated one of the reasons people were killed was because of RUF. They would capture civilians and accuse them of being SLA soldiers, and kill them at combat camp. He also explained again that some people at Kamatahun Hassala were set on fire because of someone's dream that they had taken medicine preventing them from being killed by a gun.

The Defense queried the Witness as to whether he had told the police about the Kamatahun Hassala incident. The Witness explained that he told the police about the killing that occurred there, especially at Combat Camp. He also added that he thought he had told the police about the burning of people in the house but could not remember. The Defense stated that the Witness told the police that there was a massacre, but he was not present. According to the police summary, the Witness described bodies with slit throats, others chopped in pieces, and others with bullet wounds. The Witness explained that those things did happen, and even if he did not remember to tell the police about the burning of the people, it still occurred.

The Witness explained that what happened in Kamatahun Hassala was not a one-off occurrence. The killing happened continuously until the war ended. With the Defense pressing on the inconsistencies, the Witness responded that if they checked the police summary, they would see that he had mentioned the burning. The Defense replied that the Witness mentioned places in

connection to Angel Gabriel but not Kamatahun Hassala. The Witness responded that he had just remembered it and decided to say it, remembering he was a "*soldier man*".

The Defense returned to Angel Gabriel and the burning of people at Combat Camp. The Witness explained that Angel Gabriel *"used to kill people and rub blood on his juju"*. The Defense referenced the police summary, and said that the Witness mentioned houses set on fire during cold nights, but it was at Combat Camp when they put people in a house and burned it. The Witness clarified himself, saying that the burning did not only happen in Combat Camp but Kamatahun as well. He recalled this fact because of the question asked by the Prosecution earlier in the hearing. The Witness also told the Defense that despite not remembering the day they burned people in Kamatahun Hassala, he did recall saying that there were killings in Kamatahun where Superman and Sam Bockarie cut people's throats.

The Defense asked for clarifications regarding the last time the Witness had seen Angel Gabriel. According to the police summary, it was at a mountain in Lisco in 2002, where generals met to attack Foya and Voinjama. The Witness agreed that this had happened in 2002, but stated that the last time he interacted with *"Chief Angel Gabriel"* was in 2001. He also said that Angel Gabriel was not with him when he was transported in a helicopter, nor did he know Angel Gabriel's location at that time. He could not recall telling the police whether he saw Angel Gabriel there. The Witness also did not recall telling the police if he saw Angel Gabriel. He said the people present were *"top people"*. He added that [FNM-161] was killed in 2002 when he came into town, and that Sam Bockarie was taken to Côte d'Ivoire with some RUF men.

The Defense then asked the Witness about the most intense period of killing during the war. He explained that it was when Charles Taylor stated that *"anyone they see in Lofa is a rebel"*, which happened a few months after the Voinjama battles. The Defense once again referenced the police summary and said that the Witness had stated that he had often heard Angel Gabriel give orders to kill people, and saw him kill, especially between 2002-2003. The Witness reiterated that the killings were continuous and that the RUF used to catch Sierra Leonean refugees and call them SLA. The Witness then proceeded to explain Charles Taylor's statement about people in Lofa, stating "*let me make you people to understand*". He clarified that LURD rebels came first, and had a leader that they used to call *"Mosquito Spray"*. The Witness went on explaining that the first time LURD came, they spent a week and left. The second time they arrived, they spent three months. During those three months, LURD took over Voinjama, Kolahun, Foya, Zorzor, and Salayea. The government forces fought and removed them, which resulted in LURD fleeing into Guinea. According to the Witness, Charles Taylor told them to pursue LURD, which is how the Witness entered Guinea for some time.

The Defense wanted to know if Angel Gabriel was the only man Charles Taylor spoke to directly, and the Witness answered affirmatively. He also added that [FNM-161] and Sam Bockarie had direct contact with Taylor. However, Taylor always met them with someone else.

The hearing concluded and will resume on Thursday, 29 March 2021 in Monrovia, Liberia.

March 29, 2021 – [Liberia] Day 22: The Hearing of Witnesses 39, 40, and 41

The twenty-second day of public hearings resumed on 29 March 2021 in Monrovia, Liberia.

Witness 39 is heard

(Finnish Witness ID: Soldier 13)

The Prosecution questions Witness 39

The Witness began by stating that he was a soldier in the Navy Division in Lofa, and that his military rank was a Colonel. He explained that he was assigned to Lofa in February 2001 and transferred to Monrovia the same year LURD forces came from Bomi and attacked Monrovia. He was based in Foya, but they visited other places in Lofa County. During his time there, his commanding officer was Roland Duo. When asked whether there were RUF soldiers in Lofa, the Witness explained that the peacekeepers were moving on RUF in Sierra Leone, and that Gen. Solo asked his troops to move to the border, as he was told RUF was coming. This is where the Witness saw Sam Bockarie, Salami, and the RUF's spokesperson, later identified as Gen. Massaquoi. He said they had a lot of manpower. The Witness further explained that Gen. Benjamin Yeaten said the RUF men should stay in Lofa, where they stayed 2-3 months.

The Witness mentioned that there was a massacre in a town going towards Vahun near the Sierra Leonean border. The RUF did the killing, and they were arrested by government forces: later on, Yeaten was called from Monrovia. The Witness continued by explaining how after this Sam Bockarie, Salami, Massaquoi, and soldier [FNM-135] were brought to Monrovia by Benjamin Yeaten. In 2001, the LURD forces came from Bomi and attacked Monrovia. According to the Witness, the President told Roland Duo to order men to return to Monrovia to resist the attack by the LURD: this is how the Witness went to Monrovia. He recalled that they fought against the LURD forces from Po River until their ammunition ran out and retreated back to Waterside. Later on in the testimony, he clarified that they were based in Waterside as Via Town was under the control of the LURD.

The Prosecution then turned back to the events in Foya. The Witness stated that General Massaquoi introduced himself as the spokesperson for RUF, and that he would call and say that he wanted to talk to the BBC. He stated that he saw Massaquoi himself, and that they met several times in Foya and Vahun to "*discuss and plan*". The RUF used to come assist government forces, but there were killings that caused conflict between the groups. After the massacre, they brought Bockarie, Salami, and Massaquoi to Monrovia – this was before the Witness was called there himself. The Witness gave further details about the massacre and stated that a lot of civilians were killed by the RUF in Konia, a small town near the border of Guinea. The Witness stated that the commanders were Massaquoi, who was the "*all over head*" Johnny Paul Koroma, who was the head of state at the time, before the peacekeepers made him retreat to Liberia, and Sam Bockarie who was the field commander.

The Prosecution began asking clarifying questions about the RUF in Monrovia. The Witness explained that they were located near Elwa Junction. He noted that he saw Salami and Massaquoi

in Waterside but did not see Sam Bockarie there. The Witness said that Salami was killed near the same area in Via Town. He stopped seeing 'Gubeh' Massaquoi after a massacre that occurred in a shop one evening. During those times, civilians would loot stores, and so Salami and Massaquoi's forces went and killed them. Later on in his testimony, he clarified that this massacre occurred one time, and that it was a "*real massacre*". When the Prosecution asked whether the Witness had seen Massaquoi there himself, he answered that Massaquoi was always there in West Point and that they had given a pickup truck to Salami from which he could use his "big gun". The Witness explained that there were several stores which were looted as people were looking for food. He recalled that he still remembers the particular store where the massacre took place. When asked whether he saw civilians get shot, the Witness responded: "*They shot civilians! We took the bodies to bury them and then we went to Benjamin Yeaten to complain. If you put a Bible here, I will swear on it!*" The Prosecution asked how Yeaten reacted to the complaint, and the Witness responded that he had not seen Massaquoi again after it, and that they took the pickup truck and drove it to the other bridge. The Witness noted that when Massaquoi came from Lofa to Monrovia he stayed for a long time but cannot recall exactly how long.

When asked when the massacre in Waterside took place, the Witness answered that it was in 2001, during the rainy season. He could not recall how many were killed, but estimated that 7 people were wounded and taken to John F. Kennedy Medical Center. The Prosecution asked who gave the order to kill the people, and Witness 39 explained that it was RUF, they came with their pickup and Salami was in the pickup with his gun; however, the Witness was not present when the order was given.

He clarified that 'Gubeh' Massaquoi was a spokesperson for RUF, and that RUF troops were based in Lofa for 2-3 months, but still moved around: he reiterated that Yeaten brought them to Monrovia. Witness 39 added that it was Gubeh Massaquoi who ordered Johnny Paul Koroma to be killed, and that it happened the same day the massacre took place. The Prosecution asked whether the Witness saw Massaquoi giving the order, to which he responded "*I know the man too good!*'' and further described how Massaquoi wore a black military uniform and had a gun. According to the Witness, the order to kill Johnny Paul Koroma caused tension between the group. He added that Massaquoi spoke Mende and Krio.

The Prosecution proceeded to ask whether the Witness was in a town named Klay during the war. The Witness responded that in 2001 the forces came to Bomi and fought against the LURD all the way to Klay and Po River, but they were not based there.

The Prosecution enquired about the Finnish police. The Witness recalled that he had shown them the places in question in Waterside, and when asked if he had shown the shop where the massacre took place, he answered that when the police went there, people told them about it. He explained that a friend of his told him there were some people that wanted to talk to the Witness. He was then called by [Employee 1] who asked him to come to Monrovia: this is where he talked with the Finnish police, who asked him questions.

The Defense questions Witness 39

The Defense began their line of questioning by asking the Witness how many times the Finnish police interviewed him, to which the Witness replied he had been interviewed twice. He stated

that he did not discuss the content of the interviews with anyone. The Defense asked whether he remembered what he had said about Massaquoi's position during the interview, and the Witness stated that he told them that he was the spokesperson for RUF. The Defense pointed out that he had used the phrase "*Chief of Operations"* during the interview. The Witness refuted this, and claimed he had said *"spokesman"*. The Defense responded by stating that he had used the term spokesman, and in the recording the Witness also stated that he had spoken to his brother, who corrected him and told him to use spokesman. Witness 39 responded that none of his brothers knew that he was doing this. The Court played the recording in question.

In the recording, the Witness describes Massaquoi as a spokesman. The police pointed out that in the previous interview, he had told them that Massaquoi was the Chief of Staff. The Witness responded that he had made a mistake, and that someone had reminded him that Gubeh was spokesman: "*Was it not Gubeh that used to go to Sierra Leone, Nigeria and other places for peace talks?"*

The Defense enquired about the person that the Witness was referring to during the recording, and he answered that it was another person who was interviewed by the police, [FNM-097]. They were both from Lofa, but they had talked in Monrovia. Between the two interviews, the Witness had not returned to Lofa. He noted that the other person did not tell him he was interviewed, and that they were just having a conversation. The Defense asked what year he had mentioned to the Finnish police, to which the Witness responded 2001: it was the same year he left Lofa and went to Monrovia.

The Defense noted that in the summary, the Witness had said he was transferred to Charles Taylor's troops to fight against the ULIMO in Lofa, and he stayed there until 2003, after the events of 2001. The Defense noted that the transcript of the interview stated that Massaquoi killed civilians in Waterside in 2003, but the Witness responded that "*I never said 2003, it is false and misleading*" The Defense then asked about WW1, WW2, and WW3, and the Witness explained that they occurred in 2001, 2002, and 2003 respectively. The Defense then informed the Witness that they will play a recording where he had stated that the massacre took place in WW3, in 2003. The Witness reiterated that he had not told the police that the massacre happened in 2003.

In the recording, the Witness is heard saying that Salami and Gubeh Massaquoi were killing civilians, and how "*we used to get vex and say why y'all killing out people when y'all are not Liberians".* The Witness stated that this occurred in 2003. The Witness explained that in the recording he said 2003 was when Charles Taylor left, and 2001 was when the massacre happened. The Defense wanted to know why the Witness had said 2003 to the police, and the Witness responded "*but you know, human brain*". The recording was played once again. The Witness suggested that if "*you could listen to that statement, I said from the starting of the war most of the killing was done by Gubeh Massaquoi and Salami during WW3. And how a lot of people were happy when Salami was killed in 2003 by rocket*". The recording was then repeated several times and the Prosecution, Defense and the Judge discussed the recording in Finnish.

The Defense continued their line of questioning and asked whether the Witness remembered Johnny Paul Koroma's death and if Massaquoi was related to it. The Witness stated that it happened in 2001 when RUF were driven by the peacekeepers from Freetown. He further stated

that Benjamin Yeaten came from Monrovia and met RUF, but Johnny Paul Koroma did not want to go to Monrovia, but to Guinea instead. The Witness noted that Koroma was not killed in Foya. The Defense asked whether the Witness was aware that Johnny Paul Koroma was running for election in Sierra Leone in 2002. The Witness responded that he did not know, and added that he did not think they were talking about the same "Koroma": the one he was referring to was the person who overthrew Ahmad Tejan Kabbah and then fled to Nigeria.

The Defense quoted the summary again, where it said that Koroma was lured from Foya to a town on the border in 2002, and after he was not seen again. Further, the Witness had told the police that he had asked his commander, Zor, about the whereabouts of Koroma, and he had told him that Koroma had been killed by the RUF. The Witness said that this happened in 2001, and that 2002 must have been a mistake – he confirmed that indeed Zor had told him that RUF killed Koroma. He reiterated that he did not know that Koroma was running for president.

The Defense then asked questions about the LURD. The Witness stated that it was the year 2001 when the LURD entered Monrovia, and that they fought them back. He further elaborated that the fighting took place in Duala, Logan Town, Iron Gate and Brewerville on Bomi Highway.

Referring back to the interviews with the Finnish Police, the Defense needed some clarity regarding his discussions with [FNM-096]. The Witness clarified that he did not know [Employee 1], and that it was [FNM-096] who had put him in contact with him. Since then, he had not seen him. The Witness however did meet [FNM-097] in Monrovia.

Witness 40 is heard

(Finnish Witness ID: Soldier 11)

The Prosecution questions Witness 40

After clearing out some inconsistencies with the Witness's date of birth, the Prosecution began by asking Witness 40's relationship with the RUF. He explained that the RUF were from Sierra Leone, and that his father was a member, and when the government troops started attacking them, he joined the RUF himself.

Witness 40 was in Lofa County between 2001 and 2003, and then went to Monrovia in 2002-2003 when rebels began attacking the government of Charles Taylor. He remembered an incident that had occurred in Waterside: people were killed by RUF because, according to them, they were looting. The Witness specified that the RUF were burning civilians and that they would shoot them with a grenade machine gun. This had upset the Witness because he was half Liberian. He specified he remembered this took place in 2003 because at the time they had "*told Charles Taylor to leave*" – this was the reason why the RUF started to kill. He was not sure about the month the incident occurred, it might have been between April and September. At the time, Mosquito was their "*big commander*" and Rambo was their frontline commander. The Witness then listed other commanders he remembered belonged to the RUF, and specified his regiment.

The Witness was then asked if he knew Benjamin Yeaten; he said Yeaten was "*a big man for Liberia's government*" and he had seen him on the border between Sierra Leone and Vahun. He had also seen him in Monrovia, when Yeaten came to Waterside because of the disturbance created by the RUF. Witness 40 recounted how Yeaten was with Salami, and "*3 pickups full*" of soldiers, including soldier [FNM-109] who had been shooting at civilians at the store.

Asked by the Prosecution, the Witness said that at the time, Gube Massaquoi was spokesman for the RUF. He had seen him, but had never spoken to him because "*the big people were on one side and we were on the other side*." The Witness went on to specify that people like Massaquoi, Mosquito, and Superman were "big men". He had seen Massaquoi two times, in 2001, once in Manamen and then in Tenneh. When he saw him, he had a gun on his side and he had said in Krio "*gentlemen, I am going to talk for us. I will still talk for us.*" The Witness specified that usually the "big men" did not go to the frontline; however, in Tenneh they attacked civilians and burned the whole town. The Witness noted that Massaquoi "*said we should keep killing the people.*"

The Witness confirmed the RUF had a unit called the "Death Squad", led by Salami – he also added that "*if they say they want you today, they will make sure they get you today*". The Witness clarified that he did not serve under Massaquoi, nor had he seen him during the war in Monrovia. Later on in the testimony, the Witness specified that Massaquoi was the "*general commander*" and the spokesman of the RUF; Sam Bockarie was the Witness's commander. The Witness did not receive direct orders from Massaquoi, but "*he gave it to our battle commanders*." The Prosecution pointed out how on the police summary the Witness had said that Massaquoi had led him in "*many assignments.*" He responded that "*we took orders from the big people; we did not do anything different. When they told us to go anywhere, we went there*." The Prosecution asked if Massaquoi was one of the "*big guys who gave you orders*" – the Witness agreed nonverbally. Further in the testimony, when asked by the Defense, the Witness specified that Massaquoi gave orders to people like Rambo and Superman, and that "*he gave order to the staffs and they will bring it down to we the children.*"

The Witness recounted how he was 10 years old when he joined the RUF; he had not gone to school as he was a farmer with his father. Witness 40 remembered telling the police that he used to go to a community school when he was living with his mother; he was 8 years old when he started attending. The Prosecution said that according to the police report, he had told them that he started school when he was 6, and he joined the RUF when he was 8. When asked, the Witness said that the police report was more accurate than what he had stated earlier in the testimony.

When asked if he remembered what he had told to the Finnish police about seeing Massaquoi in Monrovia, the Witness replied that he had said that Massaquoi was "*big-big people for RUF*" when they had burned down Tanneh town in Lofa, and that when "50" came to Waterside, Massaquoi was with him. Witness 40 had also told the police that Massaquoi had given the order to the "Death Squad"; however, the Witness did not hear this himself. Soldier FNM-109 told the Witness that Massaquoi said that whoever they caught in shops should be shot, and by then, he had already done so with two stores. The Witness said that this had hurt some of them "*because they killed civilians and they were just lying over each other*". He added that he was right on the scene when the shooting took place. The Witness clarified that even though Salami was the commander of the "Death Squad", Massaquoi was spokesman of the whole RUF, and therefore he was a "*big man*" for Salami himself.

The Defense questions Witness 40

The Defense enquired about who did the Witness come to fight against when he relocated from Lofa to Monrovia; the Witness specified that it was the LURD, as they were fighting Charles Taylor.

The Defense then tried to determine whether Michael Highgray and Marcus High Grade were the same person – according to the Witness, it was, and he was one of Charles Taylor government troops and he had heard that this individual was controlling the Waterside area. The Witness had heard that soldier FNM-109, who was part of the Death Squad, had said that civilians were looting, and that is "*why he killed them*".

The Defense wondered how Massaquoi could have given the order when the Witness had said in this testimony that he had not seen him in Monrovia. Witness 40 said he had forgotten, but the first thing he had said was that in 2003 Massaquoi had come with "50" to Waterside. He specified that then "*was the time that people said Charles Taylor should leave.*"

The Witness was then asked about the WWs. He explained that WW1 happened at the end of 2001, WW2 in 2002, WW3 was when Charles Taylor was told to leave, and WW4 was when LURD rebels wanted to arrest the Vice President.

Witness 41 is heard

(Finnish Witness ID: Soldier 15)

The Defense questions Witness 41

The Witness began by explaining that he had joined the '*revolution*' in 1992, and in 1997, after the election, he joined the government troops in 1997; he was based in Cemenco. Roland Duo who was the chief of staff for the navy division. He remembered the names of other commanders – they had many, because there were 6 battalions. When asked if the name Massaquoi rang a bell, the Witness responded that there were two people by the name Massaquoi: one was battalion commander Mohammed Massaquoi, who had died in Foya between the end of 1999 and 2000. He remarked that the other Massaquoi was Gibril Massaquoi.

The Witness recalled being sent to Foya in 2000 by Chuckie Taylor on a "*special mission*": receiving the RUF from Buedu, Sierra Leone, to Komadu. He explained that after WW1 and WW2 he was in Foya when LURD forces attacked Monrovia from Bomi. The Witness stated that the fighting occurred during WW1, from 2001 to 2002 and noted that WW3 occurred during the same year around Duala, Freeport and Vaitown, although he could not remember the precise time. He explained that after the first war the forces retreated to Bomi during the same year, and once again noted that he could not recall the precise time. During WW3 the Witness was on Somalia Drive, when the President called him and his men to go to the Old Bridge in Waterside. He explained that during WW3 he was fighting for the government forces against LURD forces, and that they were sent to erect blockades on the Old Bridge to stop the LURD forces from

entering the town. He recalled stores being looted and violence against civilians occurring whilst they were there, and noted that due to cross fire people may have been killed during the night. The Witness explained that some stores in the Water Street area were broken into, and some Sierra Leonean troops were assigned to Yeaten, who was the SS director.

When asked whether he knew who was part of the Sierra Leonean troops, the Witness recalled Salami, who died on Waterside bridge, Gibril Massaquoi, and "Hard Command". He believed that the fighting ended once the United Nations had arrived after two weeks, and noted that Gibril Massaquoi, Benjamin Yeaten, Hard Command and Salami, were all present at the scene. He concluded by stating that he had last seen Gibril Massaquoi in the E.J. Roye Building after Yeaten had sent for him in 2001. After noting that the E.J. Roye Building was a special base for Yeaten, the Witness stated that he does not recall seeing Massaquoi in Monrovia after 2001, and noted that at the time everyone was very busy so he could not really recall.

The Defense then turned his questioning to an incident where people were killed at the bridge over the Maher River. After noting that the incident occurred on Bomi Road, the Witness explained that after they had captured Bomi from the LURD forces, they gathered civilians together to bring them to a refugee camp near Po River. Once the civilians reached Maher Bridge, Yeaten and the Sierra Leonean soldiers had a checkpoint prepared and upon arriving the soldiers began killing the civilians. He noted that Zigzag Marzah was involved as well, and stated that he was assigned to Yeaten along with the other Sierra Leonean soldiers. The Witness explained that the dead bodies were only kept in two areas, one near the main bridge area going towards LEC General Market, and the other near Water Street.

The questioning was then directed at how the Witness became involved in the process with the Finnish police. He stated that his friend [FNM-133], who was a former soldier and owned a drug store in Waterside, had given his number to them. Whilst in Buchannan around 6-7 months ago, he was called by the Finnish police.

The Prosecution questions Witness 41

The Witness recalled that back then he was not very close with Gibril Massaquoi, and noted that he was more acquainted with Mohammed Massaquoi as they had lived in the same house before. He explained that Mohammed Massaquoi was from Sierra Leone, spoke Mende, and that he had died in Foya whilst they were fighting against LURD forces. He and Mohammed Massaquoi only moved between Foya, Buyedu and Vahun, and the Witness noted that Mohammed Massaquoi would also go fight in villages and towns without him being present; however, they would move together whilst he was in Foya. The Witness recalled that Mohammed Massaquoi used to fight between Guinea and Liberia, particularly in Kpando, Foya, Thingear, and Solomba Biler. The Witness explained that when they were in Sierra Leone, Gibril was higher in rank, but when they entered Foya, Mohammed was the commander of the troops. When asked whether Mohammed Massaquoi would have done anything to civilians in Lofa, the Witness indicated that there were few civilians where they were, but plenty of soldiers. The Witness went on to explain that he did not know of any war names for either Mohammed Massaquoi or Gibril Massaquoi, and noted that he met Gibril through Superman.

The Witness was asked whether he had heard about the "Death Squad", and he explained that it was a unit which had been formed by the SS director, Benjamin Yeaten, and it was composed by Sierra Leonean forces assigned to Yeaten. Witness 41 named Salami, Gibril Massaquoi, Hard Command, Gola Red, Action and [FNM-134] as soldiers who were a part of the Death Squad. The Witness stated that he had seen the Death Squad with Yeaten near White Flower in Congo Town, and noted that Yeaten's house was near Charles Taylor's house. He explained that the Death Squad stayed in one place, as the United Nations were searching for Sam Bockarie at the time. He had seen some members of the Death Squad in Waterside during the night, and the next morning they saw bodies. He recalled three people who had been present that night: High Command, Gibril Massaquoi, and Gola Red. The Death Squad received instructions from Yeaten.

The Witness explained that he spoke with Gibril Massaquoi at the time – he had asked him why there was so much killing, and Gibril Massaquoi replied that the Director had instructed them, stating that *"Anyone they see, they should kill."* They did not speak for long because rockets started raining on them. The Witness stated that he did not recall the exact time when he had seen Massaquoi in Waterside, as everyone's minds were busy during war time. When asked whether he had discussed Salami with Massaquoi, the Witness said that they discussed Salami's death a week after it occurred, but they never talked about whether the killing that took place was related to the death of Salami. The Witness noted that he had died after the Director had sent him to cross the bridge to Vai Town. Witness 41 added that Massaquoi spoke Krio, he never spoke Mende to him. He concluded by stating that the Death Squad would move around Monrovia in a convoy with Yeaten.

The Defense questions Witness 41 further

The Defense began by asking the Witness if he was aware who was firing rockets at them while he had been talking with Massaquoi. The Witness explained that they were fired by the LURD forces, who were across the bridge in Vai Town, Clara Town, and Duala. When asked where he had seen the bodies, the Witness stated that some of the bodies were in Water Street, whilst others were in the market near LEC. After the Defense asked the Witness if he knew whether Mohammed Massaquoi spoke Krio, the Witness stated that Mohammed Massaquoi spoke both Krio and Mende.

Following this, the Defense noted an inconsistency, as the Witness had stated in the hearing that Mohammed Massaquoi died around 1999-2001, but in his interview with the police he had said that Mohammed Massaquoi died in September 2001 in Foya. The Witness explained that when he was in Foya, the Sierra Leoneans met him there and that's when Mohammed died.

The Defense noted that the Witness had previously stated that WW1 was the first time LURD had attacked Monrovia through Vai Town, and that Salami was a member of the Death Squad who had been killed by a grenade on the Old Bridge. The Witness replied affirmatively, and added that they had seen the bodies in Waterside prior to Salami's death. The Defense additionally noted that the Witness had stated that he thought LURD was attacking after he had heard the sound of AK-47, and after going to see what had happened he had seen at least four dead bodies. The Witness replied by stating that at the time the lack of uniforms caused some confusion, as some of the soldiers would simply wear regular clothes, and if you saw them you would assume that

they were civilians. The Defense asked the Witness why he had used the term “99 Steps” as the place he saw the bodies, the Witness noted that 99 Steps is the same as Water Street.

The Defense concluded by asking whether the Witness had seen Gibril Massaquoi after seeing these dead bodies. The Witness replied affirmatively, and noted that after the firing had begun in the night, they were not expecting to see bodies.

The hearing concluded and will resume on March 31 in Monrovia, Liberia.

March 31, 2021 – [Liberia] Day 23: The Hearing of Witnesses 42, 43, and 44

The twenty-third day of public hearings resumed on March 31, 2021 in Monrovia, Liberia.

Witness 42 is heard

(*Finnish Witness ID: Soldier 07*)

The Prosecution questions Witness 42

The Witness began his testimony by explaining that Benjamin Yeaten was the Director of the Special Security Service, which is now referred to as the EPS of the Executive Mansion. He explained that when war broke out between government forces and the LURD rebels, Benjamin Yeaten was one of the commanders supervising the frontline. During the war against the LURD forces, which began in 1998, the Witness joined Charles Taylor's government, and served under Benjamin Yeaten. The Witness explained that among the troops he was with, there were Sierra Leoneans who were from the RUF. He recalled some of the names of the RUF soldiers, including Sam Bockarie, Chuckie, Bomb Blast, Superman, Commanding Officer Mess, Commanding Officer Blood, Gabriel Massaquoi, [FNM-140], Salami, and a boy they used to call Yellow.

The Witness explained that he was in Monrovia at the same time as the RUF soldiers. While he was in Monrovia, people would meet at Elwa Junction. The Witness explained that Sam Bockarie and his men were living in four houses in the Elwa Junction area. The Witness worked with "50" (identified by the Witness as Benjamin Yeaten) for some time, and then he joined the navy division with Roland Duo. While he was in the navy division, the Witness would go to and from Foya and Monrovia with navy forces. He explained that when the group was in Foya, they used a helicopter to travel rather than a car because LURD forces had captured the area at that time. The Witness noted that the RUF soldiers did not travel with them on the helicopter and clarified that he moved with RUF soldiers while he was with Benjamin Yeaten. He explained that while he was with Benjamin Yeaten, they were in the area of Vahun coming towards Kolahun. Witness 42 confirmed that Massaquoi was with him in Vahun or Lofa Bridge, sometime around 2000 and 2001.

The Witness also explained that he saw Gabriel Massaquoi in Waterside, Monrovia, several times in what he believed was the beginning or middle of 2001. He explained that at that time, Gabriel Massaquoi was controlling the Waterside area, elaborating that different people had different areas they controlled. The Witness stated that Massaquoi killed one of the Witness's bodyguards, Bulldog, on Water Street, opposite the 99 Steps, in 2001. The Witness clarified that Massaquoi did not kill Bulldog himself, but rather that [FNM-140] killed him and other soldiers, because he had said they were looting stores.

The Witness explained that he went to Waterside to collect Bulldog's corpse and saw Gabriel Massaquoi carrying out an execution. He recalled six civilians and five soldiers being executed, specifying that the soldiers were no longer armed, as they were tied up with ropes. He explained that he told Gabriel Massaquoi to let the civilians go and kill the soldiers, but that Massaquoi refused and said that the civilians were the cause of the soldiers looting. They began to argue, to

the point that they "*almost had riot*". While they were arguing, Massaquoi became vexed and told his soldiers to shoot the tied-up soldiers and civilians. The soldiers delayed in carrying out the order, so Gabriel Massaquoi took his gun and shot the civilians. The bodies were then thrown in the river. The situation only deescalated because Benjamin Yeaten called Witness 42 and told him to *"forget about it."* The Witness then directed his other bodyguards to forget it as well, and they took Bulldog's body and left. He clarified that different groups were in control of different areas, and Waterside was Gabriel Massaquoi's area. He also explained that this event happened in 2001.

The Prosecution asked the Witness if he saw Massaquoi in Monrovia after this incident occurred, but the Witness responded that because of what happened they were not close. He also added that he did not see Gabriel Massaquoi doing anything to civilians or soldiers while he was in Lofa.

Finally, the Prosecution asked the Witness about how the Finnish police got in contact with him. The Witness explained that [FNM-098] gave his number to [Employee 1], who then called him. He explained that he was previously interviewed by other people, but that it was on a different issue.

The Defense questions Witness 42

The Defense asked the Witness to elaborate about the interview he gave to people other than the Finnish police. The Witness explained that people came to find out how the soldiers and commanders were living after the war and whether the soldiers still respected the commanders. The Witness could not recall which organization conducted the interview but told Defense Counsel that he could bring him their card.

The Witness also testified further about his interactions with the Finnish police, explaining that he sent two other witnesses, [FNM-138] and [FNM-137], to be interviewed. Both men were his bodyguards and were on the scene when the Bulldog incident occurred. He was unsure whether the Finnish police ever actually interviewed those people and stated that he just gave their phone numbers. The Defense pointed out that the police had a list indicating that five other witnesses were referred to the police by him. The Witness responded that maybe one of the witnesses he mentioned brought additional people who were linked to him. There was a discussion between the Defense and the Witness about whether the Witness knew a man who had the same given name but a different surname than [FNM-138]. The Witness stated that he knew the man with the different surname, but when asked whether these two men were in fact the same person, the Witness's response was unclear.

The Witness was also asked to identify several other witnesses who the Defense indicated were sent by him to the Finnish police. The Witness responded that he knew some people by their war name, and so it was hard for him to know their other names. The individuals mentioned were: [FNM-139], [FNM-140], [FNM-141], [FNM-138], and [FNM-137]. The Witness was asked whether he saw [FNM-139] when the incident occurred in Waterside. The Witness explained that he did not, as he was not one of the Witness's bodyguards.

Defense Counsel also asked the Witness whether he recalled what he told the Finnish police in his interview, two years prior to his testimony, about the timing of the incident, and the Witness responded that he could not remember. The Defense then read a portion of the police summary, in which the Witness was placed in Monrovia at the end of the war in 2002. Witness 42 explained that he was placed in Monrovia in 2002 at the end of the war, but noted that, as he previously explained, he would go to and from Foya and Monrovia during the war. Defense Counsel asked why the Witness did not tell the police that he traveled between the regions, and the Witness explained that he simply answered the questions the police asked. He noted that *"I could not leave my family in Monrovia for 3 to 5 years and be in Foya without coming to visit them"*.

The Defense also read a portion of the police summary in which the Witness recalled that RUF troops were moved to Monrovia and asked whether the Witness said Gabriel Massaquoi was in Monrovia after Sam Bockarie died. The Witness responded that this was true, and elaborated that he thought that Sam Bockarie died sometime between 2002 and 2003. The Defense noted that it is generally known that Sam Bockarie died in May 2003 and asked the Witness if he recalled seeing Gabriel Massaquoi after that time. The Witness responded that he could not remember, but noted that he stopped seeing Gabriel Massaquoi, as Massaquoi was not in Monrovia from the middle of 2001 to 2002. He noted, however, that Salami, CO Blood, CO Mess, and Yellow remained in Monrovia at that time. The Defense pressed the Witness on whether he just confirmed he had seen Gabriel Massaquoi after Sam Bockarie's death. The Witness answered that he did not see Gabriel Massaquoi after Sam Bockarie's death, clarifying that he did not properly understand the Defense's question. He was also asked why he told the Finnish police that Gabriel Massaquoi was in Monrovia after Sam Bockarie's death and responded that he might have missed the year. He confirmed that after Sam Bockarie's death, Gabriel Massaquoi was not there.

Returning to the incident regarding Bulldog's death in Waterside, the Witness confirmed that he went to Waterside because he had heard his bodyguard had been executed, and that Bodyman was already dead when he arrived: they only went to retrieve the body. The Witness also explained that at the time, the war was going on against the LURD, who were controlling the area up to Stockton Creek Bridge.

The Defense noted that the Finnish police report said the Witness was placed in Monrovia at the end of May to July in 2003. The Witness explained that this was the end of the war, when LURD forces had captured all of Lofa and pushed them into Monrovia. He also noted that the LURD would attack Monrovia during this time, they would repel LURD, and this pattern would repeat. The Defense asked the Witness how many times LURD attacked Monrovia, with the Witness answering that they had WW 1, WW 2, and WW 3. He also explained that RUF troops were controlling Waterside and that a *"lot of killing went on there."* The Defense asked the Witness if these events occurred in 2003, but the Witness could not recall the year.

More broadly, the Defense asked about the mission of the RUF and whether it was to fight together with Liberian government troops against the LURD troops. The Witness responded that the RUF had been fighting with government troops from the time they came to Liberia. He was also asked whether RUF troops killed civilians and soldiers trying to find food under the guise that they were looting. He explained that soldiers would go overnight to break into stores to get things, and if they were caught, they would be killed. The Witness noted that RUF troops were in the Waterside area until the end of the war, and were mixed with the Jungle Fire, a group

controlled by "50". The Witness was asked whether Massaquoi was there until the war ended, and the Witness stated that they had been controlling the area since 2001, but explained that, because he was not assigned to that group, he did not know if Massaquoi was still there at the end of the war.

Returning to the incident, the Defense indicated that there appeared to be a misunderstanding between the Witness and the Finnish police, because in his interview he said that Gabriel Massaquoi gave orders for the soldiers to kill civilians. The Witness clarified that he said that Gabriel Massaquoi gave orders for the soldiers to kill the civilians and at last took the gun himself and killed them.

The Defense also noted that the Witness told police that he was not present when Gabriel Massaquoi shot the people, but the Witness was confused by the Defense's question, turning to the translator to say, "*I do not understand what that man is saying*". The Witness clarified that he did not see Bulldog's execution. He further explained that one of his men, [Soldier 01], called him and told him to come to Waterside quickly because an execution was about to take place. The Witness then went to the scene and asked Massaquoi why he killed people during the first execution, noting that Gabriel Massaquoi killed three civilians in his presence. He added that he told the police this and did not know why they did not record it. Finally, the Defense asked whether, in the Witness's opinion, Massaquoi killed several times. The Witness said that Massaquoi and his group had power vested in them even over the other soldiers. Apart from Jungle Fire, who were Benjamin Yeaten's bodyguards, any other soldier in Waterside would be killed by Massaquoi and his men and nothing would come of it. He noted that even his bodyguard Bulldog was killed along with ten other soldiers for looting.

The Prosecution asks additional questions

The Prosecution asked the Witness to clarify what happened when Bulldog was killed. The Witness explained that eleven people were killed in total, both civilians and soldiers including Bulldog. He also noted that [FNM-140] carried out the execution and the Witness was not present when that execution occurred. He noted that after he was told about Bulldog's death, he went to Waterside and almost exchanged gunfire with Massaquoi and his men. While the Witness and Gabriel Massaquoi were arguing, more people were brought to Massaquoi to be executed. The Witness told Massaquoi he could not execute the people, but Massaquoi ordered his soldiers to kill anyway. Because Witness 42 was also a commander, the soldiers were afraid and did not follow Massaquoi's orders. This led Massaquoi himself to take the gun and shoot the people. While the Witness could not remember how many civilians Massaquoi killed due to the passage of time, he noted that five soldiers tied up in ropes were killed.

The Defense asks additional questions

The Defense asked the Witness to confirm that he was ordered to go to Lofa from 1999 to 2002, where he moved around in Foya, Vahun, and Bomi Hills. The Witness noted that this was the time he worked under Benjamin Yeaten fighting against LURD. He explained that in 2002, he left Yeaten's troops to join the navy, but that did not stop him from being around Benjamin Yeaten. The Judge then ended the testimony and the Witness was excused.

Witness 43 is heard

(*Finnish Witness ID: Soldier 01*)

Prosecution questions Witness 43

The Witness identified himself as a soldier with Charles Taylor's government forces during the Second Liberian Civil War. From 2000 to 2001, he served on the frontline under the command of [Soldier 07], who testified earlier in the day. The Witness stated his war name, and offered that he held the rank of General Battle Group for his unit.

Witness 43 testified that he mainly fought on the frontlines in Lofa, but that he was diverted to Monrovia at some point between 2000 and 2001 to fight the incoming forces. He was first assigned to Stockton Bridge, but he also described a specific order from [Soldier 07]: he was sent to Waterside to stop the executions of civilians that Gabriel Massaquoi was carrying out, the Witness noted that Gabriel Massaquoi did not listen to him. He went to Waterside with three of his bodyguards; when he arrived, he attempted to get Massaquoi to stop. The Witness noted that he was courteous when he spoke with Massaquoi, as Massaquoi was the *"higher-ranking officer."* He later noted he asked him, *"Permit me, Sir! What is going on?"* However, Massaquoi ignored him. The Witness said Gabriel Massaquoi was *"very desperate, delicate."*

The Witness saw Gabriel Massaquoi take a submachine gun from another soldier and start shooting civilians and some soldiers. He recalled that Massaquoi executed civilians at a store that was being looted. The Witness placed the event as having occurred on Water Street leaving Broad Street, near the Du River. The Witness confirmed this was not far from 99 Steps and that one could see the Old Bridge and the river from the front of the store. He could not provide the number of civilians killed, saying only that there were *"too many."* The Witness also noted that, because Gabriel Massaquoi had power, he would open fire on civilians who he accused of looting. During the same incident, he also saw Gabriel Massaquoi kill twelve child soldiers fighting for the National Patriotic Front of Liberia (NPFL), in a group called "Nyanplan" [*sic*]. The Witness later said that after the shooting, he returned to his commander and gave him a report of events.

The Witness briefly discussed other incidents involving Gabriel Massaquoi. He stated that Gabriel Massaquoi carried out a massacre in Popalahun, and as well as in another village, where he killed women and children, and *"opened them up and roasted them."* The Witness stated that Massaquoi killed his brother in Popalahun, and later clarified that he was in Belle Fassama when he was told *"Angel Gabriel killed [his] brother."* Before the Witness could get to Popalahun, Angel Gabriel had already left for another area. When asked whether these incidents occurred before or after the killing of civilians in Waterside, the Witness appeared confused, and did not provide clarification on the timing.

The Prosecution then turned to ask about the death of a soldier called "Bulldog". The Witness seemed to think that the Prosecution was referring to a "Bulldog" with whom the Witness went through training and knew very well. However, he did not know how and when this "Bulldog" died, as he was at JFK Hospital receiving treatment for a leg injury he received while fighting on

the Old Bridge. The Prosecution asked whether [Soldier 07] did anything after Bulldog died, and the Witness stated that he was not concerned about this at the time, due to his injury.

The Witness noted that, when the RUF came to Liberia, Gabriel Massaquoi was their spokesman at the border. It was not clear whether the Witness had met Massaquoi prior to the incident in Waterside, but he indicated that he knew of him. Turning to the RUF's locations in Monrovia, the Witness stated that they controlled the area around the new bridge. He also recalled that Gabriel Massaquoi referred to himself as Angel Gabriel when he was on the frontline, before any "*performance*". He recalled that Gabriel Massaquoi, like most of the RUF, spoke Mende.

Finally, the Witness testified about his interactions with the Finnish police. He recalled that [Soldier 07] gave his contact information to [Employee 1], who called the Witness at work. The Witness referred to a piece of paper with [Employee 1]'s name during his testimony as he wrote it down to ensure he would not forget. [Employee 1| asked to meet with the Witness without providing any information on the topic. After meeting with him, he was sent to meet with police, who he described as "*huge-huge white guys*".

The Defense questions Witness 43

The Defense opened by asking about the Witness's interactions with [Employee 1] and the police. Witness 43 testified that he wrote [Employee 1]'s name on the piece of paper when he first met with him and kept it in his files, as the police told him they would be back. He stated that he did not have an in-depth conversation with [Employee 1], who only directed him to the Finnish police. He confirmed that [Soldier 07] never discussed giving his number to [Employee 1] or explained the interview, but also said that he would do whatever he asked, as he was his commander. He confirmed he did not know what the interview was about before he met with police. When he arrived, the police showed him photos and asked if he personally knew *"any Gabriel."* He responded that he did. Asked by Defense whether he recalled how many people were in the photo he was shown, he responded that he did not check. The Defense also asked whether the police pointed to an individual in the photos and asked if it was Gabriel or if the Witness picked Gabriel out himself. The Witness responded that the police asked if he knew Gabriel before the interview began and then asked that he identify Gabriel in the photos. The Witness noted that the police were all white people, with one Liberian English interpreter.

The Defense then noted that in his interview, the Witness told police that [Soldier 07] told him it was going to be about the incident in Waterside and the task [Soldier 07] had sent him to do. The Witness clarified that [Soldier 07] never explained anything about the interview to him. The Defense said the Witness had also told police that [Soldier 07] told him he would be asked about Gabriel Massaquoi. The Witness confirmed [Soldier 07] told him who the interview would be about, but not what to say, and elaborated that he knew more about Gabriel Massaquoi than [Soldier 07], given that he fought with the RUF, whereas [Soldier 07] did not. He clarified that [Soldier 07] did not explain what to expect at the interview in detail but told him why he was going to see the police because the Witness was afraid.

The Court then played a recording of the Witness's December 2019 interview with police. In the recording, the Witness told police that [Soldier 07] told him the police wanted to know about "*the incident that took place in Waterside. That individual, they want to know about it. So you*

yourself go and relay it to them". In the recording, the Witness confirmed to police that the individual was Gabriel Massaquoi.

Following the recording, the Witness reiterated that [Soldier 07| continued to be his general, and that, without his encouragement, he would not have come to Monrovia. He also stated that, after 2001, he did not know where Gabriel Massaquoi went, though the Witness was looking for him because he killed his brother.

The Defense shifted the questioning to the events in Monrovia. The Witness stated that while there, he was based at White Flower near Paynesville, where President Taylor was living, and was fighting for the government forces against the LURD. He confirmed that the war was ongoing in Monrovia at the time, but that it was not very hot. The Witness separated the war into WW1, WW2, and WW3. Because, as the Witness stated, soldiers *"took a lot of things to keep us active on the front,"* he could not recall the war in which the Waterside incident occurred, only that it happened between 2000 and 2001. However, he ruled out WW3, which he later clarified occurred in 2003, because the war had *"really hit"* Monrovia by that time.

The Defense then pointed to the police summary, which stated that the Witness was in Paynesville during WW3 when Gabriel Massaquoi killed Bulldog, who the Defense believed was his soldier. The Witness clarified that there had been some confusion as there were three soldiers called Bulldog in the NPFL. One guarded Charles Taylor, the second was a Marine commander, and the third was a child soldier, a member of the Small Boys Unit who was assigned with the Witness. He clarified that the Marine Bulldog was the one who died while the Witness was in the hospital. The Witness mentioned different divisions in the NPFL, including the Marine Division, Strike Force, and Jungle Fire.

The Witness then understood the Defense was asking about the third Bulldog, the child, who the Witness said Gabriel Massaquoi had killed for looting. He testified that [Soldier 07] told him to look for this Bulldog's body. He clarified that this Bulldog was the Witness's bodyguard, his *"small soldier,"* and he had taken him as a son after his parents fled. Asked whether he was [Soldier 07]'s bodyguard, the Witness noted that the Bulldog was assigned to him, but explained that, as [Soldier 07] was the Witness's commander, anyone assigned to the Witness was also assigned to [Soldier 07].

The Witness then described the forces in Monrovia at the time of the Waterside incident. The Witness and other government forces were fighting LURD forces. The first time the LURD hit Monrovia, they were in Logan Town, and the second time, they were in Vai Town. The NPFL and the RUF created a buffer zone, with one group on either side of Vai Town so that only the bridges were between them. The Witness described shooting happening every day between the forces. One day, he drove towards LURD forces at the port and fired heavy artillery at them from a pickup truck. He used this incident as a frame of reference for the timing of the killing of Bulldog, confirming that [Soldier 07| sent him to search for Bulldog's body before the war in which this shooting occurred. He could not recall the length of time between this shooting and searching for the body, noting that the order to find the body was not very important and that he only wanted to look for the body because they were close.

The Court then played an excerpt from the Witness's interview with police in which he described Bulldog's killing as having occurred in WW3. He stated he was in Gardnersville during WW3 when Angel Gabriel killed Bulldog and [Soldier 07] told him to search for the body. Later in the recording, the Witness told police he was ordered to go to Monrovia, describing that he walked from Lofa to Gbarnga before coming to Monrovia to fight in WW3.

Following the recording, Defense asked the Witness to confirm what was said in the recording, and the Witness stated it was the ending of the war.

The Defense asked whether the Witness had ever seen Gabriel Massaquoi burn people in houses. The Witness said he had never physically seen Gabriel Massaquoi and Zigzag Marzah burn people, *"but it was their trademark"* and they controlled the area.

The Witness also confirmed that he was injured twice, once in the north in Voinjama and once in Monrovia. Both times, he went to JFK Hospital.

Finally, Defense noted that the Witness stated at trial that Gabriel Massaquoi was the spokesman for the RUF, and asked whether he knew this information prior to this hearing. The Witness stated that the police never asked him that question, and reiterated that he recognised Massaquoi from the pictures he was shown.

The Prosecution asks additional questions

The Witness confirmed that he searched for Bulldog's body but never found it. He stated that he heard Bulldog had died, so told [Soldier 07], who then instructed him to go look for the body. He clarified that when he went down to search for the body, he received another order to put a stop to the incident developing in Waterside with Gabriel Massaquoi. He stated that he did not approve of soldiers subduing civilians, repeating that he saw Gabriel Massaquoi at the store, where Massaquoi did not talk to him. He repeated that when he arrived at the store, the civilians were not yet killed, as that happened in front of him. He testified that [Soldier 07] was not present when the Witness was looking for Bulldog's body. He stated he did not know if [Soldier 07] visited the site as the Witness gave him the report of the Waterside incident and left. He noted, however, that [Soldier 07] was very angry about the civilian killings and thought it likely that he did visit the scene after. The Court then played a recording in which the Witness told the police that he left the area until [Soldier 07] arrived. [Soldier 07] asked Gabriel Massaquoi *"why you keep killing Liberians in our own country?"* The soldiers and Gabriel Massaquoi then raised their weapons at each other and almost opened fire on one another. Following the recording, the Witness clarified that this argument took place at the E.J. Royce Building, where Benjamin Yeaten was based.

Witness 44 is heard

(*Finnish Witness ID: Soldier 04*)

Prosecution questions Witness 44

The Witness began by identifying himself as a soldier in the NPFL and government forces during the Second Civil War. He was under the command of [Soldier 07] and fought in Montserrado and Lofa Counties. He stated that when LURD rebels came to Lofa County in 2000 or 2001, his assignment was changed from Montserrado to Lofa County.

The Prosecution asked about the Witness's time in Monrovia. The Witness explained that his group controlled the Gabriel Tucker Bridge down to Waterside. He stated that there were many RUF troops there as well, first under the command of Sam Bockarie and Johnny Paul, and then under the command of *"Angel Gabriel"*, which was the fighting name of a man, also called *"Massaquoi".* The Witness met Massaquoi at the front as well as on the road to Waterside.

The Witness then described an incident at the Nimba parking area, which he referred to as "*a battle*". [Soldier 07] had sent for the Witness, [Soldier 01], and a young member of the Small Boys Unit (SBU) who died on the same day. As they were going, they saw people on their knees. The Witness could not remember how many people there were, but when prompted for an estimate, he said there were more than six people. He recalled that some of them were tied, and two of them were naked and tabayed. The others were lined up near the water bank where they would fall in the water if shot.

The driver stopped the car and asked who the people were. The Witness said that they were told, *"Angel Gabriel said these are enemies, we would get rid of them."* As far as the Witness was concerned, *"Chief Massaquoi"* gave the order to kill the people – he did not know whether Massaquoi was the one who shot them, but noted that he had a pistol in his hand. When the Prosecution asked if the people were civilians or soldiers, the Witness explained that where they were was not a place where they would usually see civilians. Nevertheless, he said that some of the people looked like civilians, not soldiers, but Massaquoi *"insisted that he would kill them."* The Witness did not see them being killed as they were passing by on their way to another mission, however, he noted that "for sure he did it". The Prosecution asked what the other mission was. The Witness explained that they were going to the front line via Somalia Drive but could not get through Clara Town, so they passed through Congo Town and Red Light on the way to the front. The Witness said that when he reached [Soldier 07], he told him what had happened with the Sierra Leoneans, whom they called the "agba boys". [Soldier 07] asked who the commander was, and the Witness told him it was Massaquoi. The Prosecution asked how [Soldier 07] reacted, and the Witness responded, *"He felt bad, but what to do."* [Soldier 07] said he was going to go there to check, but by that time they were already on the front. The Witness then said that their assignment changed and they went to Lofa County, after which point he did not see Massaquoi again.

Asked to clarify the location of the incident, the Witness noted that by the New Bridge, near a police station, there was a wide area, called the Nimba parking area. The Prosecution asked whether this was 99 Steps, and the Witness affirmed that was the main place where the incident happened. He said that from 99 Steps, they used the road to go to the Johnson Street area and climbed up to Ashmun Street. The Witness noted that it was difficult to remember details because these events happened years ago. When the Prosecution asked if he saw anything else on the way they were going, the Witness stated that he saw a few bodies because it was a no-go zone. He also stated that this area was under the control of the Sierra Leoneans, specifically Salami and *"Gibril Massaquoi."*

The Witness testified that the incident he described happened around 2000 to 2001. He was unclear on the time of year but said that this was when his assignment changed, in 2000. He said that he came back when WW1 and WW2 happened in 2002, and he did not see Massaquoi again. The Witness stated that Massaquoi spoke Krio, "*he didn't speak sound English*". When asked about the war name "Angel Gabriel," the Witness said he did not know how Massaquoi got this name and explained that many people used war names because they did not want people to identify them.

The Prosecution then asked the Witness about his interview with the Finnish police. The Witness recalled that he was interviewed the year before last, before COVID-19. He brought the Finnish police to places, including one where he got a scar. He explained that he received the scar when Massaquoi's special aide shot between his legs to frighten him; Masssaquoi's "focus was on the people he wanted to kill.". This incident occurred when [Soldier 07] was calling Benjamin Yeaten to resolve a dispute between the groups, where Massaquoi's soldiers wanted to disarm them. The Sierra Leoneans outnumbered the Witness's group, who were only a few people in a pickup. The Prosecution resumed asking about the Witness's contact with the Finnish police. The Witness explained that [Employee 1] called him at home and told him that [Soldier 07] had given him the Witness's number. [Employee 1] told the Witness that he wanted information about Massaquoi and the incident on 99 Steps. The Witness stated that [Soldier 07] knew he was on the scene and could explain, but he was "*a little bit scared*".

The Defense questions Witness 44

The Defense began by asking the Witness who told him about Massaquoi and the 99 Steps. The Witness explained that he was on the scene and saw Massaquoi there himself. He further explained that Soldier 07 knew he was on the scene and so gave his number, particularly because he did not have the numbers for others who were there, or they have since died.

The Defense then asked whether the Witness had discussed Massaquoi with anyone else within the last few months. The Witness swore to his god that he had not, but acknowledged, among ex-combatants, who "*used to do the dirty work on the front*", it was normal that the name of a *"big man*" would come up. He said that he did not know where Massaquoi was currently living. The Defense brought up that the Witness discussed an individual, [FNM-142], in his interview with police. The Witness stated that he knew [FNM-142], who was also a fighter. The Defense stated that in the police summary, the Witness had said he heard from [FNM-142] that Massaquoi was in Finland. The Witness rejected this statement, and when asked to clarify if he meant he had not made that statement to the police or he had not heard it, the Witness said that the Court should play the recording of his interview. He also claimed that he did not make the statement alleged by the Defense and asserted that Massaquoi's location did not concern him.

The recording of the Witness's interview was played, after which the Defense asked the Witness to confirm that he heard himself say that [FNM-142] told him that Massaquoi was in Finland. Defense asked how the Witness began speaking of Massaquoi, and the Witness explained that he went to a funeral for one of their late generals, and ended up in a group conversation, the type of situation where *"you just entered somewhere and people are talking and you just join in."* He said he could not remember everything that was said about Massaquoi.

The Defense then turned to the issue of names. He pointed out that the Witness never mentioned "Angel Gabriel" in his summary to the Finnish authorities. The Witness responded that *"they did not ask."* He explained that during war people did not use their real names, so he just used one of the names. The Defense asked if, during the war, the name "Massaquoi" was used, and not "Angel Gabriel." The Witness explained that people had given names and war names, citing other prominent soldiers as examples. He stated that Massaquoi also had a war name, and asked whether it was "*a crime if I start calling him by the name he used?*"

Following this exchange, the Defense asked when and where the Witness first saw Massaquoi. The Witness stated he first saw Massaquoi in 2000 and last saw him in 2001. He saw him in Congo Town behind Charles Taylor's house, where all the Sierra Leoneans were.

The Defense asked whether the Witness had a base in Gardnersville. The Witness denied having a base there, and repeated that when his assignment changed, he was passing through and saw Massaquoi carry out his act. When asked why they needed more manpower there, the Witness responded that they had to secure the various entry points because they did not want the LURD to penetrate. The Defense asked if there was war going on when the incident in Waterside happened. The Witness stated that people did not need the cover of fighting to do what they wanted. He elaborated that 99 Steps was generally a calm area, and it was easy to bring captured people and do *"dirty work"* because it was beside the water.

The Defense asked when the Witness last saw Massaquoi, and he testified that it was when their patrol passed and Massaquoi was carrying out his act. The Defense noted that the Witness had told the police he heard the name "Massaquoi" from the Sierra Leoneans. The Witness said that he joined the revolution at 14 and remained with Taylor's forces throughout. He explained that when the Sierra Leoneans came, they tried to introduce them to other soldiers on the ground, and that was how he learned the names of people like Sam Bockarie, Johnny Paul Koroma, or Massaquoi. The Defense sought to confirm that the Witness told the police that the first time he saw Massaquoi was at 99 Steps, but the Witness explained that he told them he heard about Massaquoi when he came to Liberia, but the Witness first saw him *"perform"* at 99 Steps.

The Witness reiterated that many people had their own war names, and the Defense asked the Witness about Bulldog. The Witness said he knew about one Bulldog, the president's bodyguard, and he is still alive. The Defense then pointed out that the summary stated that the Witness left from Gardnersville to Waterside because they had killed his friend, Bulldog. The Witness replied that this was [Soldier 01]'s friend, *"but the republic knows one Bulldog, that's the president bodyguard."* He said that Bulldog was a *"small boy"* when he was killed.

The Defense then turned to the timing of the incident, mentioning the beginning of 2003. The Witness stated that in 2003, there was no fighting in Monrovia and Taylor left the country. The Defense maintained that the summary said it was in the beginning of 2003, and the Witness noted that it was difficult to remember everything from that year up to the present day, and that his *"brain is not a computer."* The Defense repeated that the Witness had said he met [Soldier 07] in 2002 and came to Monrovia in 2003, asking when the Witness joined [Soldier 07]'s troops. The Witness explained he was coming from Lofa and [Soldier 07] saw his performance and recruited him. He asserted that the war in Lofa was in 2000, and they came to Monrovia to fight the LURD

in 2001. He said the fighting was serious in Monrovia in 2001-2002, and that was when he joined the navy division. In 2003, the president left the country.

The Defense sought to clarify the year or month that the Witness joined the navy, and the Witness recalled that it was around December, although he could not remember the specific date. The Defense noted that the summary said he joined in December 2002, and that in the beginning of 2003 the navy troops were transferred to Monrovia. The Witness said he joined the navy because of his performance; they were retreating and he was needed. He described a heavy battle and explained that they had to come back to Monrovia. The Defense asked if the Witness was then in Gardnersville. The Witness told the Defense, *"your questions are starting to embarrass me,"* and asked what he meant by the question, explaining that they were at the front. The Defense explained that the Witness had said he went from Gardnersville to Waterside when [Soldier 01]'s friend was killed. The Witness responded that they received a phone call where they heard they killed the "*little boy*", and [Soldier 07] said they should go and check. The Defense again noted that in the summary the Witness said this had happened in 2003. The Witness defended himself, saying, *"I am a human being, I can forget."* The Defense played the recording, and then pointed out that the Witness had only mentioned 2003. The Witness responded, *"I can't remember everything; I was fighting to save my life. I can't say and then come back and say something the exact same way."*

The hearing concluded and will resume on Friday, 2 April 2021.

April 2, 2021 – [Liberia] Day 24: The Hearing of Witnesses 45, 46, and 47

The 24th day of public hearings resumed on April 4, 2021 in Monrovia, Liberia.

Witness 45 is heard

(*Finnish Witness ID: Soldier 17*)

The Prosecution questions Witness 45

The Prosecution began by asking the Witness a question about the Second Liberian Civil War. The inquiry focused particularly on the Death Squad. The Witness explained that the first commander of the unit was Angel Gabriel, and the next commander was "Next to God." The Witness met Angel Gabriel during the war, and added that it was Angel Gabriel's bodyguard, known as "KB", "Kill the Bitch" who crippled the Witness' leg. He recounted that when enemies were coming to the bridge, Angel Gabriel put up a barrier and told them not to cross it. As people tried to cross, KB started to shoot: a bullet ricocheted off the ground and hit the Witness's kneecap. The Witness is still affected by that wound to present day.

The Witness described how civilians in Waterside had fled, and some started looting stores. One of the first things that Angel Gabriel and his troops did, once they arrived, was to open fire on people present in the stores. The Witness recalled how once the shooting began, a soldier named "Bodyman" came running towards Angel Gabriel with a gun in his hand. Angel Gabriel screamed at Bodyman to drop his gun; however, Bodyman did not hear and he was shot down. This happened in Water Street, near the 99 Steps area. A group of men, who were friends with the Witness, reported the death. [Soldier 07] asked soldier [FNM-136], the Witness, and other men to go and confirm what had happened. When they arrived on the scene, the Witness recounted how they had wanted to open fire on Angel Gabriel and his men. However, [Soldier 07] stopped them, and wanted to hear from Benjamin Yeaten first, as he was the Chief. Yeaten told them not to attack, and Angel Gabriel fled to Congo Town, at Yeaten's place where he was based, because he was afraid people were about to kill him.

The Prosecutor then referred back to the shooting at the stores and the location of those stores in Waterside. The Witness answered that the stores were not near the Old Bridge: it was going towards Water Street. When Angel Gabriel arrived at the store in question, a cell phone shop, he started shooting and said that "*nobody should loot*" and as long as people were looting, he was going to kill them. The Witness saw Angel Gabriel shooting with his own eyes.

After some clarifying questions regarding who [Soldier 07] sent to go and confirm the death of Bodyman, the Prosecution asked the Witness why they wanted to exchange fire when they arrived on the scene. Witness 45 replied that it was due to anger after seeing their comrade's dead body. According to him, there were more than 15 people lying dead; besides Bodyman, all others were civilians, killed because of loitering in the area. The Witness said that he saw Angel Gabriel killing Bodyman, and "*butchering people and all*": he remembered how he saw internal organs being removed. He added that he did not speak to Angel Gabriel because he wanted to kill him, and that the reason why Angel Gabriel did not die was because [Soldier 07] arrived as they

were arguing. The Witness added that it happened either in 2000 or 2001, during the rainy season. He remembered the season because that was when the LURD was "*hitting*".

The Prosecution then shifted the questioning to the Witness's time in Lofa. The Witness remarked that he saw numerous bad things happening to civilians; Angel Gabriel was involved in some, but not all, as different people were involved. When asked to describe what Angel Gabriel was a part of, the Witness explained that in Kamatahun, Angel Gabriel killed the Town Chief and "*half the people*" because they had not remained in town, when Angel Gabriel had asked them to. According to the Witness, Angel Gabriel slit their throats with a knife. He confirmed this was the only incident in the area where Angel Gabriel was involved that he knew about. Later on in the testimony, the Prosecution asked the Witness if he also remembered if houses were being burned down; Witness 45 responded that Zigzag Marzah, sent by Yeaten, was setting houses on fire, and not Angel Gabriel. When the Prosecution asked if the Death Squad led by Angel Gabriel had anything to do with it, the Witness reiterated that Zigzag Marzah and Yeaten "*did that*".

The Prosecutor then shifted the questioning to the interview with Finnish Police. The Witness recalled how he was selling a few items in Red Light when he saw [Soldier 07]. The man told him that "*you are the people an NGO is looking for*" and added that the NGO would help him. He gave [Soldier 07] his phone number, and one day, [Soldier 07] called him to tell him that some people wanted stories, especially by those who had been to Sierra Leone and came back to Liberia, like the Witness. Witness 45 responded that he hoped [Soldier 07] was not doing this "*for people to come and arrest us*" as he had heard that people were being arrested. He informed him that that month he was busy with the harvesting, but he would call him again when he was back in town.

And so he did, and [Soldier 07] took him to his place where the Witness stayed overnight. The Witness was still worried that he might be arrested. [Soldier 07] made arrangements for Witness 45 to speak to the "white people". When he spoke with them, he recalled how they showed him pictures and asked him who he recognized. He only recognised Angel Gabriel. When they asked him how he knew him, the Witness explained that they had fought together in Sierra Leone, but Angel Gabriel's rank was higher than his, and therefore he was the Witness's boss. He asked where Angel Gabriel was, because he had not seen him in a long time, and the police responded that "*this man is in a problem, certain things he did in Liberia is what we want to find out from you.*"

Finally, the Prosecution wanted to know who had taken the Witness to the venue the day prior. He could not recall his name but shared that it was "*a black man, short and thick*".

The Defense questions Witness 45

When asked, the Witness explained that [Soldier 07] did not disclose any names to him, but only told him that the "*people wanted stories*" from him. He then clarified that the police only showed him the picture after they asked him where he fought, to which he duly replied. The Witness reiterated that there were many people in the photo, and asked who he could identify, and he only recognized Angel Gabriel because he was the only person he knew. The Witness told the Defense that the interviewers showed him a video after showing him the photo; he recognized Angel Gabriel in the video as well.

The Defense asked the Witness if he was sure he had called the name "Angel Gabriel" during the interview with the police. The Witness replied that he had used the full name; however, he could not remember at that moment. The Defense pointed out that the Witness had not used the name Angel Gabriel at all during the interview, and that when the police asked him if he knew that name, the Witness had responded "*no*". When asked if he knew the name "Gabriel Wilson", Witness 45 answered that he did, and it was Angel Gabriel's full name, and Angel Gabriel was his nom de guerre.

The Defense asked the Witness again if [Soldier 07] had told him anything about the investigation; the Witness reiterated that he only told him that the police wanted stories about the war. The Defense then pointed out that the Witness had previously stated that [Soldier 07] told him a story about Gabriel Wilson and how he was part of the Death Squad under the orders of Benjamin Yeaten. The Witness explained that [Soldier 07] told him about Gabriel Wilson, which is Angel Gabriel, and how he asked if it had been the Witness who he had sent on Water Street. The Witness added that [Soldier 07] had told him "*about the thing that happened on Water Street*", but they called "Gabriel Wilson" "Angel Gabriel". He did not remember initially because it had been a long time, and him and [Soldier 07] had talked about different things. [Soldier 07] had asked him if the man had killed Bodyman. The Defense asked Witness 45 if Bodyman had other names, and the Witness responded that people can have multiple names; when prompted, he recalled that Bulldog was another name for Bodyman. He could not remember his age, as they did not grow up together, but he estimated that he must have been in his 20s or 30s.

The Defense asked if the Witness remembered finding Bodyman's body, to which he replied affirmatively. However, the Defense pointed out that in the police summary, it said that despite looking for the body, they could not find it. The Witness responded that Bodyman's body was lying amongst the civilians, and that he had told the police that the first time they looked for it they could not find it. They managed to collect his body the day they pushed LURD rebels back during a fight on Vai Town Bridge. He specified that the events at the stores happened before they went and collected Bodyman's body, more than a week after.

The Defense then asked the Witness whether he remembered what date he had said to the Finnish police about the events. He recalled telling police it had happened in 2002. The Defense replied that he had told the police it was in 2003; the Witness responded that he could not remember at the moment, but he had told them 2000-2002, but in his opinion he had said 2002, in October or November, because it was the rainy season. When asked, the Witness stated that his leg got injured on a bridge in Monrovia, but he did not know the name of said bridge. He explained that when he got injured "*I was not myself*", and that when [Soldier 07] had asked him to go to 99 Steps, he had not been wounded yet.

The Defense asked the Court to play a recording. The Witness is heard mentioning [Soldier 07] and the year 2003; he is also heard saying that he could not recall the month, however he mentioned October/November due to rainfall. When the recording ended, the Defense asked the Witness if [Soldier 07] had told him the name of the NGO that was interested in the case, but he had not. Witness 45 explained how [Soldier 07] had told him that they would have given him a prosthesis.

The Defense asked again the Witness if he had used the name Angel Gabriel during the police interview. The Witness appeared to be confused by the questions of the Defense, and a recording was played by the Court. In the recording, Witness 45 is heard describing how someone shot civilians with an AK-47; when the police asked him if he had heard of the names "Massaquoi" or "Angel Gabriel", the Witness responded that he had not.

The Prosecution questions Witness 45 further

The Prosecution took over the final line of questioning and asked the Witness whether he recalled the year the Second Civil War ended. He responded that he could not remember, and even when the Prosecution asked if it was 2003, the Witness stated he could not recall. The Prosecution rephrased the question, and asked what had happened to Charles Taylor when peace came: the Witness responded that "*they said before peace could come to Liberia, Taylor should leave and they carried Taylor.*" He added that he was in Monrovia when Taylor left, but he could not remember the year.

Witness 46 is heard

(Finnish Witness ID: Soldier 50)

The Prosecution questions Witness 46

The Witness began by saying that he was part of the government forces during the war, and named Zigzag Marzah and Superman as his commanders. He described that his faction was responsible for Vahun and Kolahun but was based in Foya, where he served from 2000 until 2002. He said that the RUF troops were there also, as they were working together. He recalled that Sam Bockarie was in overall command over the RUF troops, Gibril Massaquoi was the spokesman at the time and one of the "*big men*''; he added that Angel Gabriel was his fighting name and that he had met him.

When asked about what happened in the area when they were with the RUF, the Witness explained that at the time there were no "*specific operation*" , and that forces would go where they were needed, based on attacks. He added that the RUF had come from Sierra Leone as reinforcements, and when they joined, "some killing took place".

The Witness recalled an incident in Kamatahun Hassala when they were fighting against LURD rebels. According to the Witness, the RUF claimed that there were dissidents crossing, but based on his judgement these people were civilians as they were unarmed. The Witness noted that the RUF arrested some boys and men and said that they were rebels. The Witness noted that one of the men said "*we are not rebels, we are civilians*''; however, they were put inside a kitchen which was then lit on fire. He recalled that the main commander was not present during this incident, as he was on patrol, so Gibril Massaquoi was in command at the time. The Witness mentioned how even though he was a soldier, he was not happy with the events as he was also from Lofa County and how those people were his people. The Witness asked why they did not hold those people as prisoners, and wait for Benjamin Yeaten or Zigzag Marzah. Later on, he reiterated that Gibril Massaquoi was the commander at that moment, and he had given the order to burn the

house. He estimated that more than 5-6 people were burned. After more than an hour later, the first commander that came back was Zigzag Marzah; he asked who had given the order to set the house on fire. According to the Witness, they told Zigzag Marzah that "*it was the man who you left in charge*". The Witness described howt Zigzag Marzah "*left angry with what happened, but not to that extent, he was not that angry. And you know Gibril was not a small soldier, the only thing they could do was to take his jacket from him*." When prompted, the Witness specified that he did not speak to Gibril Massaquoi himself, because he was a high-ranking officer, so he could not question him: only Yeaten and Zigzag Marzah could.

The Witness noted that Gibril Massaquoi started to shift his responsibility from the incident, and said that he had not not ordered to place the people in the kitchen. However, the Witness later clarified that Massaquoi was aware there were people there, but because "*his boss blamed him*", he tried to blame other people. When "50" arrived in the evening, he was very angry. He informed the other commanders that he and Gibril Massaquoi would be going to Monrovia. When there, they were based in Paynesville.

The Witness explained that when the war intensified and entered the city the war was called WW1. He noted that he had family from Sierra Leone, and that he was always assigned with the RUF because he could speak Mende and Krio, and was from Lofa County. He added that he "*was like an eye on them for the government*".

The Witness noted that in Monrovia, there was another frontline commander named [FNM-143]. He noted how civilians were looking for food, and how civilians were shot because they were looting: the Witness recalled feeling bad, and seeing 15 bodies at a store. Witness 46 said that this "*was not the frontline*" but the other soldiers had told him how their orders were from the high-command, who had instructed "*if anyone enters the store, they should be killed*". The Witness added that it was Gibril Massaquoi who ordered [FNM-143] to fire. He added that he did not know whether Gibril Massaquoi went back there twice, but it was the last time he came across him. Later on in his testimony, he confirmed that the incident at the store took place in 2003 in Waterside.

The Prosecution noted that after the incident the Witness went to Monrovia and asked what year this was. He clarified that the incident occured in 2001 or 2002 and he was in Monrovia in 2003. The Witness explained that the RUF base was in Paynesville, 12 Houses, in Monrovia. He stated that he did not stay there with them, but would go there when ordered. The Prosecution then asked whether the Witness travelled to Monrovia together with the RUF, to which he responded that they went to Monrovia with a convoy. When asked if Massaquoi was in the same convoy, the Witness responded that high-command was there, and they "*had a problem with him*'' because of the incident in Kamatahun. He recalled that there were two different occasions that caused problems with Gibril Massaquoi.

The Witness further described how Monrovia was "*upside down*" in 2003, and that after crossing the safe zone there was the frontline where they were fighting against LURD. He clarified that this was past the bridge and pointed to an area in a map. Referring back to the incident at the store, the Prosecution asked who did the witness tell that "*this was not the frontline*". The Witness explained that he told this to the people who were shooting at the store and who told the Witness that this order is from their head commander. Witness 46 added that Gibril

Massaquoi and Salami were their commanders, and that Salami was dead, and that they were Sierra Leone Army soldiers before they joined the RUF. The Witness explained that he saw Gibril Massaquoi in Waterside when the store incident happened, and reiterated that it was the last time he saw him. The Witness said that he was not exactly sure what language Gibril Massaquoi spoke, but noted that most of them spoke Mende.

When asked how he got in touch with the Finnish police, the Witness said that a friend of his told him a man wanted to speak with him about what had happened during the civil war. [Employee 1] called the Witness and asked to meet him, but he only met him when he spoke with the police.

The Defense questions Witness 46

The Defense began by asking whether the Witness knew who the Finnish police wanted information on. Witness 46 responded that his friend had told him that it was someone from the RUF, but he did not know if it was Gibril Massaquoi or Salami. The Witness explained that the person who gave his phone number to [Employee 1] was [FNM-144], who used to be assigned to 12 Houses, and was junior to him.

The Defense pointed out that the police summary stated that the Witness had indicated that his cousin [FNM-144] told him to testify, but he had not taken him seriously. The person that convinced him to come was [FNM-145]. Further, according to the police statement, the Witness had said "*that man is in Finland and I should come and give information about him and tell the truth*". The Defense then asked what the Witness meant when he said that he knew Angel Gabriel personally, to which he responded that he was assigned with them but did not know his personal life. The Defense noted that "*you said your cousin said Gibril Massaquoi is now living in Finland and you said that the person is angel Gabriel*"

The Witness explained that his cousin, [FNM-144] had been following the story and told him about it, using the name Gibril Massaquoi; and the Witness had told his cousin that that person was Angel Gabriel. He clarified that [FNM-144] did not call him Angel Gabriel because he did not know that name. [FNM-144] had only told him there was a case against him, but did not go into detail. He probably learned about it on the internet.

Referring back to the incident in Kamatahun, the Defense asked where the checkpoint from which he witnessed the fire was. The Witness explained that it was near the town. The Defense wanted to know how far it was from Vahun to Kamatahun. The Witness responded that "*you have to pass Kamatahun to Yandohun to Vahun*''. He estimated that it is at least a six hour walk. The Defense asked whether the Witness was in Vahun when he got the information that the house was lit on fire, to which he replied that he was in Kamatahun. The Defense asked the Court to play a recording where the Witness is heard saying that when he came on the scene, soldiers told him that Massaquoi ordered the burning of the house and the killing of a pregnant lady.

The Witness said that he had forgotten to mention a pregnant woman who was killed under Gibril Massaquoi's order, and confirmed that what was said in the recording was true.

The Prosecution asked the Witness where he had been when the pregnant woman was killed, and he responded that he was at the checkpoint. The Prosecution pointed out that in the recording he had said he was in Vahun. The Witness explained that he was coming from Vahun, as the news that the kitchen was set ablaze brought him to town. From the checkpoint to Kamatahun, it was a 45 minute walk. When he arrived, the kitchen was still burning.

Witness 47 is heard

(*Finnish Witness ID: Soldier 37*)

The Prosecution questions Witness 47

The Prosecution began by asking the Witness about the RUF. The Witness said that the RUF were a rebel united front from Sierra Leone. He described the RUF working in connection with government forces during the Second Liberian Civil War. The Witness himself belonged to the government forces, but he fought together with the RUF as the government and RUF had joint forces. When asked whether he recalled the names of any RUF fighters, the Witness named Sam Bockarie, Superman and Angel Gabriel, and subsequently described them as top ranking officers. The Witness recalled the role of Angel Gabriel being the third man in command, or the spokesman. He recalled that he was Sierra Leonean, and was also called "Massaquoi", but that his fighting name was Angel Gabriel. The Witness met Angel Gabriel in numerous places during the war: Kolahun, Massabolahun, Foya, and Monrovia. He noted that when they met in Monrovia it was calm, but there was fighting occurring in Lofa, as it was the frontline. The Witness explained that he was not with Angel Gabriel in Monrovia, as he was a commander, but he would see him around the city in a car.

The Prosecution asked the Witness whether he came from Lofa to Monrovia at the same time with Angel Gabriel; the Witness responded he had not, because he was not assigned to him. Witness 47 added that he fought together with Angel Gabriel on the frontline and recalled an incident occurring in Kamatahun. The Witness noted that Liberians and Sierra Leoneans had their own groups, but they were all members of the joint forces, and Angel Gabriel was the Sierra Leonean commander.

Regarding the incident in question, he recalled that after they arrived, people were arrested because they were accused of providing information to the LURD forces. The Witness thought that Angel Gabriel ordered people to kill others, and noted that some people were burned and others were raped. He explained that this caused confusion between the groups, and caused an argument after Charles Taylor's forces arrived in the town they were based in. The Witness explained that the altercation caused some people to fight over killing Angel Gabriel, and added that Zigzag Marzah, who was one of the commanders, was angry as well. The argument was settled later on, and Angel Gabriel was called to Vahun, where the chief of staff was. He explained that this is how Angel Gabriel left the frontline, and noted that his life was spared because they had recently lost two commanders, Sam Bockarie and Superman. He noted that he has not seen Angel Gabriel since, in Liberia or elsewhere.

The Witness continued testifying regarding the same incident, and recalled that Angel Gabriel was the one who arrested people in Kamatahun, as he claimed to have information that the people were providing intelligence to dissident forces. He noted that he could not recall where the people brought to Kamatahun were from. He said that the burning and raping caused friction between the groups, and stated that Angel Gabriel gave the order to kill people. He subsequently clarified that he knew that Angel Gabriel gave the order, because "*if he did not give order no one could do anything*". And afterwards, when Zigzag Marzah and another commander arrived and asked who had been responsible, everyone said that Angel Gabriel had given the order.

He explained that the people that had been arrested were burned in a house; he could not estimate how many had been killed, as he had not been present when they were put in the house – although he later saw the bones. He recalled that the people were also raped by Angel Gabriel's men, and noted that Angel Gabriel commanded more than 500 men. The rapes in question occurred in Kamatahun on the same day when the people were arrested and burned. The Witness recalled Angel Gabriel giving the order to rape the people, and that Angel Gabriel had said: *"These are your women. You take them"*.

The Prosecution asked the Witness if he recalled the location of the house that was burned in Kamatahun. He explained that the house would be on the left side of the road when arriving from Kolahun. Prompted by the Prosecution, the Witness recalled the incident taking place in the blacksmith shop. He stated that the rapes took place in a house close to the blacksmith shop, and noted that most of those houses were burned, as heavy fighting took place there. The Witness noted that men were arrested and killed, but all of the people raped were women. The Prosecution asked whether the Witness could estimate how many women were raped, and the Witness replied that the incident took place when it was a bit dark, and they had just retreated due to enemy pressure. He additionally noted that he did not have any authority to investigate what had occurred, so they returned to the front line. He recalled the incident taking place in either late 2001 or early 2002, and noted that he recalled the time because after Angel Gabriel left, the Witness was wounded in August 2002, and was then brought to Monrovia.

The Prosecution pivoted to questioning the Witness about how he got in touch with the Finnish police. He stated that he got in contact through [Employee 1], after they began discussing the civil war whilst on the way to their respective destinations. After a while, [Employee 1] told him that an NGO would be coming, and asked whether he would be willing to share his experience with them. The Prosecution concluded by asking the Witness if he recalled what language Angel Gabriel spoke. The Witness replied that he spoke Mende.

The Defense questions Witness 47

The Defense began by questioning the Witness about his discussions with [Employee 1]. The Witness stated that the initial discussion he had with [Employee 1] took place on public transport. They discussed the fighting that had taken place in Lofa during the civil war, and the Witness told him that he had been in Foya, Voinjama and Zorzor. After noting that RUF came in early 2000, as the first invasion took place when *"Mosquito Spray"* attacked Liberia in 1999, he explained that the RUF splintered, causing some to stay in Sierra Leone whilst others went to Liberia.

He explained that the RUF forces were headed by Sam Bockarie, and they arrived in Liberia in early 2000 through Bomboru and Foya. He added that at the time the LURD forces were attacking, and the government forces never had enough man power to attack them. When asked which RUF leaders arrived, the Witness stated that they had many commanders, but Gibril Massaquoi was their spokesman. The Witness added that at the time he did not really know him, but he did know Sam Bockarie because he was referred to as *"Master"*. He noted that he also did not aid the RUF in their pursuit of arriving in Liberia.

The Defense asked the Witness if he was aware of the type of relationship Angel Gabriel had with the RUF members in Liberia around 2000-2001. He stated that Angel Gabriel had a cordial working relationship with the RUF members in Liberia, and noted that when they came they stayed at 12 Houses, in Monrovia. The Witness was asked whether he had been on the trip where Mosquito was brought to Foya on the request of Charles Taylor. After answering that he had not been on such a trip, he was asked if he had been on a similar trip where Sam Bockarie was taken from Sierra Leone to Liberia. He replied that he met Sam Bockarie at the border and escorted him to Voinjama, but he could not recall if Gabriel Massaquoi was on the trip as he did not know the leadership at the time. The Defense noted that the Witness had previously stated that Superman was also present in the group, to which he replied by responding that he did not know them personally. He explained that Sam Bockarie was escorted from the border because they had received a call from a higher-up, stating that a convoy was coming from Sierra Leone to Liberia.

After noting that Sam Bockarie and other fighters had some internal conflict in Bomboru, he explained that he did not know who ordered Sam Bockarie to go to Liberia as the Witness was not a commander. The Defense asked the Witness if he knew where Bomboru is located, the Witness stated that it is in Sierra Leone, although he was unsure of what part of Sierra Leone. After this, the Defense noted that the Witness had stated that on the way he had become acquainted with Gabriel Massaquoi and Superman. The Witness responded that it might have been a mistake, as he did not know the leadership when they arrived in Liberia.

(A recording is played, in which the Witness stated that the President had told them to go to Bomboru, and that they passed through Foya. He additionally stated that Mosquito attacked Voinjama around December 1999 or early 2000, and they went to Voinjama to fight, but the people had retreated once they arrived. After, they left the executive mansion, and went to Bomboru *where confusion broke out.)*

After the Defense asked if he had in fact gone to Bomboru, the Witness explained that he used the term "us" because he was a part of the troop, but he did not go himself.

(Another recording is played, in which the Witness stated that ATU escorted the RUF to Monrovia through Foya to Voinjama, before arriving in Monrovia. He additionally stated that the RUF had groups, some stayed in Sierra Leone and others came to Liberia. The Witness described the RUF having Sam Bockarie, Superman and Angel Gabriel, who was the spokesman for them, whilst Sam Bockarie was the overall head for them. Finally, he stated that Sam Bockarie, Angel Gabriel, and Sam Bockarie were present on the trip from Bomboru to Foya, Voinjama, and Monrovia.)

The Witness stated that he wanted to clarify that he had said Angel Gabriel, Sam Bockarie, and Superman because they had received a call stating that those individuals would be coming. He

added that he had told the police that he did not know them, and he had simply stated who he was aware they were arriving on the trip in question. He concluded by reiterating that although he recalled Angel Gabriel was present on the trip, they simply received a call that stated that all the individuals in question were arriving.

The Defense asked whether the Witness recalled if there had been any internal conflict in the RUF, and what kind of effect this may have had. Witness 47 responded that he had heard of an internal conflict, and believed that it had hindered Sam Bockarie, Superman, and Angel Gabriel from going to Sierra Leone. The Witness additionally indicated that he believed that Sam Bockarie and Angel Gabriel did not have a cordial relationship with the RUF in Sierra Leone at the time.

The Defense pivoted back to questions related on how the Witness became involved in the process with the Finnish police. The Witness explained that he had met [Employee 1] at a rest stop whilst they were both waiting for their transportation to leave. The Defense noted that the Witness had previously stated that he met [Employee 1] for the first time in Gbarnga, and a recording was played in which the Witness stated so. He explained that it was perhaps a mistake, and there may have been a misunderstanding when the question was asked.

The Prosecution questions Witness 47 further

The Prosecution asked for clarifications on the convoy of the RUF commanders from Sierra Leone to Liberia. The Witness explained that the troop was divided into two, and he was in the troop that went to the border after leaving Monrovia to Lofa because of an invasion led by *"Mosquito Spray"*. He stated that he was part of the group that went to meet the convoy, but he remained in Foya and did not cross the border to Sierra Leone. The convoy arrived in Foya, and the Witness left the convoy once they had arrived in Voinjama, where he would remain. He went on to explain that once the LURD forces attacked again, the RUF returned to Voinjama. He added that after Mosquito left it was calm for a while, before the LURD forces attacked again.

The Prosecution asked the Witness whether he had seen or talked with the people who were a part of the convoy, whilst he was in Voinjama. He stated that he saw them, as they took the same car, but he did not talk to senior commanders himself. He explained that the RUF commanders did not talk to anybody, and that only upon arrival in Voinjama Sam Bockarie talked to an AFL commander. He concluded by noting that no one else talked in Voinjama besides Sam Bockarie, as far as he was aware.

April 5, 2021 – [Liberia] Day 25: The Hearing of Witnesses 48 and 49

Witness 48 is heard

(Finnish Witness ID: Soldier 39)

The Defense questions Witness 48

The Witness began by explaining that during the Second Liberian Civil War he was assigned to Vahun, near the border with Sierra Leone, from December 1999 until 2002 where he served for the "*Special Presidential Guard*". He left his post at the end of 2002 because he got wounded, and after going to Monrovia for medical treatment, he returned to Vahun for business.

When asked if he knew JP Koroma, the Witness responded that he was one of the militia officers "*on that side*", and that he heard about his death through his officer, and it was *"between him and the friendly forces and it had something to do about his girlfriend*". The Witness tentatively said that this occurred in 2001, and that at the time there were a lot of RUF commandos there. Witness 48 said that amongst many others, Angel Gabriel and Superman were there. The Defense asked him if he knew who was responsible for Koroma's death, and the Witness responded that "*the name I got*" was Gen. Sheriff, who used different names when he went to the frontlines. He continued by adding that Angel Gabriel's real name was Sheriff Massaquoi, and that he caused Koroma's death: according to the Witness, he ordered his men to arrest Koroma, and if he resisted, they should shoot on sight. This happened between Masambolahun and Popalahun. He was told this by his officer, [FNM-152], who, meanwhile, had passed away. The Defense pointed out that from his understanding of the pre-trial investigation, the Witness had told the officers that he had been present. Witness 48 responded that he had told the officers he was in Vahun.

The Defense asked clarifying questions on Koroma: the Witness answered that he was "*Mandingo, and Mandingos are from Guinea*". He added that they had met on the field, and that Koroma came from the LURD.

The Prosecution questions Witness 48

The Prosecution asked the Witness if he knew what town "*this Angel Gabriel Massaquoi*" was in; Witness 48 responded that he was in Folima, a bordering town near Vahun. The Prosecution asked if the Witness had been in Kamatahun at the same time as Angel Gabriel, and he responded affirmatively, as that was his assignment area, and would stop there on his way to Popalahun. He continued by saying that what they had seen Angel Gabriel do in Kamatahun had "*shocked us*". When prompted, he explained that there used to be a house where refugees from different places, including children, stayed at. They found out that the children were officers' dependents, and Angel Gabriel ordered his men to get rid of them; they started "*shooting rampantly*". The Witness further explained how he had given the order because "*he was perceiving everybody to be enemy*". The Witness was in Yandohun when this occurred, he was told by [FNM-152] that Angel Gabriel, "Invisible Man", gave the order. This happened in 2000.

The Prosecution asked the Witness how did [FNM-152] get the information on Koroma; he responded that [FNM-152] had been in town at the time. He added that this took place in 2001.

The Prosecution asked the Witness if he had seen Angel Gabriel in Monrovia. The Witness responded that between the end of 2002 and 2003, he had seen him himself with Benjamin Yeaten. He was no longer Angel Gabriel, but Sheriff. They were staying at 12 Houses, and Witness 48 had also seen him in Yeaten's yard, and in Alhaji G. V. Kromah's compound. He added that Sheriff was assigned to Yeaten, had his own officers, a pickup truck, and armed groups with him. The Witness explained that when he went to Monrovia, he worked as a supply officer; Commander 50 gave the Witness supplies, and he would bring them to "*where they stayed*". He added that Angel Gabriel was controlling the "*boys from Sierra Leone*". The last time he saw Angel Gabriel was 2000, in Monrovia, when LURD was around. Angel Gabriel spoke Krio.

The Defense questions Witness 48 further

The Witness explained that when Massaquoi was in Monrovia, they would always supply them on behalf of Benjamin Yeaten. He was aware that Massaquoi was one of the receivers. The Defense pointed out that in the police summary, when they asked him if he had seen Massaquoi in Monrovia, the Witness had said that he had but "*by accident, at the beginning of 2003 "* when there was a war against LURD and MODEL.

When asked if Massaquoi participated in the fighting, and if so, if it was in Waterside; the Witness answered in the affirmative. The Defense enquired if he remembered what he had told the police about this; the Witness answered that he had said he saw Massaquoi in Waterside, on a BZT. The Defense noted that he had said that he saw him, but that he was not fighting. Witness 48 explained that he could not give all of the details during the interview, so he was doing so during the hearing.

At Waterside, there was a large group of soldiers headed by Benjamin Yeaten. Sierra Leoneans were there, and their leader was [FNM-159]. He had told the police that the Sierra Leoneans had "small units", and that he had not seen Massaquoi there, but he was with Benjamin Yeaten under the E.J. Royce building; the Witness was there and saw him. The Defense pointed out that in the police summary, the Witness stated that Massaquoi was not there. The Prosecution interjected, and asked for the recording to be played before the Witness commented on that.

In the recording, the police are heard questioning the Witness on whether he saw Massaquoi "in the building"; Witness 48 that he was "*nowhere around*". All the actions he witnessed from Massaquoi took place in Sierra Leone and Lofa.

The Defense then questioned the Witness about JP Koroma, noting that the Witness referred to him as Guinean in the court but as Sierra Leonean in the police interview. The Witness attributed this to the fact that him and Koroma *"only met in the field"*. The Defense drew attention to the discrepancies in the statements made by the Witness – to the police and to the court – regarding his presence when Koroma died. Witness 48 explained that he was in Lofa County at the time, in Vahun, but not on the location where Koroma was killed. He added that he heard what happened from an officer who was assigned there. The Defense pressed the Witness on this matter,

suggesting he had led the police to believe he was present when Koroma was killed. The court then played the recording of the police interview, after which Witness 48 acknowledged that his interview made it sound as though he was present. According to the Witness, he was not present when Koroma was killed but he was present in Yandohun when the order for Koroma's arrest was given. The Witness specified that Massaquoi gave the order.

At that point, the Prosecution wanted some clarification regarding the E. J. Roye building and the role of Massaquoi. The Witness explained that Massaquoi was close to the building with Benjamin Yeaten but *"did not go with the weapon"*.

The Defense noted that the Witness had stated seeing Massaquoi with his BZT, to which the Witness replied that *"as an officer [Massaquoi] had access to any of those weapons"*. Upon the Defense's insistence, Witness 48 reiterated that Massaquoi was there at the E. J. Roye building but was not *"carrying a gun"*.

According to the Witness, the war in Waterside occured *"at the end of 2002 to the beginning of 2003"*, specifying that the war was *"tense"*. The Defense noted some inconsistency with a previous statement where the Witness recalled seeing Massaquoi at the start of 2003 and that the war *"was not much going on"*.

After some discussion between the Defense and the Prosecution, the former asked two final questions to the Witness. The Defense wanted to know when – in the Witness's opinion – the war in Waterside was and when the last fight involving the LURD happened in Monrovia. The Witness found it difficult to recall because they were not thinking of these things, but he knows the war ended in 2003 under UNSCR 1509.

The Judges asked the Witness about his military rank and whether he had any war names. The Witness replied that he was a planning and training officer and that he did not have a war name.

Witness 49 is heard

(Finnish Witness' ID: Soldier 22)

The Defense questions Witness 49

The Defense began its questioning with the Second Liberian Civil War. The Witness explained that he served as a soldier for the NPFL; he fought between 1991 and 2003, and that he used to be called a *"Small Captain"*. He added that at that time they formed *"militias with the Small Boys Unit"* (SBU). Witness 49 had many commanders, among which he named [FNM-168], commander in Lofa, Roland Duo, commander for the Navy Division, and Benjamin Yeaten, also known as *"Chief 50"*.

When asked by the Defense whether he knew anything about the death of Johnny Paul Koroma, the Witness said that in Lofa, they heard people saying that Koroma was arrested by Angel Gabriel. He then heard the execution. The Defense reminded the Witness that he had previously

stated to the police that he had seen the body, but Witness 49 responded that it was a "*oversight*". He further added that "*You know they will not just keep that kind of body for people to be seeing it*."

The Witness recalled that someone higher up was angry with the killing. He repeated that he did not see the body, but that he remembered there was some order by former President Taylor, that Benjamin Yeaten was discussing that day. He couldn't recall what they were saying, but he remembers they discussed the issue.

He clarified that Angel Gabriel was like a spokesman for his group, and that the Witness believed he was *"one of the sound guys among those men"*. Witness 49 also stated that he didn't recall Angel Gabriel's full name.

The Witness then explained that he was in Monrovia in 2003, and that he left in exile that same year.

The Prosecution questions Witness 49

The Prosecution began by asking clarification questions about *"Angel Gabriel"*. Witness 49 clarified that Angel Gabriel was a deputy to Sam Bockarie and that he had a lot of authority. When asked about the *"atrocities"* Angel Gabriel committed, the Witness specified that it happened in Lofa but could not recall the name of the location where the event took place.

The Witness subsequently gave an explanation for the name "Angel Gabriel", saying that if Angel Gabriel passed by you and *"you were safe, you would be joyful and put your hands in the air that Angel spared you today"*.

Witness 49 testified that he himself witnessed atrocities committed by "Angel Gabriel". The Witness described one occasion somewhere in the vicinity of Masambolahun and Kololahun – he was not sure of the specific town's name – in 2001. NPFL and RUF were fighting together and patrolling the border with Guinea to prevent the eventuality of LURD forces coming into Liberia. While on patrol, the Witness and others met Angel Gabriel. He had tied up some men in town and he had a pickup. Angel Gabriel said the people *"were giving the enemy some support"*. One of the generals who was in charge of the frontline, [Soldier 07], asked Angel Gabriel who the people that were tied up were. Angel Gabriel told him not to mind those people, and that *"[he was] going to execute them"* because they were *"enemies"*. [Soldier 07] told Angel Gabriel that he could take care of his prisoners of war, and decided that his soldiers, including the Witness, would leave. When they returned, they only saw bodies. The Witness believed there were six or seven bodies in total, and noted that he got out of the car to check the bodies. The Witness later specified that the people that were executed were not soldiers, based on his own investigation. The Witness asked some others who the people were, and found out that *"they were civilians from Exile"*, clarifying that they used *"Exile"* to refer to Sierra Leone.

When asked by the Prosecution, Witness 49 described Angel Gabriel as a "sound guy" who spoke English. According to the Witness, Angel Gabriel regularly mentioned that he was going *"to talk*

with the BBC". He noted that he heard Angel Gabriel say he would speak with the BBC shortly after his group of soldiers came to Lofa, "*from 1999, 2000-2001*", near Vahun.

The Prosecution enquired about the Finnish police. The Witness recalled that a colleague of his, [FNM-131], a former soldier in Lofa, told him that there were *"people from Finland"* looking for information about events in Lofa. When asked about [Employee 1], Witness 49 replied that he saw him when he met the Finnish police the first time. He added that he never spoke with [Employee 1], only with [FNM-131].

Asked whether he remembered Angel Gabriel's full name, the Witness estimated that it was "*some kind of Dugbeh Washington*". He offered to call [FNM-131] to get the name right, but the Prosecution declined.

The Defense questions Witness 49 further

Witness 49 further stated RUF came from Sierra Leone with Angel Gabriel in 1999.

The Prosecution questions Witness 49 further

The Prosecution wanted some clarifications regarding Angel Gabriel's role inside of RUF. The Witness explained that Angel Gabriel was *"like a spokesman"*. The Prosecution noted that Witness 49 said to the Finnish police that Angel Gabriel was the spokesman. However, in court, the Witness said he was not sure if Angel Gabriel was the official spokesman, but he certainly acted as though he were. Witness 49 added that Angel Gabriel was within the initial structure of the RUF when they came to Liberia. The Witness said that Angel Gabriel had a full name, and then stated the name clicked based on something the Prosecution just said. The Prosecution noted that the police had written down *"Gibril Massaquoi"*, and the Witness said that was the name. He clarified that he would have to go home to check his *"file"* to be sure of the name, but that Angel Gabriel's full name had some kind of *"Massaquoi"* in it. The Witness indicated he had written notes in his personal diary, which he uses to keep track of important things in his life. Witness 49 specified that his diary is posterior to the war and that he didn't keep a daily record of the war.

At that point, the Defense intervened to ask the Witness what happened after Koroma was killed. The Witness indicated that Charles Taylor transferred the troops to go to Bomi Hills and that he believed Angel Gabriel came with them. When asked, he recalled the RUF first arrived in Liberia from Sierra Leone in 1999. Witness 49 didn't know if RUF stayed in Lofa the entire time, from 1999 until their transfer to the Bomi Hills.

The testimony concluded.

April 6, 2021 – [Liberia] Day 26: The Hearing of Witnesses 50, 51, and 52

The 26th day of public hearings resumed on 6 April 2021 in Monrovia, Liberia.

Witness 50 is heard

(*Finnish Witness ID: Civilian 76*)

The Prosecution questions Witness 50

Witness 50 testified about events at Waterside. The Witness sold clothes in Waterside from 1998 until 2001, when her family escaped to another county after an incident that made her feel afraid to stay. She explained that one morning when she went to sell in Waterside, fighting broke out and she and some other people started running away. While she was running, Angel Gabriel's group arrested and tied her, while other people were killed or captured and carried away. While she was tied, she saw a man who had lived with her mother when she was young, [FNM-099]. He asked what she was doing there, and she explained that she had been captured by the commander. According to the Witness, he was also a "big man", so he was able to appeal to the commander on her behalf and secure her release. The Witness specified that she did not know whether he had a war name.

The Witness explained that she was arrested around the West Point area and brought to the gate. She said that she first saw Angel Gabriel at the checkpoint, his base, in Waterside. She then confirmed that he was not in the West Point area where she was arrested, but that he was at the gate. She indicated that the gate was located immediately before crossing the bridge, coming from the direction of Red Light. She could not recall what the bridge was called during the war but stated that now it is called the New Bridge.

When she was at the checkpoint, she heard Angel Gabriel tell someone to tie her and lay her down, and say that, when her time came, he would *"send her to God."* She heard Angel Gabriel telling people to carry the captives and tell them that "I Angel Gabriel say they should tell god I sent them", then kill them. She was tied up, but was not carried anywhere, as he had said that they should take the others first and come for her later. The Prosecutor asked her about where the people were taken. The Witness stated that she heard them being told to carry the people to a field in West Point. She specified that those who were sent there did not return, reaffirming that she was released at the checkpoint, and not brought to the field herself. She clarified that the people who were captured and brought to the checkpoint were civilians, not soldiers. She stated that there were many people captured, but she did not know how many, as she had been tied and was confused. She also said that Angel Gabriel was speaking English, but not Liberian English.

The Prosecutor asked the Witness about the year of the incident. The Witness stated that it took place in 2001, which she could remember because that was the year her first daughter was born. She then amended this response to say that her daughter was born in March of 2000, and that it was her first birthday in March when the incident occurred.

The Prosecutor then asked about how the Witness came in contact with the Finnish police. She explained that a friend, [FNM-100], who had been with her in Waterside, called her. [FNM-100] told the Witness that a man heard [FNM-100] talking about Waterside and told her that some white people were looking for people who were there when this incident took place. Her friend gave the man, [Employee 1], the Witness's number because she was also on the scene at Waterside, and he called her and told her the same thing. When the people came, he called her again and directed her to the area to meet with the people. The Witness said that she did not discuss anything about the Waterside incident in detail with [Employee 1].

The Defense questions Witness 50

The Defense began by asking who had given the order for the Witness to be caught. She responded that it was *"his boys"* who caught her and brought her to their *"boss man."* She reiterated that she saw the boss man for the first time at the checkpoint. The Witness did not know why the commander was giving the order to kill people or if he gave any reason for killing the people.

The Defense asked how long, in minutes, it had taken to get from West Point to the checkpoint, but the Witness was unsure as she was not really herself at the time. She explained that she was not tied up when she was first arrested, but the soldiers pushed her to the checkpoint and tied her there. The Defense pointed out that in her testimony to the Finnish police, the Witness had said that she was tied first and then made to walk to the checkpoint. The Witness explained that it had been her first time talking to white people, so she had been afraid. Witness 50 also stated that, during her police interview, the questions were not as clear as they were in Court, because the initial interpreter did not take her time like the interpreter in the Court.

The Witness confirmed that between her interview with the Finnish police and her testimony in Court, she had not discussed the matter with anyone. The Defense pointed out that in the police summary, she had only used the name "Angel," not "Angel Gabriel." The Witness agreed that she had said "Angel" in the interview and explained that *"after the Angel there was a name they were calling but I forgot about it."* She clarified that the name she was giving in Court was the name she now remembered, "Angel Gabriel." The Defense asked about Angel Gabriel's rank, and the Witness said she did not know it. The Defense then pointed out that in the police report, she had said "Chief." The Witness explained that *"that chief title is nothing for us here,"* and she had used it in the interview because that was how the people working for him had referred to him, similar to how boys would address their father. The Defense later returned to this point and noted that in the police interview, they had asked if she knew him by any name other than "Angel" and she had responded "Chief Angel." The Witness repeated that "*the children*" had called him that name.

The Defense then asked if people were killed along the way as they were taken from West Point to the checkpoint, which the Witness denied. She also said that there were no commanders among the people who took them to the checkpoint. The Defense then had the Finnish translator read from the police transcript, which said that "Commander Gabriel" gave the order to kill on the way from West Point to the checkpoint and walked with them on the way. The Witness responded that *"the commander was giving orders and after the order they carry the people."* The Defense then played a recording of the police interview, in which the Witness said

that the commander walked with them from the Waterside market to the checkpoint. After hearing the recording, the Witness clarified that she had not said that the commander caught her, she had said that his men caught her, and he walked with her after that. She then noted that *"sometimes you forget."*

The Defense next addressed the question of timing, asking about the Witness's first daughter. The Witness stated that her daughter was born in 2000 and confirmed that the incident happened around her daughter's first birthday. The Defense asked if she remembered what age she told the police her daughter was at the time of the incident, and she repeated that her daughter was one year old. The Defense pointed out, however, that the police summary stated that her baby was born in March, and the incident happened when the baby was three to four months old. The Witness suggested that the police might not have understood her clearly, repeating that her daughter was born in March 2000 and that the incident occurred a year later in March 2001. The Defense noted if the baby was born in March and the incident happened three to four months later, then the incident must have taken place between June and July. The Witness replied that she *"was not checking the months."* She did not remember telling the police that her baby was born in 2001 or that her baby was born three to four months before the incident. The Defense then played a recording of the Witness stating the incident occurred in 2001 and that her daughter was born in March. On the recording, she told the police that she believed her daughter was three or four months old because she was nursing, and that at that time she left her daughter at home when she went to the market to sell.

The Defense then asked if there was fighting in Monrovia at the time of the incident. The Witness replied that it was the first attack in that year. When the Defense tried to clarify who attacked, the Witness said only that *"it was the fighters,"* which included the government forces and *"the other people"* whose names she did not know. The Defense asked if she knew LURD, but the Witness said, *"I heard their name but I do not know the differences."* The Defense pressed further, asking if she knew whether LURD was in Monrovia at the time of the incident. The Witness acknowledged that LURD and government forces were fighting but maintained that she did not know the differences or if they were in Monrovia at the time. The Defense noted that in the police summary, the Witness had said that WW1 was going on and that LURD forces were in Duport Road. In Court, she confirmed they were at 12-Houses.

Finally, the Defense turned to how the Witness came into contact with the Finnish police. The Witness repeated that she was in the bush when her friend [FNM-100] called her. The Defense asked about how she and [FNM-100] met [Employee 1]. The Witness testified that [FNM-100] told her that she and a friend were discussing the incident when [Employee 1] passed by and heard them. He sat and listened to them, then told them that there were people coming who wanted to talk to people like them. When the Defense asked how the Witness got in contact with [Employee 1], she explained that he called her. The Defense noted that the police report said that the Witness had called [Employee 1] after getting his number from [FNM-100], but the Witness again asserted that [Employee 1] had called her after getting her number from [FNM-100]. She denied calling anyone else and said, with regard to the number of times she had talked to [Employee 1] on the phone, that he had called her to direct her to the area and spoke with her on the phone until she arrived.

Witness 51 is heard

(*Finnish Witness ID: Civilian 7*2)

The Prosecution questions Witness 51

The Witness testified about events at Waterside, which she said took place in 2001 during WW1, though she could not clearly define WW1. Witness 51 sold goods for a living, and traveled with two friends, [FNM-163] and [FNM-164], to Waterside on the day of the incident to purchase goods to later sell. The Witness mentioned that the atmosphere at Waterside that day was fearful because the area was littered with dead bodies. While waiting for goods to become available, the Witness heard gunfire and saw uniformed soldiers shoot and kill civilians, which caused the marketplace to become chaotic. Witness 50 and her friends attempted to flee from the gunfire, but they were stopped by soldiers who threatened them at gunpoint and took them to a checkpoint near Waterside bridge. When asked whether the soldiers were shooting in the air, she noted that the soldiers were firing at civilians because their "boss" had arrived.

The Witness recalled that on the way to the checkpoint she saw corpses without intestines and human intestines were on the gate of the checkpoint. A soldier standing at the checkpoint held a stick with a decapitated human head on top, and the Witness testified that the soldier would make people passing through the checkpoint salute the human head. Anyone who failed to comply with this soldier's demand would be killed. The Witness and her fellow captives were then taken under the bridge.

The Witness identified the commander of the soldiers at the checkpoint as "Angel Gabriel." She noted that Angel Gabriel spoke with a Sierra Leonean accent, and confirmed that he was the leader of the group at the checkpoint. Angel Gabriel announced himself after arguing with some of his soldiers about the potential gender of the child being carried by a captive pregnant woman. Witness 51 testified that, to prove his point about the gender of the child, Angel Gabriel *"operated"* on the woman by cutting her abdomen open and removing the fetus, and then stated, "*I told you people it was a girl child*." The woman did not receive treatment and she and her baby both died. Angel Gabriel then sent for a slaughtering board and said, *"I myself Angel Gabriel, I am coming to deal with these people."* He then called for the Witness's friends, [FNM-163] and [FNM-164], to be brought to him. Angel Gabriel then placed their necks on the board and killed them.

After some time, Witness 51, along with everyone else who was not killed, was tied up and taken to 12-Houses via pickup truck because, as the Witness recalled, Angel Gabriel did not want the captives sleeping at the checkpoint. Upon arriving at 12-Houses, the captives were divided by gender. In this new location the Witness met other people who had arrived before her, who told her that they were not safe there because every night soldiers came and took two girls outside the building they were being held in. The Witness and the other captives began shouting for help, and eventually, someone dressed in the same uniform as the soldiers arrived and told them it was not safe there. He opened the gate and told them to leave, allowing the captives to escape and for the Witness to return home.

Following the Witness's explanation of the day in question, she explained to the Prosecution how she was put into contact with Finnish police. While discussing WW1, another person, [FNM-068], asked her if she remembered the Waterside incident and explained that there were some people

who wanted information on that day. [FNM-068] took her phone number and gave it to [Employee 1], who later called her and asked her to meet him.

The Defense questions Witness 51

When asked by the Defense about details on how she met Finnish police, Witness 51 that she and [FNM-068] were discussing sports when someone else brought up WW1, at which point the Witness explained that she was part of the Waterside incident. She stated that it was not just her and [FNM-068] having this discussion, but that many people were a part of it, but that after the conversation, [FNM-068] asked for her number and told her some people might call. When asked about her phone call with [Employee 1], the Witness indicated that he told her that [FNM-068] had given him her number, and asked her to come see him. The Witness clarified that she did not have a close relationship with [FNM-068] and was unaware of the fact that [FNM-068] had also been interviewed. The Defense, however, noted that in her pretrial recording, the Witness mentioned that a friend of hers, who had previously been interviewed, gave her number to the Finnish investigators, and played the relevant recording for the Court.

Finally, the Defense inquired as to the Witness's age at the time of the incident and where the war was in Liberia at the time of the incident. The Witness noted that she was 14 at the time of the incident and that the war was happening in Monrovia.

Witness 52 is heard

(*Finnish Witness ID: Defence Witness 14*)

The Defense questions Witness 52

The Defense began by asking the Witness about his relationship with the RUF. The Witness said he met Foday Sankoh, the leader of the RUF, in Monrovia in late 1999, and that Foday Sankoh asked him to be the RUF's chief of protocol. This meeting took place after the Lomé Peace Accords—the Witness said that neither he nor Gibril Massaquoi played a role in the Lomé negotiations. Foday Sankoh told him that he would introduce him to Gibril Massaquoi. The Witness first met Gibril Massaquoi in Segbwema, Sierra Leone, in 1999. At the time, Gibril Massaquoi was Foday Sankoh's personal assistant. Both he and the Witness were stationed at Spur Road in Freetown, and the Witness said they saw each other every day.

According to the Witness, on 8 April 2000, demonstrators attacked RUF houses in Freetown, including the Spur Road station. The Witness stated that, following the attack, he and Gibril were with Foday Sankoh. Because Sankoh was older and could not move as quickly as the Witness and Gibril, they put him in an unfinished building to hide. They returned to search for Sankoh, but couldn't find him. The Witness and Massaquoi, along with some other individuals, including [Civilian 60] and Superman, then decided to leave Freetown; the Witness went to Monrovia, and Massaquoi went to Makeni. The Witness stated that he knew Gibril went to Makeni because he received a radio call once he arrived in Monrovia. The Witness did not see Massaquoi again for almost two months. The Witness also learned later that Foday Sankoh left the house where he and Gibril had hid him, and was arrested. The Witness could not recall the date Sankoh was

arrested, but stated that he was in Monrovia at the time of the arrest. Following Sankoh's arrest, ECOWAS instructed the RUF to get a new leader to foster the peace process in Foday Sankoh's absence. Issa Sesay was thus elected as leader of the RUF at a meeting in Kono in 2000.

The Witness spoke about the state of the peace process in 2000, including several meetings and the RUF delegations to these meetings. There were a number of cease-of-hostility meetings, including those resulting in Abuja I and Abuja II Agreements. Prior to those, there was a meeting with the ECOWAS head of state in Liberia, where the participants decided to put the peace process back on track. A delegation was formed for peace negotiations, including the Witness, [FNM-165], and [FNM-166]. Gibril Massaquoi was not part of this delegation. According to the Witness, Massaquoi led the Mali delegation in 2000, which was appointed by Issa Sesay as an external delegation. The Witness explained that this meant that they were authorized to interact and meet with ECOWAS and other stakeholders in the peace process. The Witness said he joined Gibril Massaquoi in Mali in 2000, but that Massaquoi did not go to Abuja I. The Witness was also part of a delegation that met with Charles Taylor, President Obasanjo, the former Gambian President Jammeh, and the late President of Togo, Gnassingbé Eyadéma, in July 2000. The Witness stated that Gibril Massaquoi was not part of this meeting. After Abuja I, the Witness stated that he and Massaquoi traveled to Sierra Leone, because the leader of the RUF had an assignment for them in Freetown. The Witness stayed in Freetown from 2001-2002, during which he participated in a number of meetings with Massaquoi, including a tripartite meeting with the government and the RUF for nearly four months in 2002. When asked by the Defense, the Witness said the war ended in late 2000, that there was a disarmament process in two parts, and that there was a problem which held up disarmament.

The Witness stated that, when Sesay was announced as the new interim leader of the RUF in 2000, he and Massaquoi were both in Monrovia, staying with the delegation in Congo Town. They stayed at the first house in Congo Town *"for a couple of months,"* but then relocated to another house within the city. The Witness said the first house they stayed at was an official guest house given to Foday Sankoh. The residents of the first house included the Witness, Gibril Massaquoi, [Civilian 60], a woman named [FNM-167], and Liberian security workers. The residents of the second house included the Witness, Gibril Massaquoi, Abdul Razak Kamara, and [FNM-070], Massaquoi's girlfriend. According to the Witness, [Civilian 60] did not stay at the second location, although he visited a few times. At the second location, Gibril Massaquoi and the Witness stayed in rooms across the hall from each other, and the Witness said they saw each other every day. The Witness said he and Massaquoi stayed at the second location for four to five months and left Monrovia together in late 2000 or 2001. While they were in Monrovia, the Witness noted that the security situation "*was cool. There was no problem.*" After they left Monrovia, they focused on the politics of the Revolutionary United Front Party. The Witness said that he was not a candidate for office but "*the brains of the RUF*," setting up meetings and negotiations. The Witness said that when they returned to Sierra Leone, Massaquoi settled in Kissy. The Witness could not recall if Massaquoi had gone anywhere before Kissy.

The Prosecution questions Witness 52

The Prosecution began by asking about the Witness's relationship to Massaquoi. The Witness stated that *"Masssaquoi was like a brother"* to him when they met and reiterated that they became very close working in the same office, though he hadn't seen him in a long time. He knew Massaquoi as Sankoh's personal assistant who also took on any other role assigned to him. The

Witness confirmed that Massaquoi commanded fighters in Makeni, and believed that he had a group of fighters there. By 2000, however, the Witness considered Massaquoi to be a diplomat and no longer in the military. He was unaware of any war name Massaquoi might have had but recalled his radio call sign was "Wildfire." He did not know who gave Massaquoi the call sign or the meaning behind it.

The Witness also confirmed that he went to the meeting in Kono, which all frontline commanders were told to attend. The meeting took place sometime in 2000 after the July meeting with President Obasanjo. He added that this meeting was held in the executive mansion in Monrovia. The Witness was clear that Massaquoi also attended the Kono meeting but did not know what capacity he attended the meeting in: whether he was there as a frontline commander, or as part of some other role. The Prosecution then read from the Witness's statement to Finnish police in which he said that Massaquoi was a commander at the time. The Witness reiterated that they were working as civilians in Freetown at the time, but acknowledged that it was possible that Massaquoi went back to be a commander.

When asked about his time in Monrovia, the Witness recalled that he had stayed there during the rainy season, possibly through July or August. He could not remember the exact months as it was so long ago. The Prosecution noted that the Witness said that he and Massaquoi left Monrovia at the end of 2000 and did not return. The Witness recalled that he told police that the events occurred between 2000 and 2001. With respect to 2001, however, the Prosecutor noted that the police notes stated that the Witness and Massaquoi stayed in Monrovia "*the whole of that year*" and "*didn't travel anywhere.*" The Witness acknowledged that throughout 2001, he and Massaquoi stayed in Congo Town, and elaborated that they left in late 2001 after all the peace processes had met, when Issa Sesay was declared leader. He later stated that the Liberian government gave Sankoh the guesthouse after the Lomé Peace Agreement to conduct meetings. According to the Witness, after Sesay became leader, "*there was nothing for us to do*" in Monrovia. The Prosecutor again read from the police notes, which indicated that, when asked about 2002, the Witness stated that the peace processes were underway in Freetown, but that they were still in Monrovia. The Witness responded that he and Gibril left Monrovia "*after everything was concluded*" which could have been in 2002. The Witness was firm in stating that he and Gibril Massaquoi left Monrovia together, and further offered that he did not know the role of the RUF during the Second Liberian Civil War, as he "*was in the political wing and not the military wing*". With respect to the alleged RUF attack on UN peacekeeping forces, the Witness said that some Kenyan UN soldiers were killed and that their helicopter was grounded, but offered no additional information.

Asked about Mr. Massaquoi's girlfriend, [FNM-070], the Witness clarified that she was with them in the second guesthouse, not the first. In Court, he could not recall the year they stayed together, but the Prosecution noted that he told police she left in 2001 during the rainy season, and the Witness acknowledged that might have been the case.

In Court, the Witness reaffirmed that there was no war in Monrovia in 2001 or 2002, while the Prosecutor noted that he had told the police that there was. He maintained that there was no war in Monrovia at that time, and further noted that, had there been any, they would not have stayed.

The Witness then described how he came in contact with Finnish police. The Witness was contacted by two people: his old friend, Mike Lamin, and a Liberian who was working with the Finnish police, who the Witness agreed was possibly [Employee 1]. Mike Lamin told him that the Finnish police wanted to speak with him. When asked whether Mike Lamin knew Gibril Massaquoi, the Witness stated that "*these guys were all members of the RUF*". He also stated that he had not met with anyone to discuss his testimony, but noted that he met with Mr. Massaquoi's lawyer, because the Witness wanted to understand the procedure of the Court before testifying. He offered that [Employee 1] connected him with a lawyer from the Defense and they met before trial.

The Defense questions Witness 52 again

The Defense asked the Witness to clarify the context of their meeting. The Witness confirmed that he met with the Defense before testifying, but that they did not discuss the content of the Witness's testimony. The Defense referred to inconsistencies between the years the Witness stated to police and at trial, noting that the Witness appeared uncertain, and asked him whether he remembered incidents better than he remembered specific years. The Witness then clarified certain dates. He said that negotiations about the disarmament process happened in 2000 and 2001, that in 2001 they held the tripartite meeting, and that the peace process in Sierra Leone ended in 2002.

With respect to the level of fighting in Monrovia, the Witness said that there were skirmishes in Monrovia involving LURD when he was there, but clarified that LURD was attacking Liberia from Guinea, towards the Guinean border. The Witness also said that he did not go on armed patrols, transport weapons to Lofa, or engage in fights with Gibril or Benjamin Yeaten. He specified that he was not a fighter and hadn't fought before. He also said that, to his knowledge, Massaquoi did not go on armed patrols, and Benjamin Yeaten and Massaquoi did not bring weapons to Lofa.

The Defense also asked about individuals the Witness previously mentioned in his testimony. Defense Witness 14 said he did not know [Civilian 60]'s family name and that [FNM-070], Massaquoi's girlfriend, was pregnant.

The Witness then clarified that Massaquoi moved to Kissy from Makeni because of the disarmament process, and that when Massaquoi was in Kissy, they used to meet each other every two days.

Finally, the Witness said that some RUF commanders had troops with them, such as those who would go to the frontline, but that some did not lead troops and were still commanders in the RUF. When asked whether Massaquoi had troops during the peace process, the Witness said that at that time, Gibril Massaquoi "*relinquished his position*" and was *"playing a diplomatic role*".

The Prosecution questions Witness 52 again

The Prosecution sought to clarify Massaquoi's role in the RUF at the time of the Kono meeting. The Witness reiterated that he said all frontline commanders were summoned to Kono, but was firm in stating that he did not say Gibril was a frontline commander. The Prosecution recalled

that, when the police asked the Witness to specify what a frontline commander was, the Witness had said that Massaquoi was responsible for a unit. At trial, the Witness clarified that "*during the war Massaquoi was in charge of men within the RUF*" and offered that, in 2000, Massaquoi was still a commander in the RUF.

When asked about the term "state of emergency," the Witness understood that it meant no one is allowed to gather outside and that people are not allowed to assemble. He stated that, for any country, the president can order a state of emergency. To the Witness's knowledge, no state of emergency had been ordered in Liberia at any point and, as far as he knew, Charles Taylor didn't order a state of emergency in Liberia.

The Defense questions Witness 52 again

The Defense asked the Witness to clarify some points about the negotiation timeline. The Witness said that Massaquoi was originally in Makeni and was not present during the first meeting they had in Liberia. After the delegation went to Kono, Massaquoi was appointed to join them. In response to Defense questioning, the Witness also said that Sam Bockarie was expelled from the RUF in 1991 after the Lomé peace accords, after which he went to Kanow [*sic*], and then made his way toward Liberia. The Witness offered that Massaquoi was not with Sam Bockarie when he went to Liberia, and that the two were not friends.

The hearing concluded and will resume on the 7th of April in Monrovia, Liberia.

April 7, 2021 – [Liberia] Day 27: The Hearing of Witnesses 53, 54, and 55

Witness 53 is heard

(Finnish Witness ID: Soldier 12)

The Prosecution questions Witness 53

The Witness began his testimony by saying he is Liberian, but he used to live in Sierra Leone and that he was a RUF soldier there, under the command of "*Gibril Massaquoi"*. He joined the troops in 1991, at the age of twelve. He later on specified that he had joined the RUF on his own will, as a consequence of *"something that somebody did to [him] that hurt [him]"*. Witness 53 explained that in 1999 he came to Liberia with Gibril Massaquoi and they were assigned toLofa to fight against LURD. Among the towns he remembers, he listed Kamatahun, Masambolahun, Popalahun, Voinjama, Vahun and Zorzor. The Witness also named Issa Sesay, Superman, and Gibril Massaquoi as the RUF commanders he could recall. Gibril Massaquoi had been the Witness's commander for a long time before they crossed the border to Liberia; he didn't remember if he had any war name, only that he was the RUF spokesman in Sierra Leone.

The Prosecution wanted to hear about the incident in Kamatahun. Witness 53 said that in 2000, during the dry season, he saw civilians being placed in a house, which was then burned down. He further clarified that the order was given by Gibril Massaquoi and explained that "*the man just felt that because he was a commander and had influence, that's why he did that.*". The Witness was not able to estimate how many people were killed because there were many. The Witness recalled that the house was in the center of town, and specified that if you were coming on the road from Vahun, it would be on your right.

The Witness then stated that they were transferred to Monrovia in 2003 and based in Congo Town at White Flower. Massaquoi was also with them. Witness 53 explained that Massaquoi "*didn't do anything bad in Monrovia, only in the bush"*.

Asked how he got in contact with the Finnish police, Witness 53 explained that a close friend of his, [Soldier 07], gave his number to the police. The Witness specified that [Soldier 07] only told him some people wanted to *"discuss certain things"*. It was through this friend that the Witness met with the police.

The Defense questions Witness 53

The Defense began by enquiring whether the Witness knew [Employee 1]. Witness 53 explained that he heard the name from [Soldier 07] but he never met nor spoke to [Employee 1]. When asked whether he remembered the names of the commanders who came to Liberia from Sierra Leone, the Witness mentioned Gibril Massaquoi, Superman, Hindolo, "Ranger", "CO MED", and, when prompted, Sam Bockarie.

The Witness recalled that they were first assigned in Vahun and remained there for more than three years. He noted that Gibril Massaquoi usually did not go to the frontline with them because he was a commander, so he would stay in town. Witness 53 explained that they spent two months fighting in Kolahun. The Defense read the record from the police interview in which the Witness indicated that they had spent seven months in Kolahun. Witness 53 clarified that they were based there for seven months, two of which were spent fighting with the enemies. Massaquoi was with them the entire time.

The Witness explained that they were transferred to Monrovia in 2003 because they were undergoing attacks from the LURD. The LURD pursued them to Monrovia and the Witness recalled that they fought in the city in August 2003. He specified that the last time he saw Gibril Massaquoi was prior to the fighting. The Witness said the war ended at the end of 2003.

When asked by the Prosecution, Witness 53 recalled that the peace agreement was signed at *"the end of 2003 going to 2004, before the UN troops entered"*. He then stated that Charles Taylor fled the country at the end of 2003.

Witness 54 is heard

(Finnish Witness ID: GJRP 1)

The Prosecution questions Witness 54

The Witness began by describing his activities during the Second Liberian Civil War. He worked as a journalist with the Analyst Newspaper, and for a short period of time, he worked as a diplomatic press officer. He also worked on a programme for International Alert for the Press Union of Liberia. The Witness added that his line of work caused him many issues, leading him to be arrested seven times. He clarified that his *"writings focused largely on Sierra Leone and Human Rights violations"*.

Witness 54 went on to describe the last time he was arrested, on June 24, 2002, specifying that *"it was a Monday"*. His son, [FNM-153], was ill and the Witness had taken him to hospital. When they left the hospital, Witness 54's son asked his father for some food. As they were walking on the sidewalk by their house, *"a red two-doors vehicle parked in front of [them]"*. The Witness recalled that *"four or five men"* assaulted him and beat him. They forced the Witness into the car and his son was left alone on the sidewalk as they drove away. A friend of the Witness, [FNM-154], who saw the events took care of [FNM-153]. Witness 54 was brought to the Liberia National Police Headquarters and was kept there for a few hours, *"only wearing a shirt"*. The Witness was then told by the then director of Police, Paul Mulbah, that he was detained because *"[he] had plotted to overthrow the Liberian Government"*. Witness 54 was then brought to the President's house in Congo Town where he saw government officials, sitting on the floor *"even though there were chairs"*. Among the people present, he listed the Minister of Information, the NSA Director, the Chief of Protocol Musa Sesay, Benjamin Yeaten, the Defense Minister, Emmanuel Shaw and many others. Witness 54 noted that Charles Taylor made him sit on a couch. Charles Taylor explained to the Witness that he had received some information saying that Witness 54 had undergone a training in *"communist agitation"* in Eastern Europe, and

that from there he had collected weapons which he had stored at the US Embassy. Taylor also accused the Witness of writing inciting stories, travelling to Côte d'Ivoire to recrute twenty-four mercenaries, and working for the then former presidential candidate Ellen Johnson Sirleaf in order to overthrow Taylor and take over the presidency. In addition to Ellen Johnson Sirleaf, Taylor also accused the Bishop Michael Francis of the Catholic Archdiocese, Alhaji Kromah and Robert Perry – who at the time worked for the US State Department.

Charles Taylor wanted to record the Witness statement on camera but the Witness denied the veracity of the story he had just been told. The President interrogated the Witness until the next day, threatening him to *"call someone to make [him] tell the truth"*. Witness 54 specified that Charles Taylor called Benjamin Yeaten and said *"take this man away and let him tell the truth"*. The police first took Witness 54 to the press Union's office where they searched for evidence. The Witness said that the policemen only found a picture of Alhaji Kromah, Sekou Damate Conneh, and a picture of George Boley, which they interpreted as evidence of the Witness's culpability. There was also a picture of Charles Taylor and the Witness explained that it was common for a media institution to *"have pictures of the main people [they] write about"*.

Witness 54 further stated that the police brought him first to a depot in Red Light, before they transferred him to Zone 5 in Congo Town, where he remained for about ten days. The Witness recalled that he was *"very hungry"*, so he wrote a note to a friend, [FNM-155], asking him to give money to a police officer so he could buy some food for him. Instead, the police arrested [FNM-155] and stole his money and his gasoline, as [FNM-155] later told the Witness. He was then transferred to Zone 7 in Cardwell, where he was given trousers and slippers. From there, Witness 54's was moved to the National Bureau of Investigation (NBI) where he stayed for about a week. The then director of NBI, Ramsey Moore, attempted to deceive the Witness, showing him a printed email as proof *"that [the Witness] had communicated with the enemies"*. He denied being the author of the email, arguing that he *"spoke and wrote better English than what was on the email"*. The Witness also indicated that a BBC correspondent, [FNM-169] was made to come and see him. According to the Witness, the NBI wanted to prove that he was still alive. He also indicated to the court that there were several articles about this online.

The Witness then explained that he was briefly transferred to Zone 6, in Brewerville, and was eventually taken to Klay. There, he stated, he endured *"the worst torture of [his] life"*, noting that he still has scars from being tied tabay. In Klay, Witness 54 was imprisoned with several people; he listed [FNM-170], [FNM-171], [FNM-172], [FNM-173] and [FNM-174] among those imprisoned with him. Witness 54 described the place as *"an underground prison half-filled with water"* and he specified that the prison was originally *"a weigh station for trucks hauling rubber from the Guthrie Rubber Plantation"*. He added that PBS had done a documentary on it.

The Witness went on to describe the torture that was inflicted to him. It included being tied tabay and the electrocution of his genitals: he explained how he later had to seek treatment in the US. The Witness explained he was tabayed by *"a man who introduced himself as Angel Gabriel"*. This person asked the Witness whether he knew what "Angel Gabriel" meant. He also introduced himself as *"Gibril"* saying that he could tell the Witness was muslim and *"Gibril"* was the islamic translation for Gabriel, the angel. The Witness recalled that two other people were present when he was tortured, but for security reasons he refused to publicly call their name. He nevertheless wrote them on paper and presented them to the court. Witness 54 explained that they used to interrogate people individually. He added that when they tied him the rope would

enter his flesh; the Witness stressed that *"Angel Gabriel"* was leading the interrogation. As for the electrocution, the Witness did not know who ordered it, but it was a woman who directly carried out the act. He clarified that Massaquoi was present when the electrocution occured and reiterated that he was tabayed by Massaquoi. Witness 54 went into details and said that whenever he felt some pain and tried to resist, Massaquoi *"stepped on [his] back and kicked [him]"*. The Witness stated that Massaquoi had a higher position than the woman who carried out the electrocution. When asked by the Prosecution what his understanding of this was, the Witness retorted that *"if he had wanted to stop her, he would have"*.

Describing *"Mr. Massaquoi"*, Witness 54 said he considered him to be Sierra Leonean on account of his accent and that he had heard about him and the RUF on the radio.

The Witness estimated that he was tortured several times by Massaquoi. He recalled that it usually happened during the night and believed the reason for this was so that the other prisoners could hear the Witness's sufferings. Witness 54 specified that Benjamin Yeaten would sometimes be present during the torture, noting that when Yeaten was absent, Angel Gabriel would be present. The Witness believed that he was tortured on the *"26th of July"* and released on the *"7th of December 2002"*. He added that he did not meet Massaquoi anywhere else than in Klay. When asked by the Prosecution, the Witness displayed the scars on his arms.

The Defense questions Witness 54

The Defense began by asking the Witness what his relation with GJRP was. The Witness replied that he was the director of this non-governmental organisation that aims to document *"crimes committed during two of Liberia's civil wars"*, and added that they work with their partner organisation, Civitas Maxima, based in Geneva, Switzerland. In addition to documenting crimes, GJRP seeks justice *"on behalf of victims, with their informed consent"*. He clarified that they did so through their partner organisation Civitas Maxima, *"since the Liberian Government is either unable or unwilling to hold people accountable for war related crimes"*. Witness 54 later clarified that GJRP has been active since March 2012.

The Defense asked if the Witness himself had ever interviewed people about incidents during the war. The Witness answered that he did. When asked about the fundings of his organisation, the Witness explained that funding comes through Civitas Maxima; he also mentioned UNHCR, the EU, and the Africa Transitional Legacy Group.

The Witness provided some clarifications as to his journalist activity during the war. He indicated that he wrote several articles condemning the government's support of the RUF in Sierra Leone. When asked, he acknowledged having written one article for a newspaper that took sides during the civil war; this piece questioned *"the sincerity and honesty of Liberian warring factions"* and was entitled "Where are the Magic Solutions?". The Defense quoted the Witness's statement to the Finnish police in which the Witness stated that he was very critical of the RUF. The Witness explained that, apart from that one occasion, he only wrote for the *Analyst Newspaper*.

The Defense enquired whether the Witness remembered when he had disclosed for the first time what had happened to him in that prison. He responded that he did not remember when exactly,

but noted that he spoke to various newspapers about it, among which *The Guardian* and *The Boston Newspaper*. Pressed by the Defense, the Witness said he was not sure whether he mentioned the name "Gibril Massaquoi" to these newspapers, but believed he did so. He clarified that he did call Massaquoi's name at the Kennedy School of Government, in Massachusetts, but did not discuss the details with the media.

The Witness said he testified in the Charles Taylor trial and indicated that, although he did not remember the details of his testimony, he asserted that he talked about "*RUF in Liberia, actions in Sierra Leone, [his] torture"*. The Defense then asked how the Witness recalled the 26th of June 2002 as the day he was tortured. Witness 54 clarified that he spoke with several of the prisoners, and they told him it was Independence Day, so he believed that was the day.

The Defense asked the Witness whether he remembered what he had stated at the Charles Taylor trial regarding the time he left Klay. The Witness explained that after Klay he was transferred to a prison in Foya before being flown to Monrovia at the NBI headquarters. There he was received by US Ambassador John William Blanney, specifying that the government was releasing him *"under the condition that [the US] would fly [him] out of Liberia"*. The Witness clarified that he was first taken to Ghana and then to the US. The Defense reiterated its question regarding the Witness statement at the Charles Taylor trial. The Witness replied that he believed to have left Klay "*sometime in August"*. He stated that after the torture he was mentally confused, and worried about the long lasting effects of the torture on his body. Witness 54 added that he hates to go over the experience because he feels that he is reliving it again.

The Defense questioned the Witness about an interview he did with Civitas Maxima in 2018. In this interview, the Witness stated that he was taken to Klay on the 26th of July 2002 and was tortured at least twice before Gibril Massaquoi arrived. The Witness answered that since that interview, he has talked to several prisoners who were present in Klay at that time, which provided Witness 54 with a better understanding. He explained that the chronology was not clear to him prior to the discussions with the prisoners, as he had been held in solitary confinement before going to Klay and was therefore *"mentally disoriented"*. The Witness clarified that he could have changed the interview, as he was the author of the statement, but decided against it because *"[he] wanted to be honest"*. The Defense also noted that there was no mention of the female torturer in the report. The Witness answered that it was intentional and invoked his religion -he specified that in Islam *"we do not publicly mention the private parts"* and pointed out that the torturer was mentioned in his statement during the trial of Charles Taylor. In the statement to Civitas Maxima, the Defense noted that the Witness also said that "Mr. Massaquoi" used the electrocution machine. The Defense then questioned whether it was a fact that the woman also used the machine. Witness 54 replied that, as previously stated, he did not know who executed the order but reiterated that order was given by *"Mr. Massaquoi"*. In the same interview the Defense also pointed out that the Witness stated "July 2001" when he was transferred to Klay after having spent two months in jail already. The Witness acknowledged his statement and said he miscalculated the time. He asserted that he has been consistent with the date of his arrest and the 26th of July. When asked whether he had mentioned the electrocution of his genitals to the press, the Witness answered that he did not remember to whom exactly, but he had.

Prosecution questions Witness 54 further

The Prosecution asked the Witness what language Massaquoi spoke; Witness 54 responded that he spoke Sierra Leonean English, but "*based on the name styling*" he believed Massaquoi to be Mende. The Prosecution then wanted to elaborate further on his role during the investigation on the case, as the Witness had stated "*the Finnish police had told GJRP to get their hands off this thing and [that] 'we will take care of it from now on'*". The Witness explained that GJRP did not continue; however, the Finnish police had asked assistance from one of GJRP's staff to *"show them around Liberian and other things*". Since then, the Witness had not been involved. He added that he was asked twice to testify, by Civitas Maxima and the Finnish police, and he had refused. He specified that [Employee 1] and [Employee 2] worked with the Finnish police; however, only [Employee 1] kept on working for the police. The Witness explained that he had spoken with both members of his staff, but not about this particular case – and in order to keep informed, the Witness just read the newspapers. [Employee 2] had called him and told him he did not like to work out of town and that he fell ill, and specified that he had been on different assignments since. The Witness also sought to clarify that he had not spoken to any witness on the case. The Prosecution asked the Witness if Massaquoi had beaten him whilst he was detained. Witness 54 explained that Massaquoi had hit him, although he did not know with what and added that "*when my face was pressed on the ground and I resisted, he kicked on me*".

Finally, the Witness said " *I want to say thanks to the Court. I want to let you know that the GJRP may not be 100%. I do not see any research institution that is 100%, but the point is that GJRP follows the real international standard of investigation. For example, I trained along folks with Scotland Yard. [Employee 1] too trained with someone on the Prosecution team, but we follow the rules. There are TED rule, the DATA rule; always maintain your original notes. So we follow the basic rules that has been developed by Europeans and Americans have developed. In Liberia, we encourage out investigators to carry their notebooks, because In Liberia we say "copy head ain't better than copy book." I want to say thank you, you've done really great.*"

<u>Witness 55 is heard</u>

(*Finnish Witness ID: Employee 1*)

The Witness began by stating he works for GJRP. As he was working on a field mission in 2019 in Lofa, he met Thomas Elfgren casually. He then met him again three months later, after his boss, [GJRP 1] told him that the Finnish police requested assistance.

When the Witness met with the Finnish police, they set some rules: these included not working with anyone else, and that his wages were going to be paid by the Finnish NBI. They paid him the same wages he was already earning and when the Witness asked them why, Thomas replied that "*it's a legal matter and they couldn't give me any favours*". He was instructed to identify some villages and towns, given maps, phone credit, and had a notepad and a pen. He left for Lofa a few days later; his travel and board were compensated by the Finnish police.

Once in Voinjama, he seeked someone who was local, who could understand the local culture and language because "*as a professional, I knew there is no way you can ignore the culture".* This is how he met [FNM-078]. He communicated this to the Finnish police who still advised him to "*keep your eyes open*". The Witness and [FNM-078] started to visit the villages indicated by the police.

The Witness explained that [FNM-078] taught him that you could not just enter a village and ask questions – first you needed to meet with their leaders and explain to them why you were there. It was then up to them to explain to the people what the Witness needed to learn from them.

The Witness was not allowed to take statements. He could only ask "*if they saw people being killed, whether they saw people being placed in houses and burnt and whether they had encounters with the RUF leaders*". Some of the town chiefs would not disclose anything, others told them to come back later when they discussed with the villagers. When they could speak with the people, the Witness asked them that "*if they were willing to talk to some white guys who are coming and want to talk to you.*" When the people asked him if he could refer the story, the Witness explained that he was instructed to only ask certain questions.

On April 13, the NBI arrived in Lofa. They had to follow the same process the Witness had to, and he said he played a very minimal role once they were there. [FNM-078] was interpreting – the process of interviewing people would last for hours, so not all of the interviews were taken the same day. The Witness then specified how not all the people might know him by name or recognise his face. He later explained this as "*in Liberia once you stand for justice you are being targeted. In recent times, there have been killings*" and explained how he had moved because of security reasons since starting to work on the case.

When they arrived in Monrovia, the Finnish police still needed his services. He found more witnesses in a week's time. He reiterated once again that he had completely detached from GJRP, and he was now working for the NBI; however, when he was not working for the NBI, he had returned to GJRP as a researcher. He had not investigated Gibril Massaquoi on behalf of GJRP when the NBI left.

The NBI returned to Liberia in November 2019. Before then, the NBI requested his services again. So he left GJRP to prepare for his second mission: he clarified that he did not disclose any information nor he did not take any instruction from his organization. This time the NBI told him to go towards the border with Sierra Leone; he communicated with [FNM-078] and visited the other towns he was instructed to go to. Once there, he followed the same "*community entry*" he had done in the other villages. He then presented his work to the NBI, and they wanted to speak with Zigzag Marzah – the Witness reached out to him, and told him the police wanted to talk to him. After some discussions on where to meet, Zigzag Marzah met him. The Witness pointed out that he was very suspicious of him, but told him that he had fought in Sierra Leone, and named a few fighters. The Witness clarified that this was before the NBI reached them – he also told Zigzag that the Finnish police did not pay for information. When the NBI came, Zigzag requested payment and said "you guys would need me if you would make any progress." and left. The NBI continued with interviews.

The Witness explained how he was not present for any interview – nor did anyone tell him what was being discussed. The Witness did not have access to any documents. He also clarified that he did not speak Finnish.

At this point during the testimony, the Prosecution asked the Witness about the notepad he kept in front of him. Witness 55 responded that he kept his notes on it, and asked whether he should

close it – the Prosecution answered that it was fine, as long as he let the Court know when he was checking it for dates.

The Witness then described how he approached people that discussed the war – people would just talk about it in public places, including public transport. He would then ask them if they would be willing to talk about their experiences to others and that "*Sometime they say yes, sometimes they say no*".

The Prosecution asked the Witness if he knew personally any people pertaining to this case – Witness 55 responded that he knew [FNM-067], who led him to [Soldier 07], who then introduced him to a lot of ex combattants.

The Witness then explained that he was not there to greet the witnesses once they arrived at the venue: he only spoke with them on the phone and/or directed them there – another person dealt with that. He also clarified that he did not know which witness was called by Prosecution or Defence – the only exception was [Defence Witness 14]. It had taken the Witness a week to find him because the Defence really needed him.

Witness 55 then explained what training he had: he explained he underwent training with The Institute for International Criminal Investigations (IICI). He also added that he was lucky enough to go to the Hague to read a International Criminal Investigations (IICI) program. He also trained with the Royal Netherlands Army School for Peace for the "*hostile environment awareness training*" where he learned "*how to identify mass grave, and how hostile forces operate at checkpoint*." He added that he had the attendance certificates with him, and that the Court could take copies of them.

The first time he had heard about Gibril Massaquoi or Angel Gabriel was 3 to 4 years before, when he was not working for GJRP still – he had heard the names from Sierra Leonean fighters in Liberia.

The Prosecution asked the Witness if he had promised healthcare or scholarships to the witness if they testified – Witness 55 denied this. He then was asked if he reported any of the work with the NBI to Civitas Maxima or GJRP – the Witness said "*absolutely not, we don't talk".* The Witness offered that Alain Werner, the director of Civitas Maxima, called him five days before his testimony to tell him "*to be clear on my work with the NBI and say the truth*".

The Defense questions Witness 55

The Defence wanted to know when the Witness returned to work for GJRP – Witness 55 responded that he had to check his notes because he could not "*say it off-head*".

When asked again if he had known any other person previously to the investigation, the Witness reiterated that he knew [FNM-067], but they met over a 100 people, so he might have known someone else.

The Witness then clarified that the only notes he took were the names of the witnesses, and that the police knew about his notes but did not request to see them – Witness 55 offered the Defense his notes.

The Defense then wanted further clarifications on the alleged promise of benefits for the witnesses, wondering why some of them have disclosed that to the Court. Witness 55 responded that he did not know why they would say so.

Witness 55 also explained that he did not discuss the GJRP with the witnesses, only spoke about the NBI. He also added that he did not mention the name Gibril Massaquoi or Angel Gabriel to anyone, nor did he disclose that the police wanted to hear about the 99 Steps incident.

The Defense then asked the Witness if he had told [GJRP 1] about Zigzag Marzah – Witness 55 responded that it was Thomas himself who approached [GJRP 1] about it. The Defense however understood that it was the Witness himself who told [GJRP 1]. Witness 55 insisted that he did not speak to him, and that it was Thomas that asked to speak to Marzah or other aide de camp – he added that [GJRP 1] turned him down.

Witness 55 specified once again that he was not involved in the transport of the Witnesses to and from the venue – he offered that [FNM-078] was facilitating this with the witnesses from Lofa.

The Defense noted that in the pre-trial investigation summary, it showed that police interviewed 80 civs and 50 soldiers. Overall, the Defense recalled that few witnesses were unable to give the name “Gibril Massaquoi” or “Angel Gabriel”, and further noted that the police had written down how each witness came into the conversation. The Defense told Witness 55 that he reviewed these documents, and noticed that every witness who came in contact with the police through him, gave the name “Gibril Massaquoi” or “Angel Gabriel”.

The Witness responded that he did not know that, but that he accepted all the information these people gave him. When asked by the Defense whether he did something to ensure that the witnesses would say these names, the Witness absolutely denied this suggestion. He further offered that, when he met the NBI, the police showed him pictures and asked if he could identify Angel Gabriel, and he could not.

The Prosecution interjected, and the Witness explained that he never questioned the information he was given by the NBI: he just followed orders. He also explained how witnesses would first come and testify, but then they would be hesitant – “*when most people hear white people they think money*” and made the example of Zigzag Marzah. However, he “*would tell them no, you have to say your story*”.

The Witness also specified that he had been to the venue once, and that he had introduced himself to some witnesses, and not with others.

The Defense pointed out some inconsistencies regarding how many times the Witness had been to the venue – Witness 55 pointed out that he had never been inside of the venue, although he went there several times.

He then clarified that he was not aware if GJRP had sent background information on Gibril Massaquoi to Civitas Maxima. Finally, he was asked how many people that worked for either organization could have done the interviews – the Witness explained "*we are about 14 persons, out of the 4 you have about 6*". He also explained that some background information was done, but he had not partaken in that.

May 11, 2021 – [Sierra Leone] Day 28: The Hearing of Witnesses 56, 57, and 58

The twenty-eighth day of public hearings resumed on 11 May 2021 in Freetown, Sierra Leone.

Witness 56 is heard

(Finnish ID: Defense Witness 18)

The Defense questions Witness 56

Witness 18 began her statement by stating she is a member of Gibril Massaquoi's family. When asked if she remembered the events between 1993 and 2001, the Witness recounted that after Foday Sankoh asked the rebels to come from the bush in 1998, Massaquoi was in Makeni. From there, the rebels came to Freetown to join the soldiers. At this time, the Witness was visiting Massaquoi every weekend at Cockerill because that is where he was staying. Ahmad Tejan Kabbah, President at that time, said that there should be "law and order" as the war had come to an end, and ordered for Chiefs to be elected where there were none.

The Witness and Massaquoi were from a ruling house, and their Chiefdom in Blama Massaquoi was vacant at that time: the Witness was chosen as the candidate for the family and used to have meetings with the Massaquoi family and their friends. Towards the end of 1999, the Witness went with Massaquoi to Blama Massaquoi in the Pujehun District, in Southern Sierra Leone in order to campaign. They traveled by vehicle. Massaquoi used to go with them, and then returned to Freetown. He used to stay 3-4 days, sometimes a week. On 10 January 2002 she lost the election, after which she came back to Freetown. Massaquoi was also there, except for one or two days when he travelled to Bo to see his mother.

The Defense asked if the Witness knew where Massaquoi was in 1999, she answered that he was in Freetown. He was staying both in Thunder Hill and Cockerill. When they were negotiating for peace they were given a place in Cockerill to stay upon leaving the RUF. When asked if the Witness has any knowledge about Massaquoi's position in the RUF, she stated that she does not know too much of the RUF but she thinks he was either the Public Relation person or Spokesperson. In 2000, each time she came to Freetown she would visit him as they were holding regular meetings. He was a stakeholder in the campaign and also had rights in the Chieftaincy. He was at this time strategizing for the campaign.

Referring back to their question about Massaquoi's position in the RUF, the Defense asked the Witness if she knew if he was involved in any other activity. She stated that they were going to the office at Cockerill to discuss peace talks, besides this she does not know, and guessed that he might have been involved in the peace brokering. The Witness specified that Massaquoi lived in Cockerill, during the peace talks, at the military headquarters. The last time the Witness saw Massaquoi was in 2007 during the general election, before he left; at this time, she was in Pujehun. After the Paramount Chief election in 2002, she met with him at his house in Freetown in Thunder Hill and later Murray Town. During this time, he was living with his wife and children.

In 2002, the Witness visited Massaquoi once in a while. She visited him more frequently in Freetown.

When asked, the Witness confirmed remembering the Finnish police talking to her and that no one contacted her prior to that.

The Prosecution questions Witness 56

The Prosecution started its questioning by asking where exactly her town is in Sierra Leone. The Witness described that it is in the Southern Province, and that Blama Massaquoi is a Chiefdom on its own in the Pujehun District. It is not too close to the Liberian border, however you would be able to reach Liberia by enrouting Pujehun, although you would not enter Pujehun itself. In 1999, people were coming back to Blama Massaquoi, as the war ended and there was peace.When asked if Gibril Massaquoi was safe with the people when he visited Blama Massaquoi, considering he was a member of the RUF, the Witness answered that he was, and it was because of that reason that he went there. People were aware that he was captured and forced to join the RUF. Almost all of the youth, both male and female, and even elderly people were forced to join. It was not possible to go to Liberia with the car because ECOMOG were deployed there.

The Prosecution then referred back to the Witness' earlier comment about Massaquoi leaving to visit his mother, and asked where she lived. The Witness responded that his mother lived in Bo, the second city in Sierra Leone. When asked if she knew that Massaquoi was out of Sierra Leone for a while, she answered that his wife and younger siblings would have told them and that he was very busy while they were working on the peace settlement. The Prosecution stated that in 2000, Massaquoi said that he was in South Africa, Ivory Coast and Nigeria, and that in 2001 he was in Nigeria and Monrovia multiple times. The Witness did not know.

The Prosecution then asked if, from this information, they could conclude that the Witness does not know whether Massaquoi travelled abroad. To this, she responded that she only knew of his travel to Finland, whether through the UN or another organization. Referring back to the campaign, the Prosecution asked if the campaign was important to Massaquoi. The Witness affirmed that it was, as it was a royal title. She assumes that he would have remembered the campaign. When asked if she has any thoughts on why Massaquoi did not mention the campaign while the trial was on, she replied that *"it depend[ed] on the parts on which he was interviewed"*. The Witness added that she did not want to lie, considering she was under oath, but then specified her surprise that Massaquoi had not mentioned the campaign.

When asked whether she knew if in 2003 Massaquoi should have been in a safe house the Witness explained that she was in Blama at that time, and came to Freetown every 2 or 3 days, and did not ask him about that; she also added that Gibril Massaquoi moved freely, did not have bodyguards, nor was he wearing a uniform because "*peace was restored and paramount chiefs elected*". He did mention that he was pressured to testify against Charles Taylor, but he did not tell her who asked him to do it. When asked if this had an impact on his life, the Witness answered that she did not know, but that possibly he was afraid.

When asked what organization the RUF was, the Witness answered that she was not very familiar, and that they were "just rebels" and that she was not familiar with the group. She did not know if Gibril Massaquoi had any other role in the RUF other than spokesman or public relation person, only that she heard him on the BBC radio. According to the Witness, Gibril Massaquoi gave up his RUF membership 1997-98. He did not tell her himself, she knew because rebels used to "*stay in the bush*", and then she saw him in town. She added that Massaquoi campaigned for the chiefdom as family, not as RUF nor as a military man. The last time she saw him was in 2007, during the presidential elections, in Freetown. He was dressed like an office worker. She did not know if Gibril Massaquoi moved to Makeni, maybe he had just been traveling there, and she noted that people were free to move.

She was not aware of Massaquoi going abroad in the course of 2003, and if so "*nothing could have stopped him*" because peace was restored.

The Defense questions the Witness

When asked if she was aware of the fact that Gibril Massaquoi was imprisoned in Sierra Leone, the Witness responded that she had heard about it on the BBC. She did not know what for, nor did she know what Charles Taylor was accused of.

The Witness stated that the chiefdom campaign intensified the last week to the election in December 2001. She travelled to Blama and Massaquoi came back to Freetown, and she knew that because he traveled with people she knew. He was a strategist in the campaign, calling family members together and hiring vehicles for them. The Defense then asked the Witness if she remembers what she told the Finnish police when she was asked if Massaquoi was released from prison in 1999. The Witness responded that she does not remember, and the Defense pointed out that she had said he was released on 6 January 1999. To this, the Witness responded that she told them that the rebels invaded Freetown in 1999. When asked if she knew that Massaquoi was in Pademba Road before this, the Witness answered that she did not know this.

Witness 57 is Heard

(Finnish Witness ID: Defense Witness 21)

The Defense questions Witness 57

Witness 57 began his testimony by noting that he remembered the period between 1999-2003 and further noted that he fled to Makeni during 1999 since he was targeted for allegedly collaborating with the RUF. He explained that he had met Gibril Massaquoi for the first time in Makeni during the same year, after Massaquoi was freed from prison and that they were friends at the time. According to the Witness, Gibril Massaquoi was a RUF commander The Witness mentioned that there were tensions between Rambo and Issa Sessay, but to his knowledge it did not have consequences on Massaquoi. The Witness proceeded to explain that in 1999 Gibril Massaquoi was called by Foday Sankoh to meet him in Lome for the peace accord, and that he traveled through Guinea. He stated that Gibril Massaquoi was a special assistant for Foday Sankoh and did administrative work. According to the Witness, before the Lome Peace Accords

Gibril Massaquoi lived in Murray Town in Freetown and worked with Foday Sankoh on Spur Road, he met him there himself. The Witness stated that after the Lome Peace Accords Gibril Massaquoi went back to Lunsar, as he also met him there.

According to the Witness, a strike had occurred on May 8, 1999 and he escaped to Lunsar where he met Gibril Massaquoi. Later on in his testimony he clarified that he stayed in Lunsar for two to three years. He stated that Gibril Massaquoi had told him that his colleagues had caused problems as they had attacked peacekeepers in Freetown. Foday Sankoh was arrested and taken to prison in Freetown, the Witness stated. He noted that Foday Sankoh's leadership ceased and it was transferred to Issa Sesay. The Witness then explained that Gibril Massaquoi stayed in Bo before he was elected to lead the peace delegation. After he was elected, Gibril Massaquoi went back to Monrovia and informed them that he was negotiating with the peacekeepers in Liberia. He further clarified that it was May 2001 when Gibril Massaquoi went to Monrovia for the first time to negotiate with peacekeepers and that he was there for more than six months. He stated that he knew that Gibril Massaquoi was there for six months because he met him in Makeni upon his return. The Witness could not recall all of the names of the comrades Gibril Massaquoi went to Monrovia with but mentioned one Bai Bureh. The Witness stated that Gibril Massaquoi lived in Makeni by the highway when he returned and that he joined the other comrades to participate in the peace process, and that he attended almost all of the meetings in 2001. The Witness stated that he knew that Massaquoi participated in these meetings because he would accompany him until he boarded the UN flight.

According to the Witness, Gibril Massaquoi lived in Makeni until 2002 until some people alleged that he was involved with scammers who stole a golden necklace from Issa Sesay. Later in the testimony, the Witness confirmed seeing the necklace, and that it had diamonds. He was then repatriated to Freetown by a UN helicopter, and lived there with his wife and children, under government protection, and the Witness saw him almost everyday. He also added that Massaquoi also lived with [FNM-178], who was a small boy under his protection. The Witness stated that Massaquoi was still involved in the peacekeeping process with the government and additionally had partaken in a fishing project in his hometown. He clarified that this took place between 2002 and 2003. During these times, the Government feared that Massaquoi still had connections to the RUF and that he was a spy, the Witness stated.

The Defense proceeded to ask questions about the Special Court for Sierra Leone. The Witness noted that Alan White met with Gibril Massaquoi to discuss the mandate of the Court and that Massaquoi cooperated with the Court. The Witness stated that the Court needed Massaquoi to help them with information related to the Court's mandate. He also stated that he himself met Alan White together with Massaquoi before the Court got a hold of Issa Sesay and Samuel Hinga Norman. The Court's cooperation with Massaquoi started in 2003, and the Court provided Massaquoi protection until he moved to Finland, the Witness stated.

The Defense asked the Witness whether he had travelled to Liberia between the years 1999 to 2003 to which the Witness responded that he went to Monrovia in 2002 to get Massaquoi's daughter, who was living with [FNM-070] at the time. He later specified that he stayed there for two days. He then recalled that it was the year 2002 due to an incident that had happened that year. According to the Witness, Massaquoi could not travel to Monrovia as he was with the government and feared for his life as other members of the RUF, such as Superman, saw him as a

threat because he was protected by the government. The Witness noted that during this time Massaquoi lived at Thunder hill.

The Prosecution questions Witness 57

The Prosecution started its line of questioning by asking clarifying questions on the role occupied by Gibril Massaquoi in the RUF. The Witness explained that in 1999 Gibril Massaquoi was a commander because he had people fighting under his instruction, and that after 2001 he did not anymore, he was rather an amministrative commander, and not taking active part in the fighting itself. He recalled that the first fight with Superman and his boys took place in Lunsar. and that Massaquoi stayed in Liberia for six months from late 2000 to 2001.

The Prosecution proceeded to ask questions about the peace negotiations. Gibril Massaquoi went to Liberia and stayed there six months between 2000 and 2001, where he dealt with the implementation of the peace process in Sierra Leone on behalf of the RUF. He recalled that the negotiations took place with Charles Taylor, who, according to the Witness, had a principal role in the peace process. The Witness was not aware whether the Sierra Leonean government was part of the negotiation. The Witness added that he was not there personally, but Massaquoi told him about his work with the government and that he had met Charles Taylor. The Witness did not answer questions regarding Charles Taylor and blood diamonds.

When asked about Benjamin Yeaten, the Witness responded that he was one of Charles Taylor's men, and that the Witness viewed him as a killer, and did not want to talk to him. He saw him when we went to Bo to pick up one of Massaquoi's children, but did not not meet him because he was scared of him. He had heard about the atrocities, that he was called "50" and that he had bodyguards. The Prosecution asked whether the Witness had heard of [FNM-177], or if Massaquoi had spoken about him. The Witness answered that he did not.

The Prosecution, referring back to the period when Massaquoi was in Liberia, asked whether Massaquoi returned to Liberia after 2000. The Witness responded he did not, and only moved to Makeni and Freetown. The Prosecution told the Witness that Massaquoi had said that the last time he was in Liberia was in 2001, but the Witness was not aware of this. When asked about Massaquoi's vehicles, the Witness answered that he had many, and he could not tell which one was used to come back from Liberia. The Witness confirmed for the Prosecution that Massaquoi did not travel to Monrovia alone as he was working for the government and feared for his life. He also confirmed that Mosquito was part of the RUF when he was killed, and that whoever Charles Taylor distrusted, would be killed.

The Prosecution moved on to ask questions about Issa Sesay. The Witness explained that Sesay and Massaquoi disagreed over the peace negotiations, and that the first excluded the latter from the process because he did not trust him. He further stated that this was because the government trusted Massaquoi, and that Massaquoi went to Kailahun and asked his men to disarm, whilst Sesay was threatening another war if they did not win the elections. The Witness recounted how Massaquoi was attacked for this, and had to be rescued at Shegbewma Police Station, he saw this himself.

The Witness described how his mission was to talk to Massaquoi on how to dismantle the RUF, and convince him to disarm his men and offer "packages".

The Prosecution asked whether the Witness saw Massaquoi before the elections. He confirmed that he had, and he met with him often before he moved to Finland. They would meet at Massaquoi's place for security reasons, and that he had a lot of guards because he was scared – but it was easy for the Witness to enter because he was a family friend. Sometimes Massaquoi would come to the Witness's house, alone.

The Prosecution pointed out that the previous Witness, Witness 56, mentioned that he did not have security. Witness 57 said that that was her own version of the events – he recalled Massaquoi being heavily surrounded by security.

The Defense questions Witness 57 further

The Defense asked about the Abuja agreements. The Witness explained that there were Abuja 1 and 2, and Lome was the last peace agreement. He added that Massaquoi went with Foday Sankoh to Abuja 1, but the Witness could not say where that was. The Witness said that Massaquoi traveled with government ministers, and that he participated in the agreements.

When asked if Charles Taylor would have had Massaquoi killed, the Witness answered in the affirmative, and said that there had been a few assassination attempts that took place in Freetown. The Defense asked if these attempts also happened when Massaquoi was under the protection of the SCSL, and the Witness confirmed.

The Defense asked about the "packages" that the Witness offered Massaquoi's men, and the Witness explained that it was to give an opportunity to learn new skills and undergo training. 30 commanders of the RUF got involved in the project.

Finally, the Witness confirmed that before his interview with the Finnish police, he did not speak to anyone about these events.

The Prosecution questions Witness 56 further

The Prosecution sought clarifications as to the security threat for Massaquoi in Liberia. The Witness answered that Charles Taylor would have killed Massaquoi because he would have said he betrayed him. The Prosecution finally asked the Witness the definition of administrative commander, and he responded that Massaquoi would deal with running the organization, but that he fought in 1999 when there was friction within the RUF.

Witness 58 is heard

(Finnish Witness ID: Soldier 41)

The Defense questions Witness 58

The Witness began her statement by explaining that she knew Massaquoi when he was one of the junior commandos of the RUF trained at Pujehun in southern Sierra Leone. She was at this time also a member of the RUF, they both joined in 1999 in Pujehun, in this year she was a bodyguard to Foday Sankoh, the same year the peace accord was signed. The Witness stated that at this time, Massaquoi was in the northern part of Sierra Leone with Superman, but there was an issue with Mosquito, due to which they could not go to Boidu to start off the negotiations for the peace talks. She herself also did not go to Boidu as she was with Mosquito, who was the key commander, until the signing of the accord. According to the Witness, Massaquoi went to Togo trough Guinea in order to avoid passing through Boidu as he feared Mosquito. He went there alone because he needed to see the Sankoh who was arrested in Abuja, Nigeria in 1997. Massaquoi returned just after the Lome Peace Accord was signed.

Following the signing of the Lome Peace Accord, Sankoh was appointed as the Strategic Minister of Mineral Resources and Vice President. Massaquoi was the Special Assistant to him. In October 1999, Massaquoi came to Freetown from Makeni. From then on, he was close to Sankoh and would work for him at his house on Spur Road, after which he would go home in the evenings. The Witness was working as a security officer which is why she saw Massaquoi at Sankoh's house. Before the Accord, Massaquoi worked as a frontline soldier and later spokesman.

The Witness was then asked if she knew what happened in January 1999 in Freetown. She responded that she was not in there, she was in Boidu with the RUF with Sankoh and Sergeant Musa. She did hear about an attack, and that Massaquoi was freed from Pademba Road Prison and that he went back to Makeni. The Defense asked the Witness if anything special happened in Spur Road in 2000. She responded that there was a problem between the combatants in Makeni and the RUF abducted some peace keepers. The government arrested Sankoh and several others, including the Witness, on 8 May 2000. She spent seven years and four months in Pademba Prison. The last time she saw Massaquoi was when she was released from prison in 2006 or 2007. During the time of her arrest, she did not see Massaquoi.

The Defense then referred back to Sam Bockarie "Mosquito", and asked the Witness if he did anything special during the 1999 war. To this, she responded that Mosquito was the leader of the RUF after Sankoh was arrested. Following a disagreement, Mosquito went back to Liberia around November 1999 with his bodyguards. At that moment, Massaquoi was in Freetown with Sankoh, and he did not go with Mosquito to Liberia. The Witness stated that she had been to Liberia twice with the RUF leaders, they were there for three months. Massaquoi was not with them as there was an issue between him and Mosquito. The second time she went to Liberia was in 1998 with Mosquito, before the Peace Accord was signed. When asked if the Witness knew if Massaquoi had a pseudonym then, she answered that the name they used to call him was Jaffa. She was not trained to speak on the radio, but she had done so in the past.

The Defense asked the Witness if she knew the RUFP. She answered that she knows them, they are a political party and she is currently involved. She stated that Massaquoi did not partake in politics between 1999 and 2003, although she thinks he may have taken part in the RUFP in 2002. She does not have any knowledge on how or in which way he took part in the RUFP. Later in her testimony, the Defense asked the Witness about her telling the Finnish Police that Sesay gave

money to Massaquoi for a house. The Witness answered that the police asked her about Gibril Massaquoi and the war in Liberia, and not about the internal dealings of the RUF.

She stated that nobody contacted her in respect to this hearing.

The Prosecution questions Witness 58

The Prosecution began its questioning by asking the Witness for how long Massaquoi used the name Jaffa. She responded that he used the pseudonym from 1993 when the RUF leader left Kailahun. They came to Kenema, at this time the Witness was a bodyguard to Foday Sankoh at Kamboi Forest. Foday Sankoh moved to Liberia with his security. There was a fight there, but the Witness does not know more of what they did there, nor whether the RUF would have taken part in the Second Liberian Civil War. She does not know of any other code names Massaquoi might have used around May 2000. After the Peace Accord was signed, the Witness was living in Bongor Town. When she was in prison, she heard from various insiders at the RUF that Massaquoi went to Liberia for a peaceful settlement. She is unable to tell the exact time frame during which Massaquoi was in Liberia, but stated that there are other people right now in Sierra Leone who will know and be able to tell.

The Prosecution then asked the Witness if she knew whether Charles Taylor had any diamonds in his possession, which she did not know. She also stated that she does not know if Massaquoi had any dealings with Charles Taylor while he was in Sierra Leone. Massaquoi was a junior to Issa Sesay and Mosquito in rank, so it is likely impossible that he had any direct dealings with Taylor. While she was in prison, the information she got was that Massaquoi was part of the delegation who would meet with Taylor at peace talks. The Prosecution asked if the Witness knew Ibrahim Bah, to which she responded that she did. She does not know whether he had any connection to the diamonds. The Prosecution elaborated that based on the trial in Finland, Massaquoi stated that he gave diamonds to Ibrahim Bah. The Witness responded that she does not know anything of this as she was in prison.

When asked about the last time the Witness saw Massaquoi, she stated that it was in September 2007 in Freetown, where she saw him with his family. She met him only once, her brother went to see him and she went with him. He was under the protection of the Special Court so he had security with him. She could not recall exactly how many bodyguards, but she stated that they were Sierra Leonean police officers as they were assigned by the state to protect those under Special Court protection.

The Defense questions Witness 58 further

The Defense asked the Witness if she knew when and how JP Koroma died. She responded that she did not know, that he was indicted by the Special Court like Sesay but he escaped around 2003/2004, and that his death was a rumor. She did not where he fled to, but she confirmed that he took part in the 2002 Parliamentary elections and one a seat in Parliament with the PLP.

Finally, when asked if she had ever heard if Massaquoi was called “Angel” she replied in the negative.

May 12, 2021 – [Sierra Leone] Day 29: The Hearing of Witnesses 59, 60, and 61

The 29th day of public hearings resumed on 12 May 2021 in Freetown, Sierra Leone.

Defense Witness 04 is Heard (W59)

Defense questions Defense Witness 04

Defense Witness 04 began his testimony by describing how he knew Gibril Massaquoi, stating that he met him in Freetown after the Lomé peace processes. The Witness worked for the government, in the intelligence service, for nine years, starting in 1998. He stated that Mr. Massaquoi was with Foday Sankoh, but he didn't know what position he held. He was certain that he met Mr. Massaquoi after 1998, but could not recall the exact year they met. He explained that he met him at a tripartite meeting with the government, the RUF, and the UN, which was held around Mammy Yoko in Sierra Leone, but that he also met Mr. Massaquoi multiple times after that. The Witness explained that Mr. Massaquoi used to visit him at his office at State House, where they had private meetings, but he couldn't remember the year these meetings were held.

The Witness offered that Mr. Massaquoi represented the RUF, noting that, as part of the RUF delegation, he provided comments during discussions. The Witness clarified that these types of meetings were held in Freetown, Makeni, and Kono. He recalled that the meetings ended in February.

Turning back to the topic of the private meetings between the Witness and Mr. Massaquoi, the Witness clarified that the meetings took place in his office in Freetown, but also at other RUF locations or at the place of FNM – 202. The Witness said they met in his office a couple of times, where they discussed peace and moving forward. He confirmed that he met Mr. Massaquoi after negotiations ended in February 2002, and they still just spoke of peace. There was no regular pattern to their meetings, rather, their meetings would arise casually, as needed or desired. They would call one another to set a meeting, and if Mr. Massaquoi was in town, he might arrive within 10-15 minutes, or they would arrange another day, depending on what was convenient. When asked whether they typically met on the same day or scheduled it for another day, the Witness repeated that it depended. The Witness was sure he had met Mr. Massaquoi in 2003, and indicated that this was clear in his memory because the peace was in 2002, and they met shortly afterwards in his office. Again, he offered that the meetings taking place at this time occurred as needed. He further indicated that they stopped meeting when Mr. Massaquoi left Sierra Leone.

The Defense turned to the topic of the Special Court, asking the Witness whether he knew what it was. He knew what it was, and indicated that Mr. Massaquoi had something to do with it. He was asked whether Mr. Massaquoi had any special protection from the Special Court, and whether he knew Johnny Paul Koroma. The Witness indicated that Mr. Koroma was a one-time head of state in Sierra Leone, who formed a political party called the PLP. He further stated that he participated in the elections in either 2002 or 2007, and that he did not know what happened after the election. When asked whether he knew Sam Bockarie, the Witness replied that he had

heard his name. He knew that Bockarie was a commander in the RUF, and that he died in Liberia, but was unsure as to when he went to Liberia.

The Witness noted that he could not remember the last time he heard from Mr. Massaquoi. He confirmed that he was contacted by the Finnish investigators on 15 October 2020. He noted that, before that interview, Mr. Massaquoi would send emails and call him, but clarified that he received this type of communication long before the hearing.

The Prosecution questions Defense Witness 04

The Prosecution opened by asking the Witness to state his job, and the Witness confirmed that he was head of intelligence services at the time. The Witness confirmed that this role meant that he had a solid understanding of events occurring in Sierra Leone. The Witness was asked whether he had knowledge of any RUF involvement in the Liberian Civil War.

The Prosecution then asked why the meetings between the Witness and Mr. Massaquoi were held privately. The Witness explained that they used to discuss issues as friends, with the goal of moving things forward. The Prosecution then sought to clarify whether the private meetings were held during the tripartite meetings, or at some other point. The Witness noted that, though he met Mr. Massaquoi during the tripartite meetings, that didn't mean they discussed anything in particular. He further elaborated that he was at the meetings for the government, Mr. Massaquoi was there for the RUF, and that the UN was also there. During the meetings, he offered, each side had its own spokesperson and any communications were made through them. As for the first meeting between him and Mr. Massaquoi in his office, he declined to specify a year, noting that he did not want to give the wrong date. He confirmed that his office was at State House in Freetown, and that he met Mr. Massaquoi in 2003 and sometime afterwards, though again repeated that he was not sure of the date.

When asked whether, during the private meetings, Mr. Massaquoi told the Witness where he traveled, the Witness noted that they did not discuss Mr. Massaquoi's past. He clarified that Mr. Massaquoi would travel to the provinces for family visits, and that those were the only trips he spoke of. He did not tell the Witness of any trips outside Sierra Leone. The Prosecution asked whether Mr. Massaquoi told the Witness that he traveled with the RUF to Liberia as part of the peace delegation. The Witness responded that he had not told him this, and that he didn't ask him about it, as he met him after the peace agreement. The Prosecution noted that Mr. Massaquoi previously said that he was in Monrovia to negotiate peace, and the Witness repeated that he met him after the peace, and had no idea whether he negotiated peace with Charles Taylor.

With respect to communication between the Witness and Mr. Massaquoi, the Witness stated that he used a mobile phone. He clarified that Mr. Massaquoi used a regular phone when he called from Finland. He explained that he knew the difference between calls received from a mobile phone compared to calls received from a satellite phone, and used his phone to demonstrate how one reviews the country code of an incoming call. While Mr. Massaquoi was in Finland, the Witness received calls with a Finnish country code, whereas the calls he received from Mr. Massaquoi while he was in Sierra Leone came from a local number.

The Prosecution then shifted its questioning, asking the Witness whether he knew a person called FNM-203 and then whether the Witness knew of the AFRC. The Witness did not know FNM-203 and did not know whether he was the president's brother. The Witness explained that AFRC stood for the Armed Forces Revolutionary Council, which took over in 1998 and called the RUF to join them to fight against the Sierra Leonean government.

Finally, the Witness stated that Mr. Massaquoi's role during the tripartite negotiations was to pass on the views of the RUF. When asked whether he was a leader of the delegation, he clarified that Mr. Massaquoi was a member, and stated that the leader of the delegation varied, depending on who was the most senior member present. He denied knowing that Mr. Massaquoi met with Charles Taylor, responding that Mr. Massaquoi neither told him that this happened, nor did he learn this through his work.

Additional Questions to the Witness

Defense Counsel asked the Witness to elaborate on the process by which he was able to recognize a satellite number. The Witness noted that, with a satellite call, the code is different, so it was clear that it was not a Sierra Leonean number. He further indicated that the sound is different. The Defense also asked the Witness to clarify when he and Mr. Massaquoi had their private meetings. The Witness confirmed that they met privately, and explained that these meetings occurred after the peace negotiations were over.

The Defense asked whether the Witness recalled his statement to the Finnish police on 15 October 2020, and the Witness noted he did: he told them that he became the head of ONS in 2002, when a law was passed. Referring to his statement, Defense asked whether this happened in July 2002. The Witness stated that he was sure the year was correct, but not the month. He recalled meeting with Mr. Massaquoi when he became the head, and that they were going to work on a project, but it did not come to be. He explained that they were going to write a book or article, but they could not publish it, so stopped working on it. He clarified that they only got some "jottings" down, but reaffirmed they did not write a book, nor did they meet often for the book project. Defense Counsel asked whether he knew if Mr. Massaquoi had more than just notes on this project, and he stated that he did not. According to the Witness, he stopped having access to Mr. Massaquoi when the trial at the Special Court started and when he left for Finland.

Defense Counsel finished by asking the Witness when he thought Mr. Massaquoi started working with the Special Court, and whether the Witness believed that he was confined while working with the Special Court. The Witness stated that he did not know, he only remembered that they were not in contact. The Defense clarified, asking the Witness whether he believed that Mr. Massaquoi would have kept in touch with the Witness had he been able to freely communicate from the Special Court.

Prosecution asks further questions of the Witness

The Prosecution closed by asking when the Witness stopped meeting with Mr. Massaquoi. The Witness again stated that he was not sure of the date, but it was when he started working with the Special Court. He also declined to provide a year when asked, noting that he did not want to

provide an incorrect date. He further offered that it was only after Mr. Massaquoi had arrived in Finland that he called to tell the Witness that he traveled there.

Defense Witness 13 is Heard (W60)

Defense Counsel questions Witness 13

Defense Counsel opened by asking how the Witness knew Mr. Massaquoi. Witness 13 revealed that Mr. Massaquoi was her boyfriend and she met him for the first time in late 1999 early 2000 in Freetown. The Witness couldn't state with certainty the date their relationship started but recalled that there was peace and ceasefire and the Junta and the government were *"working together"* with the RUF, specifying that the Junta had overthrown the government. The Witness and Massaquoi used to meet in Freetown, and the Witness indicated that Massaquoi worked as a spokesman for the RUF.

The Witness and Mr. Massaquoi met two-three times a week at the Witness's place in Freetown, as Massaquoi was engaged in a marital relationship at the time with wife, FNM-192, and kids. According to the Witness, Massaquoi and his family lived somewhere around Kissy, in Eastern Freetown. Asked whether she knew of Massaquoi travelling abroad, the Witness said she had heard of him travelling and estimated that it occured around the time the *"Prosecutors had come to prosecute Foday Sankoh"*. The Witness indicated that she was in Freetown the entire time except on two occasions where she travelled to Gambia and Liberia. She specified that during the 8th May incident she went abroad to Banjul in Gambia. When asked by the Defense how the 8th May event related to Massaquoi, the Witness declared that there was a problem with the RUF and the government. She further explained that Massaquoi was in Freetown when she left for Banjul but he later informed her by phone that he was in Makeni.

During the same phone call the Witness informed Massaquoi of her desire to go to Monrovia in order to meet someone. Massaquoi was due to travel to Monrovia to attend peace talks, so they met there. The Witness clarified that she was pregnant with Massaquoi's child at the time and situated it around 2001-2002. She specified that after the 8th May, she first travelled to Banjul in Gambia for a few months before heading to Monrovia. The Witness explained that Massaquoi was using a satellite phone as mobile phones were not so common, and she knew it was a satellite phone because he used one when working at the office with Sankoh. She later specified that she only contacted Massaquoi one time when she was in Banjul, when she was going to Monrovia, and she stated that she did so because he was her boyfriend and she needed money, recalling that he had paid her fare to travel to Monrovia.

The Witness indicated that she stayed in a different location than Massaquoi in Monrovia. While she stayed with a friend, Massaquoi stayed in a house provided by the government of Liberia. She couldn't indicate where in Monrovia this house was located but named two persons – FNM-204 and a man named Kenneth – that she knew resided there. The Witness later explained that the three of them, Massaquoi, FNM-204, and Kenneth, were given the same mission regarding the peace talks, so Massaquoi had told her. Asked about her meetings with Massaquoi in Monrovia, the Witness stated that they took place at her place. She indicated that Massaquoi left for about a week to Guinea in order to hold some meetings regarding the peace talks. She explained that at the time, there was a ceasefire in both Sierra Leone and Liberia. The Witness

didn't recall whether Massaquoi went to Sierra Leone during that time. She did recall however that she found out about her pregnancy about one month after arriving in Monrovia and that she notified Massaquoi straight after his return from Guinea.

The Witness indicated that she gave birth a few months after returning to Freetown and that Massaquoi was already in Freetown before she left Monrovia. Massaquoi came to visit her and the baby roughly twice a week at her place in Tengbeh Town. The Witness added that she did not hear from Massaquoi again once he went with the Special Court, noting that the child was about one year old. The Witness said that Massaquoi's brothers originally kept the reason for his absence a secret, but later she found out that he was with the Special Court. Asked whether Massaquoi travelled abroad during that time, the Witness replied that she knows Massaquoi travelled with the Special court. The Witness clarified that, after she gave birth, Massaquoi was living with his family and his brothers, among whom she named Witness 10, Witness 6 and FNM-178, who visited her. She specified that FNM-178 was the one who regularly visited her and the baby to bring supplies for the child when Massaquoi was with the Special Court, as Massaquoi was put in an *"isolated place"*.

The Witness answered the last questions regarding Massaquoi's activities. She explained that before Massaquoi's isolation, the peace process in Sierra Leone was not active, since the RUF leader had been arrested and they were preparing for the Special Court. She explained that Massaquoi was involved in politics with the RUFP prior to the 8th May incident. The Witness reiterated that she didn't see Massaquoi again once he was put in special custody by the Special court.

Prosecution Counsel questions Witness 13

The Prosecution opened by asking about when the Witness met Mr. Massaquoi. The Witness started by explaining that in 1999 the junta overthrew the democratic government. When prompted by the Prosecutor, the Witness stated that she was married when she began a relationship with Massaquoi in Sierra Leone but did not wish to disclose her husband's name, but finally confirmed his first name, FNM-203. Upon the Prosecution's insistence, the Witness indicated that her husband was active in the NPRC and the AFRC. She specified that he was arrested along Massaquoi during the reign of the AFRC junta.

Regarding her trip to Gambia, the Witness stated that she left Freetown immediately after the 8th May incident. She went to Gambia because she has family. The Witness clarified that it was her decision but told Massaquoi about it because she needed money for the transportation. At that time the Witness used phone booths to reach Massaquoi, who had a satellite phone with him and other RUF members, including someone called FNM-205. She explained that they and their RUF leader used the phone at the office.

The Witness confirmed staying a few months in Gambia before going to Monrovia. The Prosecution estimated that she was in Monrovia by July, to which the Witness replied that it was possible but that she couldn't recall the month. She reiterated that Massaquoi arrived shortly after her. According to the Prosecution, Massaquoi stated that he arrived in Monrovia in August. Based on the Witness' testimony, the Prosecution estimated that the Witness went back to Freetown around April-May 2001. The Witness retorted that she gave birth in July so "*it must*

have been around that time". The Prosecution insisted on the chronology with additional questions. The Witness explained that Massaquoi was already in Freetown when she came back to Sierra Leone. She also stated that they only saw each other for a few months before Massaquoi's movements were limited due to the special court. Asked whether it could have been 2001, the Witness answered that she didn't know when the special court was implemented but recalled that around that time some of Massaquoi's brothers told her he was with the special court.

The Witness reiterated her ignorance of the time, only stating that she had her child in July 2002. The Prosecution then noted the inconsistency with the answer the Witness had just given to the Defense, where she stated 2001 as the year she gave birth. The Witness retorted that she said *"between that time"* and that her son is twenty years old.

The Prosecution then confronted the Witness with the testimony of Defense Witness 21 (Day 28) who said that in 2002 he went to Monrovia to collect Massaquoi's daughter and that the Witness (Witness 13) was present. The Witness retorted that she didn't know about it and that she didn't meet with Massaquoi's daughter nor did she know who Defense Witness 21 was. The Witness insisted her child was born in Freetown and specified that she gave birth at home, not in a hospital. When asked about Massaquoi only travelling abroad with the special court, the Witness answered that she didn't have knowledge of his personal life, as she was just his girlfriend. She added that she didn't give a birth certificate for her son, so she couldn't be sure of the year. The Prosecution asked if the year was 2002, could it be that the Witness was in Monrovia in 2002. The Witness answered that it could be.

Asked about her time in Monrovia, the Witness reiterated that Massaquoi lived with two friends of his and that he also lived with her sometimes. She didn't know where the house Massaquoi stayed in was located, as she didn't know Monrovia well. When Massaquoi was with the special court she didn't hear from him, only from his brothers. When confronted with the fact that some witnesses said they kept contact with Massaquoi during his time with the special court, the Witness replied that she didn't know about it, restating that she only heard from Massaquoi's brothers. The Prosecution then asked the Witness whether she had any understanding of the activities of Massaquoi in Monrovia when he was not with her. She replied that she only knew that he was going for peace meetings.

The Witness then declared that she stayed with a longtime friend, FNM-206, in Monrovia. She explained that she went to Monrovia because she needed a change, as things were not going well for her in Gambia. The Prosecution asked for details regarding her stay in Monrovia. The Witness indicated that it was coincidence that Massaquoi was also due to travel to Monrovia. She further said that she was a guest at her friend's house so she didn't pay for rent. The Witness clarified that she didn't know whether her friend owned the house but her friend had been living there for a time.

When asked by the Prosecution, the Witness indicated that Massaquoi had travelled with the special court and that she had heard about it from his brothers. The Witness specified that the brothers informed her that Massaquoi travelled but she wasn't sure whether it was with the special court or not. She added that she was only his girlfriend and that their interactions were mainly about the support of their son.

Defense Counsel questions Witness 13

The Defense asked the Witness about her time in Monrovia. The Witness stated that it lasted less than a year. Then the Defense questioned the Witness about the interview with the Finnish police in October 2020. According to the Defense, the police recorded the Witness's son as being nineteen years old and 2001 as the year of birth. The Witness replied that she didn't remember the exact year as her son doesn't live with her anymore and she doesn't check his records.

The Witness stated that after she gave birth she continued seeing Massaquoi for some time. According to the Defense, the Witness had told the police that Massaquoi was active in the disarmament process in Freetown. The Witness confirmed, adding that it was a normal process for all former RUF members. She also confirmed that Massaquoi participated in the elections in 2002, as the RUF had transformed into a political party.

Defense Witness 11 is Heard (W61)

Defense Counsel questions Defense Witness 11

Defense Counsel opened by asking how the Witness knew Mr. Massaquoi. The Witness was a radio operator for the RUF, and met Mr. Massaquoi, who was also in the RUF, in Lunsar in 1999. Towards the end of 1999, or into 2000, they met again at Foday Sankoh's residence in Freetown on Spur Road. The Witness elaborated that he was Foday Sankoh's radio operator at Secret Signal Broadcasting, and that Mr. Massaquoi was Sankoh's personal assistant, serving as an intermediary between Sankoh and the combatants in the jungle. Later, the Witness noted that Mr. Massaquoi's nickname was "Jafa".

The Witness and Mr. Massaquoi met at Sankoh's residence every day. The Witness did not recall that Mr. Massaquoi traveled abroad at that time, specifying that this was after the Lomé Accord. They stayed at Sankoh's Spur Road residence from early 2000 until 8 May 2000, when they were attacked. After the attack, the Witness, along with Mr. Massaquoi, Superman, and a man named FNM-207, whose real name the Witness did not know, fled to the mountains and traveled through the jungle to reach their men in Lunsar. Once they reached Lunsar, they contacted the headquarters where Issa Sesay was based. Sesay told them to wait until night, and then they traveled to Makeni. Once they reached Makeni, they were in a safe zone, so everyone was free to go where they wished. The Witness stayed in Makeni for some time, as did Mr. Massaquoi, who left Makeni only to attend a meeting in Kono.

The Witness described this Kono meeting, which was hosted by Issa Sesay in September of 2000, and included Mr. Massaquoi and other revolutionary commanders. At that meeting, Sesay appointed Mr. Massaquoi as the head of the external delegation that would take place in September. After the Kono meeting, Mr. Massaquoi planned to travel to Monrovia to start the peace process with the other members of the delegation, including Issay Sesay, Edwin Bockarie, and a convoy. They had to travel to Liberia for the peace process, the Witness explained, because Foday Sankoh was nowhere to be found and they needed to see how it would be implemented. The Witness added that, after the attack, Foday Sankoh was arrested and kept in prison until he died.

The Witness noted that he also traveled to Liberia separately. After Mr. Massaquoi left, they started receiving threats that the rebels would cut off their route to Liberia, and their commander said, "*at times for peace, prepare for war*". The supply route passed through Foya, Fura, Voinjama, and Gbarnga. In response to this threat, the RUF developed a mission, led by Witness 7, to clear the supply route of enemy attacks and allow free movement. The Witness was selected as the radio operator for the mission. He initially stated that this mission took place in 2000, but corrected himself and clarified that it was in May 2001. The RUF troops for this mission were stationed at Foya on the Kolahun highway. They did not stay in Liberia for a long time, as the disarmament started at the end of June in Kailahun, and some men started leaving. The RUF troops acted on their own, not with Liberian troops, but they received support and ammunition from Benjamin Yeaten, who the Witness described as a commander. The Witness further stated that Liberian troops were stationed elsewhere.

The Witness did not see Mr. Massaquoi while he was in Liberia. He explained that Mr. Massaquoi went there for the peace process, but he did not see Mr. Massaquoi traveling in the country. Responding to a question posed by Defense Counsel, the Witness noted that he himself was not in Liberia in October 2000, and further offered that Mr. Massaquoi left Liberia before the Witness arrived in May 2001. The Witness knew that Mr. Massaquoi left Liberia before May 2001 because he saw Mr. Massaquoi back in Kono, on his way to Makeni from Liberia. He stated that Mr. Massaquoi had spent about three days in Liberia and reaffirmed that this was during October 2000. The Witness further reiterated that he did not see Mr. Massaquoi while he was in Liberia.

Defense Counsel asked the Witness who the commanders of the RUF were in Liberia at that time. The Witness stated that Issa Sesay was the commander, and that Sesay instructed Witness 7 to clear the supply route. The Witness noted that there were other commanders, including Bomb Blast and Double Killers. The fighters were divided into different squads, which each had its own commander. Witness 7's group had no special name; they were simply part of the RUF. There was no fixed number of people who went to fight, and the number of fighters increased as the RUF soldiers looted property. The Witness stayed with Witness 7 until they both returned from Liberia, as he had security protocols to follow as a radio operator to ensure that their information did not fall into enemy hands. The Witness offered that they were the last batch to return, as some men had fled to take part in the disarmament. Once they returned to Sierra Leone, there were no more RUF people fighting in Liberia, and the LURD rebels quickly took over Lofa, Foya, and Voinjama. With respect to the Liberians, Defense Counsel asked the Witness whether he knew which direction they went when they withdrew. The Witness did not know, but offered that he and the Sierra Leoneans had gone to Buedu, in Sierra Leone.

The subject then shifted to the Witness' interactions with Mr. Massaquoi after his return to Sierra Leone. After the Witness returned, he stayed in Kono until November 2001 when the disarmament took place, and then went to Freetown. At that time, the RUF had transformed into the RUFP, a political party. The Witness wanted to know what was happening in the party, so went to the office located at Lightfoot Boston Street. He met Mr. Massaquoi there again in early January 2002. He remembered meeting Mr. Massaquoi because, after the death of Sankoh, Mr. Massaquoi played an important role in the organization. He met Mr. Massaquoi at the Lightfoot Boston Street office and occasionally at the DDR office, which was in the same western area of Freetown. The Witness explained that they would go to the party office to "*get our daily bread*", and as a result, he and Mr. Massaquoi met regularly in Freetown. At the DDR office, the Witness explained, Mr. Massaquoi was assisting the RUFP in organizing for the 2002 election. The Witness

did not recall the month in which this election took place and did not recall meeting Mr. Massaquoi anywhere else.

Finally, the Witness affirmed that he recalled his interview of 17 October 2020 with Finnish police, and that nobody from Finland other than the Finnish police contacted him.

The Prosecution questions Witness 11

The Prosecution opened by asking the Witness about Mr. Massaquoi's appointment as head of the external delegation for the peace process, and which countries and peace processes Mr. Massaquoi was involved in. The Witness stated that Mr. Massaquoi was involved in the peace process in Sierra Leone, and that the delegation was sent to Monrovia to negotiate with Liberian authorities to assist with the peace process. According to the Witness, Liberia was viewed by the Sierra Leoneans as the only friendly country they could ask for assistance in this process. The Witness clarified that this was the RUF perspective, not that of the Sierra Leonean government, as the RUF sought to free Foday Sankoh to facilitate the peace process. He elaborated that the RUF viewed Liberia as a friendly country because they needed contacts, and Foday Sankoh and Charles Taylor had a good relationship then, so believed they could easily work with Liberia.

The Witness then responded to questions about the rebel attacks on the RUF's supply route to Monrovia. He explained that the RUF had a route to Monrovia to facilitate the movement of supplies, such as rice and ammunition. The Witness confirmed that Taylor's government was supplying arms to the RUF at that time, and that Witness 7 was sent to clear the route. Referring to the Witness' pre-trial statement, the Prosecution noted that the Witness had provided the name of Witness 7. The Witness thought that could be Witness 7's real name but was not sure. He confirmed that there were already Liberian troops stationed in the area near the route, and was asked to explain why the RUF was sent to clear the route if the Liberians were already there. The Witness stated that the RUF viewed the route as an important responsibility to maintain, given that they relied on it to receive sustenance and weapons, and would be greatly affected were it cut off.

The Witness was asked to clarify whether the RUF was fighting with the Liberians, and the Witness explained that each side had its own mission. With respect to assistance provided to the RUF from Liberia, the Witness stated that the RUF provided its own troops and weapons, and that support from Liberia for this mission was limited to the ammunition they received from Benjamin Yeaten. When pressed by the Prosecution as to whether the RUF was fighting against LURD rebels with the Liberians, the Witness stated that the Sierra Leonean fighters would only take instructions from Sierra Leonean commanders, not from Liberians.

The Prosecution turned back to the topic of Mr. Massaquoi's delegation trip to Liberia in 2000. The Witness confirmed that this trip took place, and that Issa Sesay also traveled with Mr. Massaquoi. The Witness did not know whether Mr. Massaquoi traveled to Liberia with other RUF members at another point, and stated that he knew solely of this one single trip. The Prosecution noted that Mr. Massaquoi had already been heard by this Court, and had indicated that he traveled to Liberia more frequently that year, as well as in 2001. The Witness denied knowledge of these trips, stating that he was not around at the time, and knew only of the one trip.

The Prosecution then asked whether the Witness had heard of FNM-209. The Witness noted that he knew someone with this name, another Sierra Leonean radio operator for the RUF. FNM-209 was stationed in Monrovia, and had been sent there long before the peace processes. FNM-209 was sent to Monrovia to feed information from Liberia to Mosquito, and to set up a link between the RUF and any Liberian leader they wanted to contact. Information was provided on a daily basis, and the post was set up because of the good relationship between Foday Sankoh and the Liberian government. The Witness admitted that the information related to RUF activity, though he noted that he was not there himself.

The Prosecution then asked the Witness whether he knew Benjamin Yeaten or Zig Zag Marzah. The Witness explained that Benjamin Yeaten was a commander in the NPFL. He was not sure exactly how high-ranking Yeaten was, but he knew that when Issa Sesay wanted to contact Charles Taylor, they would go through Yeaten. The Witness did not know whether Mr. Massaquoi was in contact with Charles Taylor. Turning to the Witness' knowledge of Zig Zag Marzah, the Prosecution asked whether the Witness recalled telling the Finnish police that Zig Zag was stationed around Foya and the towns along the road that the Witness had mentioned. The Witness affirmed that Zig Zag had been in this area but would intermittently travel to other areas. When asked whether he had heard of the code name "50", the Witness confirmed that he heard the name, but offered that he never saw the actual person. He also confirmed that he did see Benjamin Yeaten, back before the peace talks when Yeaten would come to Buedu, where Issa Sesay and Mosquito were based. The Witness did not know whether Benjamin Yeaten committed offences in Liberia.

The subject of the questioning then shifted back to the supply route, with the Prosecution asking the Witness why this particular route was used. The Witness explained that the roads on this route were in better condition than those on the route in the south, and that, had the roads been better on the other route, they could have used it. The Witness also explained that the northern route was more convenient, as the headquarters for the RUF were located in Kailahun, so the route that they took should lead there rather than to Pujehun, as the southern route did, where the RUF was not prominent. Further, the Witness clarified that there were Kamajors on the southern route and that they were guarding that route as part of their territory.

The Witness then offered that, when Mr. Massaquoi traveled to Liberia, the LURD rebels were not present and so the northern route was clear. He did not know whether the RUF delivered anything to Monrovia, including diamonds, as that type of information was limited to those in high command positions. When asked whether Mr. Massaquoi was the type of commander who would have had diamonds, the Witness explained that Mr. Massaquoi had been in Makeni before going to Liberia, so he did not know how Mr. Massaquoi could have made such a transaction. The Prosecution pressed this point further, referring to Mr. Massaquoi's prior statements about bringing diamonds to Charles Taylor, and asking the Witness whether Mr. Massaquoi had contact with Charles Taylor or brought him diamonds. The Witness maintained that he did not have knowledge of this matter.

The Prosecution then asked about the type of commanding role Mr. Massaquoi held in the RUF. The Witness explained that Mr. Massaquoi was first a combatant, but then became a commander, including of other combatants, before the disarmament. The Witness explained that the disarmament proceeded in stages across the districts – it started in Lunsar in 1999, and was

happening in Kono in 2001. When the Witness first met Mr. Massaquoi in Lunsar in December 1999, he was disarmed.

The Witness is asked further questions

Defense Counsel began his questioning by asking the Witness whether he saw Mr. Massaquoi supplying arms in Monrovia. The Witness stated that he did not see Mr. Massaquoi in that area. According to the Witness, Benjamin Yeaten was the most prominent person for supplying arms.

Defense then asked whether the Witness had heard of FNM-208. The Witness knew who this was, and explained that the first commanders were executed by Foday Sankoh and others because they had collaborated with enemy forces.

The Witness said that the Liberians had their own operational mission and he did not know about it.

The Witness confirmed that Issa Sesay gave the orders to go to Liberia and fight, and that he was a radio operator. He also again corrected the date this happened, clarifying that though he told investigators that he went to Liberia in May 2000, it was in fact May 2001. He explained that it was difficult to remember the dates offhand. Referring again to the Witness' police statement, the Prosecutor noted that he previously stated that members of the RUF started leaving Liberia to go to Sierra Leone once they heard rumours of disarmament. Then, the Prosecutor noted that the Witness had told police that he spent six or seven months in Foya before returning to Kono to disarm in September 2001, whereas, during this hearing, the Witness stated he was only in Liberia for roughly one month. The Witness confirmed that what he said in this hearing was true – he was only in Liberia for one month. He reiterated that he found it difficult to recall the dates, and only realized his mistake with the dates provided to the police later on.

The hearing concluded at 16:10 and will resume on 14 May 2021 in Freetown, Sierra Leone.

May 14, 2021 – [Sierra Leone] Day 30: The Hearing of Witnesses 62 and 63

The 30th day of public hearings resumed on 14 May 2021 in Freetown, Sierra Leone.

Witness 62 is heard

(Finnish Witness ID: Defense Witness 10)

The Defense questions Witness 10

The Witness had met Gibril Massaquoi whilst training in a Southern Province, and the training was overseen by Foday Sankoh and Vanguards. He explained that Foday Sankoh was the leader of the RUF, and that he had been recruited to the RUF by force. After training he was deployed to Pujehun as part of the first battalion. He went on to explain that Massaquoi was a member and a commander of the RUF, and added that they had a company by the name of Alligator Forces. In 1999 the Witness was tasked with operating Gibril Massaquoi's radio. He explained that Gibril had a satellite phone that he was using to talk to numerous sources, including BBC, RFI, and VOA. The Witness noted that they utilized a local radio system within the battalion. He noted that in 1992 Massaquoi was in Sierra Leone, near the border of the Chiefdom of Segbwema.

The Defense asked the Witness to focus on the years between 1999 and 2002. He explained that Eldred Collins was the first person in charge of media for the RUF, but he was changed by Foday Sankoh due to misspeaking in the media, and replaced by Massaquoi. Massaquoi was the public relations officer for the RUF after Foday Sankoh had been arrested following the Abidjan Peace Accord in 1996. The Witness explained that around 1997-1998 Massaquoi was in prison, and Foday Sankoh was also in prison in Nigeria. In 1999 the RUF, under the command of Mosquito, went and freed Massaquoi from prison. After being released from prison, Massaquoi went to an RUF base in Makeni, Sierra Leone. The Witness noted that he was released before the Lomé Peace Agreement. When asked how he knew that Massaquoi had gone to Makeni after being released from prison, the Witness explained that he was among the group that received him in Freetown, and they went to Lunsar along with Superman. He explained that they went to Makeni after this, in 2000, which is when he believed the Lomé Peace Agreement was concluded. He was in Makeni with Massaquoi for a year with the second brigade, until the disarmament.

The Witness was asked to elaborate on his role as Massaquoi's radio operator. He explained that all the brigades had a radio, and that Gibril would write the things he would say on the radio, which would then be broadcasted to the other RUF members, including daily briefings. If someone wanted to contact Massaquoi, the Witness would set up the camera and the radio, and if Massaquoi was not near the Witness would inform him about calls. He explained that the phone had been set up in a small office, which was not in the same house as Massaquoi. When someone would call, the Witness would make a note of the name of the person, their affiliation and their number and arrange a time for Massaquoi to call them. Then, Massaquoi would check the notes, and call the people back on the telephone. He noted that in addition to the media, who he talked to on appointment dates, Massaquoi only used the telephone to speak with FNM-210.

The Witness stated that the Lomé Peace Agreement had an effect on the RUF, as well as the other parties involved in the Agreement. After the Agreement, Foday Sankoh was the vice president of RUF and in charge of all minerals, whilst Massaquoi remained as the public relations officer. During this time, Foday Sankoh and Gibril Massaquoi lived in different parts of Freetown; Massaquoi at Murray Town and Sankoh at Spur Road. The Witness explained that members of the RUF, including senior ministers and officers, would meet at their office which was located at Foday Sankoh's house. At Sankoh's residence, they would get briefings. He stated that he did not do any work at Sankoh's residence, although he was living in Freetown at the time. Whilst in Freetown, the Witness would meet with Gibril Massaquoi on a daily basis, as Massaquoi was his boss.

When asked whether anything special occurred at Sankoh's residence, the Witness recalled an event during the dry season in 2000, where they were informed that some UNAMSIL senior officials and Zambian peacekeepers had been arrested. The following day he heard that Foday Sankoh had been arrested, and he later heard of the arrest of most of the RUF commanders, including Mike Lamin. The Witness explained that Foday Sankoh being arrested had dire consequences on the group, and after his arrest the group had met in Makeni, where they decided to flee to the jungle. The group fled into the jungle in a large group, including Superman and Massaquoi. The group formed a base in Lunsar, and remained there for about a year and a half until the disarmament in Makeni in 2001. The Witness explained that after Foday Sankoh had been arrested, there was a general meeting at the brigade headquarters in Makeni, after which Sam Bockarie (alias Mosquito) became the leader of RUF. Bockarie acted as the leader for approximately six to seven months, after which there was a power struggle between him and Issa Sesay. After this, Bockarie went to Liberia with his family, bodyguards, and almost a battalion of men, including Dennis "Superman" Mingo, in 2001. The Witness explained that Gibril Massaquoi did not go to Liberia with Sam Bockarie because they were not on good terms at the time. However, Gibril Massaquoi went to Liberia in 2001 to get his girlfriend, Witness 13. Upon returning from Liberia, Gibril Massaquoi settled in Makeni. When asked how he knew that Gibril Massaquoi lived in Makeni, the Witness explained that the Witness had stayed at the house in Makeni and saw Massaquoi return. He recalled an UNAMSIL commander arriving at the house and suggesting peace talks, the commander added that Sankoh would only be released if the RUF disarmed. The Witness noted that Issa Sesay was the acting commander of the RUF at the time. Following the UNAMSIL commander arriving at the house where the Witness was along with Gibril Massaquoi, they agreed to meet in Magburaka to proceed with peace negotiations. At Magburaka, the UNAMSIL commander met with RUF senior officials. The Witness explained that he was not present at the meeting, but he was in the town as he was part of the entourage.

After being asked if he could name some of the people Massaquoi stayed with in Makeni, the Witness stated that he and the Witness lived with a number of bodyguards, including: FNM-211, FNM-212, Witness 1, FNM-213, and others. Regarding Massaquoi's family, the Witness stated that Massaquoi's mother stayed in Bo, and he also has sisters, one of whom is a paramount chief. The Witness added that Massaquoi has had two wives and three children.

The Witness stated that he stayed in Makeni until 2002, after which the group left for Freetown, where they rented a house at Thunder Hill. The reason why Gibril Massaquoi went to Freetown was to transform the RUF into a political party. However, whilst in Makeni, Massaquoi and Issa Sesay had an issue regarding money which had been given to the RUF for paying for an office space. The tension almost escalated to an armed conflict, but the UNAMSIL intervened and the

issue was de-escalated. The issue was resolved by Issa Sesay staying in Makeni, and Gibril Massaquoi moving from Makeni to Freetown to stay with a friend of his, FNM-214, who was not a member of the RUF. According to the Witness, Gibril Massaquoi participated in the peace process in Sierra Leone as an intermediary between the RUF and the government. The first meeting regarding the disarmament was a tripartite meeting between the AFRC, RUF and Kamajors at Mammy Yoko in Freetown. The second meeting was in Bo, and the Witness participated in this meeting with Massaquoi. Later, there was also a third meeting in Kono, and a fourth meeting in Makeni; the Witness participated in each of these meetings with Massaquoi. The Witness subsequently explained that the tripartite meetings took place weekly to encourage the parties to disarm side by side. He noted that Massaquoi participated in the peace process in a substantial way, by talking to other members and ensuring that they received training for a trade. When asked whether Massaquoi travelled abroad during this time, the Witness stated that Massaquoi did not go to the Lomé peace process, and only travelled in 1996 to the Yamoussoukro peace process. Between 2000 and 2001 the Witness was not aware of Gibril Massaquoi travelling outside Sierra Leone.

Regarding the intention to form a political party in 2002, the Witness stated that Gibril Massaquoi did not play a role in the party due to his issue with Issa Sesay, and instead the Witness and Gibril Massaquoi joined the SLPP with Ahmad Tejan Kabbah. The Witness was then asked if he was aware of the Special Court for Sierra Leone, to which he replied that he was aware of the Court, and that Massaquoi helped the Court to succeed. The Witness also stated that Massaquoi received protection from the Court, and he lived in a house which was guarded by Sierra Leonean police between 2007 and 2008. The Witness had met Massaquoi in the safe house, and the last time he had seen Massaquoi was in 2008, after which Massaquoi left for Finland. The Defense then asked if the Witness was aware of any nickname used by Massaquoi. He replied that Massaquoi went by “Gaffa”, and all the leaders had nicknames as radio code names in order to avoid monitoring.

The Defense asked if anyone had contacted the Witness after his interview with the Finnish police in October 2020. The Witness stated that he had received a call in August 2020 from Switzerland, from an unknown person who never disclosed their identity. The person who called him had stated that they had a court issue, and they wanted the Witness to be on their side. However, the caller didn’t identify himself so the Witness ended the call, and he noted that he does not have any relatives in Switzerland. The caller also did not mention which court issue he was referring to.

(The Witness attempted to show proof of the phone call. However, there is only an outgoing call to Switzerland, and no incoming call. The Witness reiterated that the number had called him first, and he had simply returned the call)

The Defense proceeded to question the Witness about his responsibilities in Makeni, prior to the Witness moving to Freetown. The Witness explained that he lived in Makeni prior to the conflict between Massaquoi and Issa Sesay. Whilst there, he was not responsible for Massaquoi’s satellite phone as UNAMSIL had taken it, along with the radio set, in 2000. However, when Massaquoi was working at Sankoh’s house, the Witness was responsible for Massaquoi’s satellite phone.

The Defense returned to the alleged call the Witness had received from Switzerland. He explained that he had only called the number because they had called him first, but the number he had called did not answer.

The Prosecution questions Witness 10

Regarding his role in operating the satellite phone, the Witness reiterated that he would write the numbers that had called the phone into a book, and Gibril Massaquoi would then call the numbers back. However, immediately after this the Witness clarified that he was not a satellite phone operator, and he in fact operated a radio. He explained that he was trained by Foday Sankoh to use the radio, and that Foday Sankoh, Gibril Massaquoi, Issa Sesay and Sam Bockarie (alias Mosquito) all had satellite phones they moved around with. He did not know where the commanders got the satellite phones from, but he did know how the satellite phones worked because Gibril Massaquoi taught him to receive calls and make notes. Regarding whether it would be possible to use a satellite phone without the other person knowing your location, the Witness stated that he doesn't know because his focus was on the radio. He recalled that Gibril Massaquoi would sometimes do interviews via satellite when he was not present, and Massaquoi would ask others to go outside for 20 to 30 minutes when he did so.

The Witness proceeded to describe Foday Sankoh's role as the vice president in charge of all minerals. He explained that Foday Sankoh was only below the president regarding minerals, and that RUF had their own mining site in Kono District. At the mining site, there were government representatives who took records of all the mineral discoveries, however the Witness never went there himself. The Prosecution asked the Witness if he had received any information regarding diamonds when he was Gibril Massaquoi's radio operator. He stated that Gibril Massaquoi was only focused on his work as the public relations officer and had no connection with diamonds. He added that Gibril Massaquoi never received any assignment regarding diamonds and noted that he entered all the information of these calls into the booklet and no diamonds were mentioned. The Prosecution noted that in his trial, Gibril Massaquoi had stated that he gave diamonds to Charles Taylor. The Witness responded by stating that he would not know, as he was not present at the trial in question.

After Sankoh was arrested, the Witness was present at a general meeting that took place in 2000 in Makeni. At the meeting the RUF decided to accept peace and disarmament, as well as "Operation: Free-The-Leader". There were many plans to free Sankoh, some suggested fighting in order to free him, and others insisted on contacting UNAMSIL to get their view. There was also a suggestion to attack Freetown, which was proposed by the "West Side Boys". The Prosecution then asked the Witness about a group of Zambian peacekeepers who had been arrested. He explained that at the time Augustine Gbao was the intelligence officer for the RUF, and he took the peacekeepers' weapons and vehicles, and was later indicted. The Prosecution then asked whether Gibril Massaquoi gave a testimony against Gbao, and the Witness replied that he was not in the courtroom to witness the proceedings. The Witness had heard that the peacekeepers were taken to Liberia, where the handover was going to take place. He had no idea why it was in Liberia, as at the time Sam Bockarie, alias Mosquito, was around the Kailahun border, and the others were in Makeni.

After being prompted by the Prosecution, the Witness reiterated that Gibril Massaquoi had gone to Liberia in 2001 to collect his girlfriend, Witness 13. The Prosecution noted that the Witness had stated that Gibril Massaquoi went to Liberia in 1998 in a previous interview with the Finnish police. He stated that 2001 is the correct year, and that he was in Makeni when Gibril Massaquoi and his girlfriend arrived there. He added that Gibril Massaquoi and his girlfriend had a son with them as well, who was younger than 6 months old. He believed that their son was born in Liberia, but he could not be sure in which part of Liberia the son was born in. Regarding whether Gibril Massaquoi arrived in Makeni at the same time as his girlfriend, the Witness simply noted that he knew that Massaquoi's girlfriend was heavily pregnant at the time, but he only saw them once they had arrived with the child.

When Gibril Massaquoi was a witness for the Special Court for Sierra Leone, the Witness would meet him at his house, where he was allowed to meet with visitors for an hour or two. He explained that the Court was renting a big house for him and his family, along with a security called FNM-178. FNM-178 was a member of the RUF, and he was living in the house because Gibril Massaquoi had requested for someone to help him in the house as he had young children. He explained that FNM-178 was not there for security, and in fact he was more of a servant than security, for example taking the kids to school and collecting them after, as Gibril Massaquoi already had armed security. During this time, Massaquoi could not leave the house as he pleased, and could only leave with security to get palm wine. The Witness explained that he knew Massaquoi could leave to buy the palm wine from Mile 38, about 20-30 miles away, because he accompanied him one Sunday. These strict restrictions were placed on him, because his comrades in the RUF saw him as a traitor. The Witness noted that he never spent a night at the house, and even Massaquoi's mother was not allowed to sleep there. The Witness only met with him around once a month. When the Witness went to visit, Massaquoi would share supplies which had been given to him by the Special Court for Sierra Leone, including rice and other things, and sometimes they would receive these supplies from FNM-178. The Witness added that he and others occupied Massaquoi's Thunder Hill residence at the time, and Massaquoi would assist them.

The Prosecution redirected the attention back to the phone call which the Witness had allegedly received from Switzerland. The Witness reiterated that he received a call about a court issue, he asked which court issue, and the caller did not reply. He did not recall the exact time when he received the call, however it occurred in 2020. After noting that the person did not call again, the Witness stated that he believed that he tried to call the number back in February 2020.

The Defense asks further questions

The Defense directed questioning towards the satellite phone and the Witness' recollection regarding the RUF and diamonds. He explained that he could identity a call from a satellite phone when the phone would ring. When the RUF were in Kono, the commander was FNM-215. However, the Witness did not know which commander dealt with diamonds. The Witness proceeded to elaborate on meetings that took place in Kono. He mentioned one tripartite meeting involving the Malian president and President Obasanjo of Nigeria. He then referenced the RUF general meeting which took place in Kono. He explained that the meeting did not only involve RUF, but also UNAMSIL and others as well.

Regarding Gibril Massaquoi returning to Makeni with his girlfriend and their child, the Witness explained that Massaquoi's girlfriend was pregnant whilst they were in Sierra Leone and gave birth in Liberia. He noted that they did not stay in Makeni, instead they headed straight for Freetown. The Defense asked whether he was in Liberia when the child was born, and whether he had seen Gibril Massaquoi cross the border with his girlfriend, Witness 13. The Witness replied that he was neither in Liberia, nor had he seen Gibril Massaquoi cross the border with his girlfriend.

The Witness was asked whether he had travelled with Gibril Massaquoi. He reiterated that he had been to all four of the tripartite meetings with Gibril Massaquoi, but he had not travelled with him besides those meetings. The Defense then read out a previous statement from the Witness to the Finnish police, where he said that he travelled with Gibril Massaquoi to meet colleagues to discuss disarmament. The Witness explained that they did in fact visit colleagues to discuss laying their arms down, in Pujehun, Kenema, Kailahun, Matotoka, and Sierra Rutile in Bonthe. He recalled an incident in which the government forces attacked them, as well as an incident in which their colleagues who were spearheaded by Mohamed Gassama, attacked them as well. The Witness noted that the traveling group did not use a car. People were killed during the attack, and after the attack the Witness said that he would never travel again. He recalled being tired and scared for his life, and noted that Massaquoi was also in fear for his life at the time. The Witness could not recall the year in which the attack took place.

Witness 63 is heard

(Finnish Witness ID: Defense Witness 7)

The Defense questions Witness 7

The Defense began by asking Witness 7 how and where he met Gibril Massaquoi. Witness 7 replied that he had known Massaquoi since 1999 as they were both members of the RUF. From 1999 to 2003, Witness 7 was known by his code name, FNM-216, during his time in the RUF as a field commander. Witness 7 was fighting alongside the RUF until the Lomé Peace Agreement was signed. After the Lomé Peace Agreement, there was peace for a while.

During the peace, the Witness worked as a peace monitor for the United Nations CMC, starting in January 2000. According to the Witness, Gibril Massaquoi was working with Foday Sankoh in the year 2000, at Spur Road. The Witness asserted that they were all together in 1999 and were together from 1999-2000 before the Witness began his work for the CMC. The peace came to an end when the civilian populace and the military attacked the RUF, in May 2000 at Spur Road. The Witness stated that Foday Sankoh and Gibril Massaquoi fled when the attacks happened. Massaquoi fled to Lunsar, located in Sierra Leone's Northern Province. Foday Sankoh was captured by the government. Foday Sankoh's capture led to retaliation from RUF fighters as they went on a rampage, capturing UN workers in Kailahun. According to the Witness, Foday continued his role as RUF leader despite his capture.

The Defense then asked Witness 7 whether he knew Issa Sesay. The Witness replied that he knew Issa Sesay who was a RUF commander who became a one-time leader of the RUF. The Witness

explained that this occurred during a general meeting of all commanders that happened in Kono in September 2000. According to the Witness, the commanders present at the meeting included Morris Kallon, Augustine Gbao, Massaquoi, Issa Sesay, Witness 7, FNM-217, FNM-218, and other senior officers. The Defense asked about outcome of this meeting. The Witness explained that Issa Sesay spoke about how ECOWAS was pressuring the RUF to stay in line with the Lomé Peace Agreement. Sesay also reported that ECOWAS had advised the RUF to change its structure following the arrest of Foday Sankoh. Issa Sesay was made RUF leader after the meeting. The commanders were also told at the meeting that the ECOWAS was moving to Liberia and the RUF delegation would have to go as a delegation to Liberia as well. The members of the RUF delegation sent to Liberia were Issa Sesay, Witness 5, FNM-204, and Gibril Massaquoi as head of the delegation.

After the Commanders' meeting, the Witness stated that he went to Liberia. GM returned to his base at Lunsar while Witness 7went to Foya, Voinjama and Kolahun in Liberia. The Witness went with fighters and armed men, all members of the RUF, which tallied up to 90 men. The Defense then asked Witness 7 if he had a radio operator with him. The Witness answered yes, stating that Motiga was his codename and FNM-179 was his real name. The Witness also indicated that he went to Liberia on orders of Sesay and in the interest of peace in Sierra Leone and the sub-region. The Witness recalled this to be in 2000, around September or October. He explained that his assignment as bridge commander was to guard Liberia and Sierra Leone locations, cutting across Kenema and Kailahun districts. While on duty, ECOWAS was still pressurising for peace; the RUF leadership asked Witness 7 to clear the route from Kailahun to Voinjama, as it was the road from Kailahun to Monrovia. Witness 7 told the Defense that the mission was successful and completed in ten days.

The Defense questioned the Witness about the specific places where fighting occurred. Witness 7 named: Kolahun, LPMB (Liberian Produce Marketing Board) and Voinjama. Witness 7 stated that the RUF had a base in the area. He also explained that the RUF only captured Voinjama and then handed it over to Liberia. They withdrew under the instruction of Issa Sesay after the RUF delegation successfully passed through to Monrovia. Witness 7 confirmed that he communicated with the delegation through the radio as they went to Monrovia. He also confirmed seeing Massaquoi in Voinjama on the way to Monrovia. Massaquoi, Witness 5 and FNM-181 came to his base when they arrived at Voinjama, and they were pretty eager to see each other. However, they did not spend the night in Voinjama. Witness 7 told the Defense that he did not know how long the journey from Voinjama to Monrovia lasted; however, the RUF delegation arrived in Monrovia on the same day.

The Defense then proceeded to ask Witness 7 about his unit's name. According to the Witness, his unit was called Cobra Unit, so that Liberian citizens would not know that Sierra Leoneans have entered the country. The Liberian government, however, was aware of their presence. RUF did not want Liberian citizens to know because of the language barrier since Liberians spoke English and the RUF was speaking Krio. The RUF also did not have uniforms while at Lofa, or any similar apparel. The questioning shifted to other RUF commanders present at the time. According to Witness 7, Sam Bockarie and other commanders were present with him; however, they were on a different assignment. Witness 7 stated that Issa Sesay made him the overall mission commander and listed the commanders under him during the mission. The list went as follows: [FNM-182], [FNM-183] and [FNM-184].

Witness 7 was asked if any other group of troops went after his group, to which he replied yes. Witness 7 added that if they did, it was not under the RUF's command. The questioning shifted to the RUF's battles against LURD rebels. According to Witness 63, the instructions given to them was to chase LURD rebels into Gbayoro, Guinea. President Charles Taylor's troops were already there, so the Witness and his troops only acted as reinforcements. Taylor's commanders also hosted them. Witness 63was also asked if he remembered the names of the commanders he met and proceeded to list them. He met Benjamin Yeaten, FNM-161, Deputy Colonel Maquan, Joseph 'Zig-zag' Marzah, Sam Bockarie (alias Mosquito) and the Liberian Mosquito. The Witness saw all of them fighting except for Sam Bockarie.

The focus of the questioning briefly shifted to FNM-161 and his time at the RUF. Per the Witness, FNM-161 fought at Lofa. The Witness and his men went to reinforce FNM-161 and his Liberian troops to attack Voinjama, Kolahun and the LMPC together with Liberian forces. The Witness stated that FNM-161 had many men under his control, as Charles Taylor sent the Anti-Terrorist Unit (ATU). The Witness explained that his Sierra Leonean forces went there as friends. Zigzag Marzah was mentioned by the Defense, to which the Witness replied that Zigzag was also present at Lofa during the fighting. The Witness added that he met Zigzag at Foya after they had already captured Foya, and then they attacked other places together. Benjamin Yeaten, the Witness explained, was the overall Liberian commander who planned attacks and sent troops to the front, including the Witness. The Witness stated that while FNM-161 was unlikely to harm civilians, Zigzag Marzah was a notorious killer. The Witness also described Zigzag as a man who engaged in cannibalism, recalling that he saw dried human bodies at Foya and that Zigzag ate them. This was the only incident the Witness saw since he did not stay in Liberia for a long time. After his ten-day assignment finished, the Witness stayed in Foya for a while before withdrawing his troops.

The next phase of questioning concerned the Witness' stay in Voinjama and Foya. The Witness stated that he was in Voinjama and Foya for a month. He was in between his roles as a commander in Sierra Leone and head of the troops he went with to Liberia. The Witness said that he went back and forth between Foya and Sierra Leone until the disarmament process occurred. The Witness recalled the disarmament process happening in 2001 in Kailahun. He added that they were the last to disarm in Sierra Leone. The Witness also stated that during his stay in Voinjama, there was no fighting, as there was no more enemy to fight, and he didn't continue to fight in Liberia. He explained that his being in Liberia was due to his dual responsibility of going to and from Liberia and Sierra Leone. The Witness stated that he had to take care of the men he went to Liberia with.

The Defense asked if the Witness had another assignment in Liberia, other than clearing the road for the RUF delegation. The Witness said he did not. The Defense then asked why the Witness went to Monrovia during that time. The Witness said that he went with Benjamin Yeaten to see President Charles Taylor in his residence in Congo Town. He explained that the mission that he accomplished in Foya had not been easy, and Charles Taylor was pleased with his work and wanted to meet with him.

The Defense then asked the Witness whether he met any members of the RUF delegation in Monrovia. The Witness answered that he only met Issa Sesay in Monrovia. He also had no idea that Gibril Massaquoi was in Monrovia since they had different missions. The RUF delegation was in Monrovia for the peace talks while the Witness visited to receive congratulations from

President Charles Taylor. The Witness explained that he did not meet Gibril Massaquoi after his return to Sierra Leone for the disarmament process. He also denied meeting Massaquoi again in Liberia after they met in Voinjama, when Massaquoi was traveling with the peace delegation. The Witness held that Massaquoi did not have time to visit Liberia after they returned to Sierra Leone. He met with Massaquoi in Freetown and stated that Massaquoi did not go to Liberia to fight. The Witness recalled meeting Massaquoi multiple times at the RUFP party office in 2002. The Witness estimated it to be up to three times before and after the election. According to the Witness, Massaquoi was also known as Gaffa.

Finally, the Defense asked the Witness about the Finnish police. The Witness stated that he remembered the interview in October 2020; however, he did not speak to anyone from Finland before the interview.

The Prosecution questions Witness 7

The Prosecution began by questioning the Witness about the general meeting that occurred in Kono in September of 2000. The Witness replied that the government did not play a role in the discussion. The Witness also stated that though there was fighting in Sierra Leone involving the RUF in 2000, the fighting was not serious. The Prosecution then asked the Witness about the peace process in Sierra Leone. The Witness said the peace process was not going well, so the RUF got involved to bring peace. The Prosecution turned to the May 8th attack on Foday Sankoh's premises. The Witness stated that the attack was carried out by the Sierra Leonean government, including military members. The Witness disagreed with the Prosecution's statement that some sources suggested that the attack was mainly carried out by Sierra Leonean citizens who were demonstrating against the RUF.

The Prosecution then returned to the September general meeting in Kono. According to the Witness, the RUF leadership informed them that ECOWAS was coming to Liberia, and the RUF was required to send a delegation. The Witness could not say where the RUF leadership received that information from. He reiterated that the RUF was asked to send representatives to the meeting. The Witness agreed with the Prosecution's assertion that the source of that information could have been Charles Taylor. The Witness added that the entire world knew about it when they met Charles Taylor. The Witness confirmed that the RUF delegation went to meet with the ECOWAS body and that Taylor was part of it. The Prosecution asked the Witness how he knew all this. The Witness explained that it was disclosed at the meeting in Kono, where it was stated that the RUF were to meet with ECOWAS. He also noted that he assumed that the peace talks had taken place because after they returned to Sierra Leone there was no fighting.

The Witness restated that his mission was to clear the road ahead of the peace process. He confirmed that the RUF fought alongside Charles Taylor's troops against the LURD rebels. The Witness explained that this was in the aim was of the RUF delegation's safe path to Monrovia ahead of the ECOWAS meeting. The Prosecution asked how RUF troops fighting alongside Taylor's troops against the LURD rebels helped the peace process in Sierra Leone. The Witness answered that he went as reinforcement, and that someone without his military background wouldn't be able to understand the rationale. The Prosecution pressed the Witness to provide an example of how his mission aided the Sierra Leonean peace process. The Witness stated that RUF soldiers helping Charles Taylor's men against LURD is the reason why Sierra Leone is enjoying peace right

now. The Witness described it as *"the reason why [the Prosecution lawyer] was able to land at the airport without hearing gunshots."*

The Prosecution referred to the Witness' orders to reinforce Taylor's troops and asked where the order came from. The Witness replied that it was Issa Sesay who gave the order. When asked if it would be correct to suggest that Taylor had requested that the RUF reinforce his troops, the Witness replied that he received the order from Issa Sesay and couldn't say whether Sesay received it from someone else. The Witness also confirmed that his unit's name was intended to avoid recognition from the Liberian civilian populace. However, the fighters knew who they were. The Witness also said that the RUF's presence in Liberia was not meant for Liberia but to obtain peace for Sierra Leone. He explained it by saying that the importance of the Sierra Leonean peace process relied on his unit's disguise. This was to prevent their plans from falling into civilian knowledge. The Witness also told the Prosecution that the RUF caused no atrocities against civilians.

The Witness reiterated to the Prosecution that the mission to clear Lofa took ten days, and he was on the frontline during the entire time of the mission. The Prosecution then questioned the Witness as to his awareness regarding the behaviour of his troops while he was on the frontline. The Witness replied that his troops did not commit a single civilian casualty. He also added that they went back and forth from Voinjama to Foya and would have been aware if something happened behind the frontline. The Prosecution asked the Witness if he ever visited Kamatahun. He replied that it was his first time in the region and did not know about that town.

The Prosecution reoriented its questioning to the LURD rebels and the state of Liberia. The Witness said that after the disarmament of the RUF in Sierra Leone, there was still war in Liberia. As a consequence of the war, President Charles Taylor was taken out of power. The LURD army also reached Monrovia after the war ended in Sierra Leone. The Witness firmly asserted that the RUF did not participate in any fighting against the LURD rebels in Monrovia. He explained that the RUF no longer existed, and it had transformed into the political party: the RUFP. The Witness said they were civilians by that time. The Prosecution, countering the Witness' statement, alleged that they had testimonies of witnesses stating the RUF was fighting in Liberia. The Witness rejected it, calling it a lie *"as the RUF was non-existent then."*

The Prosecution returned to the Witness' relationship with Massaquoi. The Witness once again stated that he met Gibril Massaquoi at Voinjama in 2000. He added that Benjamin Yeaten received Massaquoi there; however, the Witness specified that he does not know what they discussed. The Witness explained Yeaten's importance to the peace process, stating that Yeaten was Taylor's primary representative, so all the guests had to go through Yeaten. When prompted by the Prosecution that he had said earlier that they were meeting ECOWAS and not Taylor, the Witness replied that that is correct; however, they had to meet Yeaten to facilitate their movement to Liberia. The Witness also stated that Massaquoi did not go to Liberia after the peace process. He estimated that Massaquoi maybe went to Monrovia when his assignment wasn't by the border. However, from 1999 to 2003, he only met Massaquoi at Voinjama. The Witness also indicated that he didn't see Massaquoi in Liberia between 2000 and 2001.

The Prosecution then questioned the Witness regarding Massaquoi's delegation. The Witness answered that he did not know of the delegation having their own radio operators, and did not

see them with communication officers. The Prosecution asked the Witness if he recalled what he told the Finnish Police during the interview. The Witness said he did not. The Prosecution stated that the Witness told the Finnish police that the delegation called him once they reached Liberia, and they had a radio operator called Witness 11. The Witness rebutted, saying that Witness 11 was not a radio operator. He said Witness 11 travelled with Sam Bockarie. They were both expelled from the RUF for indiscipline and their stance against the return of peace. The Prosecution then questioned the Witness about how he left Monrovia when he went there with Benjamin Yeaten. The Witness stated that he left Monrovia through a helicopter that did not have a satellite system nor supplies. He also did not remember how the delegation travelled out of Monrovia. Finally, the Witness said he did not get any arms and ammunition from Taylor since the fighting had finished.

The Defense asks additional questions.

The Defense asked the Witness about his stay in Monrovia. The Witness replied that he spent a week in Monrovia, and there was no fighting in Monrovia. He never noticed any restlessness except the fight at the Guinea border with LURD rebels. The Witness also stated that before their permanent withdrawal from Sierra Leone, they experienced attacks from LURD around the Foya axis. He also said that Massaquoi and Yeaten did not deliver ammunition while he was in Foya. The Defense once again referenced their earlier question about whether Zigzag Marzah committed atrocities against civilians. The Witness reiterated that he did not ask. He distanced himself from Zigzag after seeing the dried dead bodies and cannibalism. The Witness also confirmed that the whole delegation met with Yeaten and not just Massaquoi. In their final questions, the Defense referenced the Finnish police interview, asking the Witness if he recalled telling them when the general meeting took place. The Witness answered that he was unsure. The Defense indicated June 2000 as the date he mentioned during the interview. The Defense pressing on the issue asked the Witness if June or September 2000 was the correct date since he said September earlier in the questioning. The Witness explained that he was unsure about the months hence why he used the word ‘around’.

The Prosecution asks additional questions.

The Prosecution began the final re-examination by going back to one of its previous questions. The Prosecution asked the Witness if he received any ammunition from Taylor. The Witness replied that he did receive ammunition from Taylor through Benjamin Yeaten; however, he did not receive any ammunition set after he visited Taylor. When asked by the Prosecution, the Witness described receiving money as a moral booster. The Witness once again denied receiving any ammunition when visiting Taylor after his successful mission. The Witness told the Prosecution that he was a witness at the Special Court trial and did not recall his answer about ammunition and arms. The Prosecution read out portions of the judgement of the Special Court on Taylor’s trial that contained the Witness’s words concerning the transportation of ammunition. After reading this, the Prosecution continued its questioning. The Prosecution once again asked if the RUF received money or ammunition for their successful mission. The Witness answered negatively and explained that, by 2000, there was no war in Sierra Leone.

The session ended.

May 15, 2021 – [Sierra Leone] Day 31: The Hearing of Witnesses 64 and 65

The 31st day of public hearings resumed on 15 May 2021 in Freetown, Sierra Leone.

Defense Witness 6 is heard (Witness 64)

Defence Counsel Questions Witness 6

The Witness began by describing that he knew Gibril Massaquoi. The Witness was captured along with Gibril Massaquoi in Pujehun District in 1992. After being captured, the Witness and Mr. Massaquoi both became RUF fighters. The Defense asked the Witness whether he recalled where he was in 1999. The Witness stated that he was a fighter in the Kailahun District. The Witness knew of the Lomé Peace Agreement and offered that Foday Sankoh went to the negotiations. He stated that the Accord took place in 1998. He did not know whether Mr. Massaquoi went to Lomé, but noted that, after the Accord, Massaquoi was in Makeni, Sierra Leone. The Witness was aware that the Lomé Peace Agreement involved RUF, and the aim was to end the war. After the Lomé Peace Agreement, the Witness stated that Foday Sankoh went to Nigeria and Liberia, and that he was arrested not long after. Later in his testimony, the Witness stated that he had no idea that Sankoh would be arrested after the Lomé Accord. When asked about the May 8 attack in Sierra Leone, the Witness stated that he was in Pujehun, in a place called Koiva when he heard that the city was attacked. He did not recall which part of the city he heard had been attacked.

The Witness then provided more information regarding his involvement with the RUF. He explained that he was in Kailahun as a fighter for eight months, before going to mine in Tongo for three months in 1999. The Witness then returned to Kailahun and a nearby village, Koiva, to wait for the disarmament. In 2001, he was disarmed by the United Nations in Daru.

When asked whether the Witness was aware of Mr. Massaquoi's whereabouts in 2000 and 2001, the Witness stated that, in 2000, Massaquoi was a commander in Sierra Leone, living in Makeni, while in 2001, Mr. Massaquoi was in Freetown. In 2000, the Witness sought assistance from Mr. Massaquoi for a mining project, but Mr. Massaquoi did not have funding for the project, and suggested that they engage in fishing in Gondapi instead. The Witness stated that the fishing project was business-related, and had nothing to do with the peace process. The Witness and Mr. Massaquoi traveled together to Gondapi to work on the arrangements for the fishing project, but when they couldn't make progress on it, they returned to Pujehun. The Witness explained that he did not do any business with Mr. Massaquoi as the project collapsed, and that there was no concrete arrangement for this project. After that trip, the Witness stated that Mr. Massaquoi went to Makeni while the Witness went to Tongo. When asked whether he interacted with Mr. Massaquoi in Freetown, the Witness stated that he was in Freetown as well, but that at the time, Massaquoi was with the UN. He knew Mr. Massaquoi was with the UN because he had security with him and it was difficult to gain access to him. The security allowed the Witness to see Mr. Massaquoi on a one-on-one basis. The Witness stated that his last meeting with Mr. Massaquoi took place in 2004. They met in Freetown, and at that time, Mr. Massaquoi was coming and going from the Special Court.

With respect to any nicknames, the Witness indicated that everyone called Mr. Massaquoi "Gibril", even Foday Sankoh, and Gibril was well-liked "*because he was so brilliant*". When prompted by Defense Counsel, the Witness recalled the name "Angel Gabriel", but could not link it to a specific person beyond knowing there was someone named Angel Gabriel somewhere in the RUF. He did not know anything of what this Angel Gabriel did in the RUF.

The Witness was then asked about other members of the RUF. He knew Sam Bockarie as Mosquito, and described him as a RUF frontline battle commander who later tired of the RUF ideology, so he broke away from the group and went to Liberia. He remembered that Mosquito left the RUF in February 1997, after the Lomé Peace Agreement, and that he went with men and his bodyguards. The Witness never saw Mr. Massaquoi go to Liberia. As for the relationship between Bockarie and Massaquoi, the Witness noted that Sam was the overall commander and that he "*used to give [Massaquoi] command*". According to the Witness, there was no tension between the two – Sam was the battlefront commander and Massaquoi worked with commands from Sam. Massaquoi was also tasked with being the public relations officer, a duty he received from Foday Sankoh because he was intelligent. The Witness clarified that Sankoh was the chairman and Massaquoi was a subordinate.

The Witness confirmed that he recalled his Finnish police interview in October 2020, and that nobody contacted him after the interview took place.

The Prosecution Questions Witness 64

The Prosecution opened by asking about the money the Witness had requested from Mr. Massaquoi. The Witness explained that he asked for this money to support his business. Apart from that, the Witness denied that Mr. Massaquoi had any participation in the mining business. Further, the Witness noted that the people working in the mine did not have anything to do with Mr. Massaquoi. Recalling the Witness' prior statement to the Finnish police, the Prosecution asked whether the Witness had described mining in Tongo. The Witness confirmed that there were diamonds in Tongo. The Prosecution again referred to the statement, noting that the Witness said that he had "*a couple of boys [who] were mining for Gibril Massaquoi*". The Witness denied having said this, explaining rather that he told the police that he went to ask Massaquoi for help with his own mining project. He could not explain why the police had written that, and was clear that he did not say it.

Turning to the topic of Liberia, the Witness stated that he did not know what Sam Bockarie and his men did when they went to Liberia because Bockarie broke away. He did not know if anybody else left the RUF to go to Liberia after Bockarie left, and stated that he himself had never gone to Liberia. The Prosecution recalled that the Witness stated that Massaquoi never went to Liberia, and asked the Witness how he knew this. The Witness explained that Massaquoi was in Sierra Leone, and that he saw him in Sierra Leone. The Prosecution noted that Mr. Massaquoi himself stated at trial that he went to Liberia in 2000 and 2001, and the Witness stated that it was possible Massaquoi went there, but the Witness did not see that. The Witness stated that he had no knowledge of the RUF involvement in the Liberian war. When asked whether he knew what the RUF did to civilians in Liberia, the Witness asked what the RUF would be going to Liberia for, as they were fighting in Sierra Leone. The Witness did not know whether "Angel Gabriel" went to Liberia.

The Prosecution asked whether, from the years 1999 to 2003, Mr. Massaquoi was a commander. The Witness explained that Massaquoi was "*not a full commander, he had superiors like Issa Sesay giving him commands*". There were many people who had radio operators at that time, including the Witness, as they had to send radio reports to Foday Sankoh. The Witness clarified that he was a training commander, and trained fighters, and that only commanders had radio operators. He confirmed that Mr. Massaquoi had a radio operator as well, and that Mr. Massaquoi's radio operator was named Witness 10. Mr. Massaquoi required a radio operator to communicate and provide information to Foday Sankoh, "*he was loved by Foday Sankoh*". When asked whether he received any communication or information from Liberia on his radio, the Witness stated that he did not, as "*Liberia had their own problem, we had ours*".

Turning back to the time when Massaquoi was with the UN, which the Witness stated was between 2001 and 2004, the Witness confirmed that he was allowed to visit Massaquoi, on Massaquoi's instruction. When he visited, someone would ask his identity, and Mr. Massaquoi would tell them that the Witness was his friend. They never met outside the house, and Mr. Massaquoi was always inside. He did not visit frequently, just every once in a while. Mr. Massaquoi did not give the Witness any money or supply when he visited, but sometimes food would be available so the Witness would eat there. When he visited, he also saw Mr. Massaquoi's wife and children, as well as someone named [FNM-187]. Other than Massaquoi's family, the Witness stated there were no other visitors to the UN house. He did not know whether [FNM-187] had any other name, and did not know anyone by the name of [FNM-178]. When asked whether he knew someone named [Agent], the Witness confirmed that he knew him from Kenema. The Prosecutor explained that Agent's real name was [FNM-178], and the Witness stated that it was possible, as he did not know Agent's real name. He did not know whether Agent ever lived with Massaquoi or whether Agent was ever in Freetown, and he last saw Agent in 1995 in Pujehun.

The Witness stated that when he went to visit Massaquoi in his house, there were no other visitors, but he met Massaquoi's kids and wife when he was there.

The Prosecution then played a recording of the Witness' interview with the police, relating to Mr. Massaquoi's involvement in mining. The Witness confirmed that Mr. Massaquoi was involved in diamond mining, but did not know what Massaquoi did with the diamonds, as "*they have their own site, I had mine*".

The Defense asks further questions.

Defense asked the Witness to clarify where and when he saw Mr. Massaquoi. The Witness stated that he saw Massaquoi in Koribondo in 1994 and in Makeni in 1996. Defense Counsel then referred to a recording of the Witness' police interview stating where Massaquoi went after the Lomé Peace Agreement. At trial, the Witness stated that Massaquoi was in Sierra Leone. Defense again referred to the police statement, noting that the Witness previously said that both he and Massaquoi came to Freetown. The Witness confirmed that Massaquoi was in Freetown.

Reminding the Witness that he had been asked whether Freetown was under any attack, and that his response was that, while he was in Tongo in 2000, Foday Sankoh's Freetown residence was attacked by ECOMOG, following which Massaquoi went to Makeni, Defense Counsel asked the

Witness to confirm this prior statement. The Witness confirmed that this was true, and offered that Massaquoi went with Dennis Mingo. Defense Counsel also asked the Witness to confirm prior statements indicating that: the Witness went to Massaquoi for help with the mining business; Massaquoi said he did not have money but would speak to DDR to assist the fishing project; the Witness and Massaquoi were in Gondapi for two days, following which Massaquoi returned to Freetown; the Witness later met with Massaquoi in a RUF office in Kissy, Freetown, to ask about the project, and Massaquoi told him that he would be informed when the project materialised; the Witness returned to Tongo. The Witness confirmed each of these prior statements affirmatively. Defense Counsel then asked whether DDR played a role in the peace process, and the Witness explained that they trained ex-combatants.

Defence then referred to another prior statement, wherein the Witness told police that Angel Gabriel was a sergeant in Kailahun. The Witness explained that the statement wasn't entirely correct, as the Witness did not know Angel Gabriel, he simply heard of him from [Witness 7].

The Prosecution interjected to ask what year [Witness 7] told him about Angel Gabriel and why he told the Witness about him, to which the Witness responded that it was in 1997, and that he was the brigade commander. [Witness 7] did not tell the Witness whether Angel Gabriel went to Liberia. Defence then asked whether [Witness 7] spoke of Angel Gabriel before or after the Lomé Peace Agreement, and the Witness replied that he heard this after the Accord. The Witness recalled that, during this time, which he stated was in 1997, there was infighting between Mosquito and Superman (also known as Dennis Mingo), and that Massaquoi was on Dennis Mingo's side.

Defense Witness 3 (Witness 65) is Heard

Defense Counsel Questions Witness 3

The Witness began by describing how he knew Mr. Massaquoi and his own role in the RUF. They met in 1991, when they were both captured by the RUF movement, after which, both the Witness and Mr. Massaquoi became members of the RUF. The Witness started with the RUF in the Pujehun District, in Sorogbema Chiefdom. He met Mr. Massaquoi again in 1993 in Buedu, and at that time, they had already joined forces with the other rebels there. From 1999 to 2003, the Witness was promoted to the rank of lieutenant colonel, and became a battalion commander. In 1999, he was in Kailahun and Kenema District, but was formally stationed in Kailahun.

The Witness indicated that he had travelled to Liberia between 1999 and 2003, and recalled specifically that it was during 2000, though he did not remember the month. He was in Liberia on the order of Issa Sesay, who told him to go with some troops to join the NPFL around the Foya area. The Witness clarified that the NPFL was a Liberian rebel group, and that they crossed over to Mendekoma. The Witness added that it was his first time visiting that place. The Witness stated that he traveled to Liberia with Witness 12, along with a group of more than one hundred men called "Sadam". The Witness was the commander while they were in Freetown, but in Liberia, Witness 12 was the commander, while the Witness served as deputy. The Witness clarified that he, not Witness 12, led the troops. They fought against the rebels opposing Charles Taylor in Foya Kama and Foya Airfield, but only attacked Foya Airfield for a day, as they were approaching a time for making peace. While he was in Foya, the Witness did not see any civilians,

but stated that only fighters were there. The Witness spent three days there, and when he returned to Sierra Leone, Witness 12, as well as all the troops, returned along with him.

The Witness did not meet any other RUF commanders while they were in Liberia, but noted that a force led by Witness 7 had been sent ahead of his trip. He later clarified that some Sierra Leonean troops stayed in Liberia, but restated Witness 7 had returned to Sierra Leone before the Witness was sent there. He did not know where Witness 7 was based when he was in Liberia, but the Witness' troops made their base in Mendekoma. Due to his role as troop commander, the Witness met some Liberian commanders there, including "Mosquito", [FNM-188], and [FNM-189], though the Witness noted that he did not really know or understand them. The Witness added that the RUF also had its own commander called "Mosquito".

While the Witness was in Lofa, he did not meet with Mr. Massaquoi, but he reaffirmed that Massaquoi visited Liberia between 1999 and 2003, traveling with a delegation to meet with ECOWAS regarding the Sierra Leonean peace process. He knew that Mr. Massaquoi took this trip because he saw Massaquoi in Buedu with Issa Sesay and FNM-190. He clarified that there was an FNM-191 and an FNM-190 in the RUF. The Witness affirmed that they were traveling to make peace, adding that the Witness was part of the process and, due to his senior role, he "*knew everything*". He clarified that he saw Massaquoi in Buedu before he had ever left Sierra Leone himself – that group returned home from the peace process, and it was later on, around the year 2000, that the Witness was sent to Liberia.

Returning to the situation in Sierra Leone, the Witness noted that disarmament happened in different places, including Kenema District and Kailahun. The Witness was disarmed in Tongo, Kenema District. The Witness clarified that he was in the disarmament process in 2000, prior to his trip to Liberia, but it was not until after this trip that the Witness was disarmed. In 2002, after the disarmament, the Witness was in Freetown, and later returned to Tongo, Kenema District. The Witness later clarified that he lived in Freetown for three or four months before returning to Tongo, and that he left Freetown before the election.

During this time, the Witness saw Mr. Massaquoi in Freetown – specifically, in Kissy and on Lightfoot Boston Street, where the RUF party house was located. He added that Mr. Massaquoi lived in Kissy at the time, in a yellow house, and that the Witness visited him and his family there. They would often meet every two days. At the time, the Witness stated, Mr. Massaquoi was arranging political wings because the war had ended and there were no more fighters, just people working for the Party. The Witness added that the RUFP participated in elections in 2002, 2011, and 2018, and that Mr. Massaquoi worked for the election process in 2002. During the 2002 election, the Witness stated that Paolo Bangura, not Foday Sankoh, was the leader of the RUF. The Witness did not know Mr. Massaquoi's full job in 2002, but noted that Massaquoi was learned, and that he worked on diplomatic issues and would be sent on diplomatic missions. He added that Mr. Massaquoi was the personal assistant to Foday Sankoh.

The Witness did not believe that Mr. Massaquoi had his own troops under his command after 1999, nor did he think that Massaquoi fought in Liberia between 1999 and 2003. The Witness knew of a couple nicknames for Massaquoi, which included Gibo and Gafa. The Witness added that his own nickname was [undisclosed].

The Witness knew someone called "Angel Gabriel", who was active between 1999 and 2002, but died around 2001 or 2002, after the disarmament was almost finished. The Witness added that the Angel Gabriel he knew was in the Tongo area, in a village called Bomahun, and that he was engaged in mining activities before he died. He couldn't recall the exact year he died, but it was after the disarmament and close to the election. He added that this Angel Gabriel was a junior commander in the RUF, who served as a fighter. When asked whether Angel Gabriel had his own troops, the Witness explained that any battalion would have troops assigned to it, and as Angel Gabriel was a junior commander, he would have junior boys appointed to him. The Witness was senior to Angel Gabriel, and explained that Angel Gabriel would not have had full control over any troops as his own men. The Witness did not know whether Angel Gabriel fought in Liberia, except for one time in 1991, while they were in Pujehun and they pushed back enemies into Liberia. He reiterated that he did not see Angel Gabriel with any troop under his full control. The Witness did not recall the last time he saw this Angel Gabriel, noting that he died long ago. He added that he had heard from some others that he was still in the Bomahun area, but as far as the Witness knew, Angel Gabriel was dead. Apart from Angel Gabriel, the Witness knew one person who went by "Angel" – a civilian who was part of Mike Lamin's group.

Returning to the topic of Foday Sankoh, the Witness noted that he worked with Sankoh, as part of his fight force command. He added that he was with Sankoh before he was arrested, and clarified that Sankoh was arrested around 1997 and 1998 in Nigeria. He elaborated that the Nigerian government later handed Sankoh over to the Sierra Leonean government, and that Sankoh was kept in the Pademba Road prison. Then, during the Lomé Peace Agreement, he was brought to the talks. The Witness further added that Sankoh lived at Spur Road, and that he worked as Sankoh's bodyguard there. While at Spur Road, Mr. Massaquoi visited Foday Sankoh. The Witness did not know what type of work Mr. Massaquoi was doing at the time, but he stayed around Wilkinson Road and the Witness saw him around. The Witness clarified that Mr. Massaquoi was Foday Sankoh's personal assistant from around 1995 and 1996 until Sankoh was in Nigeria, including when they were at Zogoda, adding that Massaquoi went with Foday Sankoh for the Yamoussoukro Peace Accord. He did not know whether Mr. Massaquoi was still Sankoh's assistant when he was at Spur Road, as at that time, they were given positions in the government.

The Witness then spoke of Sam Bockarie. He described him as a battlefield commander who later became a field commander. According to the Witness, Bockarie and Massaquoi knew one another very well, but they did not have a good relationship because Massaquoi "*was a strict individual*". By that, the Witness meant that, for any organization, there are rules and regulations that the leaders must adhere to, and when people stop following those rules, "*there is always a brave person to say you have acted beyond your powers*". He clarified that Mr. Massaquoi would sometimes tell Sam Bockarie that his actions were inappropriate. According to the Witness, Sam Bockarie frequently visited Liberia when they were in Buedu. Later, there was an issue between Bockarie and Foday Sankoh, so Bockarie left the movement after the Lomé Accord and went to Liberia. As per the Witness' understanding, Bockarie never wanted to comply with the procedures set by Foday Sankoh, and in particular, did not want to abide with the peace process. The Witness added that Bockarie went to Liberia on his own, and that Foday Sankoh spoke with him and sent his brother to plead with him. According to the Witness, Bockarie saw this as a threat, as Sankoh's brother took an armed group when he went to speak with Bockarie. Due to this perceived threat, Bockarie did not hand anything over to Issa Sesay, but left with all that they

had accumulated, saying that "*no RUF member will benefit from it*", and went to Charles Taylor in Liberia, where he stayed until he died.

When asked whether Mr. Massaquoi lived with Sam Bockarie in Liberia, the Witness stated that he only saw Massaquoi with Issa Sesay, because he travelled in Sesay's vehicle.

The Witness recalled the last time he saw Mr. Massaquoi, noting that it was towards the end of 2002. He affirmed that the Finnish police interviewed him on 13 October 2020, and that prior to the interview, he was not contacted by anyone from Finland. The Witness repeated that he had not heard from Mr. Massaquoi since 2002 until he heard of this case.

Prosecution Questions the Witness

The Prosecution began by asking the Witness about the order he received from Issa Sesay. The Witness noted that he did not remember everything, but the first order related to the route they were using from Boidun to Voinjama, Foya. The LURD rebels held the main road from them, so one of his orders was to fight them and take that land. Issa Sesay also said that they should "*reinforce the NPFL to clear the way*". The Witness explained that the supply route from Buedu to Monrovia existed because, even when peace negotiations were ongoing, the RUF would receive contact from Liberia and even the leaders would go to Monrovia. When asked why the Liberians contacted the RUF during the peace process, the Witness responded, "*because the RUF and the NPFL were the same*". He described the NPFL as Charles Taylor's fighting group that later formed a government. As for what he meant by the two groups being the same, the Witness said that the NPFL was "*also playing with war*" and that there was a cordial relationship, though "*their aims and objectives, rules and regulations were different*". Further, according to the Witness, even when the RUF entered in 1991, they passed through Liberia.

The Witness then explained why the peace process was not on track in Sierra Leone, and why a delegation had to go to Liberia. There was a war, and this was international business – first there was an issue with ECOWAS, and then they arranged to meet at the Yamoussoukro Peace Accord, and later the UN and the now-late President Kabbah said they should go to Lomé. The Witness believed that Mr. Massaquoi went with the delegation to Liberia between 1998 and 1999, when they were coming to the Lomé agreement. He recalled that the first peace accord, headed by ECOWAS, was not successful, and that was around the time that the late President Kabbah came to power, so it was around 1999 that Massaquoi went to Liberia with the delegation. The Witness did not know of any other time Mr. Massaquoi might have gone to Liberia. He affirmed that, when Mr. Massaquoi went to Monrovia in 1998 or 1999, he saw him in Buedu going on his way and then when he returned.

The Prosecution then asked the Witness to confirm his prior statements: that Witness 7 returned to Sierra Leone; that after three days, the Witness returned to Sierra Leone; and that other fighters were there. The Witness confirmed these statements, and also stated that FNM-216's real name was Witness 7. The Prosecution referred to [Witness 7]'s testimony, heard the previous day, where he stated that he returned in 2001. The Witness acknowledged that this might have happened, because Witness 7 was with Mosquito, and the Witness even heard that he was sent to see Charles Taylor. The Prosecution then asked the Witness whether it was possible that the time Issa Sesay sent him to Liberia was around 2000 and 2001, which the

Witness confirmed, noting that it was just after he returned, he was disarmed. The Prosecution then noted that the Witness previously said that, after he left Liberia, there were other soldiers who were not under his command, and asked the Witness whether this could have been in 2001. The Witness agreed that the soldiers were there, but that they were coming to Freetown to disarm.

The Witness then stated that he recalled the LURD rebels reaching Monrovia, and believed that this happened around 2001. The Prosecution asked the Witness whether there were RUF troops in Monrovia within the time frame of 1999 to 2003, and specifically, whether they were there when the disarmament was going on in Sierra Leone. The Witness agreed that some RUF troops were there but they were not in full command. He stated that some individual Sierra Leonean fighters were in Monrovia around 2000 and 2001. The Prosecution then asked whether the Witness went to a town in Lofa called Kamatahun Hassala. The Witness did not know that town, and repeated that it was his first time in Liberia. He added that he only went to villages close to the Sierra Leonean border, and did not go into the interior.

The Witness confirmed that he last saw Mr. Massaquoi in 2002. As to whether his freedom of movement was restricted, the Witness stated that Massaquoi was in Freetown unless he went to Bo or Pujehun to see his family. This was until 2003, when the Witness heard about the Special Court, and then he never set eyes on Massaquoi again. He confirmed that it was before the Special Court process that he last saw Massaquoi.

With regard to “Angel”, the Witness repeated that he only knew the fighter named “Angel”. He explained that the civilian was called “Angel” and they added “Gabriel” to his name. Prosecution asked whether Mr. Massaquoi knew someone called “Angel Gabriel”, and the Witness acknowledged that this was possible, as they all started together in 1991.

The Witness knew FNM-178, but was not close to him, and added that FNM-178 was in Kailahun. The Witness recalled that he saw FNM-178 in between 1997 and 1999, but after the Lomé agreement he never knew his whereabouts again. The Prosecution asked the Witness whether he recalled speaking with the Finnish police about FNM-178, recalling a prior statement in which he indicated that he had not seen FNM-178 since 2000 and 2002.

The Defense asks further questions.

Defense Counsel asked the Witness to confirm his statement to the police regarding when Mr. Massaquoi went to Liberia: that throughout the end of 2003, Mr. Massaquoi and Issa Sesay went through Liberia. The Witness did not agree with this statement, clarifying that there was no peace process to go to at this time, and that the Special Court session had started. The Defense then asked whether it was the end of 2000 that Mr. Massaquoi went to Liberia. The Witness explained that it has been a long time, and that he did see Mr. Massaquoi within the year of the Lomé Peace Accord, though they did not document the date. It was, however, after the Yamoussoukro Peace Accord, towards 1999 or 2000, that he last saw Mr. Massaquoi.

The Witness then clarified his statements regarding Witness 7. He explained that, after Witness 7 returned, RUF members were there, and that he said that Witness 7 was on the highway at

Foya when he retreated, following which, the Witness was given men to go around the route between Liberia and Guinea.

Defense Counsel then asked the Witness to confirm prior statements regarding "Angel G.", which stated that: the Witness got to know Angel G. through the AFRC between 1997 and 2000; that Angel G. was a lower rank and not a commander; and that Angel G. would have accomplished his task if he were given boys but that he had no command over any group of people. The Witness confirmed that Angel G. did not have command over any group, and recalled telling the police that he knew Angel G. through the AFRC. He added that Angel G. returned from the jungle through the AFRC, and explained that the RUF and AFRC were working together. He stated that he last saw Angel G. in 2002, after the disarmament, when Angel G. was engaged in mining, and repeated that Angel G. died before the election. After 2002 or 2003, he heard that Angel G. was still alive, but the Witness knew that he was dead.

Defense Counsel asked the Witness to clarify whether he told the police about two people called "Angel G" – one that he knew through the AFRC and the other that he knew in Tongo. The Witness confirmed that this was the case. He added that the AFRC Angel G. was a civilian, and that it was just like having a brother – that Angel G. was senior to the Witness, and the Witness would move with him. The Witness explained that the police did not accurately record his statement – the Angel G. he knew through the AFRC was a civilian and was never given any men or troops to fight. He recalled the last time he met AFRC Angel G. was between 2000 and 2002, when Mike Lamin left Sierra Leone, adding that AFRC Angel G. was moving around with Mike Lamin.

Finally, the Prosecution asked whether the Witness knew if either Angel G. had ever been to Liberia. The Witness did not know.

The hearings closed for the day and the trial was set to resume on 16 May 2021 in Freetown, Sierra Leone.

May 16, 2021 – [Sierra Leone] Day 32: The Hearing of Witnesses 66 and 67

Witness 66 is Heard

(Finnish Witness ID: Defense Witness 20)

The Defense Questions the Witness

The Defense began by asking the Witness how and where she met Gibril Massaquoi. The Witness explained that she met Massaquoi in Buedu. The Defense then questioned the Witness as to her membership to the RUF, and she replied that she was a member of the RUFP and was responsible for education. She was also one of 11 people, including Massaquoi, who went for the ECOWAS peace process in 2000. The Witness could also recall the names of the others involved in the peace process and stated they worked together during the Abuja cease-fire agreement. She mentioned Jonathan Kposowa, who was chairman of that peace agreement in Abuja, FNM-181, FNM-219, and Massaquoi – the Witness was the only female of the group and, together with Massaquoi, the only ones still alive.

The Defense asked about ECOWAS's role in the peace process. The Witness answered that ECOWAS directed them to "*open all doors*" and roads so that the UN would supervise and monitor the cease-fire. The agreement was to observe the cease-fire, to release hostages, and to allow civilian access to some areas, including allowing NGOs to provide food assistance in the RUF controlled areas, such as Kono, Makeni, and Kailahun. The respective parties signed the agreement on 11th November 2000, 10 am in the ECOWAS building, Abuja.

The Defence asked the Witness to detail how their delegation got to Nigeria. The Witness described the journey stating that they passed through Liberia. They moved from Makeni to Kono, then from Kailahun to the Foya airfield and then to Springfield airport. This journey was on 8th November 2000. The Witness added that they used vehicles from Kailahun to Foya. The trip from Makeni to Monrovia took two to three days due to road ambushes, and there was a moving jet as well. She added that they only moved at night because of ambushes and the jet. When asked why they were followed by a jet, the Witness explained that the government was fighting the RUF at the time. Some people died because the jet tracking them dropped a missile during a trip from Manona to Bunubu in the Kailahun District of Sierra Leone.

They stayed one day in Monrovia, and then ECOWAS sent a flight to pick them up at the Roberts international airport, as Springfield airport was too small. Once in Nigeria, the agreement negotiations lasted 35 days, and the RUF delegation stayed for the entire time, meeting with representatives of the governments of Sierra Leone and Nigeria, including the Nigerian President. She explained that Gibril Massaquoi was with them, and was staying in the room next to hers at the hotel where they were residing. They were always at the hotel, having meetings every day for the peace negotiation. The Defense asked whether the Defendant did anything else during the 35 days in Abuja, and the witness responded that "*we did not even go out*," and reiterated that her and the Defendant were "*always*" in the hotel together. After the agreement, they went from Roberts airport to Foya's airfield on the same day, and then they went back to Sierra Leone, in the Kailahun district, and then Makeni. Massaquoi was with them.

The Defense asked the Witness if she knew about Abuja 1 and 2, and she responded that Abuja 1 involved the President, and Abuja 2 involved ECOWAS. She specified that she attended Abuja 1, but did not attend Abuja 2, and she did not know if Massaquoi participated in Abuja 2 because she was in Kono.

After the negotiations of Abuja 1, she was in Makeni with Massaquoi. She was there until after the cease-fire agreement, as people started entering the district. The Defense asked if the Witness met Massaquoi after Makeni, and she responded that they were together in Lumley. The Witness stated that she had also met him in Freetown in 1999, and he was staying in Kingtom, and later transferred to Brookfields. The Defense specified if she met Massaquoi after the cease-fire agreement in Nigeria in 2000, and she responded in the affirmative, and that they were in Makeni. From Makeni, she returned to Kailahun, when the civilians and the UN entered their zones. From Kailahun, she met Massaquoi on visits to Freetown around 2001 and 2002; they used to talk and she would sometimes stay overnight with his family. The Special Court had already started its work, and the Witness came back to Freetown to reinstate her work at the ministry of education, as she was working in Kailahun for the ministry.

When asked about what Massaquoi was doing during that time in Freetown, the Witness explained that he had said he was looking for a job; he had been a spokesman for the RUF, but now the group had transitioned into a political party. The Defense asked the Witness if Massaquoi participated in politics, and she responded that yes, he was questioned about the RUFP and the sustainability of the peace agreement being the last, and he had said he was optimistic. The RUFP took part in the elections twice, once with Edward Collins after the war. Massaquoi had participated in the electoral process as a spokesman for the RUFP.

The last time the Witness saw Massaquoi was at the Special Court, in the hall where they used to see the hearings. They were invited there because they were witnesses.

The Witness confirmed she was interviewed by the Finnish police on the 24th of March 2021, and that before then nobody had contacted her from Finland.

The Witness had some documents on her about the peace process in Abuja, which she said reflected what she had said during the hearing. The Court took a 50-minute break as the documents were copied.

The Defense Questions the Witness Further

After the break, the Defense read out loud the heading of the document regarding the cease-fire agreement between the Sierra Leone government and the RUF signed on the 10th of November 2000 and asked the Witness if this was what they discussed during the negotiation. She responded in the affirmative. The Defense continued by saying that the document was drafted in Bamako in 2000, and had Alpha Umaru Turay's signature, and asked the Witness if she knew anything about the agreement or any other. The Witness explained that when they went to Abuja, they were shown the Bamako, Lomé, and Abuja agreements, which were prior diplomatic efforts to put a stop to the continuation of the war. The Defense asked the Witness if she negotiated the Bamako agreement, and she responded that the reason why they were in Abuja

for 35 days was that they had to look at past agreements between the government, the RUF, and ECOWAS in order to understand the work done so far and understand the cease-fire process better.

The Witness explained that the RUF delegation did not initially want to sign the document because it did not have anything regarding peace, but when they went through it and saw it had "something about peace" they eventually ended up signing it, so that the UN and other actors could have access to their zones and the disarmament process could begin. It had been Corporal Fonday Sankoh who had attended the Bamako agreement, and he was under arrest when the Witness and her group went to Abuja; and even if they initially did not want to sign, they ended up doing so for the country, and allowed the UN to "make life normal" in Sierra Leone and "that was the end".

The Defense asked the Witness when Foday Sankoh was arrested, and she responded that it happened on June 6, in Freetown at Wilbertforce, around 1999-2000, even if she could not remember the year precisely. The Defense pointed out that the Bamako agreement was dated August 8, 2000, and asked her if to the Witness's knowledge Foday Sankoh was arrested before then. She answered in the affirmative, that he was arrested by the government of Sierra Leone, and that the 11 delegates in Abuja, including herself, "used our discretion to sign the agreement to bring back the country to normal life". The Witness was then shown the Bamako agreement by the Court, and she explained that it was signed by Foday Sankoh, and reiterated that the reason why they had shown the agreement in Abuja was for the RUF delegation to be aware of the documents that the Sierra Leonean government and ECOWAS had been working on with Foday Sankoh.

The Defense reminded the Witness that she had said that Foday Sankoh had been arrested on June 6, 2001 or 2002 and asked if it was before the Bamako agreement. She responded in the negative, as Sankoh was present during the agreement, and that she and the other delegates only signed the Abuja agreement once they were shown the Bamako and Lomé agreements.

The Defense then asked when the disarmament started in Sierra Leone, and when it ended. The Witness responded that after the cease-fire agreement in 2000, the UN entered, and the disarmament started in Kono, Makeni, and then Freetown. The Pakistan Army Contingent worked in Kono. The last area to be disarmed was Kailahun District, around 2001 and 2002. Peace was declared on November 11, 2000 at 10 am and "*there was no fight anymore*," "*ever since there was no gunshot in Sierra Leone*."

The Prosecution Questions the Witness

The questioning went back to the trip to Abuja, as the Prosecution asked if Massaquoi was with the Witness. She answered in the affirmative, and that the group was composed of 11 people, and they all travelled together. The Witness testified that Massaquoi was with the Witness for the whole duration of the trip of 35 days, including the return. The Prosecution asked if Massaquoi was with her also during the trip back to Sierra Leone, and she said yes, from Nigeria and then back to Makeni.

The Prosecution then asked what Massaquoi's role was in 1997. The Witness answered that he was the spokesman, as he was educated, and they did not have many educated people, so he was in administration. When asked if Massaquoi was a commander, the Witness answered in the affirmative, but also explained that "*when I say commander, I was commander of education, and he was commander as a spokesman*". When asked by the Prosecution if the Defendant was part of a combat group, the witness explained that she did not go to the warfront. The Witness further stated that she did not know if he was fighting, but that they were always together in the office, and Massaquoi used to talk to media outlets on behalf of the RUF.

The Prosecution asked when the RUFP was founded, and the Witness explained that it was formed in 2002, when they registered at the Hill Valley Hotel, at the time they were taking Issa Sesay and others to Rwanda.

The Prosecution referred to the hearing and stated that the Witness had testified that she met the Defendant after the ceasefire. The Witness agreed. The Prosecution then asked whether the Witness recalled what she had told the Finnish police in her interview on the subject, to which the Witness asserted that she had not been asked about seeing Massaquoi after Abuja 1. The Prosecution asked why, in the police summary, it was written that the Witness did not meet GM after Abuja 1. The Witness reiterated that she had answered what she was asked, explaining that she and the Defendant "*used to meet*" after the negotiation so she could not have said that they didn't meet.

The Prosecution asked what day the delegation had left from Makeni to Abuja. The Witness stated that it was around the 4th to the 5th of November of 2000. In answer to the Prosecution's question of whether the Witness knew if there was a time before or after that that the RUF had troops in Liberia, the Witness stated that she didn't know. She explained that traveling to Nigeria for the ceasefire agreement was her first time traveling from Makeni to Liberia. The Prosecution asked whether the Witness or the delegation had been told they would not enter Liberia, except if Liberia and the RUF cleared the road. The Witness said no, there was no fight or ambush the day that the 11-man delegation was going for the negotiation. When asked when the delegation started planning the trip to Abuja, the Witness explained that the trip was not planned; the ECOWAS called in the evening and instructed the delegation to go to Abuja, and to avoid jet attacks they travelled that same night. On the way to Makeni there was no obstacle, but the Witness remembered that from Kono to Kailahun "*we got afraid*." The Witness further explained that she did not want to go but she was asked to attend and say something about women and children at the peace process. The Witness stated that it was difficult to travel in Sierra Leone because there were "*ambushes and jets all over*," but that they made it through Kailahun to Springfield airport. Later, the ECOWAS called the Nigerians to move the delegation to Robert airport so they could fly safely to Nigeria.

The Prosecution asked whether the Witness knew why the Defendant and other witnesses had said that the delegation could not travel to Liberia until the roads were cleared. The Witness answered that she swore "*to God and to my children there was no clearing*." She stated further that they went to the airport until the helicopter arrived for them to leave for Monrovia. The Witness said she had no knowledge of the RUF going to Liberia before 2000, aside from the 11-person group of delegates of which she was a part. When asked if she knew whether the Defendant had gone to Liberia later, the Witness said that she and the Defendant were in Makeni and traveling from Makeni to Liberia was complicated; the road route was long and you would

need to take a helicopter from Makeni, Kono and Kailahun before reaching Monrovia. The Prosecution asked for elaboration on the Witness's assertion that the special court invited the Witness and Defendant to Freetown because they were witnesses. The Witness stated that they had been called on by the court to testify what they saw, but that she did not testify because nobody selected her as a witness. She stated further that they went upon the court's call "*every time*," and that they travelled from Kailahun to explain all that transpired. The Witness said the last time she met the Defendant was when the war was over, verdict had been passed over their colleagues and the RUF formed a party, "*that was the last stage*." When asked whether the Defendant was a witness at the special court when they met, the Witness responded that the special court was a secret place, so she didn't know what the Defendant or the court staff were doing there.

Witness 67 is Heard

(Finnish Witness ID: Defense Witness 12)

The Defense Questions the Witness

The Defense started out by asking the Witness how he knew Gibril Massaquoi. He explained that he is Gibril Massaquoi's younger brother and knows him from birth. The Defense asked where Massaquoi was in the beginning of 1999. The Witness explained that his brother was in prison at that time and had been since 1998 when the AFRC took over President Ahmad Tejan Kabbah's government, and Massaquoi travelled to Freetown because he was with the former rebel leader Foday Sankoh. The Witness stated that the Defendant was released from prison on January 6th, 1999, and went to Makeni, where he lived and operated the front line. He returned to Freetown after the Lomé peace accord on the 7th of February 1999, because he was asked by Foday Sankoh to be his personal assistant. In Freetown, Massaquoi worked around Spur Road. At the time, the Witness was in Tongo because he was sent to work with the CMC, in South Bo, but delivered a report every Tuesday to Freetown. The Witness stated that when Massaquoi was working as Sankoh's personal assistant, they went to South Africa. At the time, Sankoh was involved in the Lomé peace accord in the position of vice president and was in control of all the minerals in Sierra Leone. Massaquoi worked in Freetown from 1999 when Foday Sankoh first asked for his assistance to when Foday Sankoh was attacked and arrested in May of 2000.

The Defense asked the Witness whether anything happened to Gibril Massaquoi in that attack, and he replied that no, he escaped with a few others. He knew this because of the RUF radio that monitored and gave daily reports on all RUF activities. The Witness stated that the next time he met with his brother after the attack on Sankoh's residence was in Makeni, in the second quarter of June.

The Witness explained that during the attack, Foday Sankoh and a few others were arrested, while a few others were killed. Sankoh was not freed after the attack. The Witness stated that the attack had a negative effect, as the central command was "*shaky by then*."

The Defense asked if the RUF took any action to arrange the command after Foday Sankoh's arrest. The Witness explained that yes, Issa Sesay was on one side, and Morris Kallon and Rambo

were on the other side. However, since the Lomé Peace Agreement was on track, the RUF was forced to continue to accept the peace accord. There was some type of negotiation to work towards the Lomé Peace Agreement, because at the time the RUF was under considerable pressure from the international community and especially ECOWAS. For this reason, all the commanders of the RUF were called to a large meeting in Kono. The Witness detailed that the first meeting took place in September 2000, and its purpose was to accept the peace agreement and carry out negotiations. The second meeting took place in October 2000 in Kono, where the RUF decided to appoint delegates to continue the peace process.

The Witness detailed that the peace process was fragile because Foday Sankoh had been arrested and some men were killed, but not withstanding that, the RUF accepted the peace plan, delegates were appointed and in the Kono meeting his brother, Gibril Massaquoi, was appointed to lead the delegation. The Witness clarified that he did not attend the Kono meeting, but that they had monitored it through their radios, and that the delegation had travelled in October to Monrovia, Liberia. The Witness remembered that amongst the delegates, there were FNM-204, Swarray, and Gibril Massaquoi, their leader. The Witness stated that from the radio monitoring, he knew that the delegation was in Liberia then moved to Nigeria to sign another ceasefire agreement over a period of 30 days, which was eventually signed on the 10th of November 2000. He further stated that the delegation took over a month and that the RUF daily report said that they were working on peace diplomacy.

The Defense asked if the Witness has been to Liberia. The Witness stated that he went to Liberia in 2001, when general Issa Sesay instructed the Witness and Witness 3 to cross into Liberia though Malla with 780 men. He explained that the reinforcement that he and Witness 3 went with fought, because there was no food, and the men were attacked by the LURD rebels who were based in Foya. After 3 days, the Witness and Witness 3 returned to Sierra Leone in anticipation of their DDR process. The Witness could not recall the village in Liberia that he and his men had been in. He also couldn't recall if the RUF had burned villages in Lofa, explaining that his was the second command that went, and another commander had been before them, Witness 7. The Witness did not meet Witness 7 in Lofa, as they went in two different flanks. In Liberia, the Witness only met troops loyal to the NPFL. The Defense asked if the Witness fought with Charles Taylor's forces, and he responded, "*I fought as RUF*." When asked if he saw Taylor's forces commit any atrocities, the Witness explained that there were no civilians around, only Taylor's troops. He stated that Gibril Massaquoi didn't fight, as he was on the peace process and "*not a war lord*."

The Witness said that they were in Mendekoma and returned after 3 days because there was no food. Upon returning, the Witness went to Togo and took part of the disarmament in Kenema district. He left 70 men behind in Liberia, but his understanding was that most of the men escaped to Freetown for the DDR process.

The Witness remembered that Gibril Massaquoi returned to Sierra Leone after the ceasefire agreement in Nigeria had him away for over a month. Upon his return, the Defendant oversaw all the tripartite meetings which concerned a lot of other arrangements for a peaceful disarmament. The tripartite meetings included the RUF, the government of Sierra Leone and the UN. The Witness specified that the UN body was UNAMSIL, representing ECOWAS. The disarmament started in 1999 when Foday Sankoh was in Freetown and the second one was in May 2001; the tripartite meetings were held regularly in the DDR office in Freetown to check if there were any

lapses and plan how to forge ahead with disarmament. According to the witness, Gibril Massaquoi was always there in these meetings because he was living in Freetown. He first lived at Thunder Hill, Kissy, then at Jomo Kenyatta Road, and at Pump Line by Wilkinson Road, and lived at Nurse Holton Drive. In 2001, he said, the Defendant lived at 48 Thunder Hill Road, Kissy. The witness mentioned that another area the Defendant lived in was Kingdom, and in most of these areas where he lived, he was under the protection of the UN. The Witness specified that this was sometime in 2002 to 2003.

The Defense asked the Witness whether he knew of someone named Issa Sesay. The Witness responded that yes, he was a commander under the leadership of Foday Sankoh. After Sankoh's arrest, Issa "*was the leader*." However, the Witness stated that Issa Sesay and the Defendant did not have a good relationship. He explained that after Massaquoi had led a delegation to Nigeria and the peace process and disarmament was in place, Massaquoi and FNM-210 oversaw its implementation. Later, Sesay, who oversaw the arms wing, sent a command to Massaquoi and FNM-210 to stop all peace processes because he wanted to stall disarmament until Foday Sankoh was released from prison. Massaquoi responded that if stalling the peace process was a priority then Sesay should not have appointed him to lead the peace process to Liberia and all the way to Nigeria, which fuelled tension between the two. In 2002, Massaquoi was arrested by Sesay for 24 hours in Makeni but the UN team in Makeni led troops to release Massaquoi, who was airlifted out by a UN helicopter. The Witness explained that he knew this happened because each RUF command had a radio set and were informed as soon as anything happened.

After he was evacuated from Makeni, the Defendant lived in Thunder Hill Road. The Witness met the Defendant a month after the evacuation in Thunder Hill Road, where Massaquoi lived with his immediate family, as well as FNM-178, Witness 10, and Prince, who used to be called Prince Johnson. The Witness said that every time he went to Freetown, he went to see his brother. In addition, when the Defendant was traveling to the provinces, he met with their family in Bo and Blama Massaquoi. The Witness stated that at the time Massaquoi was trying to get into the fishing business, he was writing a project and was working on facilitating it, and that their family was on a chieftaincy struggle and so the Defendant went to the chiefdom to campaign alongside their elder sister, paramount chief Yoki Massaquoi, in the village of Blama Massaquoi. The Witness detailed that his brother told them about the fishing project that he wanted to establish at Gbonadampi, and that he knew about the chieftaincy election because the person that stood for the position was his elder sister. The Witness stated that he was not in Blama Massaquoi during the campaign.

The Defense asked the Witness if his brother had a nickname. The Witness said that his brother's radio name was Jaffa, while Foday Sankoh was called Lion, Issa Sesay was called Surprising, and Sam Bockarie was called Scorpion. The Witness said that Bockarie was a battle commander, and head of all battles in the RUF from 1994 to the early days of 1999. After, Bockarie went to Liberia against Foday Sankoh's demands and left the movement, taking more than 200 armed men with him. Issa Sesay was appointed in Bockarie's position from then onward. The Defense asked where Bockarie went to in Liberia, but the Witness didn't know. The Witness stated that his brother did not go with Bockarie to Liberia, and that nobody had contacted him before his police interview in 2020; "*my brother who used to contact me is in prison*."

The Prosecution Questions the Witness

The Prosecution started out by asking whether the Witness and the Defendant are biological brothers, and the Witness said yes. The Prosecution asked what the Witness had meant when he said that Gibril Massaquoi went to the Makeni front line after being freed. The Witness explained that when the government drove the West Side Boys, his brother had gone direct to Makeni. At the time in early 1999, the peace process was fragile, the Lomé peace agreement had not been signed, and Massaquoi's friend Superman was head of the front line, so Massaquoi went to meet him. There, he was in the Makeni Lunsar Axis facing Freetown. The Witness explained that his brother was in charge, a front-line commander, after the 6th of January, because ECOMOG forces were at Robgere Junction. He had men under his control, and combined forces with Denis Mingo (alias Superman). The Witness stated that Massaquoi had fighters until the signing of the Lomé peace accord which occurred on the 7th of July 1999.

The Prosecution then turned to the attack on Foday Sankoh's residence and Gibril Massaquoi's subsequent departure to Lunsar. The Witness said after the attack on Sankoh's residence in May 2000 he was lucky to escape and moved to Lunsar. The Witness elaborated that Massaquoi did not have soliders under his control once in Lunsar, as they were moving towards the Lomé Peace Agreement. The Prosecution asked whether the Witness remembered what he had responded to the same question in the Finnish police investigation. The Witness responded that he did, and that he answered that his brother had moved to Lunsar. The Prosecution pressed the Witness to confirm if the Defendant had fighters after May 8 2000, and he responded that his brother did not. The Prosecution asserted that the Witness had confirmed, in his police interview, that after May 8, Gibril Massaquoi and Superman had troops in Lunsar. The Witness stated that he had told the police that his brother had been appointed as Sankoh's personal assistant, and that he had said that Gibril Massaquoi and Superman were together in Lunsar, so already "*when we talk about Lunsar we must mention Makeni, they are in the same axis*."

The Prosecution stated that the Witness was not present at the meeting in Kono but heard about it on the radio, and the witness confirmed the statement. The Prosecution then asked the Witness if he knew why ECOWAS wanted to meet with the RUF, and he responded that it was for the peace process. Liberia was chosen for the peace process because of its proximity in the subregion. The Witness explained that Liberia had an interest in Sierra Leone's peace process, not only the RUF. The Prosecution asked the Witness what Liberia's interest in Sierra Leone was, and the witness responded that it was in the peace process, and that they hosted the meeting because if there was no peace in Sierra Leone then Liberians would not have peace either. The Witness could not say whether Charles Taylor had any interest in Sierra Leone.

The Prosecution asked whether there was a military operation between Liberia and Sierra Leone. The Witness responded that there was, headed by Witness 7. The purpose of the mission was for the RUF to protect a route that the peace delegation would use. The Prosecution asked whether the delegation went to Liberia before or after the military operation. The Witness stated that the delegation went before because the LURD rebels were advancing, and the only way to halt their advance was to send military men there. When the delegates went, they met Liberian military men there. The Prosecution asked why the RUF needed to clear the road after the delegation had already passed. The Witness responded that after the delegation had gone there were a lot of "*disturbances*" for their passage on the way back, so they had to fly the delegates back to the Sierra Leone border. The Prosecution asked whether the delegation's travels to Liberia and Nigeria were that one and the same trip, and the Witness said yes. Then, the Witness confirmed that Witness 20 was one of the delegates. The Prosecution detailed that earlier that day in

trial, Witness 20 had testified that the delegation stopped in Liberia but did not negotiate in Liberia. The Witness stated that the fact that the Liberian government knew about the delegation being on Liberian soil made that part of the negotiation. The Witness asserted that allowing the delegation into the country meant that there was some form of negotiation taking place.

The Prosecution asked what command Issa Sesay had given the Witness in 2001 when he was asked to go to Liberia. The Witness explained that the LURD forces were advancing so he went with 70 men to stop them. He did not fight the LURD with Taylor's rebels, as they were there for 2 or 3 days and then returned. The Witness explained that his soldiers did fight, however, because there was no food and so the men were directed to a village in search of food. When the soldiers went, the commanders heard heavy firing, and when the men returned, they told the Witness and Witness 3 that they had fought with LURD rebels who were also looking for food. The firing of the LURD rebels overpowered the RUF soldiers. The Witness explained that between him and Witness 3, the latter was the commander. They were in Mendekoma, near Foya, which was near the area the men went for food. The Prosecution asked the Witness to clarify whether he was sure if his men had committed any atrocities or not. The Witness responded that he couldn't say; when they returned, he saw smoke, but could not tell who was directly responsible for it. The Prosecution told the Witness that when the police had asked him if the RUF had burned any villages for food, the Witness had said one village. The Witness denied the statement, asserting that he had said that they fought in a village where they went in search of food.

The Prosecution asked the Witness whether people called his brother Angel Gabriel, and he said no, and that he had never heard anyone call him that name. The Prosecution stated that when the police had interviewed the Witness, he had said that he had not heard the name, but then, after being asked again, the Witness had said that he didn't understand why people call his brother Angel Gabriel. The Witness said he remembered this discussion. The Prosecution asked the Witness if he remembered why he had said that he did not know why people call his brother Angel Gabriel, and the Witness responded that no, he did not say so.

The Prosecution asked the Witness when he last saw his brother. The Witness said it was in 2007, when the Defendant was living at Brookfield's Nurse Horton Drive in a house that was well furnished and catered for by the Special Court. He explained that his brother was under special protection but that they met outside, and every 3 months the special court gave his brother a vehicle to visit his family. He visited Bo and was under special protection. In Freetown, Gabriel Massaquoi lived in the house with his ex-wife, children, and FNM-178. The Prosecution asked whether the Witness knew FNM-178. The Witness said yes, he is a family member, and he was living in the house as it was part of the arrangement that he should live with the Defendant as a family member to assist in chores. The Prosecution asked why the Witness hadn't lived with the Defendant, and the Witness responded that he is matured and couldn't leave his family to do so. FNM-178 was a member of the RUF, but the Witness couldn't remember the last time that he saw him. When the Prosecution asked if anyone had contacted the Witness from Finland pertaining to the case, he said no, only when the Prosecution contacted him.

The Prosecution asked if Gibril Massaquoi had gone to Liberia, apart from the time with the peace delegation. The Witness said that his brother never went to Liberia again after returning from the peace process. The Prosecution pointed out that the Defendant testified to going to Liberia in the summer of 2001 and asked if the Witness knew of Gibril Massaquoi going to Liberia in 2001. The Witness replied that he did, in October, to lead the peace delegation, involving the

government of Sierra Leone, the RUF and the international community. They met in Nigeria. The Witness was not aware of Massaquoi going to Liberia after that. He detailed that the Defendant took more than a month before he returned from Nigeria through Liberia.

The Prosecution said they would play a tape of the Witness' police interview, in which the Witness had said that he didn't know why people called the Defendant Angel Gabriel. The Witness said he had heard the tape but that he had only said that he didn't know about the name. The Witness then confirmed that he had never heard anybody call his brother Angel Gabriel and denied talking to the investigators Massaquoi having soldiers under his control after the 8th of May.

The Prosecution played the tape of the Witness' police interview. The Witness admitted that he said so but during that time the peace process was fragile and the RUF was under pressure to go back to the Lomé Peace Agreement but there was no fighting. He confirmed that there were troops with Massaquoi.

The Prosecution turned to asking about the village fire in Liberia. The Witness repeated that the men who went searching for food exchanged fire with the LURD rebels. They were foreigners and didn't know the terrain, so they went with the other rebels they met there. The Prosecution asked if the Witness was aware of RUF troops, not necessarily the Witness' troops, burning villages in Liberia. The Witness answered no. The Witness was not aware of any buildings burnt by the RUF. The Prosecution stated that in his interview, the Witness had said yes. The Witness responded that he had heard the recording and agreed but had not been referring to the troops on the RUF side. The Prosecution stated that the Witness had said that the RUF burnt the kitchen where the food was kept. The Witness denied the statement, stating that he had not said it was the RUF, as they would have brought the food to the commanders and not hauled the food in the bush and burned the kitchen. He said it was improbable that hungry soldiers looking for food would have left it in the bush.

The Defense Questions the Witness

The Defense asked the Witness when the Abuja agreement was signed, and the Witness responded that it was November 10, 2000. The Defense asked the Witness to confirm the year, as the Witness had previously stated to the Prosecution that it was 2001. The Witness confirmed that 2000 was correct and said that when the Prosecution was asking about the Defendant going to Liberia, he was talking about the year 2000. The Defense asked if the Defendant was present at the village and for the burning of the food, and the Witness said no. The Defense then referred to the Witness' statement that in 2001, the Defendant and his troops were in Lunsar and had not yet disarmed and asked if the Defendant gave any commands during that time. The Witness responded that he did not, as he was a diplomat by then.

The Defense asked the Witness if he knew if the LURD occupied the route he had mentioned from Lofa to Monrovia. The Witness explained that the road was the LURD's territory. The LURD troops advancing to occupy that area had caused Issa Sesay to order a deployment to the area to protect the returning delegates from the peace mission, assuming they would use that route. It was rough in terms of armed battle. The delegates ended up choosing to land somewhere on the Sierra Leonean border instead. The Defense asked whether this took place at the time of the

Abuja peace process ceasefire, and the Witness said yes, the peace process was on, and the 30 days ceasefire had been signed. The Witness clarified that it was not a mission to clear the road in the sense that the delegates travelled and there was fighting at the border. Rather, Witness 7 was sent in November to occupy the road that the delegates travelled on. The Defense said that the Court heard Witness 20 earlier that day saying that the delegation went to Liberia in early November, while the Defendant had said that it was in October. The Witness replied that it was September when the meeting was held in Kono, and from there the delegation travelled in October.

The Defense asked if the Witness had misunderstood the question when the police asked him about Angel Gabriel. The Witness stated that it was the police who misunderstood, as he told them that he has never heard the name Angel Gabriel, adding that he had paused because the name was strange to him. The Defense asked if the Witness understood the question now, and the Witness reiterated that the question had been posed to him and he had said no.

The session ended.

May 17, 2021 – [Sierra Leone] Day 33: The Hearing of Witnesses 68, 69 and 70

The 33rd day of public hearings resumed on 17 May 2021 in Freetown, Sierra Leone.

Witness 68 is Heard

(Finnish Witness ID: Defense Witness 23)

Defense Counsel Questions the Witness

The Witness began by stating she knew Mr. Massaquoi in 1991 when the rebels arrived. She clarified that she first met him while he was working as a teacher, as Mr. Massaquoi impregnated her daughter, FNM-192, who was in high school at the time. The school administration set up a meeting between Mr. Massaquoi, the Witness, and her husband, where they discussed the issue. Since then, Mr. Massaquoi had been visiting her family from Pujehun. The Witness further added that, on one occasion, as Mr. Massaquoi was traveling to visit them, he was attacked by rebels who asked him to join them.

The Witness stated that, in 1993, she was separated from Mr. Massaquoi because of the war, but that she saw him in 1997, and that he was arrested after that. According to the Witness, in 1999, Mr. Massaquoi was in prison in Lunsar. She stated that her daughter wrote her a letter saying that her and Mr. Massaquoi were in Lunsar. After she received the letter, the Witness decided to travel to Lunsar, and upon her arrival, she met with Mr. Massaquoi, as well as with FNM-192, who was pregnant, and the Witness' son, Witness 2. The Witness stayed in Lunsar for a month, and then returned to Bo. Once she arrived back in Bo, she received a letter from FNM-192 stating that they had moved to Makeni, so she traveled there. She stayed in Makeni for about a month, and then Mr. Massaquoi and FNM-192 dropped her off at Masiaka as they continued on their way to Freetown. The Witness clarified that this was in 1999, and added that Mr. Massaquoi and FNM-192 were going to Freetown to settle in Murray Town.

At that time, the Witness stated, Mr. Massaquoi was not working. The Witness elaborated that she sent them support and supplies, and occasionally purchased clothing for them. She visited them in Freetown in December 1999, when FNM-192 gave birth to their son, FNM-194. She stayed with them for three months because FNM-192 was sick, and she saw Mr. Massaquoi regularly. The Witness explained that Mr. Massaquoi and FNM-192 lived in Murray Town for a year, and then returned to Makeni after Foday Sankoh was arrested. She knew they had returned to Makeni because FNM-192 wrote to her in 2001 explaining as much. According to the Witness, the year she received that letter was the same year Foday Sankoh was arrested – 2001. The Witness then stated that she visited them in Makeni, adding that, at that time, Ibrahim was already walking, and FNM-192 was pregnant again. She stayed with them for two weeks, and then brought FNM-194 to live with her in Bo.

According to the Witness, two days after she arrived in Makeni, Issa Sesay visited Mr. Massaquoi at his house, at around five in the evening, and then the two of them went out. The Witness did not know what happened, but stayed up waiting outside until about ten at night. Issa Sesay's convoy showed up, and everyone started running. She was told that Mr. Massaquoi had sent

for FNM-192, and the Witness expressed concern that Mr. Massaquoi was not there and that FNM-192 would be taken away again. The Witness did not see them return that night, and could not sleep. The following morning, she only saw FNM-192, who was brought back by FNM-195. The Witness explained that FNM-195 was the head of those who came to make peace. She did not know whether he represented any particular organization, and repeated that she just knew that he was there to broker peace between the RUF and civilians. The Witness stated that FNM-192 told her that she was with FNM-195 and Issa Sesay that night, and that FNM-192 saw Issa Sesay give instructions to kill Mr. Massaquoi, after putting him in a corner. FNM-192reported what she saw to FNM-195, who then came to rescue Mr. Massaquoi. Later, FNM-195 brought Mr. Massaquoi back, and the Witness told Mr. Massaquoi and FNM-192 that she was returning to Bo.

After returning to Bo, the Witness heard that, in 2001, Mr. Massaquoi and FNM-192 returned to Freetown but were then residing at Thunder Hill. They visited her in Bo for two weeks, and then took FNM-194 back to Freetown. She went to visit them so she could see FNM-194. In 2002, they told her that FNM-194 had passed away, and she traveled to Freetown the day she received this news. She could not recall what month this occurred, but she met them at the gravesite and asked to see FNM-194's face. The Witness then showed the Court a photograph taken at the gravesite.

After the funeral, the Witness was with Mr. Massaquoi and FNM-192 in Freetown. When the Witness returned to Bo, Mr. Massaquoi would visit her. Her status as Mr. Massaquoi's mother-in-law caused some rebels among the Kamajors to beat her in a shop. The rebels beat her because they had been asking Mr. Massaquoi to join them, and he would not. One of the rebels identified her while she was at her shop, and knew she was Mr. Massaquoi's mother-in-law. Later, they dragged her to their office. The Witness elaborated that the rebels were those that brought the war, and that she did not know what group they belonged to, but reiterated that some were among the Kamajors, and they beat her with their guns. This happened in 2002, after FNM-194 died. After the Kamajors beat her, Mr. Massaquoi visited her again in Bo because the Witness could not travel at the time. The Witness added that Mr. Massaquoi and FNM-192 had given birth to another child, FNM-196, who died when she was four years old, in 2005. The Witness then showed the Court a photograph of FNM-196.

The Witness then stated that, in 2002, Mr. Massaquoi had been working on a fish project along with Witness 2, but was unable to do the project as he was under the protection of the Special Court. The Witness then showed a photograph of Mr. Massaquoi and some others after Titi Hannah's burial, and noted that, at the time, Mr. Massaquoi was under the custody of the Special Court. The Witness recalled that Mr. Massaquoi was under protection of the Special Court in 2004 until 2005 when Hannah died.

The Witness stated that, between 1999 and 2003, she only contacted Mr. Massaquoi or his family through letters, as there were no phones. Later, she stated, Mr. Massaquoi got a phone when they went to Freetown, and she would speak with him and FNM-192.

FNM-192 and Mr. Massaquoi were married and made their relationship official in 2002, according to the Witness. There was a celebration at Thunder Hill. After the marriage, the Witness stated that there was some confusion caused by Mr. Massaquoi's mother, FNM-197. The Witness

explained that FNM-197 did not approve of the relationship. The Witness stated that FNM-192 and Mr. Massaquoi are still married, but she heard that there was some confusion and they have separated while in Finland.

Defense Counsel then asked the Witness to state her personal opinion of Mr. Massaquoi. The Witness stated that, though he had done some wrong to her family, she wanted him to be a free man, because he had been arrested several times and was unable to enjoy his life as a young man.

Finally, the Witness stated that she recalled her Finnish police interview on 25 March 2021, and that nobody from Finland contacted her about the case prior to that date. She added that Mr. Massaquoi never even called when the Witness' husband died, and that her husband had been "*a defender for his life*".

The Prosecution Questions the Witness

The Prosecution began by asking the Witness whether she was sure that Mr. Massaquoi and FNM-192 were married in 2002. The Witness confirmed that she was sure they got married. The Prosecution then asked whether the Witness recalled what she told the police. The Witness explained that she told the police that Mr. Massaquoi and FNM-192 got engaged, but because Mr. Massaquoi did her wrong, she did not attend the marriage ceremony. Referring to her police statement, the Prosecution noted that the Witness previously stated that FNM-192 and Mr. Massaquoi got engaged but not married. The Witness repeated that they got married, but that she did not attend the marriage, adding that her husband never wanted them to get married and that she was sick at the time. The Witness recalled that they got engaged in 2002, at which point she stopped visiting them as she was unable to travel. The Prosecution then asked the Witness whether she remembered saying that their wedding celebration was at Thunder Hill in 2002, to which the Witness responded that they should ask Mr. Massaquoi or FNM-192 about this, as the Witness only knew what she had already said. The Prosecution suggested that the Witness might be unsure as to whether they got married, to which the Witness responded that they did get married, and were it not so, they would not have traveled as a couple to Finland.

The Prosecution then asked the Witness whether Mr. Massaquoi wanted FNM-192 to go along to Finland. The Witness stated that he wanted to take her, adding that they had a two-month-old child at the time. The Prosecution asked the Witness whether she recalled what she had previously said to the police on this subject, and the Witness explained that Mr. Massaquoi's mother did not want Mr. Massaquoi to take FNM-192 along, but that the government arranging the travel insisted he do so. Reading the police statement, the Prosecution stated that the Witness said that Mr. Massaquoi did not want to take FNM-192 to Finland, but the white man said he should. The Witness agreed that that was what she just said. She added that Mr. Massaquoi did not want to take FNM-192 because of his mother, who hated FNM-192, so FNM-192 went to the white men and reported the issue. The Witness added that Amie went to visit them in Freetown and threw magic and charms all over the house, which caused confusion between FNM-192 and Mr. Massaquoi.

Turning to the assault against the Witness, the Witness stated that rebels did not beat her, it was the Kamajors who did so in Bo in 2002. She clarified that Mr. Massaquoi was beaten in 1991. She

could not remember the month in which the Kamajors beat her, and noted that she did not keep a record. She added that, at that time, Mr. Massaquoi was not yet with the Special Court, as this was in 2002. Mr. Massaquoi's cooperation with the Special Court started around 2003 or 2004, according to the Witness. She added that, in 2005, when Hannah died, Mr. Massaquoi was with securities. The Witness explained that when he went to Bo for Hannah's funeral, the security guards from the Special Court went with him. They arrived at night and left after the funeral rites. Though the Witness communicated with Mr. Massaquoi, he did not visit Bo again in 2005. The Witness explained that while he was with the Court, he was not free to move about. The Prosecution asked whether the Witness recalled what she told the police, and the Witness repeated that he did not travel to Bo after the funeral. Reading the Witness' prior statement, the Prosecution said that the Witness told police that he returned once more for a couple days. The Witness explained that this was in 2002, not 2005, and repeated that, in 2005, he only visited after Hannah died. She stated that the police got it wrong, and that she told them 2002, adding that she was sick at the time and could not travel, so he would visit her.

The Prosecution then asked the Witness about FNM-196. The Witness explained that FNM-196 lived in Freetown with FNM-192 and Mr. Massaquoi until she started walking, when she was roughly two years old, and then FNM-196 came to Bo, where she stayed with the Witness until she died. The Witness confirmed that FNM-196 moved to Bo in 2003, and attended nursery school there. The Witness showed the Court a photograph of FNM-196 in her uniform. After FNM-196 was in Bo, FNM-192 and Mr. Massaquoi had other three grown-up children with them in Freetown. The Witness also showed the Court a photo of these children – FNM-194, FNM-198, and FNM-199. The Witness explained that Mr. Massaquoi took two of the children, FNM-194 and FNM-199, with him to Finland, while the other child, FNM-198, was in Pujehun. She added that they also had their infant, FNM-220, with them. The Witness explained that FNM-199 was a girl child. She added that FNM-199 was FNM-192's stepdaughter, and Mr. Massaquoi's daughter by relation. The Witness did not know if FNM-199lived in Monrovia at some point. She explained that she saw her when she visited them, and at that time, FNM-199 was very young. She did not recall what year that was.

The Witness did not know whether Mr. Massaquoi traveled to Liberia, and explained that she would not know about his travels as she saw him whenever she went to visit them. She knew that Mr. Massaquoi participated in the peace process in Sierra Leone, adding that she heard him calling for peace on the radio from Côte D'Ivoire. She thought that was in 1994, and noted that she never heard him again after that.

Counsel Re-Examines the Witness

Defense Counsel asked the Witness to repeat the names of the children in the photograph, and then returned to the topic of the assault of the Witness in 2002. The Defence referred to her police statement, which stated that "*among the Kamajors there were former RUF members in there*". The Witness agreed with the statement, adding that these were the ones who beat her. Defense Counsel referred to another prior statement, asking the Witness to confirm that by 2003, Mr. Massaquoi had already been taken to the Special Court. The Witness confirmed that 2003 was the correct year.

The Court proceeded to play some audio segments of the Witness' interview with the Finnish police. From the audio, the Witness stated that Mr. Massaquoi returned to Freetown after Hannah's funeral, and then returned to Bo for two days, after which the Witness never heard from him until Mr. Massaquoi and FNM-192 went to Finland.

The Prosecution asked the Witness to confirm whether she heard herself say that Mr. Massaquoi returned to Bo after FNM-196's burial. The Witness stated that, even had she said that, she didn't think it was a bad thing because he only came to visit her. She further stated that she would not have known whether Mr. Massaquoi visited Bo a second time in 2005, as after the funeral, he did not visit her, repeating that she only knew of the 2002 visit.

Finally, the Witness asked the Court to free Mr. Massaquoi, noting that she had forgiven him.

Witness 69 is Heard

(Finnish Witness ID: Defense Witness 02)

Defense Counsel Questions the Witness

The Witness began by describing how he knew Mr. Massaquoi. He met him in 1991, when Mr. Massaquoi was his subject teacher. The Defense then advised the Witness that this hearing would focus on events occurring between 1999 and 2003. The Witness then identified his relationship with his mother, Witness 23, and his elder sister, FNM-192.

According to the Witness, in 1999, Mr. Massaquoi was staying in Freetown, but was based in Lunsar. The Witness met him first in Lunsar, and then also met him in Freetown. While in Freetown, Mr. Massaquoi was staying in Thunder Hill, Kissy. The Witness would visit him there during his breaks in college, while he was staying with his father at Savage Street, Wellington, in the east of Freetown. The Witness described the length of the academic year and its breaks, noting that there was a one-month break between first and second semester, and then a two-month break between the end of the school year and a new academic year. The new academic year would start in October. The Witness indicated that he came for the break between first and second semester, which was during December. During that time, he saw Mr. Massaquoi any day of the week except for Sunday, when he would go to church. Whenever he visited, Mr. Massaquoi was at home.

The Witness began college in Bo in 1998, where he was being trained as a teacher. He came to Freetown for the December break in 1999, and then again for the next break in July 2000. Mr. Massaquoi was in Freetown at the start, but during the middle of the year, he went to Azzolini Highway, Makeni and stayed there for two months. The Witness visited him in Makeni, and Mr. Massaquoi was present in Makeni until the Witness left in the first week of October. He explained that he visited Mr. Massaquoi because he was married to the Witness' older sister, and also because students "*love people that help us"* – Mr. Massaquoi was helping pay the Witness' fees and providing him with academic materials. When he visited, he saw Mr. Massaquoi listening to the news, playing ludo, and writing a book. He did not know the title of the book, but it related to the war. The book was on his computer, and sometimes the Witness would read what was there.

He recalled reading about how the war started and when Mr. Massaquoi was going to the peace accord. At the time, Mr. Massaquoi rented a private home and lived with the Witness' sister, FNM-192, as well as their children, FNM-194, FNM-198, FNM-199, FNM-196, and FNM-200. The Witness indicated that both FNM-196 and FNM-194 are now deceased.

The Witness next met Mr. Massaquoi when they were at Dorothy Street, Murray Town. This was in 2000, and the Witness added that Mr. Massaquoi only spent a year there. Defense Counsel asked the Witness to clarify whether he went with Mr. Massaquoi to Makeni and to Murray Town in 2000. The Witness stated that he did, explaining that, when they moved to Masiaka, his mother went to Bo and Mr. Massaquoi went to Freetown, so his mother told him that Mr. Massaquoi was in Freetown. He repeated that he met Mr. Massaquoi in Freetown, adding that Mr. Massaquoi visited his family in Bo in 2002. He then said that he in fact couldn't recall the year, but knew Mr. Massaquoi had a project at that point. The project related to reintegration after the disarmament, and the Witness also worked on the project as director of training. He was responsible to train ex-combatants so they could become reliable citizens.

The Witness stated that he stayed in Bo after 2000, as he went to Njala University to do his bachelor's degree. In 2003, the Witness recalled that they were in Freetown and that he met Mr. Massaquoi at his house in the east, around Kissy.

When asked about the Special Court, the Witness stated that he learned of the Court when it "took" Mr. Massaquoi, and that was when the Witness stopped seeing Mr. Massaquoi. The Witness did not try to see Mr. Massaquoi, as there were securities, and they were not allowed to. Thee Witness also indicated that he was afraid to try to see him. He did not remember when Mr. Massaquoi was arrested, but explained that he heard Mr. Massaquoi and some other colleagues, including Mr. Massaquoi's leader, Issa Sesay, were arrested and that nobody was allowed to see them.

The Witness stated that he last had contact with Mr. Massaquoi in 2005, when they went to Bo after they lost their child. The Witness added that he saw Mr. Massaquoi at the burial, but Mr. Massaquoi did not even spend the night, leaving with the Special Court security. The Witness confirmed that the police interviewed him on 17 October 2020, and that nobody contacted him before the interview, adding that he heard on the BBC that Mr. Massaquoi was arrested.

The Prosecution Questions the Witness

The Prosecution opened by asking the Witness to clarify when and where he met Mr. Massaquoi, asking specifically whether the Witness saw him in 1999. The Witness indicated that he saw Mr. Massaquoi in December 1999, in Lunsar, Port Loko District. The Prosecution asked the Witness whether he recalled his interview with the Finnish police, and whether he stated that he met Mr. Massaquoi in 1999. The Witness indicated that he remembered his interview, but not whether he told them about 1999. The Prosecution noted that the police did not record that the Witness met Mr. Massaquoi in 1999, and the Witness suggested that this was a mistake on the police's part. The Witness acknowledged that he had remembered the 1999 meeting at the time of the interview, but that he did not tell the police, as that was the first time he was doing such an interview and he was afraid. The Prosecution then asked the Witness whether someone reminded him of the Lunsar meeting, which the Witness denied.

Moving on to the year 2000, the Witness stated that he met Mr. Massaquoi in Freetown, in the end of July. He elaborated that he saw Mr. Massaquoi in Freetown in July, August, and September during his school break. The Witness indicated that he told the police this, adding that the holiday continued until October and he was staying with his father. The Prosecution noted that the police did not have this in their summary, and the Witness stated that he had mentioned it.

With regard to 2001, the Witness met Mr. Massaquoi in Freetown. He stated that he told the police that he met Mr. Massaquoi in Freetown. The Witness further stated that he told the police that was the first time he met Mr. Massaquoi in 2001, but they also met in Makeni. Reading from the police summary, the Prosecution then asked the Witness to confirm the following prior statement: "*the next time I met Gibirl Massaquoi was in 2001 at Lunsar, to assist him and was there from July-September*". The Witness stated that he said this, and that it was true. The Prosecution noted that, just before reading this statement, the Witness said that he met Mr. Massaquoi in Freetown. The Witness explained that Mr. Massaquoi came for a meeting, so the Witness greeted him, they discussed the Witness' education, Mr. Massaquoi gave the Witness some money, and then the Witness left him.

The Prosecution then asked the Witness to confirm that he met Mr. Massaquoi in July and August 2001, which the Witness did, adding that he resided with Mr. Massaquoi. When asked whether Mr. Massaquoi told the Witness that he had just returned from a trip overseas, the Witness explained that customary traditions limit communications with your elder or their spouse. With regard to Mr. Massaquoi's project, the Witness stated that he was responsible for it, but that it stopped due to the Special Court. Turning back to the July 2001 visit, the Witness stated that Mr. Massaquoi had a vehicle with him, though he did not know whether Mr. Massaquoi owned the vehicle, and Mr. Massaquoi never told him.

In 2002, the Witness stated that he met Mr. Massaquoi in Freetown, which is where the Witness was residing at the time. The Witness could not remember the first time they met in 2002 but stated that he frequently visited Mr. Massaquoi in Freetown. When asked whether he stayed with Mr. Massaquoi in 2002, the Witness stated that, had he ever said that to the police, it was a slip of the tongue, explaining that he was telling the police what he knew of when Mr. Massaquoi was in Freetown. The Witness agreed that the police might have recorded his statement incorrectly.

In 2003, the Witness stated that he met Mr. Massaquoi in Freetown before the Special Court took Mr. Massaquoi. He elaborated that he saw Mr. Massaquoi at the beginning of 2003, and then heard that he was arrested along with Issa Sesay and others. Later, the Witness understood that Mr. Massaquoi was being kept in custody as a witness. He did not see Mr. Massaquoi again that year after the Special Court took him, repeating that he saw him in 2005 for the funeral. The Witness again stated that he did not try to see Mr. Massaquoi after the Special Court took him, as only people from the Special Court was allowed to see him. The Witness added that he heard of Mr. Massaquoi's arrest from Mr. Massaquoi's family. The Prosecution noted that other witnesses had said that they met Mr. Massaquoi after the Special Court order, to which the Witness stated that he did not meet Mr. Massaquoi, and did not know whether others had.

The Prosecution then asked whether the Witness knew anything about Mr. Massaquoi's travel outside the country between 1999 and 2003. The Witness indicated that he knew when Mr. Massaquoi went for peace treaties, but he did not recall the time period in which this occurred, as there were several peace treaties. The Witness recalled that Mr. Massaquoi traveled to Togo for the Lomé Peace Accord, to Nigeria for the Abuja Peace Accord, and to Côte d'Ivoire for the Abidjan Peace Accord. The Witness explained that Mr. Massaquoi attended each of these meetings "*he was the spokesman and one of the top-ranking figures*". When asked whether he recalled what he told the police about these treaties, the Witness stated that he recalled the police asking whether the Witness knew if Mr. Massaquoi traveled out of the country, and that he responded that he did not know as he was simply a brother-in-law and a visitor.

The Prosecution then asked why the Witness told the police that he did not know, but knew this today at trial, to which the Witness responded that the police simply asked, "*did he ever travel out of the country*".

The Witness is asked further questions

Defense Counsel asked the Witness to elaborate on whether he met Mr. Massaquoi in Freetown in December, 1999. The Witness stated that he met Mr. Massaquoi in Freetown, and explained that, in Sierra Leone, the school session is divided, so when they broke for the school recess, the Witness went to Mr. Massaquoi. Defense Counsel asked whether the Witness visited Mr. Massaquoi in Freetown, Lunsar, or Bo during that break in December. The Witness stated that he first met Mr. Massaquoi in Lunsar, adding that this was in 2000, when the academic year continued in Freetown. In 1999, the Witness stated that he resided in Freetown with Mr. Massaquoi, and in 2000, he was there with his father. Defense Counsel asked the Witness to state whether, in December 1999, he met Mr. Massaquoi in Freetown or Lunsar. The Witness stated that it was in Lunsar, and that he understood the question more clearly now.

Defense Counsel then asked the Witness to clarify whether he ever tried to meet Mr. Massaquoi in the safe house at the Special Court. Reading from the police summary, Defense Counsel asked the Witness to explain the following prior statement: "*I went to visit him, and they were living in the safe house, but he was not there*". The Witness denied ever having said this, stating that he was told by Mr. Massaquoi's family members that nobody was allowed to see him. The Witness further stated that he was a very small boy at the time and never took the risk to go there. The Defense then played a recording from the Witness' interview with the police.

Prosecution then asked the Witness to provide additional detail regarding the roads that lead to Makeni, and specifically asked how far apart Makeni and Lunsar were, noting that he understood that they were close. The Witness explained the two different routes to Makeni, and stated that he did not know the mileage between Makeni and Lunsar, noting that he was very small when he went there, and has not been back since.

<u>Witness 70 is Heard</u>

(Finnish Witness ID: Soldier 43)

Defense Counsel Questions Soldier 43

Soldier 43 began by stating that that he knew Massaquoi from the war. He explained that, when the war broke out in Pujehun in 1991, they were all captured at the same time by the Revolutionary Vanguards, led by Foday Sankoh. He added that there were three different groups, and the Witness was with special forces trained in Libya. The Witness added that Foday Sankoh, FNM-221, Mike Lamin, FNM-222, and FNM-223 were there. The Witness stated that Sankoh told them that there were 300 revolutionary vanguards – 150 crossed by Pujehun and 150 by Kailahun, but they were escorted by Charles Taylor and the Liberians. When the Revolutionary Vanguards arrived, they captured them and trained them at Gissiwulo, a few miles from Zimmi. According to the Witness, they were trained as the "Peoples' Vanguard" because they were in the country and people were there. The Witness then clarified that his leader was Foday Sankoh and that the name of his group was "Revolutionary Vanguards".

Defense Counsel noted that the hearing would focus on events occurring between 1999 and 2003. The Witness stated that, in 1999, Mr. Massaquoi was in the north, and not with the Witness and his group. He explained that Mr. Massaquoi was in Kangarie Hills around Makeni and Kono, with his commander, Superman. The Witness explained that this was because Mr. Massaquoi was having many problems, and was frequently arrested by Mosquito, Issa, and Morris Kallon, other vanguards.

The Witness stated that the cause of Mr. Massaquoi's problems stemmed from when he was a commander in 1994. According to the Witness, people said that Mr. Massaquoi was inciting soldiers through his words. The Witness elaborated that the Revolutionary Vanguards that arrived with Foday Sankoh were not promoted, especially the Liberians, and that many of them were not educated. Mr. Massaquoi's problems began there, according to the Witness, because he was a schoolteacher. When the leader realised that this was the issue with the Vanguards, he sent them to the north with Superman. The Witness noted that, in 1999, when they joined with the AFRC, Mr. Massaquoi had another problem with the government, as he was arrested by the court martial. Though he was freed by the court martial, Mr. Massaquoi was still in detention until forces entered Freetown and released him from the correctional centre.

The Witness then explained that, when Mr. Massaquoi returned to the jungle, the problem continued, adding that Foday Sankoh was not there with them because he was traveling. According to the Witness, Mosquito and other commanders were requesting that Mr. Massaquoi go to their headquarters in Buedu because Massaquoi was with Sankoh when they went to Nigeria, and they wanted him to explain where he left their leader in Nigeria. The Witness explained that this was a plot to get rid of Mr. Massaquoi, but Superman would not allow this to happen. From there, infighting began. Prior to the infighting, the Witness added, they sent troops to Mr. Massaquoi when Superman was not around, and the troops put Mr. Massaquoi in their truck. The Witness did not know where in Nigeria Mr. Massaquoi had gone with Foday Sankoh, explaining that he was in the jungle.

Turning to Mr. Massaquoi's relationship with Issa Sesay, the Witness indicated that there was conflict between the two of them from the beginning. According to the Witness, Issa Sesay accused Mr. Massaquoi of various things, including treason. The Witness added that he was also subject to accusations due to his proximity to Mr. Massaquoi. The Witness further elaborated

that he was in Tongo at the time, serving as the head of the Task Force Brigadier. Mr. Massaquoi sent some of his men to the Witness to do some mining, and later, Mr. Massaquoi joined them in Tongo. The Witness stated that Mr. Massaquoi specifically went there to speak with the Witness and his men. Issa Sesay refused to allow Mr. Massaquoi to take this trip, so Massaquoi traveled on a UN helicopter to meet them. When Mr. Massaquoi arrived, he went directly to the Witness' house in the Tongola area, and called a meeting for those that were around, telling them that "*this war was about to end*", and that they "*should not allow Issa Sesay and Mosquito to use you*" for the diamond mining. The Witness explained that Issa Sesay and Mosquito were telling them that they would have to form a political party and make money. The Defense asked the Witness to confirm his prior statement that the reason Mr. Massaquoi was unable to travel the Makeni route to Tongo unless he was in the UN helicopter due to his conflict with Issa Sesay. The Witness noted that if Mr. Massaquoi had gone by road, "*he would have slept*". The Witness added that Massaquoi said, "*you guys are mining diamonds and giving them to Issa; maybe you guys don't have families*".

Defense Counsel asked whether Issa Sesay knew that Mr. Massaquoi was going to Tongo, and the Witness replied that he did, explaining that they had informants. As for Issa Sesay's reaction, the Witness indicated that it created a "*serious problem*" for Massaquoi as well as the Witness: the Witness and a couple of other senior individuals who were around for the meeting with Massaquoi were accused of treason. Once the treason charges were made, the Witness stated that Mr. Massaquoi ran away to Freetown, while the Witness and three other men were arrested. The Witness recalled that this happened on 24 October 2000.

Turning to Mosquito, the Witness stated that he knew his real name: Sam Bockarie. The Witness described him as a battle commander in Sierra Leone who was in charge of all battles. According to the Witness, Bockarie traveled from Sierra Leone to Liberia when he challenged the leadership of the RUF. Following this challenge, the leader asked the Witness and his men to arrest Bockarie, and so Bockarie fled. The Witness stated that Mr. Massaquoi did not go with Bockarie.

The Witness stated that Mr. Massaquoi's nickname was "God Son" because of the troubles that met him. He knew someone named Angel Gabriel, who was a junior fighter with the RUF in a town called Rutile. This Angel Gabriel was a sergeant in one of the special forces with FNM-223 and Superman. The Witness thought he might have had another rank, but noted that he was not with this Angel Gabriel, adding that this Angel Gabriel died. He further noted that Angel Gabriel was with Foday Sankoh when they started the war. When asked whether Angel Gabriel went to Liberia, the Witness answered, "*of course, most of us, when they pushed us, went to Liberia*". The Witness had not seen Angel Gabriel since 1994, 1995, and 1996. Defense Counsel asked whether the Witness knew if Angel Gabriel went to Liberia between 1999 and 2003. The Witness explained that, during that time, he and his men were in the East while they were in the north. When LURD forces attacked Charles Taylor's forces, the Witness stated that his troops went to join them because "*our daddy [Foday Sankoh] had good relationships; yes, we were sending troops there*". The Witness clarified that the last time he met Angel Gabriel was around 1994 or 1995.

The Witness confirmed that he was interviewed by Finnish police on 26 October, and that, prior to his interview, nobody from Finland contacted him.

The Prosecution Questions Soldier 43

The Prosecution opened by asking whether the Witness knew where the diamonds that were mined in Tongo were being delivered to. The Witness stated that Issa Sesay and Mosquito developed close contact with Charles Taylor, and they used to send diamonds to him. When asked whether he knew if they received anything in return from Charles Taylor, the Witness stated that only the senior people knew, and all that he was told by Sesay and Mosquito was for safekeeping because their leader was not around.

The Prosecution asked the Witness whether the argument between Mr. Massaquoi and Issa Sesay was because Massaquoi said Issa and Mosquito were using the Witness. The Witness responded that that was the main argument, but that there were other serious ones. Referring to the statement of another witness, the Prosecution asked whether there was an issue between Mr. Massaquoi and Issa Sesay because Massaquoi stole some gold jewellery, to which the Witness said no. The Witness said, "*they did not trust him even in his junior time*."

Turning to Angel Gabriel, the Prosecution asked whether the Witness knew when he died. The Witness noted there were too many people, and he couldn't remember when Angel Gabriel died.

The Witness admitted that he had been in Liberia during the war, in 1996 as a "*military refugee*". When asked whether he knew if Mr. Massaquoi had gone to Liberia, the Witness stated that Massaquoi was not with them, but was rather in the northern jungle, adding that Massaquoi's former wife was with him.

However, he stated that by around 1997 or 1998, Mr. Massaquoi was sent by Mosquito to Liberia, and most times went with Mike Lamin and Issa Sesay on instructions.

With respect to the diamonds, the Witness stated that they were delivered to Charles Taylor because he was Foday Sankoh's best friend, and at that time, Sankoh was not with them and they did not know his whereabouts.

The Witness is asked Further Questions

Defense Counsel recalled that the Witness stated that Mr. Massaquoi traveled from Makeni to Tongo, and then referred to the Witness' police statement, which indicated that, following the problem in 2000, the Witness went to Makeni and Mr. Massaquoi went to Freetown. The Witness agreed with the statement and explained that the problem was that Issa Sesay had ordered their arrest. He added that the UN had intervened, and the Witness, amongst others, stopped the arrest. Defense Counsel asked the Witness to clarify his statement further, and the Witness explained that Mr. Massaquoi went from Freetown to Makeni but their arrest was ordered, so he ran back to Freetown on the same day.

Defense Counsel, again referring to the Witness' prior statement to police, noted that the Witness was asked whether Angel Gabriel went to Liberia, to which the Witness had stated that he thought Angel Gabriel went to Liberia because he was in a village close to Liberia. The Witness

agreed with the statement. Defense Counsel then asked the Witness to confirm his prior statement that he last met Angel Gabriel during the disarmament. The Witness explained that he was confused because "*people took this nickname and I knew of one*". He was with this individual's sister, and they met just after the disarmament. He added that this individual was called Gabriel, and because Gabriel was an angel, people simply added 'angel' to his name. The Witness clarified that this disarmament Angel Gabriel was different from the Angel Gabriel in Rutile. The disarmament Angel Gabriel was a RUF fighter between 1999 and 2003, in the same battalion as the Witness. They met in Tongo in 2000, and the Witness clarified that there were two battalions: one in Pujehun and one in Kailahun. The Witness confirmed that the Rutile Angel Gabriel died around 1995 or 1996. As for the disarmament Angel Gabriel, the Witness stated that they were forced to fight in Liberia in 1991 for three days, and in 1992 for three months. In 1999-2003, disarmament Angel Gabriel did not fight in Liberia, as, according to the Witness, "*during that time we had no business with Liberia*".

Defense Counsel recalled that the Witness had previously said that when the LURD rebels attacked Liberia, the Witness and his team sent men to Liberia. The Witness confirmed this, explaining that they shared borders and the attack impacted them due to its proximity to the roads. The Witness did not know whether Angel Gabriel fought against LURD in Liberia.

The hearings closed for the day and the trial was set to resume on 18 May 2021 in Freetown, Sierra Leone.

May 18, 2021 – [Sierra Leone] Day 34: The Hearing of Witnesses 71, 72, and 73

The 34th day of public hearings resumed on 18 May 2021 in Freetown, Sierra Leone.

Witness 71 is Heard

(Finnish Witness ID: Defense Witness 1)

The Defense questions the Witness

The Witness began his testimony by explaining that he knew Gibril Massaquoi during his time in the RUF. The Defense established that the hearing would focus on events which took place between the years 1999 to 2003. The Witness stated that in 1999, Massaquoi was in Sierra Leone. The Witness stated that Massaquoi was in prison in 1998 alongside other fighters, including FNM-203, who were arrested by Issa Sesay. He further explained that Massaquoi was not set free by the Court but he was freed by the Armed Forces Revolutionary Council (AFRC) after they gained control over Freetown in 1999. He knew it was 1999 because President Kabba was overthrown at that time. The Witness said that the day of Massaquoi's release was in his diary, which was not with him. According to the Witness, after Massaquoi was freed from prison by the AFRC he joined the RUF when the RUF was in Makeni and Lunsar, first settling in Lunsar and later in Makeni. The Witness noted that he met Massaquoi in Lunsar for the first time and later on met him in Makeni as well where the RUF had its regional headquarters. The Defense asked the Witness whether anyone from the headquarters communicated with international parties. The Witness responded by stating that it was not possible to do so in Lunsar, however, the practice started in Kono when Issa Sesay was brought a satellite phone. He clarified that the Makeni headquarters used the radio for communication because Issa Sesay was the only one who had a satellite phone. When Sesay came to Makeni, he would bring his satellite phone, and anyone who wanted to use it would visit Sesay at his compound. The Witness stated that Massaquoi did not stay in Makeni for a long time as the RUF, Massaquoi, Sesay and others were called upon in Monrovia by ECOWAS after Bangladeshi peacekeeping forces were attacked.

The Defense asked clarifying questions about the events of 1999 in Makeni. The Witness stated that before the disarmament, Massaquoi was part of the RUF delegation that met with the UN and ECOWAS. For that purpose, the delegation came to Freetown where those meetings were held. The Witness confirmed for the Defense that Massaquoi was a personal assistant for Foday Sankoh when Sankoh was in Freetown after the Lomé Peace Agreement. Massaquoi was also a spokesperson, and was with Sankoh and others in Freetown. He noted that during the peace process in 1999 or 2000, Foday Sankoh was attacked by civilians because he refused to denounce the war on January 6th. The Witness explained that Massaquoi was at Sankoh's house when Foday Sankoh was attacked and that Massaquoi went out into the bush with some other members of the RUF after the attack. The Witness himself, however, was in Lunsar when the attack occurred, and first met Massaquoi in Lunsar after the attack took place.

The Defense referred back to the events in Monrovia. The Witness clarified that Massaquoi, amongst others, went to represent the RUF after being invited by the leaders of ECOWAS to

negotiate on the peace process and continue negotiations in Monrovia. He noted that ECOWAS chose Monrovia as the location and chose Charles Taylor as the mediator so that the RUF would attend the meeting. The Witness couldn't recall what year it was when Massaquoi and the RUF representatives went to Monrovia but noted that it was the same year when Foday Sankoh was attacked. He stated that Massaquoi stayed in Monrovia for three to four months. The Witness estimated that Massaquoi came back to Sierra Leone from Monrovia when the disarmament started. He further stated that the President of Togo and the President of Sierra Leone met in Makeni together with RUF officials, including Massaquoi and Issa Sesay. He clarified that he was not there at the time, but that he was in Kono where they passed before heading to Makeni. The Witness stated that he usually sat and talked to Massaquoi, and that he was with Massaquoi in Makeni before they went to Kono. He went ahead of the presidents in Kono before they headed to Makeni. He couldn't remember the year of this meeting.

The Witness noted that the UN and the RUF were part of the peace negotiations and tripartite meetings. According to the Witness, they had meetings every two weeks to assess the progress of their agreement, as it was a give and take process. He stated that some of the meetings took place in the UN headquarters in Bintumani whilst the other meetings took place in Makeni, Kono and Kenema. They took place all over the country to showcase the peace agreement. The Witness confirmed to the Defense that Massaquoi took part in these meetings representing the RUF, and Massaquoi was obliged to attend all the meetings. The Witness explained that he knew that Massaquoi attended these meetings because the meetings were open to the public. At the end of each meeting, the heads of each delegation would sign a communiqué. He clarified that the tripartite meetings resulted in the disarmament. The Witness stated that he had met Massaquoi many times during the times when the tripartite meetings took place, visiting Massaquoi's houses in Makeni and in Freetown. The Witness specified that Massaquoi was not in Lunsar when disarmament started there, and the UN decided when and what areas to disarm.

The Defense asked clarifying questions. The Witness confirmed that Massaquoi had lived in Makeni and Freetown, even after the disarmament. The Witness was unsure why Massaquoi moved from Makeni to Freetown. He noted that Massaquoi lived at Thunder Hill in Freetown together with his wife, Witness 10, FNM-213, and FNM-178. The Witness further noted that he stayed at Massaquoi's place sometimes "*as they were my brothers*". The Witness stated that he even lived with him for a year when he entered university in 2003 or 2004.

The Defense proceeded to ask questions about the Special Court for Sierra Leone. The Witness explained about the instance when he had heard that Massaquoi together with Foday Sankoh, Morris Kallon and Augustine Gbao were arrested by the Special Court for Sierra Leone. He explained that he was staying at Massaquoi's house when he was arrested. The Witness stated that this was in 2004, when Njala University had their branch at the East in Wellington Freetown, so the Witness decided to stay with Massaquoi, since Massaquoi was his brother. The Witness stated that during the time Massaquoi lived in Freetown, Massaquoi travelled around Sierra Leone, for example going to Bo and back to visit his mother and mother-in-law. The Witness joined Massaquoi on a trip when Massaquoi's son and father died. The Witness noted that he knew that Massaquoi travelled out of Sierra Leone during his time with the Special Court for Sierra Leone. The Witness stated that Massaquoi was dating Witness 13 and Massaquoi was in Thunder Hill while Witness 13 was at Temgbeh Town. They were dating and had a child so the Witness presumed they met each other. They had a child who was born in Liberia.

According to the Witness, Massaquoi tried to apply for university and was working on a fishing program during his time in Freetown until Massaquoi was arrested, at which point the fishing project stopped since the money was withdrawn. The Witness clarified that Massaquoi called him in the morning when he was arrested to inform him that he would be a witness for the prosecution and would be relocated, and that a vehicle would come to pick up Massaquoi's immediate family. When the vehicle arrived, Massaquoi's wife, kids, and his nephew FNM-178 left in it to Massaquoi's location. He explained that the Special Court for Sierra Leone provided a place for Massaquoi and that he was able to visit him if Massaquoi gave notice to the security.

He mentioned that he knew that Massaquoi had the nickname 'Gibo' but he himself only referred to him as Gibril. The Witness was not aware of the nickname Angel Gabriel, but stated that Massaquoi had "*various nicknames*." Finally, the Defense asked questions about Sam Bockarie. The Witness stated that he knew him and explained that Massaquoi and Bockarie had a strained relationship. According to the Witness, Sam Bockarie lived in Kailahun and moved to Monrovia after his relationship with Foday Sankoh got "*bitter''*. Massaquoi did not move with him.

The Prosecution questions Witness 1

The Prosecution began their line of questioning by asking questions about Issa Sesay. The Witness clarified that Issa Sesay was the only one who had a satellite phone. Massaquoi used it to talk as a spokesperson, and the Witness went to Sesay's compound to borrow the phone in order to call Massaquoi when Massaquoi was in Liberia. The Witness stated that Witness 10 was Massaquoi's radio operator. The Prosecution stated that Witness 10 had said that Massaquoi had a satellite phone. The Witness responded that he was not with them in Makeni and Massaquoi might have gotten a satellite phone during his time in Monrovia.

The Prosecution asked how did the Witness know that Gibril Massaquoi and other representatives of RUF were invited by ECOWAS to attend a meeting in Monrovia. The Witness explained that he heard it on the radio, as whenever an RUF delegation left it would be communicated to all RUF headquarters by radio. He confirmed to the Prosecution that Issa Sesay was the head of the delegation when the RUF left Sierra Leone to Liberia.

The Prosecution asked for clarification on what the Witness meant when he said that Gibril Massaquoi returned when the disarmament started. The Witness stated that Gibril Massaquoi returned from Monrovia when they negotiated on the release of the UN peacekeepers and they came back to Sierra Leone when the tripartite meetings started. The Witness could not recall the date when Gibril Massaquoi returned. The Witness stated that the disarmament started in Lunsar. The Prosecution asked the Witness about a former RUF commander, Witness 5, but the Witness was not familiar with the name.

The Witness confirmed to the Prosecution that he lived with Massaquoi in Freetown for one year from 2003 until 2004. He stated that he himself lived in Freetown as of 2002 but was not living with Massaquoi at the time. He noted that he was free to visit Massaquoi anytime in 2002, and the Witness was even doing "*most of the work*" for Massaquoi's fishing project, because he was not in college and not busy at the time. The Witness reiterated that he went to live permanently

with Massaquoi around 2003 or 2004 for the academic year starting in the first week of October, when he started at Njala University.

The Witness clarified that Massaquoi had a son who was born in Monrovia. According to the Witness, Massaquoi travelled to Liberia to get his son. He understood that Massaquoi had been to Liberia on trips other than when he went to get his son, between 1999 to 2003, but the Witness was never with him. Massaquoi traveled but came back in three days' time, but the Witness never asked and Massaquoi never told him.

The Prosecution asked the Witness questions about a diary he had. The Witness did not bring the diary with him as he thought it would not be necessary.

The Witness affirmed that FNM-178 was living with Massaquoi when he was under special court protection. He mentioned that FNM-178 "*used to fight for or advocate against child soldier*," noting that FNM-178 was a student when he was captured.

The Defense questions Witness 1

The Witness confirmed that he had been living at Thunder Hill with Massaquoi when he was taken under The Special Court for Sierra Leone's custody, at which point Massaquoi was relocated and him and the Witness were separated. The Witness clarified that there was a personal conflict between Issa Sesay and Gibril Massaquoi which occurred after the disarmament, which was settled by a UN commander, who protected Massaquoi.

The Defense referred back to the question about Witness 5. The Witness explained that he knew other men with the same last name but did not know this particular man the Prosecution and Defense was referring to. He did know that Witness 5, under another name, was the bodyguard for Foday Sankoh.

The Defense asked whether the Witness remembers what he had mentioned to the Police about the name Angel Gabriel. The Witness explained that he had told the Police that he knew someone named Angel but not Angel Gabriel. The Defense read the pre-investigation police report which stated that he knew one fighter called Angel Gabriel in Makeni and Kono. The Witness clarified that his last name was not Gabriel but Angel was a fighter who stayed in Lunsar, Makeni and Kono. The Witness stated that he had heard that Angel travelled to Liberia. The Witness explained that he had met him in Lunsar at the time that UN troops were arrested. He further clarified that he heard the information that Angel travelled to Liberia from people who lived with Angel in Tongo. He does not recall when Angel went to Liberia.

Lastly, the Prosecutor said that the Witness had mentioned Massaquoi going to Liberia in 2001. The Witness stated that he was not living at Massaquoi's house at the time so he did not ask him whether it was true or not, but said it may have been between 2001 and 2002.

<u>Witness 72 is Heard</u>

(Finnish Witness ID: Defense Witness 17)

The Defense questions Witness 17

The Witness began his testimony by explaining that he was a member of the RUF which is where the Witness knew Gibril Massaquoi from. The Defense established that the hearing would focus on the events of 1999 to 2003 and started asking questions about the Lomé Peace Accords. The Witness stated that the Lomé Peace Accord was signed on July 7th, 1999. He had been living in Makeni for almost a year before the signing of the accord, and was in Makeni after it was signed, too. According to the Witness, Foday Sankoh took him to Freetown to implement the Peace Accord. He stated that Gibril Massaquoi was also living in Freetown after the Lomé Peace Accords. The Witness clarified that he and Gibril Massaquoi were staying at Foday Sankoh's residence where Gibril Massaquoi worked as a personal assistant for Foday Sankoh. Gibril Massaquoi and the Witness stayed there until difficulties arose when RUF rebels in the borders of Kailahun arrested the UN officials. The Witness explained that as a result of this the Civil Defense Forces attacked Foday Sankoh's residence. He noted that the attack occurred on May 8, but he and several people alongside him were arrested on May 7. He stated that he was imprisoned up until the time of the 2002 elections. Gibril Massaquoi had also been at Foday Sankoh's residence when the Witness was arrested. The Witness then stated that he met Gibril Massaquoi in Freetown after he was released from prison.

The Witness was not aware of Gibril Massaquoi having a nickname and he could not recall anyone named Angel Gabriel. He explained that he knew Sam Bockarie and that he was a field commander in Buedu, in the Kailahun district. According to the Witness, Sam Bockarie left Sierra Leone and travelled to Liberia because he and Foday Sankoh had a misunderstanding. This had happened when Foday Sankoh had signed the peace agreement and returned to Freetown. The Witness said that Gibril Massaquoi and Sam Bockarie did not have a good relationship. He explained that Bockarie and Massaquoi had been together before in the Pujehun district, but when Massaquoi went to Kailahun he was with another commander named Superman. Superman and Bockarie (alias Mosquito) were not on good terms, and so Bockarie's grudge extended to Massaquoi. In fact, Foday Sankoh had requested that the Witness and Massaquoi, amongst others, should travel to Nigeria to sign the peace agreement, but Bockarie had not wanted them to go, and had sent an order for them to pass through Buedu before travelling to the Lomé Peace Agreement. The Witness and Massaquoi refused to obey Bockarie's order to pass through Buedu. Massaquoi told the Witness to pass through Guinea, and the Witness refused, but Massaquoi made his way, and somebody helped him to get to Nigeria.

The Defense, referring back to an earlier statement made by the Witness, asked whether Gibril Massaquoi travelled with Sam Bockarie when the latter left for Liberia, and the Witness said he did not. Lastly, the Defense asked the Witness whether anyone else from Finland apart from the Finnish Police contacted him before his interview on the 14th of October 2020, and the Witness said no.

The Prosecution questions Witness 17

The Prosecution began their line of questioning by asking whether the Witness knows if the RUF took part in fighting in Liberia in 1999. The Witness responded that he didn't know. The

Prosecution then asked if he knew whether the RUF had ever fought in Liberia to which he responded that he didn't know. The Prosecution then asked whether the Witness had heard the name Mosquito Spray. The Witness explained that he has heard the name, but he doesn't know him.

The Prosecution then asked questions about the Special Court for Sierra Leone. The Witness stated that he testified at the Special Court for Sierra Leone. The Witness insisted that he did not discuss the RUF fighting in Liberia at the Special Court for Sierra Leone. The Witness confirmed that he met Gibril Massaquoi in 2004 or 2005 in Freetown. He clarified that he met Gibril Massaquoi at the Shell Company. He couldn't recall the address of Massaquoi's residence but said that the Witness and Massaquoi met at the Shell company, and then Massaquoi took the Witness to his residence. The Witness noted that he himself was not under the protection of the Special Court at the time but Gibril Massaquoi was. He said that Massaquoi had security by then and confirmed that he was free to move around but everywhere he went he had security with him. The Witness noted that Gibril Massaquoi already had security by the time he had met him at Shell. The Prosecution asked who lived in the same residence with Massaquoi. The Witness responded that his wife, kids, and younger brother lived with Gibril Massaquoi, and that the small brother's name was FNM-224.

The Prosecution proceeded to ask whether the Witness knew anyone named FNM-178. The Witness knew FNM-178. The Prosecution then started asking clarifying questions about the Witness' testimony at the Special Court for Sierra Leone. The Witness explained that the RUF as an organization did not take arms to fight in Liberia, and that his testimony for the Special Court concerned Charles Taylor's support for the RUF. The Prosecution asked how Charles Taylor supported the RUF, and the Witness stated that he did not want to answer questions about Charles Taylor because he was only here for Gibril Massaquoi. The Prosecution clarified that they were asking if the RUF as a movement was ever commanded to go and fight in Liberia. The Witness said that nobody requested such action, and he did not see anybody going to fight in Liberia under the RUF. The Prosecution asked if the RUF was in Liberia in 1999 when Charles Taylor's forces were fighting against Mosquito Spray. He explained that he was in Makeni in 1999 and that he didn't know of any group that fought with Mosquito Spray.

The Prosecution asked whether anyone has contacted the Witness to discuss the case. The Witness explained that FNM-234 one of the RUF commanders, called him and asked if he had heard the news about Gibril Massaquoi's arrest. The Witness knew FNM-234 very well and said that FNM-234 also knew Massaquoi. The Witness explained that they knew each other from the RUF. The Witness didn't know when FNM-234 and Gibril Massaquoi met for the first time. The Defense, interjecting, asked whether FNM-234 said anything else when he contacted the Witness about Massaquoi's arrest. The Witness said that FNM-234 had told him that Gibril Massaquoi had named him as one of the defense witnesses, and that people from Finland would come to talk to him.

The Defense noted that the Witness previously said that RUF as an organization did not fight in Liberia, and asked what did the Witness mean by organization. The Witness explained that the RUF was a fighting group that had their own rules and regulations governing them and thus they wouldn't go and fight somewhere else out of the blue. The Defense proceeded to ask what the Witness' response was when asked about the name Angel Gabriel by the Finnish Police. The Witness stated that he told the Finnish Police that he had heard the name but not seen him in

person. He stated that Angel Gabriel was a member of the RUF in a group from Pujehun whilst the Witness' group was in Kailahun. The Witness was not sure what Angel Gabriel did in the RUF and could not tell which RUF member he worked with. The Witness couldn't recall if Angel Gabriel had another name he was called by. The Defense announced that they would read what the Police had written down during the pre-trial interview and ask questions after that. The Defense noted that the Witness had stated that the RUF had a fighter named Angel Gabriel who was with Superman. The Defense further noted that the Witness had stated that Angel Gabriel was a Commanding Officer called C.O. Gabriel. The Defense asked if the Witness remembers saying this to the Police. The Witness confirmed that he remembered saying this, and that it was correct.

The Prosecution then asked if Angel Gabriel knew Gibril Massaquoi. The Witness noted that he is not sure but because Gibril Massaquoi was with Superman, he considered it likely that Gibril Massaquoi knew Angel Gabriel. The Prosecution then asked whether the Witness remembers what he had mentioned in the Police interview apart from what was already mentioned. The Prosecution continued reading from the same chapter as the Defense. The Prosecution noted that the Witness had said that he didn't meet Angel Gabriel because he was imprisoned for five years and asked if FNM-225 knew Angel Gabriel as Gibril Massaquoi. The Witness denied saying the statement and said that he has never said that Gibril Massaquoi was the same person as Angel Gabriel. The Prosecution proceeded to play a recording of the interview with the Finnish Police. The recording played a conversation between the Witness and the Police where the Witness disclosed that Angel Gabriel is a member of the RUF and that he knew him as C.O. Gabriel. The Witness said in the recording that he didn't know where CO Gabriel was, but that both FNM-225 and Gibril Massaquoi knew him.

The Prosecution asked whether Gibril Massaquoi knew Angel Gabriel. The Witness stated that they all knew each other because they were with Superman. The Witness did not know whether Angel Gabriel was in Liberia in 1999. The Witness reiterated that he was not aware of the RUF as an organization fighting in Liberia, or of any individual member of the RUF ever fighting in Liberia. The Witness stated that he himself has never fought in Liberia. He explained that he was a commander in the RUF from the year 1999 and upwards.

<u>Witness 73 is Heard</u>

(Finnish Witness ID: Witness 5)

The Defense Questions the Witness

The Witness began his statement saying that Massaquoi is his comrade. He met him in 1991 during the war, during the jungle time and while he was a commander. He knew him on many occasions, even on the peace process. In 1999, he started as a member of the RUF. The Witness stated that after the Lomé Peace Accord on the 7th of July 1999, Massaquoi became a personal assistant to Foday Sankoh, and worked at Spur Road. The Witness was Sankoh's personal chief security officer and also worked at Spur Road. After the Peace Accord, they came back to Freetown. The Witness and Massaquoi lived in the Spur Road residence and saw each other frequently until they were attacked. Many people were killed in this attack, some of them escaped, including Massaquoi who escaped with his own group and went to Makeni. The Witness

knows this because after they stayed in the jungle for some time, they reached Makeni and met him there. The Defense asked the Witness if he knew what happened to Sankoh in the attack, to which the Witness responded that he heard he was arrested and shot in the foot, adding that he was not set free after his arrest.

The attack caused serious problems for the RUF. The Witness described that the attack on May 8th led to a delay in the peace process, because they lost many commanders and some of the members felt discouraged. When they got to Makeni and met Massaquoi and the others, they took action to get the peace process on track again. The attack had triggered some vexation amongst the members of the RUF, and the Witness explained that the way Sankoh was treated during the attack showed that the government was not ready for peace.

After the arrest of Sankoh, there was a meeting at Kono in May which the Witness and Massaquoi both attended. It included all the commanders at various points within the RUF zone operation point; Morris Kallon and Superman were also there. At this meeting, the RUF commanders debated whether or not to appoint a new leader because Sankoh was the only leader they knew, and they demanded that the UN facilitate the release of their leader, but they finally concluded by appointing Issa Sesay as their acting leader.

There was then a second meeting in Kono in September 2000, called by Issa Sesay for all RUF commanders. Issa Sesay told the commanders that he had received a message from Charles Taylor saying that the RUF should work towards peace. Therefore, the meeting concerned forming a delegation to negotiate a peace agreement, headed by Massaquoi. The Witness clarified that included at the second Kono meeting were Massaquoi, the Witness, FNM-204, Issa Sesay and FNM-219. According to Sesay, Charles Taylor had said that the RUF should go on a negotiation peace process and meet Taylor in Liberia. The Witness stated that the delegation went through Liberia because it was the only route they could use. When asked to clarify, the Witness stated that according to Sesay, Charles Taylor was the only one the international committee could contact who would be able to mediate with them towards the peace process.

On the delegation's way to Liberia, there was an obstacle on the way in the area from Vahun, Kolahun and Voinjama for which a mission was sent to clear the road in order for them to be able to pass. Witness 7 was sent to clear the road within 72 hours for them to move to Liberia, which he did successfully. This happened in September 2000, as Witness 7 had been given the mandate to clear the road to access Liberia at the meeting. The Defense then asked the Witness whether any other RUF commanders were in that area in Lofa, to which the Witness responded that they were only on the side of Sierra Leone, in Koindu. It took one week to clear the road; from there they moved from Kono and went to Monrovia. The Witness got a fever on the way there and was lodged in a safe house and not able to attend the meeting as he was sick. Before they left for Liberia, they had been informed that the road was cleared via radio message. At this time, Massaquoi was in Makeni as all the commanders, including Morice Kallon and Superman, went back to their base after the meeting. Morice Kallon and Superman also returned to Makeni, and once Issa Sesay received notice that the road had been cleared, he sent for Massaquoi, Kallon, Superman and the Witness to meet so they could travel to Liberia. On the way from Kono to Liberia they only stopped at Voijama where they met Witness 7and Benjamin, who was Charles Taylor's main man.

The Judge interjected to remind the Witness that he had a right not to incriminate himself in his testimony, and the Court took a 10-minute break.

The Defense then asked if the delegation participated in any fighting while they stopped in Voinjama. The Witness stated that they did not partake in any fighting as the area was unsafe, they only passed through. They travelled in a vehicle and arrived in Liberia after midnight after leaving Sierra Leone in the morning. After their arrival in Monrovia, they stayed there for about 2 to 3 days. They left Monrovia together with Massaquoi. The Defense then asked the Witness if Massaquoi went back to Liberia after this trip. The Witness responded that after this trip, Massaquoi went to Nigeria on a peace process. There had been a meeting held in Kono in October 2000, upon the return of the RUF commanders to Sierra Leone from Monrovia, where they decided to go to Nigeria to sign a ceasefire agreement. The Witness remembered that Massaquoi, Witness 20 and FNM-219 were among the delegation members, and Kposowa was the head of the delegation. They went and came back around November. The Witness could not remember if there were any other RUF members in Liberia in 2000. As Makeni was his base, Massaquoi did not go to Liberia again according to the Witness.

When the delegation to Nigeria returned to Sierra Leone, FNM-219 called all RUF commanders to a meeting, where he said that they had met the former president Obasanjo in Nigeria. Obasanjo gave them the confidence to disarm, saying that if the RUF put down their arms, nothing would happen to them including to their leader, and that they would release Foday Sankoh. The RUF had been assured that their disarmament would mean that even the commanders would not be arrested. This disarmament began in Sierra Leone around May 2001. There had also been a first moment of disarmament which started in December 1999 in Lunsar, following the Lomé peace agreement. In the meeting that was called by FNM-219 in 2001, all the commanders were told to disarm and go to their various points to stand by and prepare for disarmament. This disarmament effort started in Kono, where the Witness himself was disarmed. During this disarmament of 2001, the Witness met with Massaquoi several times at his base in Makeni, as this was also the base of the Witness before he was reassigned to Kono by Issa Sesay. After the disarmament and after the election he also met Massaquoi by the light by Brookfield's with his family members.

The Witness then stated that he went to Liberia in 1999 after the Lomé Peace Agreement was signed and he and Foday Sankoh returned from Nigeria. Massaquoi was not in Liberia at the time. The Witness met several other RUF members when he was in Liberia in 1999. He met Johnny Paul and his wife and Sam Bockarie (alias Mosquito). The Defense asked about the relationship between Massaquoi and Mosquito, to which the Witness responded that it was not normal, clarifying that he meant that it was not cordial. The Defense asked when Mosquito moved to Liberia. The Witness said that after the Lomé peace accord and their return to Sierra Leone, Foday Sankoh travelled all over the country with a UN helicopter. First, he went to Kailahun and told the RUF fighters to put their arms down and that he had been given a mandate to disarm and so they should prepare to disarm. He went all within the RUF zones, and the message was passed to all commanders. The Witness explained that Bockarie didn't want to disarm, which sparked conflict between him and Sankoh. When Sankoh sent men to arrest him, he left for Liberia. The Witness said that Gibril Massaquoi did not go with Bockarie, as he was with Foday Sankoh everywhere he went.

The Defense asked whether people also call the Witness FNM-180, and the Witness confirmed the alias. The Witness also confirmed that the police interviewed him in October of 2020, and that nobody contacted him after that.

The Prosecution Questions the Witness

The Prosecution began by asking about Gibril Massaquoi's leadership in the RUF. The Witness stated that he was a front-line commander in charge of the North alongside Superman. The Prosecution then referred to the Witness' prior statement that the RUF were aggrieved after the May 8 attack on Sankoh's residence and asked the Witness if he could remember if the RUF did anything to disrupt the peace process before May 8. The Witness alluded to an event that took place in Makeni while he was in Freetown. He said that according to a message that was sent to Foday Sankoh, the UN was forcing men to disarm and taking arms from them. In response, Sankoh sent a delegation from Freetown who were airlifted by a UN helicopter to find out what the problem was. The Prosecution asked if it was true that the RUF had captured peacekeepers, and the Witness responded that he did not hear about it despite being a senior commander because he was in Freetown. The Prosecution reiterated that the Witness was the chief security officer for Foday Sankoh and asked if he nonetheless received no information about this. The Witness said that when the news broke out everyone was in an angry mood and even Foday Sankoh was very annoyed. The Prosecution said they presumed that the Witness wanted to say that he never received any information that the RUF captured peacekeepers. The Witness responded that when the news came, Sankoh sent a delegation to find out information, and he tried to call Issa Sesay, but his phone was off. He added that it was not a secret since all types of information were being received. The Witness confirmed that this possible capture of peacekeepers led to the May 8 attack.

The Prosecution asked what groups or organization attacked the Sankoh residence, and the Witness responded that it was the army, civilians and Kamajors, "*all of them were there*." The Prosecution asked if the Witness thought they could say that it was the RUF who caused the peace process to be set back. The Witness responded that he couldn't say that the RUF were responsible; when the news reached Sankoh, he sent a delegation and there was no conclusion as to what the problem really was, and then came the attack.

The Prosecution returned to the issue of the road-clearing mission in Lofa county, Liberia, and confirmed with the Witness that he had said it was after the September 2000 meeting, and it was Witness 7 who was given the mission to clear the area so the delegation could go to Liberia. The Prosecution quoted Witness 7's testimony saying that he went to Liberia in September and October of 2000 and asked if this was true. The Witness said he couldn't tell because he was in Kono, and that further questions about Witness 7's testimony should be directed to him. The Prosecution asked how the Witness knew that the commanders all returned to their base after the meeting to wait for the road to be cleared. The Witness said he received the message through radio, and it was around October 2000 when the delegation travelled to go to Liberia. The Prosecution said that the Witness had referred to the road being cleared for enemies and asked who the enemies were. The Witness responded that it was the rebels fighting Charles Taylor, the LURD forces. The Witness added that the LURD rebels also fought in Sierra Leone and had attacked the RUF from Koindu plenty of times. When the Prosecution asked if the LURD rebels were enemies both for Sierra Leone and for Charles Taylor, the Witness responded that he could not answer the question. The Witness continued that he did not know how many

men Witness 7 had when he went to Liberia, or what sort of fighting he used to clear the road in one week. The Witness repeated that Issa Sesay had informed all the commanders and told them to travel when the road was cleared.

The Prosecution asked if Witness 7's troops had fought alongside Charles Taylor's rebel groups, and the Witness responded that he couldn't tell. The Prosecution asked if it was true that Witness 7's fighting had anything to do with the peace process in Sierra Leone, and the Witness said that it did; if he had not gone to clear the road no peace agreement would have been signed and Sierra Leone wouldn't have the peace that it does today. He added that even the delegates from Nigeria had to use that road before the helicopter picked them up on the border. The Prosecution asked if the Witness thought it was necessary that the RUF had to fight because five people were traveling as delegates. The Witness said that he was not on the mission so he wouldn't know the number of armed men who were on the mission. The Witness confirmed that when he went with the delegation to Monrovia that he was not feeling well so he did not attend any meeting, and that the other delegation members only briefed him that they were to go to Nigeria to sign the peace agreement with Obasanjo. The Witness confirmed that Sesay said he had received a message from Charles Taylor requesting the delegation to go to Liberia, but he did not know if his colleagues met with Taylor, or if Taylor had a helicopter.

The Prosecution asked who Benjamin was to Charles Taylor, and the Witness explained that he was called one of Taylor's directors. The Witness said he did not know Benjamin's last name and did not confirm the Prosecution's suggestion of 'Yeaten'. The Prosecution asked whether Witness 7 met Benjamin Yeaten in Lofa, and the Witness responded that he didn't go to Lofa with Witness 7 and wouldn't know if they met. The Prosecution asked whether the Witness remembered his response to the same question in his police interview, and he said he did not. The Prosecution read aloud what the police had noted from their interview; Witness 7 and some men got the job of clearing the way around Foya, Voinjama and Zorzor, and Witness 7 traveled from Koidu in Sierra Leone and met Benjamin Yeaten to receive the ammunition that Benjamin brought. The Witness responded that he remembered now that Witness 7, as the leader of the mission, had to come and give a report of the mission, but because he was not there he couldn't say. The Witness said that he had overheard Witness 7 talking to Issa Sesay in the vehicle when they reached Voinjama, when the Witness was feeling unwell. Witness 7 informed Sesay that he had received arms and ammunition from a helicopter from Benjamin. The Witness reiterated that he didn't know if Charles Taylor had a helicopter. The Prosecution asked if after the Witness returned from Liberia to Sierra Leone, he had ever gone to meet Witness 7 in Liberia, and the Witness said he had not. He couldn't remember when Witness 7 had withdrawn from Liberia.

The Prosecution asked where Foya and Kolahun are. The Witness explained that Kolahun is in front, while Foya is in Liberia along the Sierra Leonean border. The Prosecution asked if the Witness remembered telling the police that he went to Foya and Koulan to tell the men to prepare for disarmament before returning to Sierra Leone. The Witness said he didn't remember saying this. The Prosecution asked when Witness 7 withdrew from Liberia, and the Witness stated he couldn't remember. The Witness said he couldn't remember what he told the police about Witness 7's withdrawal from Liberia. The Prosecution reported that in his police interview the Witness was asked when Witness 7 withdrew from Liberia, and he had thought this could have happened in May 2001. The Prosecution asked if the Witness remembered now. The Witness responded that disarmament started in May 2001 after the delegation returned from

Nigeria. The Prosecution asked if he remembered or not, and the Witness asserted that he could not remember when Witness 7 withdrew from Liberia.

The Prosecution asked whether Gibril Massaquoi had a code name or nickname, and the Witness responded that his radio operator name was Jaffa, and that was the only code name of Massaquoi's that the Witness knew. The Witness stated that he hadn't heard that Massaquoi's name might have been Angel. The Prosecution asked whether the Witness remembered what he had told the police about Massaquoi's code name, and the Witness said he had been in doubt before and he had said he didn't know, but later remembered that Massaquoi's code name was Jaffa, not Angel. The Prosecution read aloud that the Witness had told the police that Angel was Massaquoi's code name because all the commanders had code names since the enemies were listening to the radio, but Gibril Massaquoi was Angel not Angel Gabriel. The Witness remarked that the written statement had a question mark, and it could be an issue of translation, because when they asked him, he had been in doubt but then remembered it was Jaffa, not Angel.

The Witness confirmed there had been three meetings held in Kono, the first to appoint the leader and the second to choose a delegation, and that Massaquoi had been chosen to lead the delegation in one of the meetings. The Prosecution asked if on the two- or three-day trip back from Monrovia the delegation had used a vehicle, and the Witness said yes. The Witness said that the delegation used same route to get back, but they had an escort because the road was not safe. He could not say how long the delegation stayed in Nigeria.

The Defense Questions the Witness

The Defense asked the Witness if he meant to say that Foday Sankoh had never wanted the peacekeepers to be kidnapped, and the Witness said yes, and added that he did not know who did the kidnapping. The Defense then asked who the people in Freetown were who were talking about it, and the Witness responded that it was the civilians who said that Sankoh had sent people to kidnap them. The Witness said it would have been impossible for the delegates to pass through the road in Liberia without it having been cleared.

The Defense stated that when the Witness had spoken about 'Angel,' he had said he was suspicious that they were changing code names and asked who were the people that were changing those names. The Witness said that it was the operators. He explained that Foday Sankoh trained them to change code names to disguise the identities of the RUF members, and even to send messages through codes. There were many operators who had their headquarters at the various assignment places. The Defense quoted the Witness' police interview, saying "*the code names were changed from time to time because the enemy may have known.*" The Witness confirmed that this was one of the reasons for changing code names.

The Prosecution Questions the Witness

The Prosecution recalled that the Witness said he was in Liberia in October 2000, and the Witness confirmed, saying that's when he went for the delegation. He elaborated that on the way back to Sierra Leone, they passed through Monrovia, and the delegation left Witness 7 there, but he didn't know how many "*months, days, weeks*" he may have stayed there for. The Prosecution

asked if Witness 7 returned with troops when the disarmament was in progress, and the Witness said yes, when they signed the Nigeria peace treaty, they called all commanders to prepare to disarm. This was around May in 2001. The Prosecution asked why Witness 7 and his men stayed in Liberia if their aim was to clear the road. The Witness stated it was because there was another arrangement for the RUF to travel to Nigeria to sign the ceasefire agreement.

Then, the Prosecution informed the Witness that they would listen to the recording of his statement to the Finnish police regarding Angel Gabriel. The Witness said he remembered that Angel was Gibril Massaquoi's code name to prevent the enemy from knowing, but specified it was Angel, not Angel Gabriel. The Prosecution stated that it was then the fact that at some stage Gibril Massaquoi's code name was Angel. The Witness said that before answering he needed to explain that, upon listening to the recording, the Court would hear that he had argued with the investigator. He said that many commanders changed their names, for example, Sankoh's first code name was Bunoh, but when the enemies discovered the code name, the operators had to change it.

The hearing concluded for the day.

May 31, 2021 – [Finland] Day 35: New Documentary Evidence

The 35th day of public hearings resumed on 31 May in Tampere, Finland after two weeks in Sierra Leone. New documentary evidence was at the center of day 35's hearings.

The Prosecution introduces new documentary evidence

The Prosecution introduced their new documentary evidence to the Court, as composed of three documents. The first document was a Human Rights Watch document from May 2002 which indicated that the Liberian Government and its allies – including the RUF – committed severe crimes and atrocities, such as burning civilians and conducting forced labor. This first document also stated that the RUF and Charles Taylor had been supporting one another in the Sierra Leonean and Liberian civil wars. The second document was a written paper by the Committee of [uncaptured] of the Massacre in Liberia, specifically documenting the Kolahun district. The document reported killings of civilians committed by the RUF between August and December 2001. It also indicated that the Kamalan Hassala village was one of 50 or so villages that had been burned in the same period. The last piece of documentary evidence introduced by the Prosecutor was part 3 of the Sierra Leonean Truth and Reconciliation Commission Report. The theme of this evidence was to highlight the Commission's distrust of Gibril Massaquoi's testimony. In its conclusion, the Commission reported that Mr. Massaquoi had been endangering peace in the aftermaths of the Sierra Leonean and Liberian Civil Wars.

Human Rights Watch's document from May 2002

The Prosecution proceeded to go in depth with each of these new pieces of evidence. Starting with the Human Right Watch document, the Prosecution read page 2 of the report. The Prosecution shared their understanding of what they had just read by saying that the government of Liberia and the militias supporting the government had been guilty of numerous atrocities towards civilians.

The Defense recalled that Mr. Massaquoi had not been named as a member of these militias and that these militias had not been narrowed down to one specific person.

The Prosecution went on with the report. On page 3, it was said that Charles Taylor bears the principal responsibility of the severe crimes committed in both Sierra Leonean and Liberian civil wars. The Defense underlined that this had nothing to do with their client, Mr. Massaquoi. Referring to page 4, the Prosecution pointed out that there had been multiple transfers of fighters between government forces and the militias. Liberian government forces and the supporting militias have been guilty of crimes committed in the county of Lofa and in the Grand Cape Mount county. Going into details, the Prosecution noted that government forces had hunted civilians who were hiding in the woods. Civilians have been killed, tortured, sexually abused, and burned in houses. Others were forced to carry weapons and ammunition. *"All of these, in the meaning of what the defendant has been prosecuted by the Prosecutor".*

The Defense responded that these were general statements that didn't refer to the RUF specifically.

The Prosecution explained that according to the report, in July 2001 the AFL collected hundreds of civilians and burned at least 15 of them in Kamatahun. In addition, Gbandi civilians hiding in the bush were gathered and brought to Kamatahun in September 2001. Thirty of them were burned in a house. In October 2001, AFL soldiers captured some civilians hiding in the bush. They forced them to carry ammunition and weapons to Vahun.

The Defense retorted that there were no references to the RUF, only to the AFL. The Defense insisted that there was no evidence that Mr. Massaquoi had been commanding AFL troops and therefore, this new evidence was making the case that their client was innocent, because the RUF had not been mentioned in the evidence.

The Prosecution continued the presentation of the report. They stated that the Government and militias had also been responsible for widespread looting in towns and villages that they occupied. Local residents were often forced to carry ammunition and weapons. The Defense stated that this did not relate to the RUF or Mr. Massaquoi. Continuing with the report, the Prosecution indicated that in 1997 Charles Taylor created two paramilitary security forces: the ATU (Anti-Terrorist Unit, led by the president's son, Chuckie Taylor) and the SSS (Special Security Service, led by Benjamin Yeaten). They reported directly to Taylor and committed atrocities with impunity. The Prosecution said that the militias were also believed to have included former members of RUF, *"many of whom crossed into Liberia during and after the disarmament process in Sierra Leone."*

The Defense argued that the report didn't refer to Mr. Massaquoi, and he did not act in that way.

The Prosecution then explained that the various militias and security agencies had extensive powers, poorly defined mandates and overlapping functions. They described that the situation had resulted in a *"jockeying for power"* between the groups in addition to a complete lack of accountability. The Prosecution then referred to page 9 of the report, which concerned Charles Taylor. It stated that the NPFL had provided significant support to Foday Sankoh's RUF during the first Liberian civil war. As an acknowledgment, the RUF participated in the war in Liberia in 2000-2001.

The Defense qualified these elements as *"general history from the 90s"*, adding that the report didn't mention the RUF's involvement in Liberia in the years 2002-2003 which would be significant for this case. The Prosecution indicated that the report was from May 2002; thence, it could not include the years mentioned by the Defense.

The Prosecution moved to pages written by Binafeir Nowrojee (counsel) and FNM-226 (researcher in HRW Africa Division). The Prosecution explained that the authors conducted interviews. A man from Popalahun indicated that many Gbandi civilians had been taken to Kamatahun and killed. More than 30 civilians burned in their houses. 15 had been executed by the order of Commander *"Zizemaza"*. The authors explained that these executions were based on the thought that these civilians supported the LURD.

The Defense replied that these executions referred to the man Zigzag Marzah – who was mentioned in previous hearings – but in no instance referred to the defendant Mr. Massaquoi.

The Prosecution retorted that there was no mention of Zigzag Marzah in the report either, adding that one cannot assume that "Zizemaza" means Zigzag Marzah. The Defense answered that there was no mention of Massaquoi either, which the Prosecution agreed with.

The Prosecution then referred to an interview of a Gbandi woman. She reported that she had witnessed AFL soldiers abducting women and girls, burning down houses with people inside, and looting. The Prosecution proceeded to quote the interview that included a mention of a "Colonel Zizemara". The Defense noted that no mention was made of Massaquoi, nor "Gibril", nor "Angel Massaquoi".

The Prosecution turned to page 21 and invoked a description made by a university student regarding his arrest in February 2002 in Monrovia. The student and his mother were accused of being terrorists and money was required for their release. They were placed in cells. The Prosecution explained that this example tells the court about the security situation in Monrovia at that time. The Defense remarked that while it referred to 'problematic' policing, it only referred to 2002 and not 2003, did not mention militias or looting, and in no case referred to the RUF nor the defendant.

The Massacre in Liberia report

The Prosecution referred to a section which reported an example of a massacre in the Kolahun district, with a long list of victims massacred in Kamatahun. The report indicated that several families were cold-bloodedly killed between August and December 2001. The report also reveals that 54 villages were burned down. In one interview, a thirty year old man, FNM-227, declares that his family was killed on 10 November 2001. Reading an excerpt of the interview, the Prosecution explained that the man was captured in his hometown Kiatahun and separated from the others, who were burned and died. The man was spared because the soldiers forced him to join the forces of Charles Taylor, which he did but later escaped to Sierra Leone.

The Defense countered that before the Prosecution was referring to September 2001 in Kamatahun and that now they mentioned November. The Defense added that there was still no mention of RUF, nor the defendant, only a certain "Zizemara". The Defense clarified that "Zizemara" in no way referred to Mr. Massaquoi. The Prosecution insisted that the report didn't refer to Zigzag Marzah, as there was no mention of him.

The Sierra Leonean Truth and Reconciliation Commission Report

The Prosecution began with section 1150 of the report, which focused on the UNAMSIL hostage-taking and the responsibilities for the deterioration of the security situation in Sierra Leone. The Prosecution noted that this section is one of multiple in which the Commission wrote that they treated the testimony of Massaquoi with "*extreme caution*". Massaquoi was described as an enigma in the RUF to those who were in contact with him throughout the war. The Commission demonstrates that during his testimony, Massaquoi deflected questions regarding his own role in combat operations and maintained that he was working with Foday Sankoh on an administrative level. However, in section 1151, numerous testimonies from the defendant's former RUF colleagues said that Massaquoi fought fiercely at the front when he was away from the public

eye. According to those testimonies, Massaquoi commanded several units of combatants during phases when vital military operations were being conducted, particularly as Target Commander on the Southern Front and as a Battalion Commander during the guerrilla warfare phase.

The Defense responded that these actions referred to events that occurred in Sierra Leone. In addition, the Defense doubted that these allegations reflected Massaquoi's nature. They did not show that the defendant was guilty of the alleged crimes. Regarding the deflecting answers of Massaquoi, the Defense said that the context of the interviews – when the special court was about to be founded – had certainly influenced and affected the defendant; however, it didn't show that Mr. Massaquoi is guilty of what has been described by the Prosecution.

In section 1153, it was reported that Massaquoi admitted that one of his roles consisted in fighting but downplayed the importance it had had for the RUF. Massaquoi also declared that Issa Sesay gave him diamonds, which he then brought to Sankoh. The Defense noted that Sankoh was arrested in May of 2000, and hence this section could only be referring to events before that date. Furthermore, in their conclusion of section 1154, the Commission estimated that Massaquoi acted dishonestly and without integrity during the UNAMSIL hostage-taking crisis. The Commission noted that he misrepresented the situation on the ground as it was reported to him. His motives for doing so were most likely premised upon his strained personal relationship with the field commanders in question and his enduring tendency to manipulate Foday Sankoh.

The Defense qualified these statements as *"acts of a politician"*, and argued that the statements only reflect the Commission's opinion of Massaquoi's actions. The Defense added that those actions occurred before the peace delegation was sent to Monrovia.

In section 1155 of the report – The Prosecution went on – Massaquoi's role is afforded special attention. Massaquoi acted as the spokesperson for the RUF and conveyed statements to a national and international audience. Moreover, Massaquoi was the conduit of information between Sankoh and RUF.

The Defense conceded that Massaquoi was known as a message carrier but denied that he was ever in a position to dictate RUF stands.

The Prosecution then presented section 1156. They explained that the success or failure of the Lomé Agreement depended on the preservation of a fragile relationship between the parties. The Government's stake in the process depended on the extent to which it trusted Foday Sankoh. The Commission finds that Massaquoi bears an individual share of the responsibility for the deteriorating security situation in Sierra Leone.

The Defense reiterated that these assumptions referred to times between 1999 and 2000. The Defense argued that it showed what Massaquoi had been doing which is in contradiction with the assumption that he would have spent this time in the woods.

Referring to section 1160, the Prosecution noted that the report described that it remained to be seen whether the RUF High Command had collectively harbored an agenda to enhance their stake in power beyond the hostage-taking. The Prosecution mentioned a testimony by Sheku

Andrew Coomber which *"speaks for itself"*. It said that in most RUF meetings, Massaquoi and Foday Sankoh were always at variance with the other members. According to Coomber, Massaquoi and Sankoh were largely to blame for the failure of the Lomé Peace Agreement. Massaquoi was insisting that all the provisions mentioned and meant for the RUF would have to be provided before complying with the implementation of the Peace accord. Foday Sankoh was saying that he was committed to the peace process, but he was then giving underground instructions to the combatants in the field not to disarm.

The Defense pointed out that Massaquoi had already testified to taking part in the peace negotiations and process, so Coomber's testimony corroborated the defense's testimony.

According to Coomber, on one occasion during the preparations for the negotiations, Massaquoi used the RUF High frequency radio to instruct one commander that at any time when there was a loss of communication on the radio with them, let the troops move and attack Freetown. Coomber didn't know with whom he was talking, but suspected it was Brigadier Morris Kallon.

The Defense recalled that this section was about High Frequency radios, not satellite phones. The Defense insisted that this made the defendant's case stronger, as it pictured the duties of Mr. Massaquoi.

The Prosecution concluded by saying that the Commission finds that the hostage taking of several hundred UNAMSIL military personnel in the early days of May 2000 was the gravest misadventure carried out by RUF cadres during the disarmament phase. The Defense noted that these actions concerned the RUF, not the defendant who hasn't been accused of bringing up the crisis or have anything to do with it.

Finally, referring to section 1163 of the report, the Prosecution explained that the hostage-taking saga in the provinces was to run relatively unabated for over a month, as the RUF combatant group spiraled totally out of hand. The life span of the RUF political wing was to be cut short. The Defense remarked that this brought the idea of separate wings of RUF, political and military.

The Prosecution concluded their presentation of documentary evidence by saying that the last report shows that RUF never was a pure victim of the Sierra Leonean or Liberian situation, contrary to what defense had been arguing so far.

<u>The Defense presents new documentary evidence</u>

A Liberian Observer Article from 2020

The Defense opened by presenting an article from the Liberian Observer, dated 12 March 2020. The Defense pointed out that the picture used in the article was the same picture the police had used during the interviews with the witnesses to identify the accused. When asked by the Prosecution what their point was, the Defense explained that, since the picture had been circulated publicly, it may have affected the view of the interviewees in identifying Massaquoi. Going into details, the Defense specified that there had been pictures of their client on the

internet, including the very same picture used by the police. The Defense suggested that the witnesses may have seen the picture before they were interviewed by the police.

The Prosecution responded that the article in question was published on the internet. They recalled that the witnesses weren't asked whether they had access to the internet, nor if this article had affected their view in any way. They weren't even asked whether they had seen the article or picture. The Prosecution asserted that the article was not a reason to question the credibility of the witnesses. The Defense commented that, when examining the timelines of the recognition processes, it was visible that after this news article was published, the percentage of people recognizing Mr. Massaquoi 'skyrocketed'.

An article from Relief Web

The Defense then presented an article from Reliefweb.org, entitled *"Sierra Leonean Rebels want to end the 10-year war"*. The article reports a telephone call between the "rebel spokesman" Mr. Massaquoi and Reuters in which the defendant explained that the RUF was committed to a political end to the war. The Defense underlined that the article communicates that Gibril Massaquoi called from the northern town of Makeni. The Defense concluded that this article showed that the defendant had been giving interviews from Makeni, and that it was also a testimony of the kind of actions Gibril Massaquoi had been doing in Makeni.

The Prosecution responded that this was part of a series of several alleged interviews per telephone. The Prosecution stated that it had been proven that Massaquoi not only had been using a satellite telephone but was also able to hack the login details. They recalled that President Taylor had instructed the defendant to do so, and shown him how to. The Prosecution asserted that, based on that element, one cannot assume that Massaquoi had been in Makeni, even though he had claimed to be there. The Defense countered that the article didn't refer to a satellite call, only to a telephone call. The Prosecution then asked whether the journalist had been asked whether they specifically meant "telephone call". The Defense answered negatively and noted that the Prosecution hadn't been able to prove that Massaquoi had been elsewhere than in Makeni.

An Interview Report from May 2001

The next evidence provided by the Defense was a report of an interview that Massaquoi had given to several journalists on 4 May 2001. The Defense stated that this evidence showed what Massaquoi was doing on that day. When the Prosecution asked whether the Defense's point was to prove that Massaquoi *"had possibly given interviews on that specific date"*, the Defense responded that it was *"at least possible, at least reasonable"*. The Prosecution admitted that it was possible that Mr. Massaquoi had given such interviews on that day; however, one could not know from where or to whom the interviews were given.

A report of the Sierra Leonean Presidential Elections of 2002

The Defense presented a report of the Sierra Leonean presidential elections of 2002. Based on the report, the Defense explained that Johnny Paul Koroma was alive on 14 May 2002, which was

the date of the report of the election results. The Prosecution retorted that one could not assume with certainty that Koroma was alive on that date, since it is known that one cannot remove a person from a list if they die after standing for the election.

An article by the Washington Post from 2002

The Defense then introduced an article from the Washington Post, entitled *"Once-mighty rebels are biggest losers in Sierra Leone vote"*. The Defense explained that The Washington Post had met Massaquoi and had taken pictures of him. The Prosecution countered that it could not be concluded from the photo that the newspaper personally met Massaquoi, and there was no mention of a personal meeting in the article. The Defense indicated that the publishing date was 16 May 2002.

A photo from the Lehtikuva Photo Bank taken in 2001

The Defense proceeded to present their next documentary evidence. It consisted of a photo from Lehtikuva photo bank, taken on 27 September 2001. It represented Gibril Massaquoi in his house in Makeni. The Prosecution suggested that the date of the picture could be a metadata information rather than the actual date the photo was taken. The Defense said that they were not completely sure, but they assumed the date was correct and that the court was to decide. The Prosecution explained that if the metadata came from the camera, it was easily alterable. The Prosecution noted that the Defense could not ascertain the facts of the evidence they have themselves provided. The Defense responded that they couldn't imagine why a journalist would alter such information.

The Abuja Peace Treaty and Related Articles

The Defense then referred to the Abuja Peace Treaty, signed on 10 November 2000, underlining the significance of the date and the location. In that regard, the Defense then mentioned a series of articles. They first presented an article by Reliefweb.org, published on 3 May 2002, regarding a meeting held in Abuja. Then mentioned was the Lomé Peace Agreement, signed on 7 July 1999. Finally, the Defense referred to the Massacre in Liberia article, which was introduced earlier by the Prosecution. The Defense claimed that "Zizemara" and "Zigzag" Marzah were the same person. The Prosecution replied that the name referred to the person who was named in the article, and nobody else.

Employee 1's Notebooks

The Defense went on with the new documentary evidence by introducing the notebooks of Employee 1. The Defense explained that, by examining the notebooks, he would make the case that interrogations should exclusively be conducted by police, and argued that no one else should do this work. In that regard, the Defense referred to the Finnish Supreme Court case 2016:96, sections 24 and 15. The Defense demonstrated that some of the interrogation works had been outsourced to outsider organisations linked to GJRP and Civitas Maxima. The Defense pointed out that one "*alleged victim*" was linked to GJRP, and that the Finnish police had brought people linked to the victim to conduct interrogations.

The Defense claimed that Employee 1 had conducted official investigations for the Finnish police. The Defense presented a picture from the notebooks which showed preliminary interviews following the Finnish Preliminary Investigations Act [Chapter 7, Section 20]. On page 10, the Defense explained that one could see some instructions that had been given to Employee 1 by the Finnish police. These instructions referred to the themes to ask about: *"burning down the houses, diamonds, killings, commanders, bush armies"*. The Defense insisted that these notes were testament that it consisted of official interrogations, specifying that the Finnish police had instructed Employee 1 and had a meeting with Employee 1, with the goal of their mission being to collect evidence from the area. The Defense asserted that such proceeding was not a way to conduct preliminary interviews.

Referring to a note which mentioned the town of Kamatahun, the Defense deduced from it that the police had visited the place beforehand. From this fact, the Defense alleged that it was clearly already an official interrogation.

Continuing with that line or argument, the Defense criticized the quality of the notes, which were improper of official reports. There are no thorough indications as to who was interviewed, what was asked and what was answered. The Defense also noted that the notes didn't reflect the instructions given by the police, showing for instance that some pages had been torn out.

The Defense suggested that the Finnish police based their investigation on these notes and, when the police themselves travelled to the villages, they *"most certainly knew where to head"*. The Defense proceeded to raise several elements which made the notebooks, in their view, unreliable. They started by observing that on page 22, the remark "NOT NEEDED" was annotated next to someone's interview. The Defense wondered in what capacity was this interview not relevant and based on whose decision, hinting the reason was that the content of the interview didn't support the police's story. The Defense also identified some notes in which the year was manually altered, others where it said that translators had contacted interviewed people. The Defense claimed that some witnesses had been found with the help of GJRP and Civitas Maxima. On page 59, it showed that Employee 1 had been instructed to visit certain places like Katahun, Kamatahun Hassala, and other villages. The Defense concluded that Employee 1 had conducted interrogations which were to be done by the Finnish police only.

The Prosecution countered by saying that the reference to the court case of 2016 was completely irrelevant, as the notebook had not been presented as evidence against the defendant. The Defense responded that their intention was to demonstrate that a preliminary hearing is a means of investigation, and that they belong to the police. The Prosecution observed that in the case of 2016, the question was about materials later presented against the defendant. The Judge remarked that one couldn't dismiss the possibility that the Defense would have asked other questions to Employee 1, had they received the notebooks. The Judge also mentioned the possibility of having to hear Employee 1 once more. The Prosecution admitted this possibility but stressed that the Defense had implied that Employee 1 was ill-minded in his actions. The Prosecution qualified this as "unprofessional" from the defense side and that the intention was only to influence the court. The Prosecution asked the Defense whether they meant that the court shouldn't take this evidence into consideration or that the formal requirements of the preliminary investigations logbook may not have been entirely respected.

The Defense responded that they referred to the Preliminary Investigations Act that establishes certain formalities to the preliminary investigations. The Defense argued that, had the police travelled to Lofa, they wouldn't be discussing the question of the width of the preliminary investigation. They reiterated the work of Employee 1 constituted of preliminary investigation which affected some people's interviews. The Defense listed Civilian 64, Soldier 04, Civilian 35, Civilian 66, and Soldier 17. The Defense claimed that when the police hire an outsider to conduct interrogation on their behalf, there is a risk for a significant problem to the access to justice, as they are not able to refer to the notes of the interrogations. The Defense continued by saying that they find it problematic that persons from victims organisations are hired to conduct interrogations on the police's behalf.

The Judge then rephrased the Defense's question: *"How can we lay trust on the Employee 1's interviewees, as the interviews haven't been conducted by the police, but by an outsider"*. The Defense added that one must take into consideration the lack of competence and responsibility of an official police for the legality of their actions.

The Prosecution responded that they shared the view that these questions had not been preliminary questions pursuant to Preliminary Investigations Act.

After discussion with the Defense and the Prosecution regarding what had been presented by the Defense, the Judge invited the Defense to provide to the court and the Prosecution a written memoranda on the issue they raised. In the meantime, the Judge then invited the Defense to proceed with the other documentary evidence.

Identification of the accused: The National Board of Finland Guidance on Photograph Identifications

The next question presented by the Defense concerned the National Police Board of Finland guidance on photograph identifications. First of all, the Defense explained that the photograph identification had been carried out according to the rule book, so they didn't have anything specific to add to these identifications. However, the Defense expressed the opposite opinion regarding the video identifications, which they claimed had been concluded against the rulebook. The Defense explained that there hadn't been several video clips to be seen, and the measures had been short to the rules otherwise as well. They claimed that this was critical and may have *"corrupted"* the police investigations.

The Prosecution shared the Defense's view regarding the measures against the rulebook, saying that there had only been one visible video of the defendant. However, the Prosecution disagreed with the claim that it had caused a "risk for the access to justice". The Prosecution argued that the investigations may have been corrupted but not the Defense's access to justice. They claimed that it was the role of the Court to decide on such matters.

The Defense then referred to page 766 of the preliminary investigations material. They explained that there were indications made by the police regarding the chronology of when each witness had become part of the investigation. The Defense noted that some witnesses were found by Employee 1 or 2, some others by Civitas Maxima, and this was prior to the first witness

collected by the police. The Defense added that some of the witnesses had been marked as a part of the investigations before they appeared in the Finnish police's files. The Defense declared that it was upon the court to decide the significance this had on the case, and claimed that the role of Employee 1 had been crucial in collecting evidence and that the trustworthiness of the witnesses found by Employee 1 and Civitas Maxima could be disputed. The Prosecution recalled that some of the witnesses mentioned by the Defense were not part of the case. The Defense replied that they intended to demonstrate the *"loopholes of the investigation"*.

As with the prior evidence presented by the Defense, the Judge suggested that the Prosecution should have a redacted version of the evidence in order to have time to process it. The Prosecution reiterated that there were numerous people in the document that hadn't been part of the trial or the investigation, specifying that the court couldn't decide on investigations that were not part of the trial.

The Defense pointed out that in Monrovia they had offered the possibility of bringing to the court all of these people in order to question them regarding the trial. They reiterated that they wanted to give a clear picture of the investigation to the court. The Judge rephrased the point raised by the Defense as follows: *"What trustworthiness may be given to any specific witness in this trial or investigations."* The Prosecution responded that the Defense trying to show that all of these witnesses weren't trustworthy, regardless of them being part of the trial or not, wasn't acceptable. The Judge shared the Prosecution's claim and again suggested they would need a listing.

The Defense, going forward with the list of identifications, demonstrated that there were several pages without "positive identifications" by the witnesses. The Defense explained that the first positive identification was from December 19, by Soldier 14, who was brought to the investigation by Employee 1. They further expounded that there were several negative identifications. The Defense specified that after 31 October 2020, except for Soldier 38 and Civilian 4, all the witnesses had given positive identifications.

The Prosecution retorted that one must separate civilians from soldiers that have been fighting with the defendant, as the latter would recognise Massaquoi with a higher possibility. The Prosecution declared that they would like to have a redacted list so they can bring their view of this paper. The Defense replied that their point was to show that after a single event, every witness seemed to recognise Massaquoi. The Prosecution declared that it was to the court to decide what meaning should be given to this. The Defense insisted that the theme wasn't the reliability of the witnesses, but rather the fact that pictures of the defendant on the internet and Employee 1's actions may have altered the results of the identifications of Massaquoi.

The Judge indicated that more time would be given to the Prosecution to conclude their view on this matter.

The Defense recalled that they had been very critical toward many things during this trial, and that they had made a request for further investigations on three people. Two of them had already been interviewed. According to the Defense, the conclusion was that GJRP had been asking these people to testify against Massaquoi, *"for some kind of reward"*. They claimed that

the matter was so severe that they had to act and bring these people and the witnesses to testify about the role of GJRP in this trial.

Asked by the Judge whether they had anything to add, the Prosecution declared that they were obliged to act as well and bring new evidence. They added that the court would need to find some days in June for the new witnesses to be interviewed.

The Defense asked for Employee 1 to be removed from the case, the trial and the investigations altogether. The Prosecution commented that the counsels were now mixing things, and the Court would find it difficult to follow. The Defense acquiesced, and wondered aloud why, at the time, no measures were put in place following his critique. Lastly, the court, the Prosecution, and the Defense discussed the possible dates of hearing in June. The session ended with the Judge indicating that the next hearing would be on 2 June.

June 2, 2021 – [Finland] Day 36: A Short Hearing

The 36th day of public hearings resumed on 2 June 2021 in Tampere, Finland.

The Defense opened by saying that there had been a misunderstanding regarding the witnesses, as they hadn't received any contact information for the witnesses FNM-192 and FNM-178. The Defense explained that they couldn't reach them and have them come to court. After a discussion with the Defense and the Prosecution, the Court decided not to call the witnesses today and opted for rescheduling the hearings. They also agreed that they couldn't continue with day 36's topics, as the documents were not yet ready. The Court took a break in order to discuss the schedule of the hearings and indicated that FNM-201 would be heard on 7 June. The Court then referred to the fact that the Defense had expressed the wish to hear 3-4 additional witnesses. The Court recalled that it was their understanding that the meaning of hearing these new witnesses was to ascertain the trustworthiness of all the people that were heard previously in court. However, the Court expressed that they hardly saw how these new witnesses could be of any help in making this trial go forward because they might have had nothing to do with the previous witnesses. Therefore, the Court asked both the Defense and the Prosecution whether they believed that the summoning of all these new witnesses was necessary for the trial.

The Defense defended the view that hearing these witnesses was necessary. They explained that they had received more information regarding the investigations for this trial, and particularly the roles of GJRP, Civitas Maxima, and Employee 1, which had raised their concern. The Defense asserted that Civitas Maxima presented the case of Mr. Massaquoi as their own case on their website, and the Defense also noted that their website indicates that Civitas Maxima financially support GJRP, *"where investigators have been hired by the Finnish police to conduct investigations and collect witnesses"*. This, according to the Defense, made the reliability of the witnesses *"highly disputable"*. The Defense alleged that "some" of the witnesses have been offered "some kind of reward" if they would testify against the defendant. The Defense further asserted that the police and Employee 1 had deliberately been looking for witnesses that would be ready to testify against the defendant and had been ignoring *"every one whose stories have not supported the prosecution"*. The Defense described that, to their view, out of 27 witnesses, only 5 had not been "corrupted" by investigations conducted inappropriately. The Defense expressed that the purpose of summoning new witnesses would be to hear about the aforementioned organisations and their investigations, in order to evaluate the credibility of the witnesses they had interacted with.

The Prosecution responded by qualifying the Defense's allegations as "*extraordinary*" and expressed that it made the trial more difficult to conduct in a concise manner. The Prosecution explained that in order to respond to such allegations they needed to introduce new witnesses or testimonies. They clarified that they would need to collect new witnesses as well as new evidence, in order to stop the accusations from remaining up in the air and in the minds of the Court. The Defense commented that the theme of this new evidence would be the credibility of GJRP 1 and his organisation.

The Prosecution reminded the Defense that no one was intending to use the testimonies of witnesses interviewed by Employee 1 as evidence, so the entire conversation was "*somewhat unnecessary*."

The Judge ended the discussion on this matter and asked the parties whether there was something else they wished to discuss today.

The hearing ended and is due to resume on 7 June 2021.

June 7, 2021 – [Finland] Day 37: The Reports of Two Experts

The 37th day of public hearings resumed on 7 June in Tampere, Finland. The hearing focused on the reports of two experts.

Expert Report Presented by the Prosecution

The hearings opened with the presentation of Dr. Korkman's expert statement. The Prosecution started by explaining that Dr. Korkman was a renowned professional in psychology, and that they had requested her expertise because they had realized that previous statements by witnesses had changed over time. Turning to the main points of the report, the Prosecution noted that often a change in a witness' story is understood as proof of their dishonesty, but this is "*too black and white*." As Korkman points out, hearings are often stressful and stress affects a person's memory, and questions can be misunderstood. In addition, the details that a witness deems as important are often better remembered by them than other pieces of information. The Prosecution explained that the report provided evidence that solely on the basis that a witness has told their story differently in court than in preliminary investigations, one cannot conclude that the testimony is dishonest. Culture also plays a part in remembering, the Prosecution pointed out from the report, as there are different ways of defining passage of time and events. In addition, estimating dates and duration of events is something that humans are typically poor at, and answers are most often an estimate. Regarding the recognition of a person, it is understood to become harder with time. The Prosecution explained that the report found that due to stress and trauma during the investigation, witnesses often remember things better when they return home to their *"safe space"*. The Prosecution concluded their point by declaring that the preliminary investigations could be seen as a trigger that had activated the witnesses' memories.

The Defense exposed their opinion on the report; they understand that the main point of the report is that the longer time passes, the worse the witnesses remember. Then the Defense referred to page 2 of the report, where Korkman explains that memories are recollections, guesses and estimates. The Defense argued that this was in line with what they had been pointing out, that people in the villages talk with each other and share a lot of the stories. These stories and memories can change radically over time. The Defense declared that information shared in the media also affected memories, and that Korkman says that humans are very good at imagining how an event happened. The Defense then referred to page 3 and the distortion of memories. They recalled from the report that personal stories could be distorted, and that another person with the same recollections may activate the other person's memory. Moving to conflicting testimonies, the Defense quoted Korkman saying that the ability to discern experiences and construct a memory differed between persons and cultural groups. Based on that evidence, the Defense wondered whether they – as westerners – had the skills to evaluate how the Africans think and discern differently from western people. Referring to page 7 of Dr. Korkman's statement, the Defense asserted that witness testimonies have weakened evidentiary value regarding recognition. The Defense concluded by stating that Dr. Korkman's statement wasn't perhaps necessary to the trial, suggesting that, even if she read through records, she would not necessarily provide better conclusions.

The Judge then decided that they will not have Dr. Korkman come personally to testify.

Expert Report Presented by the Defense

The hearing then focused on the second expert report by Mr. Käihkö which concerned the Liberian Civil Wars. The Defense said that throughout the trial, it had been important to clarify the times of events, for example in Monrovia, and that the statement would help with this. They started by noting that the LURD's attacks in Monrovia had been called "World War 1-3", with the peace negotiations in Accra as context. The Defense noted that the LURD wasn't in Monrovia before summer of 2003. Regarding the so-called "Monrovia siege", the report explained that it referred to the third attack in Monrovia during the summer of 2003, and that the three attacks were referred to as "World War one", "World War two", "World War three". The attacks ended in August 2003 when Charles Taylor resigned and left the country. The element pointed out by the Defense was that LURD began coordinated attacks in Lofa in February 2001.

The Prosecution referred to page 8 of the report, and pointed out that shops were allegedly looted during different occasions, and that troops that tried to prevent looting through executions were themselves involved in these lootings. The Prosecution claimed that they couldn't assume that the witness testimonies ought to be specific during this period. Furthermore, the Prosecution noted, from page 5, that the LURD had previously carried out four large attacks in Lofa, the first time at the end of 1999 and the last in July 2000. The expert had noted that these events haven't been systematically investigated and recorded after the wars, implying that they haven't been properly documented in history. In his report, Mr. Käikhö explained that the fact that the war lasted from Christmas eve 1989 to August 2003 was one reason for the exclusion of these events from the historical record, as the violence had become normalized.

The Prosecution then addressed criticisms from the Defense that the Prosecution hadn't tried to prove guilt with written evidence. The Prosecution explained that, since most of the witnesses may be illiterate and lack education, there was rarely any written evidence. They argued that the absence of written evidence didn't mean that oral statements couldn't prove guilt. The Prosecution concluded by saying that the study conducted by Mr. Käihkö had faced the same issues as the court proceedings.

The Defense commented that they had been able to collect more evidence when the testimonies had been more specific regarding time periods. Referring to the report, the Defense noted that the most violent acts had been committed towards the end, during the summer of 2003. The Defense claimed that the Prosecution relied in most cases on the fact that "it is possible", and defended that the court couldn't rely on facts that may or may not have happened. They insisted that there was no proof or records that the attacks had happened in Monrovia, and stated that, following Mr. Käihkö's report, attacks had happened in Lofa.

The Prosecution recognized that investigating had been hard and that many elements remained unclear. They expressed the wish to ask Mr. Käihkö whether he had heard the name of the defendant in some form or another during his investigations. Asked by the Judge whether they wished to hear the expert, the Defense responded that they wanted to check with him first whether *"he [was] able at all to answer the few unclear questions about his statement"*. The Defense specified that they would answer by the day after. For their part, the Prosecution stated that they didn't have a need to hear the expert. They recalled that the law required the expert to

be impartial, and believed that they couldn't have Mr. Käihkö both as an expert and as a witness. The Defense replied that they should find a solution so that they could have any additional information such as names that the expert had heard during the expeditions. The Prosecution commented that the Defense had to choose whether Mr. Käihkö was to be heard as a witness or as an expert. The Defense offered that Mr. Käihkö "has studied a lot so he could have more information." After discussing with the Prosecution whether Käihkö should be heard, the Defense recalled that in the witness hearings the defendant had been pointed as having the main role, and wondered why the defendant's name hadn't been mentioned before in other records. The Prosecution reiterated that if Käihko was to be heard and questioned concerning the names, then that would make him a witness. The Defense responded that they needed time to think about it and inquired if they could ask Käihkö whether he knows anything about Massaquoi prior that they assess whether they hear him or not. The Judge retorted that this was problematic.

The Defense maintained that having Mr. Käihkö as a witness could be as valuable as having him as an expert. They indicated that they would write to him and ask him if he had in any way become aware of names and titles during the expeditions. If the answer were to be positive, then they would have a new situation, the Defense added. The Prosecution clarified that Mr. Käihkö had to understand that they were asking questions on culpability, and not just searching for causality. The Judge declared that they would follow the proposal of the Defense.

The afternoon session focused on scheduling the upcoming hearings of this week and next. The hearing will resume on Friday 11 June.

June 11, 2021 – [Finland] Day 38: The Hearing of the Expert Witness Mr. Käihkö

The 38th day public hearings resumed on 11 June 2021 in Tampere, Finland. The day's focus was the hearing of the expert witness Mr. Käihkö, whose report was discussed in previous hearings.

The Defense questions Mr. Käihkö

The Defense opened by asking the expert witness about his education and experience on the matter of the Liberian civil wars. Mr. Käihkö stated that he was a docent in military sciences and that he had conducted 15 months field study on Liberian Civil Wars. He specified that the study took place between 2012 and 2021, but mostly in 2012, 2013, and 2017. When asked whether he would like to add anything to his statement, Mr. Käihkö replied that he did not.

The Defense proceeded to ask specific questions based on the report. The Defense referred to page 8 of Mr. Käihkö's expert witness statement, where the expert explained that during the Waterside violence, LURD invaded the Freeport of Monrovia. Then, the Defense asked the expert witness whether he had observed violence prior to 2003. Mr. Käihkö answered that it was difficult to estimate, as there was chaos in Monrovia such as robbery, and famine. The expert witness declared that, to his understanding, there was violence during the summer of 2003. The Defense then asked about an incident in West Point, when Charles Taylor's SSS troops shot into a store that was being robbed. The Defense wished to know when it had happened. The expert witness explained that no one was able to state the exact date; however, he was under the impression that it happened in 2003. He further declared that someone had stated that "50" was present during the operation, but specified that he was unsure as to whether "50" was there to calm the situation or the one calling the shots.

Asked how many people he had interviewed and where these interviews had taken place, Mr. Käihkö described that he had interviewed around 300 soldiers in Monrovia, in 15 different provinces, as well as in one city in the east. Additionally, he stated that he interviewed hundreds of civilians, and that some of the conversations were informal. Referring to page 16 of Mr. Käihkö's statement, the Defense asked the expert witness why he had stated that staying in Waterside in 2012 had been an integral part of his study. The expert witness responded that during his time in Monrovia, he was living near Waterside, which made it easy to commute by taxi and conduct interviews in the neighboring areas, including Waterside. Mr. Käihkö explained that some names came up during these interviews, and that people were still scared to talk about the war. The Defense wished to hear about the names mentioned during the interviews. The expert witness stated that there were mentions of names of people from the troops, and names of commanders. He expressed his doubt as to whether it was appropriate to name them during the trial. Upon the insistence of the Defense, Mr. Käihkö declared that the defendant's name didn't come up during the interviews, and neither did the name Gabriel. He reported two names of Liberian militias, and the name "Zigzag", and two other names from Sierra Leone. The Defense then asked why people would use warrior names. Mr. Käihkö explained that they did so in order to create a role for themselves during the war, or only for dramatics. He exemplified this by saying that many people went by the name of Rambo. The expert witness specified that these warrior names were used inside the organisations.

When asked by the Defense whether he considered it normal for someone to reveal their warrior name when killing other people, Mr. Käihkö responded that it depended on the situation. He explained that one might reveal their name in order to scare people and to teach them a lesson, specifying that the troops were also known by their real name. Mr. Käihkö asserted that when one reveals both their warrior name and real name, it means that warrior name isn't used to protect the person's real identity.

Referring to the expert's statement, the Defense wished to understand why 40 people who took part in the Liberian war were mentioned as to have been essential to the study. The expert witness explained that he had spent a lot of time with them, and that it is difficult to find people willing to talk about the violence civilians endured. He stated that he was able to gain a fuller understanding of their experiences, but specified that their stories were not always consistent. When asked by the Defense, Mr. Käihkö asserted that these people had stated some names and talked about the events in Waterside and Monrovia. He specified that they mentioned bigger cities rather than small villages, and also some dramatic events in Foya.

The Prosecution questions Mr. Käihkö

The Prosecution started by asking the expert witness whether he had visited Lofa and other smaller villages. Mr. Käihkö explained that he wasn't able to visit every small village but visited villages west of Foya, as well as Voinjama. He specified that the above-mentioned civilians were from the Voinjama area, the troops interviewed were from Liberia, and LURD troops were originally from Guinea, but no longer had an established home. Mr. Käihkö also stated that the people he interviewed in Monrovia and Waterside were from West Point, which is near Waterside, and that more than half of the civilians he interviewed lived in West Point or Waterside.

The Prosecution then asked Mr. Käihkö why, to his view, Liberians have difficulty in telling when everything occurred, and specifically are not able to state months or years. The expert witness explained that low level of education and not being able to read played a part. He described that the people he interviewed *"would typically only know the current day of the week"*. Mr. Käihkö also noted that they had difficulties to state the exact moment something happened, and stated that the fact that these events were traumatic may also have affected the narrative. The Prosecution then asked Mr. Käihkö's opinion regarding how he evaluates the reliability of somebody's story and knows whether they are telling the truth. Mr. Käihkö replied that it was a difficult question and said that he can compare stories told on several occasions over a wide time span. He declared that if the narrative was consistent then he trusted that someone was telling the truth.

Additional questions from the Defense and the Prosecution

The Defense inquired about the people interviewed by Mr. Käihkö, whether they were able to tell when something happened. Mr Käihkö responded that they were able to place the event before or after other occurrences, and that by connecting these events he was able to build a timeline. Sometimes they were able to indicate the year, but it was not necessarily precise. Mr. Käihkö explained that when the year was inaccurate, it would depend on the person interviewed whether he would rely more on the year or on the occurrence he was told about. The expert

witness then stated that the battle in Irongate/Water Bridge took place in 2003. The Defense wished to know when the LURD were in Vai Town. The Prosecution and the Defense then argued over whether the question was appropriate, but the Judge approved it. The expert witness replied that it was during summer 2003. When further asked by the Defense, Mr. Käihkö stated that the LURD was in Duola and Old Bridge in July 2003.

The Prosecution asked whether people were able to tell what the LURD was, who was part of it and what they did. Mr. Käihkö declared that the LURD was not acknowledged well until 2002, and that not many Liberians are able to understand what happened during the war.

Referring to the ignorance of the LURD from civilians, the Defense wished to know how the expert witness was able to ascertain that the LURD actually existed and was active in 2003. Mr. Käihkö explained that his work was based on narratives, video material, and written sources. He specified that there was no record of battles against the government until 2003.

Discussion between the Court, the Prosecution and the Defense

The Defense claimed that there had been two different types of evidence and that witnesses talked about two different events. They wished to ask the Prosecution whether today was about one or two different events. The Prosecution responded that when referring to the Waterside shootings into stores, there had been multiple occurrences. The Defense commented that there might be *"several different occasions"*, and the Prosecution said that not everyone knew that these events were connected to the LURD.

The Defense explained that the witness statements were an integral part of this case. They announced that in their closing statement they would make a summary of the witness statements, since it is difficult to evaluate the statements as a whole. They specified that they would present a table containing all witness statements and in the order they were heard about Monrovia events. The Defense explained that originally all the Witnesses in Monrovia talked about the LURD and the war in 2003. The Defense also claimed that the Prosecution's witnesses changed the timeline after Massaquoi was in the safehouse. The Prosecution commented that they thought that this was very problematic. The court declared that they encouraged the Prosecution and the Defense to discuss it first. The Defense indicated that they could send the table to the Prosecution, noting that the police investigation and how it had been conducted was essential regarding the result of the trial.

The Court and the parties discussed the schedule of the next hearings. The Prosecution said that they were expecting the additional investigation report concerning the new witnesses and their hearing, and that they should be available at the beginning of the coming week. The Judges commented that the sooner, the better, but indicated that they were willing to be flexible with their summer holidays in order to finish the trial. They indicated that they would continue with the hearing of Morrisette from Canada on 16 June.

The hearing ended and will resume on 16 June 2021.

June 16, 2021 – [Finland] Day 39: A New Witness is Heard

The 39th day public hearings resumed on 16 June 2021 in Tampere, Finland. The day's focus was the hearing of a new witness.

Witness FNM-228 is Heard

The Defense questions the Witness

The Defense opened by indicating to the witness that they would go over the elements discussed in the witness's interview with the Finnish police in December 2020. The Witness began by explaining that, art the Special Court for Sierra Leone, he was Deputy Chief of Investigation for three years before becoming Chief of Investigation for another three years. He specified that he worked for the Special Court from October 2002 to 2008. The Witness declared that, shortly after arriving in Sierra Leone, he was introduced to Massaquoi by FNM-201. He further indicated that Mr. Massaquoi was a witness for the Special Court. The Witness explained that he saw Mr. Massaquoi when he was interviewed for several weeks, and a couple of times outside the interviews. He said that he and the defendant kept in touch "*on and off*" in this time. He clarified that they had informal conversations, and that it was always before or after the interviews, for example, while the Court reporter set up the transcript equipment, but not outside of the interviews. The Witness couldn't remember how many times he interviewed Mr. Massaquoi, but indicated that at first, Massaquoi's interviews took place in hotels, and later they were conducted in the downstairs office of the Special Court.

The Witness indicated that the defendant lived in a private residence but was later moved for security reasons. He stated that he would contact the Witness Victim Security (WVS) unit when he needed to communicate with him, and that he wasn't sure whether the private residence was located in Freetown or not. The Witness confirmed that he had talked on the phone with the defendant during the whole investigation. When asked by the Defense, the Witness explained that Mr. Massaquoi was spokesperson for the RUF and later was a witness for the Special Court prosecution. He clarified that the prosecution conducted the interviews with Mr. Massaquoi, and that he himself didn't attend the *"actual"* interviews. The Witness recalled one occasion when Mr. Massaquoi called him saying that he didn't want to collaborate with the court. He complained about the treatment he was receiving from the Witness Victim Security unit. The Witness then arranged to take him to a resort outside of Freetown, specifying that the Witness Management Unit took Mr. Massaquoi back to the safehouse after lunch. He added that he was not aware of the defendant ever going outside for longer periods of time after that episode. The Witness stated that Mr. Massaquoi had called him on that specific day, and that he himself (the Witness) never contacted him.

The Defense asked whether the Witness had interviewed people in Liberia during the investigations and what he had questioned them about. The Witness replied that he did interview numerous people in Liberia and described that he questioned them about Charles Taylor, Sam Bockarie, and Benjamin Yeaten. The people he interviewed – he couldn't remember how many they were but specified that all documents were stored in the database of the Prosecutor's office – talked freely and he had a team of investigators from the Prosecutor's office with him. The

Witness started interviewing people in 2002, and the investigations went on until he left in 2008. The Defense then asked the Witness whether he remembered other names that were mentioned in the course of these interviews. In particular, they asked if the names of Angel Gabriel or Gibril Massaquoi came up. The Witness replied that many names were mentioned that he couldn't recollect but never the names indicated by the Defense. The Witness also indicated that he didn't participate in drafting the witness protection program agreement but thought that it was done by FNM-201 and FNM-229. He also said that he was not familiar with the terms of the agreement. In response to a question from the Defense, the Witness confirmed that if Mr. Massaquoi had continued to participate in the war, this would have had an impact on his participation in the witness protection program. The Witness added that there had been no evidence or intelligence of Mr. Massaquoi participating in anything going on. He reiterated that he didn't contact Mr. Massaquoi during that time and that Mr. Massaquoi always showed up on time for the interviews.

The Defense concluded its questioning with a series of questions about Sam Bockarie and the defendant. The Witness explained that Sam Bockarie was dead and that he saw his body when it was brought to Freetown. He added that the body was taken to the mortuary and that a person from the investigation unit and a coroner conducted an autopsy. He recalled that this happened in May or June 2003. The Defense asked if Mr. Massaquoi was protected before he was placed in a safehouse. The Witness answered that the defendant collaborated with the Prosecutor's office "from day one", specifying that he was in the safehouse all the time.

The Prosecution questions the Witness

The Prosecution opened by questioning the Witness about the RUF. The Witness explained that RUF was short for Revolutionary United Front and that they were active in Sierra Leone. He went on to say that three rebel groups were involved in the civil war: the RUF, CDF and AFRC. He added that the war was mainly fought in Tongo, where the diamond mines were located. The Witness explained that the diamonds were sold to Burkina Faso, and somewhere else, in order to obtain weapons to continue the fighting. On the question of whether the RUF fought in Liberia, the Witness said there were many rumors suggesting this, but he said he had not seen any evidence. He noted that there was an RUF house in Liberia where diamonds were sold to Charles Taylor in exchange for weapons. Asked by the Prosecution about the verdict in the Charles Taylor case, the Witness said that he was familiar with the verdict but he could not recall whether the court had said anything about the RUF fighting in Liberia.

The Witness reiterated that he met the defendant for the first time in October 2002. He went on to explain the procedure of the interviews. At the start, he interviewed Mr. Massaquoi for about a week but the defendant "had so much information that we brought in a court reporter from ICTY to make notes. The procedure went as follows: investigator asked, court reporter wrote, we got a finished memo at the end of the day". The Witness did not remember how long the interviews lasted, but he recalled that they were interspersed with breaks, usually of a day or two. When questioned by the Prosecution, the Witness stated that to his knowledge there were no breaks that lasted longer than a day or two, and it was impossible that there were breaks that lasted for months. The Prosecution pointed out that the interview memoranda indicated that there were breaks that lasted weeks or months, and the Witness expressed that he was surprised, and to his knowledge, there was no breaks.

The Witness didn't remember the last time Mr. Massaquoi was interviewed, nor what happened afterwards, nor what Mr. Massaquoi did next. The Prosecution pointed out that the Witness initially stated that he did not know where the defendant was living when the interviews began, which the Witness affirmed. The Prosecution highlighted that the Witness had indicated that Mr. Massaquoi was taken to a safe house at the beginning of the interviews. The Witness acknowledged this but said that he did not know where the safe house was. He thought the year was 2002 but didn't remember the month. He said he remembered the year because he was introduced to Mr. Massaquoi by FNM-201 shortly after he arrived in Sierra Leone. The Witness explained that the interviews continued and that, after the interviews, the defendant was placed in the safe house. Addressing the breaks between the interviews, the Prosecution pointed out that, according to the transcripts, Mr. Massaquoi was interviewed on 10 September 2002, and the next interview took place on 8 October. The Prosecution noted that there was almost a month between the two interviews. The Prosecution stated that everything available to them was provided by the Special Court. They then gave another example of the time between interviews, noting that the accused was interviewed on 5 December and again on 17 February. The Witness replied that this was due to the Christmas and New Year holidays. The Prosecution then rephrased a question that had been asked before: was it possible that there had been breaks longer than two days? They said the Witness had previously mentioned that the breaks lasted only a day or two. The Witness explained that the defendant was "*brought in, interviewed, court reporter did the transcript, the defendant was taken to the safe house after, the investigation unit reviewed the transcript and planned the interview for the following day*". The Witness also indicated that he did not know if there were occasions when the breaks between interviews lasted more than two days, as they were conducted almost always day to day.

The Prosecution went on with a third example of longer break between the interviews, noting that Mr. Massaquoi was interviewed on 2 November 2002 and then on 3 December 2002. The Witness wished to ask the Prosecution a question and the Prosecution told him that he had to answer the question put to him, i.e. whether the Prosecution was missing any transcripts. The Witness replied that he didn't know, as they didn't let him ask his question. The Prosecution then asked the Witness what the defendant did during the breaks and where he was. He replied that outside of the interviews, he did not know where the defendant was or what he was doing. The Witness added that the defendant was under the protection of the Witness Victim Security unit. With regard to the transcripts, he explained that one copy was kept by the Evidence Unit and another by the Criminal Intelligence Unit, and that the latter analysed the transcripts and reported to the Office of the Prosecutor.

The Prosecution then focused their questioning on interviews conducted by the Witness in Liberia. The Witness stated that they did not conduct any interrogations but only questioned witnesses. When asked who conducted the interviews, the Witness replied that they were members of the investigation unit. He said that he had conducted the interviews on a few occasions and that he had been present during some of the other interviews, but that he had not conducted all of them. The Prosecution then asked how he was certain that the names of Gibril Massaquoi or Angel Gabriel had not been mentioned. The Witness replied that all of the interview transcripts were reviewed by him. He didn't know how many interviews were conducted by the Special court but claimed to have read them all. The Witness explained that they went to Liberia as part of several fact-finding missions on Charles Taylor and the RUF. They interviewed people from the US and Canada embassy, people who lived there and knew what had happened. They developed sources and came up with informants to interview in order to

identify witnesses, whom they then interviewed. The Witness reiterated that all the transcripts were in the evidence unit of the Special Court. Asked by the Prosecution, the Witness indicated that the interviews were conducted in motel rooms, restaurants, and beaches. Places where the witnesses felt comfortable. Interviews were held mainly in Monrovia, and a couple of times on the outskirts of Monrovia. The Witness didn't know where the witnesses came from, but noted that such information was recorded in the statements. When asked about the background of the witnesses, the Witness also replied that he did not remember but again indicated that this information was part of the statements.

Referring to a question from the Defense, the Prosecution asked whether it was correct that the witness was unaware that the accused had committed crimes after being admitted to the witness protection program. The Witness stated that it was correct. He also said he was not aware of Mr. Massaquoi committing any crimes before joining the program. The Witness indicated that Mr. Massaquoi's background was checked with the Sierra Leonean police, different organizations, and embassies. When asked whether the Special court conducted their own background check about the defendant's possible criminal background, the Witness said they talked to people, such as the police and people from embassies, who seemed to know Mr. Massaquoi, "*and that was it*". The Prosecution then asked whether the Special Court knew whether Mr. Massaquoi was involved in the diamond trade. The Witness replied that Mr. Massaquoi was the spokesman for the RUF, and that one of his tasks was to arrange for diamonds to be transported to Liberia for Charles Taylor in exchange for arms. He had no idea how many times the defendant had travelled to Liberia in connection with these activities. When asked, the Witness indicated that he had taken Mr. Massaquoi to the Town and Country Lodge resort when the defendant had complained about the Witness Victims Unit. He said that they went with the Chief of Witness Management Unit and a couple of people from the Investigation Unit. The Witness didn't remember when this happened and stated that to his knowledge Mr. Massaquoi didn't go to Liberia after collaborating with the Special Court. He knew that Mr. Massaquoi had travelled to Liberia as part of his activities as spokesperson for the RUF, where he met Charles Taylor at the RUF house to exchange diamonds for guns. He did not know when the defendant had visited the RUF house in Monrovia, but recalled that Charles Taylor and the RUF had a special relationship, which he described as a business relationship, pertaining to diamonds and guns.

Asked about FNM-201, the Witness described him as the Chief of Investigation for the Special Court for Sierra Leone. He indicated that he had been recruited to the Special Court by FNM-201 and FNM-230. The Witness went on to say that FNM-201 may have participated in the interviews of Mr. Massaquoi, the first one or two times. But he said he wasn't sure about that. The Witness recalled that FNM-201 had introduced him to Mr. Massaquoi because he had to go out of town on a mission. The Witness was not told where. To the Witness's knowledge, FNM-201 and Mr. Massaquoi did not meet after the first interviews he previously mentioned. He acknowledged that it was possible that Mr. Massaquoi had been involved in peace negotiations in Liberia, but he had no knowledge of Mr. Massaquoi attending them. When asked about GJRP 1, the Witness said he knew him very well, and knew his partner, Alain Werner. He explained that Alain Werner was one of the attorneys at the Special Court, and that he knew GJRP 1 through intelligence sources but did not collaborate with him or know him personally. The Witness didn't remember meeting GJRP 1, but stated it was possible that they met. Asked whether he was under the impression that GJRP 1 was a member of a militarist group at some point, the Witness replied that he didn't know.

The Witness stated that Mr. Massaquoi was very truthful during the interviews. He didn't know why the Mr. Massaquoi was not heard in the trial against Charles Taylor, as he was no longer at the court. Asked if he was not interested to know why Mr. Massaquoi was not heard, the Witness replied that it was up to the prosecutor to decide who they wanted to hear. The Witness declared that he was not aware of the content of Mr. Massaquoi's witness protection program agreement, and that he had not signed it. Then the Prosecution referred to written evidence that the agreement had been signed by Massaquoi and the witness on the 23rd of October 2002. The Witness reacted by saying this was news to him, and that perhaps he had forgotten because he thought FNM-201had signed the agreement. When the Judge showed him the agreement, the Witness recognized his signature and apologized to the court.

The Defense questions the Witness further

The Defense asked who negotiated the terms of the agreement. The Witness replied that he did not and asked what the date of the agreement was. The Defense informed him that the date was 23rd October. The Defense noted that it was understandable that the Witness did not recall all the dates, and asked whether, as mentioned in the transcripts, the first interview of Mr. Massaquoi took place on 7 September 2002. The Witness recalled that he arrived in Sierra Leone in October 2002 and was presented to Mr. Massaquoi a few weeks later.

When asked by the Defense, the Witness explained that every time he met Mr. Massaquoi for an interview, someone accompanied him from the safe house as protection. He said that when they went to the resort, there was also security. The Defense asked if someone would have notified the Witness in the event that the defendant left the safehouse alone, and the Witness replied, "*I sure hope so*." The Witness explained that Mr. Massaquoi was under the protection of Witness Victim Security (WVS), who were responsible for security. The Witness said the Office of the Prosecutor founded the Witness Management Unit (WMU) because the "*security was not sufficient*" but the safehouse was still under WVS's responsibility. The Defense wished to clarify two elements. First, they wished to know whether Mr. Massaquoi was protected by WVS before he was placed in the safe house. The Witness replied yes, or at the least, he was supposed to be, and that Mr. Massaquoi was never missing or somewhere unknown. Secondly, the Defense wished to know what the Witness meant when he mentioned the problems Mr. Massaquoi had with his security. The Witness explained that WVS did not take him out. He specified that to his knowledge there had been no problem before the safe house.

The Prosecution questions the Witness further

The Prosecution sought clarifications on when Mr. Massaquoi was taken to the safe house. The Witness replied that he did not remember. The Prosecution then asked whether it happened in the context of the arrests of other people. The Witness said he didn't think so. They were arresting people during the investigation, and the WVS unit brought Massaquoi back and forth, which continued until the Office of the Prosecutor established their own WMU. The Prosecution sought clarifications so the Witness said that he did not know when Mr. Massaquoi was placed in the safe house, as the WVS unit brought the defendant to them.

The hearing ended and will resume on 17 June in Tampere, Finland.

June 17, 2021 – [Finland] Day 40: Two New Witnesses Are Heard

The 40th day of public hearings resumed on 17 June 2021 at Tampere District Court, Finland.

Witness FNM-178 is Heard

Judge Paiho opened the hearing by noting that this Witness had the right to decline to testify pursuant to section 17, Chapter 17 of the Finnish Code of Judicial Procedure, based on the Witness' close relationship to Mr. Massaquoi. The Witness indicated that he would not exercise this right, and that he would testify.

Defense Counsel Questions the Witness

The Witness stated that he knew Mr. Massaquoi from Sierra Leone. He explained that Mr. Massaquoi was in prison from 1998 to 1999, and that the Witness himself was in prison from May 2000 to August 2001. At the time of his release from prison, the Witness lived at his uncle's house in Freetown, and heard from other family members that Mr. Massaquoi lived in Makeni. Following the Witness' release, he believed that he first met with Mr. Massaquoi in early 2002, though he was not entirely sure of the date, explaining that they were together before the election in May 2002. The Witness clarified that they first met in Freetown, and that Mr. Massaquoi moved from Makeni to Freetown with his family, as Mr. Massaquoi had some problems with people in Makeni. He added that Mr. Massaquoi was living at Thunder Hill 44 in Freetown, and that Mr. Massaquoi had already moved to Freetown in 2002 before the election in May. The Witness further clarified that he lived at the same address as Mr. Massaquoi, and that Mr. Massaquoi had moved to that address before the Witness arrived. In addition to Mr. Massaquoi and the Witness, FNM-192, Witness 1, Witness 10, FNM-213, FNM-194, the children, and FNM-231 lived there. The Witness indicated that one of the individuals in the audience of the courtroom lived at the address as well. The Witness was not sure how long he lived at Thunder Hill, but estimated that he moved there in 2002 and left in 2003 during the same month that Issa Sesay was prosecuted. When they left Thunder Hill, they moved close to Wilkinson Road, and stayed for a year.

The Witness noted that there were different people living at Wilkinson Road, including Mr. Massaquoi, FNM-194, FNM-231, FNM-198, and FNM-192, as well as the Witness himself. Mr. Massaquoi then moved from Wilkinson Road to a residence a short distance away, close to the Special Court and the Brooksfield Hotel. They lived there for less than a year, and then, in early 2005, moved to Kingtom. The Witness clarified that, in 2003, both he and Mr. Massaquoi lived at Thunder Hill and at Wilkinson Road, and that the Special Court arranged these homes.

The Witness explained that there were always safety people and police at the housing arranged by the Special Court: "*nobody could leave without telling*". The Witness recalled that he moved into a residence with this type of security arrangement in 2003. Again, he did not remember the month, but stated that it was the same month that Issa Sesay was prosecuted. The Witness did not know why these arrangements were in place, but that they existed to protect them. He noted that he saw white people coming to speak to Mr. Massaquoi, and stated that Mr. Massaquoi could not leave the residence but "*if he needed anything, he always sent me*". He added that, if

Mr. Massaquoi did leave the house, it was always with security people. The Witness recalled that he and Mr. Massaquoi travelled to Bo, Sierra Leone to attend a funeral, but stated that, in 2003, he, Mr. Massaquoi, and the security personnel did not travel anywhere else. The Witness further indicated that Mr. Massaquoi was never absent from the house in 2003, and especially not for a period of more than four days. He then explained that later, in 2007 or 2008, Mr. Massaquoi was at times away from the safe house for a day or two. The Witness affirmed that he lived at the safe house the whole time after moving in 2003.

Turning to the time before they moved into the safe house, the Witness described Mr. Massaquoi's role in the elections. The Witness noted that everyone was siding with political groups, and that Mr. Massaquoi went to campaign in Segbwema, though the Witness did not accompany him. During the campaign, the longest Mr. Massaquoi was away from Freetown was a period of two to three days. The Witness stated that Mr. Massaquoi did not travel to Liberia at the time they were in contact and living together in Freetown.

The Prosecution Questions the Witness

The Prosecution began by asking the Witness to explain why he had been in prison. The Witness stated that, after the 2002 demonstrations in Freetown, they were looking for anyone close to the RUF and knew of the Witness' relationship with Mr. Massaquoi. The Witness explained that he was at school and was not in Freetown, but that the country was in an emergency so many people were captured, and that was how he was imprisoned. The Witness clarified that people believed that he was a member of the RUF, but denied ever being a member.

The Witness confirmed that he met Mr. Massaquoi at the beginning of 2002, and that they moved in together at this time. He added that Mr. Massaquoi moved into the home before the Witness did, and that the Witness lived alone before this. They lived together until they all left for Finland on 12 August 2008.

The Witness again stated that Mr. Massaquoi never went to Liberia during the time that they lived together. When asked how he was sure of that, the Witness stated, "*how can I not be? I did not see him going anywhere. I always knew where he was*". The Prosecution asked the Witness whether he spent all his days with Mr. Massaquoi from the beginning of 2002 up to the point that they moved to Finland, and the Witness said that was the case. The Witness restated that Mr. Massaquoi went campaigning in Segbwema, in eastern Sierra Leone, and that he did not accompany Mr. Massaquoi on those travels. The Witness then clarified that he did not spend every single day with Mr. Massaquoi, acknowledging that, for those two-to-three-day periods, he was not with Mr. Massaquoi.

The Witness stated that he did not know whether Mr. Massaquoi had family outside of Sierra Leone, but acknowledged that he heard Mr. Massaquoi had a daughter living in Liberia. He explained that, by the time the Witness met that daughter, FNM-231, Mr. Massaquoi was already in Freetown, and that the Witness did not know where she came from. He added that he first met FNM-231 in 2002 or 2003, and repeated that he had no idea how she came to Freetown. The Witness acknowledged that Mr. Massaquoi had a girlfriend, Witness 13, in Monrovia, and that he heard about this when he was released from prison. The Witness did not know how Mr. Massaquoi and Witness 13 were in contact, nor when their relationship started, because he was

in prison. He did not remember when or where their child was born, but knew its name was FNM-232.

With respect to the safe houses arranged by the Special Court, the Witness did not know why these houses were arranged but opined that it must have been to keep Mr. Massaquoi's family together. The Prosecution asked whether Mr. Massaquoi's mother was included in his immediate family, and Witness acknowledged that she was, though she lived in the provinces. According to the Witness, Mr. Massaquoi did not leave the safe house very often: only "*if the Special Court needed him*". The Witness did not know exactly what Mr. Massaquoi did when he left the house, just that "*it had something to do with the Special Court*". The Witness stated that nobody other than the family lived in the safe houses, to which the Prosecution noted that other witnesses had stated otherwise. The Witness explained that perhaps security lived there, and that they had visitors, but nobody spent the night. The Prosecution noted two names that had been provided by other witnesses, FNM-224 and FNM-187, to which the Witness responded that he had never heard such names, suggesting that the Prosecution could ask the Special Court for more information.

Turning to the Witness' membership in the RUF, the Witness again stated that he was never a member and further indicated that he never used a code name. The Prosecution asked specifically whether the Witness used the code name "FNM-235", which the Witness denied. The Prosecution then noted that, during the preliminary investigations, Mr. Massaquoi stated that the Witness was a member of the RUF. The Witness again denied this, explaining that, to become a member, he would have had to receive training, which he had not. He argued that whatever he had done, he had done it for Mr. Massaquoi. He repeated that he had nothing to do with the RUF, and did not know why Mr. Massaquoi said otherwise. The Witness then suggested that the term 'membership' should be defined, as supporting them once in an election would result in a large amount of RUF members. The Prosecution stated that, during the same interviews, Mr. Massaquoi told them that the Witness did use the name "FNM-235". The Witness explained that everyone had several names, and that his associates called him different names, like FNM-240. He then admitted that, sometimes, people called him "FNM-235".

The Prosecution then asked whether Mr. Massaquoi had any code names, and the Witness stated that he did not know. When asked whether he had heard the names Angel or Gabriel, the Witness stated that he had, as they were both names. He had not, however, heard these names being used to refer to a particular person.

The Witness stated that knew Witness 1, a family friend, and Witness 12, a family member. The Prosecution noted that both men had told this Court that the Witness was a member of the RUF. The Witness stated that that was their opinion, and added that he did not come to talk about himself. The Prosecution asked the Witness why Witness 12 did not live at the safe house, and the Witness explained that he lived in the province with his wife and children.

Counsel asks the Witness further questions

Defense Counsel asked the Witness whether he knew a person named Witness 6, and the Witness stated he did. The Witness noted that Witness 6 may have visited the safe house, but did not live there.

Defense Counsel then asked the Witness to clarify some aspects of the demonstrations he mentioned earlier in his testimony. The Witness stated that the demonstrations took place in May 2002 and affirmed that the demonstrations were the reason why he was captured, though he was not present at them. The Witness added that he went to school in Port Loko and that people were arrested all around the country.

Witness FNM-192 is Heard

Judge Paiho opened the hearing of this Witness by noting that she was Mr. Massaquoi's former spouse, and thus could exercise her right to refuse to testify. The Witness declined to exercise this right.

Defense Counsel Questions the Witness

The Witness began by stating that she met Mr. Massaquoi in 1990 while playing volleyball. They subsequently began a romantic relationship and were married in 2002.

With respect to her knowledge of the time Mr. Massaquoi spent in prison, the Witness noted that during the war, Mr. Massaquoi refused to join some forces, so he was arrested, beaten, and put in a pit. She heard from her father's friend that Mr. Massaquoi had been arrested. Mr. Massaquoi was then arrested again a few weeks later. The Witness added that in 1997 and 1998, Mr. Massaquoi was arrested and was with the AFRC until 1999 or so. When Freetown was bombarded on 6 January 1999, he was released along with all the prisoners. The Witness then met Mr. Massaquoi in Lunsar in either January or February following his release, as all the prisoners that had been released were on their way north. The Witness then lived with Mr. Massaquoi in Lunsar until December 1999, when they moved to Freetown. At one point, while living in Lunsar, the town was attacked, and the Witness fled to the woods temporarily. The Witness stated they moved to Freetown because it was safer, Foday Sankoh was there, and the peace process was happening. The Witness added that Mr. Massaquoi traveled to Togo to be part of the peace process in 1999, while they lived in Lunsar and she was pregnant with her second child. Once they moved to Freetown, Mr. Massaquoi worked with Foday Sankoh as a spokesperson. They lived in Murray Town, Freetown, from December 1999 until Foday Sankoh was attacked. The Witness did not recall specifically when that happened, just that it was 2000 and that her son had not yet had his first birthday.

Between 1999 and 2000, the Witness only recalled Mr. Massaquoi traveling to Togo in 1999. In 2000 or 2001, she stated that Mr. Massaquoi went to Liberia to meet his daughter and ensure she was going to school. On a separate occasion around 2001, Issa Sesay asked him to travel, but Mr. Massaquoi could not make it to Liberia because, according to the Witness, Superman was ambushed and killed, so he returned after a day or two. When Mr. Massaquoi went to Liberia to see his daughter, he would go for a maximum of two weeks. The Witness clarified that this was at the end of 2000 or the beginning of 2001. She stated that while Mr. Massaquoi was away, she spoke with him once using a radio. She added that he was in Monrovia at that time, though she did not know Liberia well so could not say exactly where. Further, she stated that when Mr. Massaquoi returned, he showed her photographs of his daughter wearing a school uniform, and told her that the daughter had a birthday party during this trip.

The Witness could not remember whether Mr. Massaquoi was traveling domestically while they were living in Freetown. She remembered that Foday Sankoh told Mr. Massaquoi to travel for something related to the peace process or some documents, and that Mr. Massaquoi traveled with Sankoh and other RUF members. The Witness denied that there was anything dramatic about their move to Freetown, describing it as peaceful.

The Witness clarified that in 2000, they lived in Murray Town. Mr. Massaquoi was attacked in 2001, and during a second attack, the Witness was also in Freetown. She added that she lived with Mr. Massaquoi's cousin. Then, in 2002, the Witness stated that they rented a place near the Special Court, and they lived with the Special Court.

The Witness stated that Mr. Massaquoi never went to Liberia in 2002. According to the Witness, Mr. Massaquoi sent his friend, who was maybe named Witness 21, to Liberia to bring his daughter to Sierra Leone. She added that Mr. Massaquoi was always at the house, and if he went out, it would be at nine in the evening, and he would return in the morning. Mr. Massaquoi "*never travelled anywhere*", the Witness stated. The Witness was not sure why Mr. Massaquoi did not go himself to collect his daughter. She thought he might be afraid, because he was attacked by Issa, and had been attacked in Lunsar in 1991. She clarified that this was in early 2001, and suggested that he wanted to protect himself.

The Witness believed that they moved into the safe house in 2003, and stated that they moved out in 2008. She clarified that the Special Court moved them in there, and added that Mr. Massaquoi, the Witness, FNM-178, FNM-194, FNM-198, and FNM-199 all lived there. If any of them wanted to get out, it was always with security, and they did not leave often. Mr. Massaquoi never left the house alone, "*he always went with the security car*". According to the Witness, the only night they spent away from the house was when their daughter died in 2005, and they traveled to Bo with the security.

The Witness denied that there were any changes in the levels of security while they stayed in the safe house. She added that she traveled to Bo to see her ailing mother in 2005. While she was traveling, Mr. Massaquoi called her to tell her that some men attacked them, so they had to move to another safe house. When she went to Bo on this trip, security fetched her, but she had to return after four days by bus. She added that they noticed some people following their children when they went to school, which caused them to change their family names. She repeated that there were no lighter restrictions over time.

Defense Counsel turned to the topic of Witness 2. The Witness stated that he was her younger brother, and he used to visit them. They first met in Makeni, and then met in Freetown. She could not estimate how often they met, but explained that he always came to visit during midterms, and would stay anywhere from a night to a few days or a week.

With respect to any nicknames Mr. Massaquoi had, the Witness stated that he was called "*Sexy Guy*" before the war by his colleagues. She did not know of any other name, and did not know whether he had any war name as a member of the RUF. She had only heard the names Angel or Angel Gabriel in the Bible, and never heard anyone call Mr. Massaquoi these names.

When asked whether Mr. Massaquoi used radio to connect to media or other people, the Witness stated that he did this as the spokesperson. She recalled that he once spoke about giving interviews, but she did not know what they were about. When she was in Bo, Mr. Massaquoi spoke of all the RUF people coming for peace, and added that he also spoke of peace while they were in Makeni, but she did not know any more about his interviews.

The Prosecution Questions the Witness

The Prosecution opened by asking the Witness to repeat a couple of details. The Witness responded to these questions, clarifying that in 2000, she lived in Murray Town, Freetown, until Foday Sankoh was attacked that same year. Mr. Massaquoi's daughter was named FNM-199, and the Witness did not know when exactly she was born, but guessed that it was in 1994.

Regarding Mr. Massaquoi's travel to Liberia, the Witness stated that the trip he took to visit his daughter was two or three weeks long, but less than a month. After this trip, Issa Sesay threatened Mr. Massaquoi, but the Witness did not recall Mr. Massaquoi going to Liberia on other occasions. The Witness added that in 2000, after moving to Makeni, Foday Sankoh was attacked during their one trip, and that there were no other trips. The Prosecution noted that Mr. Massaquoi said himself that he traveled several times between June and December 2000, to which the Witness replied that she was stating what she remembered. She recalled that Mr. Massaquoi came back with a car, adding that it functioned as a taxi for them and that this was in 2002. The Prosecution noted that Mr. Massaquoi stated that he fetched this car from Monrovia in June 2001, suggesting that it was the same car she was describing, which the Witness agreed to. She recalled that Mr. Massaquoi brought the car himself, but could not remember when, adding that another car that Mr. Massaquoi brought was left behind in Makeni. The Prosecution asked her to clarify whether Mr. Massaquoi brought the car while they were still living in Makeni, and the Witness agreed that was true. She added that this was in late 2000, when Foday Sankoh was attacked and when Mr. Massaquoi traveled to his daughter.

Between 2000 and 2002, the Witness stated that they were living in Makeni, and that she and Mr. Massaquoi were on good terms without any serious issues. They did not speak much about his travels or what he was doing, aside from Mr. Massaquoi telling her where he had gone.

Referring to her earlier testimony, the Prosecution asked the Witness to clarify which year Mr. Massaquoi was at the house the whole time. The Witness stated that this was in 2002. She repeated that he was always present, sometimes leaving around nine at night but returning in the early morning. She agreed that he was not at home at this point, but added that Mr. Massaquoi would tell her where he had gone.

The Witness stated that she did not know whether Mr. Massaquoi ever travelled to The Gambia. Referring to the Witness' statement during the preliminary investigation, the Prosecution noted that the Witness indicated that he took a three-day trip to The Gambia, where he had friends. The Witness denied having said this, stating that she never mentioned The Gambia, and was speaking about Togo in 1999. The Prosecution asked the Witness whether Mr. Massaquoi had friends in The Gambia, to which the Witness stated he did not.

The Witness repeated that she, Mr. Massaquoi, FNM-178, FNM-194, FNM-19, and FNM-199 all lived at the safe house. She explained that FNM-178 was living at the safe house for Mr. Massaquoi, as he was head of the family and everyone in Africa respects that hierarchy.

With respect to Superman's death, the Witness stated that she had only been told by Superman's bodyguards that he was attacked and killed. She clarified that that she overheard them talking about this, and that Mr. Massaquoi was not present at that time, as he was traveling. She did not know whether Mr. Massaquoi was in Sierra Leone or Liberia when he received this information, but explained that this was the trip where they tried to get to Liberia without succeeding. The Witness then stated that she was in Makeni at this time, and repeated that Mr. Massaquoi did not tell her they never made it to Liberia, but that "*the boys*" did, as they were not on good terms at that time.

Regarding the safe house, the Witness stated that, to her knowledge, neither she nor Mr. Massaquoi had frequent visitors. Mr. Massaquoi sometimes went with the security guards to meet people, and sometimes they went for beverages or shopping. The Prosecution noted that other witnesses stated that they met Mr. Massaquoi in town outside the safe house, which the Witness denied knowledge of. She did not remember Mr. Massaquoi traveling to Nigeria, adding that Mr. Massaquoi traveled once when they were in Freetown, but she did not know where.

The Witness is asked further questions

Defense Counsel asked the Witness to clarify what she said to the Prosecution about the boys meeting her at the safe house. The Witness stated that this was in Makeni. Defense Counsel referred to her a summary of what she said, where Prosecution asked whether Mr. Massaquoi had any other trips in 2000 and 2001, where the Witness indicated that, in 2000, Mr. Massaquoi may have taken another trip to Liberia. The Witness clarified that this was in 2001, when they tried to get to Liberia but could not make it due to the attack. The Defense recalled that the Witness then stated that, around this time, she heard that Superman died and that she and Mr. Massaquoi were not on good terms. The Witness stated that this happened in 2001, and the boys told her all that.

Defense Counsel then asked whether she remembered Mr. Massaquoi being evacuated from Freetown to Makeni by the UN. The Witness stated that she did. She recalled that Mr. Massaquoi participated in negotiations in Makeni with the UN, adding that she was in Freetown then.

Prosecution then asked the Witness whether she knew when Mr. Massaquoi met his girlfriend in Liberia, and how they kept in contact. The Witness indicated that she did not want to talk about this and did not want to know about it. The Prosecution asked whether it was possible that Mr. Massaquoi went to Liberia to visit his girlfriend, and the Witness responded, "*Maybe. Something like that I have heard, to be honest*".

The hearings closed for the day and the trial was set to resume on 18 June 2021 in Tampere, Finland.

June 18, 2021 – [Finland] Day 41: A New Witness is Heard

The 41st day of public hearings resumed on 18 June in Tampere, Finland. A new witness was heard.

Witness FNM-226 is Heard

The Judge indicated that the Witness was accompanied by her assistant, FNM-233, who will assist the Witness in determining whether she has the right to refuse to answer certain questions. Otherwise, the assistant will not participate in the hearing.

The Defense questions the Witness

The Defense opened by asking the Witness about her position in Human Right Watch (HRW) in the years 2000 or before. The Witness replied that at that time she was a researcher in the Africa division in Sierra Leone, based in Freetown. She started that position in 1999. She indicated that her educational background was a master's degree. When asked how she came to know the defendant, the Witness explained that she was based in Freetown from 1999 – 2003 and met Massaquoi on several occasions because of her work at HRW. She said her first meeting with Mr. Massaquoi was on June 22, 2001. When asked how she remembered this, the Witness explained that in preparation for the case, she read her notes based on this case, and written down relevant dates. She met with Mr. Massaquoi on eight different occasions over fifteen months, for different reasons. The Witness added that during these meetings they discussed various issues, and offered to recount the details of these meetings. She explained that at her and Mr. Massaquoi's first meeting there was another RUF official present, but she could not disclose who it was. Regarding her first meeting with the defendant, the Witness said "*the meeting was meant to advocate for people who had been captured by RUF*". The meeting took place within the context of implementation of the Sierra Leone peace agreement. The Witness commented that they were worried about people being detained in prisons and being killed by RUF in the Pademba Road prison. She said that they discussed some of the allegations and abuses of the RUF and the ceasefire violations. The Witness clarified that she met with Massaquoi in particular because he was the "*RUF communications spokesperson*."

The second meeting took place on the 5th July 2001. The Witness stated that the content was similar to that of the first meeting and they also discussed some historical aspects in the Sierra Leonean war, such as the role of the RUF and the AFRC. The third meeting took place six days later, on 11th July 2001. The meeting was brief. According to the Witness, they discussed the situation in a hospital in Makeni where she was interviewing people. She didn't remember whether she had called Mr. Massaquoi or just stopped by his office. The Witness then described another meeting in 2001, also in Makeni, on 18 July. She specified that she had called Mr. Massaquoi on his mobile phone, adding that she had his email address and phone number. Asked by the Defense if there were any other telephone contacts in 2001, the Witness said she probably called Mr. Massaquoi to arrange these meetings a day or two in advance, adding that she usually contacted him on his mobile phone. She commented that she called to initiate all the meetings, and said she didn't know whether mobile phones were working in those areas at that time. The

Witness said that usually she would call his cell phone, and it was easy to reach him. In 2002 she received a satellite phone number for Massaquoi but never called it.

Turning to the year 2002, the Defense asked about meetings with Mr. Massaquoi. The first meeting took place on 31 January 2002. The Witness said they covered the same issues as in the previous meetings, and also went into more detail about the history of the war and information about the people involved in the atrocities committed during the Sierra Leonean civil war. The next meeting took place on 18 July 2002, in Freetown. They discussed more about the history of the war, atrocities, command structures, ceasefire violations and so on, as well as the political wing of the RUF. The Witness did not recall discussing Mr Massaquoi's political ambitions. Rather, they discussed the general dynamics of the evolution of the RUF into a political party. She added that, generally, the discussions were about responsibility for atrocities and command structure. The following meeting took place in August 2002, the Witness didn't recall the date and she did not have any notes. She said they tried to introduce Mr Massaquoi to the Chief investigator and other officials of the UN investigation into the civil war in Sierra Leone. In addition to the Witness and the defendant, FNM-201 was also present at the meeting. Asked who suggested this meeting, the Witness first recalled that the Special Court had been established by the decision of the UN and the government of Sierra Leone. She explained that given the complexity of the case, insiders were essential to establish the chain of command and for the investigation and prosecution. As a researcher, she believed it was part of her work to advise the Special Court on certain historical elements of the war, and she wanted to provide input to who should later be prosecuted. For her part, she documented many atrocities committed by both sides of the war, but she was unclear on issues of command responsibility. The Witness said that her discussion with Mr. Massaquoi had clarified this for her. She also said that she thought he might be interested in meeting and discussing command structure issues. The Witness met officials from the Office of the Prosecutor and referred to Massaquoi as someone to help them to contact someone who could help their investigations. The Witness met FNM-201 and FNM-230 in August to discuss the matter. It was in this context that Mr Massaquoi was introduced to FNM-201. The Witness said that the meeting took place on an afternoon in August. She added that she had met Mr Massaquoi on another occasion in September at the Cape Sierra Hotel in Freetown. The focus of this meeting was *"almost exclusively"* on the command structure, the RUF and the AFRC at the time of the temporary jurisdiction. The Witness said that she had not asked how the meeting with FNM-201 had gone. She stated that it was her last meeting with the defendant.

The Defense then asked the Witness whether she had worked for the Special Court at any time. She answered in the negative when she met Mr. Massaquoi. She then took a one-year leave of absence from HRW to work for the prosecutor's office from August 2002 to August 2003. She did not learn that Mr. Massaquoi had signed a witness protection agreement with the Special Court until *"much later"*, while she was working for the Special Court. When questioned by the defense, the Witness replied that she knew that Mr. Massaquoi lived in a safe house and was protected. However, she did not know whether Mr. Massaquoi had the ability to leave the safe house and return. The Witness was asked about her knowledge of the Liberian civil war, in particular the years 2001-2002. She explained that she was hired in Sierra Leone but her job had to do with the Liberian civil war questions when the war broke out in 2000. The Witness conducted nine research missions on Liberia. She also conducted seven missions in 2001-2002 to Liberian refugee camps in eastern Sierra Leone. In March 2002, the witness travelled to Monrovia and Gbarnga to conduct research, and then travelled to Guinea in mid-2002 to conduct research in and around refugee camps in the forest region of Guinea. She explained that she spoke with 250 people who

had knowledge of atrocities committed by all sides in the second Liberian civil war. In 2004, the Witness interviewed 64 army officials from different Western Africa troops, including members of the RUF.

The Witness stated that most of the testimonies she had collected referred to atrocities in Lofa County by government forces. The atrocities included massacres, rape, mutilation, destruction of property, etc. She had collected the names of villages and towns and provided them to the court and to the Finnish police. She started to read the names out loud: Kiantahun, Kamatahun, Sasahun, Yenahun, Popolahun, Belahun, Kalahun, Maiawyi usu, Kalahun, Lukasu, Vahun. The Witness explained that people were willing to talk about the atrocities, even if it was painful for them. She added that their freedom of speech was *"greatly widened"* by the fact that they were located in Sierra Leone and not Liberia.

The Defense then asked the Witness to inform the court about specific cases and villages. The Witness began by stressing the importance of Lofa County as a strategic location for military operations. The atrocities followed a similar pattern: after government forces captured an area for the rebels, they would round up civilians and carry out atrocities on them. She explained that the majority of victims belonged to the ethnic group largely represented in the rebels troops. The government forces inflicted collective punishment on civilians who appeared to support the rebels. The atrocities committed included rape, beatings, killings, locking people in houses and burning them, etc. The Witness said that they had also documented atrocities committed by LURD, including abductions, rapes, looting, killings, etc.

When asked about the villages of Kamatahun and Kiantahun, the witness said that out of all the 61 witnesses she interviewed about atrocities in Lofa county, she spoke to five witnesses who described atrocities in Kamatahun. They described an incident that allegedly took place between September and December 2001, in which Liberian forces captured people who were trying to flee the violence and took them to an area near Kamatahun. Many of those taken to Kamatahun were from Kiantahun. On the orders of a commander, they were taken to three houses – one witness said four houses – and burned alive. The Defense asked when the witnesses were interviewed. The Witness stated that the interviews about these villages took place between March and July 2002. A colleague of hers from HRW also recorded a testimony describing this particular incident in Kamatahun.

The questioning turned back to general themes that came up in the Witness' interviews of 61 witnesses who saw atrocities occur in Lofa county. The Witness said some names of commanders were mentioned during these general interviews. She indicated that five testimonies mentioned Zigzag Marzah as a commander. According to the Witness, this was an infamous commander, whose name was repeated several times. The other name mentioned was Soldier 7, a commander. Several lower ranking commanders were also mentioned by the 61 witnesses the Witness spoke with. The Witness indicated that she had written down the names. The Defense then asked whether there was an 'Angel' or 'Angel Gabriel' mentioned in these interviews that the Witness had conducted about atrocities in Lofa county. The Witness answered in the negative, also with regard to the name 'Gibril Massaquoi'. When asked if she could recall anything specific that the commanders said or mentioned repeatedly to the soldiers or civilians, the Witness responded that they said that the civilians belonged to the Gbandi ethnic group, which they believed belonged to the rebels.

Referring to several organisations and officials interviewed by the Witness, the Defense asked whether any names of commanders had been mentioned. The Witness answered in the affirmative and explained that part of the human rights researcher's job was to research command structures. She discussed this with local community organisations, as well as members of think tanks, diplomats, and refugee rights organisations. She clarified that the names previously mentioned by the Defense – 'Angel Gabriel' or 'Gibril Massaquoi' – had not been mentioned. The Defense asked whether there were any individuals or groups that would be depressed by the fact that Mr Massaquoi was able to enter the witness protection programme in Liberia. The Witness responded that she did not think so. The Defense then asked the Witness whether she thought Mr. Massaquoi could have gone to Monrovia in the summer of 2003, while he was under witness protection. She replied that she found it *"highly unlikely"*. She explained that that summer, Liberian rebels launched an offensive against Monrovia. Three offensives were launched, the first in early June, the second in late June and the third in July, which was known as "*World War 3*". The Witness said that Mr. Massaquoi was working with the Special Court at the time as an insider witness, providing information on the command structure and against Charles Taylor. Since Taylor's indictment was made public in June 2003, the Witness said it was unlikely that Mr. Massaquoi would have gone to Monrovia to fight on *"the same side as the person who had just been indicted by the Special Court… helped by Massaquoi himself"*. The Witness made one final point. She said it was believed that Charles Taylor had ordered the assassination of Sam Bockarie because he had given the Special Court information against him.

The Prosecution questions the Witness

The Prosecution began by asking the Witness about her first meeting with the defendant. In particular, they wanted to know why she could not name the other RUF member who was present. She replied that HRW's work is based on the principle of confidentiality and that, as she had not asked this person if she could disclose their name, she could not do so. Her assistant explained that the Witness was referring to the First Amendment of the US Constitution – the journalist's right to remain silent about his sources – and invoking all the other rights that go with it. The Prosecution responded that the person they were referring to was not a source, but was merely present. The Witness countered that the person was a source and a "*high*" member of the RUF. The Witness assistant indicated that the Witness was referring to her privilege to decline to answer this question.

With regard to the Special Court's operations and the Witness' previously mentioned opinions on who should have been prosecuted or not, the Prosecution asked why the Witness had stated that the prosecution of Mr. Massaquoi was unlikely. The Witness explained that the Special Court's prosecution were structured to focus on those with major responsibility. She said that she had conducted extensive research into the cases dealt with by the Special Court and that as a result of her extensive research, the prosecutor had consulted her on who was worth prosecuting. The witness stated that she was *"under absolutely no delusion that Mr. Massaquoi had been guilty of horrible abuses and that he represented an organization that was guilty of several horrible atrocities"*. However, the Witness explained that his name was not as prominent as many other names in the documents she had compiled in her research. Knowing that the Special Court was only going to indict a small number of people, there were a number of other commanders with greater responsibility. The Witness said that it was never up to her to decide who should be charged and who should not. The Prosecution asked if the research the Witness was referring to was the same as the research she had mentioned to the Defense. The Witness replied that it was

mainly the same, but that there were also some reports or publications on the civil war in Sierra Leone.

The Witness said that in complicated conspiracy cases, it was very lucrative to have inside information. Asked whether inside information was particularly important in the Charles Taylor case, the Witness replied that it was not necessarily more important than in any other case. Under questioning by the Prosecution, the Witness explained that in several of her discussions with Mr. Massaquoi, he provided information about atrocities committed by other RUF members. She said he also mentioned atrocities committed by himself, and that this was in Sierra Leone. When the Prosecution asked for more details, the Witness replied that Mr. Massaquoi did not go into detail. Instead, he had told her in detail about his diamond business and his actions in the early 1990s. The Prosecution then asked how the Witness ensured that the information provided by Mr. Massaquoi was correct. The Witness replied that in the course of her work she had spoken to a very large number of people and that she never took individual stories at face value. She stated that the information she had obtained was the result of all the information she had gathered from a number of pieces that had been brought to her by different people. She went on to say that she had consulted several people before she suggested to FNM-201[KP8] that Mr Massaquoi could be a potential insider. She also suggested "very strongly" to FNM-201[KP9] that he should conduct his own research on these matters to ensure that his information would be reliable.

The Witness did not know whether the Special Court had tried to find out whether the information provided by Mr. Massaquoi was credible. She also did not know what the Sierra Leone Truth and Reconciliation Commission had said about Mr. Massaquoi's testimonies. The Prosecution asked whether the witness recalled that the commission had stated that the commission itself had strong reservations about Mr Massaquoi's testimony because he downplayed his role in the war. The Witness answered in the negative and said it was twenty years ago. She clarified that she had no doubt that the defendant had been associated with brutal atrocities and represented a horrible organisation guilty of serious atrocities.

When asked by the Prosecution, the Witness indicated that she did not visit Lofa personally. The Prosecution asked how she knew that "Sise Masa" is "Joseph Marzah". The Witness explained that the witnesses all identified commander Zigzag Marzah as being present. She specified that he was named both by victims and witnesses. She further explained that it was only later that she learned his real name as he testified at the special court. At the time of the interview, she did not know his real name. He was described as Liberian from the Gian ethnic group, and a former bodyguard of Benjamin Yeaten. Asked whether there were similar cases where witnesses gave a name and it was only discovered later who they were referring to, she explained that many witnesses referred to the war names of commanders. The Prosecution noted that the Witness had indicated that the "Angel Gabriel" in his various forms of Gibril Massaquoi had not been mentioned during these interviews, and the Prosecution also noted that HRW had refused to hand over the notes of these interviews. The Witness's assistant replied that HRW had refused to release the notes, citing reporters' privilege and other privileges under the US Constitution. The Prosecution then asked how the Court could ascertain the accuracy of this information and what questions had been asked of the witnesses. The Witness replied that she was not a *"bookkeeper"*. She said that she could provide information on the methods she had followed in her research. She explained that she had asked the witnesses what had happened. She asked when, where, why, etc. The Witness added that she had reread her notes and the testimony before being heard

by this court. She explained that the list of names she provided to the Finnish police mentioned Zigzag Marzah several times, as well as Soldier 7. The Witness said that she also spoke to about 12 former soldiers who also mentioned Zigzag Marzah. She said that if a perpetrator's name did not come up naturally, they always asked if the witness was able to name someone. She noted that in the case of Liberia, many were willing to disclose these names. Asked by the Prosecution, the Witness stated that the former soldiers she had mentioned represented several groups: RUF, AFRC, ATU, SSS, Navy Division, Army Division, and a few others. There were also the LURDs and the MODEL. She specified that five of the soldiers had fought for Zigzag Marzah, they belonged to armed forces and to the Navy Division in Liberia.

Returning to the subject of insider witnesses, the Prosecution asked whether HRW or the Special Court had any guidelines on how to treat insider witnesses, when the Witness met with Massaquoi and presented him to the Special Court. The Witness said she was "*not really handling it*" because she merely made an introduction, and that it did not concern HRW and she did not know whether the Special Court had such guidelines. She assumed that special arrangements were managed by the Witness Protection Unit, but she did not know more. Asked who at the Special Court was in contact with Mr Massaquoi and handling the case, the Witness replied that she thought it was FNM-201 but reiterated that she had not been given *"any of that information"*. She indicated that FNM-201 was based in Freetown from August 2002, but travelled occasionally out of town or out of the country, but not very often. The Prosecution referred to a question of the Defense where the Witness had stated that it was highly unlikely that Mr Massquoi would have travelled to Liberia in the summer of 2003. The Prosecution asked whether the Witness knew whether, at that time, Charles Taylor was actually aware of the charges against him. The Witness said she thought that, "*to the best of [her] knowledge, Taylor was indicted in March 2003 and the indictment was unsealed in June 2003, while Taylor was in Ghana*". The prosecution then asked the witness whether Mr Massaquoi had testified against Charles Taylor. She replied that she did not know which case it was. She said it was possible that Mr Massaquoi had never testified against Taylor. She said it was Mr. Massaquoi who was providing inside information on command structures. The Witness added that it was general knowledge that the defendant had vanished at the time, but said it was only speculation.

The Defense questions the Witness further

The Defense asked whether the Witness knew whether Mr. Massaquoi had made a statement for the Special Court regarding Taylor. The Witness replied that she did not know. The Defense then refers to documentary evidence No. 84 which mentions a mass murder in Kamatahun. Commander "Zizamaza" is mentioned in the document. The Defence asked whether the Witness knew who this person was. She replied that it was the same commander that all the witnesses mentioned many times. The Defence then explained that it had also heard of 'Zigzag Marzah' and wondered if it was the same person. The Witness answered in the affirmative. Turning to her last question, the Defense referred to the Witness' meeting with Mr. Massaquoi in Makeni. The Defense asked whether she recalled any journalists meeting Mr. Massaquoi in Makeni or in Freetown. She replied that Mr. Massaquoi had been interviewed in Makeni both times. The interviews took place a week before April 9th and a week before May 29th in 2001. She met the journalists on each occasion a week after they had interviewed Mr Massaquoi.

The hearing concluded.

August 25, 2021 – [Finland] Day 42: New Evidence Is Presented

The 42nd day of public hearings resumed on Wednesday, 25th August in Tampere, Finland. The hearing focused on new evidence presented by the Prosecution and Defense.

The Prosecution Presents New Evidence

Attachment 13

The Prosecution presented the transcript of a phone call between GJRP 1 and FNM-241, recorded in Monrovia. The Prosecution explained that the transcript showed a contradiction between what FNM-241 had said in the phone call and in past hearings. The Defense pointed out that the recording had been made during preliminary investigations, which was unusual, and noted that GJRP 1 had testified against Mr. Massaquoi.

Attachment 14

The Prosecution presented documentation to support their claim that Civitas Maxima paid the expenses relating to the trip concerned, including copies of receipts, and an interview report. The Prosecution's point was to rebut the Defense's claim that somebody was paid to testify against Mr. Massaquoi. The interview report revealed that the date that FNM-241 had previously mentioned was still accurate, according to the organization's records. The Defense stated that while Attachment 14 showed clear evidence of payments, the receipts didn't show if anything had been paid off the record. The Defense also noted that the interview report had not been signed, and the date of the report might be relevant.

Attachment 15

The next piece the Prosecution presented was a series of WhatsApp messages between two Defense witnesses, FNM-201 and FNM-242. They were past messages, and somebody asked to share some names and contacts. In addition to these messages, two articles were sent between the Defense witnesses, before FNM-242's hearing in preliminary investigations on the 14th of May 2021. The first was a newspaper article that questioned a Prosecution witness, GJRP 1. The second article made an in-depth argument that the defendant, Mr. Massaquoi, could not have been in Liberia in 2002. The Prosecution argued that sending the messages and articles was an attempt to influence Defense Witness FNM-242.

The Defense said that the Prosecution was merely relying on personal witnesses, and that the Witness had already shown the Court the messages concerned, believing they were not problematic. The Prosecution said that the articles sent were also included as written evidence.

Attachment 4

The Prosecution shared with the Court a list of cases in which the GJRP and Civitas Maxima had been involved. The Defense said it was public knowledge that the Central Criminal Police must acquire their own witnesses. The implications and impacts of collaboration across states was not known. Further, the Defense stated that, having received more material, they knew that the police could have been more involved. Thus, the Defense deemed Attachment 4 irrelevant, and said the Court should evaluate according to Finnish law.

Public Video

The Prosecution presented the transcription of a YouTube Video, one part pertaining to Charles Taylor, and the other to Mr. Massaquoi. The Prosecution explained that this was comparison material, so the Court could compare what was said in the video versus in other instances.

The Defense pointed out that the video was public record, and the Court, Prosecution and Defense discussed the video's evidentiary value.

The Prosecution pointed the Court to minutes 12:53 to 13:50 of the transcription, while a Court member translated what was said from English to Finnish. Then, the Court focused on minutes 17:40-19:39 of the material, in which the speaker, FNM-201, described Mr. Massaquoi as a very dangerous man, and described the speaker and Mr Massaquoi becoming friends, and drawing up the command structures of the RUF. The translator clarified that the first sentence spoken by FNM-201 in the clip was, "Gibril Massaquoi was the senior commander I talked with." Then, the Court heard minutes 20:32-20:54.

The Prosecution said that this evidence supported the view that Mr. Massaquoi was in the interview [content missed by monitor].

The Defense stated that the Court should investigate who the speaker referred to when he said that he had contacts who were in contact with Mr. Massaquoi. Then, the Defense noted that the speaker in the video discussed events in Sierra Leone, and it was unclear whether he talked about Liberia, so the evidence was not relevant.

The Defense Presents New Evidence

Interoffice Memorandum

The Defense explained that the document was relevant and important. The subject was '*Witness Payment Policy – Payment made to TF1 046*.' It concerned Mr. Massaquoi's witness protection. The document stated that Mr. Massaquoi was brought "*under the protection of the Court 10th March 2003 until 25th Sept. 2005*." The Defense explained that the document, from 2005, ascertained Mr. Massaquoi being placed in a safehouse. The payments on the document were paid weekly to Mr. Massaquoi. The Defense pointed out that the date of the document, 2005, was significant.

The Prosecution stated that the document was only FNM-243's own statements. Further, the document would not have as much evidentiary value as FNM-243's upcoming oral hearing at the trial.

The Defense stated that FNM-243 was the head of Witness and Victim Security in 2005, and that the document hadn't been drafted for Mr. Massaquoi's benefit or for the Court, as it was an old document. The Judge urged the Defense to move on.

Confidential Interoffice Memorandum

The Defense presented an interoffice memorandum sent to FNM-244 from FNM-243 on August 6, 2005. The translator relayed the memorandum: "*On Sunday 31 July there was as an incident at one of the Safe Houses where witness Goofy is housed… the witness is provided with 24 hour guard… the guard saw an intruder… guard was attacked and intruder tried to stab him with knife… the guard was able to save himself… and disarm the intruder… guard saw intruder run up the stairs to the witness and engage with him and shouted to witness to escape… I informed the SCSL security of the incident*."

The Defense asked the Court to note the mention of a 24-hour guard, adding that after the incident, the guard was armed for 24 hours a day, and that the incident is evidence of the level of threat that Mr. Massaquoi was exposed to.

The Prosecution stated that the memorandum didn't provide evidence of whether Mr. Massaquoi was able to leave the safehouse or not.

The Court discusses Future Witnesses

The Judge asked whether there would be more in-person witnesses. The Defense referred to ongoing investigations, but the Prosecution stated that the discussion should focus on the matters of the Court that day.

The Defense said there were many witnesses, and now that the Court was hearing new witnesses, the Court could not be sure that the witnesses were all discussing the same events. The Defense referenced the preliminary investigations, saying that this could be a problem, and events in Monrovia would be particularly tricky.

The Judge stated that the Court was interested in hearing whether additional witnesses would be named, because they wanted to hear all the witnesses in the next journey taken by the Court to Africa. The Defense responded that he couldn't be sure but that he would do his best, and that he had a few things under investigation. The Judge said the Court would need more information if more witnesses were planned, and that the Court would ask the Police to push investigations to move faster. The Defense responded that he didn't have any witnesses in mind.

The Court discussed billing and fees to do with prior trips, then concluded the day's hearings.

Hearings will begin again in Monrovia, on the 13th of September.

September 13, 2021 – [Liberia] Day 43: New Prosecution Witnesses

The 43rd day of public hearings resumed on Monday, 13th September in Monrovia, Liberia. Two prosecution witnesses were heard.

Witness X2 is Heard

The Prosecution questions Witness X2

The Prosecution opened by asking the Witness about his experience of the war. The Witness said that in 2002/2003, in June and July, he was based in Monrovia, in the Waterside area. He explained that at the time the war was intense and Waterside was the frontline. The government was defending the two bridges – Old Bridge and Gabriel Tucker Bridge – to prevent the rebels from crossing, and '*harming civilians*'. He described how different units of soldiers were stationed there, commanded by General 50. Other groups were also present: Save Our Day (SOD), whose commander was Tony Montana; the Jungle Fire group with General I-Mean-It; The MoD group with Colonel Weebagee. The E. J. Roye Building was controlled by [FNM-129] and the Strike Force Marine. The Gabriel Tucker Bridge was under the control of General Sharay. The Witness also mentioned a group President Taylor had brought from Sierra Leone that was called 'Agbah'. The group included General Yanne – who was controlling the BZT – General Salome and "*Angel Gabriel*", whose other name was Gibril Massaquoi. The Prosecution asked him how knew those names, and Witness X2 answered that they were in the war together, and while he hadn't gone into battle directly with them, he did see them on several occasions at Waterside. When asked to specify, the Witness explained that these people prevented civilians from looting and also carried out general attacks. Some of the soldiers were peaceful, others used violence when preventing the civilians to loot.

When asked whether he had witnessed the use of violence to prevent looting, the Witness answered in the affirmative. He described one occurrence in August 2003, when civilians and soldiers were looting a biscuit store close to the Old Bridge. The Witness explained that the government forces arrived and opened "*suppressive fire*" which injured and killed people. The remaining people were then locked up in the store. The Witness clarified that the biscuit store was located on the road "*straight towards Johansen around the Mechlin Street intersection from the Old Bridge*". He also specified that the commander of the government forces was General Senegalese, and that he was the only one he remembered, because it was night time. When the Prosecution asked if the Witness had been nearby at the time of the incident, and if he had seen any similar occurrences in Waterside, the Witness responded that '*he was there', and then* described an episode where soldiers were ambushed on the other side of the bridge; when they retreated, they brought the dead bodies to the civilians and forced them to bury them.

The Prosecution then questioned the Witness about the 'Agbah' group. The Witness said that he recognized their accent as Sierra Leonean. The Prosecution asked the Witness whether Angel Gabriel and Gabriel Massaquoi were the same person, and he answered in the affirmative. When asked to clarify, the Witness explained that he knew this based on the people Massaquoi was with, senior officers from the ATU. The Witness claimed to have met Massaquoi on two occasions in Waterside: the first time, Massaquoi was accompanied by soldiers from the ATU and 'Agbah',

when the generals gathered to carry out a general attack. The Witness didn't remember the month but the year was 2003. On the second occasion, the Witness saw Massaquoi during the looting that took place on Mechlin Street. The Witness explained that the first time he saw Massaquoi in Waterside was when "*the war had come three times"*: the first time the rebels stopped in Logan Town, the second time they came to Via Town and then left, the third time they came to Via Town and "*didn't go back*". The government controlled the two bridges and Central Monrovia and the rebels controlled Via Town to Bushrod Island. Then, the Witness explained, UNMIL arrived and the rebels crossed the bridge peacefully. They stated that they no longer wished to fight and that they wanted peace; the soldiers on both sides hugged each other as they "*realize(d) that they are all brothers and sisters.*" Civilians managed to leave central Monrovia and go across the bridge to find food. When asked about the timing of the events, the Witness said that WW1 and WW2 took place in June, and WW3 in July. It was during this last war that he saw Massaquoi.

The Prosecution returned to the looting episode on Mechlin Street, the second time the Witness had reported seeing Massaquoi. The Witness said that the generals ordered the soldiers to shoot civilians. He clarified that he did not see the shooting but that some soldiers who were at the scene came and told him about it. In response to Prosecutor's questions on the episode, the Witness testified that he thought the biscuit store was looted for the first time and that he saw the civilians looting. During the incident, there was a lot of noise, people were shouting. The soldiers arrived and parked their vehicle in the dark; they then turned on the headlights and started shooting. The soldiers comprised different units – he remembered General Senegalese but said he did not see Massaquoi. When asked, the Witness said that the two times he saw Massaquoi, he did not hear him speak. He said he believed Massaquoi was a senior officer but did not know his exact rank. He did not know if he was in charge of any area in Waterside.

The Defense questions Witness X2

The Defense opened its questioning asking if he remembered when the Finnish police interviewed him; the Witness responded that it had been two months earlier. The Defense pointed out that the information available to them indicated that the interview had taken place in May, four months earlier. When asked to explain how he came into contact with the police the Witness explained that he was first contacted by [FNM-244] who then put him in touch with [Employee 1]. [FNM-244] was a friend of his, and had told him that [Employee 1] wanted to talk to him, as he was looking for people who had experienced the civil war. [Employee 1] then put him in contact with the police. When the Defense asked him for more details, the witness replied that [Employee 1] was looking for general information, not related to anything specific. He further stated that he did not discuss the war with [Employee 1]. The Defense pointed out that the police interview was about the '*last civil war*' rather than the civil war in general – the Witness agreed, and explained that the last civil war was in 2003, consisting of three wars. He said that before he spoke to the police, he had no knowledge of the case in question. The Defense's understanding was that the Witness did in fact know about the case before the interview; the Witness responded that he learned about it during the interview itself. A recording of the interview was then played by the court upon the Defense's request.

In the recording, the Witness is first heard saying that he was 'getting to know that there is a trial in Monrovia', and then stated that he had 'head about a trial'.

The Defense asked if the Witness remembered what he had responded when the police asked him why he "*talked so much about Gibril Massaquoi*". The Witness remembered that he said "*they were all mercenaries that were called upon to come and defend the state.*"

The Defense returned on the topic of the three wars, and asked how long the peace lasted between each war. The Witness explained that WW1 lasted a week and then there was a ceasefire. Then came WW2, also lasting a week. WW3 lasted a month. The two times he saw Massaquoi was during wartime. The Witness explained that Massaquoi was not stationed at Waterside but that he came there regularly "*based on info*". He then explained that the Agbah group were Sierra Leonean forces that were autonomous but worked with the government. In response to the Defense's question about General Senegalese, the Witness replied that he had been told by the injured that he was a member of the government troops but the Witness did not see him heading the group. The Defense asked if the Witness participated in the Waterside battle, and the Judge reminded the Witness that he did not have to say anything that could incriminate him. The Witness responded that he did not participate, nor did he fight anywhere else. The Defense reminded the Witness that he had told the police several times that he was a combatant. The Witness replied that he was a militia soldier but that he had not fought. The Defense then asked how the Witness knew that soldiers came from Sierra Leone to fight, at the invitation of Charles Taylor. The Witness explained that he was told by senior government officers. The Defense asked him if he knew that "*at a certain point, Charles Taylor had given [the] order to kill people from Sierra Leone?*" and the Witness responded that he did not know how they left Liberia. The Defense then asked if the Sierra Leoneans were present, and the Witness responded that Sierra Leoneans and Liberians were always together.

The Defense then stated that in the police interview, the Witness referred to 2004-2005 as the end of the war. The Witness replied that he did not remember, but that he did indeed say that. When asked why he could remember now during the hearing, the Witness replied that "*it slipped my mind, that was the time everything went on peacefully*."

The Defense asked the Witness to elaborate on other commanders he mentioned both in the summary and during the hearing. The witness explained that [FNM-129] was a sniper at E.J Roye Building. General Sharay was the commander in charge of the Gabriel Tucker Bridge. However, he did not see them giving any orders, or shoot anyone.

He was then asked if he had been at Waterside throughout 2003, and if he witnessed any incident where a lot of people were killed. He replied that soldiers were killed for violations, and that they had different commanders for different groups. The Defense asked the Witness if, in his opinion, he was relaying information the same way he did to the police. The Witness responded that "*Sometimes I say something, and I forget.*"

The Defense then returned to the biscuit shop incident, and asked the Witness what had happened to the people who were locked up. The Witness explained that they had died inside the shop; he was there when the doors were closed; however, he was not present when the doors were reopened. The Defense pointed out that the Witness had told the Finnish police a different version of what happened at the biscuit shop and about Massaquoi. The witness explained these discrepancies by the fact that he had met many people during the war and that

his memories were perhaps not very clear. He repeated that he had seen Massaquoi two times but not on the night of the biscuit store incident.

The Defense then asked whether he knew someone by the name of [FNM-245]. The witness said he did not.

The Prosecution resumes questioning

The Prosecution referred to the Defense's questioning about the biscuit store, and the Witness' testimony that Massaquoi was not present, although he had previously said to the police that Massaquoi was part of the group that executed the civilians at the store. The Witness disputed this version of events, reiterating that Massaquoi was not present and that the commander that evening was General Senegalese. The Prosecution asked if Massaquoi was responsible for the murder of soldiers that were looting stores, and the Witness responded that Massaquoi and his group shot people, both soldiers and civilians, looting. He was told this by the wounded people – he did not see this himself. This happened in late July. Here the Prosecution countered that in the interview the Witness had indicated late August after the heavy rains. The Witness explained that during the war they did not keep track of time. The Prosecution then asked the Witness whether he thought Massaquoi had a special assignment, and he responded that he did not: he added that '*they would only come to tell us that we are going to fight, and then they would leave*'. However, the Prosecution raised that during the interview with the police, the Witness had stated that Massaquoi was in charge of Waterside and Downtown Monrovia. The Witness responded that perhaps the police misunderstood him. Massaquoi and his men went to different frontlines, and had no specific assignment.

The Defense resumes questioning

The Defense continued on the same subject and asked the Witness to clarify the discrepancies between what he said during the hearing and what he told the Finnish police. The Witness simply replied that Massaquoi was not at the biscuit shop.

The Defense played a recording of the interview with the police in which the Witness stated that Massaquoi was present on the night of the biscuit store incident, in early 2003, and was the one controlling the group. The Witness says that Massaquoi "opened excessive fire on the soldiers and civilians that were looking for food." After the shooting, they locked the store's door.

The Prosecution resumes questioning

The Prosecution asked the Witness whether, on the basis of what he had just heard, he wished to amend his statement. The Witness clarified that this interview was the first time he had spoken about the war and he was therefore confused. The Prosecution asked if, after the interview, anyone had asked him not to say anything in court. The Witness declined, and repeated that Massaquoi was not present at the biscuit store incident, that he was involved in another incident in central Monrovia.

Last questions from the Defense

The Defense asked the Witness if the police had shown him a lineup, but the Witness said no. He stated that the police asked him if he could identify Massaquoi if they showed a picture, but they did not do it.

Witness X4 is Heard

The Prosecution questions Witness X4

The Witness began his testimony by saying he had experience with the 2003 war; and explained that at the time there were WW1, WW2, and WW3, even if he cannot exactly remember the months. He had been a teenager, around 13 years of age, when "Sharay", who had control over Central Monrovia, where the E.J Roye building stands, recruited him and others as child soldiers. The Witness remembered that they used to accompany the general "Sharay" to the ELWA junction. He further indicated that there was a general by Black Gate, and that they used to see several generals at the time as the war became "*serious*" and that President Taylor ordered all of them to come to Monrovia. The Witness named generals "Gadaffi", "Sharay", and "Mosquito". There were others he couldn't remember and they were accompanied by "*some strange generals*", among which the Witness mentioned Sam Bockarie, "Yanley", "Salame". The Witness explained that some Sierra Leonean soldiers were controlling the bridge leading to Waterside. Benjamin Yeaten – who was called "*chief 50*" – was the main general. The Witness indicated that Yeaten lived behind White Flower – President Taylor's residence – around "Paco Island". They used to go there to fetch supplies. He added that he might not remember everything, as he was a teenager at the time.

When asked about the Sierra Leonean soldiers, the Witness stated that they stayed with Benjamin Yeaten and that he had seen Sam Bockarie at the Black Gate as he went there with General Sharay, and General Yanley controlled the BZT gun. He said that he saw with his own eyes what happened during the war, and he reiterated that these soldiers – who Benjamin Yeaten said were RUF soldiers – controlled the area around Waterside, to prevent the rebels from entering the city. The Witness stayed with General Sharay in Monrovia until the cease fire. The Prosecution asked the Witness what the RUF was, and he responded that they were a warring faction which came to help President Taylor when the war intensified and fought with the government soldiers.

He stated that as the war intensified, Sam Bockarie – who according to the Witness belonged to the RUF – was replaced by "Mosquito"; the Witness then corrected himself and said *"Angel Gabriel"*. The Witness explained that Angel Gabriel was his nom de guerre, and that his real name was *"Gabriel Massaquoi"*. When asked how he knew this, the Witness explained that Benjamin Yeaten had introduced them to each new general, including Massaquoi; this took place at Yeaten's residence in Paco Island. Massaquoi had soldiers under his command, and he was a general. The Witness met Massaquoi on other occasions in Monrovia. He described how Massaquoi "*performed in front of me*" when civilians looted, in Waterside. Massaquoi took a gun and shot at the civilians and – the Witness remembered – said *"go tell God I sent you there"*. Asked to specify the location, the Witness said it occurred in Waterside after the bridge, that was the only name of the place he knew.

The Witness didn't see Massaquoi in Lofa, as he was only deployed in Monrovia but knew he had come from Lofa. He indicated that he went to pick up Massaquoi in Lofa county with General Sharay, and that '*Yeaten and other top generals used to escort him*'. His memory of this episode is incomplete and he couldn't remember where it took place exactly, as he was young at the time. The Witness however remembered the pickup they used had "*immigration camouflage color*" and that they drove Massaquoi back to Monrovia, to Yeaten's residence. The Prosecution asked for more details and the Witness recalled this occurred after the death of Sam Bockarie, even though he didn't know exactly when it happened, only that it was 2003. When asked again what Massaquoi had said when shooting at the civilians, the Witness said that Massaquoi had said, "*when you go, tell Jesus, I Angel Gabriel sent you*." He reiterated that he had heard it himself.

The Witness couldn't remember the last time he saw Massaquoi. The Prosecution then asked how the Witness, who was 13 years old at the time, could remember all this. The Witness responded that he might not remember everything but what he said in court is what he remembered. Regarding the bridge controlled by the Sierra Leonean soldiers, the Witness said that it used to be called the "Old Bridge" but has since been rebuilt and it is now called the "New Bridge".

The Defense questions the Witness

The Defense opened by asking the Witness to describe the interview with the Finnish police. The Witness explained that a few months ago he was put in contact with the officers through a friend of his. This friend gave his number to [Employee 1], who told him that some officers from Finland wished to speak with him, and that they were going to explain to him what this was about. The Defense then asked when did the Witness stay with Sharay – he responded that it happened in 2003, and that everything he discussed was about 2003. The Defense pointed out that a memo of the Finnish police stated that the Witness had said that he lived in the town of Debbah in the years 2000-2001.The Witness explained that he met Sharay in Debbah through Sharay's girlfriend. Sharay treated the Witness like "*his little brother*". The Witness specified that he had met Sharay back in 2001 but got to know him better in 2003 when he became a child soldier. Sharay used to move between Monrovia and Debbah's town and in 2002 the Witness came to Monrovia with him when the war was going on in Liberia. The first time the Witness went out of Monrovia was when they went to pick up Massaquoi in Lofa; while the war was going on in Monrovia.

The Defense then questioned the Witness about Sam Bockarie. The Witness said he had not personally met Sam Bockarie in Monrovia and he didn't know where he was killed. He explained that he only knew that Sam Bockarie was a Sierra Leonean soldier who fought with them, and he did not know whether he had fought in other countries. Prior to his death, Sam Bockarie was general for the RUF and was then replaced by "*General Massaquoi*". The Witness added that Sam Bockarie was commanding RUF troops in Monrovia, and he did not necessarily know if he was fighting on the front line. The Witness, however, added that "*as a general, whether at your house or on the front line, if anything goes wrong you will be held responsible*".

The Defense then asked whether some commanders died in attacks prior to Sam Bockarie's death. The Witness answered that it sometimes occurred. The Defense quoted the interview the Witness had given to the Finnish police, where he had said that a Commander named Samalay

had died in a rocket attack prior to Sam Bockarie's death. The Witness replied that he couldn't remember everything and was unable to recall where that attack had occurred. The Defense reminded him that he had said this to the police in May 2021, and asked the question again. The Witness explained that Samalay died in Monrovia but he could not remember where exactly.

The Witness was asked the name of the village where he had picked up Massaquoi, but he could not remember, as he was a child soldier, and did not know Lofa. The Defense asked him if he remembered what he had said to the Finnish police on this matter, and the Witness explained that he was asked about when they picked up Massaquoi in Lofa, and that he had told him about going there, and about the colour of the pick-up. The Defense asked who accompanied the Witness on this expedition, and he said he went along with general Sharay, Chief 50 and other generals. When the Defense asked the Witness whether he remembered the names of the other generals, the Witness mentioned General Gadaffi, Sharay "*and so on*". The Witness said they had many generals, and some were left to fight in Monrovia when the others went to pick up Massaquoi, but could not remember the names of those who stayed.

The Defense referred to the summary provided by the police, where it said the Witness was assigned to go to Kolahun together with Sharay, Roland Duo and Gadaffi to pick up Massaquoi. The Witness said he didn't recall Kolahun, only that it was in Lofa. Asked whether it was possible that he had said Kolahun to the Finnish police, the Witness answered that he might have made a mistake with the name. He reiterated that he wasn't familiar with Lofa and could only remember Kolahun. The Witness said they went at the border with Sierra Leone to pick up Massaquoi, but did not cross it. They had soldiers with them on the trip but were not attacked. The Defense asked whether it was correct that this occurred in 2003 at the end of May or during June. The Witness could not remember, as he was young at the time. The Defense then said that to reach the border they had to pass through Voinjama – which at the time was captured by the rebels. The Witness answered that he "*might not remember*" whether they were attacked or not.

The Defense then questioned the Witness about the year 2001-2002. The Witness explained that he used to accompany Sharay in the village when he would visit his girlfriend. The Defense went back to the occurrences when Massaquoi was heard sending people to God. The Witness said it occurred when people were looting at Waterside and that he himself heard Massaquoi make the "*statement*". The Defense noted that this was not part of the police's summary but that another incident was described by the Witness where Massaquoi also allegedly used the same words. The Witness said there were many incidents and that he didn't remember all of them.

The hearing ended. It will resume on September 15.

September 15, 2021 – [Liberia] Day 44: Two New Witnesses are Heard

The 44th day of public hearings resumed on Wednesday, 15th September in Monrovia, Liberia.

Witness X6 is Heard

The Prosecution questions Witness X6

The Prosecution asked the Witness to share his experience of the Second Liberian Civil War, which he answered by sharing that between 2002 and 2003 he left Monrovia for Voinjama where he was recruited by a man named Glasco. He stayed there over six months. Glasco then decided to move to Foya, where they spent two months. When LURD hit Foya, they began retreating towards Gbarpolu. However, as LURD advanced to Gbarpolu, they decided to go through Kombur forest, where they stayed for more than a month, and then moved to Lofa Bridge. LURD kept on advancing, so they retreated to Bomi Hills. There, general Roland Duo called the generals together and found that they were poorly equipped and lacked ammunition. Less than two weeks after Roland Duo left for Monrovia, LURD attacked Bomi. The witness and the other soldiers fled to Clay where a week later they were attacked again by LURD. They found refuge at the Po River. Glasco became ill and the Witness and other bodyguards took him to Congo Town. There they found Benjamin Yeaten, who paid for Glasco's treatment at St. Joseph Catholic Hospital. In the meantime, LURD attacked Duala. The Witness was told by Duo and Bull Dog they had to go to Duala and fight, and "*That was WW1*".

In Duala they fought for several days in order to push LURD back to Clay. The Witness also said that President Taylor came and gave $100,000 to Duo, so that they could clear Bomi. Duo distributed the money to the soldiers to encourage them. The soldiers cleared Bomi and set up their base there. LURD returned to Clay and cut the supply route. Benjamin Yeaten and his men, accompanied by mercenaries, then liberated Clay. The Prosecution then asked who these mercenaries were, and the Witness explained that they were from Sierra Leone and called them 'Agbah'. The Prosecution asked the Witness if there were many of them and if he could remember their names. The Witness replied that there were many of them and mentioned Yanne, Salame, MJ, Momo and Angel Gabriel who he said was their superior. He saw them during WW1 – in 2003, he said – but did not know when they came to Liberia.

When asked about Angel Gabriel, the Witness explained that he took over after Sam Bockarie left. Angel Gabriel was the name they used; he did not know any other names for him. However, he said that Angel Gabriel was also from Sierra Leone and that he spoke Krio, "*their pidgin English*". The Witness also indicated that he was not in the field with Angel Gabriel, as "*he had his own crew*".

When asked about what happened in Monrovia, the Witness explained that after Yeaten cleared the road for them at Clay and they came to town, they were based in Duala when the LURD attacked again. This was WW2, which lasted for about two weeks.

WW2 had taken them to Bushrod Island where they were joined by Benjamin Yeaten, the ATU and some mercenaries. They managed to repel LURD, but two weeks later LURD returned and

that was WW3. According to the Witness, LURD "*came with heavy force!*" and drove them back to Via Town. On the orders of Benjamin Yeaten, they crossed the Old Bridge and the Gabriel Tucker Bridge and targeted the two bridges at Waterside, whilst Roland Duo was in Gardnersville. They fought hard to get to Via Town, but once they were there, "*there was no way. The force was too heavy*"; the Witness described how the LURD was using mortars against them, and recalled how one of the mercenaries, who was using the BZT pick up, got hit and wounded on his leg, and they took him to JFK Hospital. As a result, Benjamin Yeaten divided the troops: Angel Gabriel was in charge of Waterside, the Witness was posted on Front Street, Benjamin Yeaten to E.J. Roye,[FNM-129] at Ducor, and another general, whose name he could not recall, was on New Bridge.

The Witness then recounted that, at that time, Benjamin Yeaten introduced a law against soldiers looting. "*Anything Yeaten said was what the President said*", and if anyone was caught looting, they would have been killed, "*that was how we were operating*".

They used to patrol and visit posts. One morning, recounted the Witness, as they were coming from [FNM-129]'s area and going towards Waterside, they heard gunfire noise. There they found Salome and his men and saw a store that had been busted open: in front of the entrance, dead bodies. A soldier, named [FNM-258] asked Glasco if they were going to stand by and watch the Agbah soldiers kill '*our people*'. According to the Witness, an argument ensued between them. The Witness said that Salome told Glasco that Angel Gabriel had given him the order. At the time, Angel Gabriel's base was under the Old Bridge. Glasco decided to go there alone because of the tension. According to the Witness, Angel Gabriel explained that they were only implementing the order given. Glasco went to talk to Benjamin Yeaten, who came and told them to "*leave this thing and focus*". The Witness stated that this happened around 15-20 August. Shortly after the incident, the Witness returned to Waterside where Salome and Glasco were talking: a rocket exploded, Glasco's hand got wounded, and Salome and his bodyguard were killed. The next day all the generals (Bull Dog, Angel Gabriel, Benjamin Yeaten) attended the burial at the Mandingo Cemetery on Old Road. Then, the Witness continued, UNMIL arrived and everyone went home.

The Prosecution asked the Witness if he met Angel Gabriel in Clay. The Witness said he did, as Yeaten had mercenaries who cleared the road for them, and Angel Gabriel was the commander of the Sierra Leonean mercenaries. The Prosecution then asked if the Witness heard the discussion between Glasco and Angel Gabriel in Waterside, following the store incident. The Witness replied that he had only heard the end of the discussion when Angel Gabriel said they were just following orders. The Prosecution asked the Witness if he recalled exactly where the Old Bridge base of Angel Gabriel was: he replied that it was "*right under [it]*", and it was even sheltered from rockets.

The Defense questions Witness X6

The Defense began its line of questioning by asking about the interview with the Finnish police. The Witness replied that [Employee 1] met a friend of his, and inquired if he knew anyone who was close to Agbah men. The friend gave [Employee 1] the contact of the Witness, and so [Employee 1] called him, and told him that people wanted to talk to him, but did not explain about what. The Defense asked when did the Witness speak to his friend about this, and how long it had been before his interview. The Witness responded that he lived far from there, in

another county. He reiterated that it was his friend who gave his contact to [Employee 1]. After asking the Witness the name of his friend, the Defense asked if he knew [FNM-251], who shares the same first name as the Witness' friend. The Witness said he did not know him. The Defense then asked if his friend had perhaps told him if he had been heard in court, but the Witness responded in the negative. The Defense asked if the Witness had spoken to anyone about the police interview before he had been interviewed himself, and the Witness said no.

The Court played a recording where the police asked the name of the Witness' friend. The Witness says he only knew his friend's first name, and that he had told him he had been interviewed, and that he gave his contact as they "were all together". The police are heard asking the Witness if his friend had given him details about the interview, and the Witness responded that his friend "explained to me what was unfolding".

The Defense resumed by asking the Witness that he said he had been in contact with his friend, who also told him what the interview was about. The Witness responded that his friend only told him that the police were looking for people who knew about Agbah, so because he knew that the Witness had been closer to them, he gave his number.

When asked if his friend had given the impression he had been interviewed, the Witness responded that he had. The Defense referred to the recording again, where the Witness is heard saying "*yes, yes, yes*" when asked if his friend had given him details about the interview. The Witness answered that his friend had not "*explained everything to me*". The Defense reiterated that before they played the police recording, the Witness had stated that he did not talk to anyone about the interview. The Witness clarified that he had only spoken with the police about it.

The Defense asked how long after he had discussed the interview with someone was he then interviewed himself. The Witness answered that "*by the time the guy told me about it*" it was almost a week before he could come to Monrovia. The Defense wanted to know when he came to Monrovia for the current hearing, and the Witness responded that he arrived the day before. He was lodging in a hotel: [Employee 1] asked someone to pick him up from ELWA, and take him there. He knew the face of the person that took him to the hotel, but did not really know him. He specified it was a black man. The Defense asked if he met anyone at the hotel and the Witness replied he did not, as everyone was in their rooms. Later in the hearing, the Prosecution also asked if he spoke with his friend about the interview, but the Witness reiterated he had not met with him.

Going back to the prior statements, the Defense wanted to know when exactly the Witness arrived in Lofa. He could not remember the precise date, but he thought it was during the dry season. He could not recall what he had said to the police in regard to who had recruited him, but he knew that Glasco had taken him there. The Defense said that in the police summary, the Witness had disclosed that Roland Duo had recruited him in 2002. The Witness explained that Duo was the "*all over boss*", and that everything happened under his administration, "*but I was directly with Glasco*". He added that "*they had a base, Roland was there recruiting but Glasco was under Roland.*"

The Defense asked who was the Commander in the Lofa region, and the Witness reiterated that it was Roland Duo, as he was the Chief of Staff. There was also Sampson, Glasco, Bassa Boy, and many others – he could not remember all of them.

When asked why he could remember more details about the period in Monrovia compared to Lofa, the Witness explained that when in Monrovia they were allocated to a specific area, whilst in Lofa "*we were all over*". During the period of the WWs, he saw Angel Gabriel in many places: at his house, at Bockarie's house, and in the front line. The Defense asked the Witness if Angel Gabriel had left for a while, and if someone else took care of Agbah. The Witness responded that he had stopped seeing Angel Gabriel when Taylor left the country, "*on August 23*". When asked about the frequency at which the Witness saw Angel Gabriel, the Witness answered that he would not see him every day, but he would see him every week, sometimes more. He did not know if anyone else was in charge of the Agbah group.

The Defense enquired about how the Witness knew that Angel Gabriel took over from Bockarie: the Witness explained that every time a new commander took over, introductions were made. Benjamin Yeaten introduced Angel Gabriel to them.

The Witness stated that Sam Bockarie had been in charge of the Agbah, and that he had been in Liberia since 2000. He had seen him himself in Monrovia, although the Witness was not part of the troops at the time. The Defense noted that the Witness did not say that Angel Gabriel took over Sam Bockarie's leadership position during the police interview; in fact, he had not mentioned Bockarie at all. The Witness answered that during the hearings he stated Angel Gabriel had been commander at Waterside: he took over because he was the only educated man.

The Prosecution interjected and asked the Witness about his friend. The Witness reiterated that his friend might have been interviewed, but he had not shared any details. He added that the only person with whom he discussed the interview was [Employee 1]. The Defense asked him to elaborate, so the Witness explained that [Employee 1] asked him if he knew Agbah, to which the Witness answered "*yes, we did it all together*" – he specified that [Employee 1] did not ask him for details, but told him that "*there were people who were going to ask*". Finally, the Defense asked him if the police had shown him photographs during his interview: the Witness shared that he had said no, because his eyesight was not good enough. The Defense asked the Witness if he had shared this with the police, because – according to the recording – the Witness had said "*is this all the pictures?*". The Witness explained that "*the paper was plain*" to him, and "*forget it, because of my eyesight*".

The Court listened to the police recording where the Witness is heard saying "it's been a long, long time". The police show pictures to the Witness, and he says "that's all?"

The Defense asked the Witness if he had his friend's number, to which the Witness answered in the negative. He explains that his friend has his number, but not vice versa, as the last time he saw him he had written down his number and gave it to him.

Witness X7 is Heard

The Prosecution questions Witness X7

The testimony began with the Witness sharing his experience of the Second Liberian War between 1999 and 2003. Prior to the war, his sister was living in Freetown and had a car: the Witness was a driver, so he decided to go to Freetown (Sierra Leone) and work with the vehicle. When the car broke, he was without a job. His sister's boyfriend was a general on "*that side*": the Witness' sister spoke to her partner to ask for a job for her brother. Two weeks later, the Witness was driving a Mercedes truck for his brother-in-law's boss; he had not known him before, but he was introduced to this man called Gabriel.

The Witness explained how he used to drive between Liberia and Sierra Leone, sometimes carrying people, other times carrying goods to Voinjama, as Gabriel had a business partner there. He also used to come to Monrovia, as he had a girlfriend, [FNM-071], living on Old Road, right behind Kiss FM radio station quarters. The Witness explained that Gabriel used to stay with Benjamin Yeaten, when he was in Liberia, and not everyone used to see him, but "*only those entitled*" would. The Witness described how Gabriel would sometimes order executions, but "*it was not my business, we were taking orders*". After the last time they came to Liberia, the Witness decided not to go back again: he told Gabriel that the truck had an issue, so he was not able to drive him back there. Gabriel told him to park in a safe space, and since then, the Witness did not see him again. Later in the testimony, when asked when this took place, the Witness could not remember the year, but said that it was at the time the "*war was going on in Sierra Leone*". The Witness recalled how one time Benjamin Yeaten asked him for the truck. The Witness told him how it was not his to give, and Yeaten threatened to execute someone if he did not give it to him. The Witness' brother advised him to hand the keys over to Yeaten, which he did.

The Prosecution asked for the name of the Sierra Leonean general who was his sister's partner. The Witness answered that it was [FNM-252], and his boss was Gabriel Massaquoi, who was spokesman for the RUF. When asked about how often he used to travel between Liberia and Sierra Leone, the Witness replied that sometimes they used to travel between Sierra Leone and Lofa twice a month, and to Monrovia once a month. He specified that Gabriel used to drive his own vehicle, a jeep, and that once he went to Monrovia with them, and they all stayed a week there at his girlfriend's, in Old Road. He could not remember the year.

He saw Gabriel three times in Monrovia, but he could not tell the year. The last time he saw him was when Gabriel told him to park the vehicle in a safe space, but again, he could not say when that had happened. Later in his testimony, when asked if he knew whether Massaquoi had gone back to Sierra Leone or stayed in Liberia, the Witness answered that he did not know his whereabouts.

The Prosecution asked the Witness if he knew any other commander for the RUF: the Witness answered that besides his brother-in-law, [FNM-252], he never interacted with anyone else. He did not drive any other general because Gabriel had ordered him not to. When asked by the Prosecution if Gabriel came to Monrovia to fight, the Witness answered that "*he never came to fight*", but he never used to say why he was going there as Gabriel was on "*a diplomatic mission*" with Benjamin Yeaten. He did not know any other names for Gabriel other than the one he gave during the hearing.

The Prosecution asked the Witness to elaborate on his statement regarding the execution orders Gabriel gave. The Witness explained that once he ordered troops to go on the front line, and when they refused, he ordered his bodyguard to kill them.

The Prosecution shifted the questioning to the war in Côte d'Ivoire: he asked what the Witness knew about it, if he remembered when it happened, and if he ever drove the truck to the border between Liberia and Côte d'Ivoire. The Witness had "*no idea*" about that war, did not know when it happened, and said that he never drove to the border. He then asked the Witness whether the war in Liberia was ongoing when he first met Gabriel Massaquoi, and he confirmed that it was ongoing for years, and the war in Sierra Leone also. When the Witness parked the truck at Yeaten's residence, the war continued for a long time still, he estimated a year, and he added that LURD "*was in town*".

The Defense questions Witness X7

The Defense began its questioning by asking about [FNM-253], who according to the Witness, was a general: the Defense never heard of his name, so asked the Witness if he was sure about it. [FNM-253] and [FNM-252] share the same surname, and during the pretrial interview, the Witness mentioned [FNM-253], whilst during the hearing he talked about [FNM-252]. The Witness explained that [FNM-253] was a friend of his brother-in-law, [FNM-252] and they were two distinct people. He added that he did not know whether [FNM-253] was alive or not.

The Defense asked the Witness if he only drove the truck he mentioned, and asked the difference between a truck and a pickup. The Witness answered that he only drove the truck in question, and that a truck is bigger than a pickup. The Defense then asked him about the locations where he used to gather the goods mentioned earlier in the testimony: the Witness answered that sometimes it would be in Konor, sometimes in Kailahun. He would reach Liberia from Koindu to Vaihun, and would only take this road "*over and over, again and again*". There is a river there, and a bridge to cross. It was the Defense's understanding that there was no bridge, and that you could only cross the river with a ferry: the Witness reiterated that there was indeed a bridge.

When asked, the Witness explained that his brother-in-law gave him the truck in Kailahun. He had transported soldiers in Sierra Leone. He added that the war was still going on in Sierra Leone at that time, and when he used to drive between the countries, the war was waging on in both. He had soldiers who acted as security, so that his truck would not be attacked. He used to unload the truck in Voinjama, and Kernel Head, an NPFL commander, used to control the area – later on in the interview he added that this person was dead now.

The Defense asked about Chris Massaquoi, who the Witnesses mentioned in his pretrial interview. He explained that Chris Massaquoi was the RUF's spokesman. The Defense asked if Chris Massaquoi had been another name for Gabriel Massaquoi, but the Witness responded that he only knew Gabriel Massaquoi as spokesman for the RUF, not Chris – if he had stated so in his police interview it was a "*slip of tongue*".

When asked about Sam Bockarie, the Witness answered that he was a fighter from Sierra Leone who had come to fight the war in Liberia, but could not remember when that had happened. The

Defense asked about the statement the Witness had given to the police regarding taking soldiers from Makeni to Kenema. The Witness responded that he had taken soldiers many times, and that when he did, the Sierra Leonean war was still going on.

The Witness reiterated that since he parked the vehicle at the time described in the hearing, he did not know where Massaquoi went.

Prosecution resumes questioning

The Prosecution shifted the questioning back to the issue of dates: the Witness, throughout the hearing, insisted he could not remember any. However, the Prosecution reminded him that during the police interview, the Witness had said that he was given the truck in November 2002, although he could not remember exactly. The Witness answered that indeed it could have been around that time, but he could not say if it was accurate. The Prosecution asked him if he still thought this happened in 2002, and the Witness answered in the affirmative. Also, according to the police summary, the Witness had stated that the last time he saw the RUF's spokesman in Monrovia was in August 2003; however, during the hearing, he said he could not remember when the last time he saw Massaquoi in Monrovia was. When the Prosecution asked him if he remembered now if he did see him in August 2003, the Witness replied in the affirmative.

Going back to what the Witness had said earlier in the hearing regarding the diplomatic nature of Massaquoi's trips to Monrovia, the Prosecution asked if he remembered what he had told the police. The Witness answered that maybe he said a few things, but that "*the main thing we used to come here for was a diplomatic mission*". The Prosecution reminded him that during the interview he had stated "*Massaquoi said he did not come to Liberia to fight but to find his way to Europe*". The Witness confirmed, and said that it was the same year the truck got parked, and when the Prosecution asked if that was in 2003, the Witness answered in the affirmative.

The Defense resumes questioning

The Defense also wanted to go back to the issue of dates, and wanted to know if he could remember the years and events better now, as during the police interview, he had given definite months and years. The Witness answered that his brain is "*not like a computer*" and "*what I remember is what I said and told them*".

When asked about being given the truck in November 2002, the Witness said it was what he remembered. He confirmed that when he was transporting soldiers and came to Liberia, the war was still going on in Liberia, and that he did indeed remember that the war was also still going on in Sierra Leone.

The Defense questioned the Witness about a statement he gave to the police regarding Mosquito: he had said that he ordered a mass killing in Makeni. The Witness confirmed that it had happened outside of Makeni, on "*the out stretch*", and that it had happened a week after he got the truck. When asked if he had ever heard about Mosquito leaving his soldiers, the Witness said yes, and that in his opinion he did not come back to Sierra Leone.

The Defense stated that, as far as they knew, LURD was in control of Voinjama in November 2002, when the Witness was bringing goods there. The Witness explained that at the time Voinjama was divided in two.

The Witness confirmed the earlier statement in the hearing, when he said that after he parked the truck in August 2003 the war still went on another year. The Defense told the Witness that in August 2003 the Liberian war ended, and the Witness refuted that. The Defense went on and said that the Witness had said that he was transporting soldiers in Sierra Leone, but peace keeping troops had come to the country in 2002, eleven months before he got his truck. The Defense also declared that the Sierra Leone peace talks "*started in January 2002*", so, according to the Witness, he was given the truck 10 months after that: The Witness answered "*you said 'started', and I'm saying no, war was still going on*". Finally, the Defense asked the Witness for how long he had driven the truck, but the Witness could not remember.

The hearing ended, and it will resume on September 17.

September 17, 2021 – [Liberia] Day 45: Three New Witnesses are Heard

The 45th day of public hearings resumed on 17 September 2021 in Monrovia, Liberia.

Witness Y1 is heard

The Prosecution Questions the Witness

The Witness began by explaining how he came to live in Liberia. The Witness was born in Sierra Leone where he attended school. He was very young when he was captured by the rebels, and he was then under Gibril Massaquoi. In 2000, he crossed into Liberia due to the fighting, and they fought until they reached Monrovia, from 2000 to 2003. The Witness recalled that they fought until 2004, and explained that they were fighting in Waterside "*until everything finished*". He added that his commanding general was "*50*".

Returning to his early life in Sierra Leone, the Witness added that he was captured by the rebels in Kamagua, clarifying that these were Gibril Massaquoi's rebel forces, the RUF. When asked whether Mr. Massaquoi was the leader, the Witness explained that Mr. Massaquoi was the spokesman. According to the Witness, Mr. Massaquoi brought him to Liberia. He noted that other people were there as well, but he could not remember their names and noted that most had died. One person whose name he could recall was Superman, who was one of the commanders that came with them.

The Witness added that Superman was now dead, and that Gibril Massaquoi killed him. The Witness explained that he knew Mr. Massaquoi killed Superman because the Witness was behind Superman when the killing took place, and added that Superman was killed in Lofa. The Witness further elaborated on the killing, stating that Mr. Massaquoi killed Superman over the diamond business. Further, the Witness added, Mr. Massaquoi used Benjamin Yeaten to kill Superman, because Mr. Yeaten had higher authority. The Witness clarified that Mr. Massaquoi ordered someone to kill Superman and it was 50 who killed Superman, and responded affirmatively when the Prosecutor asked whether he saw 50 kill Superman.

Turning to his arrival in Liberia, the Witness stated that he was sure he arrived in 2000. The Witness explained that they first went to Vahun, where they were based. The Witness added that they were fighting against LURD. The Witness estimated that they fought against LURD in Vahun or Lofa for more than a year. As for his travel to Monrovia, the Witness explained that they came to Monrovia throughout the fighting, clarifying that they did not go directly from Vahun to Monrovia, but that they were fighting from place to place and town to town. The Witness estimated that it took more than a year for them to fight from town to town until they arrived in Monrovia, noting that it was a long time. The Witness further affirmed that Mr. Massaquoi fought with them in Vahun all the way to Monrovia, though there were times when Mr. Massaquoi was not with the forces.

On the subject of fighting in Waterside, the Witness stated that they fought LURD forces there. According to the Witness, Mr. Massaquoi fought alongside him and the other soldiers. The Witness believed that he saw Mr. Massaquoi in 2003 or 2004, during combat in Waterside. The

Witness explained that he fought at Waterside until the end of the war, which he recalled was in 2004. When the war ended, the Witness was in the hospital, as he had been injured by a car in Waterside.

The Witness remembered that, when he was injured, Mr. Massaquoi was in the E.J. Roye building, where he used to be assigned. The Witness explained that the E.J. Roye building is not at Waterside, but that the main building where 50 assigned Mr. Massaquoi was around Waterside. The Witness clarified that Mr. Massaquoi was in Waterside when the Witness was wounded. The Witness could not recall how long the war lasted after he was wounded, but he remembered that he was at the hospital when the war ended. He knew the war had ended because "*everything was over*". The Witness stated that he received plenty of treatment at the hospital for the wound to his mouth. He further added that he last saw Mr. Massaquoi when he was wounded in his mouth, because it happened in Mr. Massaquoi's car and Mr. Massaquoi was with him.

The Witness provided additional information about the accident. He stated that the accident occurred on the Old Bridge, where the car hit a barricade and turned over. The car was a Toyota Hilux, and had weapons attached to it, as it was a BZT car.

Defense Counsel Questions the Witness

Defense opened by asking the Witness who captured him in Sierra Leone to join the RUF. The Witness stated that it was Superman himself who captured him. The Witness did not know if someone sent Superman to capture him, or if he did this on his own. As to what the Witness did with Superman on the Liberian side, the Witness stated that Superman did not do anything in Liberia before he died. He added that he was small when he was captured in Sierra Leone, so did not see anything there. With reference to the Witness' interview with Finnish police, the Witness confirmed his prior statement that "*Superman saved the boys and took them to a training camp and started to train them*". The Witness stated that the rebel leader was Foday Sankoh, and Superman was just the commander. Defense Counsel noted that this differed slightly from the Witness' prior statement, but that he could understand the error.

Defense Counsel referred to the Witness' answer to the Prosecution, wherein the Witness stated he was under Mr. Massaquoi's command, asking whether the Witness recalled what he told the Finnish police. The Witness stated that he did, and added that he was under Mr. Massaquoi's command during the war. The Witness clarified that Superman was his commander in the training camp, and that it was when he arrived in Liberia that he and Mr. Massaquoi got together. The Witness further stated that when he left Sierra Leone to go to Liberia, Superman was his commander, and that Mr. Massaquoi was not with him when he crossed the border. According to the Witness, Mr. Massaquoi came after they crossed, once they had arrived in Lofa and Vahun. When Superman and Mr. Massaquoi were both in Vahun, the Witness' commander was Superman, and the Witness fell under Mr. Massaquoi's command when Superman was killed. The Witness clarified that Mr. Massaquoi was present in Vahun and Lofa the whole time after Superman died, adding that Mr. Massaquoi "*was the one taking care of the troops after Superman died*". The Witness thought Superman died in 2000 or 1999, but could not remember.

The Witness recalled that, when he met Mr. Massaquoi, he told the Witness that "*he did not want to take part in the Liberian war, but he had to do it because he did not want to die*". The Witness could not recall what he told police about Mr. Massaquoi's movement in Vahun, so Defense Counsel read in the Witness' statement, which was: "*when Gibril came, he usually said that he did not want to fight… he told me that any time you don't see me, I'm gone, but he used to come and go*". The Witness explained that this meant that Mr. Massaquoi used to come and fight with them, but then would disappear without warning. He further clarified that this did not happen in Vahun, but in Monrovia.

Turning to the wound the Witness suffered, the Witness stated that during the war he was only wounded only that one time, when Mr. Massaquoi was around. The Witness recalled that he told the police he got injured in the car, but that the police did not ask about the location of the accident, so he did not tell them where it occurred. The Witness added that he did not participate in fighting again after he was wounded.

Returning to the Witness' travel to Monrovia, the Witness explained that, after they left Vahun, they went to Bomi. He knew of Kongborhun, which was part of Lofa. He stated that Kongborhun was far from Vahun, but that it was closer to Vahun than it was to Monrovia. Referring to the Witness' statement to the police, Defense Counsel noted that the Witness told Finnish police that the only time he was wounded was on the way from Vahun to Kongborhun when the car fell off the bridge, causing several of the Witness' teeth to fall out. The Witness agreed with this statement. Defense then asked whether it was after the accident that Mr. Massaquoi told the Witness he could no longer go to the frontline, and the Witness again agreed. He added that he received treatment for his mouth and teeth.

Defense then recalled that the Witness had been asked about incidents occurring in Lofa and Kamatahun, and the judges interjected to remind the Witness that he did not have to answer any questions that might incriminate him. The Witness stated that he understood, and went on to explain that he heard of killing in Kamatahun, but did not take part in it. He stated that "*Zig Zag Marzah was the one that did the killing*". The Witness further had not ever heard that Mr. Massaquoi had taken part in this. At first, the Witness did not recall whether Mr. Massaquoi was referred to by any other name, but, when asked by Defense whether he had heard the name "Angel Gabriel", the Witness stated that Angel Gabriel was Gibril Massaquoi's name there. The Witness explained that he heard the name when they were fighting.

Referring to the Witness' statement to Finnish police, taken in May 2021, Defense noted that the Witness had stated that Mr. Massaquoi did not use any other name, that he had not heard the name "Angel Gabriel", and that, when asked whether anybody referred to Gibril Massaquoi as Angel Gabriel, with Witness answered that he would not know whether Mr. Massaquoi used any name other than Gibril Massaquoi. The Witness explained that it had been a long time, and he couldn't remember, though he could not recall how many years it had been. When asked why he remembered the name now, the Witness explained that it was because Defense had talked about it.

Defense Counsel then turned to the connection between Mr. Massaquoi and the death of Superman, noting that the Witness had not made this connection during his police interview. The Witness stated that the police never asked him for this. Defense Counsel read from the Witness'

statement, which noted that Superman was killed in Vahun, Liberia by Benjamin Yeaten and General Stanley (Bush Commando). The Witness agreed, stating that this was a coup, and agreeing that they organised an ambush where Superman died. Defense noted that the Witness did not mention Mr. Massaquoi at all as part of this plan, to which the Witness replied, "*he was part of it*". The Witness did not know Superman's real name.

The Witness recalled the name Sweet Candy, noting that this was a different commander, but that he did not know Sweet Candy's real name. The Witness also did not know Zig Zag Marzah's real name.

The Witness did not remember the month he first came to Liberia, but stated that the year was 1999. Defense referred to the Witness' police statement, wherein the Witness had stated that the year was 2000 and that the month might have been March. The Witness agreed that this was possible.

Prosecution Questions the Witness Further

Prosecution returned to the topic of the accident, asking the Witness to clarify where it happened as during the investigation he stated it was in Lofa and not Waterside. The Witness stated that it was not in Waterside, but in Lofa. The Prosecution asked the Witness whether he was in the hospital when the war ended, and the Witness affirmed that he was. He explained that, sometimes in war, if you are afraid and don't want to go on the frontline, you can say you are wounded. The Prosecution asked the Witness why he said that he went to the hospital because of this accident, and the Witness stated that he did not want to fight again, affirming that he went to the hospital because he wanted to leave the frontline. The Witness acknowledged that it was difficult for a soldier to admit that.

The Prosecution closed with the Witness confirming again that Mr. Massaquoi was in Waterside when he left for the hospital.

<u>Witness Y5 is Heard</u>

The Prosecution Questions the Witness

The Witness began by describing his experience with wars in Liberia from 1994 to 2003. The Witness stated that, when the war started in 1994, he went with a group of boys to Gbarnga, Bong County. At that time, boys were being recruited to fight, either through arrests or because they joined willingly. The Witness and his group fought until 1996 when Taylor came into power. The Witness recalled that they were in Duala at the time. Taylor had a base for militias at Red Hill Field in Virginia, Brewersville. The Witness stated that he was in his own Jungle Fire group. Later, the Witness heard that LURD forces were coming, and during that time, he and his group would sometimes be brought to fight, and then return. The Witness stated that this happened until WW3, in 2003, when they could no longer keep the LURD forces back and so retreated to Waterside.

The Witness clarified that, by Taylor, he meant Charles Taylor. He further explained that he fought for Charles Taylor, and confirmed that there were Sierra Leonean fighters in Taylor's forces. He remembered Salame and Gibril Massaquoi: "*we used to call him Angel Gabriel*". The Witness did not recall any other names, but repeated that Angel Gabriel and Gibril Massaquoi were the same person. He believed Gibril Massaquoi was from the RUF, and stated that he used to come with delegates from Sierra Leone. The Witness did not remember when Gibril Massaquoi came to Liberia, but recalled that Mr. Massaquoi was in Waterside when the Witness was there. He added that during the day, Mr. Massaquoi did not go outside, and that he used to drive a black jeep in the evening. Further, Mr. Massaquoi spoke Krio English.

The Witness then stated that he saw Mr. Massaquoi during WW3. The Witness could not remember which month in 2003 that he saw Mr. Massaquoi in Waterside, as, in his mind, soldiers did not think of the dates or months while fighting, but he recalled that they fought until 26 July.

The Witness then described the type of situations he saw Angel Gabriel in. He stated that, when Charles Taylor had special operations, he would send Benjamin Yeaten to deliver the orders. One Friday, the Witness and his group believed that the LURD forces were gone, because they had been in Clara Town that day. Then Benjamin Yeaten came and delivered orders to Angel Gabriel, who called the Witness and his group behind a store, telling them that LURD forces had retreated. According to the Witness, Angel Gabriel then told the Witness and his group that they should carry out an attack to check where the LURD forces were. During this attack, the Witness stated, they discovered that the LURD forces had not retreated, but were hiding in a building. The LURD forces killed one of their generals and some of the Witness' friends that day, and so he and his group retreated.

The Witness then stated that he saw that civilians were abused during the war. According to the Witness, on one occasion, Benjamin Yeaten came and told them civilians were looting a store, and left Gibril Massaquoi in charge. The Witness stated that Mr. Massaquoi was not doing anything about the looting. Then, one night, the Witness and his group heard sounds from the store, so they told Mr. Massaquoi that they were going to the store because they wanted to scare the looters away, as they usually did. Mr. Massaquoi told them not to, and then, to their surprise he went to the store and started shooting people. The Witness admitted that he also shot people. The Witness said there were plenty of bodies that day, more than ten, but that they did not bother counting them. The Witness stated that he and his group continued fighting after this incident, but nothing happened after Mr. Massaquoi shot people, because he had been given an order to not allow looting. The civilians were used to remove the bodies. The Witness then confirmed that this incident happened in WW3.

The Witness then spoke more about Angel Gabriel's location in Waterside. He stated that Angel Gabriel would be up at a store, and the Witness and his group would be on the road. The store was not at the bridge, but was on the road going up Front Street.

The Witness stated that he last saw Angel Gabriel the year that there were peace talks between LURD and his group. He saw Angel Gabriel in Waterside, at night. The Witness stated that "the chief" came, and he, Angel Gabriel, and another Sierra Leonean guy got in a black jeep, but the Witness did not know where they went.

The Witness described the end of the war, recalling that LURD forces were on the other side of the Gabriel Tucker Bridge, also known as the Old Bridge, but that most people died, and they used to cross and look for food. When the war ended, they met LURD forces on the bridge and shook hands. He did not recall what month the end was in, but he recalled that Charles Taylor was still in Liberia. Gibril Massaquoi was not there when they went to shake hands, as the night before that, "the chief" came for him.

Defense Counsel Questions the Witness

Defense opened by asking the Witness to explain how the Finnish police came to interview him. According to the Witness, he was working in Bong County, and one of his friends, told him that there was a man from Finland who wanted to talk to him. The Witness asked what he wanted to talk about, and his friend told him to just come and the man would tell him. Before the interview, his friend only told the Witness that people wanted to see them. The Witness also stated that his friend got in touch with the Finnish police through [Employee 1]. Before talking to the Finnish police, the Witness stated that he did not talk to [Employee 1].

Referring to the Witness' statement from May 2021, Defense Counsel noted that the Witness told police officers he received a call from [Employee 1]. The Witness stated that [Employee 1] went through his friend because [Employee 1] did not know the Witness, and repeated that his friend called the Witness.

The Witness explained that, during the phone call he received, he was asked whether he took part in the war, and what he knew about the war. The Witness asked why he was asking these questions, and his friend said that the white men from Finland wanted to talk about it. Defense Counsel asked the Witness to clarify whether his friend knew that he took part in the war. The Witness stated that he did, but that he did not know why his friend asked him that question. The Witness stated that his friend did not ask him about any troops or groups, but that his friend did ask whether he knew any RUF connected with the war in Liberia.

Defense again noted that the recording of the Witness' prior statement indicated that [Employee 1] contacted him, and the Witness explained that it was through his friend that he got to know [Employee 1]. Defense Counsel asked the Witness to clarify, as the Witness had just said he did not speak with [Employee 1]. The Witness explained that he spoke with his friend on the phone, and the latter introduced him to [Employee 1]. The Witness added that he and his friend did not travel to Monrovia together, but met up in the city, and his friend brought him to be interviewed. The Witness again stated that he did not speak with [Employee 1], and that it was his friend who told the Witness that the man from Finland wanted to speak with him.

Defense Counsel played a recording of the Witness' police interview, in which he stated, "*I received a phone call from a man called [Employee 1]*". The recording was paused, and the Witness stated that he made a mistake, repeating that his friend called him. The recording continued, and the Witness was heard to have stated, "*so when [Employee 1] called me, I did not know that the phone rang because I was up working. When I picked up* […] *he said, 'did you take part in Liberian civil war?'*"

Defense Counsel then asked the Witness again who first contacted the Witness. The Witness maintained that he may have made a mistake, but the first person who contacted the Witness was his friend, because they were friends.

Defense Counsel turned their questioning to the topic of a delegation that came to Liberia in the 90s. The Witness explained that he did not come into close contact with this delegation, as he did not have sufficient rank, and added that it was an RUF delegation. He did not recall why this delegation came to Liberia, but believed this was in either 1996 or 1997. He stated that Angel Gabriel was in the delegation, adding that he was not close with him as he had been during WW3, and also that he saw Angel Gabriel on Charles Taylor's farm in Arthington. Defense noted that the Witness had previously opined that the RUF came to Liberia in 1997 or1998, and the Witness responded that he did not really remember the year. Defense Counsel asked whether this could have been in 1999 or 2000, to which the Witness replied that he did not believe that to be the case. Other than Angel Gabriel, the Witness only recalled Salame being part of the delegation. He explained that they did not know the real names of people like Angel Gabriel or Salame, adding that it was only when he was shown pictures that he remembered the name of Angel Gabriel.

Referring to the Witness' prior statements to Finnish police about the delegation, Defense Counsel noted that the Witness had indicated that he was in Duala when the delegation arrived, and asked the Witness to clarify where he first saw the delegation. The Witness maintained that he first saw them in Arthington, and noted that he could not remember the actual year. He then stated that, whether it was in Duala or in Arthington, he saw the delegation.

Defense Counsel then played the Witness' statement to the police, wherein he stated: "*the delegation came before 2003 at that time I was in Duala. It could be about '97 or '98 something like that… I was in Duala… They were Sierra Leoneans.*" Responding to the recording, the Witness explained that the delegation contained people that would come and go to different places every once in a while. So, even if the Witness said that he saw him in Duala, it did not mean that he did not see him at Charles Taylor's house.

Turning to the looting incident that the Witness described earlier in his testimony, Defense Counsel asked whether Angel Gabriel was alone in shooting people, or whether others were also shooting. The Witness explained that, on that particular night, Angel Gabriel himself did the shooting, but on other nights, he gave orders. The Witness added that, one night, he gave them orders to kill people beside the river. The Witness further clarified that Angel Gabriel would only go to them at night. On that particular night, he told the Witness and his group, "*any time you catch somebody looting, you should kill them*". The Witness stated that this was an order that Angel Gabriel gave frequently, but "*we never followed his orders until that night he did the shooting… at first, we did not obey him*". One of the judges briefly interjected to remind the Witness against making self-incriminating statements. The Witness continued his testimony, noting that, after Angel Gabriel did the shooting, when they caught anyone looting, they would just kill them.

The Witness then began explaining how many times he had met Massaquoi in Monrovia. The Witness explained that he was closer to Massaquoi in Waterside, compared to when they were at Charles Taylor's home. The Witness stated that he saw Massaquoi in three places: Charles

Taylor's home, Duala, and Waterside. He was unable to say exactly how many times he saw Mr. Massaquoi in Waterside, noting that he stayed in Waterside for a long time, and was based there. The Witness then clarified that Benjamin Yeaten was the commander in Waterside around the bridge area, and explained that Tony Montana was another commander in Waterside, for a different group but on the same side as the Witness. The Witness stated that Gibril Massaquoi had a room in Waterside to stay in, and added that, sometimes during the day, Mr. Massaquoi would sleep in the store he had previously mentioned, confirming that this store was in Rock Town Hill. Further, Mr. Massaquoi occasionally stayed at 12 Houses Road. When asked by Defense whether this was where Mr. Massaquoi lived, the Witness explained "*that man was not living in this country, to say he had his house and married, no*".

Returning to the subject of commanders in Waterside, the Witness explained that everybody had their own unit, and within each small group, there was a commander. The Witness confirmed that "I Mean It" was another general in Waterside.

Defense then asked the Witness about the last time he saw Mr. Massaquoi, when he got into a jeep with another individual. The Witness explained that this happened in Waterside, the night before the ceasefire. The Witness could not recall any other details about Mr. Massaquoi as he went to the jeep. Defense Counsel noted that, in his interview with police, the Witness had stated that Mr. Massaquoi was playing music with friends and smoking. The Witness stated that smoking and music were usual things, and he guessed that Mr. Massaquoi did smoke when asked by Defense. He then repeated that he last saw Mr. Massaquoi in Waterside. Defense, referring to the Witness' statement to police, noted that the Witness had said Mr. Massaquoi was "up there" when asked about this. The Witness explained that he meant "*up the hill, where they sat down. The man came with the jeep and they left. The next day was ceasefire*". Defense asked for further clarification, and the Witness stated that, by "up there", he meant Rock Town Hill, which was still in Waterside. Defense then asked the Witness what time of day it was when he last saw Mr. Massaquoi, and the Witness stated that he believed it was at night.

Defense Counsel then asked the Witness whether he recognised a couple names: [FNM-258], who the Witness stated was his former classmate; and [FNM-259], who the Witness distinguished from [FNM-129], and identified as a Sierra Leonean whose real name he did not know.

The Witness stated that, after he discussed this with Finnish police, he did not discuss this with anyone else.

Witness Y4 is Heard

The Prosecution Questions the Witness

The Witness began by speaking about his experiences during the Second Liberian Civil War, from 1999 to 2003. He stated that people did many bad things during the war, especially in 2003. He was about 13 or 14 years old at the time. When the war first hit Monrovia, in 1990, he was a little boy, and his family fled from Monrovia to Lofa on foot. During the time they were fleeing to Lofa, the Witness became separated from his parents. Once the Witness returned, he found his father, who taught him construction practices. It was through this work that the Witness' father brought

him to Charles Taylor's former home in Arthington. There were many ATU guys that he met in Arthington, including his brother. Every week, he would go to Arthington, and there, they built Charles Taylor's house, the barracks, and some other houses. After some time, the Witness stopped working there, because his uncle developed eye problems. The Witness and his brother, who was in the ATU but also a contractor, started looking for a new contract. His brother was a bodyguard for General Winnie, so they had access to most of the generals there. They began working for General Winnie and later on, they went to work at Benjamin Yeaten's mother's place. When things were not good at the construction site, the Witness would do work with some of the ATU guys – for example, one of the soldiers under Benjamin Yeaten's command recommended the Witness and his brother do work for Benjamin Yeaten at Dupont Road and Pipeline. While they did this work, there were several occasions – more than two or three, the Witness indicated – where people would come, put everyone in the pickup, and send them to the front. Then, wherever the soldiers went, they would order the workers to take their bags and arms. It did not matter whether you were a builder or a soldier, either way, you would be brought along. The Witness clarified that he went to the frontline on three occasions – to Monrovia, Waterside, and the Old Bridge. There, the Witness stated, he saw many terrible things.

The Witness repeated that, when he was on the frontlines, his role was to carry the arms and ammunition for the soldiers. He described an instance where he witnessed heavy firing at the bridge between LURD forces and government troops. The Witness was on the hill on Mechlin Street, and was told to carry a load to the troops in West Point. At the delivery location in West Point, they heard heavy firing, and they returned. Upon their return, they saw many casualties, both soldiers and civilians, but mainly civilians. When they asked what had happened, they were told that LURD was firing. The Witness stated that there were two bridges upon which the fighting was taking place, and that there were many commanders there, including [FNM-260] on the New Bridge and [FNM-129] on the Old Bridge. Benjamin Yeaten was also there, and he would "*patrol restlessly*". The Witness indicated that there were other commanders controlling the Old Bridge, and that the fighting mainly happened around the LEC gate to the West Point junction towards Johansen.

The Witness clarified that the soldiers, militias, and ATUs were the ones who put him in the car and brought him to the front, and that this happened in 2002 and 2003. The Witness indicated that he saw many Sierra Leonean soldiers when he was in Waterside, and stated that these troops fought alongside the ATU and were called "Camajor". He repeated that [FNM-260] and Salame were commanders, as were Prince and Gabriel from Sierra Leone, as well as Benjamin Yeaten and [FNM-129]. According to the Witness, Gabriel was a Camajor from Sierra Leone who was "*a strong fighter*". The Witness clarified that Gabriel was the commander of the Camajor group from Sierra Leone, and added that Gabriel was "*always*" with Benjamin Yeaten. The Witness reiterated that he would see them in Duport Road, around the Kiss FM area in 2002 or 2003. The Witness could not recall the month the war ended in Monrovia, but believed it was 2003, when Taylor left power.

Prosecutor returned to the statement on incidents with civilian deaths and asked if the Witness saw any himself. The Witness confirmed that he saw many incidents that resulted in the deaths of civilians, and recounted again the incident he described that occurred in West Point where he heard firing and once he arrived saw many dead bodies. He was told that LURD rebels were shelling from across the bridge, which caused civilians to then start shooting. The Witness also reported that they were told that a Sierra Leonean guy died, which resulted in the shooting.

According to the Witness, when one commander asked who was responsible, he was told "*Gabriel Massaquoi*". The Witness heard from other people that when Gabriel Massaquoi was called by higher authority about the shooting, he said it was because civilians were looting and he was trying to scare them.

The Witness clarified that when he heard gunfire, he went running to West Point, where he saw many dead bodies. People were asking Gabriel and the other people in charge questions. The Witness explained that he was not a soldier, so he could not get too close. According to the Witness, the other Liberian boys became upset and said, "*you killing our people too much because of one of your men that died*". The Witness confirmed that Gabriel Massaquoi was at the scene when the incident happened, and that he saw Mr. Massaquoi himself. The Witness added that that was the third time he saw Massaquoi that day, as he had seen him earlier on Duport Road.

The Witness indicated that the incident in question occurred close to the end of the war: "*the war was almost over; it was in the same 2003*". The Witness did not recall the date or month he last saw Gabriel Massaquoi, but that it was around Old Congo Town. He added that this was right after the incident in Waterside, and that he saw Mr. Massaquoi around the Kiss FM radio station, which, according to the Witness, was where Mr. Massaquoi resided.

Finally, the Witness stated that Mr. Massaquoi spoke Sierra Leonean Krio, but that he also had "*sound English*". Other than the name "Massaquoi", he was called Gabriel, Gibril, or Chief.

Defense Counsel Questions the Witness

Defense opened by asking whether the Witness was in Monrovia in 2000 or 2001. The Witness stated that he had been in Monrovia since 1992. When he was building the house and barracks at Charles Taylor's property, he noted that he never would enter the buildings, but that there were many Sierra Leoneans on the property. When asked whether he observed Gabriel Massaquoi in 2000 or 2001, the Witness stated he could not say the exact date, but that there was war at the time. The Witness then clarified that he saw Gabriel Massaquoi on two or three occasions, but that he was brought to the frontlines more than three times. He added that he went to the frontlines many times, and that he occasionally went there on his own to find food.

When asked whether he knew who was the number one commander for the militias, the Witness indicated that it was Benjamin Yeaten. Other than Yeaten, the Witness remembered Salame, and Gabriel was the head for Sierra Leone. He again stated that they had many commanders, including Roland Duo, [FNM-260], and Salame, but that Yeaten was the overall boss. The Witness indicated that he did not know who was in charge of the navy, as he was not a soldier, to which Defense Counsel stated that Roland Duo was the navy commander. The Witness explained that he was not too concerned about everyone's functions at the time, as he first got to know those guys while he was working as a builder. The Witness stated that J.C. Winnie was the supreme commander for the ATU, and that Momo Giba was a bodyguard for the president, who the Witness saw in Arthington. Defense noted that their information showed that Moma Giba was the head of the ATU, to which the Witness stated that there were many commanders, but he knew J.C. Winnie and Chucky Taylor were commanders for the ATU.

Defense asked whether there were ever any orders that Sierra Leoneans should be removed from the frontlines, and the Witness stated that he heard rumours of this close to the departure of the president. According to the Witness, some of the Sierra Leoneans left the frontlines, and some of them were killed. When asked whether they were killed by Liberian government troops, the Witness stated that the information he received was that the commander Mosquito was killed in Nimba and that most of them fled overnight. Defense asked the Witness to clarify whether the Sierra Leoneans were killed in Nimba or Monrovia, to which the Witness replied that they had been told to withdraw from the frontline, and many of them were with their commander, Sam Bockarie, also known as General Mosquito. According to the Witness, they were killed in Nimba.

On the topic of Sam Bockarie, the Witness indicated that Bockarie was on a mission in Liberia and that he "*brought most of those guys*". The Witness did not see him fight in Monrovia, but stated that he fought in Gbarnga and in Lofa. As for how Bockarie died, the Witness stated that he was not present at the time, but according to information he received, there was a direct order from Charles Taylor to kill him "*so as to destroy evidence*". The Witness repeated that he was not present when Sam Bockarie died, and so did not see Gabriel Massaquoi there. The Witness did not recall whether the West Point incident happened before or after Bockarie's death.

Defense Counsel then played a recording of the Witness' statement to police relating to the last time he saw Mr. Massaquoi. In the recording, the Witness stated, "*My last time seeing him was when this guy died, General Mosquito. They killed him in Nimba, I don't know where that guy went. That was when the ceasefire came*". In response, the Witness stated that the last time he saw Gabriel was around Kiss FM, and that this all happened around the same time. Defense asked the Witness where he received the information that Mosquito was killed in Nimba, and the Witness stated that he was among the soldiers where "*information was not hidden*". The Witness added that he was on the Duport Road towards Roland Duo's place when he heard this information.

After a brief conversation between the lawyers in Finnish, Defense turned to the topic of how the Witness met the Finnish police. The Witness stated that one of his friends, who he previously worked with, gave his number to [Employee 1] . The Witness did not recall his friend's full name, nor did he remember when his number was given to [Employee 1] . Defense noted that the Witness was interviewed on 6 June 2021, and asked whether the number was given a long time before that. The Witness indicated that he spoke with [Employee 1] for a long time. According to the Witness, [Employee 1] told the Witness that some people were coming from Finland to discuss the war in Liberia. The Witness then clarified that they did not speak for several weeks, but that [Employee 1] asked the Witness where he was, and after some time, he called the Witness again to ask him to come to Monrovia. The first time the Witness came was when he met the policeman. The Witness repeated that the friend who gave his number worked with him, specifically on building Benjamin Yeaten's mother's house. As for what [Employee 1] told him, the Witness repeated that [Employee 1] told him some white people wanted to talk to him, and when the Witness asked him about what, [Employee 1] stated that they wanted to speak with those who know about the war. Defense then asked the Witness whether [Employee 1] told the Witness that he was investigating people who committed crimes, to which the Witness stated that he had not. Referring to a summary of the Witness' police interview, Defense noted that the summary indicated the Witness had said that [Employee 1] told him that police from Finland were investigating people that did things during the war, and that they wanted people to testify. The Witness agreed that [Employee 1] told him people were coming from Finland to investigate.

The Witness stated that [Employee 1] did not specify any name, but that he did say the police were coming to investigate.

Defense played a recording of the Witness' interview several times, which stated "[Employee 1] *told me that you were investigating and you wanted people to testify against those that took part in the war*". The Witness responded by stating that he simply spoke with [Employee 1] on the phone, and that he knows a lot about the war.

Defense played a different section of the recording, which stated, "*my friend […]said [Employee 1] asked if I knew some of those guys from Sierra Leone that fought alongside Charles Taylor, and I said I have experience on some people because we were with them and saw some of them. I was with General Winnie*".

The hearings closed for the day and the trial was set to resume on 20 September 2021 in Monrovia, Liberia.

September 20, 2021 – [Liberia] Day 46: Three New Witnesses are Heard

The 46th day of public hearings resumed on 20th of September in Monrovia, Liberia.

Witness Y6 is Heard

The Prosecution questions the Witness

The Prosecution begins by asking the Witness to share his experience of the civil war. The Witness explained that his experience of the conflicts spanned from 1998 to 2003. In September 1998, when the war began at his home-town of Foya the Witness was in school. He decided to join 'the rebels' and used a gun for the first time with [FNM-264] *"which was called Mosquito, our general. He was Liberian*'. They first fought from Foya to Voinjama. Once in Voinjama the Witness decided to join the ATU in Monrovia, as '*I could not continue fighting in this bush'*. After joining the ATU troops, the Witness was assigned to the Kolahun district. There, he encountered "*Jimmy Massaquoi*", who provided supplies and "*later [he] left"* upon Sam Bockarie's orders '*which is general Mosquito, a Sierra Leonean'. '*Jimmy Massaquoi*'* was present in Popalahun when the witness' group put some children in a mosque before it was set on fire. The Witness specified that he did not know who gave the order to burn down the mosque. When the war became more intense in Popalahun, he was transferred to Foya where he stayed for around two months before being transferred again, to Kamatahun and "Yadanhun". He then returned to Monrovia to join Charles Taylor. They fought WW1, WW2 and WW3 at the New Bridge, whose commander was [FNM-263]. When the fighting escalated, the Witness was shot in the leg and taken to hospital.

The Witness, upon questioning by the Prosecution, specified that the 'rebels' he had joined were the RUF, and stated that his commanders were General Issa and Superman. The Witness said that *'Jimmy Massaquoi*' was a supply man for the RUF, acting as a mediator for Sam Bockarie and Charles Taylor. He later explained that he did not know his exact function, only that he was close to Sam Bockarie. The first time he saw Massaquoi was in Popalahun, in 2001. The Witness explained that he saw Massaquoi twice during his time in Lofa: once in Foya District, the other in Popalahun in 2001. The Witness never saw him at the New Bridge. He saw [FNM-263], Benjamin Yeaten and other generals there but did not remember seeing Jimmy Massaquoi. The Witness explained that a friend of his, [FNM-247], an ATU officer, told him that Jimmy Massaquoi was in Monrovia to see Taylor, but he himself did not Witness it; he added that he did not know what Jimmy Massaquoi's mission was. He said that Massaquoi sometimes wore a military uniform but that most of the time he wore ordinary clothes and that he saw him once in a white Jeep on AB Tolbert Road and that [FNM-247] told him that he drove Massaquoi to Sam Bockarie. At that time WW1 was going on, and the fighting started at Klay, Bomi County to Monrovia. The Prosecution asked the Witness whether Jimmy Massaquoi used other names. The Witness replied that there was another name but could not remember it.

The Defense questions the Witness

The Defense opened by asking how the Witness became involved in the interview with the Finnish police. The Witness explained that he was in Gbarpolu when a friend of his [FNM-261] told him that people were looking for former soldiers who had participated in the war. This

happened at the beginning of 2021. The Defense brought up Witness' earlier statement where he had indicated that [FNM-247] phoned him and told him to come to the interview, but the Witness specified that it had been [FNM-261], as he knew about the program. He elaborated that [FNM-247] came to his work site from Monrovia and explained to him the interview process with the Finnish police. The Witness mentioned that [FNM-247] had died a month before the Witness testimony.

The Witness explained that he was at school in Foya District when the war broke out on September 11: he joined the RUF and was taken to Bouyoudu. When asked, the Witness confirmed that his father's death had an impact on him joining the war, as he '*a problem with me joining the war*', and had kept him from doing so, as it was against his religion. The Witness said that his father had died at the end of the war in 2003 from a rocket explosion. The Defense countered that in the police interview the Witness had indicated that his father had died in Foya, and that he had decided to enlist and avenge his father. The Witness clarified that it was his stepfather, who had raised him. The Witness then explained that he was not in Freetown when he heard of his stepfather's death, but in the Sierra Leonean border region of Foya. The Defense then returned to the Witness' statement to the Prosecution about where he saw Jimmy Massaquoi and the Witness reiterated that he did not see Massaquoi in Monrovia but in Popalahun.

The Defense asked the Witness about his contact with the Finnish police. He explained that [FNM-261] had contacted him and took him to the police: it was the first time he had met [FNM-261], and have not seen him again, but they had been in contact. Before his current testimony, he had been contacted by *"one big brother"*, whose name he did not know but it wasn't [FNM-261].

The Prosecution asks further questions

The Prosecution returned to the discrepancies between the police interview – according to which the Witness last saw Massaquoi at the EJ Roye building in 2003, at the end of the war – and the present testimony in court. The Witness reiterated that he did not see Massaquoi in Monrovia, only in Popalahun. However, he said that his friend [FNM-247] drove Massaquoi to Sam Bockarie in Monrovia. The Prosecution then asked the Witness about Massaquoi's position in the RUF. The Witness had told the court that Massaquoi did not have a '*special position'*, and the Prosecution asked him if he remembered what he had said to the Finnish police. He replied that Massaquoi was a "*big man*" in the RUF but that he could not say what his rank was, that perhaps he was in charge of logistics. The Prosecution reminded him that in the police interview, the Witness had said that Jimmy Massaquoi was a spokesman. The Witness explained that he meant that Massaquoi talked to the soldiers and brought them material.

The Prosecution closed its line of questioning by asking the Witness when he saw Massaquoi in Foya. The Witness replied that he saw Massaquoi in 1999 in Popalahun but could not remember when he saw him in Foya. He said Massaquoi used to visit Sam Bockarie on Gbonba road in Foya.

The Defense asks further questions

The Defense then questioned the Witness about the escalation of the war in Waterside. The Witness explained that the war escalated within three months. WWI, WW2 and WW3 in 2003. The Defense noted that in the summary of the police interview, the Witness had said that the war escalated in 2001-2002 in Waterside. The Witness replied that this was the same period.

Witness Y8 is Heard

The Prosecution questions Witness Y8

The Prosecution began by questioning the Witness about his experience of the second Liberian civil war between 1999 and 2003. The Witness' experience with the war was limited to the year 2003: he joined the war through General Solo. He was introduced to General Gray and became a food officer, assigned to the bridge at Waterside. The Witness said that there were many generals there, such as Generals Gray, Chaclay and Salame, also the BZT commander, [FNM-263]. There was also a general who came to the front line from time to time, Angel Gabriel. The Witness explained that there were different groups, the RUF and the Liberian fighters there. His role was to cook and take food to various checkpoints, including Slip Way and Red Lights. He recounted one situation he witnessed following the president's order against looting. After the Witness finished cooking, he saw Angel Gabriel arrive with a few men at the back of a pickup truck. Some were tied up, without clothes. Angel Gabriel said they were looters and left them with his men and left. Then, general Gray and Salame arrived to the scene and, as they were arguing, they were hit by a mortar shell that killed many people: Gray got wounded at his leg, and Salame died. When Angel Gabriel returned, he said that the looters were responsible for Salame's death and gave orders to kill them all. This was the last time the Witness saw Angel Gabriel. The Witness continued that following the intensification of the war even he, who worked in the kitchen, had to join the fighting. He said that whenever they delivered food supplies, they saw dead bodies. He recounted an episode where General Shaklay ordered the militia to beat up people they accused of looting.

The Prosecution then asked whether when he was in Waterside in 2003 there were many RUF soldiers. The Witness affirmed and explained that these soldiers had come from Sierra Leone with Angel Gabriel, their general. He saw most of them while he was in Monrovia. The Prosecution then questioned the Witness about the time when he saw "*Angel Gabriel and his boys*" bring naked and tied men because they were looting. He ordered the Agbah troops to guard these men because the Witness said that *'when they catch you they don't kill right away*'. The Witness explained that Agbah was the name used in Liberia for the RUF. The Prosecution asked the Witness whether he had seen and heard Angel Gabriel give the orders. The Witness replied that he did, that the place where he was cooking was right next to the place of the incident. He was present when Angel Gabriel gave the order to kill the looters. The Witness said that Angel Gabriel was angry because of Salame's death. The Witness also indicated that this was the year 2003. When asked about the duration of the war after this incident, the Witness responded that after this incident the war lasted another three months, until June/July. The Prosecution reformulated the question, asking how long after the incident the war had ended. This time the Witness responded that "*it took long but I can't remember how long. When UNMIL came in before it stopped*.". The Prosecution asked the Witness if Angel Gabriel had another name. The Witness replied that this was the only name by which he was called and that he did not know any other. The Witness also indicated that Angel Gabriel spoke like a Sierra Leonean. The Prosecution asked where Angel Gabriel had taken the looters. The Witness said he took them

to Waterside Bridge, called Vai Town Bridge. He specified that the looters were taken below the bridge. Once the order to kill the looters was given, Angel Gabriel left. The looters were then killed and thrown into the water. The Prosecution asked how much time had passed from when the Witness decided to go home because 'you saw too many bodies' until the war ended; the Witness responded that 'it didn't take too long'.

The Defense questions the Witness Y8

The Defense began by questioning the Witness about his contact with the Finnish police. The Witness explained that a friend [FNM-248] had given his number to the police. The Defense wanted to know if this friend had another name, the Witness answered that he did not. The Defense asked the Witness if he knew [FNM-262]. Again, the Witness replied that he did not. The Defense then asked what [FNM-248] had said. The Witness replied that he had told him to come, that people wanted to talk to him. He said it was about four months ago and that he had seen his friend [FNM-248] before the interview because he had no idea who wanted to talk to him and it scared him a bit. The Defense then asked whether the Witness had been contacted by [Employee 1]. The Witness replied that he had not and that he did not know [Employee 1]. Then the Defense pointed out that in the police interview the Witness said he had been contacted by this person. The Witness explained that his friend [FNM-248] had given his number to [Employee 1] but that he had not seen him, and that it was his friend [FNM-248] who had brought him here. The Defense insisted that he had told the police that it was [Employee 1]. The Witness said that he did not understand, that it had taken time and that sometimes these things are forgotten.

The Defense then asked who [FNM-262] was, the name given by the Witness to the police. The Witness explained that the police must have made a mistake, that his friend was [FNM-248] not [FNM-262].

The Defense then played a recording of the interview in which the Witness said that [Employee 1] called him and mentioned [FNM-262].

The Witness stated that he had said [FNM-262], and that maybe he did not understand the Defense when he had asked him, as "*you people talk fast*".

The Defense moved on to Angel Gabriel and the Agbah group. The Witness did not know when Angel Gabriel came from Sierra Leone with these soldiers, or where he took them. He said they were all at the bridge. The Witness explained that he knew this because he used to bring them food. He added that they were together on the bridge, with a car and a pick-up truck. The Defense asked the Witness if he could estimate the first and last time he saw Angel Gabriel and how often he saw him. The Witness replied that he usually saw him once a week, but he could not estimate for how many months.

The Defense then questioned the Witness about Salami. The Witness said that he died instantly after the mortar attack, as '*his stomach was open'*. They carried his body and put it in a pick-up truck. He did not know what happened to the bodies of the other soldiers who died in the attack. The Defense asked if Angel Gabriel was a general. The Witness did not know, but he knew he was an important man. The Defense pointed out that when the Prosecution asked him, the Witness

described him as '*a general that did not go to the frontline*'; the Witness said he called others generals, such as Gray, Chaka, Salame. The Defense then asked if other people had asked him about it, besides the police. The Witness explained that other people had asked before, but had never had to answer such specific questions as he did now. The Defense asked the Witness who were the people or organizations that talked about it. The Witness said that these people were white but that he had forgotten which organization they were from. The Defense asked him if it was Save the Children, and the Witness said yes. He explained that they had asked him how he had experienced the war. He could not remember if black people had interviewed him. The Defense noted that the Witness had told the police that he had been interviewed by both white and black people about the war and the generals. The Witness replied that he could not remember these things, that it had been too long ago. The Defense then asked the Witness about a workshop organized by Save the Children in 2015, which he attended. The Witness said he was asked for '*the name of the general and I gave them the name'*.

The Defense played a recording of the interview with the police in which the Witness says they asked about the war but not about the generals.

The Witness said that he could not remember whether another organization, beyond Save the Children, had interviewed him. The Defense asked whether the Witness would give his consent for the police to have access to the notes and recordings of these interviews, if these had been documented in any way.

Judge intervened to clarify that the documents the police needed to seek were not documents that testified to any possible crimes the Witness committed, but the Save the Children notes: they just needed the Witness consent, and that any documents they might find would be shown to the Witness first. The Witness replied: '*its left to you people to find'.*

Witness Y7 is Heard

The Prosecution questions Witness Y7

The Prosecution began by asking the Witness whether he was in Monrovia during the wars. He replied that he went there in 1998 from Lofa, where the war was ongoing, right after the 1997 elections and that he left Monrovia two years ago. The war came to Monrovia in 2002/2003: at the time, he was living on the Pipeline Road with his mother, selling candles and matches to earn money. In 2002 the LURD rebels were advancing and one day he was accosted by some militia who took the money he had earned that day and when he told this to a person he knew [FNM-263] he advised the Witness that he should come to the 72nd with him. [FNM-262]was a general like Roland Duo or Massaquoi or Benjamin Yeaten and the Witness became a soldier assigned to him.

The first time he saw Massaquoi was when he drove [FNM-262] for a meeting on AB Tolbert road. He was waiting in the car and several generals came outside. The Witness was approached by Gibril Massaquoi who told him that he was Angel Gabriel, before the Witness knew his real name, and asked him if he was a soldier; the Witness confirmed.

The Witness proceeded by recalling when [FNM-262] told him that there would be a serious attack, after that they "*went for the attack and came back*". On another day, somewhere in 2003, [FNM-262] asked the Witness to come to White Flower to pick up the food and carry it to his house. While there the Witness saw many generals such as Shere, Gibril Massaquoi, Roland Duo, Benjamin Yeaten. At this time the Witness heard that Roland Duo would be assigned to Stockton Creek, Gibril Massaquoi and his boys to Waterside, and Shere was going to hold New Bridge, while Yeaten was '*the all over commander*'.

On another occasion, as the rebels were advancing to Duala, Freeport area there was a battle between the rebels and Taylor's forces for three days. The Witness accompanied [FNM-262], as he was seeking for Massaquoi's advice, and went to Waterside, where Massaquoi was assigned, and had pushed the rebels back. When they arrived, Massaquoi was called by Yeaten to meet up in the street with the Slipway Depot. The Witness and [FNM-262] joined Massaquoi and there, many civilians had broken into a store and took pepper-mint, biscuits and other things. Yeaten had given orders to 'James Massaquoi' to kill anyone that had been looting, so '*they opened fire, on the people, there were plenty people there'*. At this point the Witness left the scene: [FNM-262] came looking for him and took him home. The Witness did not return to the front with [FNM-262] '*because I had the fear in me*'.

The Prosecutor returned to Witness' earlier testimony about the big convoy where he first saw Massaquoi and asked to whose house did the members of the convoy go. The Witness replied that they went to [FNM-262]'s house on 72nd and then they went to 12 Houses on AB Tolbert road. The Witness confirmed that he first saw Massaquoi in the beginning of 2003 and saw him last at the end of 2003. In response to Prosecutor's questions about the second time the Witness met Massaquoi he responded that Massaquoi said he was Angel Gabriel and that [FNM-262] explained it was his war name. Returning to the part of the testimony on Witness' visit to White Flower to get food, where he saw other generals, the Prosecutor asked if he could remember when that was. The Witness could not remember the date but approximated that it was over a month after the first time he saw Massaquoi. In response to the question about how he knew that at this same meeting the generals were assigned the locations they were to defend, the Witness responded that the meeting was held inside White Flower and the generals were accompanied with the soldiers assigned to them.

When asked about the time period during which Charles Taylor's forces fought the rebels in a series of battles, the Witness initially responded that he could not remember but when prompted he said that the first time the rebels attacked was WW1, the second time WW2 and then WW3 until they left. The Witness confirmed that he saw Massaquoi during WW3.

Returning to the incident at the store, when asked by the Prosecutor, the Witness confirmed that when Yeaten gave the order to Massaquoi to kill the looters, Massaquoi himself also opened fire. When asked how close was this shooting incident to the ceasefire, the Witness responded it was in the same year, 2003.

The Defense questions the Witness Y7

The Defense began by asking how the Witness came into contact with the Finnish police. He replied that he had received a phone call from [Employee 1] who asked the Witness to come by

so they could talk, as the Witness had information on the war. He met [Employee 1] who told him that police from Finland wanted to clarify some issues about the war; he did not ask about the generals or Gibril Massaquoi or Angel Gabriel. After the meeting, the Witness did not talk to [Employee 1] until he received a text message informing him that the police would be in Liberia and that he should be in town.

When asked the Witness confirmed that he did not know that the police were interested in a specific person, and only knew during the interview that they were seeking information about Gibril Massaquoi. The Witness stated that [Employee 1] had not interviewed him, and that he talked with the police '*less than 12 months ago*'. The Defense questioned the Witness if [Employee 1] had asked any questions regarding his knowledge of names of generals and fighters, but the Witness reiterated that the police had asked him that. The Defense then said that the Witness had told the police that [Employee 1] had asked him if he knew about Gibril Massaquoi, but the Witness could not remember. The Defense asks to listen to the recording.

[In the recording, the police are heard enquiring if [Employee 1] had asked the Witness about Gibril Massaquoi: the Witness answered in the affirmative]

The Witness clarified that [Employee 1] called him to tell him he was needed in town, and that is when he asked him if he knew someone called Gibril Massaquoi, but they had not discussed it in person. The Defense asked if [Employee 1] had said Angel Gabriel, and the Witness explained that [Employee 1] had asked him if he knew of Gibril Massaquoi, and he responded that it was Angel Gabriel. The Defense then asked for a recording to be played, as he wanted to know how Angel Gabriel was introduced to the conversation.

[In the recording, the Witness is heard saying that he wanted to know he was a fighter, and he responded in the affirmative. [Employee 1] then asked about Gibril Massaquoi, known as Angel Gabriel]

The Defense then asked again whether or not the Witness knew who the interview had been about, and the Witness thought he had previously asked if it had been [Employee 1] who interviewed him. The Witness repeated that [Employee 1] asked him about Gibril Massaquoi, and he responded '*do you mean Angel Gabriel*'.

The Defense then asked whether the Witness fought in Duala when LURD was advancing. He explained that he was 16 years old when he joined the revolution in 1992 and at that time ECOMOG was in Duala. In response to follow up questions from the Defense, the Witness confirmed that he met Sam Bockarie when we went to 12 Houses – at the time, war was '*coming from Duala*'. When the Defense asked him what had happed to Sam Bockarie, the Witness responded that he had heard he had been killed in Nimba. He was sent to fight in Sacalpea, but he '*wasn't behind him to know his movement*'. He did not know if Bockarie was assigned to a specific place in Monrovia to fight. When asked if he, himself, was fighting in 2003 the Witness replied that he had a gun, and was with [FNM-262] but that he was not fighting. The Defense mentioned that in the summary the Witness had mentioned that he was under a bridge '*they were fighting, everybody was tired, the government troops and the rebels*', but the Witness said that the prosecution had told him he did not have to talk about himself, or what he had done.

The Defense finished the questioning by asking for how long did the Witness see Massaquoi and he replied saw him four months and that he did not see him again, not even after the war.

The Prosecution questions the Witness Again

The Prosecutor repeated the Defense's question on whether the Witness was sure that he saw Angel Gabriel fire at the store and the Witness confirmed. The Prosecution returned to Defense's questioning about the Witness' knowledge of the topic of the interview beforehand. The Witness repeated that [Employee 1] asked if he knew Gibril Massaquoi and he said he knew him as Angel Gabriel and then he was aware that the interview would be about the generals. The Prosecution asked the Witness if he asked the police what the interview was about. The Witness responded that he remembered asking them at the beginning of the interview and they responded that Massaquoi was arrested. The Prosecution added that according to that interview summary this happened at the end – the Witness said that sometimes people can forget.

The Defense Questions the Witness Again

The Witness confirmed that everything he discussed with the police was recorded aside from the courtesy greetings and instructions about the interview procedure. Finally, the Defense told the Witness that despite the fact that he had said that Gibril Massaquoi had shot himself at the store, it was not on the recording. When the recording was played, it confirmed that the Witness had not mentioned that.

September 21, 2021 – [Liberia] Day 47: Two Witnesses are Heard

The 47th day of public hearings resumed on 21st September in Monrovia, Liberia.

Witness X3 is Heard

The Prosecution questions the witness

In response to Prosecution's question to describe his personal experiences during the second Liberian civil war between 1999 and 2003, the Witness recalled that the war started in the town where he was born. He was fighting for the NPFL, he was a Deputy Chief of Staff, in control of Strike Force Marine Division and was also a Major General. At that time in Liberia there was the councilmen team consisting of seven men and the interim president was Ruth Sando Perry. Then came the elections and President Taylor won. Less than three months later, they heard that Lorma and Mandingo people had problems in Lofa county. President Taylor sent him and his men there to see what was really going on. In Lofa they carried out TSoS (Technical Surveillance of Security) and found out that LURD forces attempted an attack. He returned and reported to the President after which he sent the Witness back and confirmed that LURD killed seven civilians. The Witness recalled that this incident happened in 2000.

When asked about where he was assigned to, the Witness confirmed that he was assigned to the President, on the motorcade in his convoy. He lived in the barracks at the Executive Mansion; he was part of presidential guard.

In 2000 when the LURD forces attacked the Witness and his men were in Waterside, protecting civilians and property. When asked when LURD started to attack Monrovia, the Witness stated it was in 2001. The Prosecutor asked the Witness if at the time there the Sierra Leonean troops and he confirmed that there were plenty of them and they were RUF members. When asked if they had a leader in Waterside the Witness responded that they did and it was Gabriel Massaquoi. His war name was Angel Gabriel and there were others such as Salame, Sam Bockarie, Johnny Paul Koroma, etc.

As a Major General, the Witness had personally met them. The Witness recalled that as part of his duties; when Sam Bockarie and Foday Sankoh had problems, and the President wanted to make peace, he sent the Witness and his unit to receive them at the border and bring them to the Security Service (SS) commander Benjamin Yeaten and later to the guest house. The Witness also once received Gabriel Massaquoi from the border with a car, a Toyota Land Cruiser, pick-up, tainted, double cabin.

The last time the Witness remembered seeing Gabriel Massaquoi was during the fighting at the Waterside. The particular incident took place on April 4, 2003 after one of the RUF members, Salame, died. Massaquoi was angry and ordered his men to kill all the civilians who were looking for food. The Witness was fighting at Freeport at the time, and one of his bodyguards notified him of the incident. By the time he came to the place of execution in Via Town, Massaquoi and his men were gone. He counted sixty-seven bodies that day. Massaquoi was then living around YWCA, adjacent Lonestar Cell. The Witness went there, on orders of the President, to have him

arrested but Massaquoi was gone. The Witness added that a girl who was living in Charles Taylor's house (White Flower) had informed Massaquoi that if he did not escape he was going to be arrested. The Prosecution asked how long thereafter was the peace declared and the Witness replied about a month later.

The Prosecution asked where in Monrovia did the Witness take Massaquoi after he picked him up. The first place was the President's farm in Artington and then the YWCA. When asked if there were RUF fighters in Waterside, the Witness replied that there were. One of the BZT pick-ups was controlled by Salame and he himself was controlling the other, anti-artillery one.

The Prosecution asked if besides the 65 bodies he saw, had he observed any other instances where civilians were killed. The Witness explained that LURD was dropping 81mm mortars that were killing people, '*you know, when war fightin people would come looking for food, and they would kill civilians'*. The Witness confirmed this happened in Waterside, and specified that there were different sections in Waterside, controlled by different people. He further elaborated that he saw LURD forces attempting to take Via Town Bridge, but the government forces counter attacked and captured Via Town. Thereafter civilians came looking for food and tried to loot a store: they were killed by three Sierra Leonean soldiers. The Witness got angry '*there was no investigation, I killed them right there'*. When asked if he knew who had given the order to the Sierra Leonean troops, and the Witness responded that '*at the time, no one gave the order. It was their own thing they did*'.

The Prosecution returned to the time the Witness received Gabriel Massaquoi at the border and asked who knew about it, or if it was general knowledge. The Witness picked him up in his assigned pick up and was told by Yeaten that '*no one should know about it'*, so Massaquoi wore a mask before he entered the pick-up and he drove him straight to the chief. The Witness said that Massaquoi knows him well: '*when he sees me, he will tremble. He was my good friend…*'. He said he could not remember when he had picked him up from the border, because it had been too long, and when asked if he knew why Yeaten said that nobody should have seen him, he replied '*That was between he and Benjamin Yeaten, but it was the order given to me'.* The Witness added that when Massaquoi killed people he would tell them that when they went to heaven, '*tell God that Angel Gabriel sent you'*. The Witness commented that Sierra Leoneans tried to do the same wickedness in Liberia as they did in their own country but that he did not tolerate it.

The Defense Questions the Witness

The Defense asked how the Witness came to be contacted by the Finnish police. He responded that a friend of his, [FNM-254] told him that some people wanted to speak with him. The Witness borrowed money from a friend, a police officer, to pay for the hotel and the next day [Employee 1] took him to the interview with the Finnish police. When asked if he were shown a photograph, he confirmed but that it had nothing with him and that he would recognize Massaquoi in a photograph if shown. The Defense reminded him that in the interview summary it was written that he pointed to a photo on the computer and the Witness said that he could not remember that person's name and that he saw many photos that day. After seeing the photograph, the Witness said it resembled Massaquoi.

The Witness added that he knows Massaquoi well and that he would tremble if he were to see the Witness now. Also, that he had a picture with Massaquoi, Bockarie, and Superman taken on Randell Street, before reaching the overhead bridge on Front Street, between Ashmun and Front streets today. Unfortunately, the photo was damaged in the rain. The Defense said that according to the Finnish police report, the Witness said that he and the guys took the photo in Via Town. The Witness responded that they took many photos together and that the one in Via Town was when they pushed the LURD forces back and were happy. Then the Witness added that foreign journalists, like Elizabeth Blunt, could show some of their photos. They took photos in Via Town, Waterside, Randell Street, and White Flower and Benjamin Yeaten's house. However, he no longer has them because they were spoiled by the rain. The Witness told the Finnish police that he had these photos before he knew they were damaged. The Witness explained that they took photos after a serious battle, and usually when they pushed the LURD forces back '*we rejoiced and took photos*'.

The first time the Witness met Massaquoi was when he picked him up from Bo Waterside after the government forces cleared LURD forces, and the Witness controlled the area from Clay to Bo Waterside. He could not remember when exactly, so the Defense played the recording from the interview where the Witness said '*maybe it was around April or May*'. The second time he saw Massaquoi was when he was sent to pick him up from his home opposite YWCA and the last, third time was after he had executed the civilians and the Witness and his men were looking to arrest him on orders of Charles Taylor.

The Defense introduced that the Witness told the Finnish police that Massaquoi was a spy and that he was feeding information to LURD. He told Taylor that Massaquoi was spying on him: the President initially did not believe him, but still '*kept eyes on us until he found out Massaquoi was a spy*'. Even Sam Bockarie told Taylor that Massaquoi was no good. The arrest warrant was issued for the killing and spying. However, before the arrest warrant was issued, the Witness had already been looking for him for having killed civilians. The Witness added that they arrested Massaquoi's girlfriend, [FNM-255], who worked for Taylor and had told Massaquoi to leave. She confirmed that he was gone.

The Defense raised that on the Finnish police interview recording, the Witness had said that it was [FNM-256], a Colonel, who warned Massaquoi to escape because he was living close to his girlfriend's place on Congo Town Back Road. The Witness clarified that the government forces arrested [FNM-256], because he was giving information to the LURD and he warned Massaquoi to stop his behavior. The Witness said he chased Massaquoi all the way to Bo Waterside but did not see him, even after he spent two hours searching for the car he used to escape. His testimony concluded with the Witness stating that the police never asked him when the last time he saw Massaquoi had been, but the Witness gave them information about Massaquoi.

Witness X5 is Heard

The Prosecution questions Witness X5

The Witness was one of Taylor's trusted generals. He joined the revolution at the age of 12 and was a soldier from 1990 to 2003. He was in Monrovia when the war started in Lofa. From April 1996 until 1999 he, like his fellow soldiers, was at his farm following Taylor's orders. Initially, he

and the other soldiers who were demobilized, were angry and did not want to fight when the rebels entered Lofa County and were called in to take their weapons again. But some of their friends urged them to join the struggle and defend the country. At first there were rumours that the war in Lofa was not serious and even that Taylor was behind it, but later they went in and fought to defend their country. '*Roland*' called him to go back to Monrovia, on instructions from the President. The Witness explained that Taylor sent a helicopter to Lofa to bring him to Monrovia because he had been with Taylor for long, and he wanted the Witness to teach some guys how to enter and exit Liberia. In Monrovia his vehicle SSS 17 was waiting for him and he went to the Presidential Mansion and saw the President. He said he had a team in Lofa, but they are in Konia.

The Witness was assigned to President's home, Arthington, and they used the road from White Plains. He was a Colonel and was controlling a unit called Wild Geese. He was assigned Chocolate City and the Stockton Creek Bridge. Many Sierra Leoneans were here, and the Witness accommodated them. He knew all of the commanders, such as Mosquito, and showed them around Monrovia: *'there was Co Man, Gen. Mosquito's first deputy, Salami, and Massaquoi, Angel Gabriel*'.

Gabriel Massaquoi was not based in Monrovia, but after the death of Bockarie, the President told him to go to the border, and with four jeeps they went to bring some soldiers who left Ivory Coast. They came from Burkina Faso, and he went to pick them up. He brought Angel Gabriel from the border to town and straight to Taylor's house in Arthington. The Witness said that he saw Massaquoi during WW1, WW2 & WW3. He had been assigned at the E. J. Roye Building, where he was commander, but he was not always in the field. The Sierra Leoneans were controlling Waterside and the bridges.

The Witness was a commander who had no limitations; he could go anywhere. He carried one of the heavy guns, so when the fighting was heavy in Waterside, he used to go and help. According to the Witness Massaquoi was a General, as he took the place of Sam Bockarie. He added that he had seen him in Waterside.

On June 9, 2003, Massaquoi gave the order to shoot in the store. This caused some tension between the Sierra Leoneans and the government troops. By then, the Witness had been with the Sierra Leoneans for three days because the LURD forces were trying to break in, trying to cross over to their side. The civilians were interrupting the battles, looking for food, '*always looting'*. Gabriel Massaquoi warned them 3 times not to cross the road when the BZT pickup was coming, but they all crossed and jumped into the store. Then Gabriel Massaquoi gave the order to shoot and the Agbah boys started shooting at them in the store.

The Witness received a call that the situation '*was not easy*' in Waterside and he first asked if the LURD had crossed, but then he was asked to come by as '*it was not a small thing the Agbah boys were doing*'. When he arrived there, they told him the Agbah boys had killed over 100 people in the store. Usually, in such situations, you would ask to speak to the commander, but by then then Gabriel Massaquoi had already left for the E.J. Roye area.

When he asked **[**FNM-257] who gave the order to kill the civilians, he was told it was Massaquoi. **[**FNM-257] did not know where Massaquoi had went: the Witness used the road

through Slipway to E. J Roye, where he saw Massaquoi's pickup parked; he told his driver to stop. He went up and the first person he met was Benjamin Yeaten. Among themselves, the Liberians called the Sierra Leoneans 'Yanflan', and Yeataen controlled the Yanflan, because he was the Chief of Staff.

The RUF were called Yanflan and Agbah. The Witness confirmed that he, himself saw the bodies; it was not just one store, but three. The first store was the one near the old Housing Bank, a biscuit store; the second store was at Front Street, Family Bakery; and the third one was on Water Street. When he saw Massaquoi, he jumped on him to fight, and the Director asked them to stop because Gibril was the Witness' commander, and he was not to fight him.

The Witness' intention was to attack the Sierra Leoneans. However, his Deputy Long Range, told him to not attack the Agbah because they were helping the Liberian government.

After the Witness and Massaquoi nearly fought, it was a month before the war stopped. After that, the Witness did not see Massaquoi again, and **[**FNM-257] died right in his presence.

September 22, 2021 – [Liberia] Day 48: Two Witnesses are Heard

The 48th day of public hearings resumed on Wednesday, 22th September in Monrovia, Liberia.

Witness Z1 is Heard

The Prosecution questions Witness Z1

The Prosecution began by asking the witness when he came to Liberia. The witness said he was born in Sierra Leone and was a driver for the commanders in Sierra Leone. He came to Vahun, Liberia at the beginning of 2002, when one of his women had just given birth. He accompanied a friend of his – [FNM-250] – to Liberia who drove trucks and was asked by his commander, Gibril Massaquoi, to go there, along with four others. Once in Vahun they were welcomed by the Commander 50 and continued to Monrovia.

In Monrovia, the witness said they were housed in Congo Town in a house painted green, white and blue, before moving to 12 Houses where they parked the trucks and stayed for between one and two months. When Commander 50 said he needed the trucks [FNM-250] refused. The witness explained that reasoned with his friend and after he showed the truck to the bodyguards of Commander 50 they ordered him to drive the truck to the Ivory Coast border in order to sell the truck, which eventually did not take place. The witness was then assigned to another commander – named [FNM-266].

When the Prosecution asked whether the Witness knew who Gibril Massaquoi was, he replied that he did not know him, that he had seen him but had not had closer contact with him. The witness said he did not know whether Massaquoi was Liberian or Sierra Leonean. He then said that he had seen him in 2003 in White Flower when Massaquoi asked [FNM-250] to come and the Witness accompanied him. [FNM-250] had a meeting with Commander 50 and Massaquoi. This was the only time the witness saw Massaquoi in Monrovia.

The Defense questions Witness Z1

The Defense asked the witness how the Finnish police were able to contact him. The witness began by saying that he was a wanted man, and that he even drove Sam Bockarie. The Defense repeated the question about the contact with the Finnish police. The witness said that he was questioned in May this year.

The witness explained that the Finnish police knew that he was a former RUF member and Sam Bockarie's driver. A DEA officer – [Employee 3] – who once saved the Witness' life had told him that the Finnish police were looking for him. The defense wanted to know more about [Employee 3]. The witness said he was still working for the DEA and had called the witness as they knew each other because they lived together in Elwa, Liberia – where the LRA was – in May 2000. At that time, the Witness, [FNM-250] and [Employee 3] were together.

The Defense pointed out that the Witness had told the police that in 2000 he was living in Monrovia. The witness replied that he came to Monrovia in 2002 and that in 2000 he was living in Kono, Sierra Leone. The Defense countered that he had just said that in 2000 he was living with [Employee 3]. The witness corrected that he in fact meant that he came to Liberia in 2002 and initially he lived with [FNM-250] and [Employee 3] lived close by. In June 2002, the Witness lived with [Employee 3] but following problems with Sam Bockarie's wife he moved out. The witness said he lived at 12 Houses, around Elwa Junction.

The Defense then played an excerpt from the police interview in which the witness said he lived in Elwa. The Defense asked the witness if he wanted to comment on this. The witness reiterated that in the interview they had talked about 2002, when he came to Liberia.

The Defense then asked the witness about Gibril Massaquoi. The witness said that FNM-250 was his bodyguard and described Massaquoi as robust, strong and of medium height.

When asked about the visit to the White Flower house the witness repeated that the man who left the house with [FNM-250] was Massaquoi, as he was told by [FNM-250]. Regarding the truck the Witness was ordered to drive to the Ivorian border, he said the place he was ordered to drop it to was called Yekepa. The Defense reminded the witness that he told the police that he drove the truck to the Guinean border. The witness replied that he was not from the area and that they took him to two borders.

The Defense asked which commanders the witness met at Vahun. The witness mentioned Commander 50, Zigzag Marzah, [FNM-262] and Mosquito. Commander 50 was the highest ranking. He did not know what their assignment was in the area. He stated that he did not meet any other commanders in Vahun. However, the witness said he met Isa in Kumbo on the road to Monrovia. He then stated, upon request from the Defense, that he only went to the Lofa area once before going to Monrovia.

The Defense asked whether the Witness knew if the attitudes of Liberian soldiers changed towards RUF soldiers. He replied in the negative. When the Defense asked if anyone gave orders to kill all RUF members, the Witness said yes, and on the day Sam Bockarie died, *they started to look for me* because he was Sierra Leonean. When asked for the date of Sam Bockarie's death the witness said he could not remember and attributed this to his lack of schooling. The Defense then wanted to know who lived with them in the green and white house at Elwa junction in Monrovia. The witness said that some girls were living with them but that he did not know them. The Witness said he did not know where Massaquoi's wife and sister were living at the time. The Defense asked if the witness remembered that he had told the police that he had seen the house they lived in. The Witness said that he and [FNM-250] sometimes went to Old Road and saw women but that he never lived in that house. The Defense asked the witness whether he said in his police interview that Massaquoi and his sister lived in a house with green, white and blue colours. The witness corrected that the colorful house was the first house he lived in when he arrived in Monrovia, before moving to 12 Houses.

The Defense played an excerpt from the recording where the witness said Massaquoi's wife lived in a green, blue and white house.

The Prosecution asks further questions

The Prosecution told the witness that in his police interview he had described Massaquoi as the 'boss man' from Sierra Leone. The witness recalled that [FNM-250] had said that the 'boss man' wanted to see [FNM-250] and that they should go together to White Flower. The Prosecution asked the witness if he knew that Massaquoi was a member of the RUF. The witness explained that [FNM-250] had told him that Massaquoi was the spokesperson.

The Defense asks further questions

The Defense asked when the witness learned that Massaquoi was the spokesperson. The witness said that he did not know until [FNM-250] told him. The Defense asked whether the witness told the Finnish police that Massaquoi was the spokesperson. He said he did not and added that he had only indicated that Massaquoi had sent them to Monrovia.

The Defense asked the witness if anyone told him or if he assumed that he would receive help or assistance if he testified in the trial. The Witness replied no, but that [FNM-250] told him that his travel costs would be refunded.

Continuation of Witness X5 (Day 47)

The Defense questions the Witness

The Defense went back to what the witness had said the day before. The Defense asked the witness when he was in Lofa. The witness replied that he was in Lofa from the end of 1998 and that he stayed for four or five years. While there, the first commander – General Long Soldier – died. After his death, Charles Taylor was looking for a replacement and the Witness was chosen. He started under the command of [FNM-261] and the First Brigade Jungle Scorpion. Then the Witness was appointed Battlefield Commander. Shortly afterwards, Charles Taylor called Skinny, [FNM-262] and Mosquito to town and then appointed Witness to the position. The witness explained that he was based in Foya Tangia.

The Defense asked if the RUF came to Lofa. The Witness said yes, that Foday Sankoh, Sam Bockarie and Mosquito came to Lofa while the Witness was there. He stated that he collaborated with the RUF. The witness also mentioned [FNM-263], who was the deputy to Sam Bockarie when the RUF landed. The RUF were in Konia, Babahun, Kolahun, Yandohun and around Vahun. The witness explained that he had collaborated with the RUF from the beginning. When they arrived the war against the rebels was not going well. The witness said that he went daily to their headquarters to show them different places in Lofa because they were not familiar with the area.

The witness stated that he was in communication with the Sierra Leoneans throughout the five years he spent in Lofa.

The Defense asked whether other fighters came from Sierra Leone afterwards. The witness explained that every time a commander died, another commander came from Sierra Leona to

replace him. The Defense then referred to a summary of the witness's interview with the Finnish police. This summary lists names mentioned by the witness. The Defense asked the witness if he remembered the names he mentioned. The witness explained that he had worked with a lot of people and could therefore mention many names. The Defense read the summary and mentioned the names of Sam Bockarie, [FNM-263] and [FNM-109]. She asked if the witness could mention any other names. The witness recalled that after [FNM-109] left for Monrovia, Salami arrived. He said the highest ranking officer was Sam Bockarie and that Sankoh acted more as an advisor to Sam Bockarie who was the field commander. Directly under Sam Bockarie were [FNM-263], [FNM-109], Salami and Superman. The witness said that he had worked with all of them, that they had fought together, crossed the Sierra Leonean border together and had come back.

The Defense then asked whether in the period 2002-2003 there were any attacks on civilians. The witness replied that there were not, that there may have been a crossfire, but not an attack as such. The Defense again referred to the summary of the Witness' police interview which states that when the LURD first attacked Vahun, the Sierra Leoneans became frightened and sought advice from the witness. The witness told them to leave Vahun and attack from Babahun. The leaders of the RUF troops at the time were Sam Bockarie and Corporal Sankoh. The Defense asked the witness if he knew someone called Zigzag Marzah. The witness said he did and that he knew of many things he did in Lofa. The witness explained that Zigzag Marzah was the head of the Marine Division and that Charles Taylor used him for KGB operations. This was a special combat group that was called in when the fighting intensified. The witness said that their slogan was 'maximum death and destruction in minimum time'. He gave the example of the capture of Kolahun. They had suffered three setbacks in their three attempts to take Kolahun. The Marines were therefore sent in. The witness explained that the Marines had cannibalistic practices. The Defense asked the witness if he could name anyone who belonged to this group. He mentioned [FNM-267], [FNM-268], [FNM-269], [FNM-270], [FNM-271], and [FNM-272]. Referring to the Defense's question about attacks on civilians, the witness explained that if the Marines heard that any villagers had collaborated with the rebels, then no villager would be spared. He said that such an incident had taken place in Vahun.

The witness said that he was part of that mission but that he was a member of the navy division, not the marine division. The leader of Jungle Fire was Benjamin Yeaten.

The Defense then asked if the witness noticed any delegations going back and forth between Lofa and Monrovia in 1998. The witness replied that there were many, including the Red Cross that came from Sierra Leone. As for the RUF, they did not use the Bo Water road but came to Lofa with Jeeps. The witness explained that they had first stopped in Lofa before they could reach Monrovia.

The Defense then raised the issue of arms. The witness explained that Charles Taylor was supplying arms and ammunition to the RUF. He said that the arms came from Monrovia and that Benjamin Yeaten himself was in charge of the delivery. He delivered the weapons to Lofa himself. The supply chain started in Côte d'Ivoire. The weapons were then transported by Jeeps. The Defense wanted to know who accompanied Benjamin Yeaten on the deliveries. The witness said that at the time – in 2000 – Sam Bockarie lived in Monrovia on Smythe Road. Sam Bockarie therefore accompanied Benjamin Yeaten on the arms deliveries because he knew where the RUF soldiers were. The witness indicated that in addition to Sam Bockarie, Benjamin Yeaten always travelled with soldiers as he had thousands of men.

The witness also indicated that he was stationed in Voinjama. The Defence asked whether the RUF was also in Voinjama in 2002-2003. The witness said that such group distinctions were no longer valid, as the groups had merged. Jungle Fire was the name for the group of Liberian and Sierra Leonean soldiers. Among the commanders, the witness cited [FNM-267], [FNM-268], and [FNM-269]. The Marines controlled the territory.

The Defense asked the witness about Corporal Sankoh. The witness again explained that Sankoh acted as an advisor to Sam Bockarie and the soldiers from Sierra Leone. The Defense asked if he knew his first name and the witness replied that he was simply known as 'Corporal Sankoh'. In Sierra Leone Sankoh was the commander – a 'Kamajor' – but he was not as active in Liberia. The Defense asked if the name Foday Sankoh meant anything to the witness, who confirmed that it was the full name of Corporal Sankoh. When asked what happened to Corporal Sankoh, the witness said he learned that he had returned to Sierra Leone before he was arrested and tried. He estimated that this happened in late 2004.

The Defense questioned the witness about his police interview, specifically what he said about Sankoh's death. The witness said he knew Corporal Sankoh had died in prison but could not remember what he had told the police. The Defense then read out what the witness had said: *'one night Sam Bockarie was called, a Corporal died in an ambush in Lofa'*. The witness explained that this was a version of Sankoh's death told to the Sierra Leonean soldiers, because a death from an ambush sounded better than a death in prison. The Defense then asked why he had given this version to the Finnish police. The witness put it down to the fact that he was confused by the presence of the Finnish police, whom he was seeing for the first time. He said he had not wanted to go into too much detail. The Defense asked him if he had lied to the police about Sankoh's death. The witness said he wanted to know the truth.

The Defense then turned to the mission in the Ivory Coast. The witness said he fought in the Ivory Coast with Sam Bockarie. He was there for two or three months in 2002. He was ordered to deliver ammunition to Sam Bockarie from Monrovia to the Ivory Coast. The witness was in Bomi County at the time and flew to Monrovia by helicopter. The witness said that when he was stationed in Lofa he often went to Monrovia on Charles Taylor's orders. Sometimes he used the helicopter, sometimes the vehicle. He also said that on several occasions he took RUF soldiers with him to and from Monrovia and acted as their guide. The RUF soldiers he took with him were Sierra Leoneans who had come to help them fight.

Regarding the mission in Côte d'Ivoire, the witness explained that at the time they were short of ammunition. Sam Bockarie had taken control of the town of Man and called Taylor to tell him that he had ammunition in the Ivory Coast. Taylor then contacted the logistics officer, [FNM-264]. The witness said that [FNM-264] could not go alone so he asked the witness to accompany him. Once in the Ivory Coast, Sam Bockarie asked the witness to stay, which upset [FNM-264]. The witness described coming and going from the Ivory Coast. The witness said that later, fighters in Lofa heard that war had started in the Ivory coast and went there to look for money.

The Defense then asked the witness about his encounters with Massaquoi. The witness replied that he had met Massaquoi in the Ivory Coast and that he was nicknamed the Archangel. He also said that Massaquoi had come from Burkina Faso and that it was 2002. The Defense asked for more details and the witness explained that he had been in Côte d'Ivoire for almost a month

when he met Massaquoi. Sam Bockarie had told the witness that one of his commanding officers was coming and that he should be picked up at the Burkina Faso border. This was the first time the witness saw Massaquoi. He said he knew this because Sam Bockarie used to tell him everything, especially about the guests. The Defense believed that this episode must have taken place in January. The witness explained that they did not keep track of months, they were just out in the bush fighting and so he could not pinpoint a month. However, the witness was with Massaquoi until he left for Liberia about two months later. Massaquoi had been introduced to the witness as the special assistant to Sam Bockarie who was the chief of staff.

The Defense asked whether Massaquoi was responsible for a geographical area in Côte d'Ivoire. The witness replied that they had talked about Man. When asked about their departure from Côte d'Ivoire, the witness explained that he and Massaquoi had stopped in Nimba. They used to cross the border every day to Ganta until the border closed. The Defense asked if Massaquoi had stayed in Côte d'Ivoire when the witness last left the country. The witness replied that he did not. The Defense read an excerpt from the police interview and asked the witness to clarify. In the excerpt, the witness states that Sam Bockarie instructed Massaquoi to stay in the Ivory Coast and put him in charge there. The witness explained the development of events. They were in Ivory Coast when Ganta fell to the rebels. Sam Bockarie had got hold of 150 anti-aircraft artillery in Man. Taylor asked Sam Bockarie to take over Ganta. Once he took over Ganta, Sam Bockarie asked to return to Sierra Leone. Charles Taylor sent Benjamin Yeaten to put things back under control and this is how Massaquoi became active in Sam Bockarie's duties. According to the witness, Benjamin Yeaten asked Sam Bockarie to take a walk with him in Nimba County and stabbed him in the back. The Defense again asked whether Massaquoi remained in the Ivory Coast after the witness left. The witness replied that yes, Massaquoi remained in charge. He said Massaquoi stayed in the Ivory Coast until Sam Bockarie died. He returned directly to Liberia and became chief of staff.

The Defense asked the witness if he could estimate the time between Sam Bockarie's death and Massaquoi's return to Liberia. The witness said it took a week and that Massaquoi returned in a vehicle and by road. He was driven by the Executive Mansion Protection team and the witness was there to greet him on arrival.

The Defense then asked the witness about Sam Bockarie's death. The witness replied that Sam Bockarie died because he wanted to return to Sierra Leone. The witness explained that Sam Bockarie had ammunition and thought he could use it successfully in Sierra Leone. Sam Bockarie asked Taylor to help him return to Sierra Leone, which the witness said proved that Sam Bockarie was in Liberia. Taylor ordered Benjamin Yeaten to go to Nimba County. Yeaten explained to Sam Bockarie that Taylor demanded that they have a closed-door meeting with Sam Bockarie's soldiers. The witness said that as Sam Bockarie and Benjamin Yeaten walked side by side, Benjamin Yeaten's assistant stabbed Sam Bockarie. The Sierra Leonean soldiers were unarmed at the time and completely unaware of what was going to happen. Benjamin Yeaten had ordered the soldiers to leave their weapons in Côte d'Ivoire. Sam Bockarie ran into the bush. He was then apprehended by soldiers from Nimba who beat him with sticks. The witness explained that he had seen the scene with his own eyes. He said it happened in Kpein Town. Further in detail, the witness explained that he had a gun called 'H&K Classic', with long sight glasses. It was through these glasses that the witness saw the incident. He explained that one of the officers, 'the director himself', shot Sam Bockarie before he was stabbed.

The Defense continued with a line of questioning about the witness' return to Monrovia. He returned on 15th of March. The Defense referred to the police interview where the Witness was shown a photo of a vehicle and discussed the fighting on Slipway bridge. The witness confirmed that the fighting happened on the 23rd of March, 2003. The witness confirmed that the last time he saw Massaquoi was on the 4th of April 2003 in Taylor's last meeting with his generals. The Defense then moved to the store shooting incident. In trial the day before, the Witness had said that the shooting happened on the 9th of June 2003. The Defense pointed out that in the police interview the witness had said that it possibly happened on the 7th of March 2003. The Witness clarified that the store shootings did not only happen on one day. He remembered shootings on the 7th of March and 9th of April.

The Defense then asked how many times he and Sam Bockarie were together before he died. The Witness said that he was the very first soldier assigned to Sam Bockarie and that he knows him well and that he would recognize him in pictures. Although the Defense said that according to the police interview summary in one photograph the Witness identified Sam Bockarie incorrectly, the Witness said that was impossible because he knew Sam Bockarie so well. The Witness continued that he kept an album, as a souvenir, with pictures of Gibril Massaquoi as well as other Sierra Leoneans, as he was their key contact in Liberia. The pictures with Gibril Massaqoi were taken in Nimba County, Montserrado at the border with Ivory Coast. The album is in Grand Gedeh county with [FNM-265] for safekeeping because it has a lot of historical things in it. It contains pictures from 1990 until 2003. The pictures with Gibril Massaquoi were at E.J. Royce with [FNM-129], some on the bridge and some at the border. The last time he looked at the pictures in 2004. The Finish police asked to see the picture but the Witness did not show it to them because of the process to get the picture.

Defense then asked the witness whether he knew Junior Jackson and the witness confirmed he did and that he also fought for NPFL and that he saw him the last time three months ago in Nimba where the witness worked in logging. When asked he could not remember Moses Morris.

When the Defense asked if they could see the photo album the witness explained that the [FNM-265] who is safekeeping the album is in Ivory Coast and she did not want to give back the album. She did not return before the witness had to leave for Monrovia.

Prosecution Questions the Witness Further

The Prosecutor asked whether the witness still stands by his previous statement that one month after Massaquoi shot people in the store the war ended. The Witness corrected that Gabriel did not shoot but as his unit did, the commander is held responsible. When the Prosecutor asked if the Witness heard Gabriel give the order, the witness responded that Gabriel's men told him that it was the Commander who gave that order. The witness then went to meet Gabriel at E.J. Roye building. The witness said that [FNM-109] told him that Arch Angel ordered the shooting. He also confirmed that after the shooting the war lasted for about a month.

September 24, 2021 – [Liberia] Day 49: Two Witnesses are Heard

The 49th day of public hearings resumed on Friday, 24th September in Monrovia, Liberia.

Witness L1 is Heard

The Defense questions Witness L1

The Defense began by asking how the witness came to be in contact with the Finish police. The witness explained that several months ago he was called by [FNM-273], who was the former superintendent of Grand Gedeh, who told the witness that he would give his number to [FNM-201]. [FNM-201] called the witness and wanted to know whether he knew [GJRP 1]. The witness said that knew [GJRP-1] well and that [GJRP 1] had asked the witness to testify against the people he did not know. The Witness knew [GJRP-1] from ULIMO, when 20 years ago [GJRP-1] worked to recruit people to fight in the war.

The Defense asked the witness about the meeting when [GJRP-1] asked him to testify. The witness said that [GJRP-1] picked him up from Nezoe and took him to Mamba point by taxi. In the taxi, [GJRP-1] told the witness that he could get money if he went and testified against Alieu Kosiah, Jungle Jabbah and someone called Gibril. The witness said he knew the first two commanders and couldn't remember the name of the last but that [GJRP-1] told him he had fought in Freetown. According to the witness, [GJRP-1] wanted the witness to testify that the men had entered Liberia and opened people's stomachs. [GJRP-1] told the witness that seeing as he was an old fighter and had fought in Lofa, he would know what to say. When the witness told [GJRP-1] that he did not know Gibril, [GJRP-1] said that he would give him a picture and when he gets on the stand that he can recognize him from the many pictures he would be shown.

The Defense asked the witness if Hassan mentioned how much money he would get and where he would get asylum. The Witness replied that he received US $200 when Hassan took him to Mamba point and that [GJPR-1] promised US $16,000 if he were to testify. He would give him US $4,000 in advance and they could go to Ghana. The witness took the US $200 and Hassan dropped him off on Carey street, right to Unity base. Seven months later he took other people to Ghana, including General Butt Naked.

The witness said he next saw [GJRP-1] at the funeral of [FNM-274] in Cadwell where [GJRP-1] and the witness had a confrontation. The witness told [GJRP-1] that he could not swear on the Qur'an and lie; that a curse would follow his children. [GJRP-1] then told [FNM-275] that [FNM-276] and [FNM-277] would be arrested in Norway. The witness told [GJRP-1] that no one would get money from him. A month later they met again at [FNM-278]'s house and [GJRP-1] could not talk to the witness.

Then Defense then asked the witness whether he had recognized anyone on the pictures he was shown by the police. He replied that he recognized [GJRP-1]. The Defense also asked if he showed the police anything on his phone and the Witness confirmed that he showed the police his communications with [FNM-201]. The Defense asked if [FNM-201] gave him instructions and he replied that [FNM-201] stopped communication with him. Finally, the Defense asked the Witness

whether he told anyone of [GJRP-1]'s offer of money. The Witness replied that he told three of his friends, who told him not to go. Lastly, the witness said he last saw [GJRP-1] at the aforementioned funeral.

The Prosecution questions Witness L1

The Prosecution began by asking the witness about the nature of his relationship with [GJRP-1]. The witness explained that he got to know [GJRP-1] twenty years ago, in 1992 on Jamaica road, where they lived close to one another. Their friendship started when they were together in ULIMO; the witness was a fighter and [GJRP-1] a liaison who used to bring medicine and water. After the war, in 1996 or 1997 ULIMO transformed into a political party which met at the party headquarters in Catholic junction. When the Prosecutor asked the witness if [GJRP-1] knows where he lives the witness said that they had lived in the [FNM-287] house. The witness then clarified that two years ago he left town and lives in the bush.

When asked when he met [GJRP-1] at Mamba point, the witness said he could not remember exactly, and then said maybe two years ago. The Prosecution reminded him that he told the Finish police on 31 May, 2021, that it had been nine months ago. The witness clarified that in 2020 he did not see [GJRP-1]. He saw him when Jungle Jabbah's case was happening and that this is what he had told the Finish police. He could not remember the exact dates. The Prosecution asked the Witness whether [GJRP-1] maybe wanted him to testify on Jungle Jabbah and the Alieu Kosiah case because they were serious cases in 2019. The witness replied that it was a trial to see if he could be used for money. The witness explained that [GJRP-1] knew that the witness had only fought for ULIMO because [GJRP-1] recruited him to fight at Po river and told him that the only way for a Mandigo to get independence is to fight. The Prosecutor asked why [GJRP-1] would ask the witness to testify against Jungle Jabbah, Alieu Kosiah and Gibril when he fought for ULIMO, and not for Charles Taylor or the RUF. The witness replied that his experience as fighter might have come up in conversations with other fighters.

When asked whether he knew of any acts of Gibril during the war the Witness repeated that he does not know Gibril. The Prosecution then moved on to the time when Witness received US $200 from [GJRP-1] at Mamba point and asked why he accepted the money if he was not going to testify. The witness replied that [GJRP-1] thought he could encourage the Witness by the money and about where they would go, but the Witness could not swear on the Qur'an or the Bible and lie.

The Prosecution then asked about the US $4,000 that [GJRP-1] offered to the witness as an advance. The witness explained that he did not go to Ghana, so he did not get the money. The Prosecutor asked where [GJRP-1] obtained what the Prosecutor calculated to be US $20,000. The witness said he did not know where the money came from but that [GJRP-1] said he was working. The Prosecution highlighted that the witness mentioned accepting $200 from [GJRP-1] but had said that it was both for transportation and as a test. The witness said he was referring to money that he didn't work for.

In relation to [GJRP-1]'s request to testify against Jungle Jabbah, Kosiah and Gibril the Prosecutor asked what [GJRP-1] had asked the witness to say. The witness said that [GJRP-1] asked him to make up his own story. The witness said that he told [GJRP-1] that Jungle Jabbah was the best

rebel and in the area under his control no one intimidated anyone. Then, [GJRP-1] asked the witness to testify that both Alieu Kosiah and Gibril captured Lofa county, but he refused because he wasn't there. The Prosecution pressed the witness to describe the lies that [GJRP-1] asked the witness to say about Gibril. The witness said that there were many, including asking the witness to say that Gibril had raped people and opened their stomachs. [GJRP-1] had emphasized the importance of repeating Gibril's name. When the witness mentioned a female lawyer representing Gibril Sesay, the Prosecutor interrupted, and the witness explained that he had meant Gibril Massaquoi but he couldn't pronounce the name so he said Gibril Sesay. The witness said that the female lawyer had called him and told him that [FNM-201] had given her his number.

The Prosecution next asked if the witness knew [FNM-201]. The Witness replied that he prosecuted their former leader. The Prosecutor asked the Witness about the contents of [FNM-201]'s message. The witness found the WhatsApp message of 21st April in which [FNM-201] wrote: "I understand you spoke to the defense counsel of Massaquoi. Can you provide other names and phone numbers of who he recruited as witnesses against Massaquoi." The Prosecution asked how [FNM-201] knew that there were witnesses recruited to testify against Massaquoi. The witness said that he had first spoken to [FNM-273] who gave his number to [FNM-201]. The Prosecution referred to the first message [FNM-201] had sent the Witness in which he wrote that it was good talking to you (the Witness) and the Witness confirmed that he had spoken to [FNM-201] about witnesses recruited to testify against Massaquoi. The Prosecution moved to the second message sent to the Witness in which he was asked whether there were witnesses to [GJRP-1] offering him money and asylum in exchange for false testimony. The Prosecutor confirmed that the witness had told [FNM-201] that [GJRP-1] recruited witnesses to testify falsely. The Prosecutor asked how the witness knew that. The witness replied that poverty can make you do many things. He explained that ex-combatants have an office at the Lonestar gas station and he heard it there. Some people came and confessed to the Witness. He sent [FNM-201] the names of persons [GJRP-1] had contacted but was not sure if they testified. Those were general Black and White and [FNM-279].

The Prosecution returned to Witness' earlier mention of [GJRP-1] recruiting witnesses for the Anges Reeves trial which he had not mentioned to the Police. The witness insisted that he did tell the police, even if it was not in their notes because he recalled that people were afraid to come to Monrovia because they feared getting arrested for fighting. The Prosecution asked if [GJRP-1] had promised the witness asylum. The witness confirmed that at the funeral [GJRP-1] told him that he could get him asylum in Europe, not America. The Prosecutor asked if [GJRP-1] told the witness how he would be able to get him asylum. The witness responded that [GJRP-1] said he had been doing his work for 30 years.

The Prosecutor asked if the Witness remembered [FNM-201] sending him articles on WhatsApp. The witness confirmed that [FNM-201] had sent him a lot of articles but that he only saw them when he had cellphone connection. The articles said that [GJRP-1] was guilty and would go on trial for lying. [FNM-201] sent the witness articles in September but he was not sure if there were more because his telephone fell into water. The witness agreed that the police could take pictures from the phone after his testimony. The Prosecutor asked if the witness knew whether Alain had any activity in Liberia or whether he promised the witness anything in return for his testimony. The witness said no, and said that Alain only asked for the truth. When asked, the witness declined any knowledge of BW Group LLC. He knew [FNM-280] who fought for the LURD

against Taylor and the witness supported them. He saw [FNM-280] last during the last war when Taylor was deposed. [FNM-280] was at Bagh and they were tapping rubber together. The witness confirmed that he knew [FNM-281] during the time with ULIMO but that it had been a long time since he saw him; the last time was when Taylor became president.

When asked by the Prosecutor to whom he told that [GJRP-1] offered him money to testify the Witness replied that he had told general Black and White, [FNM-279] and [FNM-282], a female soldier. The Prosecutor countered that according to the police summary he had also told [FNM-281]. When they listened to the recording the Witness had indeed said [FNM-281].

Defense asks further questions

The Defense asked the Witness whether receiving messages from [FNM-201] had an impact on how he talked about [GJRP-1]. The witness replied that he had a visa to travel to Norway and after he heard they were arresting ex combatants he did not go. Then the Defense asked whether [FNM-201] suggested that the Witness says something to the court that is not true he replied that he did not and that all of their conversation is on the text messages. The Witness confirmed that what he testified about [GJRP-1] in court reflects his personal experience; that Bility gave him US $200 at Mamba point and asked him to testify against Gibril Massaquoi.

The Prosecution asks further questions

The Prosecutor asked about his Norwegian visa arrangements and the Witness replied that it was a student visa for two and a half years but that he was afraid he would be arrested.

Witness Z2 is Heard

The Prosecution questions Witness Z2

The Prosecution asked the witness to describe his experience of the second Liberian Civil War between 1999 and 2003. The witness recalled that the last time he came to Monrovia he was interviewed by the Finnish police and shown some pictures. He thought they must be old; the person in question was younger than the person in the photos.

In his interview, the witness had told the police about his commander and the person in question.

One evening the witness was at the house of Benjamin Yeaten's girlfriend, [FNM-283]. Three or four pick-ups parked by the gate. His commanding officer, [FNM-284], was told that they came to meet Benjamin Yeaten. Yeaten's meeting ended late, however, so he asked the witness and the other men to take the visitors to the guest house behind Kiss FM.

The next time the witness saw the visitors was on the front line. There, [FNM-284] told them that [FNM-285] was the commander working with the Agbah forces, which was the RUF. Later [FNM-

284] instructed them to work with Angel Gabriel. They worked with him until about three weeks before the end of the war, when they separated because of difficulties between the groups.

The Agbah forces were in the Rasamy Building and the witness and his forces were in Mr. Bar compound. One evening there was looting on Water Street.

Salami came to their side with his forces, following the orders of Benjamin Yeaten to stop people from looting. Angel Gabriel had told Salami that if the looters resisted, they should be executed. [FNM-285] said he didn't want looting going on while they were expecting an attack and went to the embassy area.

Just after, the witness heard heavy gun fire. When it stopped, he and his unit came out and saw some women crying. The assistant commander was told that Agbah forces were shooting people. The witness and his unit walked to the store and saw that most of the people inside were dead. The witness and his unit called [FNM-285] to join them. Then, they went to look under the bridge, where they found that seven people had already been executed. [FNM-285] called Benjamin Yeaten who came down from E.J. Royce. He called Angel Gabriel and they went upstairs with [FNM-285]. The witness, Salami and others remained outside and argued. They almost fought among themselves but commander 50 came to calm them down. He gave money to [FNM-285] and others and asked the witness and other men to leave as he would settle it. Two to three days thereafter there was a ceasefire between the LURD and the government forces. The witness and his unit changed location and he never saw Angel Gabriel again.

The Prosecutor asked about the leader of the Agbah forces. The witness said the first leader was Sam Bockarie who was killed in Ganta along with four other commanders. Because there was nobody else left, 50 made Angel Gabriel the new commander. His deputy was Salami and underneath Salami was [FNM-140]. The Prosecutor returned to the evening when visitors came to the house of Benjamin Yeaten's girlfriend and asked who was present then. The witness responded that it was in June or July 2003 when the RUF special forces, Angel Gabriel and Salami, came. They arrived in the period of WW 1, 2, and 3. When they arrived it was WW2 because WW1 stopped in Duala and did not reach central Monrovia. Angel Gabriel was in a car with tinted windows and the Witness saw him at the guest house where they took them for the night. The guest house behind Kiss FM was also where the witness and his forces kept arms; an 'ammo dump.'

Returning to the incident at the store, the Prosecutor asked whether the witness was with [FNM-285] when he went to the embassy area. The witness explained that he was assigned to guard the gate where their ammunition car and pickup was. The witness confirmed that he saw the bodies himself in the store where the Agbah forces shot people and waited for the commander to come to the scene. Then the Prosecutor asked about the witness' earlier mention of some people having been taken under the bridge. The witness recalled that they were alerted to the shooting there by a woman who was shot in her foot. All the people shot were civilians. When he went there with general [FNM-285] they saw the bodies of the civilians and it caused a confusion. Right near the bridge was a long building called the Rasamy building. The witness explained that the Rasamy building was the Agbah base, and the bridge was the Old Bridge.

Then the Prosecutor asked the witness whether Angel Gabriel was present when he had argued with Salami. The witness replied that when they argued two generals came who were also angry and Angel Gabriel said he would only listen to 50 because he gave the orders. This incident happened in August, three or four days before the ceasefire. The witness did not see Angel Gabriel after the ceasefire. The Prosecutor inquired how many times the Witness saw Angel Gabriel. The Witness replied that he had seen him at the guest house and on the frontline, where they saw each other every day. The witness said that Angel Gabriel spoke Krio.

The Defense questions Witness Z2

The Defense asked the witness how he got in touch with the Finnish police. The witness explained that he met his friend in Ganta, [FNM-286], who told him that the commander of the Agbah guys, from Water Street, Angel Gabriel, was arrested. [FNM-286] said that he knew someone working in an organization and gave him a number. When he called the number, [Employee 1] picked up the phone and told the witness that there were people in Monrovia, so the witness traveled to Monrovia. The Defense stated that the Finnish Police interviewed him on the 12th of May and that there was a recording and a summary. Then the Defense confirmed with the witness that his friend [FNM-286] had an amputated leg and that they met in Red Light after their phone call. The Defense asked about someone called [FNM-148] and the witness clarified that it was [Employee 1] who called him and told him there was a case and that the witness could testify in it. [Employee 1] did not tell him anything about the case, [FNM-286] did, and when he arrived in Monrovia, he got more information.

The Defense played a recording from the witness' police interview, in which the witness described someone called [FNM-148] calling him and saying there was a problem with a case and that he wanted the witness to testify, and that the case concerned someone called Angel Gabriel. The witness accepted that it was [FNM-148] who had first called him about the case. The witness went to meet [FNM-148] at a hotel called Talk of the Town in Monrovia, and [Employee 1] was also there. The witness clarified that it was [FNM-148] who had first called him, but that when he had arrived in Monrovia and called that number, [Employee 1] had picked up. The Defense asked the witness who had said that there was a problem with a case and that it concerned Angel Gabriel. The witness said that it was his friend [FNM-286] who had heard it from [FNM-148] because they were brothers.

The Defense then returned to how many times the Witness saw Angel Gabriel, comparing his earlier statement before the court and his statement to the police. The Witness said that although he said to the police he saw him twice, he meant many times. The Defense asked where the three or four pickups that he saw arrive at Benjamin Yeaten's girlfriend's house came from. The witness said they used to be at Clay Junction, but the movement of LURD forces meant they had changed location.

The Defense moved on to witness' statements to the police about Angel Gabriel. When asked to describe him, the witness had said that he was very tall, had light skin and was skinny, and was not Liberian because he spoke like the Agbah guys. The Defense also noted that the witness thought that Angel Gabriel was his real name. The witness clarified that he told the police that he didn't know Angel Gabriel's real name.

The Defense returned to how many times the witness had seen Angel Gabriel. The witness explained that when he had said twice, he had meant meeting him at his boss man's place, and then at Waterside. The witness only saw him at the incident in Waterside that he had spoken about. The time the witness saw 50 giving out money to Angel Gabriel and to others was the only time that he had seen 50 giving out money.

The Defense then returned to the Waterside biscuit store shooting incident and reminded the Witness that he had told the police about general 50 giving money to people, including Angel Gabriel, but he did not mention the shooting nor the dead bodies to the police. He also did not mention [FNM-285] to the police. The recording was played and in that segment the Witness does not mention the shooting incident.

Then the discussion turned to two pictures the Witness was shown by a police officer during his interview. The witness said he was shown a picture of Angel Gabriel but that the picture looked older. When asked to identify the person in the picture the Witness responded that the person he was talking about is younger than the one in the photo. The Defense showed the Witness a photograph on his laptop which was the picture the police had shown to the Witness. As the Witness was walking out, the court clerk also asked him whether a photograph was shown to him by the police and the Witness confirmed that it was.

September 27, 2021 – [Liberia] Day 50: Two Witnesses are Heard

The 50th day of public hearings resumed on Friday, 27th September in Monrovia, Liberia.

Witness L4 is Heard

The Defense questions Witness L4

The Defense began by reminding the witness that he was interviewed by the Finish police on 4th of May and asked him how he got involved in the case and came to be interviewed. The witness stated that over eight years ago he had joined [GJRP-1]'s organization that was recruiting fake witnesses to testify against people who participated in the war. Then, a few months ago, he was first contacted by a woman, [FNM-288] – he did not remember when exactly nor how she got his contact. [FNM-288] asked how well he knew [GJRP-1]. After he explained his relationship with [GJRP-1], she said that a group of Finnish Police were coming to Liberia to interview him. A few days later, he was contacted by someone called [FNM-289] who told the witness he was needed at the RLJ Hotel so that a Finnish intelligence officer could talk to him. The witness went and explained that he was not 'fully' working for [GJRP-1] but that he was researching for him; he was one of the people [GJRP-1] had recruited to lie about Agnes Reeves Taylor. The witness researched for [GJRP-1] because he lived in Gbarnga during the Charles Taylor war and was a member of National Patriotic Party (NPP). The witness said that he had been to [GJRP-1]'s office on many occasions and had witnessed the recruitment of fake witnesses.

Then the witness explained he had known [GJRP-1] long before the war but they lost contact for several years before meeting at a local tea shop on Carey Street. The witness said that [GJRP-1] had problems with Charles Taylor and was arrested and sent to prison. When he was released from prison, [GJRP-1] was taken by the US ambassador to the airport where he left Liberia. Upon his return to Liberia, he started a local NGO. After, the witness said that he met [GJRP-1] on Carey Street. They talked and went to [GJRP-1]'s office, where he gave the witness a briefing on his work and the witness started working with him, not as an employee but as a coach of fake witnesses. A while later, the witness was contacted by an American institution, and [GJRP-1] bought the witness a ticket to Ghana. In Ghana, the witness met the British Metropolitan Police headed by [FNM-290] and was interviewed about his knowledge about Agnes Taylor. The witness estimated he spent 9 days there and said that [GJRP-1] was unaware of his collaboration with the Americans. Soon after, the witness was contacted by [FNM-288]. The witness thought the Americans may have given her his information. The witness met with Thomas and was interviewed by him. The witness officially signed his statement. The witness said he was disappointed because Thomas had said every piece of information the witness shared would be protected but in fact Thomas later shared the witness' information with [GJRP-1]. When the witness asked Thomas why he had shared information with [GJRP-1], Thomas explained that he had to hear the other side of the story. However, the witness said that after that moment [GJRP-1] knew the witness was compromised, and the witness lost the chance to get more out of [GJRP-1]. Further, the witness said that he had shared privileged information about [FNM-201] with his friend [FNM-289] but that his friend also shared that information with Thomas.

The Defense asked the witness further questions about his involvement with [GJRP-1]'s organization. The witness said he knew [GJRP-1] in the 1990s before he went to jail on charge of espionage. The witness got involved with [GJRP-1]'s organization during the Agnes Taylor trial. The witness described discussing how to create lies and the coaching process with [Employee 3] and [GJRP-1], alongside [GJRP-1]'s deputy and someone else. The witness couldn't remember the date when he first got involved with the organization, but it was after Agnes Taylor's case had started; when she was released, [GJRP-1] began building a second case on her. The witness said that [GJRP-1] promised him asylum in London and cash after his testimony and the trial. The witness estimated that he had met with [GJRP-1] many times before the Metropolitan Police had interviewed him because the process of coaching and creating lies took a long time.

The Defense asked the witness if he knew Agnes Taylor. The witness said he knew her well because he lived in Gbarnga during the war. The witness said he was asked to lie that Agnes Taylor tortured and killed someone in his presence. The witness said that [GJRP-1] also called him when the Massaquoi case came up and told the witness to come and testify against Massaquoi. In fact, the witness said he didn't know Massaquoi and had never heard of him. The Defense asked if the witness knew Charles Taylor seeing as he knew Agnes Taylor. The witness said that he is a member of the NPP and lived in the same territory as Mr. Taylor all through the war, but he did not personally know either Agnes or Charles Taylor.

The Defense asked the witness if [GJRP-1] contacted him before or after Thomas' interview. The witness said that it was before; they are friends and talked regularly, including on Whatsapp. The witness said he didn't tell [GJRP-1] he was going to meet the police, but that they talked after the first interview on the phone. On that phone call, the witness did not tell [GJRP-1] about the police interview. Instead, the witness asked [GJRP-1] about the Massaquoi case and said he had heard that [GJRP-1] had been coaching witnesses. [GJRP-1] asked if the witness had been coaching witnesses, and he said he had not been because he wanted to hide what he had been doing and get more information from [GJRP-1]. Upon the Defense's prompt for an explanation, the witness explained that he had been contacted by the Americans to check on [GJRP-1] because of his lies about people. The witness clarified that he was speaking about Massaquoi and others, but not about Agnes Taylor. The witness said that since Thomas talked to [GJRP-1], [GJRP-1] was aware the witness was compromised so they have not spoken since. They saw one another at the capitol building but they did not speak.

The Defense asked about [FNM-201]. The witness explained that [FNM-201] had contacted him to say that the witness was a good man and asked the witness to speak the truth. [FNM-201] knew that the witness had talked to someone about [GJRP-1]. The witness said he texted [FNM-201] informing him that Thomas had revealed information about him to [GJRP-1]. [FNM-201] told the witness to put it in writing and send it to the court for the judge to read. Finally, the witness confirmed to the Defense that prior to [FNM-288] contacting him, he had not told anyone else about his involvement with [GJRP-1].

The Prosecution questions Witness L4

When asked which American institution he was cooperating with, the witness replied that he could not reveal it because of confidentiality. The Prosecution asked how the court could be sure that the American institution existed. The witness responded that he had never been to America,

but that [GJRP-1] had bought him a ticket to Ghana once. The Prosecution returned to the coaching process. The witness repeated that he had been coached to lie about Agnes Taylor. The Prosecution asked if the witness visited [GJRP-1]'s office during that time and he replied that he did. The Prosecution asked the Witness about the location of Bility's office which he said was on Mechlin Street. However, according to the police interview summary the witness had stated that the office used to be on Mechlin Street, but they moved. The witness responded that they are now at Caldwell but could not remember which year they moved. However, the witness said that [GJRP-1] would have the correct dates.

The Prosecution turned to the witness' interview with the British Police on April 10, 2012. The witness said that the interview took place on Mechlin Street at [GJRP-1]'s office. [Employee 3] was present at the meeting but [GJRP-1] had been with them before the interview to plan how the witness could lie during the interview. The witness confirmed to the Prosecution that he gave written statements to [GJRP-1] multiple times, and there was at least one time when [GJRP-1] was not present. The Prosecution asked why the GJRP had not revealed these written documents, and the witness responded that coaching took several days and that they had to make sure they were consistent, which is what [Employee 3] ensured. The Prosecution asked the witness to confirm whether April 10, 2012, was the date he started the process of coaching fake witnesses. The witness confirmed and said that creating lies was difficult, so they had to plan in advance. Then the Prosecution read from the witness' interview with the Finnish Police and told the court that the witness had stated that [GJRP-1] began coaching him to lie about Agnes Taylor in 2019. The Prosecution pointed out that the witness had said early 2019, which he had changed to the end of 2019 in his second interview. The Prosecution asked whether the coaching began in 2012 or 2019. The witness said he was confused and that there was no second interview.

The Prosecution asked the witness when exactly, around the time of his interviews with Finnish police, [FNM-201] had contacted him. The witness said the information would be on his phone. Then the Prosecution stated that the witness had been interviewed twice: on the 31st of May and 5th of June 2021. In the second interview, the witness showed Thomas WhatsApp messages from [FNM-201]. The Prosecution asked the witness about [FNM-201]'s messages from March. The witness said that [FNM-201] only contacted him after he had spoken to [FNM-288], but the Prosecution pointed out that the witness had messaged [FNM-201] on the 2nd of April that nobody had contacted him. Then, the Prosecution asked the witness if [FNM-291] had contacted him, and the witness confirmed that [FNM-291] had called him once. The witness explained that he had not met him in person, but that [FNM-291] is with a Liberian local human rights group. The Prosecution told the court that on 10th April, [FNM-201] sent the witness a messaging stating that [FNM-291] was trying to contact the witness. The witness confirmed that he did not speak with [FNM-291]. The Prosecution asked when the witness was last contacted by [FNM-201]. The witness responded that it was after he did an interview with an online newspaper, Smart News Liberia. The witness confirmed that the interview was on the 21st of September 2021, and that in the interview he spoke about the same things that he had testified about; [GJRP-1] asking him to lie. The Prosecution asked the witness why he gave an interview on the subject if he was a witness in the case. The witness responded that he didn't know he was going to testify. The Prosecution pointed out that the article was published 6 days before the witness was due to testify.

The Prosecution asked if [FNM-201] had contacted the witness again after the interview, and the witness confirmed that [FNM-201] contacted him to commend him, and that they didn't talk

further. Then, the Prosecution asked the witness why [FNM-201] asked him to contact [FNM-291]. The witness replied that it was after [FNM-201] or [FNM-291] was contacted by the Americans. The witness explained that he was supposed to talk to [FNM-291] about [GJRP-1] coaching false witnesses, and that [FNM-291] leads a local NGO. The Prosecution asked if [FNM-291] works with the American institution the witness had mentioned, and the witness responded that he didn't know, and he also didn't know if [FNM-201] worked for the American institution.

The Prosecution returned to when the witness started getting coaching from [GJRP-1] to lie about Agnes Taylor. The witness said that it began before 2012, and that [GJRP-1] and his staff had asked him to say that Agnes Taylor had killed and tortured people in his presence, with the purpose of convicting her. The Prosecution asked if the witness had gone on to tell people those things, and the witness said he did when the British interviewed him. The Prosecution stated that in the witness' interview with [GJRP-1] in 2012 he did not talk about murder or torture. The witness responded that [GJRP-1] may have added some things. The Prosecution asked why the witness had not mentioned murder in answer to another question in that interview, and the witness said that the statement did not represent him and that, to his knowledge, he did not give those answers.

The Prosecution noted that the witness had said that those answers were correct in his interview with Thomas on the 10th of April. Further, the Prosecution noted that the witness had confirmed that those statements were the ones that [Employee 3] and [GJRP-1] had coached him to say and that he gave the British Police in Ghana.

The Prosecution moved on to statements made by the witness to the British police. The witness told the court that the British police made a transcript of his statement in writing and in a recording. While the witness did not get a copy of the recording, he got the transcript the day after the interview. The witness said there were parts he was not satisfied with and directed the police to remove. The witness remembered that the police had written down the issue of torture and of direct executions by Ms Taylor because [GJRP-1] was looking for a conviction.

The Prosecution asked when the witness had traveled to Ghana to speak with the British police, and the witness said he couldn't remember. The Prosecution stated that the report held it was the 5th of February 2020 and asked the witness if he knew at what stage the Agnes Taylor trial was in. The witness responded that the case was continuing but it was just a few days before she was set free. The Prosecution told the witness that the criminal court in London dropped the case in 2019. The witness said that [GJRP-1] had told him this was because there was insufficient evidence, and he also heard that on the news. The Prosecution asked whether it was possible that the British Police were not interested in torture but were interested in how the NPFL controlled the area they were in. The witness responded that yes, and that it was what he, [Employee 3] and [GJRP-1] had planned to lie about. The Prosecution asked if it was possible that he did not tell the British police about murder or torture, but the Witness countered that he talked about them and that the court could subpoena his records.

The Prosecution asked where Agnes Reeves was when [GJRP-1] and his staff asked him to testify about her, and the witness replied that she was in London, but is now in Liberia. The witness did not know when she returned. Then the Prosecution asked the witness who Reeves Bryant was, and the witness identified her as the older sister of Agnes Taylor. The witness explained she

worked for the ELBC but did not know if she was still a journalist. The Prosecution asked if the witness knew of a press conference that Agnes Taylor held on the 27th of July 2021. The witness had heard of it but did not know what was said. The Prosecution explained that Taylor had blamed her situation on Civitas Maxima, [GJRP-1] and his organization. The Prosecution asked the witness if he was aware that Taylor had accused Civitas Maxima and [GJRP-1] of finding false witnesses. The witness said he was not.

The Prosecution asked what the witness was thinking when Agnes Taylor returned to Liberia after the witness had made a statement that she had committed torture. The witness said his statement was not made public, but that he did an interview which was lies created by [Employee 3] and [GJRP-1]. The Prosecution asked if the witness had a reason to say so now seeing as Agnes Taylor had returned to Liberia. The witness maintained he had been planted inside [GJRP-1]'s operations for many years to expose lies that he had created. The Prosecution asked if the witness' change in strategy was influenced by Agnes Taylor and her close circle blaming [GJRP-1]. The witness said he didn't understand the question.

The Prosecution asked the witness what [GJRP-1] had told him to say. The witness responded that [GJRP-1] had asked him how well he knew Massaquoi. While the witness knew he was a UN protected witness, he told [GJRP-1] that he didn't know Massaquoi. Then, [GJRP-1] asked the witness to participate in a trial and the witness said no. The Prosecution asked whether [GJRP-1] or anyone else had asked the witness to speak in the present trial. The witness said no, [GJRP-1] had called him and understood he was not interested. The Prosecution asked if the only thing [GJRP-1] had asked the witness about Massaquoi was whether he knew him, and the witness confirmed.

The Prosecution asked if the witness had fought for the LURD, and the witness said he never fought and never held a gun. The witness also said that he did not know [L1], who had said the previous week that he knew the witness and that he fought for LURD. The witness said L1's statements were lies created by [GJRP-1]. The Witness confirmed that he never heard about Massaquoi during the war. The first time he heard about him was from [GJRP-1] and afterwards in the news. When asked whether he knew [L3] and [L2] the Witness declined. The witness confirmed he had been asked to lie about people he didn't know.

The Defense questions Witness L4 further

Regarding the American institution, the Witness confirmed that he had received no instructions on what to say in trial. The witness said that he met [GJRP-1] several times prior to his trip to Ghana, where he was interviewed and told the Metropolitan police that he saw torture.

Referring to the police summary from 2012 the Defense said that the witness had said he hadn't directly seen torture but had heard about it and asked the Witness if he had been coached to differentiate between things he saw and things he heard about. The witness said he knew the difference and what he said to the Metropolitan police was due to [GJRP-1]'s coaching. The witness then gave his consent for the Finnish court to obtain the transcript of the interview from the British police.

Turning to Massaquoi, the Defense asked why [GJRP-1] asked the witness to participate in this trial despite not knowing Massaquoi. The witness replied that he presumed [GJRP-1]'s intention was to tell lies. The witness said that [GJRP-1] asked him to take part in the trial once it became public.

The Prosecution questions Witness L4 further

The Prosecution went back to when the witness said he was contacted by [GJRP-1] about Massaquoi. The witness said that [GJRP-1] called him when the case was on trial. The witness confirmed that he did not speak to the Metropolitan police about Massaquoi, but that he told the Finish police that he and [GJRP-1] concocted lies. The witness said he had been contacted by the Americans to expose [GJRP-1]. He volunteered when [GJRP-1] needed witnesses in Agnes Taylor case. Since the Witness lived in Gbarnga during the Charles Taylor wars [GJRP-1] said he was well placed to testify. The witness' plan was to tell the truth to the court in London but he never went.

The Defense questions Witness L4 further

According to the transcript [GJRP-1] called the witness and the call was recorded. The witness was not aware before Thomas told him. It made him angry and he immediately texted [FNM-201]. The witness recalls that he was contacted by the Americans, in the American institution, to uncover [GJRP-1] before 2012. This was not the same American institution the witness referred to in his interview to Smart News. The Center of Justice and Accountability were not the ones who contacted the witness.

<u>Witness L2 is Heard</u>

The Defense questions Witness L2

The Defense asked how the Finnish police contacted the witness. He said that he was with some friends, and one of the friends mentioned that someone called him and a few days later the same person called the Witness and told him that he would give his number to someone to call him. When he was at work, he received a call from one man and spoke to him about [GJRP-1]. Later, a white man and woman called him. The witness told the woman that if she wanted to speak with him, she should come to Liberia. She sent Thomas. The witness met with Thomas in Monrovia and they talked about [GJRP-1]. The Witness knew [GJRP-1] from the refugee time in Liberia. He knew him in the 1990s, from before the war because they come from the same region.

The Defense asked when the witness last had anything to do with [GJRP-1].

The witness said that last year [GJRP-1] asked him to testify against Massaquoi and said he would give the Witness $15,000 or asylum. The witness refused because he did not know Massaquoi. The witness said [GJRP-1] went to other people and some agreed, but the witness did not know them. The witness did not see [GJRP-1] again. The witness did speak to other people about [GJRP-

1]'s request. The Defense then asked whether the Finnish police showed him photos and the Witness said yes and that he recognized [GJRP-1] in them.

The Prosecution questions Witness L2

The Prosecution referred to the friend who shared the witness' number with the Finnish police and established his name is [FNM-292]. The Prosecution asked how close the witness is with [GJRP-1]. The witness replied that he knows who [GJRP-1] is and that he was in a ULIMO organization but that he does not know what he does presently. The Prosecution asked if it were possible that [GJRP-1]'s job is to look for witnesses of war crimes. The Witness responded that it was possible considering the Alieu Kosiah and Jungle Jabbah cases for which [GJRP-1] took people to go testify. The Prosecution asked if it were possible that [GJRP-1] approached the witness for the same purpose and the witness confirmed that it was. The witness explained that [GJRP-1] had approached him about an incident at a mosque on Duport road where the witness' friend had died.

The Prosecution asked if [GJRP-1] explained where he would get the money he was promising or the asylum. The witness did not know. The Prosecution asked the witness if he had ever heard of an arrangement where a person who testifies in a trial gets asylum and the Witness replied that [GJRP-1] wants to fool people. The witness explained that [GJRP-1] could not give the money he was promising and was asking the witness to lie. The Prosecution echoed that to the witness' mind, asking someone to testify about someone was asking someone to lie. The witness confirmed that was the case.

The Prosecution referred to the witness' earlier statement that he met [GJRP-1] the previous year and asked whether he remembered what he had told the Finish police in 2021. In the summary by the Finnish police the witness had said that he met [GJRP-1] two years ago and the Prosecution established that they met for [FNM-293]'s funeral in 2019. The Prosecution asked if the Witness knew L1 and the witness confirmed that he did; that they come from the same tribe. The witness recalled that L1 told him that [GJRP-1] asked him to be witness in a case as well. L1 said that [GJRP-1] wanted people to go and lie and the witness replied that he thought the same thing. The witness confirmed that [GJRP-1] only asked him to testify against Massaquoi. The Witness did not know L3 and L4.

Finally, the Prosecution asked if the witness had heard about [GJRP-1] coaching people to falsely testify on the internet or TV. The witness replied that he has a video on his phone in which a man, speaking in Mandingo, says that [GJRP-1] told him to lie about Martina Johnson. The Prosecution asked to have the video.

September 28, 2021 – [Liberia] Day 51: One Witness is Heard

The 51st day of public hearings resumed on 28 September 2021 in Monrovia, Liberia.

Witness L3 is heard

Defense Questions the Witness

The witness described his interviews with Finnish police. He recalled that he was interviewed twice in 2021 and was put in touch with the Finnish police through [FNM-294], a former soldier. He and [FNM-294] spoke of the interview process, but the witness indicated that he first spoke with [GJRP-1], who had previously been their chief in UNIMO. The witness noted that, in 2015, he met with [GJRP-1] at a funeral on Bushrod Island. There, [GJRP-1] called the witness aside to tell him that he was expecting to receive a contract, and that he wanted the witness to work with him on it. At that time, [GJRP-1] did not tell the witness what the contract was. The witness met [GJRP-1] again at the funeral of [FNM-295] in 2021, where the witness saw [GJRP-1] "*tussling up*" with [FNM-294]. Upon seeing this tussle, the witness went between the two men, and walked [GJRP-1] away. He then spoke with [GJRP-1] for five minutes, and at this point, [GJRP-1] told him, "*what I told you about has materialized*". According to the witness, [GJRP-1] then stated, "*I want you to work for me. I want you to testify against three persons*". The witness indicated that these three individuals were Alieu Kosiah (who the witness identified as a former ULIMO soldier), Issa Kabah, and Yusuf Massaquoi. The witness did not know who Issa Kabah or Yusuf Massaquoi were but stated that [GJRP-1] told the Witness he would tell him what to say. [GJRP-1] then gave the witness twenty dollars and told the witness he would call him in April. [GJRP-1] then took the witness' number, but never called him.

After this conversation, the witness stated that [FNM-294] called to ask what he had discussed with [GJRP-1], and the witness explained it to him. After the first two weeks of April passed, [FNM-294] called to ask whether [GJRP-1] had called. The witness stated that he had not, and in response, [FNM-294] told the witness to come see him. The witness went to see [FNM-294], who asked what he had decided to do. The witness then told [FNM-294] that he couldn't lie and that he didn't know them from anywhere. The witness repeated that [FNM-294] connected him with the people.

The witness then explained how he knew [GJRP-1]. The witness knew [GJRP-1] was the Political Vice Chairman to [FNM-287] but stated that he was in hiding. The witness did not have any activity with [GJRP-1], but his boss, [FNM-296], did. The Witness did see [GJRP-1] during the ULIMO time.

The witness stated that he also fought in the LURD, in Gbarnga, Tubmanburg, Gbarpolu, Cape Mount, and Margibi County. The witness did not state that he was in a LURD unit with a special name. His chief in LURD was [FNM-297]. [FNM-297] was the Deputy Chief of Staff in the witness' control area. After [FNM-297] died, the witness did not have any boss. The witness did not know any individual named Massaquoi who was on the LURD side.

Turning back to the topic of [GJRP-1], the witness stated that, in exchange for his testimony against those people, [GJRP-1] promised the witness twenty thousand dollars as well as assistance in leaving Liberia with his family. [GJRP-1] did not call him after the funeral, however, which made the Witness go and explain what [GJRP-1] had wanted him to do.

The Prosecution Questions the Witness

The Prosecution opened by asking the witness whether he met [GJRP-1] personally other than the two instances the witness described in 2015 and 2021. The witness stated that he had, but could not remember every instance they met, adding that he thought that they were all in the same organization. The witness stated he had not seen [GJRP-1] again since the 2021 funeral. The witness further added that, when he met [GJRP-1] in 2015, it was in Logan Town, and in 2021, it was at Black Gina's Yard. In 2015, [GJRP-1] did not give the Witness details on who he should testify against, and it was only in 2021 that [GJRP-1] stated those names.

The Prosecution asked the witness to confirm that, this year, [GJRP-1] asked the witness to testify against Alieu Kosiah, which the witness did. The witness stated that [GJRP-1] did not tell him what he should say about Mr. Kosiah, but that [GJRP-1] only said that he was going to call him to tell him what to say. The Prosecution, referring to the witness' earlier testimony, then asked the witness to confirm that, because [GJRP-1] did not contact him, the witness came to speak with police. The witness disagreed with that, stating that he came to the police because he was not satisfied with what [GJRP-1] wanted him to do.

The Prosecution noted that the witness was interviewed twice by police, and during his first interview, discussed the 2015 meeting with [GJRP-1]. The witness repeated that [GJRP-1] did not state any names in 2015, but simply told the witness that he wanted him to testify. Reading from the Finnish police summary of the witness' interview, the Prosecution stated the following: "[GJRP-1] *came to you in 2015 and said he had an assignment for you; at that time [GJRP-1] asked you to testify against three persons: Gibril Massaquoi, Alieu Kosiah, and Issa Kabah*". The Prosecution asked the witness to explain the discrepancies between his current testimony and that statement. The witness noted that there can be differences in discussions.

The Prosecutor then asked the witness about Yusuf Massaquoi and Gibril Massaquoi. The witness stated that he only knew the names Yusuf Massaquoi, Alieu Kosiah, and Issa Kabah, that he did not know who Gibril Massaquoi was, and that [GJRP-1] told him what to say. The Prosecutor asked the witness whether [GJRP-1] told him to testify against both Yusuf Massaquoi and Gibril Massaquoi, or if they were the same people. The witness responded, "*The name, the way people can say it, they can't understand us, but the names are the same*". The witness reaffirmed that [GJRP-1] promised him a reward if he testified against the three people [GJRP-1] named.

The witness then was asked whether he knew a person by the name of [FNM-201]. The witness stated that he knew someone by that name, explaining that he did not know him personally but that they had spoken on the phone. The witness explained that this individual was a journalist or correspondant, that he did not know where [FNM-201] worked, and that they could only speak on someone's phone. The witness added that he spoke to [FNM-201] using [FNM-294]'s phone. The witness believed they spoke on 10 April, when he was in Ganta. The Witness confirmed that he spoke to [FNM-201] this year, and clarified that [FNM-201] called [FNM-294]'s phone, and

then [FNM-294] gave the phone to the witness. When asked what he discussed with [FNM-201], the witness told the Court that [FNM-201] asked him if they could speak, to which the Witness responded, "*I cannot talk to you because we are in a meeting, but talk with [FNM-294] and he will tell me*". [FNM-294] then told the witness that he spoke with [FNM-201], and that [FNM-294] would bring him to meet the people. When asked whether the witness spoke with [FNM-201] again, the witness stated that [FNM-201] had his name and contact information. The witness added that they occasionally text each other, "Hi".

Turning back to the witness' familiarity with [GJRP-1], the Prosecution asked whether the witness knew what [GJRP-1] does for a living. The witness stated that he knew [GJRP-1] could testify, and when asked by the Prosecutor whether he meant that [GJRP-1] can go testify or that [GJRP-1] can look for people to testify, the witness stated that [GJRP-1] looks for people to testify. The Prosecutor suggested that [GJRP-1] might have been doing his job when he spoke to the witness on this matter. In response, the Witness stated, "*actually I know him as my former boss, and I know the work he does is that he testifies… this is the job he's doing*". The witness confirmed that he told the Finnish police that [GJRP-1] promised him twenty thousand dollars, and the Prosecutor noted that this did not appear in the police summary, though the witness did mention receiving asylum in the summary. The witness repeated that he mentioned this amount to the police. Turning to the mention of asylum, the Prosecutor asked the witness whether he told [GJRP-1] that he would be afraid for his safety were he to testify. The witness stated that was what he told [GJRP-1] and that, in response, [GJRP-1] stated that he would help the witness and his family leave the country.

Counsel Re-Examines the Witness

The Defense asked whether [FNM-201] or [FNM-294] gave the witness instructions on what to tell the Finnish police, and the witness stated that they did not. The witness stated that, when [GJRP-1] asked him to testify against Mr. Massaquoi, the witness immediately told [GJRP-1] that he did not know him, and that [GJRP-1] responded by telling the witness that he would tell him what to say.

The Prosecution asked whether, at any point, [GJRP-1] has told the witness what to say about these people, and the witness stated that [GJRP-1] never gave the witness any details: "*he only said when he gets to me, he will tell me, but he never got to me*".

The public hearings closed for the day, while one more witness was called in a private session. The trial was set to resume on 22 September 2021 in Monrovia, Liberia.

September 29, 2021 – [Liberia] Day 52: Three Defense Witnesses are Heard

The 52nd day of public hearings resumed on Friday, 29th September in Monrovia, Liberia.

Defense Witness 07 is Heard

The Defense questions Defense Witness 07

First, the Defense asked whether Massaquoi owned a truck or trucks. The witness replied that he did not know. The witness explained that he had a lot of interaction with Massaquoi between 1999 and 2003 and if he had a truck or trucks he would have known. The witness added that he knew Massaquoi to be a fighter, not a businessman.

The Defense then asked whether the RUF had a base in Kalahun. The Witness confirmed there was one and said that he was a commander there. He confirmed that he knew of a place called Manowa, between Kono and Kolahun, after Valahun. Between 2001 and 2003 it was impossible to drive a truck between Kono and Kalahun because of a river called Muan, which lacked a bridge. To cross this river, one would have had to use a local canoe. It was impossible to transport pickups or small cars across it.

The Defense next asked whether Mr. Massaquoi had a base in Kolahun. The witness answered that he did not in the period since 1991.

The Defense asked questions about the RUF party. The witness said that after disarmament in 2001, the RUF members were no longer soldiers and went into politics. The party was founded when the RUF started the peace process. Mr. Massaquoi became a *"big politician"* in the party and was no longer an armed man.

The Defense returned to the RUF's military period. The witness said that in Makeni, covering up to Makuna, the base marine was the brigade commander, such as himself. Next the Defense asked about Sam Bockarie leaving for Liberia and the witness confirmed that he left after the signing of the peace accord. Gibril Massaqoui, the witness and Foday Sankoh were in Freetown at the time. Sam Bockarie did not visit Sierra Leone again after he left for Liberia. Bockarie left for Liberia with other commanders like [FNM-298] and other soldiers. When asked if he knew the name the group used while in Liberia the witness replied that some of them were called the ATU, and that they were with the President. Sam Bockarie's group, according to the witness, did not have a special name. The witness' group was called the Cobra unit.

When asked about the relationship between Sam Bockarie and Massaquoi, the witness replied that they could work together. Sam Bockarie was the area commander and oversaw the *"whole revolution"*. After Sam Bockarie left for Liberia, his relationship with Massaquoi was on bad terms, and Massaquoi had no further dealings with Bockarie. When asked about Sam Bockarie's death, the witness said that he had heard about it. The Defense asked if the witness had heard that Massaquoi had taken over after Bockarie left for Liberia. The witness said that Issa Sesay took over command after Bockarie left for Liberia. During the witness' time in Kolahun, he did not

hear of any special forces in the border region between Sierra Leone and Liberia. The RUF only had two generals: Issa Sesay and Mosquito. The witness did not know anything about Issa Sesay's death.

The Prosecution questions Defense Witness 07

The Prosecution referred to the witness' earlier statement in Freetown. The witness confirmed that the RUF had a meeting in Kono, after which he was sent to Lofa, Liberia, to *"clear the way,"* which was necessary for peace in Sierra Leone. The Prosecution reminded the witness that he had said the mission lasted one month, after which the witness returned to Sierra Leone. The witness stated that it was more than a month. After a meeting in Kono in October 2000, he went to Monrovia on a mission, and stayed until the disarmament started. The Prosecution suggested that disarmament would have been in the end of 2000 or beginning of 2001, which the witness accepted. The witness said he did not go back to Liberia again after returning to Sierra Leone. He also confirmed that he has said that the RUF did not fight in the Liberian civil war.

The Prosecution asked if he knew [Witness 3] and [Witness 12] and the Witness confirmed that he did; they were fighters. The witness said that they did not fight in Liberia after he left because at that stage, they didn't have ammunition; he was the last to turn over his arms to the UN force commander. The Prosecution told the witness that [Witness 3] and [Witness 12] testified earlier in the trial and said that they were sent to Lofa, Liberia, in 2001 with more than 500 men. The Witness said *"no."*

The Prosecution moved to Massaquoi and established that the witness met Massaquoi in Voinjama when Massaquoi was on his way from Sierra Leone to Monrovia. The witness explained that Massaquoi was the head of delegation from the Kono meeting. Massaquoi did not return to Monrovia after that trip.

The Prosecution then asked if the witness had knowledge of Massaquoi having trucks in Monrovia between 2002 and 2003. He replied that it *"did not happen."* The Prosecution repeated the witness' earlier statement that one could not drive a truck between Kono and Kalahun because of a river. The witness expanded that there was a main road, but in 2000 it was impossible to drive via the main road because it was occupied by ECOMOG and civil defense forces. The Prosecution asked about possibility of using the road in 2002 and 2003. The witness said he wouldn't know; there was no war by then, so he had changed location. He was in the Kolahun district until the elections, at which point he moved to his home. The Prosecution asked the witness if he knew when the elections took place in 2002 and the witness said they were in May or June.

The Defense questions the witness further

The Defense returned to earlier questioning and reminded the witness that he said that there was no bridge while he just testified that there was a main road. The witness clarified that he spoke about Sierra Leone, not Liberia; there is a road from Kono, Darubara to Kolahun. The Defense followed by asking whether, during his stay in Kolahun until 2002, it was possible to get to Monrovia from Sierra Leone. The witness replied that there was a road through Quadi, Foya,

Voinjama, Kolahun and on to Monrovia, and that Massaquoi took these roads not to fight but for peace.

The Defense asked who had control up until the elections in 2002. The witness replied that the president took over the country and the military took over the border all the way up to Robert spot.

The Defense then asked who Mosquito Spray was and the Witness replied that he was in Liberia but that he did not know him. Then the witness confirmed that Massaquoi was not Sam Bockarie's bodyguard but was a commander under Sam Bockarie. The witness had not heard of a unit called Young Plan.

The Defense then asked if Sam Bockarie and his men operated in Liberia after the witness left. The witness confirmed that they did. He said that when they went to Liberia, they fought for the government of Liberia under the ATU and were no longer RUF. Sam Bockarie cut off contact with the RUF after he left Sierra Leone. The Defense then asked if UN troops came to Kolahun and the witness affirmed they did and that they disarmed him in 2001.

Defense Witness 21 is Heard

The Defense questions Defense Witness 21

The Defense asked the witness if Gibril Massaquoi ever owned trucks. The witness said that he had not heard of a Mercedes truck and only knew of a Mandiros one. The Defense asked if the witness would be able to tell the difference. The witness stated that Mandiros trucks don't use water, and confirmed that he was talking about a small, 6-tyre truck. In 2000 and 2001, someone nicknamed [FNM-299] drove the truck to transport goods from Makeni to Kono. The witness said that Massaquoi did not run transportation in 2002 or 2003; the witness only knew of his private vehicle. The witness said that Massaquoi was not a part of the transportation of rice and cocoa to Voinjama; the witness would have known if Massaquoi were doing so.

The Defense asked about [FNM-299]. The witness only knew [FNM-299] by his nickname and said that [FNM-299] also knew the witness. [FNM-299] only transported goods, and not soldiers.

The Defense next asked if the witness knew who the RUF commander in Mabuka was. The Witness responded it was [FNM-300], a Liberian, and that there were others too whom he could not remember.

The Prosecution questions Defense Witness 21

The Prosecution stated that, according to his notes, Massaquoi arranged transportation from Makeni to Kono. The witness denied having said so and stated that he only knew that [FNM-299] played a role in transportation and was responsible for the truck. The Prosecution asked how the witness knew that Massaquoi was not involved. The witness said that he saw Massaquoi every day and never saw [FNM-299] give money to Massaquoi from the truck. The Prosecution asked

who [FNM-299] drove the truck for in 2002. The Witness replied that it was for [FNM-301]. The last time he saw [FNM-299] was in early 2002 before the elections. The witness also said that some people knew him (the witness) as [FNM-302].

The Defense questions Defense Witness 21 further

In response to Defense's follow up questions the witness said that Massaquoi did not speak Temne. The witness also confirmed that Massaquoi did not smoke cigarettes, nor did he consume drugs. The witness said that Massaquoi only drank Palm wine but not in front of the witness because he is Muslim.

Defense Witness 08 is Heard

The witness confirmed he was interviewed by the Finnish Police on the 10th of October 2020. In March 2003 he started service at the Special Court for Sierra Leone (SCSL) as a witness protection officer, under the supervision of [FNM-243]. Previously, the witness was a police officer in the Sierra Leonean police force. The witness was tasked with protecting Gibril Massaquoi, who *"came in"* on the 8th of March 2003. Prior to that date, the witness was unaware of Massaquoi having anything to do with the SCSL.

Massaquoi was placed under protection in the safe house together with his wife and children. There were six of them in total, including one of his daughters, [FNM-178], [FNM-199], [FNM-198], and [FNM-194].

The Defense displayed an image on the court monitor. The witness confirmed the image was of Massaquoi's safe house. The witness confirmed that he took the picture about a week ago and sent it to his boss, [FNM-243]. The witness said that the house had a fence around the whole building and that the barbed wire on top of the fence in the photo was present when Massaquoi stayed in the house. The witness said the house had two gates, and inside it had two floors, with three rooms upstairs, one downstairs and bathrooms on both floors, alongside one bathroom outside. The witness later confirmed that this photo was of the first of Massaquoi's safe houses.

The Defense asked how long Massaquoi stayed in the safe house and the Witness replied that it was one year. Massaquoi stayed upstairs with his family and the security stayed downstairs. In terms of security measures, the witness said that the house was guarded 24 hours a day, with a change of guards twice a day at 7a.m. and at 5p.m. The protection officers had guns and when guards changed over, they always did a tour of the yard, checking on Massaquoi and his family. They also had a log book. At the start, there were three guards but in May 2003 additional guards protected the house. When the witness worked at the house, he was one of three guards, and they rotated between themselves. Every time he was on duty, he went through the checks. Once a week, the locks were checked by the witness' boss, [FNM-303].

The Defense asked how food was brought to the safe house. The Witness replied that during the first two months there was a cook called [FNM-304] who was upstairs inside the house. Thereafter the family cooked for themselves. Massaquoi's wife would go out to the market

shopping. Massaquoi was receiving an allowance by the court between March and August. It was brought by a protection officer, [FNM-305], weekly, and Massaquoi had to sign a document for it.

The Defense asked the witness to describe the task of protecting Massaquoi and whether he was in danger. The witness replied that Massaquoi was in danger and that was why they were protecting him. The witness knew there was a complaint against Massaquoi since he had become a witness at the SCSL. When asked if Massaquoi was ever in direct danger of violence while in the safe house, the Witness responded that Massaquoi was in danger because he was a witness. The witness said that Massaquoi had been attacked in the safe house.

The Defense asked about Massaquoi leaving the safe house. The witness said that in 2003 Massaquoi never left the safe house on his own. When he left the house, it was with the security personnel. Massaquoi was never absent from the safehouse for days in a row, and he did not leave for Liberia from the safe house. The witness said that Massaquoi could not have left without witness' knowledge because the security personnel had the keys to the doors and were unlocking and locking them.

Between March and the end of August in 2003, the witness said that the security personnel took Massaquoi out every Sunday to get palm wine and then brought him back to the house. Aside from that, Massaquoi left the house to meet SCSL officials. The lawyers would write to [FNM-243] and [FNM-243] would instruct the security personnel to take Massaquoi to the Court where he would stay for hours, after which the security personnel returned him to the safe house. The witness estimated that he took Massaquoi to the Court once a month, and each time he went to get Massaquoi, he was in the house. The witness said that Massaquoi never left the safe house otherwise unless it was with the security from the Court (SCSL). Massaquoi had a telephone and received calls while in the safe house. The witness also received messages through his office that he transmitted to Massaquoi. The witness said he saw Massaquoi every day. When asked if the witness ever feared that Massaquoi left the safe house on his own, he replied that Massaquoi knew his life was in danger and that he would not leave the safe house. The witness explained there were other witnesses who were not given protection, but they also received houses from the SCSL.

The Defense turned to Massaquoi's allowance. The witness explained that someone called [FNM-305] came from the office and gave Massaquoi cash, which Massaquoi signed for. The witness added that Massaquoi only started signing for the cash between March and August. Only Massaquoi could receive the money, not his family, because he was the witness. The witness said that Massaquoi followed the rules of the safe house and was the first witness to be placed in a safe house. Many other witnesses were placed under protection in 2003 after Massaquoi. Protected witnesses were not told where other protected witnesses lived and did not know each other. Each witness only knew about him/herself. The witness worked for Gibril Massaquoi's family in 2003 until they left. He did not escort them to Finland.

When asked, the witness said that during his stay at the safe house Massaquoi went to a funeral in Kenema with a protection officer. The Witness explained that Massaquoi could not have left the safe house for one week or longer because he was in danger and for this reason, they protected the safe house. In the event that Massaquoi wanted to leave the safe house without permission the witness was under instruction not to allow him out.

The Prosecution questions Defense Witness 08

The Prosecution asked the witness about his place of employment. The witness said he currently works for the Sierra Leonean police but that he worked for the SCSL until December 2019. The Prosecution turned to the witness' testimony to the Finnish Police. According to the police summary, the witness had said that he started working in March 2003 and Massaquoi was picked up in May 2003, while today he testified that he came to the safe house on March 8, 2003. The Witness explained that what he told the Finish police was a mistake after he checked his records following the interview.

The Prosecution moved next to the location of the first safe house. According to the police report the address the witness gave to the Finnish police for the first safe house was in fact the address of the second safe house to which Massaquoi was moved after a year (on Jomo Kenyatta road). Before the Court, the witness confirmed that the address of the first safe house was on Pipeline Road. After the Prosecution played the recording of the testimony, the Witness conceded he had made a mistake about the address because it has been a long time since. The Prosecutor next asked about [FNM-178] and the witness explained that he was in the safe house because Massaquoi said he was family.

The Prosecutor then addressed the witness' duties as a protection officer at the safe house. The witness said that all protection officers were also drivers at the SCSL. The Prosecution asked the witness to explain his schedule around these two roles. The witness replied that whenever he was not on duty at the safe house he was expected to be at the office at the SCSL. Initially Massaquoi was the only witness and there were four officers, three on duty at Massaquoi's safe house. Later, there were more protected witnesses whom his unit protected. In terms of the schedule, the witness clarified that by May 2003 there were ten protection officers. He would spend two to three days at the safe house and then he would drive for about two days. When the witness was away from the safe house doing driving duties, other protection officers were there. The witness said that when he was on driving duty, he drove the protection officers to Massaquoi's safe house but did not go in to check if Massaquoi was there.

The Prosecution asked the witness to recall some of his colleagues working for the safe house, SCSL and Sierra Leonean police.

The Prosecution asked about the witness protection unit at the SCSL. The witness confirmed that it was a distinct unit that protected witnesses for both the prosecution and the defence. The unit had no conflict.

The Prosecutor asked about the attack on Massaquoi and the Witness confirmed it happened in the third safe house. The witness said he had heard of the attack because he had been at the office at the time. When asked by the Prosecution whether the witness heard rumours that the attack was staged and that Massaquoi had something to do with it, he replied that he did not.

The Prosecution next repeated the witness' earlier testimony that he took care of Massaquoi and his family from March 2003 until they went to Finland. The witness confirmed that the security arrangements were the same throughout the period and that Massaquoi never left the house,

nor did he travel without security. When the Prosecution brought up the fact that some witnesses testified to have met him outside the safe house, albeit with security guards, the Witness denied that Massaquoi ever left the safe house but allowed that one of his family members came into the safe house to meet him. The witness said that the guards had a logbook and anytime Massaquoi left the house he filled in details. The protocol was always the same. The Prosecution described another witness' testimony that he could enter the safe house easily because he was family, but the witness denied the fact and said it was not allowed. The Witness also denied that Massaquoi could give the supplies he received, like medicine, to anyone outside the safe house.

Following the Prosecution's questioning, the witness recalled that while all the guards were armed in 2005, one of them, [FNM-306], had lost his pistol before he came on duty to the safe house. The Witness explained that [FNM-306] *"always"* drank alcohol when off duty. The witness confirmed that Massaquoi only ever stayed in the safe house before leaving for Finland. The witness also confirmed that the gun was lost outside of the safe house, nobody else lost their gun, and protection officers didn't get holidays.

The Prosecution then asked about the last time the witness spoke to Massaquoi and he replied in 2010 but that he does not remember the month. Massaquoi was at the safe house in Sierra Leone, and they spoke about the fact that Massaquoi should stay in the house because as a protected witness he would be in danger. The Prosecution asked whether the witness remembers what he had told to the Finnish police. The witness denied speaking to Massaquoi a year ago or speaking to [FNM-178]. The interview recording of 16 October 2020 was played. In the recording, the witness answered that when [FNM-178], Massaquoi's brother, was in Freetown, the witness spoke to Massaquoi via [FNM-178] because Massaquoi was in prison. The witness said that he thought the recording was a mistake but confirmed that [FNM-178] had come to meet him in his office. The witness confirmed that he had become friends with Massaquoi and [FNM-178] while they were at the safe house because protection officers had to speak to witnesses. The witness repeated that it was impossible for Massaquoi to leave the safe house without anyone knowing. He didn't know anything about whether Massaquoi was sent for operations for the Court.

The Defense questions Defense Witness 08 Again

The Defense asked whether, if Massaquoi left the safe house for a month, people would have known about it. The witness responded that the whole office would have known.

October 4, 2021 – [Liberia] Day 53: Two Prosecution Witnesses are Heard

The 53rd day of public hearings resumed on Monday, 4th October in Monrovia, Liberia.

Prosecution Witness [GJRP-1] is Heard

The Prosecution questions the witness, [GJRP-1]

The witness started by saying that he knows L4. He first met L4 at an atayi shop called Cenpid on Carey Street around six to eight years ago. He saw L4 more frequently at another coffee shop close to his office on Benson Street, across the mosque where he has been since 2012. They became close after 2012 because they would leave their offices to go to the atayi shop on Benson Street and smoke cigarettes. They have never been to one another's houses.

In atayi shops, the witness explained, people discuss things intellectually and everything is discussed. The atayi shop on Benson Street was managed by a person called [FNM-307]. The witness knew of this atayi shop since 2014, just before Ebola. In atayi shops, he was an active speaker, so many people knew him. He does not remember the last time he met L4 at the atayi shop but remembers that L4 visited his office two to three years ago.

L4 and the witness were at the atayi shop and L4 had told the witness that he knew of a particular case. The witness explained that, by then, news of the arrest of war criminals had spread. L4, in front of the group, spoke about Agnes Reeves, who he said had committed *"horrible crimes"* behind the NPFL line. The witness asked L4 to elaborate, and L4 explained the crimes at length. Then, the witness asked L4 if he was willing to testify those details to the witness' investigators for documentation purposes, and L4 agreed. Further, the witness explained that he asks prospective witnesses to sign his consent form, which details that his organization would not pay him for a testimony, confirms that a witness is willing to share their testimony, and details that a witness is free to leave the process at any time.

The witness said that [Employee 3] took the statement from L4. The witness was not in the meeting and did not take statements from L4 himself. The Prosecution asked if money or asylum came up in the witness' discussion with L4. The witness said he offered no money for L4's testimony. Further, he said, *"you all know that I as a Liberian do not have the power to grant asylum, asylum is granted by governments."* The witness explained that the only time GJRP provides money is to compensate for lost wages for individuals who have traveled to Monrovia to speak to GJRP for that day. In this case they cover transport, accommodation and daily meals which is calculated on average costs of meals in Liberia. GJRP does not pay for passports or anything beyond the aforementioned costs. From the perspective of the witnesses, they may have believed that GJRP was paying although it was explained to them. However, the witness clarified that the granting of asylum by GJRP to a witness is never discussed. The Prosecution asked what GJRP would do if approached by a witness who was willing to testify but was afraid for their life. The witness explained that the organization has witness protection and an officer who checks on the witnesses. The organization does not convince the witnesses, but they explain what it is they can and cannot do.

The Prosecution referred to two prior testimonies stating that the witness had promised people asylum. The witness dismissed the testimonies and said those testimonies, rather than being unintentionally "false," intended to deceive and fight against justice, so they were lies. The witness said he had not given those individuals money, either, and that there were witnesses all over Liberia, so he didn't need to pay anyone. The witness added that, from the names of the other witnesses, he guessed they were Mandingoes and that he wanted to tell the court about his perspective on Mandingoes.

The Prosecution asked the witness further questions about money that other witnesses had said that he gave out. The witness said he believed that US $200 would be a lot of money for 80% of Liberians. The Prosecution referred to the two prior testimonies stating that the witness had offered other witnesses US $15,000 to US $20,000 to testify in the case and asked what the sum would represent to the witness and to the GJRP. The witness said that it would amount to two months of their operational budget, including money for electricity, gasoline, and the salary of 17 employees. The witness said the organization receives their budget monthly, and not annually, and called the prior testimonies complete fabrications. The Prosecution asked for the witness' opinion of others saying that he had promised this sum of money to them. The witness said that there are many people, including from the West, who are fighting the GJRP. The witness repeated that the GJRP does not promise money to anybody. The Prosecution told the witnesses that the same prior witnesses also said that he had coached them to testify untrue statements. The witness said they had never done that and will not because there are more than enough witnesses in Liberia and doing so would undermine the organization's efforts for justice and the victims.

The Defense questions the witness

The Defense referred to the witness' statement about the difference between lies and "false." The witness explained that "false" meant a person said something inaccurate without knowledge or an intention to deceive. The Defense asked what the difference was in the context of war testimony. The witness said that if someone recalls an event differently it might be false, but someone lies when they intend to deceive. The Defense asked how the witness differentiated between the two, and he replied that it was about motivation; people remembered motivation even if they remembered events differently, but changing the motivation created a lie.

The Defense asked if the witness had personal observations about the incidents in Lofa in 2000 or 2003. The witness said yes, and they were from personal experience. The witness did not remember if he had interviewed people from Lofa after 2003, and said he doesn't do most of the interviews, but he had not met any prosecution witnesses from this case. The Defense asked if he remembered generally, and the witness said he did not, as he had done hundreds of interviews.

The Defense asked if the witness knew of [FNM-201] playing a role in this trial. The witness responded that he doesn't know if [FNM-201] has had a role in the trial, but does not think he should, and had an opinion to share. The Defense asked if the witness had met [FNM-201]. The witness said that he (the witness) used to live in Boston and remembers seeing [FNM-201] when they traveled from the US to the Mamba Point Hotel in 2004 to do a PBS documentary. They were there for 1 month. The witness said he has not discussed any of his work with [FNM-201]. However, in the US, [FNM-201] discussed Charles Taylor with the witness.

The Defense asked whether the witness had been a witness for the Special Court for Sierra Leone (SCSL). The witness confirmed that he had been and said that his testimony was about what happened in Liberia, and about what happened to him more specifically. Prior to that, he was interviewed by FBI investigators in Boston about 9/11 because he had written an article in the analyst newspaper. The witness did not remember whether the SCSL interviewed him before his testimony. However, the witness remembered [FNM-201] calling him many times on the phone and he spoke to one of the lawyers, [FNM-308] as well as someone who compensated him for lost wages. The Defense asked if, prior to the Charles Taylor trial, the witness remembered mentioning that he was tortured by Gibril Massaquoi. The witness said he couldn't remember. His testimony was mainly about whether Issa Sesay and others were in Liberia or not. He couldn't remember if he talked about the Massaquoi situation, but said that he granted interviews to CBS and CNN, and spoke at various schools and universities.

The Defense returned to the witness' prior testimony and stated that the witness had said he had his genitals electrocuted by a woman. The witness concurred, adding that the woman was under the supervision and instruction of Massaquoi. The Defense said that the evidence he had suggested that Massaquoi oversaw the witness' torture directly and that there was no woman involved.

The witness said that Massaquoi was in charge of his torture to extract information from him, as he directed the lady to plug electricity that was running from a generator onto his genitals while he interrogated the witness. The witness said it was the first time his genitals were electrocuted, and it didn't happen anywhere else apart from Clay. The Defense asked about other people involved in the witness' torture. The witness said that Yeaten was in another room with [FNM-309] and [FNM-156]. The Defense asked if Yeaten or [FNM-309] electrocuted the witness. The witness said that he remembered Yeaten coming in the room and one time he ordered a bottle to be placed on the witness' head, after which [FNM-310] shot the bottle. The witness also remembered [FNM-309] torturing him, and that the torture always occurred at night because they were in an immigration building on a main road. The Defense asked if the witness was electrocuted on another day, and the witness said he remembered that the electrocution was administered more than once but did not remember being electrocuted on another day. The witness said that he had heard others were tortured because of him, some of whom were electrocuted while one individual had boiling water put on his head.

The witness also remembered being tied in a duck fowl tabay. The Defense turned to an interview the witness had given with Civitas Maxima in 2018. The interview transcript recorded the witness saying he was tied but not in tabay. The witness responded that the interviewer must have misunderstood him and offered to show the marks under his shirt. The Defense read further from the interview transcript that the witness had said that during the event he was only tortured by Massaquoi. The witness explained that he had been referring to a specific event in which torture was administered by Massaquoi to get him to confess something for President Taylor. The Defense asked why the witness had said that he was only tortured by Massaquoi. The witness responded that he didn't remember and said he mentioned [FNM-309] and Massaquoi over 10 years ago, and specified that when he said torture, he was referring to the torture that included the electrocution of his private parts. The Defense said that in his last testimony the witness had said that he didn't know who ordered the electrocution. The witness responded that he had said that there was a lady who physically handled the electrocution and that Massaquoi was standing there.

The Defense turned to Benjamin Yeaten. The witness could not remember the name of the troops Yeaten commanded but knew that he was referred to as 50 and was the highest ranked fighter. While the witness didn't know the command structure, he knew there were Sierra Leoneans in Monrovia during the war. The Defense asked if the witness had heard of a group called Special Security (SS). The witness said he had, and said that the SS were not part of the armed forces but were assigned by law to protect the president. However, the SS became militarized under President Taylor. The Defense asked if the SS were present in Clay when the witness was tortured. The witness said that the SS did not wear uniforms so he wouldn't know, but he knew that [FNM-309] and some others were always following Yeaten. He knew this because he lived in the same building as some of them. The witness further said that the SS was made up of Liberians but there were Sierra Leoneans fighting in Liberia and Charles Taylor could add them at his convenience.

The Defense turned to ZigZag Marzah and asked the witness if he played a role when the Finnish Police wanted to be in contact with Marzah. The witness said he could not remember but said he last had contact with Marzah in on May 3rd, 2001, when the witness' arrest was ordered by the government. The witness had lived in the same apartment as Marzah. The Defense asked if the witness played a role when the police were contacting Marzah. The witness said he didn't remember but that when the Finnish police came, they seconded a GJRP staff member, [Employee 1] to the police, after which [Employee 1] ceased communication with the GJRP. However, the witness said he never called or saw Marzah.

The Defense asked if the witness spoke with [Employee 1] about Marzah. The witness said he didn't remember but that the police asked him specific questions and he shared his knowledge with them. Further, the witness said he never filed a witness for this case, and only knows two defence witnesses. The Defense asked the witness if he remembered saying to [Employee 1] that the Finnish Police wanted to speak with Marzah. The witness said that he was off this case, but he spoke to a lot of people for his job and there are things he doesn't remember as part of the investigation but that he last saw Marzah in 2001. However, the witness said that the Finnish Police may have asked [Employee 1] about contacting Marzah and it was possible that the police asked the witness if he knew Marzah. The Defense alluded to a statement that was made that [Employee 1] told the witness that Marzah had wanted money from the Finnish Police and was turned down. The witness said he thought this was when [Employee 1] was first seconded to the police. The witness said it was impossible to remember every conversation but now that the Defense mentioned money he remembered. He said that as a rule the GJRP doesn't give money to anybody.

In fact, the witness said that the organization had had Charles Taylor's bodyguard who had lots of information, but they cut him off because he wanted money. No matter the value of the information, the witness maintained that GJRP does not give out money. The witness said that the bodyguard's testimony would pertain to this case and to another one. The Defense asked how the witness knew that the bodyguard's testimony would pertain to this case and the witness said that the bodyguard was his friend and had shared information with him. The witness met him frequently in central Monrovia and the bodyguard had told him things he promised not to say. The bodyguard was closest to Taylor of all Taylor's bodyguards. But the witness said he told the bodyguard that they didn't pay for testimonies. The witness could not remember the month they had this conversation. The bodyguard knew to come to the witness because he listens to the news and knows that the witness is the head of an organization that deals with war crimes.

The Defense returned the questioning to [Employee 1]. The witness said that when [Employee 1] was not employed by the Finnish police, he was employed by the GJRP. Officially, all contact stopped after [Employee 1] started working for the police but unofficially, the witness called to check up. The Defense asked if [Employee 1] returned to the GJRP the day after his contract ended with the Finnish police. The witness said that no, [Employee 1] took a few days off in between his work for the police and for the GJRP. The Defense asked if the GJRP has collaborated in cases where the victims might be their own employees. The witness said that he was a witness in this case, and there is one other case where a GJRP employee might be a possible witness. The witness didn't know if he would be classified as a victim by that court.

The witness asked to speak to the court and the judge acquiesced. The witness said that victims and justice workers were under threat from people who don't take accountability and that some people had started a smear campaign against the GJRP.

Prosecution Witness [Employee 1] is Heard

The Prosecution questions the witness [Employee 1]

Referring to his earlier testimony before the court, the witness explained how he was approached by Finnish police. He explained that the Finnish police contacted him in 2019 and he was instructed that for the duration of their engagement he was not to take instructions from anyone else or disclose their work to anyone.

The Prosecution asked [Employee 1] how he found witnesses. First, the witness stated he went to Lofa.

In terms of locating witnesses, they relied on three main methods.

If the witness came from a rural area, they followed what they called a community entrance. They first met with the community leaders, including youth, women or elders. He explained that they were looking for witnesses who had experiences of the war in Lofa, especially those that related to RUF activity and individuals who had knowledge about killings, rape, torture or burnt houses. In most villages and towns, the elders would instruct them to come back after some time during which they would gather witnesses with such experiences, and when [Employee 1] and the police came back the following day, the witnesses were referred to them. He asked them if they had experience with the RUF and if they were willing to speak to Finnish police. Most agreed and their names were put on a list and forwarded to the Finnish police.

Another way to find witnesses was in itaya shops, of which there are 200 in Monrovia alone. People gather there and talk about current events and events in the past such as war, politics and soccer. The witness went there and listen to people. When he heard something of interest, he would approach the person and show his interest in the topic discussed. He would inquire if the person knew the issue well and say that he knows people who would be interested to talk further about it, especially about the RUF related activities. If the person agreed, [Employee 1] forwarded them to the Finnish police. Some of the witnesses led him to other witnesses and this is how he met most of the witnesses.

When he approached ex-combatants, at first, they would be defensive in fear of possible punishment. They tended to demand an explanation and [Employee 1] would tell them that it was not about them and that he worked with some Finnish police officers who might want to speak to them. The witness never mentioned the name Gibril Massaquoi because he had strict instructions from the Finnish police. His instructions were to ask the potential witness which one of the factions committed an atrocity at a particular time and place. If they mentioned RUF or LURD fighters, [Employee 1] asked them if they were willing to talk about their experience to the Police. Sometimes they demanded more information but [Employee 1] denied their request and referred them to the Police.

[Employee 1] said he has never interviewed a witness and recorded their answer. He was under instruction to only ask the potential witness which faction they had experience of and where, but not to hold an interview. The Prosecution stated that some witnesses had said that [Employee 1] gave them the name Gibril Massaquoi. The witness responded that he couldn't remember saying the name to anyone.

Sometimes, the witness received a contact from another witness and would have to follow up with two, three or sometimes four people. Other times, people gave names and contact information to the police who would in turn contact the witness to follow up.

The Prosecution asked about the witness' training in approaching witnesses. The witness said he knew his job well and was familiar with witness management. He received training on approaching witnesses from the IICI and people from Holland. People from Civitas Maxima were also there. The witness said he had also cooperated with other national authorities including the British Metropolitan Police and the U.S. Department for Homeland Security.

The Prosecution asked [Employee 1] to compare his experience working for other national authorities to his experience working for the Finnish. The witness said that the Finnish are more technical and leave no loop open while the Americans are more relaxed. Sometimes, the Americans allowed him to listen to the witnesses on the field but in the Finnish investigation [Employee 1] was not allowed to be present for any witness interview. For everyone he had worked for, he was forbidden from mentioning the name of the suspect to witnesses. When it came to the lodging and allowance given to witnesses, the witness said all national authorities did the same. However, the witness mentioned that working with the British and American authorities he was allowed to go to the GJRP office and talk to Civitas, but with the Finnish authorities he was not allowed to do so.

The Prosecution moved to the witness' two notebooks that he had previously given to the Court at the Defense's request. The witness explained that they contained notes to guide his work, and that the notebooks also contained his notes for matters beyond this case. He shared these notes because he had consulted them during the previous testimony and the Defense inquired about them, so he shared the notebooks for transparency. One or two pages were removed because the witness used them for a toilet tissue when he was on his way to Kamatahun in the forest.

Regarding the witness approaching the witnesses in itaya shops, the witness said that people asked if there would be financial compensation. He explained to the people he spoke to that their transportation, accommodation and a fixed amount for meals would be covered. Two witnesses,

including Zigzag Marzah, demanded additional compensation and they were left out. When he was looking for witnesses, the Witness did not differentiate in approach between the Prosecution or Defense witnesses. He knew that one witness was for the Defense and later he found out that there were about ten persons who testified for the Defense but did not know in advance how people would testify.

The Defense questions the witness, [Employee 1]

The Defense asked the witness how he referred witnesses to the Finnish Police. The witness explained that he didn't give the police his notebooks, but he gave them a written list of witnesses or passed on a list made by communities like Kamatahun. The witness said he didn't keep notes or records and didn't know the names and numbers of the witnesses. The witness clarified that he was instructed to ask potential witnesses about the RUF but not to mention names.

The Defense turned to [Employee 1]'s notebooks and noted that the witness had written in April that his instructions were to ask questions about diamonds and burnt houses, but the RUF was not mentioned. The witness responded that if the Defense checked the book there were further instructions, because they had 3 meetings and those were notes from one of them. The Defense noted that during the witnesses' testimonies, it was clear that they had gained information from somewhere and asked the witness who he thought had told them. The witness said he didn't know but the Defense should ask the witnesses that question. The Defense stated that the witnesses said that [Employee 1] told them. [Employee 1] repeated that he had not told witnesses anything. The Defense asked if [Employee 1] finding witnesses through a chain of people could have meant that some of those people told the witnesses. [Employee 1] replied that he could not speak for them, and maybe it happened, but he didn't know. The Defense asked the witness why he had said that the Finnish Police forbade the witness from contacting the GJRP and Civitas. The witness replied that those were his instructions and he didn't ask questions, and added that no other country or organization he had worked for had demanded the same cut of contact.

The Defense asked about the pages missing from witness' notebook. The witness said he had told the Finnish police that he had used them and explained that one page was used for a toilet tissue, one to write down a person's number, and one to wipe up palm wine after it had spilled.

After the witness finished work for the Finnish police, he returned to GJRP usually after one week, during which he rested, although he could have returned immediately as per the contract. He said that when he transitioned from working for the GJRP to working for the Police he was not consistent in breaks. Sometimes the Police asked him to start working one or two weeks prior to their arrival, and the witness would stop working for the GJRP. The witness was paid by the Finnish police from the first day he worked for them. The Defense pointed out that the witness' notebook and the Finnish police indicated that [Employee 1] worked for the police from 18 March until 19 April, but his notebook also mentioned him working on the 23rd of April.

The witness explained that before the Finnish police came, he started working in Lofa, which is recorded in his notebook. However, he said that the notebook was just for him, and if the police said he stopped work on the 19th of April, then they must be right.

A page from witness' notebook was displayed on the courtroom TV monitor. The witness explained that it contained a call log graph that he prepared for the Finnish police. They used to use a similar method at GJRP to keep track of witnesses. The names of the witnesses in the call log displayed were from this case. However, it was not used, and the witness didn't make calls, evidenced by the comments section being blank.

The witness also worked for the Finnish police from 1 November to December 2019. Another page from the notebook was displayed. The witness explained that it referred to his two trips to Nimba between 4 and 6 October 2020. Before his trip the police told him that Defense wanted Zigzag Marzah to testify. The first time he went to Nimba was with the Finnish police and they met Zigzaz Marzah who requested money for his testimony. The second time the police asked the Witness to find him because he was outside the mobile network coverage. The note displayed was from the second trip.

Another page from the notebook was displayed. The witness explained he wrote that page when he was working for the Finnish police who asked him to start working on 4 October although they came on 19 October and paid him from then.

The Defense referred to the witness' prior testimony that the witness had not arranged the transportation for the Lofa witnesses to come to Monrovia. He had visited Lofa on the Finnish case. The police had hired a vehicle and asked the witness to go and tell the witnesses who couldn't be reached by phone that the Police was here and that they were needed in Monrovia. The witness could not remember the date. The Defense asked if the note on the screen had something to do with that trip to Lofa. The witness inspected the note and responded that it wasn't for the Finnish; it pertained to identifying mass graves with someone else.

In the period between 1 January and 15 April the Witness travelled for the Finnish police twice to Voinjama, Kamatahun, Bolahun Kortohun and other villages nearby. The first trip was with the Finnish police and for the second trip he traveled with [FNM-149]. Besides then he had travelled to different places for the Finnish police and he could not remember when. Recently he had travelled to Nimba twice for the Finnish police. When he travels to Lofa the Finnish police cover the cost of transportation which is not fixed; it is low in dry season; accommodation is US $50 and the amount for the meals is US $10 for him and US $20 for the witnesses, which was raised from the original US $10. Witnesses that came from Lofa to Monrovia were first directed to call FNM-311 who instructed them where to go. Once they arrived, another person took over.

The Defense pointed out that in the period between January to April, the Finnish Police paid the witness US $1,250 for the cost of transportation and US $2,450. The Witness clarified that transportation cost covered Lofa and Nimba. Sometimes witnesses lived on farms and could not be reached by phone so he would have to wait for them two to three days. The witness suggested that the vehicle cost could have also been included, as a typical car was rented for US $200-300.

When the witness was previously testifying, he was asked to show his two notebooks. The next day the witness remembered telling the Prosecution that they could look through it but said that he did not give his consent to the Defense to look at his notebooks. The Defense asked, if not all the witnesses' names were in his notebook, then where were the rest recorded? The witness told

the Defense to ask the police, as they had everything, and the notebook was only for his private use and he didn't intend to give it to anyone.

The Defense focused on a page from one of the notebooks displayed on the court TV monitor which the Witness first said was notes on witnesses related to the massacre that occurred around Kamatahun and Kotohun, which was not related to the case of the Finnish police. However, then it was established that the Witness met with the Chief and the elders on 4 April and the witnesses between 8 and 12 April. Two days later, on 14 April in Voinjama, the Finnish police conducted the first witness interview. After the witness looked at the page from the notebook on the monitor it showed a date of the meeting, and the witness confirmed the meeting was for the Finnish police. It contained the names of people to interview given by the chief and the elders and instructions to ask them about diamonds, murders, and burning houses. The witness said he did not speak to them as there were no phone numbers next to the names. The witness explained that the note on the page, 8 to 12 April refers to the time when the Witness first went to the village, the Finnish police came the following day and the day after they returned to interview the witnesses, starting on 14 April.

The Defense referred to one of the witnesses listed, witness 7, and asked if that witness was only interviewed by the police on 1 December 2019. The witness said he could not remember if they were in Lofa in December but said that the witnesses listed were not all interviewed together as the list included witnesses from other villages. They came from Kamatahun, Bolahun, and Kiatahun. The witness visited Kiatahun with the Finnish.

The witness said that he met the potential witnesses first by inquiring with the village chiefs whether an event in question took place in their village. He was then asked to return at a later day, after they consulted and collected names of potential witnesses. Next to the lists of names he received, the witness would note that they answered the questions, and it would not mean that he questioned them. Sometimes, he would receive a name of a person who would only be interviewed by the police after a month or so. However, regarding the witness 7 who was on the April list but interviewed in December, the witness insisted that he did not meet him when he wrote down his name in the notebook.

The witness said he visited Kiatahun with the Finnish police in April but did not get the list then; he gave the questions to the elders for the witnesses and was told that they would get back to him after consultations. [FNM-312] then brought him the list a few days later, having obtained it from a guy they met in Massabolahun, who has a drugstore and is possibly a youth leader. However, because the road to the village was bad during the rainy season, the witness did not return to the village until the dry season. The witness did not know whether the witnesses he reached spoke about Massaquoi as he was not in the interviews.

The Defense asked whether the witness had met the witnesses named on a particular page in his notebook between the 8th and 12th April. The witness responded that he didn't meet any of them.

The witness said that when he went to towns or villages, he would meet people who were not listed in his notebook. The Defense had notes that mentioned the witness, after meeting the community leaders, would talk to town people. The witness said that they would ask people general questions. If someone knew about it, they would send that person to the Finnish police.

He didn't talk to the entire town and did not talk to people who were on the list. The witness and [FNM-312] went to pick up the list. Sometimes, they didn't pick up a list but simply went back with the Finnish police, like in Sivilahun.

The Defense returned to the witness' prior testimony, in which [Employee 1] discussed talking with people and asking them if they were comfortable sharing their story and repeated the question of whether [Employee 1] met the witnesses. The witness clarified that he had met and talked to the witnesses, but had not talked to them on these matters, and usually just got their contact number and forwarded them to the Finnish police. The Defense asked whether he wrote down names and phone numbers and the witness responded that it was sometimes just names. The witness clarified that sometimes he wrote down witnesses' names into a list, and sometimes he was given a list. The Defense asked which of the witnesses he had met out of those who were listed on a particular page. The witness responded with four names from Babahun, Kotohun, Kotohun Hassala and Kamatahun. The witness said that the guy he met who compiled the list is from Kintiahun but [FNM-312] also met him in Babahun. The witness explained he had been to Kintiahun first with the Finnish Police, where he only talked to the elders. He did not always write down the names of witnesses in his notes because he didn't know that people would ask for them.

The Defense moved on to the topic of witnesses wanting to bring photos or albums. The witness said he did not talk to Thomas as he was not at the interview, but that Thomas told [Employee 1] that a witness had an album. [Employee 1] remembered a witness, [FNM-313], who came and promised to bring a picture but did not submit them because he wanted to come back again. The witness said that, at first, Thomas didn't mention this to him, but two days before his return, Thomas told the witness to contact [FNM-313] to tell him to bring the photo. The witness met [FNM-313] at LY junction and told him that he was under instructions from Thomas to get the photos. However, [FNM-313] did not show him the photos and said that one lady had the photos and he wanted to see Thomas. He said he needed more money to get the photos. In front of [FNM-313], the witness called Thomas to relay the request, and Thomas replied that he had already given him transportation money.

The Defense asked about an album, and the witness confirmed that he had recently been looking for a photo album. [Employee 1] thought it could have been the same guy. The guy said he needed more money to get the photos, and [Employee 1] said the police couldn't give him additional money and asked to be put in direct contact with the lady, who he thought could have been the guy's aunty. The witness went to meet the aunty. He thought that the album could have been by [FNM-314]. [Employee 1] told [FNM-314] that he would not underwrite his expenses before he met the lady. Her name was [FNM-315]. When they met [FNM-315], the witness explained what [FNM-314] told him and the woman said she had the album and would give it to them or go with them. She went in and came out with a black plastic bag, but a man intercepted her and spoke with her in a local dialect that the witness couldn't understand. She went back into the house and left through the back door and the witness didn't see her for the next two hours. He informed Thomas and called [FNM-316] to discuss what had happened. The witness' understanding from the guys around was that the lady thought they were trying to arrest her. Thomas told the witness he had done his best and to come back. Since then, the witness spoke to [FNM-316] and he promised to help convince the woman to send the album, but [Employee 1] hadn't heard anything since.

The Defense turned to the latest group of witnesses who had been interviewed in May and June. [Employee 1] said he had helped to find some of them. The Defense asked how [Employee 1] had found those witnesses. [Employee 1] said that sometimes he spoke to insiders and ex-fighters. [Employee 1] referred to one witness who had been on other cases besides the Finnish one. [Employee 1] said he had spoken to the witness like he spoke to the others. The Defense asked if [Employee 1] had told this witness that the trial was about World War 1, 2 and 3. The witness said he had not, but the Defense said that World War 1, 2 and 3 were mentioned in the recording. The witness said he did not restrict witnesses to speaking about particular issues because something could have happened in Lofa or somewhere else. The Defense played the recording where the witness had said he asked witnesses whether they had knowledge about Charles Taylor or RUF soldiers during the war in Monrovia – World War 1, 2 and 3 – and the one that took place in Lofa. The witness maintained that he did not restrict witnesses to speaking about World War 1, 2 or 3 because he also asked about Lofa. The witness couldn't remember but may have said that there was a court process going on and witnesses were needed. The witness said he had not told the witnesses that there was a problem with the process and that permanent witnesses would be needed. The witness said that the Finnish police did not give him instructions at this stage to ask about World War 1, 2 and 3 but that he knew to ask about Monrovia and Lofa from the work they were doing. The Defense asked whether the witness knew someone called [FNM-317] and whether that person was looking for witnesses for this process. [Employee 1] responded that he might have met [FNM-317] at an itaya shop but he talked to a lot of people and couldn't remember. [Employee 1] said he had not asked [FNM-317] to look for witnesses, and repeated that if someone told him that they had knowledge of the war, he would ask them to show him. The Defense asked about [FNM-245]. The witness said he had heard his name but did not see him and had not asked [FNM-245] to look for witnesses. The witness clarified that only he and [FNM-312] searched for witnesses, but that wasn't the same as someone saying they knew someone else and giving him a contact. The Defense said that one witness had stated that [FNM-245] contacted him, and then [Employee 1] had followed up. [Employee 1] acknowledged this had happened. The witness had only met him at the itaya shop but did not know him personally. The Defense said that one witness said a friend contacted him. [Employee 1] said that witness was another guy who was in Paynesville but is now in Bomi Hills. [Employee 1] met him at the itaya shop and he said he had a friend who knew a lot about the war so [Employee 1] asked for his number. [Employee 1] noted he was a commercial motor bike rider. The Defense said that another witness had mentioned a second person bringing them to the police. [Employee 1] confirmed this had happened and that the witness was a Lorma guy. The Defense asked about the second person. [Employee 1] said maybe he knew the witness, but he talked to many people and couldn't remember. The Defense mentioned another name, and the witness responded that some of these names were sent to him, but he didn't see them. The Defense turned to [FNM-318] and asked if this individual brought a witness to the trial. [Employee 1] confirmed this was the case, and that he knew [FNM-318] because they all rode bikes at LY junction. Sometimes they would get four or five names but could only get one person.

The Defense turned to a different witness who said that someone else had contacted him first before he spoke to [Employee 1]. [Employee 1] confirmed speaking with the witness. The Defense mentioned other names to [Employee 1]. The witness said that most people spoke with Thomas first and Thomas told him to follow up. When he called, he would get sent additional names. The witness clarified that Thomas had not given him this particular name but most times Thomas gave him names to follow up on. The Defense said that one witness said that two other people called him before he spoke to [Employee 1]. [Employee 1] said he didn't know the first person, [FNM-319] but the witness could have made a mistake with names as most witnesses

didn’t know his name. The Defense said that, according to another witness, [FNM-319] told the witness that the Finnish had a case against Angel Gabriel. [Employee 1] said he was not there and was not aware of this. [Employee 1] suggested that this is a close society, and it was possible that a witness left and was discussing it in his community, and someone heard. The Defense asked if [Employee 1] had said he was looking for witnesses to testify against Angel Gabriel, and the witness responded that he didn’t know. The Defense asked [Employee 1] how the witness knew the correct name at the beginning of his interview, and the witness responded that he didn’t know. The Defense said that somebody else had said that [Employee 1] had told him about Gibril Massaquoi. The witness responded that he did not know and did not meet them so could not have told them names.

October 6, 2021 – [Liberia] Day 54: Three Witnesses are Heard

The 54th day of public hearings resumed on Monday, 6th October in Monrovia, Liberia.

The Witness, [Employee 3], is Heard

The Prosecution questions the witness [Employee 3]

The witness began by explaining that he has been working for GJRP since its founding in 2012. Initially he worked as a researcher, or what the court would term an investigator, tasked with going into the field and collecting information to identify perpetrators from the Liberian Civil War. Sometimes, interviews were conducted in the GJRP offices. Over the years the witness was given more responsibilities.

The Prosecution asked about L4. The witness knew L4 because, in early March 2012, he and [GJRP-1] interviewed him. [GJRP-1] was friends with L4. The witness had been acquainted with L4 because during his student days at the University of Liberia he used to go attaye shops. L4 frequented attaye shops and spoke openly about his experiences in Gbarnga with Charles Taylor.

[GJRP-1] was GJRP's executive director. He had L4's contact and gave it to the witness. The witness decided to interview L4 because of his presence in Gbarnga during the Charles Taylor time.

The Witness called L4 and introduced himself as a co-worker of [GJRP-1] in an organization that documents war crimes. He invited L4 to come to their office to speak about his experiences during the war. They agreed on a specific date and when L4 came to the office, the witness met L4 and introduced himself. He showed L4 [GJRP-1]'s office though he was not there. Then, the witness invited L4 to the next room to proceed with the interview. It was only L4 and the witness.

The witness explained to L4 what the organization could and couldn't do; they wouldn't pay people aside from transport costs, and that L4 was free to leave whenever as it was a voluntary process. The witness said he would take notes on what L4 said, and L4 said that was no problem. The witness added that it was not a very formal interview. Then, the witness said that he jotted down information as L4 spoke. Then, the witness thanked L4 and told him that they might call L4 in the future, and that this was the effort they were making for the victims of the Liberian Civil War.

The witness repeated that the interview took place in 2012 but could not remember the exact date and confirmed that it was only the witness and L4 in the meeting. [GJRP-1] was not in the office but the witness informed [GJRP-1] that L4 was there and [GJRP-1] told him to go ahead and speak with him. The witness said that it was the first time that he met L4 in person. The Prosecution asked whether [GJRP-1] had talked about the same interview with L4 before, and the witness said that he didn't know. Then, the Prosecution asked whether anybody coached L4 on what to say prior to the interview. The witness said that nobody talked to him like that before the

interview because as soon as L4 entered the premises, security informed the witness, and he went to meet L4.

The Prosecution asked what the witness remembered from his interview with L4.

The witness said that L4 was living in the Gbarnga area during the civil war. L4 said that Agnes Reeves Taylor was having an affair with a man who escaped to an unnamed area after he thought Charles Taylor had learned of the affair. He also talked about someone who was killed in the Southeastern area by two people, one of whom went on to crucify a boy. The witness thought that L4 had not said anything incriminating about Agnes Reeves Taylor, only that she was having an affair. The witness said he only interviewed L4 once and was not aware of another interview by GJRP staff. However, the witness noted that Alain Werner and Civitas Maxima comes to visit the GJRP office once a year, and their team of lawyers come and do detailed interviews with potential witnesses. The witness said he was unsure, but they may have interviewed L4.

The Prosecution asked if [GJRP-1] had interviewed L4, and the witness replied that he did not know.

The Prosecution asked when the witness next saw L4. The witness said it was in 2016 when the British Police were investigating Agnes Reeves Taylor, during the "full disclosure" phase of investigations when all evidence was surrendered. In 2017, the full disclosure phase had finished, and the British Police were interested in speaking with L4. However, the British Police did not have authorization to go to Liberia for investigations, so they had to move L4 to another country to conduct the interview. They chose Ghana and the witness accompanied L4 to Ghana for the interview.

The Prosecution asked for further details of the trip. The witness said that he told L4 he would provide him with a passport. The witness explained that he would not get an award, but that GJRP would pay for his transport to Ghana and cover his lost wages. L4 did not supply the witness with the documentation he required to calculate lost wages, but the witness thought it was around Liberian $15-20,000. L4 also said he needed a US dollar component and asked for US $150-175. The witness said that this all added up to about $300 and this was the same as GJRP's average lost wage criteria. The trip took place from the 3rd to the 9th of February. The witness also told L4 that accommodation and food would be covered by the British Police once he was on the ground in Ghana.

In Ghana, the witness explained, L4 met with the British several times. The witness was not present for those meetings and L4 did not tell the witness what was said. The Prosecution asked the witness if he or anybody else from the GJRP had promised L4 any type of reward for travelling to Ghana.

The Prosecution asked if the witness had met L4 after that trip. The witness said that he did, and that they met normally in the street and at the Capitol Building where L4 works. However, the witness said that they did not discuss the trip to Ghana or talk about any information from the interview.

The Prosecution said that he was going to display some documents provided by the GJRP. The witness said that he recognized his writing, and that the document was notes from his interview with L4. The note was from the 4th of October. The Prosecution asked if the other pages shown were additional parts of the notes, and the witness confirmed it was the case. The witness explained that the pages were notes about an unrelated individual who was a fighter, but the witness never got to meet him. The judge asked the witness to write down the date. Then, the witness was asked to read out the date on the notes displayed, and the witness responded that it was the 4th Day of the 10th Month in 2012. The witness had made these notes on the same days as his interview with L4 and they contained details of everything that L4 had told the witness. The Prosecution asked about GJRP's method of following up with witnesses and asked the witness if GJRP had been in contact with L4 since the interview. The witness said that while they had spoken with L4, he was not an official witness of GJRP, but they had given Scotland Yard the notes as part of full disclosure. Further, L4 had not directly witnessed things so he was not classified as a witness in their system.

In 2012, when the witness had interviewed L4, the GJRP offices were located on Mechlin Street. At the time, they were investigating some cases, but the witness said that L4 was not a witness on any of them.

The Defense questions the witness

The witness said that he did not indicate that [GJRP-1] talked with L4. The witness said that during his time as a student, prior to working at GJRP, he did not personally speak to L4 but rather he was present when L4 speak to people in attaye shops.

The witness gave the notes of his interview with L4 to the British Police. He explained that it is part of GJRP's protocol to seek witnesses' consent to take notes prior to the interview and inform them that the notes could be shared. The Defense noted that, in the witness' notes, it was not noted that the interview notes could be used in court, but the witness insisted that he had said that. The witness confirmed that L4 was not a witness to any incident. The witness did not know what interest the British Police had in the notes, but GJRP gave them all their notes during full disclosure. The Defense asked if L4 had met [GJRP-1] and the witness said he assumed so seeing as they were friends. The Defense asked if the witness and [GJRP-1] talked about L4 after his interview with the British. The witness responded that he was an acquaintance and not a friend of L4, but that [GJRP-1] was his friend which is how the witness was put in contact with L4. The witness said that L4 never spoke with him about what he talked about with the British Police.

<u>The Prosecution Witness, Joshua Blahyi, is Heard</u>

The Prosecution questions Joshua Blahyi

The Witness confirmed that he fought in the Liberian Civil War between 1990 and 1996 when he was known as General Butt Naked. He had been in Ghana as a refugee between 1998 until 2007. He never testified in a war crimes court. He asserted that he does not know [GJRP-1] and that he had not heard of GJRP.

The Defense questions Joshua Blahyi

The witness confirmed that he testified before the Truth and Reconciliation Commission for Liberia in 2008 about his participation in the war. He had not testified in any other case. In relation to his war name, the witness explained that he was not the only person known as General Butt Naked during the war.

The Prosecution questions Joshua Blahyi

The witness explained that while he fought for ULIMO J, there was another General Butt Naked who fought for LPC, the Liberian Peace Council headed by a current parliamentarian. LPC also fought in the second Liberian Civil War. LPC fought predominantly in Sinoe but the last war they fought together on April 6th was in Monrovia. ULIMO and LPC were friendly forces.

The Prosecution asked about ULIMO. The witness explained that ULIMO was a group that came from Sierra Leone, but which split into two factions along religious divides: one Muslim group under Alhaji Kromah called ULIMO-K and one Christian group under Roosevelt Johnson called ULIMO-J. The letters came from the names of the leaders. The witness did not recognize the name [FNM-294] but explained that during the war people used different names and that most people would not know him as Joshua Blahyi but rather as General Butt Naked.

The Defense questions Joshua Blahyi again

The Witness explained that he started referring to himself as General Butt Naked after journalists called him the naked general in 1996 in central Monrovia. There was only one other General Butt Naked in the first and second civil wars and the witness said he is now amputated.

<u>The Prosecution Witness X8 is Heard</u>

The Prosecution questions witness X8

The Witness took part in the second Liberian Civil War. He was an ATU soldier communication officer with Charles Taylor's convoy. The head of the ATU was [FNM-217]. He had been to Lofa, Bong, Bomi and Monrovia. When he was in Monrovia he lived at the executive mansion and he went to the frontline until the rebels pushed them back to Monrovia.

The witness was also in Waterside and confirmed that there were Sierra Leoneans there in the years 2002 and 2003. They called the Sierra Leonean group *"Agba".* The Witness knew most of the Sierra Leonean fighters at Waterside. Of the commanders, he remembered someone with the war name High Command, and someone called [FNM-320]. He continued to see some of the fighters and commanders through to the end of the war, but others died.

The Sierra Leoneans fighting in Monrovia at Waterside fought against LURD in 2003. The Witness confirmed that he saw and fought with the Sierra Leonean commanders during the war in Liberia but also in the Ivory Coast. He recalled that the commander of Sierra Leoneans in the Ivory Coast

was Sam Bockarie. While in the Ivory Coast there were problems between groups and upon their return to Liberia, Sam Bockarie was arrested. They took him to a place called Cocoa Pah, which is a rubber plantation in Nimba county. Sam Bockarie was executed there. The Witness remembered other Sierra Leonean commanders who were in Ivory Coast including [FNM-321] – they were executed.

The Witness explained how he came to be interviewed by the Finnish police two weeks ago. He recalled listening to the radio and hearing a talk show on the 91.1 station about a Sierra Leonean, Gabriel Massaquoi, on trial by the Finnish authorities. The Witness called someone he knows at the Global Justice Research Program (GJRP) with whom he had not spoken in a long time. This person told the Witness that someone would get in touch with him and subsequently he received a call from an unknown number and was informed that the Finnish police wanted to speak with him. The Witness explained that he called his contact from GJRP because he realized that he remembered that Massaquoi belonged to the same Sierra Leonean group he encountered at Waterside in 2002-2003.

The Witness recalled that he met Massaquoi at Waterside once and in Monrovia once or twice. He met Massaquoi in 2003, towards the end of the war, in June, July and August on the police academy side. Other than that, he met him in Elwa Junction at 12 houses where Massaquoi was based. He remembered Massaquoi being the coordinator or mediator between the Sierra Leonean group and the president Charles Taylor.

The last time he saw Massaquoi was in July or August 2003 around 12 houses. The Witness testified that when he heard Massaquoi speak he spoke English with a Sierra Leonean accent.

The Defense questions witness X8

The Witness said that he joined the ATU in 2000. He went to the base in 1999 for about 8 months and came out in 2000. There he was a communication officer, owing to his pre-war job at the radio station. He did not have a war number. The Witness confirmed that he fought in Lofa which he knows very well and was in Lofa for 5-7 months in 2000. He was a front-line commander in Voinjama, Vahun, Kobolahun, and Konia. During his time in Lofa the Witness saw Massaquoi on a few occasions but never interacted with him. The witness said Massaquoi was a mediator between Sierra Leoneans and went wherever the war was fought. The Witness asserted that Massaquoi and the other Sierra Leoneans moved around Lofa with Benjamin Yeaten, the SS commander. The witness knew Massaquoi as a mediator and did not know if he fought in Lofa. The witness had seen Massaquoi in Lofa and could not remember if it was in Vahun or Voinjama but said that Massaquoi had come from Monrovia in a helicopter. The witness saw Massaquoi when he accompanied Benjamin Yeaten to the front lines in a car and sometimes in a helicopter. He clarified that his first interview with the Finnish police was unexpected but confirmed that he told the police what he considered to be correct at the time. Thereafter he had time to think while he was in the bush because he expected to testify again.

After 6-7 months in Lofa as a front-line commander, the witness spent 2001 in Liberia while the government fought LURD forces throughout the country. The witness said during his time in Lofa he went back and forth to Monrovia because he was a front-line commander. He couldn't remember if he saw Massaquoi in Monrovia in 2000 or 2001. He went to the Ivory Coast in July or

August of 2002 during the war between the rebels and the president and then returned to Liberia in January or February 2003, and the war was still ongoing.

The Witness did not know whether Massaquoi had a nickname. He explained that they called the Sierra Leoneans the Agba and individually they called them Sam. He knew that Massaquoi lived in 12 houses in 2000 that he was a spokesperson for the Sierra Leoneans, some of whom were in ATU. The Witness could not remember seeing him during their trainings.

When asked about Waterside, the Witness explained that he was not assigned there but he went to the old and the new bridge as that was the frontline. The group that controlled the bridge in 2003 was Jungle Fire, controlled by Benjamin Yeaten – 50. In 2001 or 2002 the war had not spread to Monrovia and there were thus no military bases on the bridge at the time. When he used to come to Monrovia in 2000 and 2001, before the war spread there, he was not armed because he would go to see his family.

The last time the Witness met Massaquoi was in 2003 on the new bridge frontline. When Sam Bockarie returned from the Ivory Coast, 90% of the soldiers that returned with him were executed, according to the Witness. The Sierra Leonean commanders in Monrovia assigned to Benjamin Yeaten included High Command, [FNM-109] and Salami. Following Bockarie's death, Salami became a commander of Sierra Leoneans and was a frontline commander who took orders directly from Benjamin Yeaten. The Witness affirmed that Massaquoi came to the frontline with Salami, although he did not see him shoot or fight there. The last time the Witness saw Massaquoi with Salami on the frontlines was in 2003 before Salami died. The witness said that Salami died the day before the war ended.

The Witness clarified that the first time he saw Massaquoi was in Lofa but he could not remember when. In Monrovia, the witness saw him twice near 12 houses and the last time was before Salami died. The witness specified that Salami died near 12 houses.

The Defense asked about travelling to the Ivory Coast. The witness said that when the Sierra Leoneans went to the Ivory Coast, they went by airplane which flew from Roberts Field and landed in Burkina Faso. The witness and others travelled by road from Liberia.

After seeing Massaquoi in Monrovia, the witness heard on the radio that Massaquoi went to Finland. Although he did not know how Massaquoi left, he guessed that he must have left Liberia through a land crossing and driven through Bo Waterside. LURD was there but the UNMIL was also present so there was a ceasefire, and the roads were open.

The witness contacted [FNM-322] from the GJRP. He had [FNM-322]'s number from the time he was interviewed in relation to a different matter that has not been made public. In that interview, the witness mentioned a Sierra Leonean but not Massaquoi.

The Prosecution questions the witness X8 again

In Monrovia, Massaquoi moved with [FNM-323] who drove around in a bus and Salami who drove a land cruiser pick-up. He could not remember the color of the pick-up and explained that there were up to three pick-ups; one was gray and another green.

The Defense questions the witness X8 again

The Defense wanted to understand how X8 knew Massaquoi's name. The witness said he could not remember whether he spoke to Massaquoi in Lofa but in Monrovia they met in a group. The witness knew him by name but they did not interact because Massaquoi was not on the frontline. The witness remembered Massaquoi used to move with Salami because Massaquoi was the *"boss man and spokesperson."* A Sierra Leonean identified Massaquoi as a spokesperson to the witness when he was in Monrovia.

The Witness said the first time he saw Massaquoi was in Mah, in the Ivory Coast, when [FNM-324] and Sam Bockarie introduced him as the spokesman. When reminded that the Witness told the Finnish police that the first time he met Massaquoi was at 12 houses the Witness corrected that he was talking about the places where he had met him before.

Finally, the Witness confirmed that he had not seen Massaquoi in any pictures from the frontline.

October 8, 2021 – [Liberia] Day 55: One Prosecution Witness is Heard

The 55th day of public hearings resumed on Friday, 8th October in Monrovia, Liberia.

Prosecution Witness L5 is Heard

The Defense questions witness L5

The witness had written and published an article during his time in Sierra Leone about a massacre in Kamata Golahun, which was displayed for the court.

The Witness explained that in 2000 or 2001, when he was working as an Information Officer at the University of Liberia, the Minister of Defense, Daniel Chea, declared that people from his home district, Kamata Golahun, were "*the kinsmen on the rebels."* The Witness responded to his remark in an article in a newspaper called the Inquirer, after which he heard that the defense minister ordered that he be summoned to his office. The Witness fled to Kenema in Sierra Leone.

In Kenema, he encountered people who were escaping from his district. He moved to a town close to the border with Liberia, Weadu and spent a month trying to understand why people were fleeing his district. He visited other villages along the border and spoke to many people who had crossed it and were fleeing. He did not know any of them from before.

From the people he interviewed he learned that a group headed by Zigzag Marzah murdered a large group of people in Kamata Golahun by forcing people into a house which they then set on fire. While Zigzag Marzah's name came up most frequently, Mosquito was also mentioned. The Witness spoke to a young man whose mother and father were killed in that house.

During his interviews with women, boys and men he heard about other incidents, all of which he documented in a brochure which has since burned in a fire in his house. However, he had provided a copy to the UN in Freetown. He recalled that an incident in Yamatahun particularly disturbed him; he was told that a baby was placed in a mortar and pounded to make a dish.

The people he interviewed indicated that NPFL and LURD operated in the area. The RUF was not mentioned although the Witness knows they were also present there. He had been told that RUF and NPFL were on the same side, although RUF was based in Foya which was not close to Kamata Golahun.

The Witness could not remember how many refugees he interviewed, nor in which month he interviewed them, nor when he subsequently wrote an article for the newspaper in which he mentioned Zigzag Marzah and others, whose names he could not recall. The original copy of this article was with [FNM-226] at Human Rights Watch.

In the article the Witness named 28 victims as was told to him by [FNM-325], a man who was forced to join the NPFL. [FNM-325] subsequently went to Kamatahun with his parents, who were killed but he managed to escape to Sierra Leone and met the Witness.

The Witness had written notes of the interviews he conducted but they were also lost in the fire. The Witness confirmed that the people he had interviewed did not mention anyone by the name of Massaquoi nor Angel Gabriel. He repeated that two main persons who featured in his article were Zigzag Marzah and Mosquito. The Witness said that the only person who could obtain the copy of his dossier from the UN is [FNM-226].

The Witness knew [FNM-326] from Sierra Leone and confirmed that he tried to get in touch with him and that he might have a copy of the dossier.

The Witness first learned of the person Gibril Massaquoi following his indictment.

The Prosecution questions witness L5

The Witness said that he escaped to Sierra Leone sometime in 2001 to 2002 through Bo Waterside with a truck but could not specify the time of the year.

He clarified that he did not have the copy of the Inquirer article. The witness said that the Inquirer was a Liberian newspaper in which the Witness commented on the defense minister's statement. Thereafter, the Witness learned that defense minister requested that he be tracked down and brought to his office, and about a week later he escaped. It took him two days to reach Kenema.

After the Witness arrived in Kenema it took him about two weeks to conduct his first interview. The witness had told the Finnish Police that he interviewed 75 people in total, but in trial the witness said that 75 was the number of people who were killed in Kamata Golahun. After being presented with the summary of his statement, the witness said he couldn't remember the total number of interviews, but it was about 75.

The witness said that in the interviews, many people mentioned the massacre at Kamata Golahun. In the article, however, the Witness quoted one man, [FNM-325], who provided the names of the victims because he lost his parents in the incident. The other people that the witness interviewed were not able to give him names of those who had died. The Witness clarified that when people spoke about Kamata Golahun they referred Kamata Golahun Hassala, as opposed to Kamata Golahun Tahun.

The Witness clarified that the persons he interviewed did not necessarily come from Kamata Golahun Hassala. Some came from Kiahum and other villages. The witness explained that Kamata Golahun Hassala is on the Liberian and Sierra Leonean border area, so some people were passing through the area. The people who were passing through saw bodies in the burned house and met victims.

The Witness explained that the reason why [FNM-226] has the dossier is because the Witness interacted with Human Rights Watch in Sierra Leone. The last time he spoke to [FNM-226] was two months prior. [FNM-226] called the Witness to ask whether he knew Gibril Massaquoi to which he responded that he did not. After that she did not get into further details. The Witness did not know why she was asking but thought it was because of the trial.

Returning to his escape to Sierra Leone in 2001 or 2002, the Witness explained that he started his journey in Monrovia and crossed through Bo Waterside in a truck.

The Defense questions witness L5

The Witness was born in Lofa and after the war he first returned in 2004. The witness said he had returned several times since 2004. During these visits the Witness confirmed that some people told him how people were killed during the war and that someone called [FNM-161] was mentioned as one person responsible for the killings.

October 26, 2021 – [Finland] Day 56: One Defense Witness is Heard

The 56th day of public hearings resumed on Friday, 26th October in Finland.

Defense Witness [FNM-192] is Heard

The Defense questions the witness

The Witness had already testified on June 17.

The Witness confirmed that she and Gibril Massaquoi moved together to Munsor after Massaquoi's release from prison on the 6th of January 1999. The Defense asked if they or Massaquoi had ever lived in Magburok and the witness responded that they had not and she had not heard of it. When they lived together, Massaquoi had a wine-red jeep car but no truck. The witness could not remember the make of the car. She did not know whether Massaquoi transported goods between Liberia and Sierra Leone between 2001 and 2003.

The Witness and Gibril Massaquoi got married on Friday, the 26th of July 2002 on the East side of Freetown. She remembers that date because her birthday is in July and so is her daughter [FNM-231]'s birthday, and their son died near that time. Following the wedding, the Witness and Massaquoi mourned their son and Massaquoi did not travel anywhere for a month or two.

The Witness confirmed that she, Massaquoi and their children went to a safe house first in March 2003 which was arranged by the Special Court. They lived in four safe houses before leaving Sierra Leone. The first was the Pipeline safe house where they stayed for less than a year. She remembered that this safe house was light or light brown in color and had a gate and a fence around it. She asserted that she would recognize it in a picture. When a picture was shown on the big screen the Witness confirmed that that was the house they were in.

The Defense asked about the safe house's security. The witness said that the house had tight security, with guards present 24 hours a day. The guards worked in two shifts, switching in the morning. The outgoing guard would inform the incoming guard about anything that happened in the previous shift. Then, the incoming guard would conduct an inspection of the living room, check everyone was there, inspect the backyard and inquire about the whereabouts of the children. The Witness indicated that they had no visitors in the first safe house.

The Witness explained that she left the safe house to do shopping accompanied with a security guard, while Massaquoi stayed at the house with the children and security guards. The money for shopping was delivered by a person from the Special Court in cash every Friday, or if needed more frequently, Massaquoi called to make a request. Massaquoi had to sign a document to receive it each time. If they needed to see a doctor, the Special Court would send one to the house.

The witness said that Massaquoi did not leave the safe house in the first six months apart from when the Special Court needed him.

The Special Court would call Massaquoi, allow him 10 to 15 minutes to get ready, then send a car and security guards to pick him up. These visits would approximately last 20 to 30 minutes, and then they would return him back to the safe house. The witness said that Massaquoi was always available when they called. She couldn't remember how many times he went to the Special Court in those months.

The Witness said that it was impossible that Massaquoi could have left the safe house without the security guards or the Special Court noticing because they had the keys to the gate.

The safe house had one floor; there was one room downstairs for the guards and three rooms and a living room upstairs. The Witness and Massaquoi slept in one of the rooms and the witness spent every night with him.

The Prosecution questions the witness

The Prosecution returned to the photo of the safe house. The witness could not confirm whether it depicted the first or the second safe house because, she said, they both had similar gates and fences, and the color of the first safe house in Pipeline was white which was similar in color to the second house.

The Witness reiterated that she did not think Massaquoi was involved in organizing transportation because she did not see him with a truck. The Prosecution asked the witness how much she knew about Massaquoi's travel prior to staying in the safe house. The witness said that, to her knowledge, Massaquoi did not travel before their stay at the safe house. In 2002 they travelled to Go to pick up their son who died two weeks after. The Prosecution asked the witness how much she knew about what Massaquoi was doing when they were not together, and the witness responded that they only talked about their kids and family matters.

The Witness said that she was still unwilling to speak about Massaquoi's relationships with other women. She confirmed that in her previous testimony she had said that it was possible that he travelled to Liberia to meet his girlfriend there.

In relation to the first safe house the Witness affirmed that they had no visitors. She also repeated that she went shopping with security guards, starting from two months after they moved in.

The Witness confirmed that she knew one of the security guards, [FNM-328], who was with them from the beginning. He was a security guard and after his shifts he worked at an office. He worked Monday to Friday and occasionally took time off on weekends. He also drove the Special Court car on the weekends. When he worked in the office, he collected Massaquoi and drove him to Special Court when Massaquoi was requested to be there. The Witness confirmed she knew [FNM-243] who was at the Special Court and said the guards reported to him, but that Massaquoi knows more about him.

The Prosecution turned to the previous testimonies about the attack on a safe house. The Witness said that she was absent. She had left that day in the morning and the house was attacked late at night. Massaquoi told her afterwards how Massaquoi and the children managed to escape with the help of [FNM-178]. It happened one evening when Massaquoi was praying. There was a punch on the door and a window was broken. [FNM-178] told Massaquoi to stop praying and helped him and the children through the door and to cross over the fence to escape, after which she thought they called the Special Court.

The Witness did not know if there was a secure exit at the first safe house in Pipeline. She said there was only one gate.

The Defense questions the witness

The Witness said that the attack on the house took place in 2005. At the time they had three children and [FNM-178] was with them.

The Prosecution questions the witness

Returning to the security guard, the Witness confirmed that the guard, [FNM-328], and Massaquoi became friends, but also that Massaquoi was friends with everyone. The Witness did not think that Massaquoi remained in contact with him or other security guards after they left Sierra Leone because he had not told her anything about that.

The Court discusses technical details

The Defense requested the return of a 6-page document. The Defense had sent the document to the Central Criminal Police to determine the authenticity of the document. The document was the Special Court of Sierra Leone (SCSL)'s memoranda of an interview with [GJRP-1], which the Defense said was important when evaluating [GJRP-1]'s witness statement. However, the Central Criminal Police were refusing to return the document to the Defense because the SCSL told the Police not to do so. Lastly, the Defense said that they already had a copy of the document, and the Special Court was not entitled to decide which documents could be used as evidence.

The Prosecution opposed the request and requested its dismissal. The Prosecution said the Defense was requesting the return of a document that they had obtained illegally. The Prosecution said that on each page of that document, it was written in the footnotes that the document was the property of the Prosecutor of the SCSL. The Prosecution accused the Defense of obtaining the document illegally from someone who had the document legally but delivered it illegally, so the Police could not return it. The correct way to obtain the document would have been to request it from the SCSL but that request was not made so the Police were avoiding acting wrongfully. The only way the document could be returned to the Defense was if it were requested from the SCSL.

The Defense responded that the SCSL had handed over the document and that their rules were not the law and did not prevail, repeating that the document had not been obtained illegally. The

Court asked the Defense what was stopping the Defense from handing in their copy of the document, and the Defense responded that nothing was, but they wanted to act cooperatively. The Court agreed to resolve the issue later.

The Court asked if there should be restrictions on communications. The Prosecution asked if all the witnesses were known, and the Defense replied that if someone contacted him, he would go through them, but could not say for sure. The Prosecution agreed to discuss it with the chief of investigations.

The Defense asked for the restrictions on communications to be raised for two people, [FNM-327]. They were coming to Finland and wanted to meet with Massaquoi once. The Court said to discuss the matter with the chief of investigations and that they would give a ruling on the matter later that week. The Prosecution said they were ok with one meeting but said the question was whether all restrictions would be removed.

Finally, the Court said that they had the US authorities' permission to hear [FNM-201].

November 17, 2021 – [Finland] Day 57: The Defendant, Gibril Massaquoi, is Heard

The 57th day of public hearings resumed on Wednesday, 17th November in Finland.

The Defendant, Gibril Massaquoi, is Heard

Initially, confidential evidence was examined in closed session after which the judge invited the parties to discuss the defense's expert witness statement from Ilmari Käihkö.

The Prosecution said that the defense did not provide them with the expert witness statement and the Defense responded that there was no obligation to inform the Prosecution of the evidence they planned to introduce.

The Defense explained that he emailed Käihkö on the 23rd and 28th of August inquiring whether, in 2003, a government motorcade could have driven between Monrovia and Sierra Leone. Käihkö had interviewed a commander on this issue and opined that it would have been unlikely unless it was in April or May 2003 when Monrovia was controlled by the government troops. The Defense referred to the Prosecution's exhibits 3, 4 and 7.

The Prosecution said that the part of the expert witness statement relating to the control of Waterside from mid-April until June 2003 ought to be disregarded. Käihkö was an expert witness, and this statement was a continuation of his previous expert witness testimony. According to the law, an expert witness statement must be made from the expert's own knowledge. In this situation the expert witness relied on information provided by a third party, the commander he interviewed, to draw a conclusion. Accordingly, the Prosecution should have the opportunity to question the same third party if this part of the expert witness statement was to be included in the record. The reliability of the person that Käihkö interviewed was inconsequential.

The Defense said that the expert witness' knowledge was based on his research and any concerns about his testimony could be addressed when he testifies again.

The Prosecution asked whether the Defense had asked the expert about a motorcade. The Defense responded that, in respect to Waterside, he had not. The Defense explained that a witness had said that commanders had come to Waterside to pick up Massaquoi, and he was trying to understand whether that was possible in practice.

Gibril Massaquoi is Heard

The Defense questions the Defendant Gibril Massaquoi

The Defense explained to the Defendant that he needed to be heard again because many witnesses had testified in the meantime and the charge against him had been expanded.

The Defendant confirmed that he did not call himself nor was he called Gabriel Massaquoi, Wilson Angel nor Angel Wilson. He proceeded to explain the inconsistency about his wedding date. The Defendant said he was married on Friday, 26 July 2002. Earlier that day, the parties had discussed a document before the court according to which the Defendant stated in 2007 that his wedding date was in October 2001. The Defendant explained that this document is the Finnish Immigration Services form that he did not fill in personally and he only discovered this date when he had to renew his residence permit. This date of October 2001 was inserted by the person from the witness interviewing department in Sierra Leone and was then sent on to the Finnish Embassy in Nigeria. 26 October 2001 is the date when he was engaged to [FNM-192] and they married in the summer of 2002. The Finnish Immigration Services noted the date of marriage as 00/00/2002 as he could not recall the exact date because he did not have his notepad with important dates on him when he was providing the information.

Before he was married, the Defendant lived in East Freetown, and he was there until the SCSL took him into the safe house. His cooperation with the SCSL started mid-2002 after he met with [FNM-226] who said he could assist on some matters. The Defendant knew her from before. They first met in Makeni in 2001 and then in Freetown several times. In addition to the protection agreement with the SCSL, the Defendant made no additional public nor secret agreements with [FNM-201] but only heard about it from a statement to the police.

The Defendant first went to the safe house on 10 March 2003 and before he moved to the safe house with his family he had been arrested, together with some other people. The Defendant stated that he does not want to discuss the arrest with the audience present in the courtroom because the most recent document his attorney submitted to the court is classified.

The Defendant didn't know the location of the safe house, but the security guard told him the address was Seven Pipeline. Between March and August 2003 there were three security guards including [FNM-328], and two more joined later. At the time when they moved to the safe house the Defendant did not know any of them, but they became closer thereafter. The Defendant said he did not give them any benefits during their service. The Defendant confirmed he saw the pictures displayed to the court when it held sessions in Monrovia and that those were the pictures of the first safe house that was surrounded by a fence with barbed wire on it.

While in the safehouse in 2003 the Defendant insisted that he never left the safe house alone because there was a fence around it and there was only one gate which was guarded. The guards used to come to check on the family and return to the gate. The Defendant did not leave the safe house for his own safety. The Defendant clarified that the witness who testified that she met him in 2003 was in fact the commander in chief of his village community and that they actually met one and a half months before he went to the safe house. While in the safe house in 2003 the Defendant did not meet anyone outside the safe house except for the SCSL workers who either came to him or sent security guards to bring him to the SCSL, which happened multiple times. Also, [FNM-201] and another person from SCSL visited the safe house.

The Defendant's visits to the SCSL were organized by the SCSL. He would first receive a phone call by the personnel and inform him that he would shortly be picked up so he can be ready when they came. This happened multiple times during spring and summer. It never occurred that the Defendant was requested for such meetings, and he was not available. The Defendant explained

that he did not travel outside of Freetown in 2003, to Liberia or to any other country. He was taken out to a beach, but not in 2003, where he had drinks because he complained that he was always in the same place.

The time he left Freetown while living in the safe house was in 2005 when his daughter died in Bo, where she was living with her grandmother. He went there for a day with the SCSL security and returned.

The Defendant confirmed that he could not have left the safe house without the security guards noticing because they checked on the family every two hours. Had they noticed he was missing they would have informed the Prosecutor's office, but this never happened. Also, when the security guards changed shifts twice a day they checked the presence of all family members and recorded it on a document.

Regarding their finances, for the first two months the SCSL did not let his wife go out shopping, but they bought and delivered food to the house. [FNM-304] brought in the food and cooked together with the Defendant's wife. [FNM-304] would show the Defendant the receipts for the shopping which he, in turn would sign, and she would submit to the office. After that, the Defendant's wife went shopping accompanied by security guards. Until he moved to Finland, they received money weekly, which he exclusively signed for.

Concerning the attack on the safe house, the Defense said other witnesses had suggested it might have been staged or organized, and the Defendant recalled that it happened at the end of July 2005. Both he and the security guard provided a report to the SCSL. Neither the attacker nor the guard were armed then. He dismissed the claim in the Prosecution's witness statement that he organized it with his brother as a middleman. The security measures were enhanced after the attack. When the attack happened the security guard informed the Defendant that one of the glass doors was broken and there were two men with knives. The Defendant and the guard moved the kitchen table to the fence and carried the children across.

The Defendant said that he knew Sam Bockarie from the RUF and that the last time he saw him alive was during the AFRC in 1997 and immediately thereafter he was arrested and convicted. The Defendant described their relationship as neither friendly or hostile but stated that from 1994 he had had problems with him and that Sam Bockarie tried to kill him. The Defense said Bockarie died on May 6, 2003. The Defendant saw pictures of Sam Bockarie's dead body sometime in May 2003 while in the safe house.

Concerning previous statements that Sam Bockarie had led troops in the Ivory Coast in 2003 or 2004, the Defendant asserted that there was a rebel attack in the Ivory Coast but he did not know if Sam Bockarie led those troops and that he had never been with them. The Defendant also refuted that he was Sam Bockarie's deputy.

The Defense addressed prior testimony that Sam Bockarie went to Liberia from Sierra Leone with the Defendant. The Defendant explained that following Sam Bockarie's disagreement with the RUF leader in December 1999, RUF troops were sent after Bockarie, which is when he crossed to Liberia and did not return to Sierra Leone because he feared for his life.

The Defendant said he did not know a place called Twelve Houses in Monrovia and that he had not been there with Sam Bockarie. He did not visit Liberia anytime after seeing Sam Bockarie's dead body on a computer screen. He heard from someone that Sam Bockarie died in Liberia.

The Defense asked whether the Defendant had a base in Tailahum, and the Defendant said that no, in 2002 he was in Freetown. He also maintained that he did not own a truck between 2001 and 2003. He knew that there were departments within the RUF that did but only until December 2001, when the RUF was disarmed and ceased to exist. The Defendant rejected that he was ever involved in transportation of goods. He also denied having taken part in any war related activities in Liberia between 1999 and 2003. He said he had never heard of a unit called Agbah during his time in the RUF but knew that Liberians used this term.

Finally, the Defendant confirmed that the names of the persons imprisoned by the SCSL were published in the media. The SCSL held a press conference and publicized the names of those arrested and indicted. The Defendant's name was not mentioned by the SCSL, but a different media source reported that he was arrested.

The Defendant dismissed the notion from the Prosecution and some witness testimonies that he may have left Monrovia to go to fight in Liberia. He said nobody in their right mind would do so.

The Prosecution questions the Defendant Gibril Massaquoi

The Prosecution returned to Massaquoi's wedding date. The Prosecution asked if his wife had known the correct date the whole time, and the Defendant responded that he didn't know, and that they visited the Finnish Immigration Service at different times. The Prosecution said that according to his notes, Massaquoi had said April or May 2002 but the Defendant insisted he had always said that it was summer, but he couldn't recall the exact date.

The Defendant repeated that the last time he saw Bockarie was in 1997. The Prosecution displayed an excerpt of the Defendant's interview with the SCSL on the 20th of February 2003. The Prosecution said that in the interview, the Defendant told the SCSL that he met Sam Bockarie at Taylor's in 2001. The Defendant said that he did not see Bockarie in Liberia in 2001 but he knew that he was in Liberia. The person from the SCSL taking notes on his 2003 interview may have been referring to the Defendant mentioning Bockarie in the context of saying that Bockarie might have returned to the RUF. The Prosecution asserted that this should be considered when evaluating the Defendant's testimony.

The Prosecution moved to a later section of Massaquoi's interview and established that Sam Bockarie was moved somewhere.

Then the Prosecution moved to another section of the interview which concerned Sam Bockarie's departure from the RUF after leaders turned against him. According to the interview, there was a meeting with Bockarie in 2001. Massaquoi explained that in that meeting, the RUF leaders were trying to convince him to return, but they didn't agree and then they broke off contact. Massaquoi said that he didn't know why Sam Bockarie was wanted out of the country, he had only heard that Taylor was pressured.

The Prosecution introduced another display of a document from 3rd December 2002. In those notes, Massaquoi had said that communication between the RUF and Bockarie continued when he was in Liberia. The Defendant said he did not know why they would talk but knew that Bockarie took people with him. RUF leaders may have continued talking with Bockarie despite the RUF cutting ties with him because while the RUF was an organization and didn't affect private people.

The Defendant said that he joined the RUF's external delegation in 1996 and was appointed its leader towards the end of 2000 in a RUF meeting because he was an involved member and had experience. Other RUF leaders were appointed in the same way. It was disbanded at the conclusion of the peace process in Sierra Leone in either 2001 or 2002. The Defendant said he was not removed from the external delegation before it was disbanded. However, the Prosecutor displayed a transcript to the court in which Massaquoi stated that he was removed from the delegation in November 2000. The Defendant explained that he was removed from the lead, but he was still a member. The Prosecution stated that the delegation was based in Monrovia, Massaquoi lived there, and another witness had testified to living in the same house as Massaquoi and in opposite rooms. The witness had also said that Massaquoi did not travel back to Sierra Leone during that time. The same witness said that Massaquoi did not meet Charles Taylor as a member of the delegation. The Defendant responded that he had met the witness and maybe the witness did not remember correctly.

The Defendant confirmed that he passed through the Lofa area in Liberia in 2000. The Defendant said he was not aware of Charles Taylor delivering weapons and ammunition to the RUF when he was in the area in 2000. The Defendant said the RUF was in the peace process then. The Prosecution displayed a document which he explained were the Defendant's notes that he delivered to the SCSL and asked the Defendant about the ammunition mentioned in the notes. The Defendant responded that some people, potentially from the delegation, took them forward and that he didn't participate in the delivery. The Defendant held that he did not deliver ammunition. The Prosecution displayed another page on which Massaquoi had written that he delivered weapons, and the Defendant responded that he did not deliver weapons, but he was on a vehicle with [FNM- 204] that did deliver weapons. The Defendant explained that he had written that he *"was instructed to receive"* them because he needed a ride and had to wait for ammunition to arrive. The Prosecution pointed out that the Defendant had written that he had ridden in a helicopter with ammunition, and the Defendant confirmed that he had traveled to Sierra Leone on a helicopter with ammunition in it in late 2000 or early 2001.

The Prosecution asked about traveling to Monrovia from Sierra Leone with the delegation. The Defendant said he had ammunition with him because armed men were watching him but had to give it up in Lofa before arriving in Monrovia, which was possibly in 2000.

The Defendant said that soldiers and weapons were sent from Sierra Leone to Liberia at Sesay's command before the RUF was capable of the peace process. The soldiers went back and forth. The Prosecution asked if the soldiers went to clear the way to Liberia. The Defendant responded that he wasn't there, but he knew that the RUF went to help the Liberian government troops.

The Defendant said that after 1992 he didn't go to Liberia before the peace process. Troops went there to fight to help the government troops in 1999. The Defendant didn't know if [Witness 7]

left in October 2000. Issa Sesay could have already been there in October 2000 because the first delegation went earlier to release the UN peacekeepers that were being held hostage. The Defendant didn't know if the RUF always went to fight in Liberia when Charles Taylor needed them because he didn't control the troops. He had described troops going to fight when they were needed in an earlier interview transcript. The Prosecution asked about the RUF's efforts to clear the road into Liberia. The Defendant said he didn't know, and that troops that were there after 2001 could have been serving to secure the place. He did not know the intentions of the RUF troops who stayed in Liberia after the mission but he knew they went to Guinea after the LURD attacked.

The Prosecution referred to a 2003 transcript in which Massaquoi said that the troops that were sent to Liberia were intented to go to Guinea and attack there in February or March 2001. The Defendant responded that he was in Liberia in June and saw troops but did not know when they left for Sierra Leone's disarmament. In February or March of 2001, the Defendant said he visited Liberia and went back. He met [Witness 7] in Liberia on his way to the peace process. The Defendant said he traveled to meet [Witness 7] by road but the Prosecution said that he had told the SCSL that he had travelled to Voinjama by helicopter, when he met [witness 7]. The Defendant said he probably met [Witness 7] more than once on his mission. [FNM-205] was an RUF assistant but didn't participate in negotiations. The Prosecution referred to prior testimony in which the Defendant said that [FNM-205] was a delegation member. The Defendant said that yes, [FNM-205] was a delegation member but he didn't participate. The Prosecution asked if his main task was a diamond trade. The Defendant said that the job description of the RUF delegation was not diamond trading. The Defendant had met with [FNM-205] in Monrovia in 2001 but could not recall when.

The Prosecution asked about weapons traveling from Sierra Leone to Liberia. The Defendant said he knew about that and had informed the UN that it was bad. The arms were being transported to Liberia because there was an embargo on weapons. The Prosecution suggested that this happened so that the UN would not get them during disarmament.

The Defendant said that when the RUF fought in Liberia, the Liberian government supplied them with arms so they could fight. The Prosecution asked how this was compatible with the idea that the RUF were in Liberia for safety and the Defendant answered that he and the delegation were there for peace, and he reported things to the UN if they threatened permanent peace.

The Court decided to continue the Defendant's questioning the following day.

November 19, 2021 – [Finland] Day 58: Expert Witness, Ilmari Käihkö, is Heard and The Defendant, Gibril Massaquoi, is Heard Again

The 58th day of public hearings resumed on Friday, 19th November in Finland.

Expert Witness Ilmari Käihkö is Heard

The Prosecution questions the expert witness Ilmari Käihkö

The witness was summoned again to testify because his expert witness statement from 2 September 2021 was prepared based on questions emailed to the witness by the Defense and the Prosecution did not have the opportunity to cross examine him. The expert witness statement concerned the feasibility of travel between Monrovia and Sierra Leone between February and May during the civil war.

The Prosecution began with questions on the reasons behind LURD's gradual overtaking of the government forces. The Witness explained that it was mainly due to the material support provided by Guinea and while LURD forces were initially weaker in manpower, it impacted the government forces' military tactic. The Prosecution was interested whether LURD manpower, assuming they had 8,000 active soldiers, was capable of closing Monrovia off from the rest of Liberia. The Witness explained that in the summer of 2003 all forces were centered on Monrovia and thus could close the city off. He had been asked about motorcades or the blockage of roads, but said it was impossible to say whether one could have left the city on foot.

He explained that siege of Monrovia did not mean that Monrovia was completely sealed off. In fact, the east side was open, and it was possible to go towards Sierra Leone, but during the siege he considered it "highly unlikely." It was sealed on the North side because of The Guldenstein Bridge.

The witness clarified that in his expert witness statement by the word motorcade he meant two or more cars using the roads with no difference between civilian or armored vehicles. To the Prosecutor's hypothetical question of whether a car carrying an anti-aircraft rifle could drive out of Monrovia under the siege he replied that it would have been "highly unlikely" particularly if the vehicle had to drive through a populated area because it would attract attention. While under the LURD's control, Monrovia was not completely closed off, the opposing side, the government troops, had set up roadblocks, and thus a motorcade could not have driven unnoticed. There were two main routes and possibly other smaller ones, but he concluded that the infrastructure was of poor quality in 2003.

In the expert witness statement, the witness relied on Google maps which were recent and said that he had not familiarized himself with the maps of the area from the time of relevant events.

In the context of LURD controlled areas before the siege of Monrovia and the world wars in 2003, the witness explained that when the war front was in Lofa district, the LURD worked on controlling the roads. The Witness stated that it was easier to control areas where there was no

active fighting because they could then focus on controlling the surroundings. The witness said there was no specific research investigating the possibility of travel in Liberia at the time.

In the expert witness statement, the Witness relied on the UK Security Council expert panel report of 24 April 2003 which was instructive in answering the request by the defense to speak on the feasibility of movement between February and May 2003.

On page 3 of the expert witness statement the Witness mentioned that at the beginning of April the LURD troops controlled the area where Human Rights Watch researchers were interviewing fighters. While the Witness could not ascertain how they might have entered the area, one possibility was that they came through Sierra Leone over the bridge because the war in Sierra Leone had ended at that time, in 2002 followed by the arrival of peacekeepers. Border security was the main imperative at the time, and the witness did not know whether that facilitated travel between Bo and the Liberian border.

The Prosecution recalled the testimonies of previous witnesses, civilians, who reportedly escaped from Monrovia to the countryside where it was calmer. The Witness opined that it would have been possible during the third world war, as the roads were open toward Red Light, but towards the North was unlikely. During active fighting he did not think the civilians could have easily moved.

Taylor's troops did not manage to capture much of the area outside Red Light and Gwanga. North from Gwanga toward Sierra Leone there was a route alternative.

One of the witnesses heard since this Witness' first testimony asserted that Voinjama was controlled partially by the government troops and partially by LURD in 2002. The Witness agreed that in 2001 the control was divided between the two but was not sure about 2002.

In preparation of his expert witness statement the Witness was able to consult the only few available documentary sources. Primarily for his second statement the Witness interviewed a LURD commander. He said that it was hard to confirm dates in his research. The Witness confirmed that his own research did not include the control over Bo Waterside between April and June 2003, adding that generally this period has not been researched and the information about this war, in general, is incomplete.

The remainder of the questioning centered on possible routes facilitated by several maps. The Prosecution shared with the Witness, the judges and the defense an email with maps from the preliminary investigation. The witness confirmed that his statement's reference to "a road from Monrovia to Lofa, Kolahun and Foya" related to a road in red on the MSF map through Voinjama to Foya and onward to Sierra Leone. He said he relied exclusively on Google Maps and based his expert witness statement on the main roads.

The Prosecution, however pointed to the UNJLC map which was updated in 2003 and inquired about possible routes between Liberia and Sierra Leone, specifically through Foya on the so-called main road. The Witness explained that there were additional routes in the north, and said it may have been technically possible to use a road other than the main route in 2003, but he was

not sure of the exact circumstances then. On another MSF map there appeared to be other routes going between Lofa and Sierra Leone.

The Defense questions the witness Ilmari Käihkö

The Witness confirmed that it is difficult to know the condition of the smaller, side roads visible on the maps and whether they were suitable for driving or only walking but it is known that they were in a bad condition. The witness did not know when the rainy season was in 2003. He also explained that Kolahun's population centre was controlled by LURD between June to August 2003, and he was not sure about the wider area of Kolahun. In 2003 the roads typically had roadblocks which means that any movement through the populated areas controlled by the rebels would attract attention. The Defense said that according to a witness testimony heard in court, commanders visited Kolahun in motorcades during the world wars, but the witness considered that it would have been hard to do during active combat. He did not know if it was possible to drive from Monrovia to Kolahun.

The Witness could not confirm whether one part of Voinjama was controlled by LURD and the other by the government because the front line was frequently pushed back and forth. Concerning the communication about the frontlines between Lofa and Sierra Leone the Witness shared that there was a record but it may have been unreliable because the communication equipment was of poor quality. The witness said that government forces and LURD knew which side was controlling which roads indicating the control of populated areas.

He could not comment whether it was possible for the government troops to drive to Sierra Leone during the world wars. He asserted that at the end of the Liberian war in August 2003, while Pool Waterside was controlled by LURD, government troops or individual soldiers could move easier to and from Monrovia although he could not confirm with certainty. He affirmed that the LURD controlled Kolahun during the world wars and concluded that he would not alter his expert witness statement because he focused on main routes while being aware that many things about this war remain unknown.

Gibril Massaquoi questions the witness Ilmari Käihkö

Regarding Monrovia between mid-May to June and the control of Iron Gate the Witness confirmed that LURD was in control. On the 24th of April, the LURD was pushed out of Bo Waterside but were not far. The Witness could not remember whether LURD forces arrived at Artignton in 2002 or 2003.

Prosecution questions the witness Ilmari Käihkö

In response to the question of whether the government troops controlled Artington in May 2003 the Witness said that there is a period of six weeks which is unaccounted for. Namely, at the end of April it was under the control of government forces and then by June the LURD controlled it; he did not know what had occurred in the six-week period in-between.

The Defendant Gibril Massaquoi is Heard Again

The Prosecution continues questioning the Defendant

On the topic of weapons, the Defendant confirmed that Foday Sankoh initially worked to end the war but subsequently sought weapons and ammunitions after he realized that the government was not committed to it. He could not recall whether Sankoh continued searching for weapons after Bockarie left for Liberia but confirmed that Bockarie was not in favor of disarming following the UN process while Sankoh was.

The Prosecution made reference to a transcript from the 2nd November 2002. The Defendant explained that Sankoh was against the disarmament after the first Abidjan Agreement because of multiple attacks by the Civil Defense Forces on RUF positions. The mention of the Abidjan Agreement does not refer to the 2001 agreement.

In 1996 Sankoh sent money to Bockarie to purchase ammunition from Liberia and deliver it to Sierra Leone that was at the time controlled by ULIMO. The disarmament process had been planned but on the day the agreement was supposed to be signed the RUF forces were pushed back to Liberia so the agreement was not signed.

The Defendant reiterated that he was shown a picture of Sam Bockarie's corpse at the SCSL by someone from the Prosecutor's Office at the end of May or beginning of June in 2003. It could have been by [FNM-201], [FNM-228] or someone else. The corpse was bloated but he recognized it was Sam Bockarie, it is possible that he had gained weight and for that reason it appeared bloated. The Office of the Prosecutor asked him to confirm the corpse's identity because they were concerned that the Liberian government may not want to hand him over alive. Bockarie was indicted by the SCSL, and the Office of the Prosecutor may have been interested in the circumstances of this death. The Defendant could not remember being asked to inquire but was possibly asked to question other people. He, however, did not leave the safe house to ask people what happened to Bockarie.

When traveling between Liberia and Sierra Leone with the delegation, the Defendant explained that they used the main road that follows the border and from Liberia, leads to Buedo and Kailahun in Sierra Leone. When travelling with the delegation they crossed the border, went to Foya, onto Voinjama and Monrovia. After leaving Foya there were small villages, one was possibly Guedo and he could not recall the smaller ones. They also went to Dia, Bandakoro and Pila.

The Prosecution referenced a location called Foya Customs on the map. The Defendant could not remember if there was a border crossing there, it could have been that there were smaller routes and they took the main road leading to Foya. After departing from Kono they traveled via Buedu, which is the main road for vehicles to travel to Foya, because it was controlled by the RUF. They only used the main road when they were going through Buedu, which was possibly the shortest route when traveling in a vehicle.

Remaining on the issue of border crossing between Liberia and Sierra Leone, the Prosecutor referred to a document, according to which the Defendant crossed the border into Liberia with

Issa Sesay and other RUF soldiers. After the border crossing there is a road to Foya which also goes to Vahun. The Defendant confirmed that this was the border crossing he used when travelling by car to get to Sierra Leone – if someone was traveling in a vehicle, they would always use that road to get to Sierra Leone.

The Prosecution sked which route the Defendant took to get from Foya to Vahun. The Defendant explained that he did not know the routes because he is not familiar with Lofa county. On the way to meet the President they were flown by a helicopter to Monrovia. The Defendant clarified that he had not visited Foya before a certain time because it was under the control of the rebels. The Prosecution stated that West from Vahun is Folima and the border crossing. The Defendant could not recall but remembered they went by Buedu.

The Defendant confirmed that he had heard of Kun Boun, which is a town in Liberia, but he could not remember exactly where. He recalled having driven through it towards the end of 2000 to the beginning of 2001, during one of the trips with the delegation either to or from Monrovia to Sierra Leone.

During the preliminary examination when asked whether he knew Foya in Liberia the Defendant maintained that when he first went to Liberia, he did not know where Foya was located. He explained that he was shown a map and could not locate Foya on it. Also, during the same preliminary examination the Defendant asserted that he did not remember a place Vahun but conceded that it may be in Lofa. The Defendant commented that it has been twenty years and it was impossible for him to remember the names of villages and towns which he passed. He knew it was in Liberia but could not remember exactly where. The Prosecution said that the Defendant talked about Vahun in the interrogation and various documents yet could not remember it in the preliminary examination and the Witness explained that while the preliminary examination was conducted in 2020, the interrogation by the SCSL was in 2002 and 2003.

The travel for the trips with the delegation between Sierra Leone and Liberia took place during the day and night, arriving in Monrovia early in the morning. He could not remember if they spent the night somewhere. However, the Prosecution referred to SCSL documents discussed during the previous session where the Defendant asserted that he slept in Foya. The Defendant had also said that a helicopter couldn't come that late in the night and he left the next morning after Yeaten gave 7 boxes of ammunition to Issa Sesay. The Defendant said he didn't remember. When the Prosecution pointed to his statement during the preliminary examination where he answered that he never spent the night, the Defendant maintained that he in fact told the SCSL that they had to stay the night once because the helicopter could not come.

Next, the Defendant confirmed that he did not see Superman's body after his death. Previously in one of his statements to the SCSL it was recorded that he saw it, but it was a misunderstanding, and it was subsequently corrected. He could not remember when he died but in 2001 while he was in Monrovia one of the bodyguards told him that Benjamin Yeaten killed him somewhere in Lofa.

December 20, 2021 – [Finland] Day 59: One Witness is Heard

The 59th day of public hearings resumed on Monday, 20th December in Finland.

The hearing began by Prosecution introducing some confidential documents related to Gibril Massaquoi's marriage in a closed session.

When the hearing resumed in the open session, the defense introduced a 2008 memo from SCSL on the hearing of [GJRP-1] in which he claimed that he had been tortured by Gibril Massaquoi. Subsequently, [GJRP-1] had told Civitas Maxima that Gibril Massaquoi applied electro shocks to his genitals. Following that at the SCSL hearing [GJRP-1] testified that the electro shocks were applied by a woman in Gibril Massaquoi's presence, which was also confirmed during his testimony before this court.

The Defense introduced this document to question the credibility of [GJRP-1]'s testimony, and specifically one relevant section, in which it was described that Taylor invited someone else to torture [GJRP-1], and then a person and their husband seriously tortured him by using electric shocks to his genitals, after which he was hit with a stick, and he was imprisoned for six months and transferred to 13 different prisons, in which he was tortured several times.

The Prosecution, in their turn, maintained that the title of the said document was "interview notes" drafted by the interrogator and that it was not evident from the document whether Bility had been given the chance to read and verify it and the document additionally has not been signed by him. Also, the "SS-men" who were the officers under the command of Benjamin Yeaten were mentioned. It could be inferred that in this period he had been interrogated and tortured more than 50 times, not only once. Then, the Prosecution quoted another section, highlighting that the sections didn't specify who the "SS men" were who were torturing [GJRP-1]. The Prosecution emphasized that the interview notes were made in the context of Charles Taylor's investigation, and not Gibril Massaquoi's, so the investigator's interest was in Taylor and not Massaquoi, which should be considered by the court.

The Prosecution added that the Defense had not introduced this document before the hearing and in case it is admitted into evidence, the Prosecution will request that the part of the Taylor judgment referring to [GJRP-1]'s testimony be included as well.

The Defense insisted that [GJRP-1]'s testimony about the incident has been inconsistent at different instances. In the 2008 report, the torturers were two men and Massaquoi was not mentioned, then [GJRP-1] told Civitas Maxima that it was Massaquoi who gave the shocks, and then in court the Defendant had said that a woman administered the electric shocks, but Massaquoi gave the order to do so.

The Prosecution maintained that the Defense did not designate these deviations in written submissions and the judge could not find them as reference materials. The Defense explained that prior inconsistent testimonies were not dismissed by Bility as mis-recorded; instead, [GJRP-1] recounted the incident differently at different instances. The Prosecution insisted that the reference materials can be admitted when the deviations are invoked and the Defense replied

that they have been raised with [GJRP-1], who did not deny the truthfulness of these various accounts of the same incident, instead he just told his account differently.

The judge interjected, suggesting that this matter has already been handled in court and that these accounts cannot be admitted other than for the purpose for which they were given. The Defense insisted that in Civitas Maxima's interrogation [GJRP-1] attested that it was Gibril Massaquoi who applied the electric shocks. The Prosecution countered that this cannot be verified now and that instead it should have been done when the person testified. It was established that the descriptions in the indictment could not be changed. The Defense contended that this issue needs to be resolved and suggested hearing [GJRP-1] over the phone again.

The Defense introduced another document containing information compiled by the Defense witness L5 or L6 which was written following the killings of people in Lofa who fled Liberia for Sierra Leone. 54 villages and towns had been burned down. There was a mention of Zigzag Marzah and the perpetrators were identified, however, without a reference to Gibril Massaquoi.

The Prosecution interjected to clarify that this document was prepared by a witness and thus it was impossible to disconnect it from his hearing and confirmed that the Prosecution questioned the witness during the hearing, pointing to the weak parts of his research. As the witness can no longer be questioned the Defense should not be allowed to introduce this document separately into evidence. The Defense stated that Finnish Immigration Authority (MIGRI) documents are also relied upon. The Judge ruled that written documents are normally submitted to determine which individuals would be invited for questioning. However, new evidence can be introduced during the trial without thwarting the procedural rights which is how the proceedings have been conducted until this point. In the criminal proceedings the court will not reject evidence "unless it is manifestly unnecessary." The Prosecution was ordered to ask any questions without delay and, if needed, to schedule the new questioning.

The Defense continued with another portion of the document containing the names of the commanders from the Kolahu region, their responsibilities and commonly known names, still without a mention of Gibril Massaquoi. Next, page 37 of the text, dated in 2002, but with a handwritten note that the events must have happened in 2001, related to the description of events and persons in charge. On page 39 it referred to an event from 2001 in Kailahun and mentions the responsible persons, again without mention of Gibril Massaquoi.

A phone connection with the USA had been established and the discussion on the document was interrupted to hear the witness.

Witness [FNM-329] is Heard

The Prosecution questions the witness [FNM-329]

The Witness confirmed that he worked for the SCSL from August 2004 until the 30th of May, 2010 as a witness protection officer. His job involved working with various witness and required travel to villages and small towns, escorting witness to and back from hospitals and attending to other personal matters. The office also assigned him to live with the witnesses and their families in the

SCSL safe houses as part of witness protection, to protect witnesses from enemies and also to monitor the activities and movement to and from the safe houses.

In the course of his work the witness went to all the safe houses with different witnesses; he was not assigned to a specific safe house. In total there were 6 witness protection officers at the SCSL who worked in 10-hour shifts. The shifts were arranged so that witness protection officers rotate among all safe houses. He did not remember that any of the witness protection officers was assigned to any one safe house.

The witness explained that there were different witness categories. The number of witness protection officers per shift depended on the level of protection the witness needed. In situations when a witness required maximum security, typically one guard and one armed police officer were assigned to the safe house with the witness. Those witnesses who did not demand maximum security had one protection officer assigned to the safe house.

The Witness affirmed that he remembers Gibril Massaquoi as a high-profile protected witness and accordingly he had one protection officer and one armed police officer assigned to his safe house. The Witness, himself, was a protection officer at Gibril Massaquoi's safe house.

He confirmed that Gibril Massaquoi was in four safe houses and could not remember the location of the first two, but shared that the first two were not protected as well as the last safe house. The Witness added that the SCSL knew that the Kingston safe house where Gibril Massaquoi was attacked was not well protected, as there were no police officers appointed, but he was relocated to a house located between Congcross Bridge and the stadium, which had armed police officers on duty. The Witness explained that he does not know too much about the security arrangements of the first two houses as he was not working for the SCSL at the time and did not visit them after Gibril Massaquoi left. He, however, knew about the security arrangements at the first two safe houses of Gibril Massaquoi indirectly, from his colleagues and because the armed police officers were only assigned to the Kington safe house after the attack. He confirmed that the safe house where Gibril Massaquoi was relocated after the attack had assigned armed police officers.

Turning to Gibril Massaquoi's movement in the last two safe houses, the Witness confirmed that he could leave the safe house without the knowledge of the witness protection officers in the Kington safe house, which was the third safe house. There the witness protection officer was not always present. Instead, they knew when Gibril was present either when he came downstairs or when the witness protection officer went upstairs. The house did not have the security cameras installed or other devices to monitor his movement. Massaquoi had no obligation to assure protection officers of his presence. The witness protection officers signed in a notebook when their shifts began and Gibril Massaquoi only had to notify witness protection officers before he needed to go somewhere or be picked up. The protection officers did not have a device to monitor him.

Such were the movement arrangements in third safe house in Kingston and the Witness did not know if Gibril could leave the first two houses the same way but said that it was possible because of their security level. He added that the security arrangements changed between the first two safe houses and the third one.

The Witness was not aware that the SCSL sent Gibril anywhere but said that it was possible. He also confirmed that in the Kingston and Congo-cross safe houses family and friends visited Gibril and his family. Although the Witness did not work in the first two safe houses, considering the security arrangements there, he still concluded that Gibril and his family could have had guests there. He added that the security arrangements were different in safe houses 1, 2 and 3 while the house at Congocross was better protected.

The Witness opined that the SCSL witness protection unit, headed by [FNM-243], was responsible for the security loopholes of the safe houses. The Witness remembered the names of some of his colleagues, also witness protection officers with whom he worked in the last two safe houses, including [FNM-328]. He confirmed that [FNM-328] worked as a security officer in the first two houses where Gibril and his family stayed. [FNM-238] and Gibril are friends and got along well.

Turning to the security gaps in the safe houses the Witness contended that the first safe houses did not have good security arrangements and the security guard could attest that everything was in order when in reality this was not the case. The security guard would be inclined to do so "because of conflict of interest." The house officer was responsible for finding a good safe house for the witnesses so he could claim compensation from the landlord for saying that it was a good safe house.

The witness contended that there was a change after the attack on the third safe house in Kingston. The security officer on duty then was attacked. The attackers jumped the fence and the officers rushed upstairs to facilitate Gibril's escape. The Witness heard about and discussed this attack with his colleagues who suspected that the attack may have been staged. The colleague who was present thought so because of the foiled attempt at the attack. The Witness was not aware of anything that happened prior to the attack that would have led him to believe that it was staged.

The Witness worked for the witness management unit of the SCSL Office of the Prosecutor responsible for contacting and taking care of the witnesses. Specifically, he worked for the witness protection unit tasked with ensuring the security of their person, their families and property as opposed to other security units at the SCSL which handled the protection of the judges, for instance. The witness management unit was in the same office as the witness. While the witness protection unit only dealt with security arrangements, the witness management unit was more involved with taking care of the witnesses by taking care of housing or other problems for the witnesses. The witness had no recollection of any matter related to Gibril Massaquoi that the witness management unit transferred to him.

The Defense questions the witness [FNM-329]

The questioning began related to the Witness' security-related education qualifications in 2004 when he started working for the SCSL. The Witness explained that he was a security guard of the ambassador of the Ivory Coast and he attended many security trainings. He left Sierra Leone in 2007 when he was transferred to the Netherlands by the SCSL to work on the Charles Taylor trial.

At the beginning of the 2000s he was a citizen of Sierra Leone. The Witness did not know how many people were under witness protection at the SCSL between 2003 and 2004. He did not know the type of external gates the first safe house had. He worked in Gibril Massaquoi's safe house for the first time in 2004, in a month other than August until sometime in 2007.

The Witness confirmed that in addition to being on good terms with [FNM-328], Gibril Massaquoi was very friendly with all witness protection officers. The security personnel changed daily, while the armed police officer's shift was longer than that of witness protection officers. He, personally, had stayed overnight at Gibril Massaquoi's safe house. The Witness affirmed that on multiple occasions Gibril was taken outside to the SCSL or to the prosecutors, and the witness had taken him out himself. The Witness confirmed that it never occurred that Gibril could not go where he was need because he was absent. The Witness conceded that while it was possible that Gibril Massaquoi could leave the safe house without notifying the guards, he, personally, never noticed it.

The Witness confirmed that protection officers signed in into the notebook when the shift changed, and they inspected the house to ensure that everything in the house was in good order. He also affirmed that every Friday an officer from the witness protection unit paid allowance to witnesses, which was recorded but he could not remember whether the witnesses signed any document. He never heard protection officers reporting Gibril Massaquoi absent.

If a witness went missing, the protocol was to report it to the witness protection unit. Overall, the Witness explained that the witness protection officers had to accompany Gibril when he went out and that he had "never seen him leaving without protection officer."

The questioning proceeded to Witness' contact with the Finnish police. The police reached out to him after [FNM-201], whose last name he could not remember but knew he was a lawyer at SCSL, shared his number with them. Before that, the Witness spoke to [FNM-201] who told the Witness about his work and alerted him that the Finnish police would contact him about the case. They did not speak about Gibril Massaquoi nor did [FNM-201] specify the subject matter about which the Finnish Police was interested in talking to him. [FNM-201] called the Witness and they also communicated by email if the Witness did not answer his calls. The emails were not related to the witness' testimony; [FNM-201] asked if the police had contacted the witness and asked how the witness was.

The Witness confirmed that he had not transported Gibril Massaquoi outside of Freetown while he was in the safe house. He did not know whether Gibril Massaquoi traveled abroad while staying at the safe house.

The Prosecution questions the witness [FNM-329] again

The Witness confirmed that he and Gibril Massaquoi got along. The Witness said that Gibril was *"very smart and has a brilliant mind,"* but he would not attempt to deceive the security officers. The Prosecution established that the Finnish police emailed the witness some questions, and in these emails the Witness described Gibril as a very intelligent individual. The Prosecutor referred to some of the answers and asked the Witness to interpret them. Specifically, the

Prosecutor referred to the phrases, “I know Gibril very well for his tricks” and “I know what he’s capable of doing.” The Witness explained that Massaquoi is clever, calling him a magician, and said that Massaquoi knew how to play games and that the Witness “knew his position in the revolution.” Concerning the part of the testimony referring to the inspection of the safe house to ensure witness’ presence at the change of the shift, the Witness explained that it was not always easy to make sure that witnesses were in the house because sometimes their family might say the witness was sleeping or studying.

The Court returns to documentary evidence

The Judge instructed the parties to resume the discussion on written evidence from earlier that day. The Defense referred to pg. 39 and concluded that there was no mention of Gibril Massaquoi in the events described. Then the Defense continued with pg.40, referring to Kamatahun where people from different villages were gathered, separated, and burnt in houses. There was a mention of Marzah. The Defense explained that this excerpt contained the description of events similar to those in the Indictment, but which Gibril Massaquoi did not commit.

Then, the Defense turned to the role of [Employee 1] in the investigations. The Defense said that [Employee 1] may have been working for GJRP at the same time he was working for the Criminal Police of Finland. The Defense said that [Employee 1] testified that he resigned from GJRP, went to work for the Finnish Central Criminal Police and then again returned to GJRP. According to the record of [Employee 1]’s employment with the police, he was with the police from 18 March to 19 April 2019 but according to [Employee 1]’s notes he was still with the police on 23 April 2019.

The Prosecution stated that [Employee 1] testified that his notes referred to his work beyond just his work for the Criminal Police of Finland. The Defense wanted to know whether the Police records of his employment records were accurate. Both the Judge and the Prosecution said that they did not understand what the Defense was putting forward, but the Judge suggested that the Prosecution question [Employee 1] again.

The Defense alerted the court that a person from GJRP was monitoring the trial in Monrovia. The Judge said that the court was not aware but clarified that the audience monitors the trial in the court room, and that it is only the Central Criminal Police of Finland that records the trial.

January 13, 2022 – [Finland] Day 60: Three Witnesses are Heard Virtually

The 60h day of public hearings resumed on Thursday, 13th January 2022 in Finland.

Witness W1 is Heard via Video link

The Defense questions the witness W1

The witness was a police officer. Looking into the additional protocol number 8, the Defense sought to understand [Employee 1]'s initial period of employment with the Finnish police, which the police registered to have been between 18 March and 19 April 2019. The Witness suggested that these dates likely represented the first investigative trip to Liberia as agreed with [Employee 1] which was organized by [FNM-330]. The rest of such trips were organized by the Witness. Next, the attention was shifted to the additional protocol number 9 which contains a table with the outgoing payments according to which a payment of USD 258 had been made, equivalent to a ten-day working period, between 18 to 29 March, 2019. The witness explained that other salary payments must have been made in the period between March and April, and the witness did not know why they were not reflected on the table.

On 3 April 2019 USD 340 was paid with a note that it is a "budget for the trip to Lofa" which the witness clarified that it probably represented an estimated budget for the trip to Lofa where [Employee 1] was likely asked to visit ahead of the police investigators, as they sometimes did. He could not remember whether at this specific time they had already visited Lofa before. The Defense recalled the discussion during a hearing in Monrovia that [Employee 1]'s monthly salary was USD 460, which was the same monthly salary he was receiving from Civitas Maxima.

The Defense continued with [Employee 1]'s employment in 2020 (as stated in the additional protocol number 8) according to which he worked for the Finnish police between 19/10 – 15/11/2020 but the Defense was aware that he had already worked for the police from the beginning of October, as per additional protocol 9, page 4, which showed a transfer in USD for the October salary. The Witness explained that he mistakenly did not include in the additional protocol number 8 the Western Union money transfers for the expenses and salaries incurred before the arrival of the Finnish police officers. Instead, it contained only the payments made while they were in Liberia. Moreover, in the additional protocol number 9 the Witness included the dates 01-31/10 and 01/01 – 31/03 and he verified them in his email exchange with the Civitas Maxima employee [Employee 1]'s assignment with the Finnish police. The Finnish police always requested from Civitas Maxima to hire [Employee 1] and would pay his salary for that period. The information he initially provided in the additional protocol 8 was wrong because he forgot to verify it in his email exchange.

On page 4 of the additional protocol 9, a payment of USD 210.93 was recorded on 12/08/2019, but the Witness could not remember the expense it covered. The Witness also clarified that the reference to "one employee worked for the District Court of Pirkanamaa" from 01/01 – 15/04/2021 and 16/08-30/09 was [Employee 1] who was employed by the Central Criminal Police of Finland but the District Court of Pirkanmaa paid the invoice. However, going forward the administration will separate the invoices for investigative expenses and witness expenses. The

Witness confirmed that the Central Criminal Police of Finland decided to pay [Employee 1] the same salary as Civitas Maxima. Then, in January 2021 [Employee 1] began working for the District Court of Pirkanmaa which agreed to pay him a higher salary of USD 600.

Next the Witness explained [Employee 1]'s role in hearing the Lofa witnesses for the Central Criminal Police of Finland and the District Court. Specifically, he was in charge of communicating with them ahead of the hearings and making arrangements for their travel to Monrovia and any other practical needs. He collaborated with [FNM-312] who was located in Lofa. Typically, several weeks ahead of witness hearings [Employee 1] travelled to Lofa to prepare and [FNM-312] organized their transportation from Lofa. It is evident from the additional protocol 9 that [Employee 1] travelled to Lofa in January. Between February and April when [Employee 1] was employed by the District Court, [FNM-312] followed up with the people in villages in Lofa to ensure they would travel to Monrovia on time while [Employee 1] met them in Monrovia and accompanied them to their accommodation that had previously been arranged. The Witness doubted that the driver would have found the accommodation for the witnesses and also taken care of witness' needs as many had never visited Monrovia before. There were in total two drivers who, by the second round, knew their way around, but still, there were other practical needs that [Employee 1] fulfilled and made sure people arrived in order and made it to the court on time.

The Defense recalled a situation at the court when a person responsible for the technical equipment, conveyed that [Employee 1] was with the witnesses at the end of the hearing. The Defense intervened after which the Witness was requested to the courtroom and asked whether [Employee 1] was in the accommodation with the Lofa witnesses. The Witness confirmed that he was. The Witness denied the Defense's claim that he had replied at the time "without [Employee 1] there are no witnesses".

The Prosecution questions the witness W1

The Witness explained that additional protocols 8 and 9 were requested by the Defense for clarification and that they were drafted by [FNM-331]. He also explained that number 9 was prepared to clarify some contradictions related to [Employee 1]'s employment because the Witness forgot to check in his emails time periods during which [Employee 1] worked for them. So, number 9 clarified the information from number 8 as the Witness confirmed in his emails the specific dates agreed upon with Civitas Maxima when [Employee 1] would work for the Finnish police.

The Witness described [Employee 1]'s role with the witnesses as a person whose organization ensured that witnesses could be contacted, attend hearings and someone in his position could tackle cultural and other obstacles. The police never suspected that [Employee 1] may have an ulterior agenda.

The Defense questions the witness W1 again

As [Employee 1] was paid by the Central Criminal Police of Finland the Defense inquired whether the police paid related income tax and other duties in either Finland or Liberia. The Witness

clarified that the payment was made in Liberia and [Employee 1] was responsible for the related taxes or dues. The Defense was looking for salary certificates indicating that salary and taxes have been paid. The Witness asserted that the Western Union receipts contain travel expenses, salary, and other expenditures, and in the protocol number 9 the total sums were broken down.

The Defense referred to the witnesses heard in Monrovia in 2019. All of them but one testified that the war in Monrovia ended in 2003. Then, the Defense said it became indisputable that Massaquoi was in the safe house in Sierra Leone as of March 2003, and the Defense said that then a new group of witnesses said that the events took place before 2003. The Witness confirmed that he, as an experienced investigator, certainly took note of this change in the time period. The Witness said that the Finnish police did not suspect that the witnesses had been influenced. They took witness testimonies as they were told. The investigators remarked that there was a difference in testimony between two groups, but he could not remember if they were completely different. Throughout the interviews the investigators attempted to clarify time periods but concluded that people could not recall them accurately.

The Prosecution questions the witness W1 again

The Witness explained that had the hearing taken place in Tampere he could have printed out the receipts; some payments were made in Liberia, and those made via Western Union produced receipts that detail only the total sum without a break down. Also, had the hearing taken place in Tampere the source documents could have been printed out.

The Court Examines Written Evidence

After the break the parties discussed several documents related to [Employee 1].

The Judge proposed that the court review [FNM-243]'s statement. The Defense began with the document on page 349 of the pre-trial protocol which contained his written responses as [FNM-243] could not be heard in court despite several attempts.

According to [FNM-243], Gibril arrived at the safe house in 2003 and was receiving payments until he left for Finland. The WVS team did not meet Gibril before he came to the safe house. The Court rented the safe house, paid the rent, paid an action result grant and health care expenses among other expenses. Massaquoi could not leave the safe house without an official escort and was explicitly brought to the prosecutor's interviews. During the 5 years Massaquoi was under protection, different reports related to his rent expenses, healthcare expenses, his kids' school expenses, and others, were destroyed due to administrative reasons. Threat assessments were made from time to time, and in [FNM-243]'s opinion, Gibril was the target of a real threat. On 31/07 there was an incident in the safe house Gibril was living in, and the possibility of it being a targeted attack could not be ruled out, so Gibril moved immediately to a safer place. Gibril lived in three different safe houses before leaving to Finland. [FNM-243] was sure that between 03/2003-09/2005 it was not possible for Gibril to leave the safe house. The possibility of him leaving was very small but he could not say with certainty that Gibril would not have left.

The Defense pointed out that [FNM-243] as the head of the department emphasized that the threat was directed at Gibril. [FNM-243] also said that until the testimony in March 2003, he was absolutely certain that Gibril could not have left the safe house without his knowledge, but after 2005, security levels were lowered, so [FNM-243] could not be sure. The Defense said that they couldn't ask [FNM-243] whether Gibril could have left for Ivory Coast or spend extended time in Liberia but that according to [FNM-243]'s written evidence, Gibril could not have left the safe house. The Prosecution accepted the use of this document but inquired whether [FNM-243] could be heard under any circumstances. The Judge explained that the Ministry of Justice instructed that [FNM-243] ought not to be contacted neither via video nor phone. The record would reflect that both parties accepted this without waving their rights to possibly hear him at a later stage.

The Prosecution pointed out that it ought to be considered that [FNM-243] was the head of the witness protection unit. The Prosecution identified contradictions between statements. Specifically, under point 2, [FNM-243] stated that witnesses could not leave ever, and in point 7, he confirmed that again but later added that he could not guarantee that Gibril never left the house. The Prosecution acknowledged the Defense's understanding that [FNM-243] was stating a certainty for the period of 2003-2005, and then the statement of uncertainty pertained to the time period after 2005. However, the Prosecution maintained that without hearing from [FNM-243] it could not be known whether he differentiated between time periods; only he could provide the "precise meaning". The Prosecution concluded that when the document is read in the context of what succeeds it [FNM-243] does not provide a definite answer, but instead states that it is unlikely that Gibril would ever have left.

The Defense said that [FNM-243] was not always present at the safe house and could not follow all Gibril's movements. Also, [FNM-243] made this statement during the pre-trial investigation without being able to reflect on witness testimonies referring to Gibril's actions. The Defense interpreted point 7 to mean that between 2003 and 2005 it was impossible for Gibril to leave. After the testimony, the security level was lowered over time after which it could not be said with certainty that Gibril did not leave.

Moving on to Prosecutor's written evidence, the Prosecutor went through the evidence already submitted to identify the discrepancies between [FNM-243]'s statement and Gibril's description. Specifically, the Prosecution focused on the pre-trial protocol (2400/R/200/18) pg. 3504-5, a memorandum of the attack on the second safe house in which Gibril was living. Someone had said that the guard on duty had approached the intruder, then two intruders attacked the guard from behind and tried to stab him, and all the intruders were armed. Then the intruders went upstairs, and the guard followed and yelled at Massaquoi to escape, after which Massaquoi managed to jump over the fence.

The Prosecution said that the description differed from Gibril's testimony in court who explained that at the time he was upstairs, and the person came from downstairs. They called [FNM-243] and waited for someone to open the door, but they managed to open the door with the guard and with the help of a table and some bricks they crossed the wall and escaped with the children. The Prosecution inquired whether [FNM-243] left something out or this was the description someone gave to him. The Prosecution was concerned with the differences in the account of the event and that one of the descriptions does not correspond to the facts.

The Defense replied that Gibril explained that the report was only about him and for that reason children were not mentioned but that the account of the escape over the fence was the same. The Defense conceded that it is not clear whether [FNM-243] wrote everything down or if this represented a general description or whether the guard conveyed the events as they happened. Gibril had testified that the attack happened shortly before he was about to testify and that he escaped to a house next door.

The Prosecution continued with the additional protocol 1, beginning on page 9. It contained the interrogation record of a police officer following up with questions sent to [FNM-243] via e-mail after he had submitted the written responses. In this document the Prosecution began from page 11, point 5.

The police had asked if it would have been possible for Massaquoi to leave the safe house or visit another country without the witness protection group knowing. [FNM-243] had replied that it was very unlikely that Massaquoi could have left the safe house, and virtually impossible that Massaquoi could have left the country without them knowing. The Prosecution said that this answer indicated probability and not certainty. In response to the police's question whether the threat to Massaquoi ever came to a head, [FNM-243] replied that there was attempted break-in at the safe house in 2005, after which Massaquoi was moved to a safer environment and security measures were tightened. The Prosecution emphasized [FNM-243]'s comment that security measures were tightened, which corresponded to another witness' description of the security measures that were in place until the incident.

The Defense interjected that the purpose of a safe house was to provide safety and security for Gibril so he can testify at the SCSL and that it was not a prison. Consistent with what Gibril testified, after the attack, armed guards were assigned around the clock, while before there was only one armed guard present in one of the shifts.

The Prosecution said that it was undisputed that security measures at the safehouse were tightened after the attack, but only by giving a gun to the guards. The Prosecution said that when a person is tasked with describing an event that they did not directly experience, he/she has to include all different possibilities as he/she understands them. The Court must assess the strength of that assessment in comparison with the witness testimonies. The Prosecution underlined that there were two phases of the security measures: one before the testimony and the other after it.

Moving on, the Prosecution turned to evidence from the pre-trial protocol, which was an article or a report entitled "Massacre in Liberia" submitted on 21st of May 2002 to the UN. The Prosecution said that the report was written by the witness L5 who testified to reveal what went on in Lofa during the war. He fled Sierra Leone and went to a refugee camp where he interviewed around 75 persons and only one of those people, [FNM-325], could provide a detailed account of specific people who had been burned in their homes in the village of Kamatahun, by Gibril, as he understood it. Other witnesses mentioned Kamatahun but mostly passed by or saw burned houses and human corpses. Some people also mentioned that Zigzag Marzah ordered the killings. The Prosecution continued that [FNM-325] made a list of victims during pre-trial hearings and both parties had the list. When that list is compared with the list in L5's article, the 15 names match. During the pre-trial hearing [FNM-325] asserted that Gibril who was in trial is the same

person as Gabriel. The Prosecution concluded that accordingly this article did not rule out Gibril as a possible person behind the attack.

The Defense agreed that it was undisputed that [FNM-325]'s account, as conveyed by the witness L5, was a description of the same event in the Prosecutor's indictment. There were also some of the same names in this account as were mentioned in the Prosecutor's indictment. However, the Defense reminded the court of [FNM-226]'s testimony that Gibril's name was not mentioned and that Zigzag Marzah was in charge.

The parties further discussed the challenges inherent in witnesses accurately remembering names from 20 years ago. The Central Criminal Police of Finland had said they had arbitrarily found witness L5, but his name was noted in [Employee 1]'s notes. It was decided that this issue would be addressed in closing statements.

Witness [Employee 1] is Heard Virtually

The Defense questions the witness Employee 1

The Defense began the questioning in relation to the pre-trial protocol pages 669, 674, 684 and 687.

Referring to the hearing in Monrovia, the Witness had testified that he did not initially take part in witness background interviews about Gibril for Civitas Maxima but was involved later on. Now, he clarified that he had conducted a preliminary interview with three to four people and passed on the information to the Central Criminal Police of Finland. However, the police did not use any of these people as witnesses. The information he collected with the Central Criminal Police of Finland was forwarded to GJRP and then to Civitas Maxima. He could not remember the names of these four people but knew it was three women and one man. One of the women had a child. The Witness confirmed that these interviews were conducted before he started working for the Central Criminal Police of Finland. He didn't work with them on their first trip but did collaborate with them on their second trip.

The Defense turned to the record of an interview conducted by Civitas Maxima on 20/01/2018. The Witness confirmed he was present at the interview, but that similar to the way he worked for the Central Criminal Police of Finland, he conducted the pre-trial interview and conveyed the information he collected to the person who actually conducted the interview. The interview was with the civilian 3 who was in zone 1 and 2, Grand Pass. The Witness called him on the phone and Civitas Maxima conducted the interview.

Under point 12 in the interview, Civilian 3 asserted that GJRP's notes about him witnessing a shooting with a long gun was incorrect and that it must have been a misunderstanding. The Witness said that there may have been a misunderstanding that was corrected in the Civitas Maxima's interview, from which this quote was taken. The Witness recalled that during the pre-interview on the phone he and Civilian 3 spoke of the kind of gun used during the event and he was possibly mistaken about whether it was a long or short gun.

On pagr 674 of the pre-trial protocol was an interview with Civilian 19 but the Witness could not remember whether he interviewed this person as he was not the only one conducting pre-interviews. The interview in question was conducted on 21/01/2018 by someone from Civitas Maxima. The Witness could not remember whether he was involved and explained that his role was not to conduct interviews. The Defense raised that according to a Civitas Maxima document, the Witness provided cultural explanations, translations from Liberian English, and acted as a secondary interviewer. The Witness was not aware that he was assigned these responsibilities and clarified that he was present in the interview for 5 to 10 minutes but someone else usually conducted the interviews.

Page 684 of the pre-trial protocol related to Civilian 32 and the Witness remembered that she was a woman with a baby. The Witness interviewed her via telephone and transferred the information to Civitas Maxima but did not participate in the interview in Monrovia. Civilian 32 had said that [Employee 1] was interested in certain things going on in Lofa, and wanted to talk to people who lost someone. She, thus, spoke to [Employee 1] on January 15th on the phone and told him about her experiences. The Witness had told her it was urgent and about justice. The witness said that this contact sounded correct as they had conducted pre-interviews on the phone; he asked about murder and torture in Lofa and transferred the information to Civitas Maxima just like he did with the Finnish Police.

The witness remembered Civilian 33 as “a tall guy” whom he met either in Lofa or Margibi and Civitas Maxima interviewed him on 19/01/2018. The Witness was not present for the actual interview but interviewed him before Civitas Maxima. According to the evidence, civilian 33 shared that [Employee 1] brought him “here” and that he was first referred to [Employee 1] for guidance. [Employee 1] said that he would speak to him on January 9 to understand what had happened during the war, that he would write it down and “send it to white people.” On the day of the interview, [Employee 1] called him to inform him that “white people” had arrived and would help investigate what had happened to him. The witness said that he had not offered Civilian 33 guidance or advice, he only conducted the pre-interview.

The Witness said that when he met the Civilian 33 he conducted the pre-trial interview in person because he was in Grand Bassa at the time, which is close to Maguibi Road. During the pre-interview the Witness took quick notes which he shared with Civitas Maxima, and he did not know if this case was related to the Finnish authorities or not.

The Witness emphasized that he conducted these pre-interviews with the GJRP prior to his engagement with the Central Criminal Police of Finland. He was not required to take very detailed notes when he contacted the witnesses over the phone. The information he collected he shared with GJRP. The Defense confirmed that the notebooks were not required because the employment dates were corrected in the additional protocol 9.

The Prosecution questions the witness Employee 1

As the Witness did not have copies of his notebooks on him the Prosecution had no further questions.

Witness [GJRP-1] is heard via call

The Defense questions the witness [GJRP-1]

The Witness had been heard in Monrovia about the events in Clay and partially on his statement to Civitas Maxima of 24/01/2018 regarding Gibril Massaquoi in Clay. The Defense said that today several points would be addressed from this evidence and one point from the Charles Taylor trial documents.

According to the pre-trial protocol, pg. 695, during the interrogations the Witness stated that "when they took me to clay, I had already been in prison for 2 months, 26.7.2002." The Witness did not recall this, but he remembered having been arrested on a Monday, either on 20/06 or 24/06 and was under arrest for two months, which is incorrect as June to July is one month. The Defense requested that the Court record reflect the different statement and to flag this as reference material. The Witness corrected the date of his arrest to 24/06 because it is his birthday on that day. He confirmed that he did not have his notes on him to verify because only the day before he had been informed that he was summoned to speak with the court and did not understand it was for a trial hearing.

The Defense said that according to the protocol the Witness previously stated that Gibril was there with the electrocution machine that [FNM-309] also used and the Witness confirmed that he believed it to be correct.

The Witness did not remember his statement that he was brought to Clay on 26/04/2002 and was there for at least a week and subjected to at least two rounds of torture before Gibril came. He, however, did remember that before Clay he was in NDI prison cells, then moved to Coldwell zone 7 and 5 under the command of chief Light. The Defense asked to have this point under reference material as well because the Witness was not sure of the content of the statement.

On page 695 of the protocol the Defense went through two prior statements. In the first, the Witness said "during one event in 2002 it was only Gibril torturing me" and he confirmed this statement and explained that one event involved several people, but when the electric shocks began other people left; in one part of this event Gibril tortured him. He urged the Court to send someone to Liberia to confirm that the building where the commanders and leaders were was different from the place where the torture took place. Today it houses the local migration office.

The Witness reiterated that Gibril instructed the woman who was there to torture him, although there were others who beat him such as [FNM-309] who gave the orders to Gibril and other people also tied him in tabay from which he still has marks on his hands. The Defense asked how Massaquoi had tortured him that one time. The witness responded that Gibril was involved in the tabay and he ordered the woman to apply the electric shocks. After giving the order, he left to sit down with Benjamin Yeaten and [FNM-310]. There were other people there present who did not take part in the torture, such as Benjamin Yeaten's driver. The Prosecution interjected to clarify that [GJRP-1] did not say that he was moved to another room, it was [FNM-309] who went to the room where the torture continued.

The Defense raised that the witness had previously testified that Gibril and [FNM-309] were in the room but not Benjamin Yeaten. The Witness explained that when he was relocated from the cellar to the office building, [FNM-309] left to another room with other people. Then [FNM-309] took him, Gibril and the woman to another place where he was tortured. The Witness added that he thought that as [FNM-309] was Liberian who was assigned to Benjamin Yeaten, he was of higher rank than Gibril who was Sierra Leonean. The Defense requested the court to include parts where the witness stated only Gibril was present to the reference material.

The Defense recalled that during the first questioning in Monrovia the Witness repeatedly stated that he did not know who ordered his torture. The Witness replied that he did not remember whether he said it like that but that this was his opinion. He thought that [FNM-309] ordered Gibril to escort the Witness to the room to be tortured and sent the woman there, too. Gibril ordered the woman to torture him and he monitored it.

The Defense said that the Witness responded to the Prosecution previously that he did not remember who had given orders to the woman. The Witness reiterated that he could not be certain. He recalled that [FNM-309], Gibril, himself and the woman went into the building from the street. [FNM-309] beat him in the cellar, said something and then walked out. The Witness believed that [FNM-309] had a higher rank than Gibril, who was ordering the woman. When the Witness screamed in pain, the woman was asked to stop the torture and he was questioned and accused to have conspired to stage a coup against Taylor, together with the American foreign minister and others.

The Defense repeated that in the spring of 2021, [GJRP-1] had said that he did not know who gave the woman orders, but now he believed that it was Massaquoi. The witness confirmed, and added that he had also been tortured for 2.5 hours by Charles Taylor, which is something he had already said in Europe and the USA.

The Defense read aloud from the Witness' interview with Civitas Maxima, highlighting the witness' use of the word "he" when referring to the person electrocuting him. The Witness explained that [FNM-309], Gibril, the woman and himself went to the "main torture" room after which [FNM-309] left Gibril in charge who was ordering the woman to torture the Witness. It was Gibril who asked the questions after the Witness screamed to stop and ordered the woman to resume the torture when his answers were not agreeable. The witness confirmed that there was only Massaquoi, him, and the woman in the main torture room after [FNM-309] left.

The Witness explained that in the first interrogation he stated that he believed that Gibril gave orders and explained that there was a difference between the words *belief* and *knowledge* in the English language.

The Witness testified at the Charles Taylor trial in 2009. In the pre-trial protocol, pages 3473-4, the Witness stated: *"I also did see someone I had previously reported of Gibril who personally told me he was a Sierra Leonian, he asked me when torturing me, whether I know what Gibril means, and I said yes because I understand Arabic."*

The witness explained that he knew Gibril from the media as an important person in the RUF. Also, as a Muslim, the Witness knew that Gibril refers to the favourite angel of God according to the Bible and the Coran. The Defense emphasized the part in the evidence in which Gibril presented himself to the Witness during the torture, as the Witness confirmed that he believed that he testified during the trial that Gibril tortured him. The Defense requested to mark this as reference material.

The Prosecution questions the witness [GJRP-1]

The Prosecution pointed out that after the Defense's questioning, it was clear that [GJRP-1] had not mentioned a woman in prior testimonies. The Witness explained that because of the nature of his profession, as a journalist and a human rights defender, he encountered many enemies, and had not wanted to bring up the woman before. It was Massaquoi who asked the questions and led the situation; he considered that Massaquoi had tortured him personally and he was responsible for it. Finally, he explained that for a Muslim man from the Mandigo tribe it is culturally challenging to speak about another woman, not his wife, administering electric shocks to his genitalia. For all these reasons he considers that it was Gibril himself who tortured him.

The Witness could not remember now everything that Gibril said to the woman primarily because he could not hear since he was screaming in pain. Only when the woman stopped, he was able to hear the questions and was asked who his accomplices were. The Witness also stated that when Charles Taylor tortured him, a TV crew was brought in to record his confession and broadcast it later on the radio.

During this period of arrest the Witness was abused and tortured more than five times and was blindfolded during most beatings but he recognized [FNM-309]'s voice. At this specific instance he was not blindfolded, however. He specified that he had been tortured at zone 5, Como Town, sub-zone 5, at Clay, also the National Bureau of Investigations. He explained that after Charles Taylor had interrogated him and didn't get the answers he wanted, he called Benjamin Yeaten to get him to make the witness talk. Massaquoi and [FNM-309] operated under Yeaten.

The Defense questions the witness [GJRP-1] again

The Defense returned to Witness' testimony before the SCSL, specifically points 19 and 20 to confirm that the Witness stated them. In particular, the Defense pointed out that he had not mentioned Massaquoi in this section.

The Witness explained that he had mentioned "Yeaten and his men," which included Gibril who was under Yeaten's command as well as other foreign mercenaries. He added that in that case before the SCSL, Gibril was not the one accused. The Witness clarified that although [FNM-309] was not in the court then, he mentioned him because he had known him for a long time and they knew each other personally.

The Defense pointed out that the Witness referred to "Yeaten, Tuah and their SS men." The witness said that Gibril was considered a member of the SS men because he was close to Yeaten. When he was asked in the hearings in Liberia whether Gibril was in the SS the Witness could not

remember his response. The Defense suggested that he said that "SS men are always Liberians and Sierra Leonians belong to ACBA." The Witness confirmed that and added that all foreign mercenaries at ACBA were under Yeaten's command. The Witness further clarified that SS was composed of Liberians unless Yeaten wanted someone to join the SS. However, Gibril was not specifically mentioned, and the Witness explained that it is because 95% of his book was not recorded in his testimony. He was under the control of Benjamin Yeaten and his men. Yeaten led the war for Charles Taylor and all the fighters were under him. It was Yeaten who took the Witness to Clay and Lofa. When he said Yeaten's men, he meant all the fighters.

The Judge interjected that according to their notes on this topic the Witness previously replied that according to the law, only Liberians could be SS men and that the Sierra Leoneans fought in ACBA but that Taylor could order the men to join the SS.

The Witness could not confirm whether Charles Taylor ordered Gibril to join SS but said that Massaquoi was in Liberia on Taylor's invitation. It was general knowledge that Taylor had helped the RUF in Sierra Leone and that Taylor and Massaquoi had formed a bond.

The Defense turned to Witness' relationship with [FNM-309]. According to the pre-trial protocol, page 695, [GJRP-1] had said that "It was always [FNM-309] and some of his men that I did not know. I did not know [FNM-309] prior to this but I got to know him because whenever he came his men would get ready," while today the Witness had stated that he knew him for several years. The Witness now clarified that he knew of him, rather than that he knew him. They were never friends. He knew that [FNM-309] was with Charles Taylor and Yeaten. The Witness explained now that he did not know [FNM-309] personally, but that he knew of him and although they came from the same country he did not know how bad of a person he was.

Defense requested that this be added to the reference materials.

The Prosecution questions the witness [GJRP-1] again

The Witness could not remember if he was given the opportunity to read through and sign the record of the Civitas Maxima interview but assumed that he was.

The Court Discusses Evidence

After the witness hearing ended the Judge asked the Prosecution for an update on the photo analysis. The Prosecution explained that the photos are in the laboratory of the Central Criminal Police of Finland for age analysis. As the laboratory could not complete it, the samples were sent to the company that had manufactured the paper, which had not yet provided answers on the timetable.

The Defense raised a concern on the possible disappearance of papers, specifically that some photos in the pre-trial protocol had not been entered into evidence and the person who provided them could not be questioned. The Defense said that the photos had been manipulated to evidence the guilt of the defendant.

The Judge replied that since these photos had not been presented to the court they could not be discussed further.

January 21, 2022 – [Finland] Day 61: Prosecution Closing Arguments

The 61st day of public hearings resumed on Friday, 21st January in Finland.

The Prosecution Presents their Closing Arguments

The Prosecution began by addressing the legal basis of the Indictment since it was put in question by the Defendant in December.

The charges of murder and rape were based on the Criminal Code of Finland, Chapter 1, Section 6, paragraph 1 (3) and Section 11, paragraph 1. Both murder and rape were also punishable in Liberia at the time of the events, according to a Liberian report. The principle of double criminality was therefore fulfilled, both according to the Liberian and Finnish legislation.

Aggravated war crimes and aggravated crimes against humanity are internationally punishable crimes and the principle of double criminality was not applicable. The legislation regulating war crimes also applies to internal conflicts within a state if they escalate into a war, which was the case in Liberia at the time.

The Prosecutor dismissed the Defendant's argument that the principle of legality prevented the application of the characteristics of a crime against humanity to the acts he was accused of. The Prosecutor said that national provisions on crimes against humanity were derived from relevant international conventions which clearly penalize the acts in the indictment. It was also clear that when such acts were committed on such a scale, they not only violated their direct victims, but they violated humanity in a wider sense.

2.1. Timeframe.

The Prosecutors' timeframe estimates were based on the witness testimonies during the trial, and they specifically referred to count 4.1 of the indictment.

The Prosecutors began by addressing the murders in Kamatahun Hassala, which took place in the period between 07/01/1999 and 18/08/2003, and most likely took place between 01/03/2001 and 31/09/2001.

Most of the witness testimony placed the incidents in the beginning of 2001, during the dry season, or in August 2001. For example, Civilian 50 testified that the incidents happened on 01/04/2004 and 13/08/2001. He remembered the latter date because he wrote it on the wall when around 70 civilians were taken to Kamatahun and burned. Civilian 45 also spoke of the beginning of the year in 2001, during the dry season. Civilian 22 spoke of April or May during seedtime.

None of the witnesses testified that the incidents took place during the rainy season.

As reflected in the Annex of the revised indictment, the incidents in Kamatahun Hassala most likely took place between 01/03/2001 and 31/09/2001.

2.2 People were brought to Kamatahun Hassala from different villages.

Multiple witnesses described the same incident of people being brought to Kamatahun from the surrounding villages and woods. For instance, Civilian 50 attested that on 13/08/2001, soldiers arrested him and his friends and forced them to walk to Kamatahun. Civilian 70 talked about villages from which people were captured and taken to Kamatahun Hassala.

When the soldiers arrived in the villages, they pillaged and burned houses. For example, Civilian 27 said that soldiers set his father's house on fire. People were assaulted, hit, tortured, and, in Kamatahun Hassala, killed. When the RUF soldiers arrived in Kamatahun Hassala, they accused the villagers of being spies for the LURD, following which they captured and tortured civilians.

2.3. Gibril Massaquoi gave the order to burn people in a house in Kamatahun Hassala

Multiple witnesses confirmed that they heard the RUF commander and other soldiers address a commander named Angel Gabriel, General Massaquoi, or Gibril Massaquoi, who gave the order to put people into a house and burn them.

It was indisputable that people were taken into houses and burnt alive, as confirmed by both civilian and soldier witnesses. The estimations of the number of people who were burned alive in Kamatahun varied, which the Prosecutor said was understandable. After all, the numbers represented each witnesses' own estimates of an incident that happened 20 years ago. One witness said around 35, another 50 and one person did not want to give a number but said "many." It could be noted that among the names in the written evidence S7, the list of names provided by the Civilian 50, and those in the written evidence S6, an article, there are 15 names in common.

The Prosecutor said that it was beyond doubt that the incident occurred, and there was no need to question the identity of the victims.

2.4. Gibril Massaquoi gave the order to trap children in the central kitchen of Kamatahun Hassala, the "cook shop," and set it on fire.

Civilian 22 introduced the term the "cook shop". He explained that there were two incidents in Kamatahun Hassala when people were burnt alive. One was when adults were gathered in a house which was then set on fire. The other one was when Angel Gabriel put children, who were between 5 and 7 years old, into the cook shop and set it on fire. While at this time multiple commanders operated in Kamatahun Hassala, it was Angel Gabriel who ordered the children into the kitchen and set it on fire. The children were all under 10 years old.

2.5. At least seven women were killed after they had been raped, ordered by Massaquoi.

At least seven people testified that seven women were taken behind the so-called Blacksmith Kitchen, where they were raped and killed.

Civilian 70 personally saw the women being taken, and one of them was his wife. He saw the corpses the following day. Civilian 40 testified that Angel Gabriel gave the order to tie the women and take them to the kitchen. The next day he saw them dead. Some of the witnesses said that the women were explicitly killed later. Those who witnessed the bodies of the raped women recounted that some bodies had knife marks and others had been hit.

Of the seven witnesses who described this incident, four explicitly said that commander Gabriel gave the order to take the women into the kitchen. Moreover, some said that Angel Gabriel gave the order to rape the women and two saw Angel Gabriel, himself, enter the building where the women were being raped.

2.6 The witnesses described the locations of the burnt house in Kamatahun Hassala and the Black Smith Kitchen.

The Prosecution said there was no reason to doubt that the incidents happened as described by the witnesses. Even though there were slight inconsistencies on, for example, the location of the crimes, it could be concluded from the testimonies that they were referring to the same places and buildings. The detailed descriptions of the incidents and their perpetrators indicated that the witnesses were credible.

3. The Murder of [FNM-162].

The Prosecution referred to the murder of [FNM-162] under count 4.2 in the indictment which took place between 07/01/1999 and 18/08/2003, but most likely between 01/03/2001 and 31/09/2001.

Civilian 14 attested that he was present when the government troops returned to Kamatahun and in this time the RUF came from Sierra Leone to help them. Among them was a commander they called Angel Gabriel. This witness stated that Angel Gabriel killed his sister [FNM-162] in their house in Yandehun. Angel Gabriel took [FNM-162] initially as his “wife” in Kamatahun Hassala and later killed her in Yandehun. She was killed with a knife.

The Prosecution said that there had been no reason put forward to put this testimony in doubt nor to question the veracity of the incident.

4. The Murders in Monrovia

The Prosecution referred to count 4.3 in the Indictment. The incidents occurred between 07/01/1999 and 18/08/2003, but most likely between 01/05/2003 and 18/08/2003.

The witnesses generally struggled with remembering the dates of the events in Monrovia. The Prosecution said it could safely be stated that many RUF fighters fought in Monrovia against the

LURD between June and August of 2003, during the so-called "World Wars 1-3." The expert witness Käihkö confirmed that the world wars took place in 2003. Many witnesses told their personal views and gave dates based on their own recollection.

Regarding the RUF troops who fought in Monrovia, seven former Liberian soldiers referred to the fighters from Sierra Leone as "Agbah." Five of these former soldiers were certain that the "Agbah" group was under Gibril Massaquoi's or Angel Gabriel's command. Many witnesses testified that the E. J. Roy building was Gibril Massaquoi's base of operations.

With respect to who ordered the acts charged as crimes under the indictment that were committed in Waterside, multiple witnesses and former fighters testified that commander Angel Gabriel, speaking with a Sierra Leonean accent, committed or gave orders to commit them in Waterside. 18 civilians testified to that effect. Moreover, some witnesses, including 4 soldiers, mentioned only Gibril Massaquoi, and gave no other names for the perpetrator.

According to several witnesses the incidents at the Waterside took place during the continuous fighting in Monrovia when the city was experiencing food shortages. For instance, Civilian 46 explained that people robbed shops because it was hard to find food, and Civilian 05 described the situation as difficult for many civilians because there was no food available. Many testified to going to the city and seeing shops raided, and many mentioned the Biscuit Store, from which people stole food and other things. At some point, Gibril Massaquoi and other soldiers arrived and started shooting. The soldiers also took the civilians to the military checkpoint at the "Old Bridge".

It is noteworthy that many witnesses mentioned the same details in their descriptions. Many reported that they were tied up when they were caught by the soldiers and taken to the checkpoint. Many saw corpses around the checkpoint and under the bridge. As was stated in the indictment, the witnesses described how civilians were shot in the Waterside marketplace, as well as at the bridge checkpoint.

Many people testified that it was a person named Gibril Massaquoi or Angel Gabriel who personally killed people. Some did not see him personally killing individuals but stated that he gave orders to the soldiers to kill people. For example, Civilian 31 saw Angel Gabriel kill two boys. Civilian 73 heard that the man who was killing people was addressed as Angel Gabriel. Civilian 05 said that Angel Gabriel ordered his soldiers to bring him a bowl and put a man's head under a stone and cut his throat open. Soldier 01 saw Gibril Massaquoi shoot civilians and soldiers who were looting the shops. Many others did not witness these incidents themselves but heard that Gibril Massaquoi ordered the killing of civilians in Waterside.

Witnesses, primarily former soldiers, were also heard to talk about Gibril Massaquoi's role in the so-called "99-Steps" incident. They testified that Gibril Massaquoi accused both civilians and soldiers of being thieves and shot them. Gibril Massaquoi was both killing and giving orders to kill the captured civilians.

5. Aggravated Rapes in Kamatahun Hassala and Foya

According to witness accounts, people were taken to a house behind a blacksmith's workshop where they were raped. This related to count 11 of the Indictment. This event likely happened in 2001, when the fighting was intense. After that, Civilian 11 said that he was forced to go with them, and he was taken from his home village.

6. Aggravated War Crimes

The Prosecution said that all the charges that had been mentioned, as well as others, amounted to aggravated war crimes because of what had been discussed about the murders and aggravated rapes in the Indictment counts 4.1 – 4.4. The evidence for those crimes had already been discussed.

The act that was not yet explicitly mentioned was the rape covered under the Indictment count 4.5.2.1 (iii) (of Civilian 28). In Old Bridge, Waterside, Civilian 28 said that one soldier raped her in Gibril Massaquoi's base. The civilian asked Massaquoi for help, but he did not do anything to prevent the rape.

Forced Labour

When the government and RUF soldiers were walking through the rainforests of Lofa looking for people who were hiding, some of the people they found were forced to carry stolen property and soldiers' equipment (according to civilians 18, 27, 35, 40, 45, 50 and 70). Forced labour is criminalized by the established and generally approved war rules.

Violation of Deceased Peoples' Dignity

Next was the violation of the deceased people's dignity that had not been progressed and the inappropriate treatment of the bodies in count 4.5.5 of the Indictment.

The description of the act had been amended in the Indictment, namely that Gibril himself eating the food made of human remains has been removed. The witnesses (civilians 35, 40 and 70) had not testified to this before the District Court. But they did, however, testify that Gibril ordered the soldiers under his command to prepare food made from deceased people and to eat it.

Torture in Count 4.5.6. of the Indictment ([GJRP-1])

According to [GJRP-1]'s account before the District Court, Massaquoi tortured him probably on 26/07/2002 in Kaya, Liberia at the local police building and Massaquoi ordered a woman who was present then to apply the electric shocks to his genitals. Massaquoi also hit [GJRP-1] with a stick. It was removed from the charge description that Massaquoi applied the electric shocks himself.

Massaquoi claimed that [GJRP-1]'s account is not credible primarily because according to notes from the SCSL, [GJRP-1] did not mention Gibril nor the woman in his interview on 18/08/2008.

In addition, Massaquoi claimed that he could not have been in Kaya, Liberia on 26/07/2002 because he got married in Freetown that day.

When assessing Massaquoi's claims, it must be remembered that [GJRP-1] justified the inconsistencies in his account by reasonable explanations that are related to the sensitivity inherent in this instance of torture. [GJRP-1] explained that he was ashamed that his genitals were touched. He also had talked about the SS men who were subordinated to Benjamin Yeaten, a group to which Massaquoi also belonged. In [GJRP-1]'s hearing on 04/10/2021, the Defense brought up that [GJRP-1] had indeed mentioned Gibril at Charles Taylor's trial.

The date of Gibril's marriage served as his alibi. This claim stems from Massaquoi's ex-wife's testimony that they got married on 26/07/2002. After that the Prosecution obtained written proof that this claim was inaccurate. When documentary evidence was handled the last time before the court, the Defence conceded that it was not clear whether they got married on 26/07/2002 or not. Thus, the alibi of the marriage has not been proven credible enough. Furthermore, although [GJRP-1] was better educated or experienced with criminal trials it did not exclude the possibility that he, like the others, may have misremembered events or misjudged which details are meaningful when he was testifying for the first time.

The count of torture also included the aggravated assault of Civilian 64 and the assault of Civilian 35 in the Indictment count 4.5.7. The aggravated assault was described by Civilian 64 to the District Court. Namely, Massaquoi ordered the soldiers under his command to imprison Civilian 64, and after that one of the soldiers struck him with a knife to the left eye causing blindness to that eye. Civilian 35 testified before the District Court that Massaquoi tied his leg between two boards and ordered a soldier who was under his command to stand on that leg. This was a type of local torture. In addition, Civilian 35 testified that Massaquoi ordered him to open his mouth and then urinated in his mouth.

7. Aggravated Crimes Against Humanity

Count 18 of the indictment, aggravated crimes against humanity, brought together all the previously described crimes. The extremely cruel crimes that were attributed to Massaquoi have caused at least tens of people physical and mental pain and suffering. To the direct victims these crimes have caused unimaginable mental and physical suffering and damage to their families and relatives. Massaquoi's crimes could thus be described as wide in scope and serious. Through his responsibility for these crimes, Massaquoi had systematically and seriously violated international law.

Due to the mutual relationship between these crimes, it was appropriate to address the question of the accumulation of the law. The question was should the murders and aggravated rapes that Gibril had been charged with be assessed comprehensively by the basic elements of the crime of murder or rape. There was no judicial precedent in Finland pointing to the mutual relationship of these crimes. The Prosecution proceeded to illustrate by example of a serious traffic accident which resulted in death. In that case the Prosecution submitted that the relevant provisions on negligent homicide apply, not only of the negligent creation of a traffic hazard. While more abstract, in this case, the concept was similar. Namely, murder and aggravated rape were not assessed comprehensively according to the basic elements of murder and rape because those did

not take into account the fact that these crimes targeted people who were protected by the generally acknowledged and established rules of war.

8. Safehouse

The Prosecution presented their commentary on the safehouse. It was undisputed that Massaquoi had been in a safehouse in Freetown and lived there. Massaquoi maintained that it was not possible for him to leave the safehouse in Freetown, where he lived with his family after 10/03/2003. He, accordingly, could not have committed the acts in Monrovia between 01/05/2003 – 18/08/2003, as charged in the indictment. At first, the argument seemed plausible, but when further evidence was presented, this outlook changed. One of the witnesses stated that there were safety shortcomings in the first two safehouses where Gibril and his family stayed. The security situation improved when he and the family were relocated following the attack on the second safe house in July 2005. The Defense said in court on 14/01/2022 that the safehouse was not a prison, but that it was for the safety of Massaquoi's family. The intention was not to keep Massaquoi locked up without a choice.

The fact was that 29 witnesses testified that Gibril Massaquoi or Angel Gabriel, an individual speaking Krio, Mende or English with a Sierra Leonean accent, was involved in the crimes in Waterside, Monrovia. The Prosecution posed the rhetorical question; did all 29 witnesses lie? The Prosecution's answer was that they did not. The security arrangements in the safehouse were such that Massaquoi could leave. This position was supported by the details regarding the attack on the safe house. There were important differences between the written report whereby Gibril escaped with his children by jumping over the wall and other witness' stories whereby the attackers came over the wall. One witness stated that the attackers entered because the access port was left open. Now, the Court had to assess whether Massaquoi's testimony was solid enough to stand against the testimonies of 29 witnesses. This issue would be addressed again later.

9. Angel Gabriel = Gibril Massaquoi

As this subject had already been discussed at various points, it would be addressed succinctly. The Court had heard multiple former soldiers and Defense witnesses, who said that Angel Gabriel was the Defendant's nickname or combat name. Multiple witnesses had confirmed that the commander present during the events covered by the indictment was Angel Gabriel, including soldier 09, soldier 01, and soldier 37. Also, according to multiple witnesses, Massaquoi or Angel Gabriel spoke Krio, Mende, or English not with a Liberian accent, but with a Sierra Leonean accent. As for the Angel Gabriel nickname, there was no other commander with such a name who fought in Liberia. Many witnesses had also recognised Massaquoi from pictures. There was no doubt that all the witnesses were referring to one and the same person.

10. Statements made by Massaquoi

The Prosecution turned to the indictment count 24.

Firstly, the Defendant had stated that he and the RUF were in Liberia to promote peace. This statement was disproven in the hearing on 17/11/2021. The RUF always went to Liberia to fight when they were needed. The RUF formed part of Charles Taylor's government troops in Liberia.

The Defendant had stated that he was not in Liberia at the time of the incidents charged under the indictment. This was proved wrong for the time-period between 01/03/2001 and July 2003 during the hearing on 17/11/2021. 29 witnesses had testified that Gibril Massaquoi or Angel Gabriel who spoke Krio, Mende, or English with a Sierra Leonean accent took part in the crimes committed at Waterside, Monrovia.

The Defense had also stated that the pre-trial investigation was unlawful, because [Employee 1] conducted pre-interviews during which he promised financial benefits and "put" Gibril's name into the descriptions of the witnesses. The Prosecution said that without [Employee 1], the Finnish would not have been able to form confidential bonds with and spoken with the witnesses. The war was a very sensitive subject in Liberia and people preferred not to speak about it. When [Employee 1] was heard last week, it was confirmed that he did not conduct pre-interviews for Civitas Maxima or later, for the NBI. When he did so, it was before his work with the NBI. Civitas Maxima's mission is to search for persons with knowledge of the war and to hold responsible those who are accused. [Employee 1] stated that he did not even use the form provided by GJRP.

A lot had been said about what [Employee 1] discussed with the witnesses. 35 witnesses said that [Employee 1] told them that someone/white people wanted to speak with them. 6 witnesses said that they never heard of Albert [Employee 1]. Civilian 35 said in the pre-trial investigations that [Employee 1] promised him a grant if he came to Monrovia. Before the District Court the same witness stated that he never really expected a grant. Civilian 64, soldier 04 and witness Y7 stated that [Employee 1] did not mention Massaquoi to them. Civilian 64 said that he and [Employee 1] knew each other already during the war and already discussed then the events at Waterside and Massaquoi. Both knew that Massaquoi was part of what Civilian 64 described as his experiences in the war. Soldier 04 stated that [Employee 1] had called him after [Soldier 07] gave him the number. [Employee 1], then said that he called because he was collecting information on the incidents at Waterside and of 99 Steps. Witness Y7 said that [Employee 1] asked on the phone if he knew general Massaquoi. The witness answered that Gibril Massaquoi was better known as Angel Gabriel. So, there was no mention of Gibril Massaquoi's name to neither soldier 04 nor to witness Y7.

The Prosecution said that the Defense's claim that [Employee 1]'s actions influenced the descriptions of the prosecution's witnesses in comparison to the pre-trial investigations with respect to the dates of the Waterside incidents was unfounded. [Employee 1]'s task, while working for the NBI, was also to find new witnesses that were named on 01/07/2021. These new witnesses consistently held that the incidents at Waterside happened during the summer of 2003.

The Prosecution added that should the court find that Massaquoi's name had been suggested to the soldier 04 and witness Y7 it should only be considered in relation to these two witnesses. It would not have meant that [Employee 1] unintentionally planted Gibril Massaquoi's name for all witnesses.

With respect to Defense's argument that [Employee 1] affected the testimonies of the witnesses the Prosecution maintained that [Employee 1] was not involved in the pre-trial investigations and could not know what the witnesses said. Furthermore, all the trial material was in Finnish, and he did not speak the language.

[Employee 1] had stated that he did not know which of the witnesses were for the Prosecution and which for the Defense. He treated them all the same.

The Prosecution addressed the proposition from the Defense that [Employee 1] influenced the descriptions of the events because some of the Prosecution witnesses who had been heard during pre-trial investigation on the events at Waterside stated that the incidents happened in 2003 and referred to the world wars. In court they stated that the incidents took place in 2001 and 2002. The Defense had concluded that [Employee 1] must have influenced the witnesses because Gibril Massaquoi was in the safehouse in 2003. The Prosecution reminded the court of the fact that [Employee 1] also worked with the NBI on finding new witnesses, named on 01/07/2021, and that those witnesses had consistently stated that Waterside happened in 2003. The Prosecution asked the rhetorical question: why would [Employee 1] not then influence these witnesses if he influenced the others?

The Prosecution added that not all of the prosecution's witnesses were found by [Employee 1]. The Court heard from the witnesses whom he did not find, nor meet. For example, witness X8 said to the NBI at the end of the last trip to Liberia that he heard a show on the radio where they spoke of the trial after which he contacted the NBI. When the NBI visited the village of Kiantahun for the first time, members of the Finnish Police spoke to several people who certainly had not spoken with [Employee 1] previously. For instance, Civilian 27.

The Prosecution next addressed the Defense's claim that [Employee 1] or somebody else affected the "identification percentage" of the witnesses to rise almost to one hundred. This statement did not take into account the circumstances in which witnesses testified about Massaquoi and whether witnesses already knew Massaquoi. The ability of witnesses to make remarks on Gibril's appearance after 20 years depended on whether they had met or seen him before. The situations could vary. The Prosecution reminded the Court that 51 witnesses had said that Gibril or Angel Gabriel was a RUF commander who spoke Krio, Mende or English with a Sierra Leonian accent. 28 witnesses had said that Gibril or Angel Gabriel uttered a special phrase before he killed people, along the lines of telling victims that he would send them to God. The Prosecution asked how the witnesses could have known this if they had not heard it themselves.

Next, the Prosecution addressed the claim that witnesses were lying because [GJRP-1] trained them to tell a false story and promised benefits. To support this claim the Defense had relied on the testimony of witnesses L1-L4. L1 said that [GJRP-1] asked him to testify that Gibril came to Lofa, where he committed rape and many other things. L2 said that [GJRP-1] asked whether he could testify against Alieu Kosiah, Issa Kobabhia and Yusuf Massaquoi. L2 said he refused because he did not know them. L3 stated that [GJRP-1] asked whether he could testify against the Defendant. L3 did not know the Defendant and said that [GJRP-1] did not specify what L3 should testify about. L4 asserted that [GJRP-1] had asked whether he knew the Defendant.

When assessing the credibility of these testimonies it needed to be noted that the trials of Alieu Kosiah and Issa Kobabhia were completed when [GJRP-1] reportedly asked L2 to testify against them. Also, the witnesses knew one another well, L1 and L2 were brothers and all the witnesses said that they had discussed [GJRP-1] among them. The Prosecution said that if a person asks another to testify against somebody, whom they do not know, it does not mean that the person who asked implicitly expects that the person, who would testify, to lie about a given person. Another witness' description had proven L1's statements to be untruthful.

It was undisputable that [GJRP-1]'s job was to find witnesses for war crime processes. If [GJRP-1] had asked someone whether they wanted to testify about someone else it could not be interpreted, on its own, as [GJRP-1] asking them to lie, as two witnesses had suggested. The benefits that [GJRP-1] had allegedly promised were monumental. They were equivalent to one month of GJRP's functional budget which also brought into question whether [GJRP-1] had actually promised US $20,000 and asylum, knowing he could not fulfil those promises.

11. Evaluation of evidence

The Prosecution likened the assessment of evidence and witnesses in this case to the Rwanda case, where witnesses were assessed individually and as a whole. There were situations when one witness account, isolated from the other testimonies, could be valued as credible and when it was compared to the whole, the situation could change, or vice versa. When oral evidence was considered, the starting point was the account given before the Court. There could be situations, in which there was reference material, where the difference could be detected by comparing the materials. This had happened in this case, too. The witness accounts could seem confusing at times, maybe even absurd, but from them the Court needed to try to find the thread of what the witness might have meant. When the Court looked for that thread, they needed to keep in mind that unfortunately 20 years had passed since the events. As the expert witness Korkman explained in her statement, a human mind works in such a way that when some memories are suddenly reactivated, they are not always the right ones, and they get clearer when you leave the situation and try to remember it again. Korkman´s statement confirmed that memories can change from information that has been obtained from other sources, for example, the witnesses changing their account of the Waterside events. One explanation could be that someone has said it was not 2003, but 2001 – 2002, and that spread in a close-knit community where the witnesses lived, and people became uncertain if it really was 2003. It did not necessarily mean that [Employee 1] or anyone else had instructed a change of the account.

In the court hearings, when the witnesses were being questioned, the witnesses received one specific question after another. It was clear that witnesses became uncertain in those situations which could lead to differences between the accounts given during the trial and the preliminary investigation interviews. Before the differences appeared, the Court needed to ask if they were related to relevant or irrelevant facts of the main hearing. Korkman stated that it was too absolute to think of preliminary investigation interviews as the starting point, and any deviations from those as proof of dishonesty or lack of credibility. As many witnesses had said, it was difficult to remember everything that happened 20 years ago. The Court could not over- or underestimate the ability of people to remember events. People remembered things in a different way. One must not think that the fact that events occurred 20 years ago meant that witnesses could not remember anything or that their accounts could not be true. A different background did not mean a larger tendency to dishonesty. The Court could not think that if

people come from Liberia, that they are willing to lie about anything. It was not easy to assess these accounts, specifically in this case, but an effort needed to be made.

In the judgment of the Court of Appeal in the Rwanda case, the Court stated, in the same way as the District Court, that the way that Rwandans gave accounts was influenced by the witnesses noticing the purpose of the questions, but a general comment on their credibility could not be made. This element was related to culture and may have affected the witness accounts, but the Prosecution and the Court could not make a general conclusion from it. Rather, the element needed to be assessed with every witness and the question asked: was this witness saying what the person questioning them wanted to hear, or what really happened?

Korkman wrote in her statement that if people were asked about a date, their answer would be based on a guess, and if the question were presented in a different situation, the valuation could differ. Topics that elicit emotions were remembered more readily than the those that were less meaningful.

11. Conclusion

62 witnesses had stated in this case that Gibril Massaquoi or Angel Gabriel committed the crimes listed in the indictment. The Prosecution reminded the Court that 51 witnesses had testified to how Gibril Massaquoi or Angel Gabriel spoke. 28 of the 62 said that Gibril Massaquoi or Angel Gabriel had a special saying before he killed a person. None of Prosecution's witnesses had said that there could have been another RUF commander. Somebody mentioned a fighter but that is different to a commander.

The Prosecution's position was that the Defendant had not shown credible evidence of how all 62 witnesses could have come together to accuse the Defendant with such detailed and personal statements. The descriptions of the witnesses had common features but also features that distinguished them from one another. It would have taken quite a writer to bring together 62 people and plot against the Defendant in this way.

The Defendant had not presented credible evidence of why 62 witnesses would have conspired to accuse him of false accusations. That [Employee 1] had allegedly ordered or asked them to do it was not a sufficient reason. Take for example L1 and L5, who accused [GJRP-1] of ordering or asking them to lie in court. They stated that they would not testify about a person they didn't know. There was no reason to suspect that Liberians are different from others with values and morals.

Finally, The Prosecution wanted to say that it was clear that the witnesses in this matter (regardless of whether they were for the Defence or the Prosecution) took a risk by testifying. Because of that, the District Court had decided or would decide to protect their identities. The witnesses came from countries where the chance of war was constant and if an individual said something wrong it would be avenged in some way. They faced a high threshold. The same went for Defence witnesses. The risk takers have had to revisit old and traumatic experiences; the testifying had not been easy. The witnesses, and especially those who had been victims of Gibril

Massaquoi, deserved their accounts being brought to the forefront, and deserved that their backgrounds, and the claims designed to undermine their testimonies, be assessed objectively.

January 24, 2022 – [Finland] Day 62: Defense Closing Arguments

The 62nd day of public hearings resumed on Monday, January 24 in Finland.

The Judge announced that the Defence would present the closing arguments after which the Prosecutors would present their position on the Defendant's detention.

The Defense Presents their Closing Arguments

The Defence appealed to the fact that the trial began a year before and Gibril Massaquoi had been detained and alone in a prison cell throughout the trial. The Prosecution's requested penalty was based on charges of murders, rapes, and crimes against individuals. The Prosecution then presented dozens of new crimes against individuals, claims of murders (in Kamatahun Hassala, Mojama, and Monrovia), aggravated rapes, aggravated war crimes, and aggravated crimes against humanity in exceptional circumstances. The original time frame of the events was between 01-07-1999 and 03-09-2003 and then it was extended to 08-18-2003 which was presented on 07-01-2021.

Jurisdiction

The Defense said that the closing arguments of the Prosecution gave the impression that the case was simple. However, the Defense said that this case was particularly debatable when it came to jurisdiction, the applicability of war crimes, crimes against humanity, the rule of law, and the accumulation of the law.

When it same to jurisdiction, the question was whether the active personality principle (the Criminal Code of Finland, Chapter 1, Section 6) or the universal principle (the Criminal Code of Finland, Chapter 1, Section 7) applied to this case. The first one requires dual criminality according to the Criminal Code of Finland, Chapter 1, Section 11) and it is an essential prerequisite for the process. It needed to be investigated. Regarding murders and rapes, was the active personality principle applicable? The Defendant, who has been living in Finland for a long time, is subject to the Finnish justice system. The question then followed of whether there was enough proof that the crimes had been committed? Dual criminality was important and the fact that there was no account on how the act expired in Liberia. The accumulation of the law was another question when it came to rape and murder. The Defense questioned whether it could be applied to an international crime.

The Prosecution started by stating that the universal principle applied to the case, so that the crimes could enter Finland's jurisdiction as international crimes. But the Defense questioned whether this was the kind of armed conflict to which international crimes were meant to apply. The universal principle was defined more precisely by the decree on the application of the Criminal Code of Finland, Chapter 1, Section 7 (627/1996) and referred to the Geneva Convention. The indictment was not based on the second additional protocol of the Geneva Convention. This would not even be possible according to the Finnish law. The Court could only apply the Geneva Convention or its first additional protocol as an aggravated crime. The

Prosecutors had stated that these acts charged by the indictment are not the kind of acts that are defined in this decree.

The Defense contended that the legal problems did not end there. They asked if the Court could apply these principles to an armed conflict and war crimes that are not international in nature. The Prosecutors had argued that it was possible because the acts in question were serious enough to be considered as war crimes. But what, the Defense asked, did this require? There was no definition in the government proposal of the war crime (55/2007) of what an act of war or war crime entailed, and there was no case law on the matter in Finland. This was very unclear. The regulation had been amended and the old practice was not applicable. It was found to be problematic according to the rule of law. There was no statement in the government proposal that the old regulation should be applicable to a situation of civil war. The current elements of the war crime had been taken straight from the Geneva Convention. The examples of a crime against humanity in exceptional circumstances had specifically mentioned the existence of armed conflict. This crime against humanity was applicable to internal conflicts and the legal status was clear on that. The Defense claimed to have studied international crimes and war crimes and to have noticed that they support each other. They were different procedures, and they were under different elements of crime. Accordingly, two different regulations were reasonable in that the war was found to be an external conflict, and that was the regulation's starting point. Then, if the interpretation of the law was uncertain, the Court needed to apply the one most favourable to the Defendant. So, this had not been applicable in the matters of the civil war in Liberia. When it came to the aggravated crime against humanity, the Court needed to investigate whether the indictment was in line with the crimes according to the decree (627/1996), and if it was not, there was no jurisdiction. It was problematic with the rule of law. In the amendment of the Criminal Code of Finland, Chapter 11, the government proposal stated that the essential elements of the offence are quite open, which raised concerns with the rule of law.

Firstly, the question about jurisdiction was uncertain. Secondly, the Defense asked, should this broad regulation have been applied so as to find the Defendant guilty? Finally, there was a question about the accumulation of law: aside from international crimes, could the Court judge the Defendant to be guilty of national crimes that had targeted individuals? The Prosecutors argued in favour of accumulating the charges of murder and rape to assess them comprehensively. The Defence saw this differently. The question was rather whether these acts were adequately assessed as international crimes or also as domestic crimes that had targeted individuals. The Defense reminded the Court to remember the purpose of being here. Any murder could not be covered by these kinds of vague reasons. The reason why this trial was held was because Gibril Massaquoi was suspected of these crimes. There was no judicial practice about the accumulation of law. When the regulation was amended, it stated that the essential elements should not be applied except to international crimes.

On Friday, the Prosecutor had presented an analogy of causing a traffic violation that resulted in a death arguing that negligent homicide should be charged. This kind of analogy did not answer this question. Causing a traffic violation is an abstract endangerment that is enough to fulfil the essential elements and if it caused a death, it must be assessed as negligent homicide. A war crime was a different type of crime. War crimes create concrete damages, also deaths, and it was not an endangerment offence.

The rapes and murders that were charged in the indictment were qualified as international war crimes. Gibril was claimed to have murdered, raped, tortured, and ordered or allowed forced labour. The crimes that had targeted individuals had been assessed to form an act of an international crime. The Finnish decree (627/1996) refers to the Geneva Convention. This supported the interpretation that conduct covered the acts that have targeted individuals. As a form of a war crime, an aggravated act requires, according to the government proposal (94/1993), that it must have caused a death of several people. This had been included in the essential elements of the offence. In the same government proposal, the crime of murder held the position of the most aggravated crime. Still, the Defense could state that although the aggravated war crime was added to the Criminal Code, the murders should also be considered. There existed a similar kind of regulation related to leading a terrorist group (the Criminal Code of Finland, Chapter 34a, Section 3). This kind of legislation carried a penalty of 15 years.

The Defense said that the world had changed during the last 20 years. There was probably a reason why the penalty scale was the way that it was that day. Then, a life sentence was introduced. It would have been artificial to charge an aggravated war crime for crimes that targeted individual people retroactively, so that the punishment could have been raised to a life sentence. The harshened attitude could not lead to a later assessment of the crimes that was to the detriment of the accused.

Starting Point of the Interpretation.

The Defense proceeded with the starting point of interpretation in this trial. This trial was based on the material that Civitas Maxima and its Liberian sister organization collected on the Defendant. There were witness accounts from 2018. The NBI interviewed people that Civitas Maxima interviewed, but none of them had been heard as a witness in this trial. The police asked the employees that had previously worked for the GJRP to find new witnesses before the second official journey in March. The list and the appendix of how the witnesses had been found was in appendix 1.6. of the preliminary investigation protocol. The GJRP often helped with finding the witnesses (for the official journeys in November – December 2019 and November 2020). All these witnesses that came could mention Gibril Massaquoi or Angel Gabriel during the investigation. The Defense said that it was remarkable that the preliminary investigation continued during the whole trial and that the last additional protocol was completed only in January.

The Phases of the Preliminary Trial.

The phases of preliminary investigations included the Prosecutors' first trip to Liberia in January – July in 2019. They went to Lofa County and Grand Cape Mount County in Lofa Bridge, because those places related to the interviews that Civitas Maxima had conducted. They conducted no interrogations nor reached out to any witnesses.

The second journey took place between March and April of 2019. The witnesses were interviewed in Liberia, Monrovia and Lofa between 03-23-2019 and 04-23-2019. Before this, [Employee 1] was hired to search for the witnesses. They heard 42 witnesses, of which only one (Soldier 07) recognized Gibril Massaquoi and did not immediately remember his name. [Employee 1] had spoken to that soldier. All 19 of the witnesses who were interviewed that

spring identified the offender as someone other than Gibril or they could not identify anyone or were not asked to identify the offender. There were stories, but only one instance of recognition.

During the third journey in September – October 2019, the Prosecutors went through old Liberian newspapers about the civil war. There was no such information in the newspapers that could tie the Defendant to the acts described in the indictment in any way.

The fourth journey took place between November and December 2019 when a lot of people were heard. The information about whom they were talking had spread. They heard 48 witnesses in total, of which the first person in this investigation who recognized The Defendant was heard on 12-05-2019 (Soldier 14). Eight persons identified the Defendant, and all of them were heard in Monrovia.

The fifth journey was between October and November 2020. After a year, during which the Defendant had been held in detention, the Defence witnesses were heard in Sierra Leone. It was undisputed that the Defendant was in the safehouse of the Special Court from 10/03/2003 onwards. The NBI began hearing new witnesses in connection with this trial which continued in Liberia. The new witnesses were heard first in Sierra Leone and continued in Liberia. There were 39 witnesses heard in Court whose testimonies all placed the end of events before the year 2003.

Then 20 new witnesses and [Employee 1] were heard in Monrovia in May and June 2021. All the new witnesses placed the events to the year 2003.

Relevant questions for the evaluation of evidence

To decide on this case, evidence evaluation was essential. The first question regarding this was the timeframe of the events covered by the indictment. The Defense asked, was the threshold of investigation that high that no other alternative hypothesises could be tested? The next question was whether Angel or Angel Gabriel was really the Defendant or if the names had gotten confused. The third question was whether the Defendant was in Liberia after June 2001 or if he was in Liberia during the time of events. Then, if the Defendant was in the position to direct or command soldiers in Liberia? Was the Defendant the perpetrator of the acts charged in the Indictment? Had the alleged individual descriptions of the criminal acts as charged been proven? What about the reliability of the evidence?

Evaluation of evidence

The Defence had presented extensive proof that the Defendant was not in Liberia. Had the events occurred during the times that Massaquoi was away? Usually, the method of proving the hypothesis was used for the evaluation of evidence. The Prosecutors had presented their own hypothesis of how and under what conditions the Defendant acted. The Defense presented an alternative chain of events. In this kind of situation, the Court needed not to assess which one of the versions is more reliable after evaluating the evidence. Rather, the charge needed to be dismissed if the Court could not rule out the alternative factual scenario. The Supreme Court of Finland had previously ruled that a Defendant´s version of facts is assessed only if the evidence in

support of the indictment is strong enough. There were several cases of the Supreme Court of Finland that validated this. So, when the time of act could not be pinned down so that the Defence could defend effectively, this had to be taken into consideration.

The Defense underlined the threshold of initiating an investigation related to the assessment of evidence. It needed to be noted that the threshold of the investigation had to be satisfied; the Prosecution's material needed to be so clear that potential alternative hypotheses could be tested against it. The threshold of investigation included the possibility of obtaining the necessary proof to discredit the alternative chains of events and if the threshold of investigation could not be reached, the charge had to be dismissed. It needed to be noted that the evidence of the case was all that was possible to get on this matter. It was not the NBI's fault that they were only able to investigate the Defendant. One way to assess the proof was to assess its probability in the face of the facts alleged. The reliability of the recognition, the time laps, and faulty memories, all played a role.

Julia Korkman provided a statement on the reliability of proof. She researched facts relating to memories and the credibility of witness accounts relying on scientific research data. The Prosecution has presented its view on the matter and now the Defence had the opportunity to do so as well.

According to Korkman, people communicate continually about their experiences with others and have a tendency to alter their views and interpretations on the basis of the information gotten from elsewhere and from people that are seen as reliable. This phenomenon needed to be highlighted in this trial, especially regarding its impact on a tight community. This was something to be taken seriously throughout the whole trial. Memories are linked with interpretations and assumptions, and they can get confused. Memories can change radically, too. The Defense referred to this passage from Korkman's statement because the Prosecution had painted the picture that the Defence argued that witnesses have been gathered in groups to lie. This was not the position of the Defense, but the Defense argued that the memory of a lot of witnesses had been vulnerable to confusion.

Regarding conflicting narratives, Korkman stated that contradictions in testimony might come from the fact that the witness remembers the fact correctly, but the question was not asked properly and the memory does not come to mind at the hearing. Alternatively, the memory was correct, but became confused over time, or because the person had assimilated general information about similar events. The witness testifying could also twist the testimony on purpose, succumbing to the pressure of the community, motivated by financial motives or something else. When witnesses were being heard 20 years after the events, these were worthwhile considerations. In addition, Korkman brought up the cultural element to remembering. While the ability to remember varied from one individual to another, it also varied between different groups. Both personal and cultural circumstances played a role. In many African countries the culture was more communal. This cultural difference needed to be considered when assessing the reliability of the evidence.

Regarding recognition, Korkman had stated that time affects memory and circumstances affect the accuracy of recognition. Based on studies it was known that people's recognition is of a modest accuracy. The distance, lighting, and the age of witness needed to be considered. In

addition, the fact that the person who made the recognition could be exposed to information after the commission of the crime, needed to be considered as a possible source of error in identification. Regarding stress and trauma, it had been noted that when stress is continuous or serious it can weaken memories. So, the Prosecution's argument that stressful situations were easier to remember might not have been right.

On identification via Photos.

There had been four different photo collages, and two different photos had been subjected to identification. The NBI started witness hearings on 23/03/2019 and the first unreliable recognition was made on 09/04/2019. The first undisputed identification was made over 8 months after the information about the investigation had spread. The information had been shared through the grapevine. It was not meant to hurt anyone, but people talked about their experiences and issues. This was supported by the fact that in October 2020 every witness recognized Gibril, pointing to a clear development in identifications. In addition, none of the people heard or met outside of Monrovia had recognized the Defendant. Everyone who recognized him was heard in Monrovia. It could only be said that the Internet worked well in Monrovia, but not in Lofa. Was this one explanation for recognitions that have been made only in Monrovia, where all of the witnesses (100 %) recognized the Defendant?

On identification via Video.

In addition, one videoclip in which Gibril is speaking was used for identification. The video was not presented before the photo identification. The National Police Board of Finland ordered the recognition which was valid. The order was formulated to comply with it in the preliminary investigation, in consideration of due process. In the section 4 of the order, it was stated that the video and photo identification must conform to the rules on choosing the reference people in the group identification. There needed to be at most one suspect and at least five reference persons. There were no reference people in the video. Some of those who identified the Defendant in the video had identified another person from the photos, or they did not identify anyone. The video identification was made against the National Police of Finland's instructions.

On the reliability of identification.

Next, the Defense's position on the reliability of the recognition generally was that the more time that passes between the crime and the identification the lower the probability was of making an accurate identification. The information that came after the crime created a risk if the recognizer saw the suspect before on some occasion. It was probable that there were witnesses from the preliminary investigations who had really met Gibril before and knew what he looked like. This could have affected their testimonies.

Murders in Monrovia – Aggravated War Crime counts 4.3 and 4.5

The Defense moved on to the counts of indictment and started with counts 4.3 and 4.5 which concerned the murders in Monrovia and the aggravated war crimes.

According to the original indictment the time period of events was set between 07/01/1999 and 09/03/2003, and more precisely it was estimated to have been between January and December 2002. This was the starting point when the main protocol was agreed upon and the trial began.

On 01/07/2021, the Prosecution extended the relevant time period until 18/08/2003 but did not specify which counts of the indictment this extension particularly affected. They most likely wanted to first hear the witnesses testify in trial to evaluate whether their testimony supported a particular count of the indictment. The Prosecutor informed the Court on 20/01/2022 that the likely time frame of events was between 01/05/2003 and 18/08/2003.

The Prosecution's evidence concerning the count of indictment related to Monrovia was solely based on witness testimonies.

The Defendant had consistently been saying that he was in the Special Court's safe house after 10/03/2003 and could not have left the house to go to Liberia. The Defense's proof was initially based on this undisputed matter, which remained undisputed. Now it was disputed whether it was possible for the defendant to leave the house.

During the whole trial, no motivation was proven to show that the Defendant had an incentive to commit the acts as described in the count of indictment concerning Monrovia. Evidence against the existence of said motive was the fact that Gibril Massaquoi had stepped down from the RUF's military wing and had moved into politics, promoting peace negotiations, and he had also signed a witness protection agreement on 23/10/2002 concerning the incidents in Sierra Leone. A mandatory condition for this agreement was that he would not commit any crimes. So, the Defense asked, why would he leave for Monrovia in defiance of all this?

The changes in the dates of the events.

During the trial there had been many changes in the dates related to these counts in the indictment. The Prosecution had also submitted an appeal on this.

Initially, there was no problem, and the witnesses placed the incidents in Monrovia to 2003. This, however, changed radically at the end of 2020 when witnesses were heard in Freetown between 13/10 and 27/10/2020 and it became clear that the Defendant was in a safe house in that period with strict security measures in place. After that point, new witnesses were heard who dated the incidents in Monrovia, contrary to the historical record, to have happened in 2000-2001. The NBI had started the hearing of these new witnesses already on 2/10/2020 and by the 20th, new witnesses had made a change to the year of occurrence of events relevant here. These new witnesses were found very fast.

The expert report and statement of Ilmari Käihkö.

Käihkö gave an expert statement in the trial concerning the war in Liberia. He said that the famine, robberies, LURD's attacks, and the shooting of civilians in stores in Monrovia unambiguously happened in the summer of 2003. In addition, Käihkö stated that the LURD was

fighting at Iron Gate during the summer of 2003 and moved towards the south of St. Paul's Bridge. The LURD arrived at the bridge on 27/07/2003 but the rebels could not cross the bridge due to resistance. Furthermore, according to Käihkö, the LURD did not mount any smaller attacks to Monrovia before the summer of 2003. The LURD controlled Kolahun during the summer of 2003 and it was basically impossible to travel to Monrovia on main roads. Waterside was also partly under the control of the LURD.

Monrovia – Timing of the incidents in preliminary trial investigations

The Defense moved onto the preliminary trial protocol (2400/R/200/18) page 1331 which was a list of the hearings of witnesses related to the incident in Waterside.

Prosecution witnesses (in yellow) who were heard before the Defense's witnesses placed the incident in Waterside (Monrovia) to the year 2003 with one exception, Civilian 37, who stated the incident took place in 2002. All of them changed when the witnesses were heard in trial; they changed or attempted to change the timeframe to 2000-2002. For example, Civilian 08 tried to change the timeframe to 2002, but after the Defense went through the preliminary trial hearing material with the witness, he said it could have been 2003 after all. There was a clear intention and a will to try to change the date. Civilian 28, in the preliminary trial proceedings, dated the beginning to 2002 and end to 2003. In court he dismissed 2003 and said that the incident took place in 2001. Civilian 37 dated the incident in the preliminary trial proceedings to 2002 but in trial changed it to 2001. Concerning these witnesses, they were certain that after some more thinking the new date was correct and dismissed any discussions or other incentives to have caused the change of date. Soldier 01 could not provide a date and did not confirm or change the time. Soldier 15 dated the incident in the preliminary trial proceedings to 2002-2003 but in court changed it to 2001-2002.

During and after hearing the Defense's witnesses (13/10 – 23/10/2020) it was undisputed that Gibril was in the Special Court's safe house from 10/03/2003 onwards. Accordingly, the Defense had no need to provide additional proof for the time after 10/03/2003.

Thereafter, the Prosecutor's new witnesses (in red) dated the incidents of their preliminary trial descriptions to have ended in 2002 the latest. In addition, most witnesses dated the world wars 1-3 to have taken place in the years 2001, 2002 and 2003, contrary to factual historical record.

It was undisputed that world wars I-III were fought between June and August of 2003. They were inclined to change the dates after Käihkö's statement according to which the incident took place in 2003.

The first unreliable identification was done on 09/04/2019 (soldier 07). The following identifications were done in December 2019, when the first reliable identification was made. When moving to 2020, all witnesses except one identified Gibril. It was noteworthy that the rate of identification of the Defendant increased as the hearings proceeded. This kind of progression was not possible if the witnesses were found as claimed so that no one met or spoke with them previously, and they generally did not know the purpose of their attendance at the hearing. Many have also said that the Defendant introduced himself by name and position.

There were people who changed the year of the incidents from what they told in the preliminary trial investigations. The witnesses heard in 2019 almost all changed or tried to change the year. After that a new group of witnesses did not have to change the year because they had changed it already during preliminary trial hearings. There was also a group of witnesses who said that Gibril introduced himself, shouted his name and position, and used the name Angel Gabriel. The Defense asked – if he was supposedly on the run from the safe house why would he be shouting this?

The discovery of these witnesses in Monrovia

The NBI said that they had personally found new witnesses without the help of [Employee 1] or somebody else contacting them first. However, the Defense presented a table on the way in which the witnesses of Monrovia were found. The Defense said that one could see that the witnesses were spoken to by the GJRP before the NBI started investigations. All the witnesses were found through GJRP's employees or through witnesses already heard during the preliminary trial proceedings. What kind of discussions had been conducted was unclear. No witness was brought to this trial by the NBI. For example, soldier 07, who was already interviewed by the GJRP before NBI, brought multiple witnesses to the trial (soldiers 04, 17, 01). Civilian 28 also brought civilians 31, 37, 46 and 24. The contacting had been done through intermediates which explained, as the Prosecutor also said, that statements can impact a tight community.

Monrovia – Timing of incidents in preliminary trial proceedings

The hearing of Prosecution and Defense witnesses ended in Liberia on 07/04/2021 and the last witness was heard in Sierra Leone on 18/05/2021. The Defense was of the belief that as the fact that Gibril was in the safe house was undisputed there was no need to prove that the incidents in Monrovia would have taken place in 2002.

The Prosecution conducted additional investigations (additional protocol 4), when 20 new witnesses were heard as well as [Employee 1]. The witnesses were heard between 10/05 and 06/06/2021. So, while the Defense witnesses were being heard, The Prosecution searched for new witnesses.

Ilmari Käihkö was heard on 11/06/2021 and he confirmed that LURD had not attacked Monrovia before June 2003. This is this trial's most valuable comment. Käihkö also confirmed the dates of the following incidents that multiple witnesses had discussed:

- Iron Gate / St. Paul's bridge in June 2003
- Town in 2003
- Dwala in 2003
- Old Bridge in 2003

All these events were related to the world wars I-III during June-August 2003.

After this the Prosecution extended the timeframe of the indictments to 18/08/2003. A need to find witnesses that would testify to the events in 2003 became evident to the Prosecution, because it was clear that the indictment would not succeed if the timeframe remained in 2001-2002.

In trial, 15 new witnesses were heard in addition to the Defense's witnesses to prove that Gibril's stay in the safe house was undisputed. The Prosecution's new witnesses described the events in Monrovia and placed them mainly in 2003. Another new feature described in the testimonies was that Massaquoi tried to hide from people which would fit with his behaviour if he was on the run from the safe house but was contrary to what was asserted previously about him, namely that he was shouting his name and position.

Monrovia – New witnesses

Originally the dates for the events of relevance for Monrovia were May to August 2003 and the witnesses heard last year (2021) were the only ones who dated the events to 2003. The following could be summarized from their statements:

Witness X2 stated that they saw Gibril at the Biscuit store and the troops were led by General Senegalese.

During the preliminary proceedings, X3 told the police that there was a picture of the Defendant in Monrovia and promised to bring it to the police. However, in court the witness stated that the picture had been spoiled after being left in the rain long ago. Taking photographs was very common during the war, X3 also testified that Yeaten had ordered that nobody was allowed to see the Defendant, fitting with the theme of the safe house. The witness also stated to have been a good friend of the Defendant and to have driven him daily but did not recognize the Defendant in photos.

X4 testified to have picked up the Defendant from Kolahun in the summer of 2003 with several generals. Käihkö stated that Kolahun was under the control of LURD then which makes it very unlikely that they could have travelled by the main roads because LURD controlled the areas in Lofa. Käihkö also asserted that summer 2003 was the rainy season when the roads would have been in an even worse state than today and smaller roads most likely even worse (the Prosecution had argued that they could have used smaller roads). It could not be ruled out that this person was in the same convoy as the Defendant, but it could have been between 2000 and 2001 when Gibril was factually in Liberia.

X5 promised to deliver photos of the Defendant to the police which were from the conflict in Ivory Coast. The police asked for the photos and the witness said they were in the possession of a woman in Liberia. The Defense insisted that these photos be retrieved. This would have been the perfect smoking gun if the Defendant was actually standing with a gun in the photo in Liberia and it could be traced to 2003. The police had no interest in searching for the photos, so [Employee 1] was tasked with doing so. The Defense underlined that the retrieval of conclusive evidence

should be done by the police. [Employee 1] informed the court that the woman who had the photos ran out and no photos were found. In addition, in his statement before the court, the witness added a fight with Gibril which had not been mentioned before.

X6 extensively described their experiences in Lofa from the beginning of the 2000s. X6 testified to have been a guide for the RUF and a commander. When asked who was present in Lofa a long list of names was given but the name of Defendant was not mentioned. It begged the question of how he could not have known of the Defendant's presence if he was the RUF's guide. But if it happened that X6 also saw the Defendant in Monrovia, it was probably between 2001 to 2002.

X7 was a chauffeur but did not get his car from the Defendant. The witness testified about trips to Voinjama in 2003, which was not possible because LURD controlled the area then. At that time this kind of transportation was not possible, but it may have been possible in 2000-2001. Military transportation between Makeni and Kono in 2002 was also impossible because the RUF's military activities had ended in 2001.

X8 stated that after Sam Bockarie died, Salami led the Sierra Leoneans until he himself died.

Y1 did not know Angel Gabriel during the preliminary trial investigations but mentioned the name in the trial. In addition, Y1 described an accident on a Waterside bridge in 2003 and said that the Defendant was present. Following the reference to the preliminary trial material Y1 admitted that he misspoke, and that the accident took place in Lofa. According to Y1, Zigzag Marzah was responsible for the incidents in Kamatahun.

In trial, Y4 described events that took place in Monrovia that he had heard of but had not seen.

Y5 stated that the Defendant was in Waterside for long periods and that Gibril smoked, which he never did.

Y6 testified not to have seen Gibril in Monrovia but to have heard of him. The interviewer mentioned the Defendant's name three times even though the witness did not use the name.

Y7 testified that [Employee 1] asked about the Defendant directly. Y7 was asked, "Did he tell you which general you should talk about? – Yes, he said general Gibril, commonly known as Angel Gabriel". This information came from [Employee 1]. Crucially, [Employee 1] denied saying anything to anybody.

Y8 did not testify about the incident in the indictment but said they had seen the Defendant in Waterside weekly.

Z1 testified to having seen a person who was said to be the Defendant and who was fat.

Z2 stated in the preliminary trial proceedings to have been contacted by a friend who claimed that they had a problem with the case. They needed "unbroken" witnesses and it was related to Angel Gabriel.

Z3's testimony was related to the safe house.

The majority of the people who contacted the witnesses were people whom the NBI did not know or know of. The Defense had asked the Court to investigate this, but nothing was done. [Employee 1] was also unable to say more about these people. [Employee 1] had said that he might be the other individual mentioned by Z2 but refused to mention the problems in the trial. Typically, there were two to three people between [Employee 1] and the witness. The Defense raised the possibility that mistakes could happen in this kind of situation.

There was also the additional protocol number 5 annex 2, where it was evident that the NBI did not know the people who were rushed to testify at trial. Z3 said he was contacted by Alain Werner, who is the director of Civitas Maxima and who was supposed to be fully removed from the investigations while the NBI was conducting it.

The murders in Kamatahun Hassala, Aggravated war crimes, Aggravated rapes in Kamatahun Hassala and Foya, Aggravated crimes against humanity in exceptional circumstances, Counts 4.1., 4.4., 4.5., 4.5.1.

The time period of events covered by the indictment was 07/01/1999 until 18/08/2003, more precisely estimated to be between 01/03/2001 and 31/09/2001. The proof was based on descriptions and a list that was prepared by one witness and which was later submitted to the court. It was unknown how it was delivered. After, multiple new murder indictments were added.

There was a historical record of the incidents in Kamatahun Hassala according to which they took place between September and December 2001, which was during the dry season. The Prosecution's dates were during the rainy season. The Defendant had already left Liberia in June 2001.

Kamatahun Hassala – Identification of witnesses

None of the several witnesses who were heard outside Monrovia before 2020 identified the Defendant from a photo. All the others, except for civilian 35 and 11, identified another person as the perpetrator. In the entirety of the preliminary trial materials, nobody who was heard outside of Monrovia recognized the Defendant in photos. The likely explanation was the fact that the internet worked in Monrovia but not in Lofa.

The murder of [FNM-162] in Yandehun and Aggravated War Crimes, Counts 4.2. & 4.5.

The time period of events covered by the Indictment was between 07/01/1999 and 18/08/2003, but most likely between 01/03 and 31/09/2001. For these counts the Defense emphasized that the Prosecution's only proof was one person's account. The witness had identified the "wrong" offender from a photo but mentioned Angel Gabriel.

Smaller counts of the indictment: forced labour, physical work, aggravated abuse.

The Defense said that this was the same case. Nobody who was present for these crimes recognized the Defendant, only those witnesses in Monrovia and one from Freetown recognized him. The Defense said that the differences in the testimonies could be cut with a knife.

Finding witnesses in Lofa

The theme here was communities. The Defense wanted to highlight what [Employee 1] might have said. It could be gathered that the process of finding witnesses had not gone quite as presented. [Employee 1] travelled to the area before NBI's second and third trip to identify witnesses. He was searching for witnesses to testify in the Defendant's case.

[Employee 1]'s first hearing

[Employee 1] described meetings in villages, his first encounter with the village heads and usually having to come back the following day. He met people whose names and contact information were written down. [Employee 1] was instructed by the NBI to only ask straight questions. He also described going to Kiantahun where the same procedure was followed as in other villages. He denied being involved in Civitas Maxima's investigations.

Between the hearings the Defense could access [Employee 1]'s notebook, and its entries confirmed the visit to Kiantahun. The Defense thoroughly went through the notebook during the trial and the Kiantahun question came up. A representative of Civitas Maxima has been following the trial all along, so the Defense suggested that the information was passed on. This was not forbidden per se but following the review of the notebook it transpired that [Employee 1] went to Kiantahun before the NBI which thought that they went there before [Employee 1] had contacted anyone.

[Employee 1]'s second hearing

[Employee 1] changed his story and denied the visit to Kiantahun or meeting any witnesses in the Lofa area. He said that once they left the villages, [FNM-312] returned and only brought with him a list with names. This was a totally different story. When [Employee 1]'s notebook was discussed, he denied that page 115 had to do with Gibril's case. Later he admitted that he had returned to the villages, as he had said in the first hearing, and met some of the witnesses. In addition, the Defense asked him whether he participated in Civitas Maxima's investigations concerning the Defendant to which he answered "no, no, no" and added that he was only aware of them.

[Employee 1]'s third hearing

[Employee 1] admitted his participation in Civitas Maxima's interviews and remembered some persons with whom he had contact by name.

On the following slides the Defense showed some pictures of [Employee 1]'s notebook.

Between 06/04 and 12/04 [Employee 1] was in Lofa, and there was a list of witnesses heard in this trial, including their names and other information. [Employee 1] himself stated that he went to the villages to collect names, from this it could be concluded that he was meeting people as he originally described.

On 08/04/2019 there was a meeting with the NBI who gave him instructions on the questions to be asked concerning the burning houses, generals, and diamonds. This showed that the interviews were a type of preliminary questioning. It could not be seen as anything else if people were asked about specific names and asked if they could speak about these people. They talked about soldiers, mass graves, and incidents in Kamatahun Hassala. The following note contains the dates 08-12/04/2019 and 12-18/10/2019 which is the time when the trips were made. He wrote down the names of people who answered questions.

One could see Kamatahun Hassala, Kiantahun and Kartuhun. The NBI noted Kiantahun as a village they found but here one can see that civilian 50 and civilian 36 from Kiantahun spoke of it.

So, the hearings began after the initial contact was made by [Employee 1]. It was important that [Employee 1] first said that he visited villages to ask questions. In a later hearing this turned out to be a problem and subsequently he denied it in trial.

[Employee 1] wrote down a list of people who had been questioned, showing that those were other people in addition to the heads of the villages. One could also see that specific questions about RUF soldiers were asked. So, in the preliminary trial the NBI stated that the RUF was never mentioned during the hearings, however [Employee 1] had regardless asked about the RUF. There were also a few questions ending with “etc.” which raised questions.

Had the witnesses been influenced or did [Employee 1] become aware that the descriptions had changed? Civilian 61 was heard with group 4 after the hearing of the Defense’s witnesses and the case of the safe house arose. Civilian 61 first said 2003 but that was crossed out and 2001 was written down instead. Possible conclusions stemmed from this – had [Employee 1] insisted that the person change the year or did the witness want to change the date? [Employee 1] was aware of the time period in question and which witnesses were needed when.

[Employee 1] claimed to have been in contact with the NBI in 12/11 and that he and interpreter 4 visited Keintahun. He contended that they followed the normal protocol of entering the villages and identifying the witnesses after answering direct questions. So, there was some selection of witnesses. This might have explained how 100 % of the witnesses approved by [Employee 1] knew to speak of Angel Gabriel or Gibril Massaquoi; he did not bring any misses to the preliminary trial.

Witness L5

Witness L5 wrote an article which was part of the preliminary trial material. When the Defense travelled to in Monrovia with the Court and the Prosecution, the Defense reached out to this person who lived in Liberia and had to flee the country after criticizing a member of the government. He was in the North when these horrible incidents happened. He interviewed

around 75 persons for the article which described the incidents in Kamatahun Hassala. Based on the article the Defense set the time-frame of events between September-November 2001. These interviews were conducted imminently after the incidents. He also described in the interview other people who fled the violence to Sierra Leone and travelled through Kamatahun Hassala. The report also mentions the central kitchen and the killing of women and children.

Many of the persons interviewed by L5 named the person in charge to have been ZigZag Marzah. L5 confirmed that none of the persons he heard mentioned Angel Gabriel, Angel or Gibril. Also, [FNM-226], who testified in this trial and also interviewed the people in the area heard no names related to Gibril Massaquoi. The Human Rights Watch report also supported the view that Gibril was not involved in the incidents. In the TRC report, different witnesses told 22 stories of what happened in Kamatahun Hassala, and many mentioned Zigzag Marzah as the one responsible as well as other commanders, but not Gibril or Angel Gabriel.

The Defense referred to annex 1.11 of the preliminary trial protocol, page 790, describing incidents the police wrote down as related to the incidents of Kamatahun Hassala. Zigzag Marzah was mentioned in many cases, and there was no mention of Gibril. The Defense highlighted the fact that Gibril was not mentioned in the descriptions of witnesses.

The Defense raised a possibility that the Prosecution may have considered that the Defendant and Zigzag Marzah were present at the same time and Gibril gave the orders. However, Zigzag was higher ranked; the Defense thought it inconceivable that a person coming from Sierra Leone would take command and rise above Zigzag.

Torture in Clay – Count 4.5.6

According to the original indictment, the Defendant personally tortured [GJRP-1] by giving him electric shocks. The Prosecution changed the description of the incident on 20/01/2022 according to which the Defendant gave orders to a woman to administer the electric shocks to [GJRP-1]'s private parts. The original description is based on what [GJRP-1] told to Civitas Maxima in a 2018 statement according to which Gibril was the person doing the torture. This statement was personally written by [GJRP-1] so he could have changed it if he wished. [GJRP-1] provided the same statement for the Charles Taylor trial in 2009.

First hearing in court

[GJRP-1] testified, for the first time, that the shocks were administered by a woman and that other people were present, including Gibril, which was a change of story. [GJRP-1] confirmed, when asked multiple times, that he did not know who gave the orders. [GJRP-1] said he personally wrote the statement given to Civitas Maxima, so he would have had the possibility to modify it. He explained that the description changed because things became clearer to him.

In addition, he said that he was tortured by Gibril on 26/07/2002 and it was his first time in Clay.

Despite this he confirmed the following statement given in Civitas Maxima's interviews: "I was taken to Clay 26/07/2002, I was there for at least a week before Gibril came. I was tortured twice before Gibril came (*this could be already the beginning of August*). I was in Clay for a few weeks before I was taken with a helicopter to Foya and out of the country."

He was not sure if he was also hit with a stick.

Second hearing in court

[GJRP-1] was heard again in Monrovia. He still maintained that a woman administered the electric shocks, but he changed his story to say that Gibril was the one giving orders to the woman. He also described how SS-men had to be Liberian, but Taylor could also add other people to the troops.

Third hearing in court

The third hearing took place this January. [GJRP-1] attributed the modifications to his story to him feeling ashamed to tell the truth in the Taylor trial for cultural reasons. However, he made the same mistake in the hearing of 2018. He confirmed that in the 2021 NBI's hearings that he had told the truth in the Civitas Maxima interview. He explained that what he testified before the court then is what he believed to have happened.

In addition, he claimed that the Defendant was a SS-soldier though he had said before that SS-men were Liberian and there was no proof that Taylor named Gibril as an SS-man.

The modifications in his story are meaningful when considering Civitas Maxima's mission to convict war criminals. He jeopardized the indictment of another person by being too ashamed to say who was actually in charge.

Hearing at the Special Court on 18/08/2008

[GJRP-1] was also heard in the Charles Taylor trial at the Special Tribunal. According to his statement he was tortured with electric shocks but did not mention the Defendant.

Preliminary Trial Protocol (additional protocol no. 1) 26/01/2021

[GJRP-1] was arrested on 24/06/2002 in Monrovia and did not remember when he was taken from Monrovia to Clay. He was tortured in Clay on 26/07/2002 and remembered this date because the guards in Clay were speaking of Independence Day.

The Defense recalled that Gibril met [FNM-226] in the summer of 2002 and [FNM-201] and [FNM-230] in August at Mamba Point in Sierra Leone. If [GJRP-1]'s statement was correct, the dates overlapped. The Defendant gave a statement to the Truth Commission on multiple days in July 2002. His former spouse said that their wedding day was 26/07/2002. According to Defense

witnesses, the Defendant did not leave Sierra Leone between June and August 2002. [FNM-178] said that he lived with the Defendant in Sierra Leone during 2002. Defense witness 09 said that he left Liberia with Gibril at the beginning of 2001, and he returned to Liberia but did not see Gibril in Liberia ever again.

Defence witnesses L1-L4

The Defense turned to the acquisition of witnesses in general. The Defense witnesses L1- L4 stated that [GJRP-1] had asked them to testify against the Defendant during NBI's investigations on the case.

L1 said that [GJRP-1] promised him financial remuneration and that during a meeting he had received money from [GJRP-1]. Each witness was heard twice, and their stories were unchanged in the relevant parts.

The Defense also noted that [GJRP-1] and the NBI claimed to have agreed that GJRP would no longer interfere in the investigations in any way.

The Defense also said that a demand to testify against someone could not be regarded as an appropriate way to search for witnesses.

[Employee 1]

As to [Employee 1], the Defense's objection was related to whether [Employee 1] conducted preparatory interviews. It was undisputed that he was not an investigator or police officer, as he had no formal education in that field. In this case, GJRP's [Employee 1] identified and conducted preparatory interviews with witnesses on behalf of the Finnish police. This was against the law. [Employee 1] had been instructed to only pose direct questions to people, but they should not have been interviewed nor should they have heard the Defendant's name.

The Defense then made the following statements:

1. The investigation had been conducted with the assistance of GJRP's [Employee 1] whose boss is GJRP's director, [GJRP-1], one of the injured parties in this case.

2. [Employee 1] conducted preparatory interviews that are considered preliminary trial investigations which can only be conducted by the police.

3. [Employee 1] was disqualified to work on investigations because his boss was one of the inquired parties.

4. [Employee 1] could not have been considered to have "broken away" from GJRP while working for the NBI.

5. [Employee 1] had modified his story about meeting the witnesses and his participation in Civitas Maxima's interviews.

6. 100 % of the witnesses supplied by [Employee 1] mentioned Angel, Angel Gabriel or Gibril.

7. [Employee 1] had said to at least the following people who the investigations concern and others who have said this:

    1. Promised a grant to Civilian 35; promised to include Civilian 64 in GJRP's program; said the names Gibril and Angel Gabriel to Y7; said the names General Gibril and Angel Gabriel to Z2 and proof of this existed; Soldier 07 promised to Soldier 17 new legs and other things; Civilian 62 got Gibril's name from Civilian 05.

    2. These people all initially denied these statements.

The Witness Testimonies

The Defense said that there were many discrepancies between the witness testimonies. Some changed and some were false. For instance:

Soldier 09, in the preliminary trial, spoke of Chief Massaquoi, but in trial the name changed to Angel Gabriel.

Civilian 80 talked about the killing of his brother but did not mention the other brother in preliminary trial investigations.

Civilian 24 said in the preliminary trial that two people were killed by Gibril, while in the trial stated that they both died of sickness.

Civilian 11, in the preliminary trial, claimed to have been raped by multiple soldiers, but in the trial denied others were involved except for Angel Gabriel.

Civilian 60 said that the Defendant beat up a pregnant friend, then spoke of an escape, and there were later inconsistencies over the number of children involved. At the end, the witness said she only came to know Gibril after the trip.

Civilian 66 described Angel Gabriel cutting open a girl's throat, but in trial they said that Gibril shot the girl.

Civilian 35 stated in the preliminary trial that they saw the civilians forced into a house, but in trial stated that they saw nothing.

Civilian 14 claimed to have left Kamatahun after the village was burned, while in the trial claimed to have heard of the burning only after it happened.

Soldier 17 did not know of Angel Gabriel in the preliminary trial, and instead spoke of Gabriel Wilson, but in the trial spoke of Angel Gabriel.

Civilian 36 said that the Defendant burned his wife and a child in Kamatahun in the preliminary trial, but in the trial said that the child is alive with the grandmother.

Civilian 69 spoke of Angel in the preliminary trial, but in court spoke of Angel Gabriel.

Civilian 50 spoke only of Gibril Massaquoi in the preliminary trial, but in court spoke of Angel Gabriel.

Civilian 40 claimed that it was his brother speaking on the tape when it was played back in the trial.

Angel Gabriel/Angel

The Truth and Reconciliation Commission of Liberia assembled a large report on the events in both civil wars. It was published in 2009. There was for instance, the following excerpt:

June/July 2003: the murder of 42 persons on the Johnson street bridge in Monrovia by Lomax and Marcus High Grade. Lomax was the artillery crew commander of the Wild geese. High Grade was the bodyguard of Yeaten and Nyenay, the victims accused of looting and summarily executed.

The report spoke of the incidents in Monrovia and mentioned the perpetrators but there was no mention of Gibril, Angel Gabriel, Gibril or Angel. It was based on 20,000 statements from over 17,000 victims. One Massaquoi is mentioned concerning an incident in 2003 but it needed to be kept in mind that Massaquoi was a very common name. The report also mentioned the RUF and RUF leaders, for example, Issa Sesay and Morris Kallon.

The Safe House

It was clear that the Defendant went to the safe house with his family on 10/03/2003. He did not leave the house without guards and could not have left it without someone noticing. There was 24/7 security and at first the guards were armed only during the night. The guards were changed twice per hour and at each shift the premises and people were checked. The changes were marked in a book which the Court could not obtain as evidence.

The Defendant also personally received a weekly allowance. He often visited the Prosecutors and Special Court. When the Defendant was needed in these places, they called and asked people to bring him in. There was never a situation that the Defendant was not in the safe house.

The Defense referred to evidence from the following witnesses: the Defendant's ex-wife, [FNM-178], [FNM-328] and [FNM-228]. Written evidence was provided by [FNM-243].

[FNM-226] testified that it would have been suicidal for Gibril to travel to Monrovia during the summer of 2003 because he would certainly have been killed. Taylor knew for sure that Gibril had started to cooperate with the Special Court.

Witness Z3 did not work at the safe house in 2003. He started in 2004 and never noticed Gibril's absence from the house without permission. Gibril was always available when he needed to visit some place outside the safe house.

Defence's missing evidence

The Defense stated that not everyone was heard in trial whose testimony would have been beneficial. The Defense listed the names of 8 people who could not be heard because they refused the request or were prohibited from testifying, including [FNM-243], [FNM-234], and [FNM-201].

Photos in the additional protocol number 9

The Defence highlighted two photos provided to the NBI by X9. The Defense said that one of them was clearly photoshopped.

Conclusion

To conclude, the Defense was confident that they had provided vast evidence in rebuttal in the form of written evidence and witness testimony. They referred to evidence in the form of documents from the UN, different media outlets, the reports of the Truth and Reconciliation Commission both from Sierra Leone and Liberia, witness testimonies from people who knew or knew of the Defendant and/or the RUF's activities well, and counter-enquiries into discrepancies in the Prosecution witness' testimonies. The Defense also highlighted that there were witnesses whose stories could not be true or were otherwise altered in exceptional ways and reminded the Court that not all of the Defense's witnesses could be heard.

The Defense indicated the end of their final pleadings. The Judge invited the Defendant, Gibril Massaquoi, to make a statement.

The Defendant, Gibril Massaquoi, Makes a Statement

The Defendant thanked the court for working hard to obtain more information on this case, and particularly for having travelled to Africa multiple times. He declared that he would speak shortly on the Prosecution's closing statement.

Firstly, the Defendant addressed the proposition that people who fought in Liberia spoke Krio or Mende and that Angel Gabriel or Gibril was their commander. Krio and Mende tribes existed in both Sierra Leone and Liberia; they were the descendants of freed slaves who were sent to Liberia and Sierra Leone. There were different names for the language, and they had the same accent in English. The Defendant echoed the Defence's point that Gibril, Angel Gabriel and other names like Agbah, and the phrase used before killing a person, that Angel Gabriel sends you to God, did not exist in any material published in Liberia. There were many other slogans like "your father is dead, your mother is dead, I will go kill," and many others, but the one mentioned did not exist.

The Defendant also commented on the change of the Monrovia dates in the indictment. The Defense consistently argued that the events happened in the summer of 2003. The newest change to the indictment was that RUF was there and that the Defendant was their commander. At that time there was no RUF in Liberia. The RUF had surrendered the weapons and started a peace process in 2001. Those who fought, fought on their own accord. The RUF did not exist in Monrovia.

[GJRP-1] said that the Defendant was one of Taylor's SS-men. He contested this, adding that there is a list with names that was presented during the Charles Taylor and RUF trials and it did not contain his name, or Gabriel or Angel Gabriel. He urged the Prosecution to contact the Prosecutor's office in the Special Court and ask for the list.

In [GJRP-1]'s first hearing the Prosecution had asked who had asked Gibril to be present in Clay. The Defendant understood that [GJRP-1] said that if Benjamin Yeaten was not present, he was, which would mean that he would have had to have been there multiple times on different days.

According to the Prosecution, 62 witnesses had testified that the Defendant was the commander of troops in Liberia, which the Defendant found surprising. He asked why the Court had needed to send multiple investigators on multiple occasions. The witness' statements should have been enough the first time, without a need for a second, third or fourth trip. The Defendant asserted that these witnesses had been coached by the GJRP, headed by [GJRP-1]. He pointed out that 31 witnesses in the first Monrovia trial provided the wrong dates while the real dates were factually known.

Regarding the changes in the witness' testimonies, the Defendant asserted that Civitas Maxima had followed the trial throughout. As soon as the evidence of the Defendant's whereabouts was shared, the dates were changed.

Finally, the Prosecution modified the indictment, and the most recent modification was the removal of the statement that Civitas Maxima and GJRP had nothing to do with the trial. It was removed because it was a fact that they were present. The Defense was aware of what the Defendant had discussed with Alain Werner, but it could not be discussed in trial. The GJRP had provided witness X8 for this trial.

The Defendant thanked the Court for its patience and understanding.

The Prosecution's Penalty Request

The Prosecution explained that their position was that the Defendant was guilty of murder, which carried a sentence of life imprisonment. In the event that the Court found that this was not the case, the Prosecution said that aggravated war crimes and aggravated crimes against humanity should be imputed. The strictest penalty for those crimes was 12 years of imprisonment, but considering the acts of homicide, the Prosecution requested that the Defendant be sentenced to 15 years, which was the maximum possible sentence when applying joint penalty.

The Prosecution asked that if the Court found the Defendant guilty of either aggravated war crimes or aggravated crimes against humanity, he should be sentenced 12 years.

The Prosecution asked that if the Court found the Defendant guilty of aggravated rape, referring to the seven women, then he should be sentenced to at least 8 years of imprisonment.

If the Court found him guilty of the rape of Civilian 11, they asked for six years of imprisonment.

The Prosecution recognized that the Defendant had been in custody awaiting trial for almost two years. However, they said that given the gravity of the crimes and the fact that the judgement would be announced within months' time, keeping him in custody was not unjustifiable. Accordingly, the Prosecution requested that the Defendant remain in custody.

The Judge asserted that the Court planned to issue the judgment by the end of April, but the Prosecution countered that it did not impact their request.

The Defense's Statement on the Penalty

The Defense demanded that all the charges be dismissed.

The Defense also stated that should the Defendant be found guilty of murder, then a life sentence would be the only possible punishment.

If the Court found the Defendant guilty of the other criminal acts charged, they carried a maximum penalty of 12 years in prison and together a maximum of 15 years in prison, but the upper end of the penalty scale could not be applied. Speaking about the aggravated war crimes as a whole, the crimes charged were not that aggravated, as assessed by the number of people. Also, the events had occurred over 20 years prior, which needed to be considered when assessing the sentence. The Prosecutor had requested maximum sentences, but owing to the time that had passed, the Defense said that the sentence should be at most half of what the Prosecutor had requested. The Defense said they would leave the consideration of assessing the sentence to the Court.

The Defense did not demand the Court to decide that day whether the Defendant should remain in custody but reminded the Court that he had been in custody, and awaiting trial, for two years. The Defense implored that when the Court considered extending his custody, the Court would

conclude that it was no longer required to keep Gibril imprisoned. The Defense urged the Court to continuously keep in mind that the Defendant was in prison.

Decision on Detention

The Court declared that 20 years had passed since the alleged events. The Defendant had been imprisoned for almost two years. The Defense had not claimed that it would be unreasonable to keep him imprisoned. The Court found that the imprisonment could not be deemed unreasonable. The general preconditions for imprisonment were fulfilled because of the several, serious crimes that were under review. The Defendant was thus ordered to remain imprisoned at the Kylmäkoski Prison. The Court considered *ex officio* the requirements of imprisonment. Finally, the Court announced that the judgment would be issued on 29/4/2021 at the latest.

Appeal proceedings

Trial Monitoring: Gibril Massaquoi's appeal proceedings

Gibril Massquoi, former Lieutenant-Colonel and spokesman of the Revolutionary United Front (RUF), was tried before the District Court of Tampere, Finland, from February 3, 2021 to January 2022. Throughout the year, hearings were held in Liberia, Sierra Leone and Finland. On April 29, 2022, the District Court dismissed all charges, and found that there was reasonable doubt that the defendant committed the offences he was charged with. After that, the Prosecution appealed the Court's decision. The appeal proceedings began on January, 10, 2023, at the Turku Court of Appeal, Finland, and lasted until September 8, 2023. On January 31, 2024, the Turku Court of Appeal issued its judgement and confirmed the acquittal of Gibril Massaquoi

The complete trial monitoring will be published after the appeal.

Trial monitoring of the first instance proceedings can be found **here**.

Art by **Leslie Lumeh**

Voiceover by: **Dounard Bondo**

Dounard is a Liberia-based journalist who usually covers stories on human rights, development and politics. He has reported on post-war justice in Liberia for many outlets. Dounard has a Bsc in International law and diplomacy and a masters in international maritime law. Additionally, he is currently a senior student at the Louis Arthur Grimes school of law where he is pursuing an LLB.

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Disclaimer

The proceedings are being held in French; therefore, French is the original language of this monitoring. As making legal information accessible is a part of Civitas Maxima's mission, English translations made with Deepl will be available. Hence, issues with the English translation may apply.

The names of certain witnesses and civil parties are withheld for privacy and security reasons.

The monitoring is not an official court transcript.

January 10, 2023 – Day One

The President explained the history of the proceedings and the main points of the District Court's judgment and the parties' submissions. In April 2022, The District Court found that there was reasonable doubt that Gibril Massaquoi had committed the crimes he was accused of, and the Prosecutors later appealed this judgment.

Next, both parties took the floor for their opening statements. The Prosecution began by describing Liberia's Second Civil War, and presented the way that the Finnish authorities had begun their investigation and gathered information on the crimes in question. They then described to the Court how the Tampere Court had misunderstood the evidence and it had to be rectified.

The Defense focused on a chronological presentation of Gibril Massaquoi's journey with the RUF. It also presented its views about the witnesses' statements presented by the prosecution, and how, according to the defense, the Finnish investigation was biased.

After the opening statements, the Court moved on to discuss the written evidence presented by the Prosecution for the rest of the session.

January 10, 2023 [Finland] Day 1: The Appeal Proceedings Begin

10.01.2023

General aspects of the case reviewed by the Court of Appeals

The appeal proceedings in the case of Gibril Massaquoi began on January 10, 2023, before the Turku Court of Appeals in Turku, Finland. First, the Court went over the classified aspects of the case. It declared that the elements of the case that had been deemed classified in the lower court would remain classified in the appeal proceedings. For the rest of the hearings and material, everything in the case remains public.

Next, the Court laid out the general schedule for the hearings in Finland and Monrovia. It declared that the appeal relating to the defense's fees would be dealt with separately, in purely written form, outside of the oral hearings.

After laying out these practical matters, the Court went over the content of the case, referring to the indictment. The Prosecution is seeking a guilty verdict on four different crimes: murder, aggravated rape, aggravated war crimes and 'aggravated violation of human rights in exceptional conditions'. The defendant, Mr Massaquoi, claims that he is innocent of all the charges. He also refutes the jurisdiction of the Finnish courts over the alleged acts.

The President of the Court explained that the claims on jurisdiction had been decided in a separate decision that have been given just beforehand, in December 2022. Almost all the claims of the Court's lack of jurisdiction were rejected, except for that on aggravated rape, on which the Prosecution was to provide additional information at a later stage. The Prosecution had the opportunity to request for other court-related fees to be covered by Mr. Massaquoi, but they

replied that the amount was so high that they could not expect any individual to do so. Therefore, the Finnish government would cover all fees relating to witnesses and other evidence.

The Prosecution presents their case

The Prosecution was the first to present their case to the Court. They began by discussing the context surrounding events in question, such as the Second Liberian civil war, the civil war in Sierra Leone and the cooperation between Charles Taylor's government and the Sierra Leonean rebel group the Revolutionary United Front (RUF). According to the Prosecution, the RUF sent soldiers to Liberia to fight alongside Taylor's troops against LURD and various other rebel groups in Liberia. In Sierra Leone, Mr Massaquoi had joined the RUF in 1991 and managed to proceed to a high position within the organization, rising to the rank of spokesman.

The Prosecution also went over the indictment in more detail. They alleged that the acts took place in two time periods, the first between March 1 and September 30, 2001, and the second between May 1 and August 18, 2003. There is also a separate torture charge that allegedly took place on July 26, 2002. For the first time period, Mr Massaquoi is being charged with four counts of murder, three counts of aggravated rape and various acts forming the two separate counts of an aggravated war crime and an 'aggravated violation of human rights in exceptional conditions'. The Prosecution asserts that Mr Massaquoi was in Liberia during the time periods when the alleged acts took place and was commanding RUF troops who had been sent to support Charles Taylor.

The Prosecution also gave a presentation on the background of the case. They demonstrated how the Global Justice Research Project and Civitas Maxima provided initial information to Finnish authorities, which led to the Finnish police investigation in Liberia and the current trial. The Defense had made certain claims on an alleged corruption and bias throughout the investigation and trial. Therefore, the Prosecution also raised these points and stated that they had already been rejected by the lower court in this case, as well as by other courts in Europe who were dealing with similar cases. Next, the Prosecution presented their preliminary arguments on how the lower court had taken the evidence and witness testimonies into account. They disagreed with the level of uniformity that the lower court had required of the witness testimonies.

The Defense presents their case

After the Prosecution, it was the Defense's turn to present their case. They began by outlining Mr Massaquoi's time in the RUF from 1991 onwards and focused on his whereabouts in Sierra Leone and Liberia between 1999 and 2003. According to the Defense, from 1999, Mr Massaquoi had worked extensively within the RUF leadership for a peaceful resolution of the civil war in Sierra Leone. They asserted that he had participated in multiple diplomatic meetings in Liberia and other neighboring countries. The Defense maintains that from 1999, Mr Massaquoi did not participate in any fighting, as he worked in a solely diplomatic role within the RUF.

The Defense also focused on the police investigation conducted by the Finnish National Bureau of Investigation (NBI). They highlighted the fact that the police were not able to reach witnesses on their own but had to rely on a local facilitator hired from GJRP.

The Defense made some other claims. For example, they claimed that the number of witnesses who were able to identify Mr Massaquoi as the perpetrator of the acts rose as the case

progressed, allegedly due to new evidence. In addition, the Defense claimed that the changes that the Prosecution had made to the indictment during the lower court proceedings affected the testimonies of some witnesses. The Defense also raised the changes in witness testimonies throughout the proceedings. They particularly focused on the torture charge which is mostly based on the testimony of one person.

The Defense also presented an overview of their written evidence on Mr Massaquoi's whereabouts during the alleged acts in order to refute claims of his presence in Liberia.

Prosecution written evidence presented

After both parties had presented their cases, the Court began to review the Prosecution's written evidence. The Prosecution presented only a few written documents, such as parts of the police's pre-trial investigation report, as well a note that Mr Massaquoi had written, while he was in prison, to certain witnesses. The Prosecution claimed that this note contained instructions as to how to testify to support him. The Prosecution also provided some additional information in relation to the jurisdictional question that had not yet been resolved, but still had some research to do regarding Liberian criminal law.

January 12, 2023 – Day Two

The second day was dedicated to the presentation of the Defense's written evidence. Most of it had already been submitted during the first instance proceedings, but new additions and modifications were made.

The Defense described the context of both the Sierra Leonean and Liberian civil wars, as well as Gibril Massaquoi's role in the RUF. In particular, it focused on Massaquoi's location: through UN reports and newspapers, the Defense attempted to establish that between 1999 and 2001 – when the alleged crimes were committed – Massaquoi had been traveling, and despite a few trips in Liberia, the Defense stated that he had rarely been in the country. The Prosecution challenged some of the evidence presented.

January 12, 2023 [Finland] Day 2: Written evidence: Defense

Defense written evidence presented

The second day of the appeal proceedings was dedicated to the Defense's written evidence. The Defense first gave a picture of the larger context of the conflict in Liberia by presenting documents pertinent to the Liberian Truth and Reconciliation Commission's (TRC). They cited the TRC's final report and other similar documents linked to the Second Liberian Civil War. These documents were used to demonstrate the wide scope of the TRC's work. The Defense pointed out that the defendant's name was not mentioned anywhere in the TRC documents as among the suspected perpetrators of war crimes, and that there were actually multiple other persons named Massaquoi included in the reports.

The Defense also presented a document prepared by the Finnish police that conducted the pre-trial investigation, the NBI. This document demonstrated that the police had gone through the TRC's reports and the actual interview documents that the TRC had at its disposal when it drafted its report. According to the Defense, the police summary of the TRC's documents did not mention Mr Massaquoi, and rather seemed to point towards other individuals as perpetrators of some of the crimes in question. The Defense also presented a document relating to the NBI's trip to the United States, where they had accessed and photographed all available newspapers from the Liberia/Sierra Leone region from November 1, 1998, to December 31, 2004. Here again, not one newspaper article designated Mr Massaquoi as the alleged perpetrator of the acts.

In addition to documents discussing the context and historical events in more general terms, the Defense presented multiple other detailed written documents. They presented newspaper articles about the RUF, the civil wars in both Sierra Leone and Liberia, and persons related to Mr Massaquoi, interviews that Mr Massaquoi had given to various media outlets and letters that he had signed between 1999 and 2003.

January 13, 2023 – Day Three

The third day was dedicated to the period of 2002 to 2003 when some of the alleged crimes were committed.

The Defense presented documents related to Gibril Massaquoi's cooperation with the Office of the Prosecutor of the Special Court for Sierra Leone. It also criticized how the Finnish police handled the collection of witnesses' statements before and after the trial. According to the Defense, the Finnish police and its Liberian partner did not deal with the witnesses correctly and did not report certain issues in a timely manner.

Finally, the Defense discussed how some evidence had been fabricated against the client: in particular, it referred to a picture which had evidently been manipulated to incriminate Mr Massaquoi.

The hearings will start again on Monday January 16.

January 13, 2023 [Finland] Day 3: Conclusion of written evidence

Defense written evidence is presented

On the third day of the trial, the Turku Court of Appeals continued with Defense's written evidence. The Defense presented additional written documents pertaining to Mr Massaquoi's whereabouts between 1999 and 2003, such as newspaper articles about the Sierra Leonean civil war, interviews that Mr Massaquoi had given to various media outlets and letters that he had allegedly signed.

Some specific themes were examined, such as a fishing project that Mr Massaquoi claimed he had worked on in 2002 and 2003 and the details of his co-operation with the Special Court for Sierra Leone (SCSL). The Defense also presented the witness protection agreement that Mr Massaquoi had signed with the Special Court. This agreement provided, for example, that he would not receive any protection or amnesty should he breach its terms, such as by committing war crimes or other atrocities in Sierra Leone.

Another theme examined in detail by the Defense was the way in which the NBI had come across the witnesses in the trial – the defense heavily criticized many aspects of the police investigation and its arrangements. The Defense raised the point that the NBI had not found the majority of the witnesses themselves: they had heavily relied on a local facilitator, who had been recruited from the Global Justice and Research Project (GJRP). The Defense pointed out various details about this arrangement by relying on the facilitator's personal notes from the investigation. They asserted that the NBI had falsely claimed to have found a lot of witnesses without outside help, while, in reality, these witnesses had been found by the facilitator. In addition, the Defense claimed that the notes demonstrated that the facilitator had acted in an unprofessional manner by disclosing prohibited details to the witnesses, such as the suspect's identity, and had otherwise affected the integrity of the witness testimonies. The Defense also raised that as the director of GJRP was one of the victims and complainants in the case, the use of his employee during the investigation, despite the fact that he was detached from the GJRP throughout the process, did not fulfil the requirements of a proper police investigation under Finnish law.

January 17, 2023 – Day Four

The first day of the second week of the trial was dedicated to statements of expert witnesses. Most of the statements discussed were those that had previously been examined during the first instance proceedings.

The court first read an expert testimony that dealt with the historical context of the Second Liberian Civil War. The remaining two testimonies focused on forensic psychology. One of the experts had been consulted during the first instance proceedings, whilst the other had been more recently requested by the Prosecution for the current proceedings. The findings of the two expert opinions go against eachother; for this reason, each party called for both experts to be heard at trial.

January 17, 2023 [Finland] Day 4: Expert statements

Expert witness Ilmari Käihkö's expert reports are presented

The Prosecution discusses the first expert report

The Turku Court of Appeal spent the fourth trial day by examining the two expert reports drafted by Mr Ilmari Käihkö during the lower court proceedings. Mr Käihkö is a Finnish expert on the Liberian civil wars, who had spent considerable time in Liberia talking to former fighters and people who had experienced the war. As both parties had named these reports as written evidence, both the Prosecution and Defense got to present their views on the content.

The prosecution began their presentation by focusing on the first expert opinion Mr Käihkö had drafted in May 2021, when the first instance proceedings were ongoing. The defense had asked Mr Käihkö questions relating to the fighting in Monrovia between the Liberian government troops and the rebel group LURD, such as the geographical locations and timing of the fighting. According to Mr Käihkö, LURD fought in Monrovia three times in the summer of 2003 and these separate battles are locally called World Wars I, II and III. World War III is sometimes referred to as the Siege of Monrovia, which led to the end of civil war, when President Charles Taylor left the country and relinquished his power. According to the prosecution, this matches multiple witness testimonies, where witnesses describe looting in Waterside, Monrovia due to the terrible food scarcity caused by the fighting.

The prosecution presented Mr Käihkö's answers to other questions by the defence in his expert opinion, that relate to events in Lofa county, Liberia. Mr Käihkö stated that despite the lack of historical sources available, he tried to explain to the best of his abilities the events that led to the fighting in Lofa county. According to Mr Käihkö, LURD initially attacked Liberia from the Guinean side of the border in 1999, with fighting ensuing in Lofa county for a few years. Government forces, supported by the RUF from Sierra Leone, managed to occasionally push LURD back to the Guinean border. However, LURD eventually made its way south towards Monrovia in 2003.

During the first instance proceedings – and presented again at the Court of Appeal -, Mr Käihkö was asked by the prosecution if he was aware of any written historical sources of looting in Waterside during the three World Wars, to which Käihkö had answered negatively. He provided

his guess that these looting events might have increased in 2003 due to the fighting, as LURD had captured Freeport in Monrovia and the food storages located in the port. Mr Käihkö also noted that the historical accounts on the conflict are generally very poor, and that violence directed at the civilian population remains largely unrecorded. According to him, the current written historical accounts lack a large number of battles and violent incidents that might have taken place during the conflict all over the country.

The defense offers their view on the first expert report

After the prosecution, it was defense's turn to offer their understanding of Mr Käihkö's first expert report. It was originally the defense who had originally located the expert and drafted the main questions presented to him.

Much like the prosecution, the defense also focused on the timing of the battles in Monrovia as described by Mr Käihkö. According to the defense, before the expert was consulted, the prosecution had introduced the idea that LURD would have been fighting in Monrovia prior to 2003; however, the expert report clearly stated that these battles only took place in 2003. Mr. Käihkö also clarified that there were no anti-government troops fighting in Monrovia between 1999 and 2003 other than LURD. The defense also stated that witnesses changed the timing of the events in Monrovia in their testimonies after the expert report had been provided to the Court.

Both the prosecution and the defense presented similar aspects when it came to the expert report of the events in Lofa.

Defense presents Mr Käihkö's second expert report

After discussing Mr Käihkö's first expert report, the defense presented the second expert report and their thoughts on its content. According to the defense, a claim was made during the lower court proceedings that Mr Massaquoi could have travelled back and forth between Sierra Leone and Liberia during spring or summer 2003 with a governmental motorcade. Because of this claim, the defense decided to pose additional questions to Mr. Käihkö, who provided his answers in his second expert report. Mr Käihkö stated that it would have been highly unlikely that a governmental motorcade could have made it from Lofa (border with Sierra Leone) to Monrovia.

Prosecution discusses Käihkö's second expert report

According to the prosecution, the second report was requested because of some witnesses testified that they had travelled from Sierra Leone to Monrovia on cars in 2003. The prosecution noted that Mr Käihkö had not considered the possibility of using secondary routes in his report: he had only referred to the main roads going from Lofa county to Monrovia.

Expert witness Julia Korkman's expert report is presented

Prosecution presents their views of Korkman's report

After Mr Käihkö's report, the Court turned to Julia Korkman's expert report on the credibility of memories and witness testimonies, which had also been submitted during the lower court

proceedings. As both parties again wanted to refer to the report in their evidence, the prosecution began with their findings. According to the prosecution, the report was requested from Ms. Korkman when some of the witness testimonies had changed considerably if compared to what those witnesses had told the NBI during the pre-trial investigation.

The prosecution also explained that in addition to this report, dated May 2021, it had also requested a new report by an additional expert in the field of forensic psychology to be submitted during the Appeal proceedings, as Ms Korkman's report does not discuss in length the effects trauma has on memory.

In the report from 2021, Ms Korkman stated that when a person cannot remember everything, they are likely to supplement their memory with interpretations and additions. While discussions with others might disturb or alter one's personal memories, they can also refresh these memories in a manner that allows to remember things we had not previously remembered. According to the prosecution, this begs the question whether the new memories are true or false. Ms Korkman also mentioned that changes in witness testimony are often associated with dishonesty or unreliability, despite the many possible explanations for changes, such as forgetting certain things, the mixing of memories together and increased understanding of the events after they have happened. Also, external reasons might affect witness testimonies, such as stress, the way interrogations and interviews are conducted as well as the witness' personal understanding as to which aspects of the testimony are crucial and which are not.

Ms Korkman also raised the issue of different cultures and how they manage information. Individualistic cultures, such as Western cultures, perceive information and experiences in a more detailed and individual manner, while communal cultures, such as African cultures, might view experiences from the community's more general point-of-view.

Defence presents their views of Ms Korkman's report

The defense focused first on Ms Korkman's mention of witnesses discussing with others about the events under examination in court: the possibility of such discussions affecting witness' memories has to always be taken into account during court proceedings. Ms Korkman also mentioned that recalling a particular memory is always an interpretative action: according to the defence, this does not mean that a person would always intentionally lie or disrupt their memories, but it is a factor that has to be taken into account when evaluating the credibility of witnesses' memories. The defence mentioned that they do not wish to claim that the witnesses in the case would have been gathered together to intentionally lie in court, but they rather caution that memories might have been strongly affected throughout the years since the events took place.

The defence also emphasized the fact that Ms Korkman had mentioned the effect media coverage may have on witnesses: after the lower court's first trip to Liberia, the proceedings had been mentioned in international and Liberian press.

Expert witness Helinä Häkkänen's expert report is presented

The Prosecution presents Ms Häkkänen's expert report

According to the prosecution, the reason for requesting an additional expert report was that Ms Häkkänen had published an op-ed after the lower court's judgment, strongly criticising how the lower court handled the complex issue of witness memory and credibility – she was therefore contacted by the NBI in order to deliver a report. While both Ms Häkkänen and Ms Korkman are experts in forensic psychology, the prosecution stated that they did not intend to place the two reports in conflict with each other: rather, the prosecution saw these reports as complementary, as they both emphasize different aspects.

Ms Häkkänen's report states that Ms Korkman does not give a correct and sufficient picture of the aspects that need to be considered when evaluating oral evidence received by the Court. Ms Häkkänen for example criticised multiple scientific studies Ms Korkman had relied on for their lack of practical applicability or their lack of resemblance to the circumstances at hand in this trial. Ms Häkkänen also cited research that seemed to lead to completely opposite conclusions than those made by Ms Korkman on certain aspects.

In her report, Ms Häkkänen had also criticized the lower court's manner of evaluating witness testimonies and the changes that had occurred between the pre-trial investigation and lower court hearings. According to Ms Häkkänen, for example, international criminal proceedings at the International Criminal Court and in other international tribunals had demonstrated that changes in witness testimonies should not be considered as decreasing the credibility of the witnesses.

Ms Häkkänen also criticized a precedent set by the Finnish Supreme Court, which guides the evaluation of oral evidence in Finnish courts from a scientific perspective: according to her, this requires the witnesses to conform to a standard of uniformity in their testimonies which is close to impossible to achieve from the point-of-view of forensic psychology.

Defence discusses Ms Häkkänen's report

The defense began by saying that lawyers could not answer the claims made in the report, and therefore it had asked Ms Korkman to answer the claims made about her previous report. However, the defense also pointed out that Ms Häkkänen had conducted an evaluation of the evidence presented in lower court, despite not being in any position to do so, and that the lower court had not required the witnesses to be "perfect" as the prosecution had claimed in presenting Ms Häkkänen's report.

The defense criticised the fact that Ms Häkkänen had used her own professional clinical experience with strongly traumatized patients to draw conclusions about the effects of trauma in general, without giving the parties of the trial any chance to evaluate how strong her clinical experience might be. The defence also pointed out that some of the conclusions made by Ms Häkkänen were not supported by the actual witnesses in the case: for example, she had spent some time discussing the effects of sexual violence on witnesses, while according to the defence there is only one witness of such crimes in the present case, who additionally had not behaved the way Ms Häkkänen described. The defence also went over the specific claims Ms Häkkänen had made in her report witness by witness: it concluded by saying that both Ms Häkkänen and Ms Korkman should appear before the court, so that the parties may ask them both questions about their reports.

January 18, 2023 – Day Five

Day two of the second week of trial marked the first day of the hearing of the accused, Gibril Massaquoi.

The Defense was invited to question Massaquoi first. Its questioning followed a similar approach as that previously before the District Court. Massaquoi was first asked about his personal background and the origins of his membership in the RUF. He then went on to explain his activities in the RUF, first as a regular member, and later as the movement's spokesman and assistant to its leader, Foday Sankoh.

As the acts allegedly took place between 1999 and 2003, this time period was covered extensively throughout Massaquoi's hearing. He was asked about different trips that he took to Liberia and other neighboring countries as the head of the RUF external delegation, as well as his activities in Sierra Leone after the end of the Civil War and the arrests of former RUF members. Questions relating to the SCSL safe house, in which Massaquoi was located, also played a large role.

January 18, 2023 [Finland] Day 5: Gibril Massaquoi is heard

The defendant Gibril Massaquoi is heard

The defense questions Gibril Massaquoi

Mr Massaquoi began by talking about his background, such as place and date of birth, his education and language skills. He was a teacher in Pujehun when the rebels arrived. He had managed to escape the area, but the RUF arrested him and forced him to work for them. Mr Massaquoi escaped again, but according to him, RUF arrested his mother and threatened to kill her, so he had to go back. Upon his return, Mr Massaquoi was arrested and put in a RUF prison, where he was tortured and beaten.

According to Mr Massaquoi, after his release from prison, he was taken to a RUF training centre in 1991 in Zimmi, Pujehun district, southern Sierra Leone. He spent a few weeks there and was then assigned to a unit. The RUF was pushed towards the Liberian border by the government in 1992, but the rebel group managed to come back to Sierra Leone. By that time, Mr Massaquoi had been assigned to unit, or a "target" as they were called within the RUF, called Alligator Forces. He worked as a target secretary, and then was made commander of the Alligator Forces by the end of 1993 and stayed there until early 1994, until he was transferred to Northern Sierra Leone to serve as a junior commander to one of Mr Foday's assistants. Mr Massaquoi stated that the Alligator unit participated in combat, but his role within that unit ended in 1994, and someone else replaced him.

Mr Massaquoi stayed in Northern Sierra Leone until late 1995, when he became ill. Mr Massaquoi was sent to Côte d'Ivoire for treatment in 1996, and stayed there until 1997. When the AFRC coup took place, Mr Massaquoi was in Nigeria with the leader of the RUF, Foday Sankoh. Mr Sankoh had appointed Mr Massaquoi as the RUF spokesman in early 1997. This role meant that he was in contact with the press, giving out RUF's opinion on various issues.

By the time he had become the RUF spokesman, he did not act as a commander of any troop or unit within the RUF, as he had become a part of the RUF's political division. He did not participate in combat after being assigned the position of a spokesman. According to Mr Massaquoi, he returned from Nigeria in August 1997 to deliver letters from Sankoh to various AFRC and RUF leaders. He was arrested by the AFRC in October 1997 for trying to overthrow the military government and remained in prison on Pademba Road until January 1999, when Freetown was attacked, and the prisoners were freed. After that, Mr Massaquoi went to Lunsar in Northern Sierra Leone, where his friend Superman was in control of the area. He also described the chain of command the RUF had when he was released, including the roles of Denis Mingo (aka Superman), Moris Kallon, Issa Sesay, and Sam Bockarie.

After going to to Lomé (prior that the peace agreement had been signed), Foday Sankoh sent him to Lunsar as a AFRC group – called the West Side Boys – had breached a ceasefire in force at the time. Here Mr Massaquoi was arrested again for some time, and the group did not disarm. After the signing of the Lomé peace accord, Foday Sankoh went to Freetown to serve as a vice president of Sierra Leone. He appointed Mr Massaquoi as his special assistant in late 1999, so he moved from Lunsar to Freetown to work for Sankoh. After listing people who were appointed at the National Unity team, he specified that after the ceasefire, people stopped fighting and dedicated themselves to politics. He was also Mr Massaquoi also described the people participating in the RUF's political and military wings at the time. In 1995, he had heard that the RUF had founded a political "wing", also called the RUF's external delegation. The wing continued to work until 1999, up to the signing of the Lomé peace accord. Mr Massaquoi also stated that he did not go to Liberia during the time leading up to the signing of the Lomé peace accord, as the internal fighting within the RUF prevented him from moving away from Makeni. He stated that he was close to Superman, and reiterated

Mr Massaquoi was asked to describe the effects the Lomé agreement had on the RUF. He stated that it changed the RUF's position, as they had agreed to disarm all fighters in exchange for political status in Sierra Leone. Foday Sankoh was appointed as a vice president in charge of development and minerals. Mr Massaquoi was asked to work as Sankoh's special assistant in Freetown. He participated in various meetings, such as those discussing disarmament, demobilisation of RUF troops and their rehabilitation. Mr Massaquoi worked in Sankoh's home office on Spur Road almost daily, from Monday to Saturday every week. Mr Massaquoi stated that sometimes Sankoh sent him to disarm some fighters in the field. He would bring them food to keep them calm. He repeated that he never went to Liberia in 1999. He also described his family at the time.

Mr Massaquoi was asked about the RUF's political and military wing and the internal conflict within the RUF. He said that the internal conflict was due to the disarmament. Sam Bockarie, who led the military wing, told his troops that they should not disarm and not listen to Sankoh's orders. Mr Massaquoi described that when he went to Eastern Sierra Leone to disarm some of the RUF troops, Sam Bockarie's did not want to be disarmed, so they could not get them all to lay down their weapons. He described his relationship with Sam Bockarie as very bad. He said that Sam Bockarie and others were responsible for his arrest in October 1997. Once out of the prison, Sam Bockarie demanded him to report to him, but Mr Massaquoi said that he could not do that. Since October 1999, Mr Bockarie had openly rebelled against Mr Sankoh and in December 1999, he publicly stated that Mr Sankoh's orders should not be followed. This led to Mr Sankoh sending Issa Sesay and Morris Kallon after him, so Mr Bockarie escaped to Liberia. After that, and until some talks in 2000, there was no cooperation between each internal faction and that some of

this friction caused the death of some RUF soldiers. Mr Massaquoi himself had told the BBC that if Bockarie wanted to return, he should apply to become a member of RUF again and start his career from scratch. Mr Massaquoi explained that Superman and himself were on one side of the internal division, and that Issa Sesay supported Mr Bockarie. He also added that Mr Bockarie had gone to Liberia in December 1999, and when asked again if he had gone with him, Mr Massaquoi replied "I didn't go, I couldn't have gone when we didn't get on."

In early 2000 he was still working as Mr Sankoh's special assistant. He went to meetings, took food to the countryside, and received diamonds from Issa Sesay that he took to Mr Sankoh in Freetown. In February 2000, Mr Sankoh, Mr Massaquoi and other people travelled to South Africa through Abidjan for two weeks. They went there to meet people and gain support for the RUF. Mr Massaquoi stated that did not participate in any military action at that time, he participated in disarmament meetings and tried to get the RUF military to lay down their weapons. In late 1999, early 2000 the RUF had begun to disarm, and that process continued into 2000.

Mr Massaquoi was asked about a TRC report which detailed the abduction of UN peacekeepers, which had been admitted into written evidence in the case.

Mr Massaquoi explained that they had learned that a group under Morris Kallon's command attacked UN peacekeepers who were establishing a DDR camp. Issa Sesay was sent by Mr Sankoh to "get the situation under control. But the situation was certainly not under control." A delegation – led by Isaac Mongo – was sent via a UN helicopter to see what had happed – they produced a report, but the defendant did not know what it said. This was not the only incident between UN peacekeeping troops and the RUF, there had been two or three other issues in different locations as well, which led to some of the peacekeepers to withdrew from the provinces and relocate to Freetown. Some had been taken hostage, and their equipment sieged. The situation had gotten worse since early May that year and "the situation got completely out of hand" – the government had then sent militia groups and civilian groups to attack Mr Sankoh's home on May 8, 2000 – Mr Massaquoi witnessed it himself.

He had witnessed that the peacekeepers were trying to keep the crowd form coming to Mr Sankoh's home – and whilst at the beginning they managed to keep things under control, they started shooting in the air when the crowd started tearing up phone lines and attacking farms. This only made the situation worse, and some armed men, which had been behind the civilians, started shooting at the house. Mr Sankoh's bodyguards also started shooting. Mr Massaquoi, Mr Sankoh, and a few others that were present managed to leave the property. They run into the Peninsula Mountains, as they were being shot at. They were trying to get back to RUF-held areas, and himself, Superman, Kenneth Macauley, and Ray managed to escape – but they could not find Foday Sankoh anymore. They had sent a team then to look for him but could not find him. The defendant ended up spending days in the jungle before going to Lunsar, and then Makeni.

He then spent June and July there, until he was summoned to a meeting in Kono. Mr Sankoh had been arrested and jailed until he was handed over to the Special Court for Sierra Leone, he had then died in prison in 2003. Because of Sankoh's arrest, Issa Sesay called up the meeting in Kono. All of the RUF commanders were called to the meeting, including Mr Massaquoi. Some of them were called commanders, but they did not have any military responsibilities. According to Mr Massaquoi, during this meeting Issa Sesay wanted to discuss the future of the peace process and the leadership of the RUF, since ECOMOG did not know, after Mr Sankoh's arrest, who to

communicate with for the peace process. Because of Mr Sesay's seniority, they had all agreed that he would act as an interim leader of the RUF. They also agreed on the creation of an external delegation, that would negotiate with ECOWAS on returning the peace process back on track. Mr Massaquoi was appointed as the head of the delegation. Moreover, Mr Sesay communicated to them that the abducted peacekeepers had been released.

The delegation was based into Monrovia. They could not travel immediately after the Kono meeting, as there were issues with the security en route in Lofa county, Liberia. The route was from Foya to Voinjama and there were rebels from Guinea in that area, threatening the RUF's travel. Issa Sesay arranged a troop to secure the route to Monrovia, where the delegation had a meeting with ECOWAS' officials in August. According to Mr Massaquoi, the reason why the delegation was placed in Monrovia was because Charles Taylor was acting as a guarantor of the peace arrangement with ECOWAS. The delegation met with Charles Taylor many times, as Mr Taylor was acting as a middle man between the RUF delegation and ECOWAS. Mr Massaquoi described the personal relations him and other RUF leaders had with Charles Taylor, saying that he never had any issues with him. He was once at a meeting where Mr Taylor returned some diamonds that belonged to Mr Bockarie to the RUF. According to Mr Massaquoi, other RUF members were staying in Liberia prior to the delegation's arrival to deal diamonds between Issa Sesay and Charles Taylor. Mr Massaquoi stated that there had been a "guest house" acting as a RUF base in Monrovia since 1999 kept by Defense 09. The relationship between Mr Sesay and Mr Taylor was cordial, and Mr Sesay would report to Mr Taylor whenever he asked.

During one meeting, Charles Taylor cautioned Mr Massaquoi to be careful when talking with the press and gave him a satellite phone for him to use during interviews. The satellite phone had a functionality that allowed the user to hide his true location from the other person.

The delegation travelled from Kono, Sierra Leone to Kailahun. Then they crossed the border to Liberia. They went to Foya and took the main route to Voinjama, where they met with RUF soldiers. Mr Massaquoi stated that he is not aware of any other roads, besides the "main road" that leads to Monrovia. He stated that the trip from Kailahun to Monrovia took two days in total, travelling nonstop, swapping drivers. When asked about the route, why it was chosen, Mr Massaquoi stated that Issa Sesay and Morris Kallon had taken the route previously and deemed it the safest route to Monrovia. Mr Massaquoi also stated that he always took this route when travelling between Sierra Leone and Monrovia. Occasionally they took a helicopter from Monrovia to Lofa and a car from Lofa to Sierra Leone.

Mr Massaquoi mentioned that the RUF guest house was in Sinkor, at the edge of Congo Town. It was generally known as the RUF guest house, it did not have a specific name. He was away from Sierra Leone until November 10, 2000, when the cease fire agreement was signed. He had not stayed in Liberia all of the time, he flew – alongside the delegation – to Mali for a few days, where he met the President of ECOWAS. This Mali trip took place in late September or early October 2000. Mr Massaquoi also participated in the Abuja peace negotiations with Defense 14, Abdul Razack and Jonathan Kposowa, who led the delegation. After the Abuja negotiations, the delegation returned to Monrovia and moved away from the RUF guest house to another apartment in Congo Town. After a few days, the delegation returned to Sierra Leone. They took the same land route as on their way in, from Monrovia to Voinjama and Kailahun. They stopped in Voinjama and spoke with the RUF commanders, such as Defense 7. Mr Massaquoi stated he did not witness any fighting in Lofa county at that time. The RUF was present in Lofa, as Issa Sesay had sent them to secure the route for the peace delegation's travels.

Mr Massaquoi also told that he spent some time in Sierra Leone and returned then to Monrovia to continue the peace process. When asked if these trips also had other purposes other than peace negotiations, Gibril Massaquoi stated that in general the peace process was the main topic – however, there were also other discussions, such as diamonds, meetings between Mr Sesay and Mr Taylor, and other political activities. Mr Massaquoi denied having personally carried diamonds but mentioned that he had been present when Issa Sesay had given diamonds to Ibrahim Balde, who in turn gave them to Charles Taylor. Mr Massaquoi also mentioned that he was once present when Issa Sesay handed some diamonds to a Lebanese group in exchange of some items, such as computers and office supplies.

Mr Massaquoi returned to Monrovia in December 2000, to discuss the future of the peace process. When asked if diamonds were involved in this trip, Gibril Massaquoi answered "yes, of course."

Going back to the satellite phone given to him by President Taylor in December 2000 Mr Massaquoi stated that neither him nor anyone else in the RUF had one prior to that – he had even written to the Nigerian President Olusegun Obasanjo asking for one, in order to properly communicate with ECOWAS. The phone that Mr Taylor gave to him was different than the ones he had used before, as you could "mute" your location by pressing an orange button. Mr Taylor had giving him instructions on how to use it, as he had not liked the way Mr Massaquoi had been giving interviews to the press. The reason for that was because "Liberia had problems with the RUF", and Mr Massaquoi giving daily interviews would create issues for Mr Taylor and his people, hence why he was given that satellite phone. Mr Massaquoi explained that the phone masked the location it was in. According to him, he was instructed only to use it in Liberia, so when he went to Sierra Leone, he didn't take it with him.

Mr Massaquoi returned to Sierra Leone before Christmas in 2000 and after a few days in Makeni, he made another trip to Monrovia in January 2001. He left Monrovia between January and February 2001 to return to Sierra Leone. The reason for his return was that General Opande, the commander of the UNAMSIL peacekeeping contingent in Sierra Leone, had become aware that Mr Massaquoi had not been disclosing his location: during a BBC interview, he had stated he was in Makeni, however, General Opande had been in Makeni at that time, and he knew that Mr Massaquoi was not there. He returned the satellite phone to Mr Taylor via Benjamin Yeaten.

Mr Massaquoi stated that he still returned to Monrovia with Issa Sesay and others to meet President Taylor. They discussed the political situation in Sierra Leone, and Issa Sesay also brought diamonds to President Taylor. After a while, Mr Massaquoi returned to Sierra Leone for meetings with the UN. He added that the language they used to communicate with Liberians was English.

He did not remember how long he stayed in Monrovia, but there wasn't much to do there: he then returned to Sierra Leone to have meetings with the UN. He knew that General Opande did not like the fact that Mr Massaquoi was in Liberia, even though he had said he was in Makeni. This trip to Liberia was meant to be his final one, but the RUF delegation returned to Monrovia in May 2001 for the Abuja II negotiations. Mr Massaquoi was part of this delegation and they travelled to Nigeria via Monrovia. The Abuja II agreement affected the RUF's situation in Sierra Leone, as the agreement stipulated that the RUF was allowed to participate in Sierra Leone's politics. The delegation returned from Abuja straight to Freetown and on the next day, they began negotiations between the UN, Sierra Leonean government and RUF on disarmament.

Mr Massaquoi stated that after the Abuja II negotiations in May, he visited Liberia only once in June 2001 to recover his personal belongings and a vehicle Issa Sesay had purchased for the delegation. This trip took two days at the very end of June, he returned during the first days of July to Sierra Leone. Mr Massaquoi stated that he was afraid for his own security, as Superman had been killed because President Taylor had learned that Superman went to the US embassy, plotting against him. As Superman had been Mr Massaquoi's friend in the RUF, Mr Massaquoi did not want to be associated with the alleged plan against President Taylor, especially since Superman had been his ally in the RUF internal fight between Issa Sesay and Sam Bockarie. Mr Massaquoi stated that he did not return to Monrovia after this June/July trip.

After his return in July 2001, Mr Massaquoi attended tripartite meetings with various UN organizations around Sierra Leone. According to him, he participated in all monthly tripartite meetings except for the last one, that was about the disarmament of fighters in Kailahun. He represented the RUF in these discussions with the Sierra Leone government and the UN. Mr Massaquoi stated that he lived in Makeni with his family during summer 2001: these included his girlfriend at the time Elizabeth Mansaray, his cousin Defense 10, his son, and various other family members.

Mr Massaquoi was asked about an interview he had given on 13 August 2001 about the release of RUF prisoners. He stated that he remembered the occasion, where the government had promised in a tripartite meeting in July to release many RUF prisoners who had been mostly detained in connection with the May 8 events in Freetown. The RUF was seeking the release of these prisoners, as they formed the RUF's "political core". According to Mr Massaquoi, the government gave the RUF a list of the released prisoners the day prior. Upon inspection of the list, they noticed that one third of the released prisoners were common criminals, not RUF members. BBC called Mr Massaquoi and he gave a statement on the issue. Mr Massaquoi stated that he gave the statement from Makeni via satellite phone. He also gave an interview to another program, he could not remember exactly, either Focus on Africa or Network Africa.

Mr Massaquoi was further asked about a piece of written evidence that claims he went to report a fraud to the police in July 2001. He had done so because some people had scammed money from Issa Sesay and Mr Massaquoi's car. Mr Massaquoi tracked them down and managed to retrieve his car, but not the money. He reported the matter to the police in Freetown and the police came to Makeni to interview him and some additional witnesses.

He also had to go to a police station in August 2001, as a police officer had approached him and others in Freetown looking for foreign currency and minerals and talking about bribes.

In Summer 2001, the RUF was proceeding with the disarmament and coming up with ways to enhance their political presence in Sierra Leone. Mr Massaquoi had issues with Issa Sesay, as the latter claimed that Mr Massaquoi had gone to Tongo Field's diamond mines and encouraged the workers to rebel against Issa Sesay. Mr Massaquoi stated that this was not true, as he had been there in a tripartite meeting, as they had agreed on the disarmament of the mines area. This circumstance, plus the scamming incident, led Mr Sesay to arrest him. Mr Massaquoi stated that he spent one night at Issa Sesay's place and on the next day, the UN came and released him and airlifted him to Freetown towards the end of October 2001.

After his evacuation to Freetown, Mr Massaquoi moved to eastern Freetown, his partner Elizabeth, his children, Defense 10, Kallon, and a month or two later (in 2002) they were joined

by Michael Bona, who came to study in the capital. Mr Massaquoi also explained that Elizabeth Mansaray and Defense 13 were two different persons: Defense 13 was his girlfriend in Monrovia, but that he then met later in Freetown. Elizabeth was "with him" since Makeni and came to live with him in Freetown. Mr Massaquoi told the court that he met with Defense 13 often after she had arrived in Freetown.

Before the evacuation, Mr Massaquoi was in Makeni working as the RUF's spokesman, giving statements to the media and writing letters – however, after the evacuation, he did not perform these tasks anymore. The RUF was becoming a political party.

The disarmament ended in December 2001, and in January 2002, the president of Sierra Leone declared that the war had ended. Mr Massaquoi also writing his book around that time and prepared a project with the National Council on Disarmament, the NCDDR [National Committee for Disarmament, Demobilization, and Reintegration]. He had begun writing the book in 1999 in Lunsar and continued with the work in Freetown. He began writing the project for the NCDDR in 2002, around July.

The RUF was being transformed into a political party: they were registering and recruiting candidates for parliamentary or municipal elections. Mr Massaquoi himself even registered as a parliamentary candidate for the RUF party, called RUFP [Revolutionary United Front Party]. He also described the internal disagreements they had regarding the financing of the activities of the party: many people, including the defendant, got angry when they were told they needed money – "what happened to our mineral reserves"? Gibril Massaquoi "kicked a chair and walked out". Alongside him, Mike Lamin, Omrie Golley, and others left too. He could not remember exactly when this happened, around March or April – he withdrew his candidacy after that meeting and gave a copy of the letter he wrote to the Electoral Commission to the press. Before this, from late 2001 to 2002, he had been campaigning for a relative of his, Defense 18, in the paramount chief elections of the Gallinas chiefdom. He had assisted the campaign in various ways, such as holding meetings and acting as a secretary for the campaign.

When asked about his relationship with the "old" RUF leadership, the defense mentioned a car attack, which is part of the written evidence. Mr Massaquoi explained that the meeting stated earlier was the reason why he parted ways with RUFP, and that when he left the meeting, his vehicle got attacked by one of Mr Sesay's bodyguards. He reported it to the police.

Mr Massaquoi was asked about the NCDDR project. He stated that it was a fishing project he had pitched to the NCDDR in 2002, and it had been approved. The project consisted of the training of 100 former fighters, so that they could provide for themselves. Despite the approval in late 2002, the money had not arrived. He had been informed in early 2003 that he needed to open an account for the money to be transferred. He stated he opened the account and gave the NCDDR all the necessary details for the transfer to take place.

When asked, Mr Massaquoi reiterated his place of residence in summer 2002, and who he lived with. He specified that he also lived with his adopted daughter, who had been born in Liberia. He had sent Defense 21 to fetch her from Liberia when the situation there had worsened, in summer 2002. Mr Massaquoi also mentioned that Defense 13 came to Freetown in 2001 and that they have a son together, born in July 2001. Mr Massaquoi visited Defense 13 and their son frequently in Freetown. He also got engaged and married with Elizabeth Mansaray. He could not remember the exact date but stated that it was in July 2002. Mr Massaquoi also described the interviews he

gave to the Sierra Leonean Truth and Reconciliation Commission in July and the interviews he gave to the Special Court's Office of the Prosecutor (OTP). He stated that his co-operation with the OTP began via the Human Rights Watch and this organization's head for West Africa, Corinne Dufka. They met multiple times in 2001 and 2002. After a while, Mr Massaquoi agreed to meet with the Special Court's prosecutor and various other people, such as the Head Investigator Dr Alan White, and the Chief Prosecutor, David Crane.

Mr Massaquoi stated that his cooperation with the OTP worked well, and they signed a "conservation agreement" in October 2002. After the first meeting in July 2002, he gave them statements and notes throughout the year 2002 and into 2003: some of them written prior to the meetings, other he wrote in the meetings at the request of the OTP. According to Mr Massaquoi, he was always available when the OTP called him. After the agreement was signed, they would sometimes call him regularly to make sure "he was ok" and sometimes they "would take me out for a couple of drinks." The defense asked Mr Massaquoi to provide more information on the witness protection agreement that was submitted into written evidence. According to Mr Massaquoi's point of view, the agreement stated that he was to work for them – and if at any point he wanted to quit, he would have withdrawn from the contract. It also stated that as he was involved with this arrangement, he could not engage in any criminal activity. Additionally, he also received protection for his family: "Me and my family would be protected if I testified in court about RUFs […] I got that protection because I had spoken for the RUF, I had been a spokesperson for the RUF. I had been involved in the transportation of those diamonds."

Mr Massaquoi then described the manner in which he was taken into the Special Court's safe house. There had been a previous incident involving the money meant to purchase the RUFP's party house and there was uncertainty between him and Issa Sesay and Morris Kallon as to whether they would get the money back. Mr Massaquoi had agreed to meet with Mr Sesay and Mr Kallon and passed the information about the meeting to the OTP. As Mr Massaquoi went to the meeting to discuss the situation with the money, the OTP entered the building and arrested everyone there. Mr Massaquoi was taken to another room and released, while Issa Sesay and Morris Kallon were detained by the Special Court. The next night, Mr Massaquoi and his family were taken to the safe house handled by the Witness and Victim Support Unit (WVS), in Pipeline.

Mr Massaquoi stated that he entered the safe house on March 10, 2003, and stayed there until 2004 when they changed the location of the safe house. All of the security guards, with the exception of one, were staying overnight: one would be inside, and two were posted outside. Every evening and every morning they would take new shifts, the building was under constant surveillance. It was also was surrounded by a fence with barbed wire. For additional safety, so that the people at the safe house didn't have to leave to buy food, they also provided them with a cook, who bought groceries.

Mr Massaquoi stated that he could not leave the house freely: there was one entry way, which was always guarded, and he could only leave the house when the OTP would inform the WVS that they wanted to see him: these were the only times he went outside. According to Mr Massaquoi, the guards were keeping a logbook where they marked his presence at every shift. Mr Massaquoi stated that the security measures were so strict because of the safety of himself and his family: they were constantly threatened by former RUF fighters and AFRC members due to Mr Massaquoi's cooperation with the Special Court.

When asked whether this threat to him and his family's security ever materialised while they were in the safe house, Mr Massaquoi mentioned that in 2005, when they were at the third safe house, the building got attacked. As he was praying at night, his brother came to say that something was going on at the main door. As they entered the living room, they saw a glass door had been broken and they could hear two men fighting. The whole family went to a room and Mr Massaquoi called the head of WVS, Saleem Vahidy. After a while one of the security guards came to the backyard and called for the family. He entered the room and said that men with knives had attacked the house. They piled some furniture against the fence and escaped to the neighbouring property before the police arrived. After the attack, there were armed policemen at the safe house around the clock until they were relocated into another safe house.

Mr Massaquoi was also asked to describe how his co-operation with the OTP looked like while he was in the safe house. He said that the co-operation continued similarly to the previous one: the OTP would call the WVS and tell them that they needed to meet Mr Massaquoi. Then a guard was sent to the safe house to pick Mr Massaquoi up. OTP would also call Mr Massaquoi's personal cell phone and let him know that they would like to see him. Usually this was about an hour before the meeting was supposed to take place. One day Mr Massaquoi was also asked to identify the picture of Sam Bockarie's body from a computer, which he confirmed. Mr Massaquoi also stated that he was not allowed to travel, except for his daughter's funeral in Bo in 2005, which he did alongside security guards. When asked about 2003, Mr Massaquoi reiterated that besides going to the OTP and to the WVS office, neither him nor the security guards left the safe house.

Mr Massaquoi stated that he testified in the AFRC trial in 2005. He left the safe house for good in 2008 when himself and his family were relocated to Finland. Between 2003 and 2005 nobody was allowed to visit them in the safe house, but after his testimony in 2005, Mr Massaquoi agreed with Saleem Vahidy that his family members and relatives could visit them in the safe house, but the visits had to be approved by the WVS beforehand.

Mr Massaquoi also described how he sent various press releases to media in Sierra Leone when he was the RUF's spokesman. He was also asked to clarify some details about some of the press releases admitted as written evidence by the defense and to describe the number of interviews he gave on the phone, and if he had given an incorrect location to the journalists. Mr Massaquoi stated that only once he gave the incorrect location, which was to BBC, when General Opande found out that he was not in Sierra Leone. Mr Massaquoi was also asked about the letter he had written to the Nigerian President Obasanjo about satellite phones to the RUF. Mr Massaquoi explained that President Obasanjo had promised to deliver satellite phones to the RUF as they had had issues communicating: the satellite phones were meant for the RUF's use in Sierra Leone, as they only had one satellite phone in their headquarters in Makeni.

Mr Massaquoi stated that his radio name was Gaffa. After the Lomé peace process, Sankoh assigned new code names and Mr Massaquoi was called Wildfire. In addition to that, he had nicknames: "Gibou" was the main one, but also Major Wahid also called him "Postmaster" – however, he denied ever having a war name, just radio names: "My only name is Gibril Massaquoi".

He never witnesses violence in Liberia. The roads in Lofa were peaceful when the delegation was driving through the county. Mr Massaquoi never witnessed any violence or looting in Monrovia. He stated that he had no motive to fight in Liberia as he was in the country for peace: "When you're negotiating for peace, you can't be fighting in another country." He also stated that while

some individuals in the RUF might have opposed the peace process, they were reported to the UN.

Mr Massaquoi also explained a paper note found from the Vantaa prison where had been detained. He mentioned that he had written the note. He stated that he had written it because he was under the impression that his lawyer could not gather all the evidence to support his case. Everything in the note was true, it did not contain any lies. When asked why he had to refresh the witness' memory on certain things, Mr Massaquoi stated that it could have been possible that his lawyers at the time could not have been able to gather the evidence presented in the trial so far: he was under the impression that his lawyers were not up to the task. The Finnish head of investigation, Mr Thomas Elfgren, come to meet him in the prison and asked him why he had fired his lawyer and hired the current defense attorney. The head of investigation also said that the current defense lawyer had never won a case like this, and that Paula Sallinen is a "recent graduate, and does not know what she is doing."

The prosecution will question Mr Massaquoi the following day.

January 19, 2023 – Day Six

On the second day of the defendant's hearing, it was the Prosecution's turn to question Massaquoi. As a basic chronology of events had been mapped out the previous day by the Defence, the Prosecution focused a lot on the statements that Massaquoi that had given to his defence lawyers.

The Prosecutors sought to establish contradictions between these recent statements, and those that he gave earlier in 2002 and 2003 to the Special Court for Sierra Leone. In addition, these were contrasted to a version of events that Massaquoi described in the draft of his book, where he recounts a series of events occurring in both Sierra Leone and Liberia.

For example, the Prosecution questioned Massaquoi on the end of his involvement with RUF armed activities, his role in the RUF diamond trade, and the role of Charles Taylor during the Sierra Leone peace process. The details of the RUF external delegation and its travels to Liberia and other countries were also discussed at length.

In addition to these questions, the Court also watched a videotape of a statement of a witness who had since passed away. The last day of the second week, on Friday 20th, will mark the beginning of witness statements given in Finland, before the Court heads to Monrovia.

January 19, 2023 [Finland] Day 6: The prosecution questions Gibril Massaquoi

The defendant Gibril Massaquoi is heard

Prosecution questions Gibril Massaquoi

The prosecution began by asking whether it was true that he had not participated in combat within the RUF after his release from prison. Mr Massaquoi stated that this was partially correct, as, after his release from prison, there were a few internal fights within the RUF in which he had participated. He clarified that there were armed battles between the fighting parties within the RUF right before the ceasefire in May 1999, and that the attacks happened in March or April prior to that.

When asked if he took part of armed combat after that period, the defendant answered with "not really" and explained that the internal battles also involved fights with ECOMOG. He mentioned one incident near Lunsar, before the [Lomé] ceasefire [in May 1999] where ECOMOG attacked the RUF's positions with fighter jets and infantry. During an ambush, one journalist accompanying the ECOMOG forces died, and RUF troops picked up his equipment and brought it to Superman. Mr Massaquoi clarified that the ambush took place near Lunsar just before the ceasefire, and that this was the last time he participated in combat. The prosecution then asked about a statement that Mr Massaquoi had given to the OTP of the SCSL, whereby he had mentioned similar events in Lunsar and stated that they took place in 2000. Mr Massaquoi responded that it could not have taken place in 2000 as he was in Freetown working as Mr Sankoh's assistant at that time, and that area had been disarmed in December 2019. Mr Massaquoi stated that he was shooting the fighter jets in the air and the actual ambush took place elsewhere. When asked about the fact that in his statement to the OTP he does not mention the fighter jets, Mr Massaquoi stated that he was still talking about the same event. He

confirmed that he was armed and using arms during the ambush but that this was the last time he participated in armed combat, and he did so to defend himself. At another point in the hearing, the prosecution again asked Mr Massaquoi whether he was certain that this was the last time. He responded affirmatively, saying that the internal fights in 1999 were the last time that he took up arms.

The prosecution then turned to another portion of the OTP statement, where Mr Massaquoi had said that there was another attack in Lunsar in July 2000. Mr Massaquoi stated that he remembers the events, but they could not have taken place in 2000 as the area had already been disarmed by December 1999. He stated that the events might have actually taken place in 1999, before the ceasefire. The prosecution also asked about the part of the OTP statement where Mr Massaquoi stated that he was himself armed and leading a group of soldiers during that particular attack. Mr Massaquoi confirmed this, saying that this in fact took place during the internal RUF conflict. When asked, he specified that by "infight" he meant that it was "RUF versus RUF and then a group that was fighting the RUF, they had split from the AFRC. They called themselves the West Side Boys" and that this group also experienced infighting.

The prosecution pointed out to the fact that these last statements went against what Mr Massaquoi had previously claimed, which was that after he was released from prison, he no longer engaged in fighting. It further asked if after the second battle near Lunsar, Mr Massaquoi participated to any other fighting – or fighting plans. Mr Massaquoi explained that the infighting reached all the way to Makeni, and that he participated. He recalled how Mr Sankoh had sent him and Superman to check on Mr Sesay, as Mr Sankoh had been unable to reach him via radio for two days. As they were trying to reach Makeni, the car they were travelling on was attacked.

Mr Massaquoi was also asked about an operation in the Gola Forest. He stated that this was planned by President Taylor with some of the RUF members present in Liberia as an attempt to sabotage the peace process in Sierra Leone. Mr Massaquoi stated that he immediately informed the UN about the plans and disclosed this to the OTP. When asked about his role in the operation, Mr Massaquoi stated that he attended a meeting where it was disclosed that should the RUF fail in its objectives, another front should be opened into northeastern Sierra Leone, Gola Forest [from Liberia].

The prosecution raised that on one of his statements to the OTP he mentioned that he "told these code names to Issa", and asked whether he had participated in the concrete planning and information sharing about the operation. Mr Massaquoi stated that he did not participate in the planning, but was trying to have these code names applied. He also stated that the operation was being planned while the peace process was ongoing, and that he did not know why such an operation was being planned at the same time with the peace process as it was Charles Taylor's idea. According to Mr Massaquoi, the plan was to form a new rebel group in Sierra Leone to replace the RUF, as the RUF was in the middle of disarmament. He stated that the planning took place in 2000 or 2001, and that it must have originated from Charles Taylor and RUF members who, alongside Sam Bockarie, had escaped to Liberia in December 1999. Mr Massaquoi added "I can't tell you why they were there."

Mr Massaquoi was asked about the statement he had given the OTP about RUF soldiers in Liberia. He explained that these troops were not the ones who were meant to be in Gola Forest, but those who were sent by Issa Sesay (who oversaw the RUF's armed wing) to Liberia, in Lofa and Voinjama, to secure the road for the delegation in 2000. According to Mr Massaquoi, the

troops meant for the Gola Forest operation were meant to come from Monrovia, and they were a separate team from the ones sent to secure the roads in Lofa county in August/September 2000. When asked if this was the first time that Mr Sesay or RUF went to fight in Liberia, the defendant explained that to his knowledge, RUF had gone to Lofa in 1998, when he had been in prison. He mentioned that Karmo Kanneh, aka Eagle, had disclosed in his testimony the dates of 1998, 1999, and 2000. Mr Massaquoi could not say who had invited the RUF to Liberia on these previous occasions, but he guessed it could have been either President Taylor or Benjamin Yeaten.

Next, Mr Massaquoi was asked about his tasks as Foday Sankoh's assistant. He had told the defense that most of his tasks consisted of politics and participation in peace negotiations. He added that he was occasionally sent to the field to bring soldiers food, and to meet Issa Sesay to present reports to him.

Mr Massaquoi was questioned about whether he had ever carried diamonds. The prosecution wanted some clarifications as Mr Massaquoi had stated both that he had transported diamonds between Issa Sesay and Mr Sankoh, and then that he did not transport them personally himself. The defendant explained that he had not personally carried diamonds, but had been in a group that brought diamonds to Sankoh. When Sankoh was the vice president in charge of development and mineral resources, he was sent twice to Issa Sesay to bring diamonds to Mr Sankoh. The prosecution asked if he did, then, transport personally diamonds, Mr Massaquoi responded "yes, this was in Sierra Leone" and that the question he was asked about it the day prior, when questioned by the defense counsel was about Liberia and Charles Taylor. He then specified that on the two occasion he was sent to Mr Sesay, he used Mr Sankoh's commission car to go to Kono and back, but that he also had food and mining supplies with him.

Mr Massaquoi stated that he did not know what Sankoh did with the diamonds, and that there were some agreements with Sierra Leone's President Kabbah. Sometimes he was also sent to pick up Lebanese businessmen and take them to Sankoh's house to buy them, and when they were there they were "discussing buying diamonds, mining, things like that", and that these businessmen paid in cash – he reiterated that the then President of Sierra Leone was aware of these "deals with Lebanese and other foreigners". Mr Massaquoi also remembered bringing mining equipment and food supplies from the Lebanese men and bring them to Issa Sesay in Kono. He stated that he was not aware of what the RUF or Mr Sankoh were doing with the money obtained from the diamonds. Mr Massaquoi also mentioned that he and Sankoh went to South Africa in 2000 to discuss diamond mining with the Kramer Group company, who had also sent an agent to discuss plans with them prior to their arrival. Once in South Africa, Mr Sankoh, then vice President of Sierra Leone and in charge of development and mineral reserves, discussed mining and selling diamonds with them. The prosecution presented a statement that he had made to the OTP, where he seemed to discuss the RUF trading diamonds for ammunition in Liberia. He responded that the statement referred to a time when Sankoh was in prison, and that Sankoh did not purchase any ammunition once he had settled in Freetown.

Mr Massaquoi then spoke of discussions in Liberia between the RUF delegation and President Taylor regarding diamonds. He stated that the discussions between him and Mr Taylor had already been ongoing before the delegation arrived in Monrovia and continued while they were stationed there. According to him, before the peace process began, the RUF used diamonds to purchase arms and ammunition from Liberia. During the peace process, when Mr Massaquoi himself was in Liberia, the purchases related to "political supplies" such as computers, vehicles and satellite phones. Mr Massaquoi stated that he had been himself in a vehicle which, loaded

with arms and ammunition, was driven from Lofa county to Sierra Leone for Issa Sesay. He said to have not been aware of how these arms and ammunition had been paid for as this was between Issa Sesay and either President Taylor or Benjamin Yeaten: Mr Massaquoi had seen Issa Sesay give diamonds to Benjamin Yeaten, who took them to Charles Taylor. He stated to have not been aware of how Issa Sesay used the money he had received from the diamonds. The prosecution then cited a statement Mr Massaquoi had given to the OTP, where he had stated that Taylor gave the RUF arms and ammunition, possibly in exchange of diamonds. Mr Massaquoi stated that it was indeed possible that diamonds were exchanged for arms and ammunition, but such an arrangement would have been between Samil Ossailly, a Lebanese businessman, Ibrahim Bah and Issa Sesay. When he was asked how he could have become aware of such an arrangement, Mr Massaquoi stated that he met Ibrahim Bah at Hotel Boulevard after becoming the leader of the RUF delegation. Ibrahim Bah was not a part of the peace delegation, and Mr Massaquoi stated that he had informed the Special Court on all that he knew about him because he had nothing to hide.

Next, the prosecution asked Mr Massaquoi whether the discussions with President Taylor about the arms and ammunition took place at the same time as the peace process. Mr Massaquoi stated that he had not seen Charles Taylor giving arms and ammunition to Issa Sesay, but he had seen Benjamin Yeaten doing it did as the leader of the Special Security Service (SSS).

The prosecution then started questioning Mr Massaquoi on the external delegation he led – which he confirmed went to Monrovia in August 2000. He reiterated that before reaching Monrovia, the road had to be secured on the border between Sierra Leone and Lofa county. He stated that he was not sure if the road-clearing battles took place in July 2000, but that discussions that the road was blocked were held in July. Mr Massaquoi confirmed that he himself had travelled in August 2000. Prior to Mr Massaquoi's delegation arrival to Monrovia, Issa Sesay had already been talking to ECOWAS from Liberia.

Mr Massaquoi and the prosecution then discussed, in detail, the route that the delegation took on their first trip to Monrovia. Mr Massaquoi stated that this was the first time that he had travelled in Liberia, so he was not aware of all the towns and villages that they passed on the way. On the way to Monrovia, Mr Massaquoi saw RUF soldiers in Voinjama, but did not speak with them. On the way back he met with Defence 7 in Voinjama and spoke with him.

The prosecution referred to Ilmari Käihkö's expert report on the battles in Lofa county. In his report, Mr Käihkö describes how the last of LURD's three attacks took place in July 2000, with LURD occupying Voinjama from July to October 2000. Based on this, the prosecution asked Mr Massaquoi how it could have been possible for the delegation to travel via Voinjama to Monrovia in August 2000, as the city was under LURD occupation. Mr Massaquoi stated that he cannot speak for Mr Käihkö and repeated that he travelled to Monrovia via Voinjama, returning the same way after a few weeks.

Mr Massaquoi was also asked about a town called Vahun, in Liberia. He stated that he knows the place but that he could not remember whether he had visited nearby villages Yandehun or Kamatahun Hassala. He was asked whether it could have been possible that the delegation took another route southwards from Kailahun instead of taking the northern route through Voinjama. Mr Massaquoi repeated that they drove from Foya to Voinjama and he later became aware of these towns' names. To return to Sierra Leone, they took the same road back, and had met RUF

soldiers and Defense 7 in Voinjama. Sometime in 2001, he traveled by helicopter from Vahun to Monrovia.

According to Mr Massaquoi, he had met with Benjamin Yeaten in Lofa when the delegation was travelling by helicopter. He could not remember the first time he met with Benjamin Yeaten, but the meeting took place either in Kolahun, Vahun or some other village next to them. The prosecution referred to Mr Massaquoi's statement to the OTP, where he had mentioned having met with Yeaten in August 2000 in Vahun. He responded that he could not remember having met with Yeaten during the first delegation trip. Mr Massaquoi also repeated that he could not remember all the villages in Lofa county that he went through during the delegation trips.

According to Mr Massaquoi, when the delegation got to Monrovia, they discussed the peace process, diamonds, and Guinea. They discussed the fact that Guinea was used to attack Liberia by LURD, and Charles Taylor's idea that both RUF and Taylor's troops should pursue these attackers from Lofa. When asked how this fit together with the fact that President Taylor was supposed to be the guarantor of Sierra Leone's peace process, he stated that during the Lomé agreement, Taylor was truly trying to achieve peace in Sierra Leone, but that his actions during Abuja I and II seemed to have been aimed at sabotaging the peace process in Liberia. Mr Massaquoi stated that he had reported this to the UN at the time, and peace negotiations continued outside Liberia, in Mali, and both Abuja agreements were signed in Nigeria, but President Taylor did not sign them.

According to Mr Massaquoi, the RUF's road clearing operation in Lofa county was a success, as the delegation was able to get to Monrovia. Mr Massaquoi also mentioned the RUF's previous external delegation, which was in place before the one that he was leading, also required a road clearing operation.

Mr Massaquoi was asked about the last time he visited Liberia. He repeated his statement from the previous day, maintaining that he visited Liberia in June 2001 and arrived back in Sierra Leone in early July 2001. The prosecution referred to a statement that he had given to the OTP, where he seems to discuss being in Monrovia much later, on July 28, 2001. Mr Massaquoi stated that the statement relates to completely different events around the time he was in prison, in 1997.

Mr Massaquoi was also asked about his fishing project. In the draft of his book, he mentions that he never implemented any project with the NCDDR, but he had spoken of the fishing project before the court. He maintained what he had said the previous day, that the project had been approved, but it was never implemented as he could not receive the funding when he was placed in the Special Court safe house. He explained that the project had been approved by the NCDDR in late 2002 and that in early 2003, they had asked him to open an account to transfer the funds. However, once he had opened the account, the transfer could not be carried out, as his personal signature was required for the transfer. Due to him being in the safe house, he could not go to sign the documents necessary for the transfer.

Mr Massaquoi was also asked about the satellite phone that Charles Taylor had given him which had the ability to hide the user's location. He had written in his book that he used the functionality during "most interviews" in late 2000 and early 2001. Mr Massaquoi stated that the timing is correct and that he had potentially used this function during multiple interviews. He stated that he only remembers the one with the BBC, where General Opande found out that he was faking his location. Mr Massaquoi stated that the RUF acquired satellite phones from Samil Ossailly and various other businessmen via Issa Sesay and Ibrahim Bah. Mr Massaquoi was asked

about a statement to the OTP, where he mentions having received satellite phones and computers meant for the RUF paid for in diamonds. He confirmed that this indeed took place, that these supplies were bought from businessmen from the same group as Samil Ossailly.

Mr Massaquoi also stated that Defense 13 arrived in Freetown a few weeks or months after he had left her in Monrovia. He could not remember the exact month, but he stated that their son was born in July 2001. Mr Massaquoi stated that he believed that their son was born in Liberia, but Defense 13 had said in the lower court that she gave birth in Freetown.

Mr Massaquoi was also asked about written notes found in the prison guest room in Finland. He stated that he had not asked anyone to defend him in any other way than by testifying truthfully about the events that had taken place.

Mr Massaquoi also explained that the RUF was present in Foya, but he was not sure whether there was a building or separate headquarters for RUF use in Liberia. He also stated that he met Charles Taylor for the first time in Nigeria, most likely in 1997, and had seen him in 1991 at the Liberian border, when the RUF was pushed there by the government troops. He also stated that when Sam Bockarie left the RUF in December 1999, he immediately lost contact with all other RUF members. Mr Massaquoi said that when the delegation went to Liberia, some RUF members were in contact with Sam Bockarie and even Mr Massaquoi saw Bockarie once or twice in Liberia. When asked about a statement to the OTP, where he had mentioned that the RUF was in constant contact with Sam Bockarie, Mr Massaquoi stated that some members were in contact with Bockarie, but this was not in an official capacity.

The defense questions Mr Massaquoi

After the prosecution had completed their questions, the defense was invited to ask follow-up questions. Mr Massaquoi described a meeting the RUF delegation had with various ECOWAS leaders on the Monrovia Roberts International Airport. He also stated that he was well-known not only in Sierra Leone but also globally after becoming the RUF's spokesman and press secretary. He could not estimate how well-known he was in Liberia at the time, but he knew that his statements were reported in Liberian media. Mr Massaquoi also stated that when he was writing the notes found in the prison guest room, he was aware that there is a lot of video material available online.

Fayah Williams' recording is viewed

After Mr Massaquoi's hearing, the Court of Appeals watched the recording of Fayah Williams' testimony from the lower court, as the witness had died between the two trials. After the recording, the parties discussed a piece of written evidence relating to this witness's testimony.

January 20, 2023 – Day Seven

The final day of the January proceedings in Turku, Finland marked the beginning of witness statements.

The Court first heard an expert witness, who had provided two expert testimonies on the historical context of the Second Liberian Civil War during the District Court proceedings. After, it heard a Finnish policeman, who had been part of the investigation since the very beginning in 2018. This witness was asked about the details of the investigation in Liberia and the role of the GJRP and its employees. The Defense has strongly criticized the police investigation in this regard.

After these witness statements, the Court watched another videotape of a statement given to the District Court by a witness who had since passed away. On Monday 23, a similar videotape will also be watched, with the parties viewing it remotely online and the while the judges remain present in Turku.

The following week, the Court and the Parties will depart for Monrovia, Liberia for two months of witness statements. The first session in Monrovia is scheduled to begin on Monday, February 6.

January 20, 2023 [Finland] Day 7: The first witnesses heard

Expert witness Ilmari Käihkö is heard

The defense questions Ilmari Käihkö, associate professor of War Studies (Swedish Defence University)

The expert witness Ilmari Käihkö was heard remotely before the Turku Court of Appeals. The defense had named him as a witness, so they questioned him first. The defense began by asking Mr Käihkö to describe his expertise. Mr Käihkö stated that his expertise is mostly based on field research that he conducted between 2012 and 2016 on the Second Liberian Civil War. He spent 15 months in Liberia conducting ethnographic research with people who had participated in the war. Mr Käihkö stated that he focused on three organizations: Liberian government troops, LURD and one other rebel group fighting against Charles Taylor from the Ivory Coast. According to the witness, he is one of the top scholars on Liberia.

The defense pointed out that when the statement was requested from Mr Käihkö, most of the questions concerned events Monrovia in 2003, and asked if he had anything else to add. The witness answered in the negative and pointed out that not a lot of research had been done on the subject. The defense informed the expert that since his statement was issued, a few things had developed during the trial, and therefore they had to go through certain details again.

Mr Käihkö testified that the first battle in Monrovia took place in 1998. Three so-called World Wars – terms used to describe these fights – took place in 2003, from June to August. LURD attacked from the northern parts of the country and government troops defended Monrovia. According to Mr Käihkö, no other group attacked Monrovia between 1999 and 2003. He also testified that the “Siege of Monrovia” is a term used when discussing the World War III in 2003.

Mr Käihkö testified that he first arrived in Monrovia in 2012, and he was living very close to Waterside, visited the area almost daily and spoke regularly with local residents for many months. The starting point for his research was the textual sources available on the Second Liberian Civil War, namely a few NGO reports and news articles. He stated that the main part of his research was based on interviews, as he had interviewed hundreds of people throughout Liberia. About half of them were interviewed in Monrovia. He pointed out that there were challenges, as many people didn't remember dates.

Mr Käihkö was asked whether certain names were brought up by the interviewees. He mentioned that former soldiers tended to "have a very narrow perspective" and may only know their own commander. However, Benjamin Yeaten, Roland Duo, and various other senior commanders' names were mentioned by those he interviewed in Monrovia. He stated that the names Gibril Massaquoi or Angel Gabriel were not brought up by the people he interviewed. Mr Käihkö confirmed that in the areas adjacent to Waterside, such as Old Bridge and Iron Gate, there was no fighting before the LURD attack in 2003. He stated that LURD had fought their way to Monrovia during previous years, but in summer 2003 they had been able to reach the capital for the first time. The term "Siege of Monrovia" referring to the third attack, World War III, lasted for about a month. He stated that many people from Monrovia spoke of famine and lack of food related to this attack, as well as of LURD shelling the city with mortars. Food security was deteriorating, as LURD had managed to capture Freeport and was keeping food stored there. The government-controlled area started to run out of food, so people started to search for it outside their homes. Mr Käihkö stated that both sides responded to looters with violence. He mentioned one incident that he had heard about, where Benjamin Yeaten came to Waterside and ordered a heavy machine gun to shoot into a store. The store was close to Ecobank's office and the former Swedish Embassy. Mr Käihkö testified that this was not necessarily the only incident, but it had occurred where he was staying. He explained that this incident was probably related to the conflict, as the inhabitants of the city would not have been that likely to loot food during previous years.

According to Mr Käihkö, there are not many written sources available on battles in Lofa after 1999. Nobody has written down the events in smaller villages, and he estimated that many things occurred there that have not been recorded. Mr Käihkö reiterated his statements from the expert report: LURD attacked in 1999, and in 2000 or 2001 "Guinea pushed LURD into Liberia". For a long time, Foya was occupied by government troops that were supported by the RUF from Sierra Leone. Government forces resupplied their troops in Lofa with helicopters. Mr Käihkö was asked about LURD's occupation of Voinjama. He testified that ex-fighters used a term "three-month occupation" and that it was also widely reported in Liberia.

On RUF's activities in the region, Mr Käihkö testified that Charles Taylor tried to use the RUF as much as possible, especially in Lofa. From the 1990s, there was a trade route between the RUF and Charles Taylor. There were Sierra Leoneans living in Waterside, and some Sierra Leoneans participated in the attack in Ivory Coast. The largest number of Sierra Leoneans and RUF members fighting on Taylor's side were found in Lofa county. Mr Käihkö was under the impression that the RUF was fighting as an independent force, as there had been some incidents between the Liberians and the RUF. He mentioned that, for the most part, the names of Liberian commanders, such as Zigzag and Benjamin Yeaten, came up in his research.

Mr Käihkö was not aware of a particular RUF road-clearing operation in Lofa, but he said that a lot of battles were fought over the control of roads. During the World Wars, Lofa was under LURD

control. In his second expert report, Mr Käihkö had been asked about the possibility of a government convoy travelling through Lofa, from Monrovia to Kolahun, in the summer of 2003. He testified in court that this would have been highly unlikely, as the main roads and larger towns were under LURD control. However, he mentioned that other routes might have been possible, but this would have been considerably slower than taking the main roads. According to Käihkö, the situational awareness government troops had in 2003 must have been very poor. While they were using radios and satellite phones, outside these means, acquiring reconnaissance information would have been extremely difficult. On Bo Waterside, Mr Käihkö testified that the area was under constant fighting between April and May 2003. The town changed ownership multiple times during this time. LURD was in control of the city in August 2003 until the end of the war.

The prosecution questions Ilmari Käihkö

The prosecution began their questions by asking Mr Käihkö why people in Liberia may have difficulty in remembering dates and timing events. He answered that based on his personal speculation, the most important reason was the level of education. This is also affected by the fact that a difference in the perception of history. He described that in the West, history is perceived in a chronological manner, while in Liberia, especially in the countryside, history is perceived in a more cyclical manner. He noted, for example, that many people were able to remember the day of the week, but not the year that an event took place. Mr Käihkö also mentioned that war is a highly traumatic event and had lasted for a long time in Liberia. He stated that timing war events had not been a priority: none of the wartime events were ever handled or discussed in public so that everyone could participate in the discussion. Mr Käihkö described the Liberian Truth and Reconciliation Commission (TRC) as a “missed opportunity” and stated that it did not benefit ordinary Liberians or the international research community.

Mr Käihkö further testified that he visited Lofa county a few times in 2012 and 2013 for interviews. He also met people from Lofa in Monrovia. Most of his interviews were conducted in Voinjama and surrounding villages and he had done one trip to Kolahun. He explained that he mainly focused on LURD fighters, who had knowledge of their own activities but did not know of Sierra Leonean fighters. He also explained the term ‘convoy’, which he had used in his expert report, as “multiple vehicles moving as a cohesive unit”. As the roads and main towns were under LURD control, he deemed it highly unlikely that an enemy convoy could travel all the way via main roads. However, he could not rule this out for smaller roads.

Käihkö then went on to describe the vehicles used by Taylor’s forces. He explained that people of higher status may have had Jeeps or Range Rovers at their disposal. Support elements included “technicals”, *i.e.,* pickup trucks with anti-air machine guns mounted on them. Such vehicles could, in theory, use roads in worse condition than the main roads. He deduced this from the fact that regular cars would not be able to use such roads but that it was a known fact that Taylor’s forces used cars to get around. Taylor also used helicopters to fly to Foya, and used aerial weapons to bomb rebel positions.

Finally, the prosecution asked Mr Käihkö about the cell phone network in Liberia. He described “black spots” in network coverage, as cell phones mostly worked in and around Monrovia, and not in rural areas. He recalled that in 2003, most people did not use cell phones, and only higher-ranking fighters such as commanders used radios and satellite phones. He estimated that that the first cell phones arrived in Liberia after the year 2000.

The defense's final questions to Ilmari Käihkö

The defense had a few extra questions for Mr Käihkö. In his report, he had mentioned that his most important discussions had been with around 40 ex-fighters. Mr Käihkö testified that his main goal was to understand what had happened to them. He mentioned that not too many Liberians were keen on speaking about these issues, stating that "they themselves have committed war crimes and experienced trauma" and that he had to work on gaining their trust. He had mainly spoken to the ex-fighters about what they had done during the war. The defense asked what kind of ex-fighters he had interviewed, and he explained that he did not speak to the most senior commanders, but mostly held mid-level fighters, such as battalion commanders. Mr Käihkö recalled the names Zigzag or Benjamin Yeaten coming up but said that he would have to check his notes to see if any other names did. He confirmed, however, that the names Gibril Massaquoi or Angel Gabriel did not come up.

According to Mr Käihkö, war names were commonly used during the second civil war. He suggested that they were partially used for ritual purposes and partially for security reasons, to hide one's identity, and to obscure a person's role in the fighting. He also explained that fighters may resort to code names as they lived among civilians and may have fought within or against their own communities. According to Mr Käihkö, telling people both one's real name and war name was not too exceptional, as Benjamin Yeaten went by both his real name, and his code name '50'. The defense asked Mr Käihkö how this would apply to Sierra Leonean fighters in Liberia. He suggested that the fact that they have less ties to Liberia may impact the use of war names but stated that he would prefer not to speculate. Finally, Mr Käihkö suggested that more senior commanders would use their real names more than more lower level fighters.

Witness Mikael Vairio is heard

The defense questions Mikael Vairio

As a defense witness, Mr Vairio was questioned by the defense first. He first confirmed that he was the only person in the Finnish police (NBI) who had been involved in the investigation from the very beginning.

Next, he described the steps that led to the Finnish police investigating the case. He testified that firstly, the case came from Civitas Maxima via a Finnish law firm. When the head of investigation, Thomas Elfgren and another policeman received the case, they began the preliminary enquiry. Mr Vairio joined the investigation in 2018 and Gibril Massaquoi was named as a suspect. The acts to be investigated were based on material received from Civitas Maxima, who had conducted interviews in Liberia. Civitas Maxima sent the NBI seven interviews and relayed information about Mr Massaquoi's residence in Finland.

Next, Mr Vairio spoke of the police's first trip to Liberia in 2019. The objective of the first trip was not to search for and interview witnesses, but to see whether a preliminary investigation could take place. Therefore, the police went to various villages and introduced themselves as policemen from Finland interested in wartime events. People spoke about the war, but no official interviews were conducted. Mr Vairio could not say whether Mr Massaquoi's name came up on this first trip. Their visits to villages were based on the material sent by Civitas Maxima. On their second trip, the police re-interviewed all the persons previously interviewed by Civitas Maxima. These interviews made it clear to the police that they needed to conduct their own additional

investigations, as there were some contradictions between the original interviews conducted by Civitas Maxima and the following interviews conducted by Finnish police. The NBI also looked for written evidence. They went to the United States to find newspapers from the years of the civil war, and accessed the Liberian TRC report from there. Mr Vairio stated that Mr Massaquoi's name did not come up in the newspaper articles in a way that "supported the suspicion" against him.

Mr Vairio was asked about the fact that the statements from the TRC's report relating to Kamatahun Hassala often mention names Zigzag Marzah and Stanley. He testified that this did not change the investigation, as Zigzag Marzah lives in Liberia. The NBI had met with him, but he had demanded large sums of money, so was this was not pursued further. Mr Vairio stated that he understood that the NBI did not have the jurisdiction to investigate the acts of people living in Liberia and there was no specific agreement between them and the Liberian authorities that nobody besides Massaquoi would be investigated.

According to Mr Vairio, the NBI found out, through the material received from Civitas Maxima, that Hassan Bility had a claim as a victim in the case. However, the head of investigations decided not to re-interview Background 1, as the NBI thought that he may have a conflict of interest in the case. The NBI met with Background 1, who also said that it would be best if he was not heard as a witness due to his role in the organization connected to the case. Mr Vairio explained that when the police went through material from the Special Court case of Charles Taylor in 2009, they discovered that Background 1 was the first person to connect the names Gibril Massaquoi and Angel Gabriel. He could not recall whether they had got this information from the material provided by Civitas Maxima. When asked if the investigation team had discussed how the defense counsel would have reacted about the fact that Hassan Bility was the first person to connect Gibril Massaquoi and Angel Gabriel, and if he was personally surprised that the name Angel Gabriel did not appear on any official documents before Bility's testimony, the witness answered that they had not discussed it, but they were mostly questioning whether Mr Bility should be heard at all during the investigation, and that many things had been considered at the time. Mr Vairio was asked whether the police worked in co-operation with Civitas Maxima and the GJRP. He said that they did, and that they had also been in contact with the authorities of different countries, such as Homeland Security in the US.

Next, Mr Vairio was asked about Employee 1, and how he had come to be chosen as the main facilitator for the Finnish police in Liberia. Mr Vairio explained that during the first trip, GJRP offered one of their other employees to help with the practical arrangements, as it quickly became clear that "the operation would not work without on-site helpers". However, the first person seemed too inexperienced to them. Later, in Lofa, the NBI met with Employee 1, who was there with another investigative team. The NBI asked for Employee 1's help as well. Mr Vairio described the arrangements made between Civitas Maxima, GJRP and the facilitators: he would contact Civitas Maxima and ask for the time period for which the NBI would need Employee 1's help. During this time, Employee 1 would not be on GJRP's payroll. Then, Civitas Maxima would pass this request on to GJRP. When employed with the NBI, Employee 1 would have a contract with the Finnish police and would sign a non-disclosure agreement. He could not work for GJRP at the same time as he worked for the NBI.

Mr Vairio was then asked about the co-operation between the GJRP and the Finnish police. He explained that the main co-operation was the fact that Employee 1, and previously, the other facilitator, were working with them. Employee 1 had been sent to find Zigzag Marzah.

The defense asked about Employee 1's role during the second police trip to Liberia. According to Mr Vairio, Employee 1 had been on the ground conducting investigations before the police had done their first interviews. Therefore, he arranged contact with the seven people whose interviews Civitas Maxima had passed on to the police. In addition, when the Finnish police went to the villages to look for witnesses, Employee 1 came with them. Mr Vairio provided an example of when Employee 1's expertise helped the NBI: based on stories about a house being burned with people inside in Kamatahun, they had gone to Kamatahun Tahamba. However, it quickly became clear that they had gone to the wrong place. Once they realized that there was a village called Kamatahun Hassala nearby, they sent Employee 1 there to confirm that this was in fact the place that the witnesses had been speaking of. This allowed the NBI then to conduct their own visit to the village and to find witnesses there. In Kamatahun Hassala, Employee 1 was given instructions to find out whether people had been burned in a house in that village and to write down what people said about it. He passed this information, with names and contact details, written on paper, to the police. Mr Vairio could not remember whether the name Gibril Massaquoi was mentioned. At this point, Employee 1 was not instructed to ask about RUF soldiers, the clothing of the perpetrator or the commanders present on scene. According to Mr Vairio, Employee 1 must have been instructed to ask about these things at some point during the investigation. Mr Vairio repeated that when they went to villages to introduce themselves, they didn't tell people what they were there for. He stated that they "just said in general that we were interested in the events of the war".

Next, there was a discussion as to the timings of the different missions conducted by Employee 1 and the NBI. Mr Vairio stated between the NBI's first and second trip, they had not sent Employee 1 on any missions. The NBI only found out after their April trip in 2019 about Kamatahun Hassala, and then sent Employee 1 there. He stated that Employee 1 went to Kamatahun Hassala before the NBI's third trip. However, the defense raised that Employee 1 had written that he had visited some villages in Lofa on the same dates of the NBI's April trip, to which Mr Vairio responded that he may have remembered the dates wrong. He then stated that Employee 1 might have had instructions on what to ask the people being interviewed, as the NBI was only interested in Sierra Leoneans and the RUF. The Court examined Employee 1's notebook, where he had written instructions mentioning things such as burnings in houses, killings, diamonds, mass graves, churches, generals and "Kamatahun house". There was also a list of the witnesses who had answered these questions and mentioned "Kamatahun Hassala". Mr Vairio confirmed that it was possible that these kinds of instructions were given to Employee 1. Here, the defense pointed out that the NBI had written, in the pre-trial investigation report, that they themselves had interviewed all the witnesses, which would counter the fact that the questions had already been asked by Employee 1 before the police.

Mr Vairio was also asked about a village called Kiantahun. He testified that during the third trip, the police were around Kamatahun. He couldn't remember where the information came from, but they went to Kiantahun with the lead investigator Elfgren. They went to the village and said that they were interested in "wartime issues". They were told to return a few days later, and were then able to speak to the villagers. Mr Vairio stated that he did not know whether Employee 1 had been to Kiantahun. Then the defense referred to the pre-trial investigation report and Employee 1's notebook. These documents suggested that Employee 1 had in fact contacted these witnesses before the NBI. There was a lengthy discussion as to whether this was so, and the notebook was displayed to the court. Finally, the defense pointed out that Employee 1 had told the lower court on his own accord that he went to the village, which Mr Vairio could not explain.

According to Mr Vairio, the NBI did not notice that the witnesses became aware of who or what was being investigated until the end part of the investigation, when it had become public. He could not say whether they had noticed this earlier during the investigation. However, he stated that a lot of the ex-fighters who were interviewed were found through other ex-fighters, so they might have known between them. He testified that a few witnesses might have said that Employee 1 told them that the investigation was about Gibril Massaquoi, despite him having been instructed not to mention the name. However, Mr Vairio stated that this did not lead to any action by the NBI.

Next, the images that were used for photo identification were discussed. According to Mr Vairio, the NBI did not deem it necessary to include photos of Zigzag Marzah or Stanley. Vairio was under the impression that the rest of the photographs used were of random people. The NBI did not pay attention to the change in the rate of correct photo identifications.

The court then discussed Employee 1's work in Monrovia. Mr Vairio testified that his main task was to contact the witnesses, arrange their transportation and guide them to their accommodation. The defense raised that there were days recorded where Employee 1 was working with for the Finnish police, but he was not being paid by the NBI, to which Mr Vairio responded that there may have been days when the police were back in Finland and asked Employee 1 to do something for them. He also stated that it was agreed that during his employment with the NBI, he would not work for or be in contact with the GJRP in any way. His salary was the same as that of his regular employment. The lower court had increased the salary at some point, but Mr Vairio was not aware of who had authorized this.

The prosecution questions Mikael Vairio

The prosecution began by asking about Employee 1's notebook. Mr Vairio was not aware of where he had received the actual notebook from, but the NBI did provide him with office supplies. Mr Vairio stated that Employee 1 might not have wanted to have his notebook displayed before the court. He explained that he understood why, as it came about suddenly. According to Mr Vairio, they were never any doubts as to the integrity of Employee 1 or GJRP. The details of the investigation were never discussed with Hassan Bility, but Mr Vairio stated that they may have discussed the investigation on a general level. He confirmed that the NBI never told Employee 1 what the witnesses had said in their interviews, and that he never knew about the contents of the interviews. According to Mr Vairio, Employee 1 was never given the pre-trial investigation report and to his knowledge, Employee 1 had never requested these documents from the NBI registrar. He could not say how Employee 1 could have come to know what the witnesses had said. According to Mr Vairio, the police had a good impression of Employee 1. They were able to communicate with him easily and had received training in The Hague. According to Mr Vairio, Employee 1 never asked about the results of the investigation, and he "understood his role". Mr Vairio was under the impression that Employee 1 did not find out which witnesses were for the defense and which ones were for the prosecution. Employee 1 had never asked, and Mr Vairio was under the impression that he had handled all the witnesses in a similar manner.

The defense's final questions to Mikael Vairio

After the prosecution, the defense had a few more questions about Employee 1's notebook, and the fact that he had not wanted to disclose it. Mr Vairio stated that he could not remember when this was but recalled that Employee 1 believed that there were things in the notebook not related

to the case with the Finnish police. Mr Vairio could not explain why all the witnesses contacted by Employee 1 spoke of Gibril Massaquoi or Angel Gabriel, he speculated that he may have selected only those that talked about the RUF and Sierra Leoneans. Mr Vairio was not aware whether Civitas Maxima had requested the investigation documents from the NBI registrar.

Civilian 24's recording is viewed

For the final part of the hearing, the court watched the recording of Civilian 24's testimony before the lower court, as the witness had passed away before the appeals proceedings.

February 6, 2023 – Day Eight

The eighth day of the trial marked the beginning of the appeal proceedings in Monrovia, Liberia. The previous week, the Appeals Court and the parties had visited some locations relevant for the case in Lofa County and Monrovia.

The day was supposed to be dedicated to a particular witness statement, but the witness had informed the Court that they were not able to come to Monrovia to testify. This led to a discussion between the Court and the parties on how to deal with such situations in the future. They discussed whether to view a videotape of the statement previously given by this witness during the District Court phase in February 2021. The Court decided that in this case, there was no obstacle under Finnish law to examine this particular witness statement from the videotape recorded during their previous testimony.

The rest of the day was used to view the videotape in question.

February 6, 2023 [Liberia] Day 8: The proceedings begin in Monrovia

The eighth day of the appeals hearings marked the beginning of the hearings in Monrovia, Liberia. The previous week, the Appeals Court had examined some geographical locations in Lofa County and Monrovia, Liberia.

Witness Civilian 7's recorded testimony is viewed

The first witness scheduled for the hearings in Monrovia was Civilian 7. However, the witness notified the Court that they were not willing to attend the session as they were in Cote d'Ivoire at the time of the hearing and not able to travel to Monrovia.

This sparked a discussion in Court on using Civilian 7's recorded witness testimony from the District Court as a replacement. Under Finnish law, the use of earlier recorded testimonies in appeals proceedings is only provided for when a witness is clearly unable, not just unwilling, to appear before the court. In Finland, if the witness is unwilling to attend, the police would escort them to court. However, this was not an option here, as Finnish authorities have no jurisdiction in Liberia or Cote d'Ivoire.

The prosecution and defense provided their views on such situations from both legal and practical points of view. The prosecution's opinion was that the Court could not use the recordings from District Court, as Finnish law did not provide for such an option. The defense agreed with the prosecution on the legal point, but all parties involved discussed at length the practical implications of unforeseen changes to the schedule and how it might affect the evidence received in the case in general.

In the end, the prosecution and defense indicated that they wished the Court of Appeal to decide how the proceedings should react to similar situations in the future. After a brief deliberation, the Court delivered a decision, whereby it allowed the use of previously recorded witness testimonies in situations where it was deemed practically impossible to have the witness appear before the Court of Appeal in Liberia within the specified schedule. This decision was justified by the special circumstances present of this case in Liberia and the fact that Mr Massaquoi's trial

had already lasted multiple years. According to the Court of Appeal, the probability of Civilian 7's attendance was taken into account, and it was held that the procedure could not be delayed just to attempt to get every single witness to appear personally before the Court.

After the decision was announced to the parties, the Court proceeded to watch the recording of Civilian 7's previous testimony before the District Court.

February 7, 2023 – Day Nine

The second day of the proceedings in Monrovia saw the Turku Appeals Court hear its first witness in person. The witness testified about his wartime experiences during the Second Liberian Civil War in Waterside, Monrovia.

As with the District Court proceedings, identifying the precise timing of the events proved difficult for both the witness and the Court to establish. The Defense of Mr Massaquoi cited the witness' previous statements during the pre-trial investigation as well as the District Court proceedings, where he seemed to have placed the events at different years each time. The witness stated that the passing of time has made this difficult to remember and maintained that he always tried to remember the specific date of the events to his best ability.

Tomorrow, the Court of Appeals is scheduled to hear three more witnesses.

February 7, 2023 [Liberia] Day 9: The first witness is heard

Civilian 31 is heard

The Prosecution questions Civilian 31

Civilian 31 testified about some events during the war in Monrovia, where he was living. In 2002, he and his wife heard that a biscuit store had been broken into in Waterside, so they went there to get food. Once there. Civilian 31, his wife and other people were arrested by soldiers, who took them to a base under a bridge. Civilian 31 testified seeing a man named Gabriel Massaquoi, who shot two young men with a pistol. Civilian 31 mentioned that another person had shouted out that the soldiers had killed "T", but he didn't know the names of the young men.

According to Civilian 31, after Gabriel Massaquoi had killed the men, he said that he was Angel Gabriel, and told them to tell God about his name. Gabriel Massaquoi also gave an order to shoot anybody trying to escape. According to Civilian 31, the bodyguards of Gabriel Massaquoi took some women to a house. Then Gabriel Massaquoi repeated the order to shoot anyone trying to escape and his bodyguards shot four persons.

Civilian 31 told the Court that the troops of Charles Taylor arrived at the scene and started shouting, asking why the soldiers were killing civilians. As the Liberian troops were approaching, Civilian 31 and others managed to run away; however, one of the bodyguards opened fire and Civilian 31's wife fell to the ground. He later explained that he saw his wife being hit in the back while running away. Civilian 31 left her there and escaped the scene.

Civilian 31 further explained that the bridge under which they were taken was the Old Bridge in Waterside. The biscuit store was on the left side when coming from the American embassy, not far from the bridge. The base under the bridge, where Civilian 31 and the others were taken to was on the right side of the bridge when coming from the American embassy. According to Civilian 31, the location of the base is currently being developed, but the location is still there.

Civilian 31 described Gabriel Massaquoi having a Sierra Leonean accent, while his soldiers were speaking Krio. They were all fighting on Charles Taylor's side in the war. Civilian 31 explained that

the reason why Gabriel Massaquoi killed the young men under the bridge was that he was saying they were spies carrying information for ULIMO. He also mentioned that the war that was ongoing in Monrovia during the events was called World War I, which lasted 3 to 4 weeks. After 1 or 2 months, it would start again and it was called World War II, and after one final break the fighting resumed, and it was called World War III. According to Civilian 31, Charles Taylor left the country and was removed from power not long after the end of World War III.

Civilian 31 also mentioned seeing a person in Waterside being stabbed in their leg with a bayonet by the bodyguards. He then mentioned he later saw the wound in this person's right foot.

Defense questions Civilian 31

The defense began questioning Civilian 31 by asking about the base he had described. Civilian 31 explained that the base was not a large building, it was a makeshift building with corrugated iron walls.

When asked about the biscuit store, he said that there is another store located in the same place now, but he could not remember its current name. He also mentioned that he went there in a group to pick up some biscuits with his wife and some other people, whom he did not know personally.

Civilian 31 was further asked if he remembers what he had told to the lower court in 2021 about the biscuit store. He had told them that he went there with his wife, and that they were arrested. According to lower court's judgment, however, Civilian 31 had stated that his wife had gone to the biscuit store without Civilian 31, looking for food. The witness answered that per his own understanding, he had described the event the same way in both instances. The Defense cited the pre-trial investigation report, which confirmed the version of lower court's judgement. Civilian 31 explained that his brain is not a computer and that he might have remembered additional things after having discussed the events with the Finnish police. Civilian 31 reiterated that he went to the biscuit store with his wife and some other people after having heard that the store was open.

Civilian 31 was also asked about the names of the two young men he had mentioned being killed by Gabriel Massaquoi and why he had not mentioned the name of "T" to the Finnish police. Civilian 31 stated that he was not asked about that by the police, and he had remembered "T's" name only after the initial interview. The defense cited the pre-trial investigation report, where the Finnish police had written that Civilian 31 was asked "Do you know the two boys" and he had answered: "No, I do not know anybody". Civilian 31 answered this by saying that he did not know the names of these boys when the events took place.

When asked about the commander present and his war name, Civilian 31 said he did not know anybody else's name at the scene: the commander was the only one who presented himself. According to Civilian 31, the commander stood up and told everyone that his name was Angel Gabriel Massaquoi, and that people should tell his name to God. He had camouflage trousers, a white t-shirt, and a pistol.

Civilian 31 was also asked about the timing of the events in Waterside, and he said that these took place in 2002. The Defense asked about his previous statements, as he had told in the lower court that the year was 2000. Civilian 31 answered that the events took place either in 2001 or

early 2002. The Defense asked him if he remembers what he told the police about the same matter and Civilian 31 said he had told them 2000. His pre-trial investigation was cited, where he had been recorded saying that the year was 2003. The Defense also pointed out that during his testimony in lower court, where he had been asked about the different dates, he had explained that whilst he mentioned 2003 to the police, the actual date was 2000. Civilian 31 explained to the Court that his brain is not a computer and that he might remember additional things only after the initial interview. He said that after every instance when he had been asked about dates, he has had time to think about the events and he has remembered more and more.

Finally, the defense asked Civilian 31 how the Finnish police had found out he might have relevant information for the case. Civilian 31 mentioned that he had met his friends after the war, and they had discussed the events in Waterside. A man asked them what they were talking about and said that people were coming to Liberia to discuss these issues. This man took Civilian 31's phone number and he was later called by the Finnish police. Civilian 31 also mentioned that he had not discussed these events with anyone prior to meeting his friends. When prompted, Civilian 31 shared that he had also discussed these events with the man he had seen wounded in Waterside, as they were from the same area. The man was also there when Civilian 31 was discussing the events with his friends, and he was asked for his phone number. Civilian 31 never found out the identity of the person that asked for his number, but he had told the lower court that his name was [Employee 2]. According to Civilian 31, the others present revealed his name after [Employee 2] had left.

Defense asked if Civilian 31 had given his number to [Employee 2], which Civilian 31 confirmed. The Finnish police had, however, written down that Civilian 31 was reached via someone else. and Civilian 31 said that this would be possible.

Civilian 31 also confirmed that the events where his wife died took place during World War II.

February 8, 2023 – Day Ten

The third day of the proceedings in Monrovia saw the Court hear three witnesses recounting their wartime experiences in Waterside, Monrovia, where Gibril Massaquoi allegedly committed some of the crimes he is being charged with.

The incident discussed by the witnesses relates to the difficult food situation in Monrovia during the war and the looting of a biscuit store in Waterside. The witnesses told the Court that they met a man calling himself Angel Gabriel, or Gabriel Massaquoi, who was commanding the government forces. They stated that man ordered the killings of civilians in Waterside and near the Old Bridge in Monrovia. The Prosecution maintains that this man is the defendant, Gibril Massaquoi, whilst the Defense rejects any such claims.

The Court will not be in session tomorrow and will resume the hearings on Friday, February 10.

February 8, 2023 [Liberia] Day 10: Three more witnesses heard

Civilian 37 is heard

Prosecution questions Civilian 37

Civilian 37 testified that she lived in Monrovia during the war, between 2001 and 2003. The prosecution asked her to describe the situation in Monrovia, and when she was arrested by soldiers. Civilian 37 explained that fighting was going on in Monrovia, but she was still doing business. She and her friends used to sell biscuits, and then they saw a biscuit store that had been broken into. When they went there, soldiers came and arrested Civilian 37, her friends and some other people present. They were taken under a bridge, where they were beaten. A soldier tried to rape Civilian 37's sister, who resisted: the witness saw this herself. Gabriel Massaquoi ordered that Civilian 37's sister should be killed, and she was shot. A group of soldiers arrived on the scene and started shooting, that's when everyone managed to escape.

She located the store on the Old Bridge towards West point, on the right side of the road. Soldiers were selling biscuits from the store, when some other soldiers, Massaquoi's group, came. Civilian 37 confirmed that she saw Massaquoi at the store and mentioned that she had seen this Massaquoi person before, as she had been doing business near the area where the soldiers were located.

The people arrested, including Civilian 37 and her friends, were taken under the bridge to a building the soldiers called their office. Massaquoi was also there. She heard the name from his soldiers, who called him Angel Chief Massaquoi. He was the leader of the soldiers. According to Civilian 37, he had a Sierra Leonean accent, a white t-shirt and a beret. He said that he was an angel and that he could send people to God.

Civilian 37 also mentioned that she still has bruises from the beating, which were photographed by the Finnish police were viewed in Court by the judges and lawyers.

When asked about the general situation in Monrovia, Civilian 37 explained that the food situation was dire at the time, and that it was difficult to get food. Civilian 37 also mentioned that after these events she described, the fighting did not last for a long time.

Defense questions Civilian 37

Asked by the defense whether there still is a store in the same location, Civilian 37 said that there is a shop indeed, but they do not sell biscuits – rather sandals and footwear. The biscuit store was 5 to 10 minutes' walk away from the bridge. The soldiers present at the store were Liberian, but Massaquoi had a Sierra Leonean accent. According to her, Massaquoi said that his name was Angel Gabriel and that he could send people to God, but his soldiers called him Chief Massaquoi.

Citing the lower court's judgment, the defense reminded that Civilian 37 had said that the commander introduced himself by saying that people call him Gabriel Massaquoi, but his name is Angel and that he could send people to God, whereas in this instance, she had said that she heard the name from his soldiers, not from him personally. Civilian 37 explained that she had said the same thing every time. There was a brief discussion about the various ways her testimony had been recorded in the lower court.

Civilian 37 further testified that it was difficult for her to remember, but that there was some shooting at the biscuit store when the soldiers arrived. She also said that she could not remember whether somebody died at the store. The defense cited Civilian 37's testimony from the pre-trial investigation report, where she had been recorded saying that those who did not want to leave with the soldiers, were shot inside the store. She answered that she had indeed mentioned in Appeals Court that there was shooting going on, but she was not sure whether somebody had died.

Civilian 37 explained that she had met Massaquoi once before the events at the biscuit store. This was at New Bridge not too long before her sister was killed; she saw him in a vehicle. Defense cited Civilian 37's police interview again, where she had been recorded saying that the meeting at the biscuit store was the only time she had met Massaquoi. Civilian 37 said that this is true, as she only *saw* him in a vehicle the first time, and she *met* him for the first time at the biscuit store.

Defense also asked whether Civilian 37 had spoken about Massaquoi with anyone before she met with Finnish police in December 2019. She said that she had told people about her scars. She also mentioned that other people had spoken about Massaquoi, as he had a particular stigma. According to Civilian 37, she had spoken about Massaquoi in the past, but not recently.

Finally, Civilian 37 confirmed that she saw her sister being shot. The defense asked her about it because during her testimony at the lower court, she had said that she had not seen the shooting herself, but only heard a gunshot.

After the defense's questions, the prosecution asked Civilian 37 one more question about the timing of the events. Civilian 37 said that these events took place during World War I.

Civilian 46 is heard

Prosecution questions Civilian 46

Civilian 46 described being in Monrovia in 2001 during World Wars I and II, selling plastic bags in Waterside with his brother. They saw a store that had been broken into and people were stealing biscuits, so they went there to look for food as the food situation was dire in Monrovia. According to Civilian 46, a group of soldiers arrived at scene, began shooting and then arrested a lot of people present at the store. The arrested were taken under a bridge. According to the witness, the soldiers had a leader who called himself Gabriel Massaquoi. This man picked two people from the group and shot them with a pistol; one of them was Civilian 46's brother. According to Civilian 46, Gabriel Massaquoi called himself Angel Gabriel and told people that he "sends people to God" and the people should tell God he sent them. Then he gave an order to shoot the remaining group of people, and everyone started running for their lives. While running away, Civilian 46 met a lady called Civilian 28 whom he knew from Waterside. Civilian 28 was crying with blood coming from her right foot. Civilian 46 passed her and managed to escape the scene.

Civilian 46 was also asked about the timing of the events. He said they took place during World War I in 2001, with World War II being in 2002. After World War III, it took 3 to 4 years for Charles Taylor not to be in power anymore. According to Civilian 46, the bridge they were taken to was the Old Bridge in Waterside, now called New Bridge. The people were taken on the right side of the bridge when looking from Waterside. The biscuit store was not far from the bridge on the other side of the road, the right side when looking at Waterside from the bridge.

Civilian 46 testified that he saw the person called Gabriel Massaquoi or Angel Gabriel for the first time at the biscuit store. He came there and gave an order to take the people to the bridge. He was speaking English like a Sierra Leonean, like "Krio". According to Civilian 46, he was wearing a white round neck t-shirt and "soldier trousers". To justify shooting him, Gabriel Massaquoi had said that Civilian 46's brother was a rebel on a reconnaissance mission. Civilian 46 told the prosecution he saw the shooting with his own eyes. Whilst he knew his brother's name, he did not know the name of the other man shot by Gabriel Massaquoi.

Civilian 46 also told the Prosecution that he saw an unfinished building next to the place where they were taken by the bridge. He could not remember a lot of details about the building, but said that it hadn't been painted at the time.

Defense questions Civilian 46

Civilian 46 testified that he had been to the biscuit store's location recently and that there is a new store in the same location but he did not know what kind of a store it is. He testified that people were shot at the biscuit store when he was there; however, he had not heard about similar events taking place at other shops in Waterside. Civilian 46 stated that he only remembers the name of Gabriel Massaquoi, he had not heard the names of any of the other soldiers. This Angel was also the only person who introduced himself at the scene.

Civilian 46 was asked to describe the building near the bridge, where they were taken to from the biscuit store. He said that it was an unfinished building and it looked like it had a second floor to it. He could not remember if the building had a roof. Civilian 46 was not sure whether he saw Liberian soldiers at the scene. He said that they might have been there when everybody were running away from the bridge. The defense asked him if he remembered any of the factions that were fighting in Waterside at the time, to which Civilian 46 replied that he could not remember them. He was asked about ATU, as he had mentioned in the pre-trial investigation that this unit

was part of the government forces fighting the rebels at the time. Civilian 46 said that he might have said it, but he could not remember it at this moment. Civilian 46 also said that Angel Gabriel's soldiers were mostly young men aged between 20 and 25 years old, some of them older than that. He was kept at the bridge for less than an hour before he managed to escape.

When asked if he was aware how the Finnish police had gotten in contact with him, Civilian 46 explained that Civilian 28 had helped the police to reach him. Civilian 46 had seen Civilian 28 bleeding by the bridge when he was escaping the scene. After the war, they both met at Red Light market, where they did not discuss the events of Waterside, but only exchanged phone numbers. Civilian 28 then called Civilian 46 as someone wanted to talk to him, Employee 1. Civilian 46 spoke with him on the phone and then came to Monrovia to be heard by the Finnish police. Civilian 46 was not aware of any other witnesses in the case, except for Civilian 28, who had called him. Civilian 46 had not spoken with anyone about the events in Waterside after being interviewed by the Finnish police and before he was heard in lower court.

The defense asked Civilian 46 about the timing of the events. In the pre-trial investigation, Civilian 46 had mentioned that the events took place in 2003. The witness responded that he had forgotten the timing, as people used to call the events World Wars I, II and III, with World War I being in 2001. Asked about the fact that he – alongside other witnesses – had changed the timing from 2003 to a preceding year during the proceedings, Civilian 46 stated that he had only made a mistake in timing the incident.

The prosecution asked if him and his brother, who have the same surname, are biologically related. Civilian 46 confirmed this.

Civilian 80 is heard

Prosecution questions Civilian 80

The prosecution began their questioning by asking Civilian 80 to describe an incident where they were captured by soldiers. According to Civilian 80 this was in 2002, 2003. World War I took place in 2001. Civilian 80 was living in Monrovia with his brothers [REDACTED] and [REDACTED]. The situation at the time was not normal and soldiers from the government's ATU were staying in the area. ATU soldiers were harassing civilians at the ELWA junction, and it was hard to find food. One morning Civilian 80 and one of his brothers decided to go to Waterside to look for food or goods to sell. They saw a biscuit shop that had been broken into and people were looking for food inside. His brother decided to go inside the store. A man came with a group of soldiers and gave an order, he claimed that the people at the store were not civilians, but enemy spies and they should be shot. Civilian 80 testified that the soldiers started firing, killing several people, including his brother. Civilian 80's other brother was also killed by the soldiers at the store in Waterside, Civilian 80 witnessed this personally.

According to Civilian 80 the shop was in Waterside, just after the bridge, on the left side of the road coming from the bridge. Civilian 80 told the prosecution that the commander who gave the order at the shop was called by the soldiers Chief Gabriel Massaquoi. Civilian 80 was taken from the store to under the bridge; there were a lot of people tied up there. According to Civilian 80, a lot of people were executed there by the commander, Gabriel Massaquoi. Civilian 80 saw him execute people, he also said he was "Angel Gabriel and he was sending the people to God".

Civilian 80 told that Gabriel Massaquoi was not Liberian, but Sierra Leonean based on his manner of speaking, as he was speaking differently. He had a .45 caliber pistol that he used to kill people.

Near the place where people were executed, Civilian 80 also described a building where the soldier stayed: it was a concrete building, but it did not have many floors. Civilian 80 could not remember the color of the building at the time.

Civilian 80 testified that he did not stay for long under the bridge, maybe for an hour. Civilian 80 further confirmed that the events took place in 2002 or 2003, World War II was in 2002 and World War III in 2003. He did not count the days between the incident to when Charles Taylor left. According to Civilian 80, President Taylo left the country in 2004.

Civilian 80 also testified that he had seen news about Mr Massaquoi's arrest on BBC. He also saw Massaquoi's picture in a newspaper.

Defense questions Civilian 80

The Defense began questioning Civilian 80 asking about the newspaper articles. Civilian 80 testified that he went to the Ministry of Education and bought a paper there. He discussed the news with others. Civilian 80 said he knows Civilian 61, his sister, who also testified in the case, but he does not know anyone else who would've testified in the case. Civilian 80 was also asked about how the Finnish police managed to contact him. He testified that Employee 1 was the contact between him and the Finnish police, but he could not remember when he had met with Employee 1, only that it was long before he met with Finnish police.

Civilian 80 was also asked about the group of witnesses interviewed between November and December 2020. He said he had not been in contact with them, he only remembered his sister. Civilian 80 also testified that he lived in ELWA Junction between 2002 and 2003 and that the incident happened while he was living there. The defense asked him about the timing, since the lower court's judgment had recorded that Civilian 80 lived in ELWA junction between 2000 and 2001: Civilian 80 answered that in 2001, during World War I, he lived in Monrovia and that the incident with Massaquoi took place between 2002 and 2003. The defense referred to the pre-trial investigation report, where it had been recorded that Civilian 80 had said that the incident took place in 2001 and asked him for clarification. Civilian 80 answered that he did not want his mind being changed by external factors.

Finally, the witness testified that he did not see the soldiers looting, but that the soldiers began shooting once Massaquoi gave the order. Civilian 80 was standing right next to Massaquoi when he gave the order. Civilian 80 heard the commander say that his name in Sierra Leone was Gibril Massaquoi and Gabriel Massaquoi in Liberia and that his "killer name" was Angel Massaquoi. Civilian 80 did not remember talking about Sam Bockarie. When his pre-trial investigation recording was played, in which he is heard mentioning Sam Bockarie present in Waterside, he responded that he does not know about him: the person in Waterside was Gabriel Massaquoi.

The prosecution asked Civilian 80 about a relative named [REDACTED]. According to police interviews, this relative was with him at Waterside during the incident; however, now the witness could not recall whether she was with him or not. He confirmed having a relative that was called like that, and that she might have been there, but that his mind "has not been on this thing". He

said he had no contacts with this relative as “we all went our way since the crisis.” Civilian 80 confirmed that both his brothers were killed at the biscuit store.

February 10, 2023 – Day Eleven

On the final day of the first week of proceedings in Monrovia, the Court heard three more witnesses. One of the witness' identity is classified, so and this witness was in a private hearing.

The Court resumed public hearings at 1 pm and heard two more witnesses about events relating to a biscuit store and the Old Bridge in Waterside, Monrovia. The witnesses talked about a commander calling himself Angel Gabriel ordering the killing of civilians next to a base, or checkpoint, at Old Bridge.

The next hearing is scheduled to take place next Monday, February 13.

February 10, 2023 [Liberia] Day 11: Three more witnesses are heard

Witness Civilian 75 is heard

The prosecution questions Civilian 75

The prosecution began their questioning by asking Civilian 75 about where and when she had lived in Monrovia and asked her to describe an incident where soldiers detained her. She testified that in 2001, she was living with her late aunt near the Police Academy. They used to sell goods in Waterside together. One morning, the stores were all closed but Civilian 75 saw one that was open. She saw people going inside the store and coming back out with biscuits in their hands. According to Civilian 75, somebody began to fire and they ran way. Her friend was hit and could not run anymore. Civilian 75 testified that she was running towards a bridge when she was detained. Civilian 65 was also detained. Civilian 75 was dragged to a checkpoint, where people were being beaten. The witness stated that she still has scars from the incident.

Civilian 75 stated that she saw dead bodies at the checkpoint. Soldiers picked some women from the crowd and they were taken away to the commander. At the checkpoint, she heard the soldiers saying the names Michael and Angel Michael. The soldiers were wearing Liberian uniforms. The commander was wearing a white t-shirt, a hat and "uniform trousers." The commander gave an order to put people in line and said to them that he would kill them, saying "when you meet God, tell him that I, Angel Gabriel, sent you".

According to Civilian 75, a vehicle appeared. A woman in the vehicle knew Civilian 75's late aunt and asked her what they were doing there. The woman told the soldiers that they were not rebels and took Civilian 75 and Civilian 65 to a junction and they escaped from there.

Civilian 75 continued, saying that the people shooting at the store were soldiers, who all had Liberian uniforms. She explained that she saw her friend being hit and has not seen this friend ever since.

According to Civilian 75, the checkpoint she had referred to had an "upstairs building" and was not painted. They were located in Waterside, near the Old Bridge "repaired by Ma Ellen". The store was located in Waterside near the bridge: "When you passed, the first and the second store, that's where it is". According to Civilian 75, Civilian 65 was also taken to the checkpoint.

Civilian 75 stated that the commander had a "funny way of speaking", and didn't speak like a Liberian, but rather spoke Krio, which she said resembles Temne. The first time Civilian 75 heard the name of the commander was at the checkpoint, it was said out loud by the soldiers who were with him. They called him Gabriel, Angel Gabriel. She described how the commander arrived at the checkpoint and gave an order to shoot the people as they were rebels. People were lined up, and then soldiers began to shoot them. Civilian 75 testified that she saw this with her own eyes. She could not estimate how many people were shot. Civilian 75 and Civilian 65 spent about an hour at the checkpoint before they managed to escape. This all happened in 2001. Then, the witness showed her scars to the Court.

Civilian 75 stated that she remembered when she spoke with the Finnish for the first time about these events. She testified that she had heard about the arrest of a Liberian in Finland. She had gone to buy goods and met with Civilian 65 and they spoke about the events. Civilian 65 gave her his phone number and told her that there are people in Liberia [interested in these events].

Finally, the witness testified that her aunt died during the war. She stated that they were in Waterside together, and that her aunt had given her money to buy goods and that was the last time Civilian 75 saw her.

The defense questions Civilian 75

The defense began by asking Civilian 75 whether she had heard that somebody had been arrested in connection with the events in Waterside before talking to the Finnish police, to which she replied that she had not.

She testified that Civilian 65 had told her about the person being arrested. She described that there was a boy named Gabriel living within her community, and somebody had joked that they hoped he wasn't Gabriel Massaquoi. Civilian 75 did not know when the news came out, as and they don't listen to the radio where she was inland. After the joke about the boy named Gabriel, Civilian 75 discussed the 'issue' with Civilian 65, who had said Gabriel is a bad person. Civilian 75 could not remember Civilian 80.

Next, the defense asked about the witness's late aunt. Civilian 75 testified that she left her aunt in Waterside as the shooting began and hadn't seen her since.

The witness was asked why she had provided two different names that the soldiers had called the commander: both Gabriel and Michael. Civilian 75 responded that she had made a mistake, the commander was called Gabriel Massaquoi, and that she heard the name Massaquoi from the soldiers. The defense pointed out that in her police interview, Civilian 75 did not mention the name Massaquoi, she only spoke of Angel Gabriel. Civilian 75 replied that at the time she had forgotten his last name, and could only remember the name Gabriel, but that as she had conversations later, she could remember the name Massaquoi. The defense then pointed out that Civilian 75 had not mentioned the name Massaquoi in the lower court either. Civilian 75 repeated that she had discussed the events with Civilian 65 and some other people who had also used the name.

Next, Civilian 75 explained that she cannot distinguish between Temne and Mende, but that the commander did not sound like a Liberian. She could not remember any other battles going in Monrovia except for the events in Waterside because she was not in Monrovia. She was asked

about her police interview, as she had said that the Waterside events occurred during World War I, in 2001. She explained that she left Monrovia after the incident and when she returned in 2008, she learned about World Wars I, II and III from her friends and relatives. The defense pointed out to Civilian 75 that she is among a group of witnesses that all incorrectly placed World War I in 2001. Civilian 75 responded that she left Monrovia 2001, after the incident. She explained that although she had discussed what had happened at Waterside with Civilian 65, they did not discuss the date.

Next, there was some confusion between the defense, the witness, and the court, as to whether and how witnesses Civilian 65, 75 and 80 knew each other. The matter was therefore dropped.

Finally, Civilian 75 testified that people were shot inside the store. She did not hear the names of any soldiers other than "Angel". According to Civilian 75, the building at the checkpoint might have also had rooms upstairs, but she could not remember whether the building had a roof. She repeated that Angel Gabriel was wearing Liberian police trousers, a white t-shirt and a hat. The defense pointed out that the witness had not recalled the clothes during the police interview. She replied that she has been thinking about it and remembered the clothing later and confirmed that she had not discussed Angel Gabriel's clothing with anyone. Civilian 75 said that she had not experienced similar events of store looting or people being shot in Waterside and she had not been told about similar events. The defense pointed out that she had mentioned during the police investigation that people had spoken about similar events in Waterside, but this was the only one that she herself had experienced. Civilian 75 repeated that this was the only event she experienced herself and that she had not heard about similar events.

Witness Civilian 65 is heard

Before Civilian 65 began his testimony, he expressed concerns regarding his safety to the Court. The Court reassured him that no photographs were taken of witnesses, and that the media had agreed not to publish their names. They also reminded the witness that the Finnish police would remain present in Liberia throughout the hearings and that they had set up a special number that witnesses could use to contact them if they experienced any threats to their security.

The prosecution questions Civilian 65

The prosecution asked Civilian 65 to speak about a particular incident in Waterside that he remembers. Civilian 65 testified that he sold goods in Waterside and that one morning, all the stores were closed except for one. This store had people going in and carrying biscuits out and there were soldiers, some wearing Liberian uniforms. Civilian 65 and others decided to go to the store when some people inside the store were shot and killed. The witness explained that he and the others tried to move away but were told to stay where they were. They were arrested and told that they would be taken to the soldiers' checkpoint. Civilian 65 noted that some of the soldiers were Liberian and some Sierra Leonean.

The witness described how people were beaten at the checkpoint and that he got to know a man called Angel Gabriel: "He was the commander at the time that was giving the orders, he said 'kill them, tell them that I Angel Gibril sent them to God'". According to Civilian 65, the soldiers' checkpoint was at New Bridge in Waterside. The soldiers took some women into a building, Civilian 65 could hear them being raped. Angel Gabriel then gave an order and said that he would be sending the people to God. Civilian 65 recalled that he was wearing a white t-shirt, a cap and

"Liberian army trousers". Then, the witness explained that a pickup with soldiers came onto the scene.

Civilian 65 also explained that he had been arrested at the store with a girl that he knew, Civilian 75. He described how a friend of Civilian 75's aunt recognized her from the pickup, shouted Civilian 75's name and asked what the people were doing there. When they said that they had been arrested, the woman from the pickup took them away and "saved their lives".

The witness located the store by saying that taking the road from the Liberia Electricity Company, it was the third store. Looking from the bridge where the checkpoint was, the store is on the right side of the road. He was not sure how far the store was from the bridge, but said that maybe it was the third one. The bridge where the checkpoint was located was called Old Bridge during the war. However, he could not remember the names of the people that were with him when he was going to the store. He could not remember how many people were shot inside the store as the situation was "crazy", but estimated that it was more than 10 people. He further elaborated on the checkpoint: when going from Waterside towards the bridge, the witness said that the checkpoint was located by the bridge and that there was a small, unfinished "upstairs building". The women were taken inside this particular building and Civilian 65 could hear them being raped inside. According to Civilian 65, when Angel Gabriel ordered to kill people, he meant the civilians as they were allegedly bringing food to the enemy. He was speaking English, but in a different manner. Civilian 65 explained: "we Africans know when a Ghanaian and Sierra Leonean man is talking". Angel Gabriel was speaking like a Sierra Leonean.

Civilian 65 was asked if he knew the name of anyone who may have been killed at the biscuit store or at the checkpoint. He mentioned the name of one "big brother" called [REDACTED]. The pickup that arrived with the woman who knew Civilian 75's aunt was full of soldiers. Civilian 65 could not identify any of the soldiers or commanders. He stated: "The name I know is Gibril Massaquoi. He will knock his chest and say I Angel Gabriel sent you". Civilian 65 also testified that the crisis in Liberia was called World Wars I, II and III. The incident in Waterside happened during World War I, in 2001. He stated that when he met with the Finnish police for the first time, he had not heard or read any news that Angel Gabriel had been detained in Finland.

The defense questions Civilian 65

The defense began by asking whether Civilian 65 had heard about Gibril Massaquoi's arrest and detention, as it took place over six months before Civilian 65 met with the Finnish police and was widely reported. Civilian 65 confirmed that he had not.

Next, the defense pointed out that Civilian 65 was part of a group of witnesses who had placed the events in the years 2000 to 2002 and a lot of them incorrectly claimed that World War I was in 2001, World War II in 2002 and World War III in 2003. They asked if he could explain why this was so, and Civilian 65 stated that he cannot speak for others and that it's not easy to remember things when you are seeing corpses.

Civilian 65 testified that he heard the commander use both names, Angel Gabriel and Gabriel Massaquoi at the same time during the events. The defense pointed out that Civilian 65 had not used the name Gabriel Massaquoi in the police interview or in lower court. Civilian 65 answered that he had not "matured" by then and the name was not something that's easy to recall. Civilian 65 denied that he heard the name Gibril Massaquoi only later. Civilian 65 described Angel

Gabriel's clothes as camouflage trousers, a white shirt, and a cap. He stated that the trousers were the same that the Liberian army used, but that the shirt was not. When the defense pointed out that Civilian 65 had told the police that the man had a Liberian uniform, he repeated that the trousers were from the Liberian uniform.

Next, Civilian 65 repeated that he had not heard the names of any other soldiers and only heard the name of the commander giving orders, Angel Gabriel. He had a pistol, which according to Civilian 65 describes how wicked he is. Civilian 65 knew one person who was killed at the scene, the big brother called [REDACTED]. He did not know any other name for him. When asked if he knew of a man called [REDACTED], he responded that they had not been in contact after the event in Waterside.

The witness explained the Sierra Leonean accent that Angel Gabriel spoke with. The defense pointed out that in the lower court, Civilian 65 had mentioned that the man spoke with a British accent and sounded like a Sierra Leonean. The witness agreed, saying that since Sierra Leone was a British colony, they speak in a similar way. Civilian 65 had heard of similar incidents, where people had been shot in Waterside, but he had not witnessed them. He stated that such events were talked about after the war, but he could not say that everybody in the country would have known about them.

Finally, the court asked Civilian 65 to clarify what happened when Angel Gabriel gave the order to kill people at the checkpoint. Civilian 65 responded that the soldiers shot people, and he saw bodies, and that [REDACTED] was killed there. He clarified that the shooting began before the pickup arrived and continued after it got to the scene. According to Civilian 65, World War I took place in 2001, World War II in 2002 and World War III in 2003.

February 13, 2023 – Day Twelve

The first day of the second week of proceedings in Monrovia began with the Court hearing three witnesses about events that occurred near a biscuit store and around the Old Bridge area in Waterside, Monrovia. The three witnesses spoke about the killing, harassment and rape of civilians in Monrovia and the role of Angel Gabriel, the commander of the soldiers committing these acts.

The Court will continue tomorrow with three more witnesses.

February 13, 2023 [Liberia] Day 12: Three witnesses and a biscuit store

Witness Civilian 05 is heard

The prosecution questions Civilian 05

The prosecution began their questioning by asking Civilian 05 about an incident where soldiers captured him in Monrovia. Civilian 05 was living at ELWA junction, Monrovia and he was 14 or 15 years old at the time. The incident happened in 2001 and Civilian 5 is now 34 years old. He sold biscuits, candy, and fruit for a living, but it was difficult to retrieve the goods to sell, and his friends told him they were going to show him where they got their stock. They all went to the market in Waterside. They saw a lot of people standing, the stores were closed so they were waiting for them to open. There were both civilians and people with guns present. Civilian 05's friends told him that they would usually put their money together and give it to the soldiers to open the shop. As they did, the soldiers said to hurry, as their boss could come at any time and "it wasn't the right what they were doing."

As they came out of the shop, after they grabbed what they could find, they heard a gunshot. They saw a pickup parked outside, Civilian 05's friends were shot and lying on the ground. As the soldiers' superiors had arrived, the soldiers started arresting the civilians for breaking into the shop, as to not be involved in the entering. The witness was arrested as well, and they were all forced to sit on the ground. A man asked why these people were allowed to enter and, according to Civilian 05, a soldier said that while they were on the other side of the road, they saw the people entering the store. Civilian 05 noticed that the man who asked the question was called a "boss man". He ordered to bring him a stone, which had a "bruise mark" and blood on it. The commander took one girl from the crowd and ordered to put her head on the stone. He told Civilian 05 and others to watch what he was doing. According to Civilian 05, "it was the first time for me to see someone being killed in front of my eyes. […] I wasn't myself when the blood was spurting out." He cut the girl's throat with a knife, and he said: "when you go to Heaven, tell God, I, Angel Gabriel sent you."

Civilian 05 testified that right after the girl got murdered, a group of men arrived on a vehicle. They asked after the people that had been detained and told the soldiers that they had to be released, so they were accompanied towards Twelve Houses at ELWA junction. They were taken through a gate to a building and were put in a room. There were other people already there when they arrived. There was no way out: there was a guard who came inside the room to check on them. Civilian 05 recognised the guard and got his attention. The guard asked Civilian 05 what he was doing there and said that "this is not a good place to be." Civilian 05 explained what had

happened and asked him for help. The guard opened the gate and told them to leave, to get away and instructed them not to go to ELWA junction.

Asked by the prosecution, Civilian 05 described both the location of the building and its structure. He specified that it was where the "boss man" Angel Gabriel, operated from. According to Civilian 05, people were killed during the shooting at the store. Civilian 05 could not remember the names of his friends who were killed that day. The girl's throat was cut at the place where they had been arrested, adjacent to the store, right next to the yellow building. It was "the boss man himself, Angel Gabriel", who took the girl from the crowd, and who personally cut the girl's throat with the knife – Civilian 05 saw it himself. Civilian 05 reiterated that the soldiers who had opened the shop pretended they hadn't and started shooting when they saw "their boss coming". Civilian 05 testified that he heard the name Angel Gabriel in Waterside as Angel Gabriel introduced himself when they got arrested and right before the girl was picked from the crowd. The witness specified that Angel Gabriel was a part of the Liberian troops, but he was not himself Liberian and that he spoke like a Sierra Leonean person. Civilian 05 only saw Angel Gabriel in Waterside.

When asked who the man on the pick-up track was, which arrived just after the girl's murder, the witness said that it was "Chief 50", a Liberian commander whose name was Benjamin Yeaten, but was commonly known as 50.

At the time of these events, there were battles ongoing in Monrovia. They were called World Wars I, II and III. Civilian 05 testified that after he had been captured at the store, the battles were still ongoing for a long time. According to the witness, this incident took place during World War I, which took place in 2001. World War II was in 2002 and World War III in 2003. The events took place outside the holiday season, but a holiday, such as the Independence Day on 26 July, was approaching. Civilian 05 described the building they were taken to on Twelve Houses Road as a large building with a fence. He could not tell if the building had a particular name, it was in the Twelve Houses Road community.

The defense questions Civilian 05

Asked by the defense, Civilian 05 explained that the store where the incident took place is still in operation, as people sell various goods, such as biscuits and slippers, and that what he had only been there that once, as he usually bought goods somewhere else.. The whole incident lasted one day. The defense pointed out that in the pre-trial investigation report, Civilian 05 is recorded as saying that there were a group of people at the store, with some in uniform and others without. Because of this they did not go to the store and returned after two days. Civilian 05 said that there had been some misunderstanding: the information about the uniforms was correct, but he could not remember going back only after two days. Civilian 05 testified that he was taken to a building from the store. There was a checkpoint at Waterside that had been marked with a rope. Civilian 05 confirmed that he heard Angel Gabriel's name from the man himself, who said it before killing the girl. Nobody else used the name Angel Gabriel at the scene, the soldiers called him their boss.

The defense pointed out that in the lower court's judgment it had been recorded that Civilian 05 had said that he had been under a bridge, when a man guarding them had felt sorry for them and said the name Angel Gabriel. Civilian 05 responded that maybe he had been misunderstood: Angel Gabriel had said his name out loud himself when they were under the bridge, they used to

throw bodies there. Civilian 05 also testified that the girl being killed was the only time he saw Angel Gabriel kill someone.

The defense referred to the lower court's judgement, where Civilian 05 had been recorded saying that there was a man next to him, who was taken from the crowd by soldiers. This was the first time he had seen a person being taken from next to him. Soldiers took this man and laid his head on the stone and said to the people that they are going to do the same to them. Civilian 05 had closed his eyes for being too scared and when he opened his eyes, he saw that the man was "shaking". Civilian 05 confirmed this had in fact taken place and the man had died. Civilian 05 however confirmed that he had seen two people being killed, a man and a woman. He added that he also saw other people being killed during the shooting as well, but he had not seen Angel Gabriel slit anyone else's throat besides the incident in Waterside. He confirmed that these two people, the man and the woman were the only ones he saw being killed by Angel Gabriel personally. The defense then pointed to the police interview, where Civilian 05 had said that Angel was using something like a chair as a cutting board, he slit the throats of two men and let their blood flow into a bowl. Civilian 05 confirmed this, saying that the defense attorney was reminding him as the events had happened a long time ago. Civilian 05 testified that he saw two persons' throats being slit, they were a man and a woman. He did not see two men being killed by Angel Gabriel, and he added that the murders of the man and the woman "happened at the same time, so you can't count it as two times."

Civilian 05 testified further that he could not remember the nicknames of his friends that were killed at the store or the names of people who were arrested together with him. The defense referred to the police investigation, where Civilian 05 had told that he stayed in the area for one day and night. His friend, whose brother was a soldier, arrived there and asked to see Civilian 05, who was brought outside. The name of Civilian 05's friend was [redacted]. Civilian 05 confirmed this. Civilian 05 was not aware what had happened to his friend as everyone went on their own way after the events.

Asked by the defense, the witness described how the Finnish police knew he had information on the events. He had been talking about sports with a group of people in a tea shop when someone started talking about the war and Waterside. The witness said "oh my gosh, I was there and I was hurt there" and after discussing with the others and leaving the place, someone approached him and asked him for his phone number as people would want to talk to him. The next day he received a phone call and told him that people would be interested in what he had said regarding the incident. The same person who had called him took him to the Finnish police. Civilian 05 had not discussed the year of the incident with anyone before talking to the Finnish police.

The defense referred to the lower court's judgment, where it had been recorded that when Civilian 05 was discussing the events in the tea shop, someone had mentioned the year 2003, to which Civilian 05 had responded that what had happened to him took place in 2001. The witness explained that he could not remember what exactly had being discussed, but he rememebers that what happened to him took place in 2001, which is what he told to the Finnish police. The defense referred to the police interview, where Civilian 05 had mentioned that the events took place in 2003. Civilian 05 testified that he had told the police the same thing as in court today, i.e., World War I was in 2001, World War II in 2002 and World War III in 2003 and that what happened to him happened in 2001. In explaining the confusion about the year, Civilian 05 said that: "like in your life, a major occasion in your life you can forget, but after people can remind you and you can remember."

There was some additional discussion going back and forth about the timing of the events and what Civilian 05 had told the Finnish police in the two different interviews. He insisted that the wars took place in 2001, 2002 and 2003 respectively and that the events in Waterside took place in 2001. The defense mentioned that an expert witness had said that the events took place in 2003, but Civilian 05 reiterated that what happened to him took place in 2001. Civilian 05 confirmed that he did not know what happened to [REDACTED] in Waterside and he was not aware of his fate. The defense referred to the recording of Civilian 05's police investigation interview, where he had said "[REDACTED] did not survive and I have not seen [him] since then." The witness answered that "if the man doesn't survive, how can you see him afterwards? I haven't seen him I don't know where he is."

The police had also written in their report that Civilian 05's friend had given his contact information to Employee 1. Civilian 05 testified that someone took his number, but he did not know this person's name as they did not introduce themselves.

Civilian 05 testified that he does not know any other witnesses in the case and had not given the Finnish police anyone else's contact information. However, the police investigation report stated that Civilian 05 had been told by the police that multiple witnesses had told them that Civilian 05 had called them. Civilian 05 denied this, saying that he would tell the court if this was true, and that he had not contacted anyone. if something would come back to him, but this one was not true. The defense further pointed out to the police investigation report, where Civilian 62 and Civilian 72 were mentioned as having been found via Civilian 05. Civilian 05 confirmed this, saying that they were from the meeting at the tea shop [gathering mentioned earlier]. He had not told them the name of the suspect.

Asked if he had known of similar looting events, Civilian 05 stated that he had heard about looting incidents at Red Light and Waterside – but he personally only witnessed to the one in Waterside. Civilian 05 testified that he had moved away from Monrovia in 2005, and that before that he had lived at ELWA Junction. According to him, peace in Liberia took place either in 2003 or 2004.

Witness Civilian 73 is heard

The prosecution questions Civilian 73

The prosecution began their questioning by asking Civilian 73 about an incident, where soldiers captured her in Monrovia. She was either 15 or 16 years old at the time and was living in Monrovia. She used to buy and sell fish with a friend, and had gone to Waterside to look for produce. There, they heard noise and a group of people started shouting and running everywhere. The whole Waterside was "upside down", they heard gunshots and wanted to get away. As they were trying to find a vehicle to escape with, they saw armed soldiers on a pickup truck. These soldiers then descended the truck and started putting people in the pickup, including Civilian 73 and her friend, saying "you people are LURD rebels." There were both elderly and young people, everyone was crying. They were brought under the Waterside bridge, and other people were taken towards West Point.

Under the bridge, there were people, also crying. She asked the people why they were crying and was told to shut up. An older man was sitting next to Civilian 73, and a soldier hit him in the eye with the butt of his gun. The man started bleeding, so the witness and others started crying and

they were told that "if we messed with them, they would kill us all". Civilian 73 testified that one man stood up and he had guards around him. The only thing Civilian 73 heard him say was "I am Angel Gabriel. I'm the one who people pass through to go to God." According to Civilian 73, it was difficult to look at him, as soldiers would hit you in the face if you did so and told you to keep your head down. Civilian 73 testified further that at the bridge there was a "long house." If a person was unlucky, they would be taken into this house to be raped – the witness could hear crying and calls for help coming from the house. Civilian 73 started crying and calling for help as she was being beaten. A man arrived – he appeared to be higher ranking than the other soldiers present – and started asking what those people were doing there. Angel Gabriel started apologizing to this new higher ranking soldier and ordered to release the captured people. As his attention was on the superior officer, the witness' friend took her hand and they fled the scene.

The prosecution followed up with a few questions, and Civilian 73 specified that her friend was Civilian 61. They were close to the biscuit store when they were arrested, in Waterside. Civilian 73 confirmed that when they heard gunshots, soldiers were shooting around, both in the air and around them. She had not seen anyone being hit personally, besides the older man wounded under the bridge. The witness said the soldier's leader called himself Angel Gabriel, and was also called that by his men, as well as chief, and boss. According to Civilian 73, he was speaking English with a Sierra Leonean accent. He was wearing cap and camouflage trousers and had a gun.

Civilian 73 did not know who the higher ranking man who arrived later was, but she understood he was the most senior, and that he was angry. She did not pay attention what accent he had.

According to Civilian 73, battles, "real war" was ongoing in Monrovia at the time of the incident, but she could not remember how long after that peace came.

The defense questions Civilian 73

The defense began their questioning by asking Civilian 73 to repeat her friend's name. According to Civilian 73, she went to Waterside that day with Civilian 61 only. The defense asked her if she knew anyone by the name [REDACTED], and the witness responded in the negative. The defense then referred to the lower court's judgment, where Civilian 73 had said that Civilian 61 was not with her that day and in fact the only person with her was her business partner [REDACTED]. Civilian 73 answered that maybe she had forgotten something, one cannot remember everything, but she confirmed that Civilian 61 was with her under the bridge. They took the same car to Waterside and once there they were all put in the same car and taken under the bridge. The defense pointed out that according to the lower court's judgment, Civilian 73 could not remember Civilian 61 being with her under the bridge. She had told the police that Civilian 61 was there, but in lower court she said that she could not remember such a thing. Civilian 73 said that "even the wisest of us are capable of forgetting things."

Asked further about [REDACTED], the witness said she might have mentioned her in the police interview. Civilian 73 said that she remembers such a name: "When we were under the bridge when they caught us, we all were crying, I can remember that name. Not everything you can recall." Civilian 73 mentioned that a girl next to her under the bridge mentioned this name as people were taken to be raped inside the building. The girl next to Civilian 73 was calling [REDACTED], so according to Civilian 73, [REDACTED] was taken to be raped.

The defense referred to the police interview, where Civilian 73 had said that the man was called by the soldiers chief and boss man, but she had not mentioned that the man was called Angel Gabriel. Civilian 73 explained that the soldiers called him boss and said "yes, chief" and the man was calling himself Angel Gabriel. She also said that the soldiers were using the name Angel Gabriel. "For instance, I'm doing something and boasting, and the bodyguards will say Chief, chef chief, Angel Gabriel!" Civilian 73 did not hear the names of other soldiers.

Civilian 73 said that she did not see Angel Gabriel's face, as soldiers were preventing it. She saw that Angel Gabriel was wearing a cap when she first saw him when they were captured and taken from the pickup under the bridge. Civilian 73 was not aware of similar events in Waterside.

Civilian 73 was asked about how the Finnish police managed to get in contact with her. According to the witness she was at the market one day and she was talking about family with her godmother, who told her that there were people interested in hearing about her experiences. Civilian 73 also called her "play mom." Civilian 73 said that this person was not Civilian 61. The defense referred to the lower court's judgment, where it was recorded that Civilian 73 was contacted via Civilian 61, who was like a godmother to Civilian 61. Civilian 73 said that she cannot remember all the details. According to Civilian 73, she did not discuss details with this person, she only told her that people would be interested in her experiences. After that, the play mom told her that people would come to speak to her. Civilian 73 gave her number and after a few months, the this lady called her saying that some men would call her. The defense pointed to the police report, which says that the police received Civilian 73's contact information from Civilian 61. Civilian 73 answered by saying: "I just said she took my number." Civilian 73 had not heard any news about somebody being arrested before going to the interview with Finnish police.

Witness Civilian 64 is heard

The prosecution questions Civilian 64

Civilian 64 began his testimony by stating that he had been a soap maker, and he moved to Monrovia to look for ingredients, as they were hard to come by during the war. He went to Waterside to see if he could find caustic soda, and there "Gabriel Massaquoi was ringing his name, they were firing, serious firing at Waterside." When he was spotted with the caustic soda and other things, he was arrested, and they told him that he was a spy. All his ingredients were taken from him, and he was accused of being there on a reconnaissance mission. As Civilian 64 was trying to leave, he [Gabriel Massaquoi] gave an order and one of his soldiers hit Civilian 64 in his left eye. This eye is blind to this day. Civilian 64 was ordered to sit on the ground with blood pouring from his eye.

While Civilian 64 was sitting on the ground, he recognised two men from Charles Taylor's special forces, who knew him as a soap maker, they used to buy soap from him. These men, John Walker and Peter Doe, told Massaquoi's soldiers that Civilian 64 was not involved in anything as he was a soap maker and that's how Civilian 64 was released. Civilian 64 also testified about his wife's death in Waterside. She had gone to look for food and Civilian 64 never saw her again "I was wounded twice. I lost my eye and my wife in the war."

The witness said there were War I, War II and War III. The incident Civilian 64 described happened during World Wars I and II. According to Civilian 64, Waterside was the only way to survive at that time, as it was the only place where one could find food such as rice or biscuits, so

people went there to be able to get their families food. Peace arrived shortly after the World Wars. LURD was fighting on the other side, in and around Duala and they were coming that direction and there was also RUF troops. Civilian 64 was arrested by a store in Waterside, not far from the bridge. According to Civilian 64, the bridge did not have a name at the time, but after Ellen Johnson Sirleaf fixed it, it was called Old Ma Bridge. The store was on the right side of the road when looking from Old Ma Bridge, it was not far from the bridge. Civilian 64 went to Waterside alone, his wife had gone to a different place. Civilian 64 was not aware of what had happened to his wife.

When Civilian 64 was arrested at the store, there was shooting going on, people were killed there "Waterside was a mad house" said the witness. From the store, Civilian 64 was taken to a checkpoint that was located by a large store. That's where you go under the bridge, the bridge was the Old Bridge that Old Ma [Ellen Sirleaf Johnson] promised to fix. Civilian 64 saw Gabriel Massaquoi for the first time by the store. Him and his men were "moving all over." He said "I am Angel Gabriel Massaquoi, I am the one that can send people to heaven." According to Civilian 64, he spoke Krio. He was wearing military camouflage clothes. He was giving orders to the soldiers, "he said there are people around all here, you have to be very careful, so they should search among them." When Civilian 64 was taken under the Old Ma Bridge, he saw Gabriel Massaquoi there. Civilian 64 testified that his condition was bad, so he could not see exactly what Gabriel Massaquoi was doing there, but he said that there were a lot of women. According to Civilian 64, he was hit in his eye right after he had been arrested by the store. Gabriel Massaquoi gave the order, saying that this man is trying to leave, do not let him leave. The soldier hit Civilian 64 with something in his hand.

Civilian 64 testified that when he went to speak with the Finnish police for the first time, he had heard news about someone being arrested in Finland in relation to the Waterside events. He had heard the news from a local radio station, TrueFM and ELBC. It had not been a long time since he had heard the news when he went to meet with the police.

The witness wanted to state to the court that when he had heard that Massaquoi had been arrested, he had been "delighted", but he had not been happy with the last information he had received [*the acquittal*] regarding the fact that there had not been enough evidence. "*How is it possible that someone who has committed atrocities and mass murders, how can such a person be released?*"

The defense questions Civilian 64

The defense began their questioning by asking Civilian 64 about the news he had heard about Mr Massaquoi's arrest. Civilian 64 repeated that he had heard about the news on the radio. He had also seen his picture on a newspaper, as local newspapers had published Mr Massaquoi's photograph. Civilian 64 said he did not know a man called [REDACTED], but he said that he has a stepfather who has a similar name. According to Civilian 64, neither John Walker nor Peter Dough, the two soldiers he recognised at the store, are alive anymore. They helped him get away from the situation, as they told Gabriel Massaquoi that Civilian 64 was a famous soap maker in Liberia and Gabriel Massaquoi then gave an order to release him.

Civilian 64 was asked how the Finnish police managed to get his contact information. After the incident, Employee 1 came to meet Civilian 64 in Gbarnga, as he was one of Civilian 64's customers. Employee 1 asked how Civilian 64 had been, as they had not met in a long time and

Civilian 64 told him about his experiences in Waterside. Employee 1 said that he was on his way to Lofa and took Civilian 64's number. After returning from Lofa, Employee 1 called Civilian 64 and said that "Global Justice" [GJRP] would manage it. He asked Civilian 64, if Civilian 64 could tell his story also in a courtroom, and Civilian 64 answered yes. Civilian 64 could not remember when he met with Employee 1 in Gbarnga. He estimated that it was probably two years ago. After Civilian 64 gave his number to Employee 1, it did not take long until the Finnish police interviewed him. Civilian 64 did not discuss anything else related to Waterside with Employee 1 in Gbarnga, as Employee 1 was soon departing to go to Lofa. Civilian 64 had not heard Gabriel Massaquoi's name from anyone before the police interview, he said it was generally known in Waterside: "His name was not a hidden something, it was ringing in Waterside."

The defense referred to the lower court's judgment, where it was recorded that Civilian 64 had learned Angel Gabriel Massaquoi's name from Employee 1. Civilian 64 answered that this was not true. He categorically denied having learned the name from Employee 1. The defense referred to another section in the judgment, but Civilian 64 kept saying that he did not hear the name from Employee 1. According to Civilian 64, the only discussion he had with Employee 1 was the fact that Employee 1 was on his way to Lofa. Civilian 64 had discussed the incident with others, as his wound was visible, and the topic came up often. Civilian 64 also knew about similar incidents in Waterside, as according to him young people were fighting for their survival and breaking into stores. He was not aware of incidents similar to his own, as people had their personal problems back then. According to Civilian 64, the events in Waterside took place in 2001 to 2002.

February 14, 2023 – Day Thirteen

The Court heard three more witnesses about events in Waterside, Monrovia today.

The first witness described how they were detained by soldiers in Waterside and taken to the Old Bridge area, where they saw civilians killed and raped by soldiers. The leader of the soldiers also killed a young girl himself. The second witness described a shooting that took place at a particular biscuit store in Waterside, where his friend was killed. Civilians were also taken to the Old Bridge, where they were executed. The third witness spoke about being detained in a store by soldiers in Waterside. The soldiers picked up civilians from the store and executed them outside.

The Court will continue to hear witnesses tomorrow.

February 14, 2023 [Liberia] Day 13: Civilians detained in Waterside

Witness Civilian 66 is heard

The prosecution questions Civilian 66

The prosecution began by asking Civilian 66 about an incident where she was captured by soldiers in Monrovia. The witness testified that she lived in Monrovia and was about 20 years old at the time. She and her mother lived in Vai Town and sold raw fish. One day, she heard that there were riots in Waterside. When she got home, she did not see her mother, so went to look for her in Waterside. As she got to Waterside, she saw people running, so began to run as well. While running, Civilian 66 and others were arrested and put in a car. They were brought down to Waterside bridge, where they were tied up and told that they would be killed. The capturers began to beat and rape people. A man came over and gave orders to rape and kill. According to Civilian 66, this man gave an order to kill a girl who was taken and slaughtered. The witness gestured her throat being slit to demonstrate what happened. The man who had given the orders was spoke 'in Sierra Leonean'. Then, a man speaking Liberian English came, the people were released from the ropes and were able to get away.

Alongside Civilian 66, her friend [REDACTED] and mother [REDACTED] were also arrested. She described how soldiers put them in a vehicle and took them under the bridge next to a store which was near a body of water. According to Civilian 66, the man who gave the orders for the girl to be killed under the bridge said that his name was Angel Gabriel, and said "go and tell God I sent you". The witness repeated that the girl was 'slaughtered' with a knife and made the same gesture. She testified that she saw this happen with her own eyes, and that she heard this man speak, but that she did not see him anywhere else. According to Civilian 66, the other man who arrived on scene was a high-ranking Liberian. She didn't know who he was, but one of the other people who had been captured said he knew him. The witness was not aware of fighting going on at the time, and testified that she only knew about the events in Waterside.

According to Civilian 66, she was arrested just before Old Bridge. The store under the bridge was not painted at the time. She could not remember if it had multiple floors. According to Civilian 66, Angel Gabriel was wearing "army clothes and a green shirt".

The defense questions Civilian 66

The defense began by asking Civilian 66 about the people that were with her when she went to Waterside. During this line of questioning, the witness's young child became restless. The hearing was suspended so that the witness could breastfeed. Civilian 66 testified that she was in Waterside with her mother and friend. Her mother was also taken under the bridge. She mentioned that at the initial location in Waterside, where she began to run away, a person she knew was killed. There was some discussion as to the relation of this person to the witness, whether it was her mother or her aunt, as she had said different things during her police interview and at the lower court. The witness finally asserted that it was her mother who had been killed, stating that "we are human beings and we can forget things. This happened a long time ago".

Civilian 66 was then asked about the girl that was "slaughtered" by Angel Gabriel. The defense pointed out that in the lower court, she had said that Angel Gabriel shot the girl, but at her police interview, she had said that her throat had been cut. Civilian 66 then responded "If I have made some mistakes in some of my explanation(s), you people should consider it, because I am a human".

According to the witness, the man who ordered their release was wearing "ordinary" clothes. She did not know which group or faction he belonged to, but heard from others under the bridge that he was a high-ranking soldier. She stated that the soldiers that were shooting in Waterside were Angel Gabriel's bodyguards. The defense asked for the name of the group, pointing out that she had mentioned at the lower court that they referred to themselves as ATU. The witness responded that this could be true, but she could not remember. She could not remember the names of any other soldiers present in the area.

Next, Civilian 66 was asked about how the Finnish police had gotten in touch with her. A boy, whose name she couldn't remember, asked her if she was present in Waterside and said that some people from Finland would like to talk to her. The defense referred to the police interview, where Civilian 66 had said that [REDACTED] gave her phone number to Employee 1. Civilian 66 said she could not remember this, but it was possible. There was also discussion about any contact that she may have had with Civilian 80.

Finally, Civilian 66 testified that she only knows about World Wars I and II. The defense raised that she had told the Finnish police that the events took place during World War I, which was in 2001. She answered that she has forgotten. At this point, the witness's child became agitated and the defense decided to end their questioning.

It was pointed out that the witness identified the defendant as Angel Gabriel from the series of photographs presented to her at her police interview.

Witness Civilian 77 is heard

The prosecution questions Civilian 77

The prosecution began by asking Civilian 77 about his experience in Monrovia during the war. Civilian 77 testified that was he living on Old Road, and used to sell food and clothes that he bought from Waterside. One day, he was shopping with his friend when there was a "serious incident that caused some problems". This was around 2002 and there wasn't fighting every day. Rebels had attacked government troops all the way to Vai Town and retreated. Civilian 77

explained that these attacks took place three times, and they named the events World War I, II and III, with the third World War ending the war.

The incident in question took place during World War II. Civilian 77 left Old Road to go to Waterside with his friend. They were in a car and saw other cars turning back from Waterside. Their car also turned back, but Civilian 77 and his friend got out and continued on foot. They left Crown Hill, and walked towards New Bridge and Waterside, when they saw some vendors packing their things, while others were still selling. Civilian 77 and his friend decided to continue to Waterside to look for food, as at the time, it was "in high demand". They saw people with biscuits, and as they approached them, they found out that there was a biscuit store that had been broken into by soldiers. The witness explained that the store was in the market in Johanssen district coming from the direction of the LEC (Liberia Electricity Corporation). Civilian 77 and his friend decided not to go into the store, as sometimes looters were shot, so instead decided to buy biscuits from the people that were leaving the store. His friend went to buy a pack of biscuits and came back.

Soon after, a group of soldiers arrived and started arresting and firing random shots. Civilian 77 described seeing people falling to the ground wounded or dead, including a friend of his who was hit two or three times from behind and died. The witness turned to look behind him and was hit on his left shoulder. He was captured by the soldiers, and taken, along with other people that had been captured, to the bridge going to Vai Town, which was called Old Bridge at the time and is called New Bridge today. The witness described a checkpoint at a crossroad where one road led to Waterside. The soldiers began threatening the people that had been captured that they would be killed because they were all looters. According to Civilian 77, they were all sitting on their "bare butts on the ground", and his hand was bleeding. The soldiers were shooting over them. Some people were taken into an office, two men sitting next to him were put into a car and taken towards West Point. The witness stated that the commander said that these men must be killed.

According to Civilian 77, the commander called himself Angel Gabriel, others were calling him Gibril and other names. He did not understand what they were saying as they all were speaking in 'Sierra Leonean'. The witness explained that he knew that Taylor had some Sierra Leonean men, because he knew some of them, but he didn't know any of the men there. He described that the commander ordered for the two men to be put in the pickup and they left towards West Point. The pickup returned empty.

Civilian 77 testified that one person was executed right in front of him and the other people that had been captured, right next to the water. He described that "the tension started getting high, and we all started crying". Then, government troops came from the Monrovia city center, saying that Benjamin Yeaten had ordered them to check out what was happening in Waterside. The witness recognized one of the soldiers, as he used to buy things from him, he was from the ATU. This soldier ordered for him to be put into a car and for all the other captured people to be released. There was a fight between the two groups of soldiers, "they even wanted to shoot". While this was happening, some of the people that had been captured began to run away and the soldier that Civilian 77 knew took him to JFK hospital and contacted his friends.

The witness then explained the location of the store in detail. It was located on the right side of the road when looking from Old Bridge. It was not too far away from the bridge. The name of his friend who died at the shop was [REDACTED]. He did not hear any orders being given, he just saw when the shooting began at the store and a commander on the scene. The witness repeated that

some people called the commander Gibril, and some called him Angel Gabriel, and some said that "only he can choose who to die and send them to God". Civilian 77 saw him both at the checkpoint and the store, he was wearing camouflage trousers and a t-shirt. The witness stated that he still has a scar from his gunshot wound and showed it to the court.

The witness explained that he was taken to a checkpoint by the Old Bridge. The checkpoint was on the road, and he was in an empty area where you could see under the bridge, but they were not under the bridge. There was an office building, which he thought had a downstairs, an upstairs and a staircase. He did not know whether the building still exists today.

Civilian 77 testified that the man that was executed in front of him by the water was killed by the Gibril or Gabriel himself, who shot him. He stated that the man was behind them, he heard a gunshot and when he turned around, he saw what had happened. Angel Gabriel had taken the man away from the rest of the group. The witness stated that the soldiers were speaking Sierra Leonean English, and Angel Gabriel was speaking the same way.

The witness had not heard any news about an arrest in Finland before his police interview. The commander was called Chief Gibril and Chief Angel Gabriel by his soldiers.

The defense questions Civilian 77

The defense began by asking Civilian 77 about the names of other soldiers or commanders present. The witness could not remember the names of anyone else other than Angel Gabriel. The defense referred to the police investigation, where the witness had used the names Chief Gibril and Angel Michael. He responded, saying that he remembered saying this but that he had made a mistake as the commander's name was Gabriel and not Michael. He explained that the commander called himself Angel Gabriel and said "tell God I sent you" when he killed the man by the river. He further stated that he might have mixed up the names Gabriel and Michael as they are both angels. According to Civilian 77, the men who arrived to release the captured people were from the ATU and one of them was called [REDACTED].

The defense pointed out that at his police interview, he had said that the bridge at the time was called New Bridge and is now called Old Bridge. He clarified that it was called Old Bridge at the time and is now called New Bridge. He did not remember if the building next to it had a roof. He had not gone inside, but he knew that there was an office inside as the soldiers went in and came back out saying that they were going inside to take statements. The witness did not know from whom the statements were taken or what they were about.

Civilian 77 then testified about how the Finnish police contacted him. His friend called one day and said that he knew what had happened to him at Waterside, and that there were people that wanted to talk to victims about the events. This friend had met someone at a teashop talking about the matter. He was frightened at first, but his friend managed to convince him to meet with the person that he had met in the teashop. The witness then travelled into the city to meet with this man, who asked whether he would like to talk about his experiences. This man was Employee 1, who asked Civilian 77 for his phone number and whether he would be willing to meet with the people who "followed the story" about Waterside. After that, Employee 1 took Civilian 77 to meet the Finnish police. The witness did not know any of the other people that were interviewed by the police around the same time as him.

It was pointed out that the witness identified the defendant as Gibril Massaquoi from the series of photographs presented to him at his police interview.

Witness Civilian 69 is heard

The prosecution questions Civilian 69

The prosecution began by asking Civilian 69 about an incident where soldiers captured him in Monrovia. The witness explained that he was 15 or 16 years old at the time and was living in Paynesville with his grandmother. One day, he went to the center to buy goods for their business. When he arrived in Waterside, the whole place was "upside down" and shop owners were closing their stores. He was captured and put into an empty store with a lot of people. Among them, there were soldiers in uniform, some of them were not Liberians, which he could tell from the way they spoke. People were called from the store, he heard gunshots, and these people did not return. The soldiers doing the killing were not Liberian, the witness could tell this from the way that they spoke.

As more and more people were taken out of the store, a man who knew the witness's grandmother recognized him. He made space for the witness and some other young people in the store, looking for a way to help them escape. The man took them to the bridge. They stayed there until late, but the shooting just went on. Later, they all ran away.

Civilian 69 was captured in Waterside, by the store they used to buy biscuits and other things from and they were put inside. They were captured by soldiers who were arresting everyone outside by the store. He saw a person giving orders and deduced that he was the commander. The leader gave an order to call out people from the store and kill them. When giving orders, the commander used the name Angel and said: "Tell God I sent you." Civilian 69 did not know if that was his only name or what his full name was. According to the witness, the commander was not Liberian, because the English that he spoke was different to Liberian English.

The witness further explained that the man who recognized him helped him escape and he then ran to the bridge. The bridge was not far as they could still hear gunfire. It was called Old Bridge. He confirmed that he went to Waterside alone that day. He explained that there was fighting ongoing in Liberia as schools were closed, but there was no fighting in that area at the time. He did not know if any of the battles had a specific name. He did not know the names of any of the people that were ordered to go out of the store to the front and never returned. He had not heard about a person being arrested in Finland before his police interview.

The defense questions Civilian 69

The defense began by asking about Civilian 69's age, as he had testified in the lower court that he was 10 or 11 at the time of the events. The witness explained that when you are born in rural areas, you don't know your real age, but after the court hearing, he had gone to his grandmother and she had told him. He could not provide the exact location of the store that he went to that day, as different people are now doing business there. The witness testified that people were looting the store when he arrived, but he did not participate in it. The defense referred to the police interview, where he had said that he had gone to a store with no one selling and took goods from there. Civilian 69 answered that he did not remember saying that. Next, the defense pointed out that he had said that soldiers had come and captured people and were putting them

all in one place. He confirmed this, saying that people were captured and put in another store nearby.

Civilian 69 explained that the store that they were taken to wasn't far away from the store that they were captured from. The part of the store that he saw was empty. The defense referred to the police interview, where he had said that the store was selling used clothes and slippers. The witness explained that he used to buy clothes and slippers from that store, but at the time it was empty. He also testified that the commander said "go tell God that I, sent you". After the people who had escaped left the store, all they could hear was noise.

Next, the witness specified that the hole at the back of the store was a back door. He could not remember the name of the person who had helped him. The defense raised that he had mentioned two different names for this person at his police interview and at the lower court. He answered that he did not know the person and sometimes people might call one person with different names. According to Civilian 69 this is common, as for example someone might have one name in the city, and another one if they move out of the city. He testified that the only name he could remember was Angel. Some people were talking about Gabriel: "They were calling names, only now I can remember, but other people were calling Angel Gabriel, but only Angel I could remember".

Next, there was discussion as to the year in which the events took place, and whether the police had told the witness the year during his interview. The witness recalled and confirmed that it took place in World War II. He could not remember or confirm the month or whether it took place in 2001 or 2002. He was certain that the incident did not happen in 2003, as in 2003 he and his mother moved back to the village.

Civilian 69 was also asked how the Finnish police contacted him. He testified that he was at a video club where he places bets and someone was talking. He does not know who this person was. The defense raised that he had told the Finnish police that he had the same first name as Civilian 62. Civilian 69 responded that he was chatting at the video club and that's how he got in contact with this person. After placing their bets, this person said that there were some people who wanted to meet him. He stated that he could not remember whether they had spoken about Angel at the video club.

The witness testified that after meeting this person at the video club, he met with Employee 1, who told him about the Finnish people interested in the matter, at the video club. The defense referred to Employee 1's notebook that had been admitted as written evidence. The notebook contained a note that seems to be about Civilian 69. He had written the year 2003 under his name and names of various people involved in the Second Liberian civil war. Civilian 69 testified that these names were high-ranking, famous people such as Chief Fifty. He confirmed that he had spoken about such names with Employee 1, as they were "ringing at the time". He also mentioned that he did not "spell out the names to him". The witness testified that he spoke to Employee 1 about the names that were making headlines during the war. He told these names to Employee 1, who wrote them down. Regarding the year 2003, Civilian 69 could only think of the fact that he had returned to the village that year. He testified that "it took time" after meeting with Employee 1 before he was interviewed by the Finnish police.

Finally, Civilian 69 repeated that the man who had saved him that day was called by different names but stated that he called him [REDACTED]. He did not know what happened to him

afterwards, he was alive when they last saw each other. The defense referred to the police interview, where he had said that someone with that same name had been shot in the back. Civilian 69 testified that he cannot remember all the events from Waterside and he could not remember whether he had said so in the police interview.

It was pointed out that the witness identified the defendant as Angel from the series of photographs presented to him at his police interview.

February 15, 2023 – Day Fourteen

The Court heard three more witnesses today in relation to events in Waterside, Monrovia. The first witness described seeing civilians being detained in the Waterside market area and taken under the Old Bridge. Here, the witness added that civilians were killed and raped by soldiers. The witness testified to being assaulted and robbed by a child soldier belonging to the same group.

The second witness explained how they had gone to Waterside market, to buy rice. They described being in an unattended shop with other civilians who were also looking for food, soldiers fired into the store. The soldiers detained the survivors, including the witness, in a building by the Old Bridge. The witness added that the soldiers' commander killed children and allowed his troops to rape women.

In the final testimony of the day, the third witness described a similar chain of events.

The Court will not be in session tomorrow, and is scheduled to continue hearings on Friday, 17 February.

February 15, 2023 [Liberia] Day 14: Shooting in a store

[*editor's note: for the sake of clarity, some details about the testimonies are explained in brackets*]

Witness Civilian 68 is heard

The prosecution questions Civilian 68

The prosecution began by asking about Civilian 68's wartime experiences in Monrovia. Civilian 68 testified that she used to come to Monrovia to buy used clothes from Waterside during World Wars I and II. The witness testified that she had gone to Waterside to buy clothes. She went to her usual store and saw some people going towards the bridge and other people under the bridge. She saw a "group of soldier boys" and another man standing to the side of the area under the bridge. As she entered the store, she saw soldiers taking girls and bringing them to a building. She was very scared and began to turn back, when soldiers came, grabbed two boys and took them under the bridge. There was a man standing there wearing army trousers and a white shirt. This man shot one of the boys, raised his gun and shot the air saying: "I am Angel Gabriel, when you go to God, tell God I sent you". He then killed the other boy.

According to Civilian 68, this man was not Liberian as he spoke like a Sierra Leonean. She explained that as she turned around, a man come towards her, saying that his name was Small Soldier. He hit her on the head with his gun, she fell to the ground and he demanded she give him her money. After she had fallen, some other boys took her to a pharmacy on Coleman Hill, where she was treated. According to the witness, "the soldier boys said they will come back for us." She managed to escape, and saw soldiers putting people on pickup trucks and taking them away. She didn't know where they were being taken. Civilian 68 left Monrovia after this incident and didn't return until after the war.

The witness could not estimate how long it took after World War II for peace to arrive. The bridge she had described with people underneath it was called Old Bridge and went towards Slipway. There was a biscuit store near the bridge. Civilian 68 explained that she was not captured by the soldiers but they captured others who they raped and did horrible things to. The soldier who confronted her only wanted her money.

Civilian 68 was asked to describe where the biscuit store was located. She stated that it was located on the right when looking from Old Bridge towards Waterside. It was "not that far" from the bridge. When she saw people being taken under the bridge, she had just gotten out of the car coming from Sinkor. She was quite far from the biscuit store, but was near the bridge and could see under it.

The witness confirmed that she had seen Angel Gabriel shoot one of the boys with her own eyes. As Angel Gabriel shot, he said that he would send the people to God and turned around to look at the group of people behind him. Civilian 68 did not know the name of the boy who was shot. Angel Gabriel killed both of the boys by shooting them with a pistol and had said that he sent them to God.

She also described the wound she had gotten from the soldier who hit her in the head and showed it to the court. According to the witness, the boys who took her to the pharmacy were the ones from the store where she was going to do her shopping. She did not know their names. She was shopping that day with her friend. Her friend also fell but otherwise did not suffer any injuries.

Civilian 68 had not heard any news about someone being arrested in Finland in relation to the events in Waterside. She had only discussed the events in a car. She was in a car on her way back from Waterside with a man who was discussing what happened there in 2002 and 2003, who said that people were coming to Liberia because of these events. He then asked the other passengers if they knew anything about them. The witness showed him her scar and told him that she was there. This man then gave Civilian 68's phone number to Employee 1. Two days later, Employee 1 called her and asked if she was present in Waterside during these events. Employee 1 came to meet her. She tried to ask what this all was about, but he would not tell her. He only asked if she could tell her experience to others who might want to ask her but wouldn't give her any more details than that.

The defense questions Civilian 68

The defense began by asking Civilian 68 how long after meeting Employee 1 she met with the Finnish police. She estimated that it took 1 or 2 months before he called her again to say that the people were coming. She could not tell where exactly the two boys that were killed under the bridge had been shot, she only saw Angel Gabriel kill them. She estimated that she was quite close to the boys when they were shot, she was on a hill by the checkpoint, and could see directly under the bridge.

Civilian 68 had heard different names for soldiers in addition to Angel Gabriel, such as Quick to Kill and Small Soldier. She explained that the soldiers called each other these names as they were capturing people. She did not hear any other soldier besides Angel Gabriel introduce himself. The witness heard Angel Gabriel's name as he said it out loud when he killed the two boys, he did not introduce himself to her personally. She did not hear any other name being used for him. The

defense referred to her police interview, where the witness had said that others called him Gibril Massaquoi and Angel Michael, which she confirmed. She explained that the people who called him Gibril Massaquoi were those who knew him personally, and other people in the crowd. She described that when he killed, called himself Angel Michael, and people said his real name was Gibril Massaquoi. The witness confirmed that she heard him call himself Angel Michael.

Civilian 68 had also mentioned the name Zigzag Marzah. She explained that she was unsure of this name, thinking that Zigzag Marzah was Gibril Massaquoi, but that this was a mistake as they are not the same person. According to Civilian 68, the only time she had spoken about the events was when she was in the car with [REDACTED] on the way back from Waterside. In the lower court, she had also said that she had spoken about the events with her friends who had commented on her scar, which she confirmed.

Next, there was more lengthy discussion as to the names used by the man who killed the two boys. The witness said that he used the name Angel Gabriel and said that she had never said Angel Michael. The defense played an audio clip of her police interview where she had used the name Angel Michael. The witness explained that she had said that the man used the name Angel Michael, but she then corrected herself and used the name Angel Gabriel. The recording was played once more and no further questions were asked on this issue.

Civilian 68 further testified that she was not far from Angel Gabriel when she saw the killings take place. She was by the checkpoint and could see the bridge ahead. The people she saw were under the bridge, a little bit to the side. The witness was also asked about the timing of the events. She said that it took place during World Wars I-III, so between 2001 and 2003. The defense referred to the police interview, where she had said that the incident took place in January or February 2001, during World War I. Civilian 68 answered that she had indeed said that the incident took place during World Wars I and II. When the same question was repeated, she testified that that it must have been a mistake. The defense referred also to the lower court's judgment, where she had testified that the incident took place in the middle of 2001. Civilian 68 confirmed that the incident took place in the middle of the year, in June, as she had come to do shopping for July 26. Finally, the witness testified that World War I took place in 2001, World War II in 2002 and World War III in 2003.

It was pointed out that the witness identified the defendant as Angel Gabriel from the series of photographs presented to her at her police interview.

Witness Civilian 62 is heard

The prosecution questions Civilian 62

The prosecution began by asking Civilian 62 about an incident where he was captured by soldiers in Waterside. The witness testified that he was fourteen years old at the time. His older brother used to sell food in Waterside. He had given the witness money to buy rice. When he got to the rice store, he realized that he had lost the money. As he was standing there working out what to do, he heard the noise of a store being broken into. Everyone around him started running to the store to get food, as there was a shortage at the time. The witness also went into the store to get rice, as he could not return to his brother empty-handed. As he entered, the store was full of people grabbing different things such as biscuits. Civilian 62 took one of the remaining rice bags and a person next to him started to fight him for it. While they were in the middle of the store,

they saw three vehicles arrive. A man jumped out of the vehicle and gave an order to "shoot anybody coming out with food".

According to Civilian 62, the soldiers lined up in front of the store and opened fire. They continued firing for approximately three and half minutes. The witness hid behind the rice bag that he and the other guy had been fighting over. After the firing stopped, the man outside ordered the soldiers to go and check inside the store. He ordered: "anybody you see alive, bring them outside". The soldiers began inspecting the store and the bodies on the ground. Civilian 62 was captured from the store. As the soldiers were taking people outside, he saw his older brother who had given him the money to buy the rice being taken outside by the soldiers. There were also elderly people, women with children on their backs, young boys and girls present in the store. The soldiers told the people to put their hands behind their backs and to get into vehicles. One person tried to resist, but "this guy" took his pistol and shot him. This made everyone else hurry to the vehicles. The young children and the woman with a baby in her back were put in a different vehicle. Then the commander, the man who had given the order to fire, ordered to take the people away and said "tell them that I, Angel Gabriel, sent them".

According to the witness, the car with the women and children was told to drive to Old Bridge. Civilian 62 stopped in front of an unfinished house, where they were ordered out of the car. They entered the building and sat on the ground. As they were sitting there, the commander told his men that they could take any one of the girls and "have fun with them", and that he would take one himself. A girl that was sat next to Civilian 62 started to cry and resist and the commander took a pistol and shot her dead. She fell to Civilian 62's lap. The witness testified that he was shaking with fear, as this was the first time someone had fallen dead into his arms. The same man walked up to the witness and asked if he wanted to see God: "I started shivering, and I told him no". The girls were taken away, one girl was still shouting and fighting the soldiers. She was taken away and Civilian 62 could hear a gunshot. He testified that he does not know what happened to the girl, but after that he did not hear any more shouting.

Civilian 62 further testified that he asked one of the girls next to him why the man was called Angel Gabriel, "because he is not doing anything that represents God". The girl explained that Angel Gabriel's real name is Gibril Massaquoi, he thinks of himself as the messenger of death, and "when he says you will die today and go see your Father, no one else will stop you, you will be killed, if he says you will be killed today, just say your last prayer, because he calls himself Angel Gabriel". The girl also mentioned the names of other people present, saying that one person's war name was Superman whose his real name was Zigzag Massaquoi, and General Mosquito, whose real name was Sam or Bockarie or Sam Bockarie. The girl then explained to Civilian 62 how soldiers would sometimes break into stores and as women would run into them to get food, the soldiers would get them.

The witness then described that there was another girl there, who said that she knew this Zigzag Massaquoi man. According to the witness, she was in great pain, and they were from the same area, so she wanted to say things that he would remember. She called him by his name Massaquoi and said: "People that you can call your mother, your daughters, your sisters, people are raping them all in the name of you fighting war?". According to Civilian 62, Angel Gabriel came and told her to "shut up" and began to take his gun. This is how Zigzag Massaquoi / Superman knew that he knew this girl and the two soldiers began to struggle. Both were wearing a Liberian uniform. According to Civilian 62 they were fighting because any time Angel Gabriel would take his gun into his hands, someone would die. As the two men were fighting, the witness

heard a car outside. A man came with a “full uniform” who started to ask the two men what they were doing and why they had brought children there, exclaiming : “This was not the reason I brought you here, I brought you people here to fight the war, and not to kill innocent people”. He began to inspect the building and saw the dead body of the girl. He started shouting that this was not the reason he had brought them there, for killing innocent people, and told Civilian 62 and others to go away. As the witness made it out of the building, he heard people using the name Chief Fifty, but he did not know his real name.

Civilian 62 was asked about his older brother, he confirmed that it was his biological brother. According to the witness, the store that was broken into was in Waterside, not too far from Old Bridge, about two and half minutes walking distance. When looking from Old Bridge, the store was located in the middle of an intersection. He testified that the man who stepped out of the vehicle at the store was Gibril Massaquoi and his war name was Angel Gabriel: he used the name Angel Gabriel, and the girl had told him that his name is Gibril Massaquoi.

According to Civilian 62, the soldiers were in front of the store and shooting inside of it. Many people died as a result. He stated that he was surprised to see his brother, as he had left him earlier when he had given him money. He described how his brother was put on a pickup and taken away. Angel Gabriel said that the people should say that he had sent them. Civilian 62 testified that he has not seen his brother since.

The witness stated the man who killed the person who was resisting at the store was the commander, Angel Gabriel. Civilian 62 saw him kill the man with his own eyes. The same man was giving orders at the building by the bridge. The witness did not know the girl whose dead body fell into his lap. The other girl next to him was called [REDACTED], she knew the names of the soldiers as she did business in Waterside at the time. Both of them were there until Fifty came and “started blasting to free us”. At the time of this incident, there was fighting ongoing against LURD rebels. The witness explained that the fighting was behind Duala around the Bong Mines Bridge leading to Brewersville and that there was not heavy shooting in the city. According to Civilian 62, after this incident there was still fighting ongoing. LURD would come and attack. This incident took place in 2001.

Civilian 62 stated that Angel Gabriel was not Liberian, which he knew from his accent, which was Sierra Leonean. He had not heard any news about someone being arrested in Finland in relation to the Waterside events before his interview with the Finnish police.

The defense questions Civilian 62

The defense began by asking about the other soldiers whose names were told to the witness by the girl under the bridge. Civilian 62 testified that Superman, aka Zigzag Massaquoi and General Mosquito, aka Sam Bockarie were with Angel Gabriel at the store, but he only found out their names from the girl under the bridge. According to Civilian 62, the girl was also at the store, they were both inside when the shooting began. Zigzag Massaquoi took orders from Angel Gabriel at the store. All three of them were together. He did not hear Sam Bockarie say anything, as Angel Gabriel was the one giving orders. As Civilian 62 and the others were taken from the store to the bridge, these three soldiers were together in a different car. The only time Civilian 62 heard Zigzag Massaquoi speak was when the girl next to him started talking about the killing and raping of innocent people. According to Civilian 62, Zigzag Massaquoi thought the girl was referring to him, so when Angel Gabriel took out his gun, Zigzag started to defend he as he was also Liberian.

All soldiers present were wearing a Liberian uniform, but a conflict ensued between those supporting Zigzag Massaquoi and those supporting the other group.

Civilian 62 testified that the uniform the soldiers were wearing was the ATU uniform at the time. It had the colors of the Liberian flag in the sleeve. The uniforms had a collar, it was colored in "army color", with green, brown and other colors.

The witness was also asked how the Finnish police had contacted him. He testified that he was reached via his friend who he thinks is Civilian 05. He was watching a football match at a video club, when people starting talking about commanders and other people who took part in the civil war. One person said 'let bygones be bygones', and another said 'whatever you do, you have to pay for it'. Civilian 62 joined the conversation and recalled his experience, saying that 'if you had experienced war, you would never say that someone should get away with it'. Civilian 05, who was listening to the conversation, approached him. He asked him if his story was true and then asked for his phone number. He then said that people will be in contact. Civilian 05 did not call him afterwards and had not mentioned that someone was a suspect in a case about the events. He took his number and said that he would get a call from somebody because he himself couldn't talk about such things. A few days later, Employee 1 called and told Civilian 62 that someone gave him his number. Employee 1 told him that he was the best person to talk about something to people that were coming to discuss these issues. After a while, Employee 1 called Civilian 62 again to tell him that the people had arrived and he should come and talk about his experience.

The witness testified that Employee 1 did not tell him the name of the suspect and that he had not heard the suspect's name anywhere when he came to meet the Finnish police. When he was explaining his story at the video club, he had mentioned the names Gibril Massaquoi and Angel Gabriel, which sparked Civilian 05's interest. The defense referred to Civilian 62's police interview, where he had told the police that Civilian 05 had called him and told him that the Waterside suspect was Gabriel Massaquoi. Civilian 62 denied saying this. The defense then played an audio recording of his interview multiple times, as it was not entirely clear. Finally, Civilian 62 responded that at the video club, he had mentioned the name Angel Gabriel and Civilian 05 had mentioned the name Gibril Massaquoi, but that did not mean that he had not heard it before.

Finally, Civilian 62 testified that the incident took place in 2001. He denied knowing Civilian 69, despite the the fact that the police reported to have contacted Civilian 69 through him, and that Civilian 69 spoke of a friend with the same name as him. The witness responded that many people have the same name. He also stated that the man called Zigzag Massaquoi spoke like a Liberian.

It was pointed out that the witness identified the defendant as Angel Gabriel from the series of photographs presented to him at his police interview.

Witness Civilian 61 is heard

The prosecution questions Civilian 61

The prosecution began by asking Civilian 61 about an incident where soldiers captured her in Monrovia. The witness testified that during the war, she lived in Paynesville and did business buying and selling goods. One day, her and her friends went to Waterside market to make

purchases. Her usual shopping spot was closed. Her friends told her that soldiers had broken into a store and were selling things from there, so the witness, her sister and some other women decided to go there. As they arrived, there was a big crowd of armed men and other people going in and out and out of the store, bringing out different things. As they were entering the store, a pickup came and soldiers got out. Another pickup arrived came, a man stepped out and gave an order to fire. The men started shooting in the air and Civilian 61 and her friends ran away. The men began to shoot at people and people were hit, including Civilian 61's sister. When she went to help her, she was already dead. There was a large group of armed men shooting randomly all over the place, and another pick up arrived. The situation was chaotic, and Civilian 61 and others was captured.

As they were captured, another group of men took them under a bridge. There was a small house under the bridge, where people were raped and killed. Civilian 61 testified that she saw the same commander and his men who had been by the store. There was also another group of soldiers, the commander told his men that the people that had been captured should be taken away and that they should tell God that Angel Gabriel sent them. Many people were killed there. Then, she saw a boy she knew and started crying. The boy asked her what she was doing there and Civilian 61 answered that she came to do shopping. The boy took her with him towards West Point and told her to run.

Civilian 61 testified that the store was located on the right coming from Freeport and on the left when coming from Sinkor. Many people died during the shooting at the store, but she could not count them at the time. The man who gave the order to fire spoke like a Sierra Leonean. Liberians and some other people called him Angel Gabriel and he was also called Gibril Massaquoi. He was standing on the pickup and gave the order. The witness heard the names Angel Gabriel and Gibril Massaquoi under the bridge, when he was killing people. He had said "when you go meet God, tell him that I, Angel Gabriel, sent you". The witness repeated that people were killed and raped under the bridge. Some were taken aside, and some were taken into the house.

The witness described how she was first taken under the bridge and as the soldiers were told to escort the people that had been captured, she recognized one of the boys and he helped her. She explained that she was not taken inside the house, but she saw people being taken there. She could not estimate the distance of the house from the bridge, but said that it was not far from the bridge or the store.

According to Civilian 61, she saw the same commander under the bridge whom she had seen at the store. He was giving orders when she got there. He said that "when you meet God, tell him that Angel Gabriel sent you". She testified that the commander used the name Angel Gabriel himself and she heard his soldiers call him Gibril Massaquoi. He was wearing "soldier trousers" and a white shirt. She described how most of the soldiers who were with Angel Gabriel spoke similarly to him, in 'Sierra Leonean' or 'Nigerian'. Some of them were also speaking like Liberians.

Civilian 61 testified that the war was called World Wars I, II and III Government forces were fighting LURD and sometimes LURD would come and attack, then they would leave and things would go back to normal before the next attack. The fighting was ongoing in Duala, almost in Monrovia. She explained that she was not in the area when the war ended as she left for Nimba after the incident, only returning after the war. The war did not continue for long after these events. The witness speculated that the bridge was called Waterside Bridge and Old Bridge at the time.

Civilian 61 testified that she had heard about someone being arrested by the Finnish police in relation to the Waterside events before her police interview. The father of the children called her and said that there had been a discussion at a tea shop about the events in Waterside. He had met a man there and told him that his wife had been involved as a victim. He gave the man Civilian 61's number. A few days after, Employee 1 called Civilian 61 and told her that the Waterside incident is connected to Finland. He said that people were on their way to investigate the matter and asked if Civilian 61 would like to speak with her. The witness then added "I don't like to talk about it. It reminds me of my sister every time". She confirmed that Employee 1 did not mention any details about the matter. She also confirmed that her sister who died in Waterside was her biological sister, and that had not heard any news about the arrest before that phone call.

The defense questions Civilian 61

The defense first asked whether Civilian 61 had heard the names of other soldiers at the scene besides Angel Gabriel. The witness could name Black Jesus but said she couldn't really remember. She stated that she would not be able to recognize Black Jesus, that this name was mentioned at the time. She named one of the friends that she was with at Waterside. She could not recall the names of the other women, or of the boy who saved her at the bridge. The defense referred to her police interview, where she had said that this man's name was [REDACTED], who she had dated previously. The witness confirmed this name and testified that she dated him a long time ago.

Civilian 61 was also asked if she had given the contact information for any other witnesses to the police. She testified that she mentioned the name of [REDACTED] when she was asked about this issue earlier. The Finnish police had reported that Civilian 61 had given Civilian 73's contact information, but she said that she could not remember this person. The witness stated that she met Employee 1 when the police arrived. After he had called her, it took some time before the police interview. The defense referred to Employee 1's notebook, where the year 2003 had been written next to Civilian 61's name and asked her if she had spoken of this year with Employee 1. She responded that this is something that they should ask Employee 1 himself. The defense also asked about the fact that the year appears to have been altered into 2001 in the notebook, she repeated that they should ask Employee 1 about it.

Finally, Civilian 61 explained that when she spoke of the soldiers escorting her and others, it means that they were being escorted to death: "It means to kill people".

It was pointed out that the witness identified the defendant as Angel Gabriel from the series of photographs presented to her at her police interview.

February 17, 2023 – Day Fifteen

The last day of the second week of proceedings in Monrovia saw the Court hear two soldiers about their participation in the Second Liberian Civil War.

The first witness served during the war in the Armed Forces of Liberia. He described the co-operation between official government troops and the RUF, who crossed from Sierra Leone to Liberia during the war. Later, when he was in Monrovia, he witnessed a battle against LURD rebels and the alleged atrocities committed by RUF troops.

The second witness was an RUF fighter during the war. He described his experience of crossing from Sierra Leone to Liberia and the killings of civilians in Lofa county by RUF forces. He also talked about being in Monrovia, where he was placed in Waterside. He recounted witnessing similar battles and atrocities as described by the first witness.

While the witnesses described somewhat similar events, the precise timing of their testimonies was the subject of a lot of discussion in the Court. The Court shall resume hearings next week.

February 17, 2023 [Liberia] Day 15: Soldiers in court

Witness Soldier 13 is heard

The prosecution questions Soldier 13

The prosecution began by asking about Soldier 13's participation in the Second Liberian civil war. He testified that he joined the revolution in 1990, when he was 15 years old. He got to the rank of colonel in the NPFL. During World War II, in 2001, he was stationed in Lofa county, and moved to Monrovia when the war moved there. His chief of staff was Roland Duo of the Navy division. Other commanders within the government forces included General Fasou, Jack the Rebel and others. LURD was also present in Lofa. There were also troops from Sierra Leone, they were from the RUF. According to Soldier 13, the RUF was in Lofa because ECOWAS had attacked them, they moved into Liberia from Sierra Leone and Charles Taylor had ordered Soldier 13's troop to join the conflict.

Soldier 13 testified that he saw RUF troops between Lofa and the Sierra Leonean border. He was responsible for the border area between Foya, in Liberia, and Konia, in Sierra Leone. He saw RUF troops in a small village there. Initially, when the RUF troops arrived at the border, they prevented them from entering Liberia. Later, they received information that the RUF had a leader. The witness then named a few of the RUF leaders: the late Sam Bockarie, who was the deputy director of Issa and a spokesman, Gibril Massquoi. According to Soldier 13, the spokesman "had on full uniform, and his arm, and he was introduced as spokesman for the RUF". Sam Bockarie introduced him to Benjamin Yeaten as the RUF's speaker, and whenever he came to Monrovia, he would need to be protected. The witness testified to seeing Gibril Massaquoi in Kortohun and Foya by the border. The RUF had a base in Kortohun. He also confirmed that he saw Gibril Massaquoi with his own eyes in Lofa.

According to Soldier 13, a few months after the RUF arrived, "a lot of things went on" and they blamed the Liberian government troops. He explained that civilians were killed in Kortohun. The

RUF used to come from Sierra Leone to Vahun by helicopter. They used to come to Lofa, but then, at the time of Kabbah's presidency, ECOWAS was attacking the RUF in Sierra Leone. Soldier 13 stated that he knew Sam Bockarie aka Mosquito and Gibril Massaquoi from 1999 to 2000. They used to come to Lofa by helicopter and used this route to come to Monrovia. As Johnny Paul Koroma seized power from Tejan Kabbah, he invited the RUF to Freetown. A few months after that, ECOWAS attacked Freetown and pushed them to the border, where the Liberians prevented their entry. Later, they received word from Monrovia and let them into Liberia.

Soldier 13 testified that LURD attacked in 2001, they were not official troops, but dissidents, and had no structure. When they retreated, Soldier 13's force was ordered to take the RUF to Kortohun. A lot of things took place and civilians were harassed. Killings also took place and Charles Taylor ordered Benjamin Yeaten to find out what was going on. Because of these events in Kortohun, the government forces "moved on them and surrounded" the RUF, taking three of their leaders to Monrovia. The civilians fled and some went to Gbarnga. According to the witness, it was the RUF that was killing civilians in Kortohun as they had their base there, and were in control of the area from Kortohun to Vahun. The three leaders taken to Monrovia were Sam Bockarie, Issa and Jublee Massaquoi. The latter had a full military uniform and an AK-47, Soldier 13 saw it with his own eyes. Soldier 13 explained that in Liberia they called him Gabriel, and in Sierra Leone he was called Jublee. He was the spokesman.

The witness explained that World War II and LURD came in 2002. When the three RUF leaders were arrested and brought to Monrovia, the remaining RUF troops in Lofa were divided into different units and Liberian government troops took command of them. Soldier 13 saw Gibril Massaquoi in Monrovia. The RUF leaders had a base in the EJ Roye building in 2001. Benjamin Yeaten also had his base there, the witness had been there to fetch ammunition from him. He confirmed that he saw Gibril Massaquoi, Sam Bockarie, Issa and Salami in Waterside. He explained that a lot of killing went on in Waterside and "the president was "confused". He described an incident that took place "coming into Waterside from Mechlin Street, there's a road off Johanssen that goes to West Point. Another road goes straight to the bridge leading to Vai Town. And if you take the Johanssen side road to West Point, there is a shop". During the war, "civilians can come out to get food and other things, we call it looting". Government forces were on the bridge at the time. As Salami and Jubilee Massaquoi saw the looting, they opened fire. Many people died and the commander of Waterside had people arrested. There were complaints and Salami was arrested and taken to Benjamin Yeaten at the EJ Roye building. Soldier 13 testified that he never saw Gibril after that and later, Salami was killed by a rocket on the bridge. The bridge where the government troops were stationed and where Salami was killed was called Gabriel Trucker Bridge and led to Vai Town and had an island underneath.

The witness testified that he saw the dead bodies after Salami and Gibril opened fire on the looters. The information was relayed to Benjamin Yeaten, who said that the aqbah were killing Liberian citizens. The witness confirmed that he saw the shooting himself. They had a machine gun mounted on a pickup in Waterside. At the time, in 2002 or 2003, there were heavy battles ongoing in Monrovia, they were called World Wars I, II and III. After Salami's death, Soldier 13 did not see Gibril again. Salami was killed by a rocket when there was fighting against LURD. At the time, the fighting was ongoing between Vai Town and the bridge, where people used to sell. The witness estimated that the rocket was fired from the direction of Freeport. The government troops were near the city center and the rebels were coming from the Duala, Freeport. According to Soldier 13, the RUF had troops in Monrovia until the end of the war. They were spread all over,

in Nimba and Lofa counties. When the RUF left Lofa, Sam Bockarie was ordered towards Nimba and he stayed there until he died.

The witness estimated that it was not long after Salami's death on the bridge that peace came. The three RUF leaders, Sam Bockarie, Sesay and Gibril/Jublee Massaquoi came to Monrovia at the same time. Soldier 13's troop handed them over to Benjamin Yeaten and then went back to Lofa.

The defense questions Soldier 13

The defense began by asking Soldier 13 how many times he met Massaquoi in Lofa county. The witness responded that he met him three times, with the third time in Kortohun. The three RUF leaders used to move together, and Foday Sankoh had already been arrested. According to Soldier 13, Massaquoi came to Liberia in 1999. He went straight to Monrovia and lived at KissFM in Congo Town, near Taylor's house. The next time he saw him was in Lofa in 2001, when RUF troops were pushed there by Tejan Kabbah. He could not estimate the month or season but knew that fighting was ongoing at the time and then Johnny Paul Koroma invited the RUF to Freetown. In 2001, Soldier 13 saw Massaquoi at the border crossing in Konohun, where a road goes from Sierra Leone to Lofa. The RUF went through Lofa because they were pushed out of Sierra Leone by international forces and wanted protection from them. After Lofa, Soldier 13 saw Massaquoi in Waterside when Roland Duo told them to move towards Monrovia. When the RUF crossed the border into Liberia, Soldier 13 had been instructed to take them to Kortohun and all the way to Vahun. He could not tell for how long Massaquoi remained in Vahun until he came to Monrovia because he himself was fighting.

The third time the witness saw Massaquoi in Lofa was when the massacre happened in Kortohun. Soldier 13 was ordered to Kortohun and he saw the three RUF leaders there. That time, Massaquoi had arrived in Liberia from Sierra Leone as the international troops had pushed the RUF and Sierra Leonean junta into Liberia. Sam Bockarie was leading the RUF troops in Lofa county. Gibril Massaquoi was the spokesman and Issa was Sam Bockarie's deputy. The defense referred to the witness's lower court's testimony, where he had said that Issa Sesay had never come to Liberia. Soldier 13 denied this and said that he had said that all three of them came to Liberia.

Soldier 13 further testified that Johnny Paul Koroma came with the RUF leaders to Liberia and disappeared in Lofa. The witness was not there, but he saw that Johnny Paul Koroma did not come to Monrovia with the RUF leaders. He was later told that Koroma was missing and that he had been killed. He could not say who might have been behind Koroma's killing but stated that there were rumors that Gibril Massaquoi might have had something to do with it. He repeated that he was not there himself, but said that something happened between Koroma, Sam Bockarie and Gibril Massaquoi. The witness estimated that Koroma died or disappeared during the ceasefire, going into 2002. The defense referred to his lower court testimony, where he had said that Johnny Paul Koroma was killed on the same day of the massacre in Lofa. The witness responded that he was killed in the same Kortohun area and that Gabriel Massaquoi and Sam Bockarie had "masterminded" it. He had found out about it from his troops who were on duty in the area. He had not heard that Johnny Paul Koroma had run in the 2002 Sierra Leonean presidential elections.

The witness testified that he came to Monrovia during World War I in 2001. It was the first war that came to Monrovia from Duala and the first time that LURD troops came. He estimated that the first time he saw Massaquoi in Monrovia was in 2000, when Foday Sankoh had been arrested. At the time, Massaquoi was the spokesman for the RUF and living in Congo Town, right by KissFM. He also saw Massaquoi in Waterside in connection with the massacre by the store and in EJ Roye building, where he received ammunition from Benjamin Yeaten. According to Soldier 13, there was a short time between these two meetings with Massaquoi, not even two weeks passed. Soldier 13 was himself stationed by the bridge, near West Point. During those two weeks, he saw Bockarie, Massaquoi and Salami, they had the pickup stationed by the bridge. He confirmed that he saw them once with the pickup and the weapon mounted on it, that was when Benjamin Yeaten was told that aqbah is killing Liberians. He described that Salami was shooting the gun that was mounted on the pick-up, and that there was a soldier with them in the car. He described that there were a lot of death at the shop. He stated that "I cannot tell you whether it was 5 persons or 100 persons, but the whole abba group was shooting". His own station was not far from the scene.

According to Soldier 13, Sam Bockarie was ordered to Nimba county, towards the border with Ivory Coast. He had some aqbah soldiers with him. He had seen Bockarie at Twelve Houses, where he lived, at a time when there was no fighting going on in Monrovia. He also testified that he had seen Bockarie in Waterside. The last time he saw Massaquoi in Monrovia was in late 2001 or early 2002, around World War I. The defense referred to his police interview, where the witness had said that in 2003 Massaquoi and Salami were killing civilians in Waterside. Soldier 13 denied this in court and said that in 2003 Taylor left the country and Gibril Massaquoi was not in Liberia at that time.

Soldier 13 asserted that he had not discussed issues relating to Massaquoi with anyone between his police interview and his hearing at the lower court. The defense referred to his previous testimonies, as he had told the police that Massaquoi was chief of operations but in the lower court said that he was the spokesman. He denied saying that Massaquoi was the chief of operations. The court then listened to the audio recording of his police interview, where he told the police that he had made a mistake saying that Gibril Massaquoi was the chief of operations as he had discussed the issue and had found out that he was not. Soldier 13 commented by saying that indeed he had said the first time that Gibril was part of the operative leadership, but then he spoke with other people that he had previously fought with and corrected himself later. He could not say whether any of the people he spoke with had been heard as witnesses in this trial.

The witness was asked how the Finnish police had gotten in contact with him. He testified that he met one of his old friends from the military and said that people were coming from Finland and they wanted to know about the war from 1990 and Sierra Leone's war. Soldier 13 gave him his number. After about a month, Employee 1 called him. Later, Employee 1 called him again and said he wanted to meet, so Soldier 13 came to the city and met the Finnish authorities for the first time. The witness testified that he knows Soldier 7, but they have not lived in the same place.

Finally, Soldier 13 described the events relating to the Sierra Leone junta and the battle over Freetown in more detail. The defense concluded that these events took place in 1997 and 1998.

It was pointed out that the witness identified someone other than the defendant as Gibril Massaquoi from the series of photographs presented to him at his police interview.

Witness Soldier 11 is heard

The prosecution questions Soldier 11

The prosecution began by asking Soldier 11 about his participation in the war in Liberia. The witness testified that he is half Sierra Leonean and half Liberian. He joined the war from Sierra Leone as a child soldier for the RUF. His father had fought with the RUF during the war in Sierra Leone and while the rest of his family fled to Monrovia, he stayed behind. His father came and took him to join the RUF. He was in Waterloo, Sierra Leone, when government forces pushed back and they had to retreat to Liberia. When they arrived at the border, the Liberians told them that they could not enter, so they decided to enter by force. According to Soldier 11, one high-ranking RUF member, Issa, died and the RUF began to kill people and burn down villages. At the time he was in Vahun, where the Liberian government and RUF were negotiating. RUF commanders present there included Rambo, Patrik Kamara and Superman. The RUF burned towns and villages such as Malameh, Lormeh, Kpardemeh, Masavolahun and Manameh, where people were killed inside a house. Soldier 11 was present when these villages were burned. These three commanders, Rambo, Patrik Kamara and Superman, gave the orders to attack the Liberian soldiers and to do "maximal destruction" because the Liberians refused to host the RUF. During his testimony, the witness exclaimed: "What I saw with my eyes is what I am saying here. I want justice to prevail, so my conscience can set me free".

The witness explained that his troop went to Vahun, where Fifty said that if they joined the Liberian government in fighting LURD in Lofa, he would let the locals host them. He testified that he fought in Monrovia as well as Lofa. He was told that LURD was attacking from Bomi towards Monrovia. They were sent by helicopter to Monrovia and were stationed in different places there. The high-ranking soldiers went to Twelve Houses while Soldier 11, Rambo and others were taken to Moses Blah area. The war began in 2001 as LURD advanced towards Monrovia. Soldier 11 and the others were placed on alert and began attacking Duala and Freeport. LURD succeeded in pushing the government troops back all the way to Waterside. At that time, they learned that Sam Bockarie aka General Mosquito had gone to Ivory Coast and that he had been killed there, so they were all angry.

Soldier 11 testified that they had four commanders, Patrik Kamara, his own father and Kpangay. Their "big spokesman" was Angel Gabriel. They got to Waterside and fought there. Their Liberian commanders were Cooper Teah and Michael Harbray. They "attacked and defended back and forth" with LURD and at some point, LURD retreated. After the fighting, the soldiers began breaking into stores as they needed food. As they broke into stores, civilians came out and the streets were full of people. Soldier 11 testified that the second time he saw Gibril Massaquoi in Waterside was when it was said that Fifty had ordered that the whole Waterside should be cleared. Gibril Massaquoi gave an order to Yaney, one of the members of RUF's Death Squad. Fighting began again and LURD began shelling. The witness described how mortar shell hit Salami right in front of him and he exploded into pieces. When he died, Angel Gabriel was very angry, saying that the civilians were giving out information on their positions and that's how they had gotten hit. Jungle Fire and Yaney drove the pickup with a mounted weapon and received an order to kill all the civilians inside the store.

Soldier 11 testified: "That killing made me traumatized, because I am half Liberian, half Sierra Leonean, and seeing my Liberian sisters, and brothers being killed like dogs made me angry". He then joined the Liberians instead of the aqbah, as the RUF was called in Liberia. There was a plan

to ambush and kill Fifty and Jublee Massaquoi one night, but they did not come. The witness testified that they killed over two thousand civilians in Waterside. He was particularly traumatized after seeing the body of someone from his village.

The witness explained that the killings in Waterside took place on the Old Bridge, when coming from Goldman Hill towards West Point. He described seeing the killings with his own eyes, how Yaney shot with a machine gun and civilians fell with food in their hands. Angel Gabriel gave the order to clear Waterside. He had a silver pistol. He said that these civilians had given their position to LURD and that was the cause of Salami's death. Soldier 11 confirmed that he personally heard Angel Gabriel give this order and say that civilians should not be looting. According to Soldier 11, Angel Gabriel gave the order and left. He said he was going to Fifty, as the "sniper weapon" was in the EJ Roye building and Fifty was operating it. The witness described the EJ Roye building as a long and tall building, located opposite to the central bank when coming from New Bridge and Vai Town towards Monrovia. It was damaged in the war.

The witness testified that Angel was RUF's big spokesman. He did not really fight on the frontline, but sometimes he came to the front by helicopter to give orders. He did not know guerilla tactics, but he had his "sons" who did. He gave orders to this Death Squad, Salami being its commander. Soldier 11 testified that Angel Gabriel was also called Gibril Massaquoi in Sierra Leone and Gabriel Massaquoi in Liberia. After Salami's death, it took maybe a month before peace came to Liberia. American helicopters were in the air and people were told to stop fighting. This was called World War III.

Finally, Soldier 11 repeated that Jublee Massaquoi, in Krio, is the same person as Angel Gabriel.

The defense questions Soldier 11

The defense began by referring to Soldier 11's previous testimonies, where he had not mentioned the name Angel Gabriel. The witness explained that they called him Gibril Massaquoi in Sierra Leone. He remembered the name Angel Gabriel only later, as he used to say "Tell God, I, Angel Gabriel, sent you" before killing people. He only remembered this after the second hearing in the lower court. The defense also referred to the fact that he was asked twice in the lower court whether Gibril Massaquoi was in Monrovia and both times he answered that he did not see Massaquoi in Monrovia or elsewhere. The witness answered that this was wrong as he had said twice that Massaquoi came to Waterside and gave an order to kill because of Salami's death. He could not remember saying in court that he had not seen Gibril Massaquoi in Monrovia.

According to the witness, the man who was killed when the RUF crossed the border into Liberia was called Issa Sesay. He testified that the incidents in Waterside took place in 2002 or 2003, during World Wars I, II and III. The defense referred to his police interview, where the witness had said that he had gone to Monrovia in 2003. Soldier 11 answered that the war was in Sierra Leone in 2001 and in Liberia/Waterside between 2001 and 2003.

Soldier 11 confirmed that he saw with his own eyes how a machine gun was brought in front of a store and people coming out of the store were shot. Gibril Massaquoi gave the order to shoot, he was in charge because Mosquito was already dead in Nimba. He ordered Yaney, who was now in charge of the Death Squad after Salami's death, to clear Waterside. The defense pointed out that at the lower court, he had testified that Yaney, who was there with Salami, had ordered to shoot people inside the store. The witness repeated that Yaney was the deputy of Death Squad and in

command of the squad after Salami's death, but that Gibril Massaquoi gave the order to Yaney. According to Soldier 11, Michael Highgray was a deputy on the government's side and assistant to commander Cooper Teah. Soldier 11 himself was part of a group called Jungle Fire. They did not have uniforms but wore black shirts with "Jungle Fire" written on the back and red bandanas.

Next, the witness explained how he was called to testify by his colleagues, Soldier 13, X9 and some other friends that he had fought with. He testified that he had not spoken about these events with them since the last hearing in court. He also stated that he had witnessed similar incidents where civilians were attacked near stores. After Salami's death, the aqbah men killed and beat people all over the area, even in West Point. The defense referred to his testimony at the lower court, where he had described an incident where Yaney locked people inside a store and burned it. According to Soldier 11, this was a different incident to the one that he had being speaking about, it occurred in Happy Corner in Waterside. He also testified that he personally witnessed Issa Sesay's death, he died in a firefight with the Liberians.

Finally, there was a discussion as to the witness's age at the time of the events. The witness also asked if there was a way to contact the court in case of any security concerns, to which the court responded that there was a specific number that he could call.

It was pointed out that the witness did not identify Gibril Massaquoi from the series of photographs presented to him at his police interview.

February 20, 2023 – Day Sixteen

The third week of the proceedings in Monrovia began with the Court continuing with last week's theme. The Court heard two former RUF fighters' testimonies about their experiences during the Second Liberian Civil War.

The first witness described his time in the RUF, both in Lofa County and Monrovia. Both parties focused on his experiences around the Waterside area in Monrovia during the so-called World Wars.

The second witness described his experience as a fighter for multiple armed factions both in Sierra Leone and Liberia. As they had done with the first witness, the parties focused on his time with the RUF, and particularly events in Monrovia during the World Wars.

The Court will continue its hearings tomorrow, Tuesday 21, and will hear three additional witnesses.

February 20, 2023 [Liberia] Day 16: Waterside Soldiers

[editor's note: mentions in brackets help clarify the text, not included in the actual testimony]

Witness Soldier 7 is heard

The prosecution questions Soldier 7

The prosecution began by asking Soldier 7 about his participation in the Liberian civil wars. The witness testified that he had been with ULIMO until the group split in 1997. When Charles Taylor rose to power in Liberia, he was arrested and then joined Taylor's troops. Soldier 7 fought for his troops until the war ended. He joined Charles Taylor's forces between 1998 and 1999. He served in Lofa county and Bomi Hills and ended up in Monrovia towards the end of the war. After the fall of Vahun, he joined the Navy Division, with Roland Duo as his commander.

According to Soldier 7, Taylor's forces had foreign soldiers in them, particularly from Sierra Leone. Sam Bockarie and Superman had brought their troops from Sierra Leone to Liberia. The witness named a few RUF soldiers: Carl Koba, Chuckie, Yellow Man, Gabriel Massaquoi, CO Med and CO Blood. The first time he encountered RUF soldiers in Liberia was in 1999, when he went to Lofa, around the time he joined Taylor's side. He came across RUF troops in Vahun, Foya and "after everything," in Monrovia as well. When asked to describe Gabriel Massaquoi, he stated "I used to see him with men behind him, that's all". He testified that he saw Massaquoi first in Lofa, in Foya and Vahun, around 1998 or 1999. Soldier 7 could not tell if the RUF was involved in any atrocities against civilians in Lofa, as he only fought with them in Guinea. He testified that he heard about the RUF's "attitude," that they were harassing civilians by raping and killing them. He had heard the news from the Kissi and Gbandi boys who were recruited by Benjamin Yeaten to fight with them.

Soldier 7 testified that he came to Monrovia between 2002 and 2003 with the government troops that were being pushed from Lofa by LURD. Sam Bockarie and RUF soldiers were already based in Monrovia, Sam Bockarie had a house in Twelve Houses and the RUF "had a place". Superman also

came to Monrovia and was living right by JFK Hospital. The witness could not tell how many RUF soldiers came to Monrovia, as some of them went back to Sierra Leone, but he estimated that there were 300 or 400 men stationed in different locations around the city. He named some of the RUF commanders that came to Monrovia: CO Man, CO Blood, Yellow Man, SS Yaney, Salami, Gabriel Massaquoi and High Command. There were also others whose names he could not recall. Gabriel Massaquoi was the same commander he had seen in Lofa. Salami and Gabriel Massaquoi were both assigned to certain areas in Waterside and took orders from Fifty. The witness explained that he was stationed around Gardnesville, Salami was stationed around Broad Street and Water Street, and he met Massaquoi at Water Street. The RUF commanders were controlling the area to prevent looting.

Soldier 7 described an incident with Massaquoi that occurred at Water Street. He testified that he was on the Garden Hill Road when he heard that Yaney had killed his bodyguard Bulldog. He came to see what had happened and saw him with civilians and soldiers, he said that the civilians had been looting, and he had killed them. Soldier 7 asked him why he had not killed soldiers instead of the civilians. They had a heated argument and Fifty called Soldier 7 to tell him to forget the whole thing. This took place around 99 Steps, at the river side. He described the location: “coming from Broad Street, before reaching the bridge, there’s a bend to the left. A little bit further, there’s an area where women used to carry out prostitution, 99 Steps is located right after this area”. The incident happened opposite 99 Steps, where a road goes towards the river.

The witness testified that he personally saw Massaquoi kill civilians and soldiers with his gun. He could not remember the number of people that were killed and did not know their names. He explained that Bulldog’s death was because of the looting carried out in the area, as Salami and Massaquoi were tasked to make sure that it would not happen. Bulldog was among eleven people, who were executed by Yaney because of looting. Soldier 7 did not know where Bulldog and the others were killed, he saw their bodies by the riverbank but knew that they were not killed there. The witness testified that Salami, High Command and Gabriel Massaquoi killed multiple civilians and soldiers in other instances as well around Waterside, but he did not witness any of those. He only came to see Bulldog’s death and then returned to his station in Garden Hill.

According to Soldier 7, the battles in Monrovia were called World Wars I, II and III. He estimated that this incident in Waterside took place during the World Wars, after they came from Bomi. After Bulldog’s death, it took approximately one year before the end of the war.

The defense questions Soldier 7

The defense began by asking about the timing of the events. There was a lengthy discussion, as the witness had mentioned different years during different hearings. The witness answered that he was fighting during the war, so had not written things down and had just estimated the dates at his previous hearings. He also testified that he had not spoken with anyone about the timing of the events as “this case is not what you should be talking [about] with anybody”.

Soldier 7 testified that he had been in prison during the 90s. He was released by Francois Massaquoi, the Minister for Youth and Sports and the leader of the Lofa Defense Forces. He met Francois often when he came to Lofa to bring supplies, up until his death. He could not say when exactly he died. The witness testified to having met Zigzag Marzah in Lofa, but he was not part of his troops. He had heard that Zigzag Marzah was “notorious for killing human beings and eating them”, but he had not seen these things himself. The defense referred to his police interview,

where the witness had said that he had seen Zigzag eat human flesh in Foya. He denied saying this. Soldier 7 had also told the Finnish police that he had met Massaquoi for the first time in Vahun in 2000. He stated that he could not remember having said this to the police.

According to the witness, as government forces were retreating from Lofa to Monrovia towards the end of the war, they could not have travelled through Lofa, but some soldiers who were left behind fought to get in. When there was fighting in Monrovia, his troops could only reach Lofa from Monrovia via helicopter. Soldier 7 testified that when the land route between Monrovia and Lofa was still open, there were two different routes: from Bomi to Vahun or from Gbarnga to Voinjama. As they were retreating, Sam Bockarie was in Monrovia but the witness could not remember if he had retreated with them. He could not remember when Sam Bockarie had died but had heard that he was coming from the Ivory Coast when he died. He could not remember if he had seen Massaquoi after Sam Bockarie's death. The defense referred to his police interview, where he had said that Gibril Massaquoi had been in Monrovia after Sam Bockarie's death. Soldier 7 answered that the two men were in Monrovia together, but he could not remember whether Massaquoi had been in Monrovia after Bockarie's death.

Soldier 7 could not say how old Bulldog was when he died, he estimated that he might have been around 20 years old. The defense referred to the police interview, where Soldier 7 seemed to have said that he had seen the executions take place. He confirmed that he was not there and said that Ramboson was there first and told him what was happening. He then went to look himself and asked why people were being killed and then Fifty called him and told him to forget it. He then repeated that he had sent Ramboson first. When reached the scene, Bulldog had already been killed. He testified that he could not remember whether he saw Bulldog's body or not.

According to the witness, the troop controlling Waterside did not have a particular name as they were part of the government forces. He then confirmed that both RUF and Jungle Fire were part of the government forces and that they were together in Waterside.

Next, Soldier 7 was asked how he had gotten in contact with the Finnish Police. The witness testified that one of his friends, who he met at a junction got him in touch with Employee 1 and then the Finnish police. He could not remember the first time that he had been in touch with Employee 1, but had not known Employee 1 for long before his interview with the Finnish police. He denied being in touch with Employee 1 already in 2018. When the defense referred to his lower court testimony, where he had testified that a man named [REDACTED] had given his phone number to Employee 1, he responded that this could be true, but he could not remember. He was not sure whether he knew Soldier 1. The police had recorded that they had received Soldier 1's information via Soldier 7, to which he responded that he had helped to find one person, but he was not sure whether this person was Soldier 1. He also testified that he knew Soldier 17 but had not given his contact information to Employee 1 or the Finnish police. Soldier 7 denied telling anyone what the investigation was about or talking about the events to anyone in general. He also gave his war name to the court.

Finally, the witness repeated that he had heard about the events at 99 Steps from Ramboson, whom he had sent to investigate the situation. Ramboson told him that there were about six people killed, three civilians and three soldiers. He also told him that Gibril had said that these people were caught looting and that they should be killed. Ramboson tried to prevent the killing,

but could not, as Gibril outranked him. According to Ramboson, Gabriel Massaquoi killed the soldiers.

It was pointed out that the witness identified the defendant as 'Big Man' and then as Gibril Massaquoi from the series of photographs presented to him at his police interview.

Witness Soldier 1 is heard

The prosecution questions Soldier 1

The prosecution began by asking about Soldier 1's participation in the wars in Liberia. The witness testified that he began as a child soldier. He fought in three factions: ULIMO-K, NPFL and RUF, which was his main faction as Sam Bockarie was his cousin. The witness held the rank of a colonel in the General Battle Group. He had had various commanders, such as the late Ambush in ULIMO-K, Maui Juli in the NPFL and Sweet Candy. General Mosquito, aka Sam Bockarie, was his commander in the RUF. The witness testified that he joined the RUF when he was 16 or 17 years old but could not remember in what year.

In the RUF, Soldier 1 was stationed in Vahun, Koindu and other places. He used to cross the border back and forth with Gabriel Massaquoi. According to the witness, Massaquoi was highly educated so was made the RUF spokesman. He testified to seeing Massaquoi going back and forth during the war in 2001 and 2002. He didn't see him after the war. According to Soldier 1, Massaquoi was a "planner", he used to come and go between Liberia and Sierra Leonne through Belle Fasama. Massaquoi also used to come to Monrovia, stay for a few days in Four Houses and then leave. The witness testified that Massaquoi went back and forth between Monrovia and Sierra Leone because he used to arrange everything for the RUF. Soldier 1 himself spent time in Monrovia with Sam Bockarie and saw Massaquoi in Monrovia in 2001 or 2002. According to Soldier 1, Massaquoi said that he had a deal in Sierra Leone, but would not say what kind of deal it was. Massaquoi spoke of the United Nations in connection with this deal, but didn't tell him any details.

Soldier 1 repeated that he saw Massaquoi in Four Houses in Monrovia. He never came during the day and only travelled at night. When the witness was in Monrovia, he was part of Charles Taylor's mercenaries and cleared Lofa for him. Soldier 1 moved from Lofa to Monrovia in late 2001 and remained in Monrovia from 2001 to 2003. They moved in and out of the city. They came as the revolution brought them here. Soldier 1 was stationed in Congo Town all the way to ELWA Junction. At the time, there was fighting against LURD on New Bridge and Stockton Bridge. He named Yaney, Andrei, Salami and Gabriel Massaquoi as the RUF commanders present around these bridges, with Benjamin Yeaten as the commander of their army.

The witness testified that Gabriel Massaquoi killed people. Sweet Candy sent him from Stockton Bridge to prevent it from happening as he was a general. But Massaquoi would not listen to the witness, as he outranked him. The witness then showed the court his leg, which he stated Massaquoi had broken, saying "he did this to me. It's war, I'm not holding it against him". He then went back to his superior to report back. The witness explained that Massaquoi himself killed people outside, and ordered for the people inside to be killed with a PKM machine gun. This took place on Water Street in Waterside. Gabriel Massaquoi had broken his leg beforehand in Masambolahun. The witness exclaimed: "Put him on video so we can talk, I want to ask him

some questions". The Court informed him that as a witness, he was not entitled to ask the defendant questions.

Soldier 1 testified that many people died on Water Street as they were coming from West Point to get biscuits and food. Massaquoi told people to shoot with a PKM, but used a .45 caliber pistol himself. The witness described that when he asked Massaquoi to stop, he got angry and asked him who he was to give him orders.

According to the witness, Massaquoi also used the name Angel Gabriel. He described that "he said it to do performance, building expectation, doing things beyond human understanding, he said call me Angel Gabriel". Some soldiers also called him Angel Gabriel. The witness then provided the war names that he used when he was fighting for different factions. The battles ongoing in Monrovia were called World Wars I, II and III. They were brought from Lofa to Monrovia during World War I until the end. He was then asked about the border crossings that he did with Massaquoi. He testified that they crossed the River Makona using rafts made of plantain leaves. They continued from Vahun via Kpelle Forest and straight to Monrovia. He could not estimate how long it took them to get there.

Soldier 1 also testified about Bulldog's death. He was shot by Massaquoi for standing up for him. Massaquoi shot Bulldog and then Soldier 1 shot one of Massaquoi's bodyguards. This happened on Water Street. According to Soldier 1, Bulldog died in the middle of World War II and World War III came after.

The defense questions Soldier 1

The defense began by asking about the death of Sam Bockarie. Soldier 1 confirmed that he was present. They were on a mission in the Ivory Coast. Upon their return, Charles Taylor ordered his execution. According to Soldier 1, this happened in late 2001 or 2002.

Soldier 1 was asked about a war name, which he confirmed to be his. He was asked about Sweet Candy's real name, which he provided to the court. He testified about the leg injury caused by Gibril Massaquoi in Masambolahun, but could not remember the timing of the event. His face had been also hit by a bomb, but those were two separate incidents. The defense referred to his lower court testimony, where he had testified that he had been injured on his leg on the Old Bridge of Vai Town. He answered that this relates to a different injury and showed various other injuries that he had sustained to the court. The defense then referred to the police investigation, where he had not mentioned Massaquoi shooting his leg at all. Soldier 1 answered that Massaquoi had injured his left leg, but it was not important to him. His knee had been injured during battle. He explained that he did not take the injury caused by Massaquoi seriously, as such things happened during wartime.

The witness further testified that Massaquoi shot his brother. He also repeated that he had seen Massaquoi kill Bulldog in Waterside because he had disrespected him. The defense referred to his lower court testimony, where he had said that he was in JFK hospital when soldiers told him that Bulldog had died. He then explained that there were three different Bulldogs. Only one of them was his subordinate, the one that Massaquoi killed. He was a child soldier, 13 or 14 years old. The Bulldog whose death he had heard about in the hospital, was from the marines. 'His' Bulldog, his bodyguard, was the one killed in Waterside. The defense then pointed out that he had said that he had been sent to look for Bulldog's body. There was confusion as to which

Bulldog this was about. The witness exclaimed: “Has there ever been crisis in your country before? Have you seen it before? 40, 50, people dying, you will be nervous”.

Next, the defense referred to his police interview, where he had said that he, Soldier 4 and Soldier 17 went by motorcycle to Waterside, where they met Gibril Massaquoi. He confirmed this. According to Soldier 1, Massaquoi first killed civilians and soldiers and only when he reached the scene, he killed Bulldog. The defense referred to the police investigation, which had the events in a different order: that Soldier 1 met Massaquoi, who had six civilians and six soldiers captured, on Water Street. Soldier 1 answered that he must have been misquoted. There were six soldiers and civilians in total outside a store. Massaquoi first killed the people outside and then gave an order to shoot inside the store. He had been sent to prevent the killings and that was what caused the conflict between him and Massaquoi.

An audio of Soldier 1’s police interview was played, which showed him placing the events in a different order to the way he had explained in court. After listening to the recording, Soldier 1 testified that he had said that Bulldog was killed first.

Soldier 1 then explained how he had gotten in contact with the Finnish police. Soldier 7 had given his phone number to the police and brought him to the interview. Soldier 1 confirmed that had not heard who the suspect was before the interview, and had not been told beforehand that the interview would be about the events in Waterside. Soldier 1 already knew, before the interview, that Gibril Massaquoi called himself Angel Gabriel based on his own experiences during the war. The defense referred to the police interview, where he had said that Soldier 7 had told him that the interview would be about Waterside and the mission he had given him. Soldier 1 testified that Soldier 7 had indeed told him that the interview was about Waterside during World Wars I-III, but he did not mention the name Gibril Massaquoi. The defense again referred to his interview, where Soldier 1 had said that Soldier 7 had mentioned the name Gibril Massaquoi. Soldier 1 responded that he cannot remember everything. He maintained his testimony about the discussion between him and Soldier 7.

Next, the defense asked about the Makona river crossing. Soldier 1 repeated that he could not remember when this occurred. There was a large group of soldiers. They constructed rafts made of plantain leaves on the beach and crossed the Makona river. After crossing the river, they did “jungle twelve”, a method of moving through jungle territory, to Vahun. From Vahun, they followed orders and continued through other places on their way to Monrovia.

Before the end of his hearing, the prosecution had some further questions for the witness. He described Massaquoi telling him about a deal in Sierra Leone, but did not tell him any details. He had just said that if the deal was successful, they would all go to Sierra Leone. This deal meant that Massaquoi travelled between Sierra Leone and Monrovia, and then later on he left Liberia.

The defense then asked for the timing of events, which Soldier 1 said he could remember as they were using drugs, including cocaine and ‘Italian white’ to get through the jungle and to fight. The defense referred to the lower court’s judgment, where Soldier 1 had said that Massaquoi had disappeared after 2001. He responded that Massaquoi disappeared between 2000 and 2002 when Charles Taylor ordered his arrest. He first heard about the deal when Massaquoi came to see Sam Bockarie in Four Houses. Massaquoi mentioned those involved in the deal, but Soldier 1 could not remember their names. There was someone involved named Alan.

It was pointed out that the witness identified someone other than the defendant as Gibril Massaquoi from the series of photographs presented to him at his police interview.

February 21, 2023 – Day Seventeen

Today, the Court heard three witnesses speak about incidents in Waterside, Monrovia.

The first witness, an NPFL soldier during the war, described being stationed near Waterside in Monrovia alongside RUF troops. He described various killings of civilians and soldiers in the area.

The second witness was a civilian, who had been detained near Waterside market and taken to a gate near the bridge. The third witness was also a civilian and gave a similar account of being captured by soldiers. She, along with some of her friends, was tied up and taken under Waterside bridge. One of the friends that had been captured with her was killed before her very eyes by the Sierra Leonean commander of the soldiers in the area.

The Court is not scheduled to have a hearing tomorrow and will continue hearing witnesses on Thursday, February 23, at 9 am.

February 21, 2023 [Liberia] Day 17: Civilians held under a bridge

[editor's note: mentions in brackets help clarify the text, not included in the actual testimony]

Witness Soldier 17 is heard

The prosecution questions Soldier 17

The prosecution began by asking Soldier 17 about his participation in fighting in Liberia. The witness testified that he fought in 1994 and then again from 1999 to 2001. During the latter time period, they were fighting against LURD rebels in an area extending from a bridge leading to Waterside and Slipway, in Monrovia. He had also participated in fighting in Lofa county. For him, the war began in Lofa and then later moved to Monrovia.

Soldier 17 testified that he fought in Lofa between 1998 and 1999 until his arrival in Monrovia. He fought in the NPFL, led by Charles Taylor. He himself did not mistreat civilians in Lofa, but others did. Some of the people that mistreated civilians came from Sierra Leone while others were from Liberia. They were RUF and NPFL fighters. The RUF was a revolutionary movement from Sierra Leone who came over the border to Liberia. Soldier 17 named Cow Pupu, Gabriel aka Angel Gabriel and Abbah aka One Way to Death as RUF fighters who had come from Sierra Leone to Liberia. Angel Gabriel was one of those that came over the border when things got difficult in Sierra Leone. When asked about Angel Gabriel's rank, he explained: "You know, [in] rebel war we don't get special ranks but we deal with manpower. Manpower, from that group that you have, can be general, commander. The more you get plenty people behind you, the higher the grade of your rank". Angel Gabriel had one of the fighting forces on the front line.

Soldier 17 testified to having personally witnessed civilians being killed. He saw people being put in a house and then the house burned down in Sosomalohun, Bolahun and Savalahun. He saw Zigzag Marzah burn people, he gave the order to do so. He was part of the NPFL. Various RUF soldiers also were present, such as Cow Pupu, Angel Gabriel and One Way to Death. The witness testified that he did not see Angel Gabriel burning people in houses.

According to Soldier 17, they came from Lofa to Monrovia when the enemy pushed them away and "the war turned against us". The fighting began in Lofa in 1998. Soldier 17 was stationed from the bridge that went to Slipway and Waterside, as the enemy was on the other side of the bridge. The bridge was called Waterside Bridge at the time. Civilians were being killed every day in Waterside. Civilians were killed by rocket attacks and during combat and some soldiers were also deliberately killing them.

Soldier 17 further testified about being crippled by Angel Gabriel's bodyguard, Body Man. There was an incident where Body Man and others killed people on Water Street. There had been a misunderstanding and a fight broke out within the government troops. Roland Duo sent Grady and others to control the situation, and Benjamin Yeaten aka 50 was already there. Once the matter was settled, the troops were sent towards the bridge. Angel Gabriel gave an order to shoot anyone retreating from the bridge. As the enemy was approaching, Angel Gabriel's bodyguards crossed the bridge. As Soldier 17 was crossing the bridge, Angel Gabriel's bodyguards began firing. The witness was shot in the leg by an 'AK dragon'. He was then helped to the hospital by his comrades.

The witness confirmed that he saw himself the killing of civilians by Angel Gabriel's bodyguards on Water Street. He said that this the reason he and others got angry and the fight broke out between Angel Gabriel's men and the men on Soldier 17's side. According to him, a faction among Angel Gabriel's men wanted to take women from the crowd and another faction wanted to stop them. As the two could not agree, people were killed. The incident took place at the entrance to Water Street, before a women's clothing store. The store was located on the right side of Water Street, when looking from the bridge. Angel Gabriel also had a role in the killing as he was using a cutlass to cut the throats of some of the civilians. The witness confirmed that he personally witnessed Angel Gabriel doing so.

The enemy the witness had described was LURD, some were from Sierra Leone and some were from Guinea. The enemy was approaching from Freeport to cross the bridge. After he was hit in the leg, it took over a week before peace came to Liberia.

The witness also testified about soldiers being killed in Waterside outside of situations of combat. According to him: "if [Benjamin Yeaten] caught you with anything, he would execute you". Soldiers also had internal fights amongst themselves. Soldier 17 had been involved in one, where somebody had robbed his house in Waterside. He went to the robber's house and they had a shoot-out for over an hour.

The defense questions Soldier 17

The defense began by asking Soldier 17 about his interview with the Finnish police in December 2019. The witness testified that in the interview, he used the name Gabriel Massaquoi for Angel Gabriel, as that is his full name. The defense pointed out that he had said that Gabriel Wilson had killed one of Sweet Candy's bodyguards at 99 Steps. He confirmed that he had said so to the police and explained that some people were using three or four names, sometimes more. Here, the same person was called multiple names: Angel Gabriel, Gabriel Wilson, Gabriel Massaquoi and another name that he couldn't remember. As a person switched between different targets, they would also switch names.

The defense pointed out that the witness did not mention the name Gibril Massaquoi once during his police interview. He responded that he could not use all the names at the same time, stating that “Even my name, which you use here. If I go to another area, they use another name for me. It’s called guerrilla warfare”. He knew of the names Angel Gabriel and Gabriel Massaquoi before his interview, as they were being used in relation to operational areas. There was a discussion in court about such names, as the defense then pointed out that during his police interview, he was asked whether he knew the names Gibril Massaquoi or Angel Gabriel and he had said that he didn’t. The witness repeated his explanations that different names were used for different operations.

Soldier 17 was then asked to clarify the matter and provide all the names he knew for Angel Gabriel. The witness testified the following: his full name is Gabriel Massaquoi, during operations he was referred to as Angel Gabriel and in Sierra Leone he was called Spirit Gabriel. The man himself referred to himself as Gabriel Wilson in Waterside, in order to seem like a Liberian.

The defense pointed out that Soldier 17 had also testified in the lower court he had not heard the name Massaquoi but had used the name Gabriel Wilson at his residence. Soldier 17 denied that a name was used in connection to a particular residence as there was no specific place that he was staying in. The audio recording from his lower court testimony was played to the court, and the defense moved on with their questioning.

Soldier 17 testified that before his police interview, he did not know the reason for the investigation. Soldier 7 had called him and asked whether he knew anything about Gabriel who “did the thing in Waterside”. The defense referred to his police interview, where the witness had said that Soldier 7 told him a story about Gabriel Wilson, who was Benjamin Yeaten’s subordinate in Death Squad. The witness confirmed that Benjamin Yeaten was the head of the Death Squad and said that Soldier 7 had asked him whether he knew that man. He denied that he was told “a story” about Gabriel Wilson, stating that “This man was a man that we all were across there, so they asked me if at all I know him”.

The witness was asked about the injuries he had sustained on his legs and feet. He had injuries on both his left leg and his right leg which had been amputated, as well as other injuries under his arm and on his head. He testified that Body Man shot him on the bridge crossing from Water Street, in Monrovia. Kill the Bitch was a man in the same group as Body Man. In that unit, there were over five people who used the name Trouble, including Soldier 17 himself and Body Man. The defense pointed out that Solider 17 had named the person who injured him as Trouble in his police interview, Kill the Bitch at the lower court and Body Man at the appeals court. The witness explained that Body Man, Trouble and Kill the Bitch were all present that day, as they were controlling the gate. They all shot and he was hit, he could not say exactly who had shot him. As he was brought back from the hospital, there were three people at the front and three at the back of the gate. The defense played the audio recording of his testimony at the lower court, where he had said that on a bridge between Lofa County and Bong County, Kill the Bitch had shot him in his kneecap and that Angel Gabriel was there. The witness responded that there was a difference between the different incidents.

Soldier 17 then further testified about the events on Water Street in Monrovia. One of their bodyguards, whose name he could not remember, had been killed on Water Street before he went to investigate the situation. He recalled a man named Bulldog, he was the biggest man and

a bodyguard. According to the witness, something happened to Bulldog in Waterside, but he did not know what. He could not estimate how old Bulldog was at the time.

The witness then went to describe the different weapons that Angel Gabriel used. According to him, Angel Gabriel had a cutlass that he used as his "secret weapon that he used to butcher people with", as well as an assigned gun. According to Soldier 17, Angel Gabriel killed one of their bodyguards on Water Street, "that was what brought the confusion" before Fifty got there. The witness saw it himself when Angel Gabriel killed the bodyguard by shooting, and there were bodies "all over". The defense referred to his police interview, where the witness had said that Sweet Candy ordered everyone to look where the bodyguard had been killed, so he, Solder 4 and Robertson went. Soldier 17 confirmed this. He could not recall the name of the bodyguard that had been killed but said that he was one of Roland Duo's bodyguards and had also been with them. The defense asked the witness if the bodyguard that he saw being killed, and the one whose body he was sent to look for, were the same person. He responded that: "Soldiers died, there were many that were killed". According to him, both civilians and soldiers were killed at 99 steps. He explained that "99 steps was a bypass area where people used to kill their friends for looting".

Soldier 17 then testified that he did not know whether Bodyman was killed or injured in Waterside, as they were not close. The defense pointed out that at the lower court, the witness had testified that Bodyman was the only soldier killed at 99 Steps. The witness then stated that Bodyman was one of Roland Duo's bodyguards and he was killed between Water Street and 99 Steps. As he was killed, a firefight broke out and Sweet Candy ordered them, Soldier 17, Soldier 4 and Soldier 1 to go onto the scene.

The witness confirmed that Sweet Candy did not promise him any benefits when he asked him to come and testify. Sweet Candy had said that if he came to testify, they would help him to get a new leg.

Finally, the witness named Zigzag Massaquoi, Zigzag Marzah, Fifty and Benjamin Yeaten as soldiers who killed people at 99 Steps. Benjamin Yeaten had seen people loot a store with rice, the store was welded shut and he ordered the killing of the looters with a four-barrel anti-air gun.

It was pointed out that the witness identified someone other than the defendant as Gabriel Wilson from the series of photographs presented to him at his police interview.

Witness Civilian 76 is heard

The prosecution questions Civilian 76

The prosecution began by asking Civilian 76 whether she had experienced anything particular during a crisis in Monrovia. The witness testified that she used to live in Red Light district and sell goods in Waterside. One morning, as she went to Waterside, the whole place was upside down. People were running all over the place and gunshots were fired. The witness began to run as well. A gate was closed right before the bridge and she was captured and tied up. There were people being captured and people being killed. The witness described a man called Angel Massaquoi, Angel Gabriel Massaquoi giving orders and after people had been killed, he gave

orders for them to be taken to West Point. She then saw a man she knew. He asked what she was doing there all tied up and she explained to him that she was running and had been captured. The man asked the man who was giving orders to release her, she was released and was able to flee the scene.

The witness further testified that she was captured in Waterside, near a biscuit store that was located on the left when coming from West Point, right before the bridge. The bridge was called Old Bridge at the time and the store was not too far from the bridge. Civilian 76 saw people being killed by the store by Angel Massaquoi, who ordered his men to kill people. Angel Massaquoi was speaking English. The witness could not estimate how many people were killed by the store, exclaiming: "I was not to myself".

Civilian 76 testified that from the store, she was taken to a gate at the bridge. People were killed there and bodies were carried towards West Point. She did not personally know anyone that died by the store or the gate. She could not remember how Angel Gabriel Massaquoi was dressed. According to the witness, the war that was going on at the time was called World War I, in 2001. She could not estimate how long it took after the incident before peace came to Liberia, as she left and went straight to the bush right afterwards. According to Civilian 76, Angel Massaquoi spoke 'in British'.

The witness had not heard any news on a person being arrested in relation to the events in Waterside before her interview with the Finnish police. When she came back from the bush, her friend, who she used to sell with at Waterside, told her that people had come to talk about it. This friend had said that she was sitting talking about the war, and a man was watching and listening. He then came up to her and told her that they were searching for people with information about the events in Waterside. This man was called Employee 1. Civilian 76 asked her friend for Employee 1's number and called him from the bush. Later, she met Employee 1 and the Finnish police in Monrovia.

According to Civilian 76, the fighting at the time of the incident was between government troops and LURD. She did not know where LURD was at the time.

The defense questions Civilian 76

The defense began by asking Civilian 76 about the gate. The witness explained that the gate was between the store and the bridge. The defense pointed out that she had told the police that the 'checkpoint' was about a five minutes' walk from Waterside Market. The witness explained that the gate served as a checkpoint: "When you reach at the gate, they will check, so we call it [a] checkpoint". It had a long rope crossing the road. Civilian 76 had told the police that the checkpoint had a white and blue building, and she confirmed this. She explained that the building had been replaced by a store, but it was painted white and blue at the time and it had an upstairs.

Civilian 76 heard the name Angel first and then the names Angel Massaquoi and Gabriel Massaquoi. These names were all for the same person. Angel Massaquoi was the commander. The defense referred to her police interview, where the witness had said that she had heard the names Chief Angel and Angel but had not mentioned Angel Massaquoi or Gabriel Massaquoi. The witness explained that a long time had passed since the incident and things can be forgotten. The police investigation was the first time she had spoken with white people and she was scared. The

defense pointed out that Civilian 76 had also not used the names Angel Gabriel Massaquoi or Gabriel Massaquoi in the lower court but had mentioned Angel Gabriel. She repeteated that a long time had passed and things come to mind when one thinks about the past.

The witness testified that the first time she saw Angel Gabriel Massaquoi was at the gate that she had been taken to after being captured. The defense pointed out that she had told the police that he walked with them from Waterside Market to the checkpoint, which she denied. An audio recording of her police interview was played before the court. After listening to the recording, the witness maintained her testimony that she saw Massaquoi once she had been taken to the checkpoint.

The defense then pointed out that Civilian 76 had told the police that when Angel Gabriel arrived at the checkpoint, he had ordered for her to be tied up and that he would send her to God when the time was right. Civilian 76 explained that she was not tied up at the market, but at Waterside, and then she was taken to the gate. She was tied up between Red Light and Waterside, while people were running around.

According to Civilian 76, her friend [REDACTED] is not a witness in this trial as she is sick. At the checkpoint, there were children and child soldiers, but not babies.

It was pointed out that the witness identified the defendant as Angel from the series of photographs presented to her at her police interview.

Witness Civilian 72 is heard

The prosecution questions Civilian 72

The prosecution began by asking Civilian 72 where she was in Liberia during a war. The witness testified that she lived on Lover Street in ELWA Junction, Monrovia. She was selling biscuits, sweets and other small goods at the junction, and one day she had ran out of things to sell. Her friends told her to go to Waterside. As they got there, they were standing waiting to buy goods, when people suddenly started running around in panic. The witness and her friends tried to leave but they were arrested. They were taken to a main checkpoint. The witness testified: “When we reached the main check point on that day I remember human being intestines on the gate. On the checkpoint of the gate. Human being heads on poles. If you don’t salute the head, they will kill you”.

According to Civilian 72, ‘the main man’ at the checkpoint told his bodyguards to take them under the bridge, saying ‘I will come and deal with them there’. As the main man was coming, he had a pregnant woman with him. This woman was being taken under the bridge and the man began to argue with his friend as to whether she was pregnant with a boy or a girl. The witness testified that the chief said “I, myself, Angel Gabriel, will take out this child”. He cut the woman’s stomach open and took the dead fetus out, it was a girl. The chief began celebrating, “I told you all it was a girl, I won”. Right after, the chief asked for a butchering board, which he used to slaughter people. The witness described how he slaughtered her friend right before her eyes, exclaiming “They used to treat human beings like dogs”.

Civilian 72 testified that they were there until the evening and then they were put on a pickup and taken to Lover Street. Women were put on one side and men on the other and they were

told that the place was not safe, as every night one person was taken away and didn't come back. They all began crying and shouting. A man came over and asked "What are you doing here?" He then opened a back gate and told the people to escape, and they left.

According to Civilian 72, three of them went to Waterside that day. She could only remember the name of one of her friends, [REDACTED]. They were all arrested in Waterside, there were bodies all around, some hand their hands cut off and some had no heads. The checkpoint was in Waterside, the main one was on the bridge and there was another one underneath it. The witness didn't know the name of the 'main man' to start off with but came to know it when he brought the pregnant woman under the bridge. The witness described: "As he opened the woman's stomach, he said out loud 'I, Angel Gabriel, did this'". She heard his name from the man himself. Angel Gabriel opened the woman's stomach and took the fetus out. Civilian 72 witnessed this personally, as well as the slaughtering of her friend. This friend was not the one she had previously named. The witness testified that she saw bodies "in the water, the road, everywhere [was] scattered with bodies. I was so confused that day".

Civilian 72 testified that Chief Angel Gabriel had a Liberian army uniform, but he was not a soldier. She was asked what she meant by that and responded: "He killed innocent people. Soldiers help people".

Civilian 72 saw Angel Gabriel at the checkpoint and under the bridge. The bridge was called Waterside Bridge. Angel Gabriel was speaking like a Sierra Leonean and not like a Liberian. At the time, World War I was being fought in Monrovia. The witness was 12 at the time. She had not heard any news about someone being arrested in Finland in relation to the events in Waterside before her police interview.

The defense questions Civilian 72

The defense began their questioning by asking how Civilian 72 got contacted by the Finnish police. Civilian 72 testified that they used to go to a Fulah store to discuss sports and wartime events. Someone there began talking about the war and the witness mentioned that she was there. A person asked for her phone number and said that someone might call. After a couple of days, she got a phone call and was told that people would like to meet with her. She stated: "That was what brought me this far. And I happen to be sitting here today. To see the end of that man. If you kill innocent people you will feel the consequence".

Next, there was discussion as to whether the person that the witness met at the store called her before she spoke to the man that she later met at the hotel or not. The witness provided the name of the person who brought her to the meeting with the Finnish police, which was Employee 1. The person she had met at the store had not told Civilian 72 that he had been asked to find witnesses to this trial.

Civilian 72 testified that she had been in business in Monrovia since her teenage years and she does not live in Monrovia anymore. According to the witness, the bodies with severed heads had also been cut from the chest so that one could see inside the body. That was the first time she had seen inside a human body.

It was pointed out that the witness identified the defendant as Angel Gabriel from the series of photographs presented to her at her police interview.

February 23, 2023 – Day Eighteen

The Court heard two witnesses today, both soldiers serving on the Liberian government's side during the Second Liberian Civil War.

The first witness described their war experience during the later phases of the Civil War, when fighting took place between government forces and LURD in Monrovia, around the Waterside area. The witness mentioned executions of civilians and soldiers undertaken by commanders, for example, as a punishment for looting the stores.

The second witness' testimony also focused on the Waterside area. They described a particular incident, where they heard gunfire while on patrol around the Market area. Investigating the source of the sound, they came across Sierra Leonean troops and dead civilians near and inside a store in Waterside. According to the witness, the civilians had been killed by the commander in charge of the Old Bridge and Water Street area.

The Court will hear two more witnesses tomorrow, Friday 24.

February 23, 2023 [Liberia] Day 18: Executions in Waterside

Witness X2 is heard

The prosecution questions X2

The prosecution began by asking about X2's participation in the crises in Liberia. The witness testified that he was a soldier on the government's side during World War III, in 2003 and 2004. He was stationed in Waterside. The government was carrying out attacks against the rebels, who were on Bushrod Island. The rebels were LURD troops. Bushrod island is at the end of the Vai Town bridge that goes towards Freeport. According to the witness, soldiers sometimes looted in Waterside, looking for food for themselves and for civilians. The witness testified that a biscuit store near Waterside bridge was looted and civilians were executed inside the store. This biscuit store was located near the LEC gate junction, near UN Drive. X2 explained that executions occurred because people were breaking army rules by looting, so commanders ordered their killing. He was there himself to witness the executions and heard the orders being given. The soldiers carrying out the executions were government soldiers and members of militias.

X2 testified that the only commander present that he recognized at the time was Senegalese. He could not estimate how many people were killed at the store, as the executions were carried out at night and the store was locked. Both soldiers and civilians were executed, as they had all been looting. There were also foreign soldiers, mercenaries, in Waterside. Some of them were from Sierra Leone. The witness had not personally fought alongside them. The Sierra Leoneans were called aqbah, and they were not stationed in a particular place. X2 recalled the names of some of the soldiers belonging to the aqbah troops, such as General Yaney and Angel or Angel Gabriel. He had not met them personally, but had seen them in Waterside. He explained that: "At the time the mood they were in we never used to go closer to them because they were too fearful (…) They carried out funny funny accusations and executions because of the mood they were in". These executions were mostly carried out because soldiers would break their rules by for example raping women, looting and killing innocent people. According to X2, women would

sometimes go to look for food for their families and soldiers would then rape them. Innocent people were sometimes accused of giving information to the rebels and were executed by government troops.

The witness testified that he had not seen Yaney and Angel Gabriel involved in rape. He had heard about them being involved in killing innocent people, but had not witnessed it himself. He had heard that the aqbah were always with Benjamin Yeaten and when they came to Waterside and saw looting, they opened fire. The witness estimated that Angel Gabriel was a high-ranking leader in aqbah because the younger aqbah soldiers took orders from him. Angel Gabriel spoke English. The witness did not know of any names for him other than Angel Gabriel.

X2 explained that he had seen Yaney and Angel Gabriel in Waterside and also saw Yaney on the new bridge, the Gabriel Tucker bridge. The first time he saw them, it was rumored that they were going to do an attack across the bridge. X2 was there when they attacked. The last time he saw them was when they were planning a general attack. President Charles Taylor was on his way to the front, so all the generals met together. This planning took place around the same time as the arrival of UNMIL, which was ECOMOG working with the UN. After that, the war lasted less than two weeks before there was a ceasefire.

Finally, the witness testified that he had heard Angel Gabriel giving orders to the aqbah troops. He had ordered them to execute or disarm soldiers that had broken the rules. The witness had not seen these orders being carried out in the form of executions.

The defense questions X2

The defense began by asking X2 about the World Wars. The witness explained that World Wars I and II took place from late 2002 until 2003. He was in Monrovia at the time. He named some of the commanders present in Waterside during World War III: General Senegalese, Benjamin Yeaten and Michael Highgrade. There was also a general from the Ministry of Defense and Tony Montana, the commander of Son of the Devil.

The witness had not seen Angel Gabriel during the incident at the biscuit store. He had not seen Angel Gabriel regularly, only here and there, he could not remember the exact number of times that he had seen him. The defense referred to his lower court testimony, where X2 had testified that he saw Angel Gabriel twice in July 2003, during World War III. He had also testified that he had not heard Angel Gabriel speak either of these times. The witness repeated that he did not get close to Angel Gabriel as he was scared of him. He added that he had not personally heard Angel Gabriel giving orders, but many people had told him what they had heard.

X2 testified that the Finnish police had contacted him via a friend of his, [REDACTED], who had been to several interviews and had told him that the Finnish police would like to contact him. He was then contacted by Employee 1.

Additional questions from the prosecution

The prosecution asked some further questions about the names the witness had used for Angel Gabriel in previous hearings. X2 first responded: “I don’t know if he had other names that were attached to him at that time because sometimes some people can use different names”. He then

recalled that Angel Gabriel was called Gibril, Gabriel Massaquoi or something similar. These names referred to the same person as Angel Gabriel.

Back to the defense

The defense then asked X2 if he remembered discussing the name Gibril Massaquoi with the Finnish police. He testified that he used the name Gibril Massaquoi as he was one of the mercenaries. He did not know that the interview was about Gibril Massaquoi before meeting with the Finnish police, because he did not know what the interview was about. During the war, X2 had heard from the aqbah men that Gibril Massaquoi and Angel Gabriel were the same person.

X2 stated that everyone in Angel Gabriel's group spoke English, but he had not heard him speak himself. He knew before his police interview that there would be a trial in Monrovia, but he did not know the details of it. The witness repeated that he did not know who the trial was about but said that he knew he would be asked about the crisis and about Monrovia particularly. He had heard from his friend [REDACTED] in Tubmanburg hat there were questions being asked, but he did not know that it was 'a trial like this'.

It was pointed out that the witness was not asked to make a photo identification during his police interview.

Witness X6 is heard

The prosecution questions X6

The prosecution began by asking about X6's participation in the wars in Liberia. The witness testified that he had fought in World Wars I-III in 2002 and 2003. In World War II, he was in Foya, Voinjama and Lofa all the way to Montserrado county, Monrovia. X6 began in Lofa and when LURD pushed them they retreated thorough Gbarpolo and Bomi to Montserrado. He was fighting on the government side and LURD followed them all the way to Monrovia. They started in Gbarpolu and Bomi, and then were pushed to Iron Gate and then to VOA. Once they were pushed out of these places, they ended up in Waterside. The witnesses' troop was on Front Street and the rest of the government forces were on Waterside. Benjamin was at the EJ Roye building and Michael Highgrade at the Ducor building.

According to X6, Angel Gabriel was in control of Water Street all the way to Old Bridge. Benjamin Yeaten was the key commander, the head of the whole military. He was stationed at EJ Roye. Angel Gabriel was a commander with his own group called aqbah. Most of them were mercenaries from Sierra Leone. Angel Gabriel was also from Sierra Leone and spoke Krio with his men. X6 testified that he would often come in a pickup and talk to his troops, and then leave in the pickup. He described that civilians would come over from West Point and look for food during pauses in the fighting. Some of them were hit by stray bullets.

Next, X6 was asked about an incident where civilians were killed. One morning, he was on patrol, coming from Johanssen towards Waterside. He and his boss Glasco were travelling on a pickup towards the LEC junction. They heard gunfire, so they drove down. As they arrived on the scene, they saw two bodies in front of a store and five bodies inside it. Many aqbah men were on the scene and Glasco asked who had given the order. One of the aqbah men responded that it was

Angel Gabriel. Glasco also asked where Angel Gabriel was, and the man responded that Angel Gabriel had just gone towards the Old Bridge. A friend of X6's, [REDACTED], said to Glasco that if they just sit there, the Sierra Leoneans will kill all of their citizens. Glasco then went after Angel Gabriel, telling them to stay behind. When Glasco went to Angel Gabriel, the two began to argue, and began to walk back towards X6 and the others. Angel Gabriel said: "It was not me, it was the President that gave the order to shoot people that were looting". Glasco then called Yeaten, who came to the scene. He inspected the situation and ordered the men to meet him at EJ Roye. Glasco, Angel Gabriel and Benjamin Yeaten all got on pickup trucks and left. X6 and others followed and waited for them outside EJ Roye. After a while, Glasco came out and gave his men money to get food. They later ended up in Congo Town.

X6 testified that he did not see Angel Gabriel after disarmament. Disarmament took place less than two weeks after the incident in Waterside, when UNMIL came in. He specified that the store was located near a triple junction between Water Street and LEC Gate, not far from West Point. He saw the bodies of civilians and soldiers all over Waterside in addition to the ones that he previously mentioned. Some were hit by stray bullets, some were killed in battles, and some had broken rules such as by looting and were killed. X6 was not there during the killing done by Angel Gabriel at the store, but he testified that commanders used to do so. According to X6, he mostly saw Angel Gabriel in Montserrado, not elsewhere in Liberia. The witness also explained that when UNMIL arrived, they were ordered to disarm and go home.

The defense questions X6

The defense began by asking about the witness' troop in the government forces. He testified that his troop was called the War Veteran Special Task Force. Angel Gabriel was in control of Old Bridge. Glasco was his commander, and he and his troop were on Front Street. The defense referred to his police interview, where X6 had said that Salami was responsible for the Old Bridge all the way to LEC. X6 responded that Salami was under Angel Gabriel, who was one of the leaders of the whole war. The defense also pointed out that at the lower court, X6 had mentioned the bodies near the store, but had not spoken anything about bodies being inside the store as well. X6 responded that he had said in the lower court that there were bodies inside the store, but he had not gone inside to check. The defense referred to his lower court's testimony, where he had testified that Glasco had seen dead people in front of the store. X6 confirmed that he was personally present at the store.

X6 explained that when he got to the store, they were told that Angel Gabriel was on his way and Glasco went after him. The defense pointed out that he had testified in the lower court that Angel Gabriel was stationed at Old Bridge and Glasco had gone to meet him and tensions were running high. X6 confirmed this. Glasco went after Angel Gabriel towards Old Bridge, while X6 and the others stayed behind. The witness repeated that Benjamin Yeaten came and all the commanders went to EJ Roye.

The defense referred to his police interview, where the witness had said that there was a rocket attack and Glasco had been wounded, and Salami and other soldiers had died. There was confusion as to when this had happened, in relation to the events and the store and the commanders going to EJ Roye. An audio recording of his police interview was played. X6 testified that he remembers saying this, including mentioning of the rocket strike. He explained that it had been a long time since the events and some of the things were coming back to him only after listening to the recording.

In his police interview, the witness had also mentioned that Angel Gabriel took 7 people under the bridge. The witness responded that he wasn't there himself, but someone told him about it in Congo Town. X6 confirmed that he had only been personally present at the biscuit store. He also stated that the rocket strike occurred on the same day as the incident at the biscuit store.

The witness then explained how he got into contact with the Finnish police. He was contacted by one of his men, [REDACTED], who put him in touch with Employee 1. X6 was not aware whether [REDACTED] had been interviewed by the police or whether Employee 1 had spoken to him. He only told him that there people were looking for people who had been involved with the aqbah troops. He did not tell him any details about the case. The defense referred to his lower court testimony, where X6 had said that [REDACTED] had contacted him and asked him to come to the police interview, and that they were together. X6 then responded that he was not sure whether [REDACTED] actually came to the interview. The defense pointed out that X6 had told the lower court that [REDACTED] had told him details about the case. The witness denied this. X6's police interview recording was played again and it was revealed that there had been an error in interpretation.

Next, X6 was asked about the photographs that he was shown by the police to identify the perpetrator of the acts he had spoken about. X6 testified that he has issues with his eyesight.

Final question from the prosecution

The prosecution then asked the witness a final question about what he had heard about the people being taken by Angel Gabriel. The witness responded that he was told that Angel Gabriel killed the seven people that he had taken under the bridge.

It was pointed out that the witness identified the defendant as Gibril Massaquoi from the series of photographs presented to him at his police interview.

February 24, 2023 – Day Nineteen

Today, the Court heard two additional witnesses in relation to the events around Waterside area in Monrovia.

The first witness, a former soldier serving on the government's side during the Second Liberian Civil War, described his wartime experiences in Monrovia during the battles between LURD rebels and the government forces around the city center, especially Waterside area. The witness spoke of an incident, where some soldiers, including the witness himself, broke into a store. Soldiers at the scene were given an order to shoot civilians that had been looting.

The second witness worked in construction in Monrovia, when LURD rebels were facing the government forces around Waterside and Vai Town. He described the difficult food situation in the city at the time, leading many civilians to resort to looting. The witness described a specific incident, where soldiers were ordered to drive looting civilians away from a store, resulting in the killing of many people.

The Court concluded the proceedings for this week today and will continue on Monday 27 at 9 am with three additional witnesses.

February 24, 2023 [Liberia] Day 19: Looting civilians shot in Waterside

Witness Y5 is heard

The prosecution questions Y5

The prosecution began their questioning by asking about Y5's participation in the wars in Liberia. Y5 testified that he had fought in government forces between 2002 and 2003. At the time, he fought in Waterside as part of a militia, during what he named "World Wars I-III". According to Y5, in Waterside, there were foreign troops from Sierra Leone, called 'aqbah', fighting on the government's side. He explained that the fighting on Waterside was against LURD, who was, at the time, on Bushrod Island, which is over the Waterside Bridge past Vai Town. According to Y5, Waterside Bridge is also called Gabriel Tucker bridge.

Y5 testified that civilians were not treated well in Monrovia and especially in Waterside. He stated that a lot of killings took place and that there were orders to kill looting civilians. Some of the soldiers also looted in Waterside. When asked, Y5 testified that Chief Fifty, also known as Benjamin Yeaten, gave the order to kill civilians who were looting. He explained that commanders gave orders to the aqbah men, who would then execute the orders. Y5 and other militia men were below the aqbah men in the chain of command. The witness named some aqbah commanders, such as General Salomi, General Yaney, Angel Gabriel and Mickey. He testified that he personally witnessed the aqbah men execute Yeaten's orders multiple times.

The witness described an incident where General Salomi died, and the aqbah men were angry. The next day, he and other militia men broke into a store, as they thought it would contain valuables. They realized that it was a cookie store and whilst some of the militia men looted the store anyway, according to Y5, the Sierra Leoneans did not care for such goods. The store remained open and civilians from West Point and Rock Town came over. As the civilians entered

the store, Chief Fifty gave an order to kill everyone going to the store and the aqbah men carried out the killing. According to Y5, after Salomi's death Angel Gabriel was the aqbah man present at the scene. He stated that he did not hear Fifty give the order to Angel Gabriel. After the order was given, civilians were shot inside the store, and he saw bodies in front of the shop. Y5 testified that he was present that day and personally witnessed the shooting take place and confirmed that the aqbah men and militia men were shooting. He explained that Angel Gabriel was also shooting, he was an aqbah commander at the time and he was angry because of Salomi's death. Y5 had heard Angel Gabriel speak and described him speaking English with a Krio accent. Y5 testified that he heard Angel Gabriel give orders to the aqbah men, ordering them to "shoot to kill."

Y5 explained that Angel Gabriel was usually up on Rocktown Hill and the other soldiers below, they did not usually see him during the day. According to Y5, Sierra Leoneans called him Gibril Massaquoi and Liberians called him Angel Gabriel.

Y5 estimated that peace came to Liberia within a week from the shooting at the store. He gave details on the location of the cookie store: near the government's checkpoint in Waterside, at the Gabriel Tucker Bridge, also called New Bridge. The government had another checkpoint at the LEC gate. Y5 confirmed that he had not heard any news about a person being arrested in relation to the events in Waterside before his interview with the Finnish police.

The defense questions Y5

The defense began their questioning by asking about the government checkpoint at the bridge. Y5 named two commanders who had been at the checkpoint: Tony Montana and Zigzag Marzah. He confirmed that there was no separate base for government troops by the bridge, only the checkpoint. The defense pointed out that Y5 had testified in the lower court that Benjamin Yeaten was in command of the checkpoint, which he confirmed. Angel Gabriel had the same checkpoint by the bridge, but he was also located up at the LEC or down by Waterside. Y5 had heard the name Angel Gabriel in Waterside from soldiers whose names he could not remember. He knew a person called Mickey, he was one of the aqbah men. The defense referred to the police investigation, where Y5 had said that he was friends with a Sierra Leonean man named Mickey who had told him the name Angel Gabriel. Y5 first stated that he could not remember saying this, but after hearing the audio of the police interview, he stated that he did in fact remember.

Y5 stated that he had seen Angel Gabriel two or three times. He described a car with the Sierra Leonean flag and a lion on it that 'they' used to travel in.

Next, there was a discussion as to the last time that Y5 had seen Angel Gabriel. He estimated that the first time that he had seen Angel Gabriel was in Duala, the second time in Artington, and the last time he was in Waterside, "the day before the ceasefire, just before the roads reopened". He stated that the last time he saw Angel Gabriel, he hadn't done anything to him apart from give the order. The defense then referred to the police investigation, where Y5 had stated that he had seen Massaquoi the last time one day before the ceasefire, at nighttime, and he was playing music and smoking with his friends. Y5 confirmed this, stating that he meant that he hadn't seen him do anything bad at that time. He then clarified that this last time occurred after the order to kill civilians had been given, estimating that it was about a week later. The defense then referred to the lower court's judgment, where Y5 had testified that the last time he had seen Gibril

Massaquoi was in Waterside, the night before the ceasefire, where he saw him and another Sierra Leonean man get into a car and drive away. Y5 confirmed this, stating that he could not remember which of the two times was actually the last time that he had seen Massaquoi.

Y5 testified that Massaquoi moved at night because he was a mercenary. He was not sure why mercenaries usually moved at night but estimated that it was because they didn't want people to see them. According to Y5, Angel Gabriel stayed up in Rocktown during the day.

He then explained that the first time that he had seen Angel Gabriel, in Duala, he had seen him with other people inside a car. He explained that he later found out in Waterside, when the name was used, that the person in the car had been Angel Gabriel.

Y5 stated that Angel Gabriel had been a member of a delegation. He had seen Angel Gabriel in a convoy, with a Sierra Leonean flag on the car, which he thought was the RUF. He estimated that he had seen this convoy before World Wars II and III, in 1997.

Next, Y5 explained how the Finnish police had gotten in touch with him through his friend, Witness X2. Y5 had been working in the jungle, when X2 called him and said that the Finnish police was in Liberia and wanted to ask about the Liberian wars. Y5 was not aware whether X2 had been interviewed by the police at the time, X2 had only told him that he was told about the matter. X2 asked Y5 whether he would have any information about the war, as he knew that he had been involved. When the defense pointed out that Y5 had told the lower court that X2 had asked him if he had any information about the RUF's connection to the civil war in Liberia, he confirmed this. He then stated that Employee 1 had called him to the interview.

Y5 stated that he had heard, a long time ago, that Angel Gabriel lived on Fourteen Houses Road in Monrovia. The defense pointed out that during the police interview, Y5 had told the police that he was not aware where Angel Gabriel had lived. Y5 responded that he did not know it at the time, he had only heard of it. He explained that "the generals didn't have a specific house or area where they lived", and "you could hear that he lived somewhere and see that he lived somewhere else".

The prosecution asked a final question about what he had said at the lower court regarding burying bodies. Y5 explained that when attacks happened, bodies were left on the street and were buried later.

Finally, the prosecution pointed out that the witness had correctly identified the photo of the defendant during his police interview. The defense asked the court to take into account the date on which the police interview and photo identification had taken place.

Witness Y4 is heard

The prosecution questions Y4

The prosecution began by asking where Y4 had lived during the wars in Liberia. He testified that at the beginning of the wars, in 1989-1990, he was living in Monrovia and fled to Lofa with his parents. He then returned to Monrovia in 1991 or 1992, when he was 12 or 13, while there was still fighting there. Because of the fighting, Y4 could not stay in school, so he began working in construction with his father. Y4 testified that he did not participate in any fighting or join any

armed groups. However, he witnessed different battles, stating that from the years 1991-96, he witnessed Charles Taylor's rebels fighting against peacekeepers. Y4 explained that the fighting ended in 2003 with the ceasefire and Taylor leaving the country. According to Y4, before the end of the war, LURD and government forces were fighting in Monrovia, in Duala, Freeport, Waterside and on Slipway bridge. There were mercenaries from other countries, such as Guinea and Sierra Leone, fighting on the sides of both the government and LURD. According to Y4, the mercenaries from Sierra Leone were called aqbah troops.

Y4 saw these troops fighting in Monrovia. He testified to seeing them when he would go looking for food, such as in Duala and on the Stockton bridge, which he explained was in Gardnersville, on the road between Gardnersville and Freeport. Y4 explained that he had worked as a contractor for Benjamin Yeaten to work for his mother. While working, he saw some of the commanders of the aqbah troops. He stated that as he was on good terms with the soldiers, he heard the names of the commanders from them: Mosquito, Prince, Gibril, Salome and a Kissi person from Sierra Leone. According to Y4, Gibril was also called Angel Gabriel by some soldiers and his Sierra Leonean friends called him Gibril.

Y4 estimated that he saw Gibril in 2001 or 2002 in Monrovia, when there was fighting between LURD and government troops. According to Y4, civilians were badly mistreated at the time, they were killed due to stray bullets and intentionally killed. Y4 explained that when civilians went looking for food, soldiers would break into stores and would shoot to scare them away and some civilians were killed. According to Y4, incidents like this happened in Waterside and in Gardnersville, on the Stockton bridge.

Y4 testified that he was in Waterside when one such incident occurred, clarifying that he was not directly at the scene. He testified that he had gone to Waterside to look for food when he heard gunshots and saw people running away. After the gunshots, Y4 saw bodies on the ground. According to Y4, on the same day, one of the aqbah generals had been killed, so the men were angry and began firing "suppressing fire." Y4 described how he heard gunfire from LEC gate and saw a group of people running from the store towards Johanssen. He saw bodies both inside and outside the store, and injured people trying to crawl away. The store was in Waterside among other stores, but Y4 could not remember exactly where. According to Y4, the aqbah general that had been killed, called Salome, had been killed in the mortar fire coming from the other side of the bridge. The people shooting inside the store were government forces mixed with the Sierra Leonean mercenaries.

The witness confirmed that he had not seen the actual shooting take place, but he had seen aqbah commanders in Waterside at the time. They were giving orders to drive the civilians out and shooting, killing and wounding civilians. According to Y4, there were both aqbah and ATU commanders on the scene and Angel Gabriel was one of the aqbah commanders giving orders. Y4 explained the different times that he had seen Angel Gabriel/Gibril: at Yeaten's apartment with "the late Vinny", once by the Kiss FM radio station in a jeep, and at Waterside, the day civilians were killed at the store.

According to Y4, the battles in Monrovia at the time were called World Wars I-III. He estimated that the incident in Waterside took place between 2002 and 2003, maybe early 2002. According to Y4, it took a few months after this incident "for things to calm down" in 2003. The witness testified that Angel Gabriel spoke in good, clear English. Angel Gabriel was the most common name that he heard, and he was also called Gabriel or Gibril by the Sierra Leoneans. Y4 confirmed

that he had not heard any news about someone being arrested in Finland before his police interview.

The defense questions Y4

The defense began their questioning by asking about Y4's construction work. He testified that the site was on Duport Road, in Pipeline, Paynesville. There were no military operations occurring in the area at the time, but he sometimes heard the sounds of fighting from the work site. Y4 estimated that the site was a long way from Waterside, about 30 or 45-minutes' drive. He explained that in addition to looking for food in Waterside, him and the other construction workers were sometimes forced to carry ammunition and supplies for the soldiers. At the time of the incident in Waterside, Y4 was looking for food, he was first ordered to carry ammunition to EJ Roye and went to Waterside to look for food afterwards. Y4 testified that he never carried arms. He was at EJ Roye when he heard heavy firing coming from the direction of Old Bridge and Vai Town.

The defense asked Y4 to clarify the locations of a few areas in Monrovia. He confirmed that Crown Hill is near EJ Roye, at Broad and Johansson Street. Sniper Hill is located up at Mamba Point, on Benson Street. Y4 explained that he went to Waterside when the shooting had ended to look for food to loot. Once asked, Y4 confirmed that he had told the lower court that he had heard Angel Gabriel give orders to shoot. He explained that he knew that Angel Gabriel was the commander of the aqbah troops, that one of their commanders had been killed and they were angry about it. While he was not on the scene himself, he was in the area, so he could see Angel Gabriel, who was the only commander on the scene, giving orders. The witness further explained that Angel Gabriel was on a straight road, so could be seen from a distance. He could hear and see the order being given from a distance and then went to take cover.

Y4 confirmed that he had heard the name Sam Bockarie and had heard that he had been killed in Nimba. He testified that he had seen Bockarie in Monrovia while he was working at Yeaten's mother's house, when aqbah soldiers had come to the house. The soldiers had said their names.

Next, there was a discussion as to the use of the word "kamajaro" soldiers, which Y4 had used to describe Sierra Leonean soldiers, and whether Angel Gabriel was a commander such troops and / or one of them.

The Finnish police had contacted Y4 via Employee 1. Employee 1 had reached Y4 through his friend [REDACTED]. According to Y4, Employee 1 was speaking with [REDACTED] about looking for witnesses, and [REDACTED] gave him Y4's number. The witness explained that this friend was the one who had hired him to work for Benjamin Yeaten. Employee 1 had then called him. Y4 could not remember whether his friend had told him that he had given his number to Employee 1, or the other way around.

Finally, Y4 estimated that he had identified Gibril and Yeaten from the photos shown to him by the Finnish police.

Before concluding the hearing, the prosecution had some remaining questions for Y4. He was asked about the potential other names for Angel Gabriel. The witness testified that his full name is Massaquoi. Y4's late brother was an ATU commander, and he was present when they had a big party and the names of these high-ranking officials were mentioned. Y4 had also heard the name

Massaquoi from child soldiers following the Sierra Leoneans. According to Y4, the incident in Waterside took place during the day. He also confirmed that Yaney was also present at Benjamin Yeaten's mother's house, he was one of the bodyguards.

Finally, was pointed out that that, at his police interview, the witness correctly identified a photo of the defendant as 'Massaquoi', and stated that a photo of Sam Bockarie resembled Salami.

February 27, 2023 – Day Twenty

Today, the Court began the fourth week of proceedings in Monrovia by hearing two witnesses.

The first witness testified about cooking for various troops in Waterside, when battles between government forces and LURD rebels were ongoing. He described an incident where a commander of the Sierra Leonean troops was killed. Following this, soldiers rounded up civilians that had been looting nearby shops under a bridge. The civilians were executed.

The second witness described meeting various RUF commanders in Monrovia. He had been at a base near Waterside when he heard heavy gunfire coming from nearby. He managed to get a closer look at the scene and saw looting civilians being executed near a store selling foodstuffs in Waterside.

The Court will continue its hearings tomorrow, Tuesday 28, at 9 am.

February 27, 2023 [Liberia] Day 20: Looters targeted

Witness Y8 is heard

The prosecution questions Y8

The prosecution began by asking Y8 about his participation in the wars in Liberia. The witness testified that he was a food officer between 2000 and 2003. He was a part of the militia and his commander was General Solo. He was stationed in Waterside in Monrovia, on the bridge. The bridge was called Old Bridge, and is now called New Bridge. Y8 cooked in the market building which was located on the left when crossing the bridge from Vai Town. There were two groups stationed at the bridge, militia troops and the RUF, who were Sierra Leonean and whom the Liberians called aqbah.

The witness named several aqbah commanders such as Salami and Yaney. Angel Gabriel was the most high-ranking commander. He saw Angel Gabriel twice in Waterside. The witness could tell that he was also Sierra Leonean, because he would command the whole group and they spoke in 'Sierra Leonean'. Y8 had himself heard Angel Gabriel speak. The first time he met Angel Gabriel, he had brought soup to him, and soldiers had said that he was their leader.

The second time that Y8 met Angel Gabriel was during an incident in Waterside. The witness described an order that came down that nobody should loot. A grenade exploded and injured Salami, Angel Gabriel had been called to the scene where civilians had been arrested by soldiers for looting. This was the second time that Salami had been wounded. Yaney and Salami were arguing about killing people that had looted when the grenade hit.

When Y8 saw Angel Gabriel again the same day, Angel Gabriel was saying that since Salami had been killed, the civilians should be killed. The witness has not seen him since. He did not know whether the order to kill civilians was carried out, but stated that they were taken under the bridge. Y8 testified that he saw civilians being taken under the bridge as his kitchen was very close to it, he could see what was happening there from the kitchen. He did not see the executions himself, but he heard from soldiers coming and going in the kitchen that the general

had given an order to kill people. The witness estimated that four civilians were taken under the bridge, they were men and boys.

The witness did not know any additional names for Angel Gabriel. At the time of the incident, there was fighting in Monrovia. The fighting was not in Waterside, but towards Vai Town direction, on the Freeport side and in the Gardnesville area. The fighting was between LURD rebels and government troops. These battles were called World Wars I-III, some were were fought in July 2001 and some in July 2003. Y8 had also heard about similar incidents where looters had been killed: he had seen bodies when taking food to the troops and had been told that they were looters. According to Y8, it took "a little bit of time", over a month, after the incident with the civilians being taken under the bridge for peace to come to Liberia. The witness had not heard any news about a person being arrested in Finland before his police interview.

The defense questions Y8

The defense began by asking about the second time that Y8 had seen Angel Gabriel. He confirmed that this was after the jungle mortar hit Salami, when Angel Gabriel was called to the scene. The looters had been already captured and brought to the place where Salami was. The defense then referred to his lower court testimony, where he had testified that he had been sitting in the kitchen when Angel Gabriel came on a pickup with men on it. Y8 confirmed this. The defense pointed out that at the lower court he had said that some of the men in the pickup had no clothes on, some were tied up and that Angel Gabriel had said that they were looters. Y8 responded that it was not Angel Gabriel who said this, but his men.

The defense pointed out that in Y8's testimony at the lower court, he gave the impression that Angel Gabriel initially arrived on a pickup and left, and then returned after Salami's death to order to kill the looters. Y8 testified that the first time he saw Angel Gabriel was when he arrived on the pickup with the men, and the second time was after Salami had been hit on the bridge. Angel Gabriel got angry and said that the looters should be killed. Angel Gabriel had not been there himself to witness Salami's death, but he had heard of it. According to the witness, Angel Gabriel rarely came to the front line.

Y8 was asked again about the times he saw Angel Gabriel that day. Y8 answered that Angel Gabriel came on the pickup and he took the soup to him, the same day they heard noise from the bridge and Salami was wounded. He confirmed that an order was given to kill the civilians taken under the bridge. He had not seen the civilians being killed, as from the kitchen, he could see the bridge, but not underneath it. After repeating that he didn't see the killing of the civilians, he stated that one of them had survived as someone had spoken out for him. Y8 had heard about these events from other soldiers and militia members. He confirmed that Angel Gabriel had ordered the killing of the civilians. The defense raised that he had said in his police interview that Angel Gabriel ordered the execution of five of the seven men taken under the bridge, and two civilians were released. Y8 confirmed this and said that he could not remember the exact details as it had been a long time since the events. He could not remember how long it took from the time that the civilians were brought on the pickup to their execution.

The witness testified that he learned the name Angel Gabriel from his soldiers, who used the name for him. The violence towards civilians took place in the afternoon. He testified that he had spoken about these events with the Red Cross before his interview with the Finnish police. He couldn't remember when this was, but recalled that they had asked about things such as his

experience and the food available during the war. The Finnish police had asked him whether he had spoken about Angel Gabriel with the Red Cross and he had stated that he had not.

Next, Y8 described how he had been contacted by the Finnish police. One of his friends called him and asked him to come, as there were people that wanted to interview people that had participated in the war. This friend did not tell him anything else about what the Finnish police wanted to know but knew that he had information on the war as they had been together. The defense pointed out that Y8 had used a different name for his friend when he testified at the lower court, to which he responded: “I was afraid, I didn’t know what they were going to do him”.

The people interviewing Y8 at the Red Cross were white. They did not ask about generals or leaders. The defense pointed out that the witness had told the police that both white and black people asked about the war and the generals that participated in it. He answered that there were indeed both black and white people, but the white people from the Red Cross were asking the questions. The witness maintained that the people with the Red Cross did not ask him about the generals, and nobody besides the Finnish police had asked such questions. Y8 was also asked about some workshops he had mentioned to the Finnish police. He testified that he had been to workshops a long time ago, but he could not remember exactly. He speculated that it was organized by the Red Cross. When the defense pointed out that he had previously said it was organized by Save the Children in 2015, he confirmed this. He had not brought up the name Angel Gabriel during these discussions.

Y8 further confirmed that he had not heard news about an arrest in Finland.

It was pointed out that the witness identified the defendant as Angel Gabriel from the series of photographs presented to him at his police interview.

Witness Y7 is heard

The prosecution questions Y7

The prosecution began by asking Y7 about the time he lived in Monrovia. The witness testified that he moved to Monrovia in 1999 and had lived there until 2005, 2006 or 2007. He had experienced the three wars in Monrovia, World Wars I, II and III, when LURD was fighting against Charles Taylor and the Sierra Leoneans, the RUF. He had met some RUF troops in Monrovia. Some were based in Waterside and their “big man”, the late general Mosquito, was stationed at Twelve Houses Road. The witness had been to Twelve Houses Road and saw many generals in a meeting there. He recalled the names of Benjamin Yeaten, Zigzag Marzah and Gibril Massaquoi, who was also called Angel Gabriel. His friend took him there, and had told him that the meeting was about attacking LURD rebels. The witness could not remember when this meeting took place.

Y7 testified that he saw Gibril Massaquoi for a second time in Waterside. He went to Waterside with [REDACTED] and they went to a base where Gibril Massaquoi and others were staying. While they were there, Gibril Massaquoi was called and asked to go to a store. A few minutes after he left, the witness heard heavy gunfire. He and [REDACTED] went and saw civilians who were getting food from a store and soldiers were shooting them. The witness later heard Gibril Massaquoi order his soldiers to shoot and ‘escaped’ the situation.

The witness described the store which sold sweets, biscuits and other foodstuffs. It was located on the right when going towards Old Bridge, which is now called New Bridge. Y7 and [REDACTED] snuck towards the gunfire and managed to get close to Gibril Massaquoi. The witness described the distance between them as the distance between the panel of judges and the back of the courtroom. He heard Gibril Massaquoi give an order to kill the looters. He was speaking Krio English, like Sierra Leoneans speak. The witness saw the soldiers shooting as he escaped towards Broad Street. He could not estimate how many people were killed at the store.

After the incident at the store, Y7 saw Massaquoi once at a junction, but he could not recall anything particular about it. He had heard the names Gibril Massaquoi and Angel Gabriel from [REDACTED] at the meeting at Twelve Houses where he met Benjamin Yeaten. According to Y7, almost everyone at the meeting introduced themselves. Massaquoi introduced himself as Gibril Massaquoi. Y7's friend, [REDACTED], used both the names Angel Gabriel and Gibril Massaquoi and his soldiers in Waterside called him Angel Gabriel. Y7 estimated that the incident at the store took place weeks after the meeting at Twelve Houses Road. He could not recall how long afterwards peace came to Liberia but estimated that it was several months or almost a year after the incident.

The witness confirmed that he had not heard any news before his police interview about a person being arrested in Finland in relation to the events at Waterside.

The defense questions Y7

The defense began by asking Y7 about the meeting at Twelve Houses Road. The witness did not know of any other names for Benjamin Yeaten or Zigzag Marzah. During the meeting, Y7 was outside by the fence, the meeting was happening inside a house within the fenced area. The house was called Black Gate, it was located on Twelve Houses Road. The witness could not see inside the house or hear what was being discussed. His friend [REDACTED] came told him what had been discussed inside. The witness described the times that Gibril Massaquoi introduced himself: by the fence, after the meeting, and others also called him by that name. Y7 clarified that people arrived at the house, within the fenced area, and introduced themselves. Benjamin Yeaten then came and they went inside to have their meeting.

The defense referred to his police interview, where Y7 had said that he met more than fifteen people inside the house. The witness confirmed that there were a lot of people there but he couldn't remember all their names, and clarified that he had meant the area within the fence. The defense pointed out that the witness had told the police that the soldiers were standing and the commanders were sitting, and that Yeaten introduced them. Y7 confirmed this and stated that Yeaten introduced the soldiers who also said their own names out loud. He testified that he had forgotten the detail about the soldiers introducing themselves in his police interview and remembered it later.

Regarding Waterside, Y7 testified that he did not know who had called Massaquoi, and that he did not find out who it was. The defense pointed out that he had told the lower court that Massaquoi had been called by Benjamin Yeaten. The witness responded that [REDACTED] had told him this later. The defense further pointed out that Y7 had told the lower court that Massaquoi and Yeaten were supposed to meet on the street where Slipway Depot is. He confirmed this and said that [REDACTED] took him to the place they were supposed to meet, but Yeaten was not there.

Y7 confirmed that after Massaquoi had left the base, they heard heavy gunfire and they went after it. He described the noise coming from looters being shot at the store. Gibril Massaquoi had given the order. At the base, he didn't know who had given the order or what was happening, but found out when he went towards the scene. According to the witness, Benjamin Yeaten had given a general order to shoot looters in Monrovia. As he was on his way to the scene, he could hear the gunfire. It continued when he arrived and when he escaped the scene. The witness testified: "When I crept and came around a certain store I heard him say Fire! Kill! Kill them!". This incident took place during the day. He did not drive to the scene from the base. He remembered that Massaquoi had taken a pickup, but he himself did not. An audio recording of his lower court testimony was played in court, where he had said that he had also taken the pick-up. Y7 explained that this was a mistake, as he had walked from the base while Massaquoi and the others took the pickup.

Y7 testified that the first time he saw Massaquoi was at Twelve Houses Road, the second time was at Waterside and the last time at the junction. The defense pointed out that he had testified at the lower court that he had seen Massaquoi over the period of four or five months, which he confirmed.

The defense also referred to Y7's testimony in the lower court, where he had said that he had not known Massaquoi's real name until he heard it from [REDACTED]. He responded that Massaquoi did not come up to him personally to introduce himself, but he heard his name outside in the yard when people were talking.

Y7 further testified what he knew about Sam Bockarie. He testified that Bockarie died in Nimba, but he did not have much more information as to his death. Bockarie had gone to Nimba from the Ivory Coast. He did not know the reason why he was killed. The defense pointed out that the witness had told the police that he had heard that Yeaten had killed Bockarie and that Charles Taylor had given orders to kill him and his men before they could provide information to the UN. Y7 confirmed that these were rumors that he had heard.

The witness then explained how he had gotten in touch with the Finnish police. He was contacted by Employee 1, who, according to him, had gotten his number from his friend, [REDACTED]. Y7 was also asked about another friend of his. He responded that both friends had, on different occasions, given Employee 1 his contact information. When Employee 1 called him, he asked if he had been present during the civil war. He told him that there were people coming from abroad to conduct interviews and to find out what happened during the war. The witness came from the bush to meet Employee 1 who brought him to a hotel in Monrovia. He could not remember anything else about his interaction with Employee 1, or whether he had mentioned the name Gibril Massaquoi or what the investigation was about.

There was then a lengthy discussion regarding whether the witness knew that the case was about Gibril Massaquoi, and how he came to find out. There was also discussion as to whether Employee 1 had mentioned the names Gibril Massaquoi and Angel Gabriel to him or whether he had brought them up spontaneously.

Finally, Y7 stated that he may have been mistaken when he testified in the lower court that he also saw Massaquoi shooting looters.

It was pointed out that the witness identified the defendant as Angel Gabriel from the series of photographs presented to him at his police interview.

March 2, 2023, Day Twenty-three

Today, the Court moved on from Waterside to discuss events that occurred in and around Kamatahun Hassala, Lofa County, Liberia. The Court heard testimonies from three witnesses that had been living in different villages at the time of the events.

Two witnesses testified about civilians being captured from their villages and brought to Kamatahun Hassala, where they were imprisoned along with other civilians that had been captured from neighboring villages. The witnesses recounted how a commander ordered soldiers to lock the civilians in a house and burn it down with them inside. While they were different ages at the time, both witnesses lost family members during the course of these events.

Another of the witnesses was from Kiantahun. He recounted a similar story. On the first day of the incident, he had written the date of the event down on a blackboard. He had later written a list of people that had died in the burned house.

The Court will continue its hearings on this matter on Friday 3, 9am.

March 2, 2023 [Liberia] Day 23: Kamatahun Hassala hearings begin

[editor's note: closed brackets contain notes helping to clarify the text, they do not appear in the original testimony]

Witness Civilian 36 is heard

The prosecution questions Civilian 36

The prosecution began their questioning by asking about Civilian 36's background during Liberia's wars. Civilian 36 testified that he was living in Kiantahun. At the time, there was fighting in the area around his village, where Sierra Leonean and Liberian fighters, as part of government forces and the RUF, were fighting LURD rebels. Civilian 36 testified that there were no soldiers stationed in Kiantahun, but he saw government troops as well as RUF rebels there together.

Civilian 36 testified about an incident that took place in Kiantahun. Before beginning his testimony, he relayed to the court that recounting the story was "like pouring salt in the wounds". The witness described how RUF rebels were hunting them, killing many people. Their commander, Gibril Massaquoi, gathered a lot of people together, took them to Kamatahun and burned them. Gibril Massaquoi was one of the RUF rebels. Civilian 36 had seen him himself in Kiantahun, and learned his name from his soldiers. Civilian 36 was not captured, but his sister was captured in Kiantahun and taken to Kamatahun – she had escaped, and told him what happened when she had returned. The witness recounted how his sister told him that the people were going to be burned. She had not seen the people being burned herself, but had later heard that the people that had been captured were indeed burned in Kamatahun.

According to Civilian 36, over forty people were taken from Kiantahun to Kamatahun that day. In addition to his sister, his wife was among those that were taken from Kiantahun to Kamatahun. His wife, however, was burned in Kamatahun. He estimated that the events took place in 2001 or 2002, when there was fighting all over. He further estimated that it occurred in August, on a

Monday, as he recalled that he was on his way to do laundry. He did not however have a particular day that he did his laundry.

The witness further testified that the soldiers entering Kiantahun believed that the villagers were Muslims and that their guns would not work against them. For that reason, they collected people to burn them. He stated that Gibril Massaquoi was there, and he heard him giving orders to capture people. Civilian 36 described Massaquoi as speaking Krio, and that his soldiers called him Chief Gibril and Gibril. As the soldiers left Kiantahun with the people that had been captured, Massaquoi went with them to Kamatahun. After the people had been captured, Civilian 36 escaped to the bush.

The defense questions Civilian 36

The defense began by asking Civilian 36 about the names of other soldiers that were present in Kiantahun. According to Civilian 36, Gibril Massaquoi used many names, including 'I Want to See Light'. He had three different names. The defense pointed out that in the lower court, the witness had testified that Massaquoi used the name 'Second to God'. Civilian 36 responded that "this story will never end", explaining that he may forget some things and remember other things each time he is asked to talk about the same events. According to Civilian 36, Massaquoi also had a Mende boy with him called Ansu, who was killed in Kamatahun. The defense pointed out that Civilian 36 had testified in the lower court that amongst the soldiers were Stanley, Zig Zag and Jalloh. The witness confirmed this, adding that these soldiers burned a house in Kiantahun. The defense also pointed out that he had told the lower court that Gibril and his bodyguards were speaking Mende instead of Krio. Civilian 36 responded that those two are both languages of Sierra Leone and Gibril Massaquoi and his men spoke both.

The defense then referred to when Civilian 36 had said to the lower court that over twenty people were taken from Kiantahun to Kamatahun. He responded that he had initially thought so, but as he had taken a look at a list, he realized that the number was much bigger. Civilian 36 testified that he cannot read or write, so he told his brother, who had gone to an Arabic school, to write a list of the people who had been taken to Kamatahun based on names that he gave him orally. He stated that he returned from exile in 2003, and this occurred in 2004. When the defense asked the witness if he could provide the list, he refused, stating that "whenever I hear names on that list or see names on that list, the tears come. I keep it hidden, for my future and for my children". He accepted, however, to go back and submit a photograph of the list to the court.

According to Civilian 36, soldiers came to Kiantahun in the early morning. The defense referred to the police investigation, where Civilian 36 had given the precise date of August 13, pointing out that he had told the police that he could not remember the year, but now in the court of appeals had placed the events in 2001 or 2002. Civilian 36 responded that his cousin told him the date, month and the time of day after his police interview. He did not know whether his cousin had been interviewed for this trial, but stated that he was a school teacher and had been involved with Plan International.

Civilian 36 knew Civilian 50, saying that he is a farmer and lives in Kiantahun. He stated that they had discussed the incident, including the date August 13.

Next, Civilian 36 testified that he saw a boy being killed in front of the house of [REDACTED], where he is now buried. He was put on a mattress and burned. When the defense raised that he had said at the lower court that the boy was killed with a knife, Civilian 36 responded that there were two boys with the same name. One of them was killed on a mattress and the other was killed with a knife. Both of these killings took place in Kiantahun. When asked why he had not mentioned the other boy in the lower court, Civilian 36 responded that he had forgotten. The defense further pointed out that Civilian 36 had told the police that no one was killed in Kiantahun. Civilian 36 testified that this was an error, since people were in fact killed in Kiantahun: "they killed my brothers and they killed my people, then I will say they didn't kill anybody?" According to Civilian 36, another of his cousins was killed in Kolahun.

Next, Civilian 36 gave the names of some of the people he knew that were killed in Kamatahun, including his mothers and two of his uncles. He explained that people in Africa might have two wives and if two brothers are married to different women, but they all live in the same house, both women can be called mothers. Civilian 36 confirmed that the other woman he had referred to as his mother was the wife of his uncle. Civilian 36 explained that his wife that he had described as having escaped from Kamatahun was his first wife, and after her death, he had got remarried to have two wives.

According to Civilian 36, his child also died in relation to the incident in Kiantahun. This child died in the bush, as he had "no support." The defense referred to the lower court testimony, where the witness had testified that the child was with his mother. Civilian 36 repeated that the child was with him in the bush.

According to Civilian 36, there is a chalk board in Kiantahun. He could not say whether a date had been written on that chalk board, as it is in a school, and he had not been there.

Next, there was a lengthy discussion as to how the witness had been contacted by the Finnish authorities. Civilian 36 did not know anyone named Employee 1 or Interpreter 4. He did not know why Employee 1 had noted down his information in April 2019.

Finally, it was pointed out that the witness identified someone other than the defendant as Gibril Massaquoi from the series of photographs presented to him at his police interview.

Witness Civilian 43 is heard

The prosecution questions Civilian 43

The prosecution began by asking Civilian 43 where she had lived during the wars in Liberia. Civilian 43 testified that she is from Lofa and lived there during the war. There were soldiers from multiple groups in her village. The leader was Gabriel, Gibril Massaquoi. Civilian 43 learned this name as the soldiers came into their village and killed their people. Gabriel was the leader, everyone else was government troops. Civilian 43 was present in the village when the soldiers came. She testified to seeing the bodyguards of Angel Gabriel kill her parents and saying to bring other people outside the village back to the village.

The witness testified that Angel Gabriel and Gibril Massaquoi were the same person. She described how she was captured and put in a circle with other people. Gibril Massaquoi stood up and asked the people who had been captured whether they knew his name. "I can't forget that

name till I die". She also explained that she heard the name Angel Gabriel during the war, and that he was the leader of the group that came to their village.

According to Civilian 43, it was Gabriel Massaquoi's group that killed her parents. She described how she heard shooting before she came outside the house. The witness confirmed hearing Gabriel Massaquoi ordering his soldiers to kill people. Her parents had been killed before she and others came outside the house. As they came outside, they were tied and beaten by the soldiers. Many people were captured, they were beaten.

Civilian 43 described being taken to Kamatahun first. On their way, they passed by six different towns and in each town, more people were captured and added to the group. The leader, Gibril Massaquoi, came with them to Kamatahun. According to Civilian 43, he spoke Sierra Leonean English. There were multiple groups of soldiers and leaders, but Civilian 43 and the others were only under the control of Massaquoi's group. She could not remember the names of any other soldiers or leaders that day, estimating that she was 5 or 6 years old at the time.

The witness then described what happened when they got to Kamatahun. When they got there, she saw people in a house with a tarpaulin roof. The people in the house were crying and the soldiers were saying that they would kill them all. As Civilian 43's group was on the road later, they saw a building on fire and people crying next to it. They sat down and joined another group, this other group told them that "their turn would come tomorrow". After the people had been burned, Civilian 43's group continued to Vahun and Yandehun. She could tell that people were being burned, as she heard crying and shouting inside the house. There were soldiers surrounding the house. The witness confirmed that she heard the screams herself and saw the house on fire. She had not seen it being lit on fire, but her group was tied up in a line on the road next to the house.

Civilian 43 testified that Gabriel Massaquoi gave the order to burn the house. She did not hear him give the order, but stated that he was the leader of the group and they did whatever he told them to. She explained that he said that he was 'Next to God', and had heard him say this when she was tied up with the other people that had been captured. According to Civilian 43, he said "Anything I want to do I will do it, even if there's no small soldier around".

Civilian 43 repeated that as the house was burning, she was sat in front of it tied to the other people that had been captured in a chain. The group spent the night in Kamatahun. After Kamatahun, they were taken to Vahun, Popalahun, Yandehun and finally to Foya. They were being transported by the same group of soldiers.

Next, the witness described her escape. A woman who took pity on her, as a young child, took her to be hidden with a group of people that were hiding. This woman told another woman to escape with the witness at night and to take her through the bush back to her village.

According to Civilian 43, when they entered Kamatahun, Gibril Massaquoi was there and told them that his people were still inside the house and that he would burn the house. After that, the group saw the house on fire and heard people crying. Civilian 43 testified that the soldiers entered her village just before the sun came up, and there had not been any soldiers or fighting nearby before that day. The witness was not sure whether the war had been ongoing in Lofa before that morning. She clarified that her village, from where she had been taken, is called Kparwohun. The witness also clarified that the group of people that had been captured was not

next to the house that was on fire, but was taken up a hill and could see the building on fire below. Angel Gabriel was not with them on the hill, he stayed by the house and small soldiers had taken them to the hill.

The defense questions Civilian 43

The defense began by asking about Civilian 43's age at the time of this incident. She responded that she was 5 or 6 years old, but does not have a birth certificate, so is not certain how old she is. Civilian 43 remembered having told the Finnish police that she did not know her age at the time, since all those who were supposed to know her age had died. Civilian 43 testified that she woke up to shooting as soldiers entered the village early in the morning. As they heard the gunshots, her mother told them to get up. Her parents went to the door first and they were killed. Civilian 43 named some other people close to her that were killed during this attack on the village. She stated that she was so young at the time that she could not tell the difference between different relatives and friends in the community. She confirmed that her uncle and his wife/wives were also killed.

Next, there was a discussion as to the names that Civilian 43 had used to describe the leader of the group. According to Civilian 43, Gibril Massaquoi himself told his name to the crowd that had been put in the circle. She could not remember the name she had told the Finnish police during her interview. According to the defense, who also played an extract of her police interview, she had used the name Chief Gabriel, and the name Angel Michael before the lower court. The witness denied this, stating that perhaps the police had misunderstood her, but that she may have used the name Angel Michael. Civilian 43 then asserted that "the person who captured us was Angel Gabriel Massaquoi".

Civilian 43 knew Kamatahun to be Kamatahun Hassala. She confirmed that it was daytime when they saw the house burning from the hill. The hill was not far from the building, it was located right before the entrance to Kamatahun. The house that was burned had a tarp roof. She testified that some of the people who had been captured went back down to the village afterwards, but did not go near the burned house. The witness could not say whether other buildings were burned in Kamatahun. She stated that when she returned after the war, she saw buildings that had been burned and broken into.

According to Civilian 43, child soldiers were using a name Charge the Bush at the time of the incident, but she could not remember what it meant. The defense pointed out that she had said in her police interview that Charge the Bush was the person who set the building on fire. Civilian 43 testified that she was not involved with Charge the Bush, as she was under the control of Angel Gabriel Massaquoi's group. The defense further pointed out that Civilian 43 had said that Charge the Bush was one of Angel Gabriel's bodyguards and that took her as a wife, which she denied.

On her escape, Civilian 43 testified that the woman who had taken pity on her showed her an older woman that she was to follow, and they escaped together towards Sierra Leone. They hid in the bush and slept in farm kitchens. Civilian 43 ended up in Mano Junction, Sierra Leone. The defense pointed out that Civilian 43 had told the police that she met a Kissi man and walked to Buedu, Sierra Leone. Civilian 43 responded that that was the same thing, as Buedu is also in Sierra Leone. She saw the Kissi man for the first time during the war and he went back home. The

defense pointed out that she had told the police that she was assaulted on her way and the Kissi man died. The witness responded that she did not have knowledge of this.

Next, the defense asked Civilian 43 if she had ever seen Gabriel, Zigzag Marzah and Stanley together, which she denied. She was also asked about a situation where Gabriel had called a woman to him and said that she is going to be eaten. Civilian 43 responded that she did not know of such an event and could not remember saying so to the Finnish police. The defense further referred to the police interview, where Civilian 43 had said that upon hearing this, she and other women started to cry, that they did not see the killing took place, but saw the woman cut in pieces, that the body parts were sold and that Zigzag Marzah and Stanley were also present. Civilian 43 maintained that she had not witnessed such a thing. She stated that she had only told the police that she was on a farm and the commander, Angel Gabriel Massaquoi, came and took them to Kolahun.

Finally, the defense asked Civilian 43 how she had been contacted by the police. She explained that she met them when they came to her village. The police said they were looking for people, who'd had bad things happen to them during the war. Their leader was Interpreter 4, a Gbandi man, who told them to go to Kolahun and speak about their experiences. Civilian 43 relayed her experiences to Interpreter 4, a white woman and a white man. Civilian 43 had spoken about her experiences with the village chief before talking to the Finnish police. She stated that when she had spoken with the village chief, she had not used the names Gibril, Gibril Massaquoi, Angel, or Angel Michael, but Angel Gabriel Massaquoi. According to Civilian 43, the village chiefs were aware of what had happened to her before Interpreter 4 and the white people came.

Civilian 43 could not estimate how long it had been since the incident. She has no birth certificate. She was living in Bolahun when Interpreter 4 asked her to go to Kolahun for an interview. She could not estimate how old she is now.

It was pointed out that the witness did not identify Gibril Massaquoi from the series of photographs presented to her at her police interview.

Witness Civilian 50 is heard

The prosecution questions Civilian 50

The prosecution began by asking Civilian 50 where he had lived during the war in Liberia. Civilian 50 testified that he lived in Kiantahun village, Kolahun district, Lofa county.

He went on to describe an incident in April 2001, when soldiers came and killed an old man and took another man to Popalahun. That same Saturday, soldiers burned ten kitchens and two houses. Since that April, Civilian 50 and others ran "from one place to another". They returned to Kiantahun in August. On 13 August 2001, Civilian 50's son died and he went to a cemetery to bury him. As he was returning from the cemetery, a rebel group attacked Kiantahun. This group was a mixture of RUF and NPFL troops. Everyone in the village was captured. According to Civilian 50, one man said in Mende that they would kill all the people who had been captured. They started to tie up the men one after the other, but he himself was tied less tightly than the others. He described being hit on his head with the butt of a gun, from which he still has a visible scar.

Next, the witness explained that they were told that they would be taken to Kamatahun Hassala. They took bush roads from one village to another. In Kiantahun, there was a man who called himself Halagie Rebel. Once they got to Kamatahun, they slept there. The next morning, a group of soldiers came up to them and began introducing themselves. The next morning, the soldiers said that they would kill them all immediately. Civilian 50 explained that during this time he had interacted with the rebels and they had figured out that he could read and write. Before they had entered the village where the rebels were planning to burn them, Massaquoi introduced himself. Zigzag Marzah was also there. As they were putting people inside a house, one of the rebels called Civilian 50 out. The rebels wanted him as their secretary to keep statistics. Civilian 50 was brought an "academic weapon", a pencil. He described watching as all the others were locked inside a house, the rebels set the house on fire and everyone inside was burned alive. Civilian 50 told the court that every time he has to remember these events, "it is like an old wound that is struck again with a knife and opened up again".

According to Civilian 50, after his people had been burned alive, he moved with the rebels from one place to another, until they crossed the border to Sierra Leone. He explained that some of the group that was taken to Kamatahun managed to escape on the way, but that he was the only person that was taken all the way to Kamatahun who survived.

The soldiers that came to Kiantahun in April 2001 were comprised of RUF and Charles Taylor's men. Civilian 50 understood the Sierra Leoneans speaking in Mende saying that they would kill them. He testified that the whole of Lofa county was at war at that point. He described how fighting in Lofa began in 2000, when RUF troops came to Voinjama and went back to Sierra Leone. The RUF and Taylor's forces were fighting against Liberians, against LURD. He explained that in 2001, LURD was in Kolahun/Kulbah City, and the RUF/Taylor's troops came to Kiantahun to fight against them. Civilian 50 speculated that they came to Kiantahun because the population in the village was Muslim, and that the soldiers believed that their weapons would not work against them, which is why they were taken to Kamatahun to be burned. According to Civilian 50, the route they took from Kiantahun to Kamatahun Hassala was not the shortest route, they took detours through different villages.

According to Civilian 50, the man speaking Mende in Kiantahun, who said that they would be all killed, was called Halagie Rebel. He was part of the RUF. The witness then showed the scar on his head to the court.

Civilian 50 further testified that the soldiers that came to Kamatahun Hassala the next morning were mostly RUF members who came from Vahun and Popalahun. According to Civilian 50, Massaquoi had not been in Kiantahun, they met him in Kamatahun. He explained that he figured out that he was a high-ranking officer from the way the other soldiers respected him. Massaquoi was surrounded by his soldiers when he introduced himself. The witness estimated that he did so to make them afraid of him. Civilian 50 knew that he was Sierra Leonean from the way that he spoke.

According to Civilian 50, Massaquoi was there when the building was set on fire: "that was their agreement, the RUF and Charles Taylor". He stated that Massaquoi himself did not set the building on fire, but gave orders when the house was burned. While Civilian 50 did not hear him give the order, he testified that Massaquoi was in charge of the situation as one of the commanders. The witness continued, stating: "If I was a commander in a time of war and my subordinates did something I didn't want them to do, I would stop them from doing it. But if I just

shut up, then I'm responsible for what they do". The witness did not know the namesof the soldiers that set the house on fire.He was not aware who the most senior commander was, but according to him, both Zigzag and Massaquoi were there when the house was burned.

Civilian 50 could not estimate the number of people that were burned inside the house. The prosecution showed him a piece of written evidence of a list of names. Civilian 50 recognized the list, he had written it during his hearing before the lower court. The witness explained that the names he'd written down were of the people who, on August 13, were captured, taken away, and killed. Those who had managed to escape were not on the list.

When asked whether he had witnessed other violence, he responded: "Whenever there's a war, there's a lot of destruction". In Kamatahun Hassala, soldiers went to the bush and captured people, killing some and taking others to Sierra Leone.

The witness then described, in detail, the location of the house that had been burned, explaining that it was on the right side of the road coming from Popalahun.

According to Civilian 50, men, women and children were taken from Kiantahun to Kamatahun Hassala. He explained that around the time the house was burned, there were multiple occasions where women from Kiantahun and other places in the bush were raped in Kamatahun Hassala. According to Civilian 50, soldiers were "using their power" on them, and he heard shouting. Some of them were RUF and some of them were Charles Taylor's soldiers. When asked about Massaquoi's role, the witness reiterated the point that he had made earlier that a commander is responsible for what his unit does. He thought that Massaquoi was aware of what his soldiers were doing to the women, as he did not see him do anything to prevent it.

The witness testified that when he came to Kamatahun Hassala, he was there for a few days and it was chaos. Civilian 50 left with the rebels to Popalahun and then Sierra Leone, estimating that he reached Sierra Leone that same year. Civilian 50 remembered the date August 13 2001, because he had written it on a chalkboard on a wall. It was located in a house that had a separate room for the chalkboard. He had written the date down "so that the day would be remembered, because the soldier had said we're going to kill you all".

The defense questions Civilian 50

The defense began by asking Civilian 50 about the first time he saw Zigzag Marzah. The witness responded that he saw him in Popalahun, and people were talking about him. He also saw him again in the same place after the 'massacre'. He testified that Zigzag killed people in front of him and ate some of their hearts. Zigzag also killed Civilian 50's older biological brother. The defense pointed out that he had not mentioned that Zigzag had killed his older brother in previous hearings. The witness replied that if he could speak his mother tongue Gbandi to the court, he could explain the situation much better.

The defense also pointed out that Civilian 50 had only used the name Massaquoi at his police interview and did not use that name at all the last time he was in court. Civilian 50 explained that the man had two names, Angel Gabriel and Gibril, both being the same Massaquoi, and exclaimed that he did not see the issue as important. The witness used a well-known parable to explain his point: "if you tie the rope on the goat or bring the goat to tie the rope, is it not the same goat?".

According to Civilian 50, the house was burned during the day. The soldiers wore mixed clothing, some had soldier trousers, some had berets, some were wearing ordinary clothes. Civilian 50 also clarified that he had not meant that soldiers forced themselves onto women. According to him, whenever there is war, women may be too afraid to resist, or they might think that when the soldiers have them, they will set them free later. Nevertheless, some of them were "used and killed".

The defense pointed out that the last time he was in court, Civilian 50 had said that he was scared to use the name Massaquoi. The witness denied this. He asked why the same issue was being asked repeatedly, and reasserted that the same person had two names, just as he himself answered to different names on different days.

Civilian 50 testified that he did not go to Sierra Leone with soldiers, but with other civilians. As he had been making documents for the soldiers, he asked them for permission to leave and they let him go to Sierra Leone. The defense pointed out that Civilian 50 had testified in the lower court that he had gone to Vahun with the soldiers and then further to Sierra Leone. Civilian 50 denied this, saying that he went to Vahun and Sierra Leone with civilians. The defense further pointed out that in the lower court, he had said that the soldiers had asked him to come back to Liberia. Civilian 50 responded that "I had crossed the border to heaven, why would I come back to a war zone?". The witness then described how he went to a refugee camp in Sierra Leone. He met some of his relatives there and told them about his experience. A white woman from Geneva wanted to take his picture, but he refused.

Civilian 50 testified that he might know Civilian 36 from Kiantahun, but he could not remember. The day of the hearing, Civilian 50 had not met any other witnesses in the case. He had spent the previous night in Monrovia, and was brought there by the people he was testifying for. He came from Lofa, in a car with other people, but he did not know who they were or why they were travelling to Monrovia. According to Civilian 50, there were four people in the car, including the driver, Civilian 43 and Civilian 45. The defense pointed out that the court had heard Civilian 36 earlier that day and he had told the court that he knows Civilian 50 well. The witness replied that "knowing me is one thing, but maybe our way of interaction is not the same". He denied discussing the date, August 13, with Civilian 36. Civilian 50 could not remember whether Civilian 36 had been in the Kiantahun group that was captured.

Civilian 50 testified that he had written the list of victims that the prosecution had presented to him in Kiantahun. After he had gone to Sierra Leone, he thought about what had happened and wrote the list. He did not write it in one sitting, as the names came to him across different days. The defense pointed out that the last time Civilian 50 was heard in court, it was agreed that he would write a list for the parties of the trial. According to Civilian 50, the list the prosecution had showed him was the one he had written in Kiantahun, as the one he had written in court contained less names.

The defense showed the same list the prosecution had shown again. Civilian 50 confirmed that he had written that list, but could not remember when he had done so. He also stated that he had written a list for the Finnish police, which contained about fifteen names. After giving the list to the police, Civilian 50 thought about the matter and wrote the longer list. The last time he had been in court, he had brought this longer list with him, but he had not brought it this time. The witness was asked to write another list for the appeals court. There was a further lengthy discussion as to when and where the witness had written each of the lists. The president of the

court then offered the court's position and asked the parties to move on with their questions. Civilian 50 finally testified that he had the shorter list he had given to the Finnish police with him when he was drafting the longer list.

Civilian 50 testified that he does not know Employee 1. He did not know how Employee 1 had received his contact information in April 2019, over half a year before his police interview.

According to Civilian 50, when the soldiers arrived to Kiantahun on August 13 2001, he got to Kamatahun on the same day.

It was pointed out that the witness identified someone other than the defendant as Massaquoi from the series of photographs presented to him at his police interview.

March 3, 2023 – Day Twenty-four

Today's hearing was focused on forced labor imposed on civilians by soldiers in and around Foya, Lofa.

Three witnesses testified to being captured and rounded up in the town center of their villages. They described how soldiers looted belongings from their houses and forced them to carry the stolen goods on their heads across different villages to Foya. Once the groups arrived in Foya, the goods were presented by the soldiers to the commander.

While one civilian managed to escape along the way, the other two were held or imprisoned in a building in Foya for multiple days. One of the captives was able to escape with a friend, while the other was later released after appealing to the soldiers. Each witness described soldiers mistreating and killing civilians during these events.

Hearings will continue Monday 6, 9am.

March 3, 2023 [Liberia] Day 24: Forced labor in Lofa

Witness Civilian 27 is heard

The prosecution questions Civilian 27

The prosecution began by asking Civilian 27 about where she was living during the war. The witness testified that she lived in Kortohun village, Kolahun district during the war. The road from Kolahun to Foya goes through Kortohun and there is another village nearby on top of a hill. She was living in the village by this road.

Civilian 27 testified that in 2001, she was sitting with a group by the road. They saw people running towards them who were saying that war is coming, war is here. The witness's mother was in Babahun and she ran there to tell her family about the war. As she arrived, she heard someone say "Stop, don't move". Some people went inside her house and started carrying things away. She and her son were captured and tied up. They were told that everyone should go to Kondubengu and were taken through bush roads from Kondubengu to Foya. The people that had been captured were ordered to stand in a line. A child soldier hit the witness in the back with a knife. She managed to escape and to hide. She heard a gunshot, her son was killed. She left and went to tell her relatives about what had happened.

The people that ran towards the witness in Kortohun as she was sitting by the road were civilians. She was tied up in Babahun. She and her son were tied by soldiers. There were different groups and commanders present, but the man who captured them in Babahun said that his name was Gabriel. The witness described the different locations of Babahun, Kortohun road, and Kondubengu in relation to each other. The man called Gabriel spoke Krio, like Sierra Leoneans. She described as he captured people, put them together in a large group, and said "I am Gabriel Massaquoi". Gabriel Massaquoi came to the village on a jeep, all his men were wearing camouflage clothing.

Civilian 27 was in Babahun when she met Gabriel Massaquoi and heard him ordering for the people to be taken through Kondubengu to Foya. She stated: “That is the bypass. When they capture civilians, they don’t use the main road”. The civilians were ordered to carry valuable looted goods. She was carrying goods on her head such as “country clothes”.

The witness could not estimate how long it took for them to go from Babahun to Foya. She did not go all the way to Kondubengu as she escaped before arriving there. The people who were captured were gathered in the center of the village. Civilian 27 was hit on her back in Babahun, when people were being gathered. The witness still had a scar on her back and showed it to the court.

Civilian 27 described that when she escaped from the soldiers, she hid behind a tree. She heard her son shouting for her, then a gunshot, and she never saw him again. The witness named some people from the group that were taken from Babahun towards Kondubengu, including a village chief. She stated that she was the only one in the group from Kortohun. In Babahun, the soldiers told the village chief to gather everyone together.

The defense questions Civilian 27

The defense began by asking Civilian 27 about her interview with the Finnish police in Voinjama in 2019. The witness recalled that she had told the police that Angel Gabriel came to Lofa in 2001, she was in Babahun village and was captured. The defense pointed out that she had told the police that this occurred in 2002, and she was living in Kortohun 2 village. She had specified the year as 2002 as it was the year her son was killed. The witness responded that she had made a mistake and that the year was in fact 2001. The defense also pointed out that the witness had told the police that Angel Gabriel Massaquoi had come by car to Kortohun 2. The witness responded that Angel Gabriel did not come to Kortohun, as she herself left Kortohun and went to Babahun, where she was captured.

Civilian 27 testified that after she escaped and her son had been killed, she went back home to her village. The defense pointed out that she had told the police that her son was shot on the way. At her police interview, she had stated that she did not see who shot him and began to cry, but the soldiers forced her to keep walking with the load. The witness responded that she was hiding when her son was killed, so the soldiers could not have forced her to carry the load.

The witness testified that she was not re-captured after her escape, and went to hide with her relatives. While they were in the bush, they heard a lot of things happening around them, with people being killed and houses being burned. After being in hiding, Civilian 27 went to Kortohun. The defense referred to her testimony before the lower court, where the witness had testified that as they were advancing towards Kondubengu, the soldiers had shot her son. She had previously testified that they had a big container of money and began arguing about it. Civilian 27 responded that as they were shouting at each other, she escaped. The defense continued, as Civilian 27 had previously testified that as the group was on its way to Kailahun, she had left her son’s body and went to hide. The witness denied having been on the way to Kailahun, repeating that they went from Babahun to Kondubengu. Her parents were in Babahun. When the defense asked her whether she had told her mother that her son had been killed, she denied this, saying that she did not meet her mother during the fighting but only after the war. She hid in the bush, and she didn’t come across any soldiers while she was there. Her parents were not there with her.

The witness testified that the only violence she was subject was the injury in her left shoulder. The defense pointed out that she had told the lower court that a child soldier had threatened to cut her ear off. She recalled that the child soldier attempted to cut her throat, but she managed to dodge the strike and was hit in her shoulder instead. The witness testified that her hearing was still intact. The defense pointed out that she had testified in the lower court that she was hit in the ear so hard that she could not hear anything from that ear to this day. Civilian 27 denied this.

Civilian 27 did not know anyone of else that had been killed besides her son, but she heard gunshots. When the defense reminded the witness that she had previously testified of 4 people that had been killed by soldiers, she responded that she had forgotten about that, and confirmed that these people were killed in Babahun.

The witness also testified that her father's property was stolen, and his house was burned down. She described Angel Gabriel speaking Krio and introducing himself as Gabriel, Angel Gabriel Massaquoi, and Second to God. As this commander arrived, all the people in the village were gathered together. He said "Give me light" and fires were lit. The soldiers arrived when the sun was hot. Civilian 27 could not remember whether it was the rainy or dry season at the time, but it was not raining that day.

According to Civilian 27, Angel Gabriel Massaquoi and Gibril Massaquoi are the same person, he was using a war name. She confirmed that she had not discussed these names with anyone between the police interview and her hearing at the lower court.

It was pointed out that the witness identified someone other than the defendant as Massaquoi from the series of photographs presented to her at her police interview.

Witness Civilian 18 is heard

The prosecution questions Civilian 18

The prosecution began by asking where Civilian 18 lived during the war. He testified that he lived in Kortohun 1 up on the hill. Civilian 18 testified on a Monday in early 2001, he was in Kortohun, and soldiers entered the village. He and the people that he was with were arrested and put in the middle of the village. The soldiers began looting their houses. At the time, some people were not in the village but doing farm work in the bush. Everyone in the village was gathered and they were forced to go towards Foya. The people were carrying things on top of their heads and were beaten by the soldiers. They went through Kailahun 1 and Kondubengu on their way to Foya.

They arrived in Foya the next night with the loads still on their heads. The soldiers put them in an old, large store. The next morning, Civilian 18 and others were taken to another location where another group of people had been captured. On the way to Foya, the soldiers set houses on fire. Inside the store in Foya, all the people from Kortohun were ordered outside. They were asked if there were any soldiers among them, to which they responded that they were all civilians. Civilian 18 was taken somewhere and saw a man wearing soldier clothes. There were many soldiers, but the witness could remember their leader. As he was standing in the middle, he said that he was Angel Gabriel, Next to God and the leader of the group. He ordered them to return to the old store and stay there until he decided what to do. When they were inside the store, people came and told him that two people from his village had been killed, including his wife.

The witness testified that when they were inside the store, the soldiers allowed them outside in the afternoons to look for food. After two days of being in Foya, he and his friend escaped without wearing shirts or footwear. On the second day, they were sent to look for food for the people captured from Kortohun. His friend knew how to speak Kissi, so they were able to escape.

Civilian 18 testified that the soldiers that came to their village spoke Krio and some spoke Mende, the witness himself could understand a bit of both. He could remember that the day was a Monday, because on Mondays they had the market in Kolahun and that day, some people had already left to go there. The goods they were forced to carry included mattresses, rice and cutlasses. Many people, men and women, had to carry them, and he could not estimate how many. The soldiers set houses on fire, approximately seven houses in Kortohun 1 were burned down.

The leader of the group whom they met in the center of Foya was called Angel Gabriel, Gibril Massaquoi. The witness heard the man use both names himself, he heard him speak while the villagers were captured in a group together. Angel Gabriel spoke Krio. In Foya, people were gathered in a group, Angel Gabriel stood in front of them and introduced himself.

Civilian 18 did not know what happened to the looted goods that they carried to Foya. The two people that came to tell them about the villagers who had been killed were also from Kortohun 1, the witness and others had gotten to Foya before them. The witness testified that they passed people in Kondubengu and Kiantahun, but these other people did not join the group on the way to Foya.

The soldiers that came to Kortohun 1 were RUF, as “only the RUF spoke Krio”. There had been fighting near the village already before that day, in Foya district, Kolahun district and other places. Government forces and LURD were fighting at the time. The witness did not know whether the RUF was on the government’s or rebels’ side but saw them in the village.

Civilian 18 could not remember in which month the event took place. Gibril Massaquoi told them that he was leading the RUF. The witness named a few people that were with him in the group that walked from Kortohun 1 to Foya. They had no village chief at the time, but the witness named the previous chief.

He did not know whether Angel Gabriel was aware that they were carrying goods on top of their heads to Foya. The soldiers did not tell them anything, only ordered them to put the things on their heads and walk.

The defense questions Civilian 18

The defense began by asking whether Civilian 18 had spoken with anyone about the name Gibril Massaquoi since his last hearing in court. The witness could not recall doing so. The defense pointed out that he had not mentioned the name Gibril Massaquoi in the lower court or at his police interview. The witness stated that he thought he had done so.

The defense referred to his police interview, where the witness had said that it was a Monday morning on 16 August 2002, about ten o’clock, when the soldiers came to Kortohun 1. He confirmed that it was indeed in the morning but was not sure about the date. However, he was sure that he had said 2001, not 2002. The defense asked him how he could remember the date so

well in his police interview but not in court. Civilian 18 responded: “You know when you come from war, your mind cannot be set. At times we say things and forget”. The witness could not remember the date, nor whether he had spoken about it with anyone else. He testified that he knows many people who have the same name as Civilian 45, but not one that lives in Kortohun 1. Civilian 18 could not remember discussing the date of the event with this person. Civilian 18 had not travelled from Lofa to the hearing with Civilian 45 and did not know if they had stayed in the same accommodation before the hearing.

In connection with this event, the witness did not know about the death of any other people besides those he had previously mentioned. The defense pointed out that Civilian 18 had told the lower court that when the soldiers shot his wife, the bullet went through a baby’s arm and the baby still has a scar. He confirmed this, and stated that the child is still alive. The other woman who had died with the witness’s wife was his sister. She was with his wife making palm oil in the bush when the soldiers came. The women tried to run away and were shot by the soldiers. Civilian 18 had told the police about their death, but had not mentioned that they were his wife and sister since the police did not ask about his relationship with them.

Civilian 18 testified that he met Angel Gabriel on his second day in Foya. The defense pointed out that Civilian 18 had told the Finnish police that when they arrived in Foya, Angel Gabriel ordered for them to be imprisoned in the store. The witness did not recall saying so. The leader of the soldiers who came to the village was called Edward. He took the villagers to Foya. The soldiers were dressed in different ways, some in soldier clothes and some in civilian clothes. Civilian 18 did not know whether they had a base in Foya. The defense pointed out that the witness had told the lower court that there was a large house in Foya on the main street, which was the soldiers’ base. Civilian 18 denied saying that this building was a base.

The witness then testified about how he was put in touch with the Finnish police, through some people that came to his village. The first people who arrived were black. They came one afternoon. The witness could not remember what year it was. After that, a second group of people, who were white, came to the village. Civilian 18 could not estimate how long after the first visit the second group of people came. He could not recall the names of the people that came to his village. He had heard of Employee 1, but was not sure where from. When the second group arrived, they asked if anyone in the village had anything happen to them during the war and he had put his hand up. They asked him questions which he answered. Civilian 18 could not recall a village meeting that discussed this second group of white people coming to the village. He testified that they have village meetings almost every month.

It was pointed out that the witness did not identify anyone from the series of photographs presented to him at his police interview.

Witness Civilian 45 is heard

The prosecution questions Civilian 45

The prosecution began by asking about where Civilian 45 lived during the war. Civilian 45 testified that he lived in Lofa county, Kolahun district, in Kortohun village. Kortohun village was located near Foya, and shared a border with Kissi tribes in the area. The witness testified that around 2001, he saw armed men entering his village. As these men entered, they called everyone to the center of the village. When the villagers had been gathered, they began looting belongings from

their houses. People were put in a line, looted goods were placed on their heads, and houses were lit on fire. The armed men took them to Kailahun and placed them in the center of the village. The armed men then went to Kailahun 2, which was located close by. The same occurred there, as the group looted goods, captured people, put the looted goods on their heads and burned houses. The group was then taken to Kondubengu, where they were held until 9 pm. They continued towards Foya and arrived there around 2 am the next day. The witness described how the men captured three women: one was 9 years old, the other was older, and the third was pregnant. The girls were taken to the commander in Foya. The men then began beating and torturing Civilian 45 and others. Civilian 45 and another person were held in the same room and the men began "using" the girls that they had captured. Two girls survived, but one, who was in her third month of pregnancy, did not survive. Civilian 45 spent four days in Foya before being released.

The witness then described the location of his village, in relation to Kailahun, Kondubengu and Foya. He described a road in Kortohun that splits the village in two, and leads to Keilahun, through Kondubengu and to Foya. Civilian 45 clarified that he was on a hill during the events and because of this incident came down from the hill. He could not specify when exactly the events occurred as "we were in a critical time at the time, it was a war". The witness described the armed men that entered his village as RUF soldiers, because they were speaking Krio, Mende and Temne. They had a leader called Nathan Kpeh. The goods that the villagers were forced to carry included sewing machines, mattresses, ducks and chickens. He described how the soldiers forced people to carry their own looted property. The soldiers told the civilians to carry the goods to Foya, because their commander was located there. The commander in Foya was called Gibril Massaquoi.

Civilian 45 learned the name of Gibril Massaquoi when the soldiers took the group before him and he introduced himself. He was speaking Krio and other languages. The witness explained that they could not look him in the face as he was so high-ranking. He used a war name, Angel Gabriel, and told the captured people that he was Angel Michael, an angel of God, and that if he says you live, you live. His soldiers called him CO Massaquoi, CO Gibril, CO Gabriel. Civilian 45 only saw Gibril Massaquoi once in Foya. He was taken before him and Massaquoi sentenced them to jail. They were told to set the looted goods on the ground before Massaquoi was called in.

The witness clarified that the girls he had previously mentioned were raped by the soldiers, and one of them died because of this. This was done by RUF soldiers. During the time they were in Foya these soldiers would beat them, and they would plead with them to let them go. After four days, they were put in the hands of the commissioner of Foya, Dennis Armah. Dennis Armah then released Civilian 45 with the others.

The defense questions Civilian 45

The defense began by asking Civilian 45 about the soldiers' arrival in Kortohun. The witness explained that the soldiers came to the village twice, the first time during the night. He was sleeping when the soldiers came, they broke into houses and began beating people. As he came out of his house, the same leader, Nathan Kpeh, was there. Civilian 45 begged the soldiers to release him. The soldiers released him, telling him that if he did not report to them by noon the next day, they would burn the village.

The defense then asked the witness about the theft of a pig. According to Civilian 45, the soldiers had come to loot the village. An officer in Charles Taylor's forces, Jah Brother, was there, he had captured a pig in Bonubu. Civilian 45 had told the soldiers that he would look into the alleged theft and that he would return the pig to the RUF if he found it in their village. However, according to Civilian 45, the pig was not in Kortohun, it had been taken to Babahun. The defense pointed out that Civilian 45 had testified in the lower court that a man had told him that they would accept his offer and that they would return the next day around 9 or 10 o'clock, and if they did not see the pig by then, they would burn the village. He confirmed this, stating that they said that they would come back the next day and that is what they did: they burned the village. The witness speculated that the story with the pig had been a set-up, the soldiers used it as an excuse to come to the village and do whatever they wanted.

Civilian 45 repeated that they arrived in Foya at night. They were brought to Gibril Massaquoi straight away. He maintained that his men were calling his name, including Nathan Kpeh. When asked about the names Commander Massaquoi, Gibril Massaquoi, and Angel Gabriel, the witness stated that "the name was floating, it was all around". The defense pointed out that Civilian 45 had not used the name Angel Gabriel when he testified at the lower court. The witness stated that he had mentioned the name, when he had testified that Massaquoi had told his soldiers to "give him light". Civilian 45 then clarified that when Massaquoi's group came to Kortohun, it was them who said it. He stated: "The people that came said it, so long as they said that one, it was the commander".

According to Civilian 45, when they were brought before Massaquoi, he thanked his soldiers and told the civilians to pack the goods and move them. The defense pointed out that Civilian 45 had testified in the lower court that Massaquoi had seen him and others carrying the goods to Foya. The witness did not recall having testified this and said that they were brought before him to report to him. He stated: "I'm here and you're changing story, the thing that happened with me is what I am talking, I am not a small boy for someone to tell me to say something, what happened to me is what I am saying". According to the witness, he and the others spent the night before Massaquoi with the goods and in the morning, they were sentenced.

The witness was asked about the year of the incident. He recalled the discussion that had occurred at the lower court, where he had said the year 2001 but the defense had asserted that he had previously said 2002. Now, he maintained that the events occurred in 2001. The defense pointed out that Civilian 45 had told the Finnish police that the date was Monday 16 August 2002, on the day of the market in Kolahun. The witness confirmed that the date was 16 August, but the year was 2001 or 2002. The defense pointed out that 16 August was not a Monday either in 2001 or 2002, to which he replied: "That is why I was saying the particular of dates are not important". The witness testified that he had not spoken with his friends in the village about this subject. He testified to knowing someone with the same name as Civilian 18 from the Kortohun area. He had not spoken to him, as they do not know each other. He stated that he had travelled from his hometown to Monrovia by car with Civilian 50 and Civilian 43. He then acknowledged that Civilian 18 had come to Monrovia on the same day as him. When the defense raised that both Civilian 45 and Civilian 18 had given the same date of the events and incorrectly stated that it was a Monday, the witness stated that he did in fact know the witness and had previously denied knowing him because: "You want to trap me, when you people know everything and you are asking me".

The witness was then asked about how he got in contact with the Finnish police. He confirmed that he had not discussed this subject within his village before the Finnish police had come. The defense read what he had previously described at the lower court on the matter, which he confirmed: “When they came they went in the town, I was on the road. They had the meeting we said something happened to us, everybody came and reported individually. We did not talk in Kortohun until we came to Voinjama”.

Finally, the witness recalled the names of some of the people that were captured with him in Kortohun. He stated that the war was raging all over their area in Lofa county when the soldiers arrived.

It was pointed out that the witness identified someone other than the defendant as Gibril Massaquoi from the series of photographs presented to him at his police interview.

March 6, 2023 – Day Twenty-five

On Monday, March 6, the Court returned to its examination of events in Kamatahun Hassala.

A former soldier that had worked with the government forces recounted his experience with RUF fighters in Lofa. He described coming from a checkpoint to the village, where he had seen a house on fire and was told that there were people inside the burning house. He then described escorting some of the perpetrators to Monrovia as a consequence for their participation in these events.

In the second part of his testimony, the witness gave his account on events that occurred later on in Waterside, Monrovia. He described arriving onto the scene when soldiers were ordered to kill civilians that had been looting.

The witness affirmed that it was the same person that had ordered the acts in both Kamatahun and Waterside.

March 6, 2023 [Liberia] Day 25: A former soldier testifies

Soldier 50

<u>The prosecution questions Soldier 50</u>

The prosecution began the hearing by asking the witness if he had partaken in the fighting during the war. Soldier 50 explains that he was part of the GOL troops, but he did not occupy any officer position. He was assigned as security to the mansion, but he also went to Foya, and Lofa. When there, his commanders were ZigZag Marzah and Bush Commando, but the higher-ranking officer was General Stanley.

When he was in Lofa, fighting against LURD had been going on around the border, in Vahun, Foya and other towns he could not remember the names of. He also couldn't tell precisely what years the fighting took place, 2000, or 2002.

Soldier 50 shared that the GOL troops were fighting alongside RUF, as LURD troops were difficult to fight back and RUF came to support them. The witness was part of a welcome committee that took RUF soldiers from the border to Monrovia, where they resided at 12 Houses.

RUF fought alongside GOL in villages in Lofa, and once LURD had been cleared out they left to go back to Sierra Leone. The RUF commander at the time as Foday Sankoh, and when he died, the chain of command when tot Sam Bockarie aka General Mosquito. Soldier 50 also shared that he knew of Gibril Massaquoi, who was RUF spokesperson, Salami, and Superman, who died and was "one of the men Liberians really depended on" as he was Liberian but living in Sierra Leone.

The witness specified that Massaquoi was the most educated man amongst them, and that he played a major role in the RUF. Soldier 50 had met him in Lofa, in Foya, Vahun, and Kamatahun.

When asked by the prosecution, the witness shared that "there was war going on" and that "civilians cannot be treated right". Soldier 50 recounted how he had heard that Massaquoi had

killed his girlfriend, as another soldier had fell in love with her. He explained that Gibril Massaquoi's operation name was "Angel Gabriel".

Soldier 50 explained that when he was assigned in Kamatahun, people were burned alive in a house as they were accused of being rebels. Angel Gabriel had been left in command, as the other commanding officers had gone on patrol. He reiterated that he had been there: he was standing at the checkpoint when he saw the fire blazing. When he came to the scene, he saw people trying to put the fire off, and that they kept on saying there was people tied up inside the house. In the witness' mind, these things should not happen as it wasn't the frontline, but a friend of his warned him that if he had said something to the authority, the "man will do something to me". He was there on the scene until the house burned to the ground, but Angel Gabriel was not on the scene, but he had given the order. He knew Angel Gabriel was in Kamatahun because he would have known if people left.

Going back to escorting RUF troops to Monrovia, Soldier 50 confirmed that he saw Gibril Massaquoi amongst them. At the time, there was no fighting ongoing in the city, and almost a year after their arrival fighting ensued. Nobody knew that RUF troops had been in Monrovia prior to the fighting of World War I. LURD had captured Freeport, and Vai Town. The witness took part of the fighting at Waterside, where he saw Gibril Massaquoi. Soldier 50 was with a team of around 7 men when a slipper shop had been looted, and that RUF troops had open fire on the looters. He saw dead bodies. The witness said that Gibril Massaquoi, Stanley, and Salami were the operating officers – if they had been from Liberia, they would have had more sympathy for Liberians. He was told by a friend that it was they who had carried out the killing. Soldier 50 stated that the looting happened a few months before the cease fire.

Soldier 50 explained which route RUF soldiers took to go to Lofa, but he couldn't exactly remember the date, but said around 2001. He explained where Kamatahun was, and where exactly the burned house had been. He had not witnessed any other similar incidents. He reiterated that Angel Gabriel had not been on patrol, but he had been the commander left in charge that day. He knew because he was a soldier, not a civilian, and was aware of which commanders had been on patrol and who was left on the ground.

He remembered being interviewed by the Finnish police in 2020, and he had heard on the BBC that someone had been arrested in Finland for the incident in Waterside. He had not seen pictures of the person who was arrested, but he knew him in person and he knew he was in Finland, so it did not come as a surprise to him.

<u>The defense questions Soldier 50</u>

The defense started questioning Soldier 50 regarding his knowledge of Gibril Massaquoi's presence in Finland. The witness explained that he had moved there after "the case in Sierra Leone" – he learned about it in 2012 or 2013 – he had not been following the court's work. He had heard the news in a coffee shop but had the confirmation at his sister's funeral in 2019.

Regarding Gibril Massaquoi's operation name, Soldier 50 explained that in war people don't use their real names: he himself also used a war name, so that people would not find out their real name. "Some people play dirty games during the war: some people I have done things to them, I have forgotten, but those people I wronged have not forgotten."

The defense asked Soldier 50 about his earlier statement regarding Angel Gabriel killing his girlfriend, and why he had not shared this with the police or during the hearings at the lower court. The witness said that so many years had passed and things could slip out of his mind, and because he remembered during the current hearings, she shared it with the Appeals Court.

On the incident in Kamatahun, where the house had been burned down, the defense asked the witness why he had said to the prosecution that it had been the only incident of that nature he had witnessed, if during the police interview in 2020 he had said that he saw ZigZag burning a house with people in it, and then Gibril did the same. Soldier 50 responded that the issue at hand was Angel Gabriel, not ZigZag, and that ZigZag was "the worst" and that he committed a lot of crimes, not only in Kamatahun.

According to the police statement Soldier 50 gave in 2020, only men, suspected of being rebels, had been burned in the kitchen set on fire in Kamatahun, but during these hearings, Soldier 50 had said that both men and women had been present in the building. The witness said that he had not been present, and that he was told that both men and women where inside the house. He had told the police it was only men because they had been accused of being rebels, and women usually were not killed – except in crossfire – but raped.

He had been at the checkpoint in Kamatahun when he heard people screaming. The defense told the witness that during his recorded interview, Soldier 50 had said he had been in Vahun when he heard the news that Gibril had given the order to burn the house. The witness explained that he was supposed to be in Vahun, but that because LURD had been attacking, he stayed in Kamatahun. He had been on his way to the highway when he heard the news of Gibril giving the order, which, he confirmed, was relayed to him by other soldiers. The defense however said that during the police interview, Soldier 50 had said that he had heard himself Gibril Massaquoi giving the order: the witness explained that soldiers cannot be everywhere, and that when orders are passed around amongst soldiers, you will say "yes I was there, but in reality, I was not there". You do not lie about orders; it was a punishable offense.

The other higher-ranking officers came back to Kamatahun the following day. According to Soldier 50, they were angry about what had happened. And because of the burned house incident, RUF troops were then shortly moved back to Monrovia. During the lower court hearings, Soldier 50 had said that the RUF troops had been ordered to leave later the same evening, as the higher-ranking officers were really angry. The witness explained that one thing was a set military order, and another was a preparatory order. When Gibril Massaquoi arrived in Monrovia, there was no fighting going on there, only in Lofa. It took some time for the war to break out in the city as well, but he could not estimate how long. The witness said that Sam Bockarie was a live when the incident took place in Kamatahun. To the police, Soldier 50 had said that the time span between the burned house and the looting incident was about 5 months.

Soldier 50 said that in his opinion, Gibril Massaquoi spoke English or creole, but he was not aware if he spoke any other languages as he did not know his ethnicity; he knew that he was from Sierra Leone. He had learned Massaquoi's real name when he brought RUF troops to 12 Houses.

The police had contacted him through an organization working on the case, as they had sent people in Lofa to do an investigation. He had heard on the BBC about the case, and a man was looking for people who had information and who had been present during the incidents. He did not know the man's first name, but his surname was Employee's 1 surname. They exchanged

phone numbers, and then met in Monrovia. Soldier 50 explained that Employee 1 had not discussed anything regarding the case. Following further questions about whether or not Employee 1 had known him, the witness explained that he knew that he had been an ATU soldier. According to the police, Soldier 50 had said that he had been contacted through his cousin. The witness explained that he later realized, through talking with Employee 1, that their mothers were related. Soldier 50 had been put in touch with Employee 1 through a friend of his, who knew about his past. He clarified that his friend and himself are not related and that he had said he was his "cousin" because they spoke the same dialect.

Soldier 50 already knew what the police wanted to discuss, in relation to the war in Lofa and Gibril. According to him, Employee 1 had told him about this once he had arrived in Monrovia, that the police will want to know about the RUF. This, alongside the news, made the witness aware of what the police wanted to discuss. Soldier 50 explained that Employee 1 never specifically told him anything about what happened in Lofa, but only asked him if he was willing to talk to the police as Gibril was arrested in Finland: Employee 1 did not need to say that Gibril was Massaquoi, because Soldier 50 knew that Gibril was Massaquoi.

March 7, 2023 – Day Twenty-six

On Tuesday March 7, the Court heard two witnesses, both of whom had been witness to killings of civilians in the area.

The first witness described being rounded up with other civilians and taken to Kamatahun Hassala. He managed to escape, and from there he saw soldiers putting people into a house and setting it on fire. The next day, he saw the bodies of 7 women that had allegedly been raped outside the Blacksmith's kitchen. The witness lost two family members in the course of these events.

The second witness was a victim of torture. He described being accused of being a rebel and being subject to acts of torture carried out to get him to confess. He also described other incidents that occurred in the area, such as the killing of a man and the extraction and cooking of his heart, as well as the burning of a house with people inside.

There will be no hearings tomorrow, Wednesday 8, as it is Decoration Day – a public holiday in Liberia.

March 7, 2023 [Liberia] Day 26: Lives lost in Lofa

Civilian 70

Prosecution questions the witness

The testimony began as the witness discussed that he had been living in Monrovia when the war broke out in 1990, and therefore he had returned to Lofa, where he is originally from. However, war broke out in the entire region of Lofa around 1999, as LURD rebels fought against Charles Taylor's troops. Government troops took both him and his wife from their village to Kamatahun, around 2001. There was plenty of people that were taken from their villages, and there were also soldiers from Sierra Leone – he remembered a few names, like Sam Bockarie, Mosquito, Superman, Issa, Massalay, Gabriel Massaquoi. He also remembered there was ZigZag Marzah, Z man, and Stanley.

Civilian 70 stated that soldiers could do whatever they wanted to the civilians. The witness said that when he was taken by the soldiers, he was wounded, his wife was killed, and that his auntie was burned in a house. When the prosecution asked, Civilian 70 shared that he had been present when his auntie was burned. They had been talking when soldiers told them to go inside a house. He had seen Superman and Angel Gabriel, who, according to him, was called Gabriel Massaquoi, and was a high-ranking commander. The witness said that Angel Gabriel gave the order to put the house on fire and said "you burn all of those dogs" – the witness stated that the house they were burning was the same as the one where his auntie was. He reiterated that Angel Gabriel was the same person as Gabriel Massaquoi.

The witness testified that his wife, among other women, was raped in a kitchen in Kamatahun. The incident took place before the house was burned. Seven women, including the Civilian 70's wife, were taken to a blacksmith's place, were raped, and then killed. The witness did not see his wife being brought there, but he was told by other villagers. As soon as he discovered it, he went

there himself, and saw his wife and other women in the house. He went there to talk to his wife, but he was beaten up and wounded. He explained that the blacksmith's house wasn't really a "house" but more of an open place. The women had been raped all night, and then killed in the morning. He saw his wife's body, and the other women too. Civilian 70 stated that he had heard Angel Gabriel giving the order to rape the women; he had invited the soldiers to help themselves to the women. The witness saw him at the blacksmith's house, and whilst he did not partake in the raping himself, he had given the order.

Civilian 70 mentioned that he has also witnessed a man being accused to be a LURD rebel and murdered by Angel Gabriel. He had shot the man and told him "tell God I Angel Gabriel sent you." The witness does not know what happened to the body. He then described to the prosecution where in Kamatahun the blacksmith house and the house that burned were.

He recalled talking to the police about the incident in 2020. He had learned on BBC and CNN that Gabriel Massaquoi had been arrested – he had not seen his picture, but that his fighting name was Angel Gabriel.

Defense questions the witness

The witness explained that he had met Employee 1 in a tea shop in Gbarnga, which is where Civilian 70 works. He had not been interested in what he had to say. The defense pointed out that Civilian 70 had told the police he had met Employee 1 in Monrovia. The witness responded that he was sure he had met him in Gbarnga. They had been talking about Zigzag Marzah and then Employee 1 told him he was going to call him, but only did so when the "white people came." Employee 1 had told him that white people were interested in learning about what happened in Lofa, and if the witness had been interested in talking with them. According to the police report however, the witness had said that Employee 1 had called him after the meeting at the tea shop and the witness had been confused about how he got his number, but the witness denied ever being asked how Employee 1 had got his number, nor if he had called him.

Regarding the soldiers' names he had mentioned before, like Superman, Bockarie, Stanley, and Massaquoi, he had not found out the soldiers' names in Kamatahun, as "who are civilians to ask soldiers for their names." He shared that only the Sierra Leoneans were based in Kamatahun, but that the others used to come and go – sometimes with an interval of a few months between visits.

Asked by the defense, Civilian 70 recounted that Zigzag used to eat human hearts – they had accused a man of being a LURD rebel so they killed him, took his heart, and gave it to a lady to cook it. She couldn't do it, as her hands were shaking. The witness did not know who had given the order to kill the man, but it had been Zigzag who had done the butchering. Civilian 70 added that maybe it had been Angel Gabriel that gave the order, as he had been the highest commander there.

Going back to the testimony of the burning of the house, the witness specified that it happened at night. There is still no electricity there, so there were no lights to illuminate the streets, but he had been close enough to see the people being put in the house. The defense stated that during the first instance proceedings the witness had said that he had been further away and did not go where the soldiers had been gathering people – the witness explained that he had not gave a

specific measurement of how far he was, and he had not been there where they were gathering people, but close enough so he could hear and see.

The defense asked who in the specific was that had set the house on fire and the witness responded that he did not know who it had been, but he knew that Angel Gabriel gave the order and had said "burn those dogs." He added that Zigzag was there, but most of the soldier present were from Sierra Leone.

Civilian 70 reiterated that he had not been present when they took his wife, but he had been told, so he went to look for her in the blacksmith's house. Her and the other women were all sitting on the ground, wearing their clothes. At night, Angel Gabriel gave the order to the soldiers to do whatever they wanted with the women. He got beaten as he made "myself known to the man that his was my woman, I was lucky they did not kill me." The defense then read the police summary to the witness, where he had said that Angel Gabriel ordered the women to strip and spread their legs, as they were being tied. Civilian 70 answered that he had heard a lot about that event, but what he discussed in the Appeals Court is what he saw himself. The defense continued to read the police report, where it then said that when the witness was beaten, he had been tied – the witness responded that he did not remember being tied, but he could not remember everything. The defense added that the women were then raped all night, and then someone had seen the witness tied and had freed him in the morning. Civilian 70 explained again that he did not remember being tied, and that someone had helped him, but he cannot remember.

After he left Kamatahun, the witness went back to his hometown, where he stayed until Charles Taylor left Liberia, about 2-3 years. When asked if he had been to a refugee camp, the witness said he could not remember. The defense pointed out that during the lower court hearings Civilian 70 had said that he had gone to Vahun in hiding, and then he had been a refugee camp in Sierra Leone. The witness responded that he used to go to Vahun for work, but he could not remember going to Sierra Leone, nor he could remember the additional details, like an NGO taking him to Bo Waterside for treatment.

Civilian 70 specified that Angel Gabriel used to go back and from Kamatahun, but he could not remember for how long, as he only spent some months there, around 3 or 4. He couldn't really specify what language Angel Gabriel spoke but said that some of the soldier spoke Creole, Mende, and Timini.

Going back to Zigzag Marzah killing the man accused of being a LURD spy, the witness said he had seen the heart himself, and that Angel Gabriel had given the order.

Civilian 35

Prosecution questions the witness

The witness begun his testimony by sharing that he was from Kolahun, in Lofa. When the war begun in 1989, he had been residing in Monrovia, but he had been in Kolahun between 2001 and 2003, when LURD was fighting government troops.

He testified that there had been a lot of torture and atrocities perpetrated against civilians, and he himself had been tortured. Around 2001/2002, he and others had been captured by LURD troops and taken to Massabolahun – once there, there had been a fight between LURD and

government troops, and him and the others were then taken by the latter in yet another place, Kamatahun Hassala. There, he saw Benjamin Yeaten with Sierra Leonean troops, which he recognized because of their way of speaking. Civilian 35 was tortured in Kamatahun, where Angel Gabriel, also known as Gibril Massaquoi, accused him of being a rebel from Guinea and ordered his soldiers, in Creole, to tie him tabey. He had heard himself Angel Gabriel giving this order to the troops, and the witness added that he wanted to kill him. Civilian 35 also added that he had been tortured with melting plastic on his skin to make him talk, again, ordered by Gibril Massaquoi.

The witness shared that once some RUF soldiers found a man in the bush and brough him to Kamatahun, killed him, took his heart out, and ordered a woman to cook it under the orders of Gibril Massaquoi. He also saw a house being put on fire. Civilian 35 also saw a pregnant woman being opened as soldiers had a bet on the child's sex. A friend of the witness told him they had to leave before they also got killed, and that is how he escaped.

The prosecution asked the witness if he still bore scars of the torture he went through, and the witness answered in the affirmative, as he said one of the soldiers that assaulted him also had a knife. He also used to have marks of the melted plastic, but those had faded away with time.

Going back to the man who had been killed and whose heart had been ripped out, the witness specified that Gibril Massaquoi had been responsible as he had authorized all of the atrocities committed in Kamatahun, including the burning of the house: "everything was attributed [to him], he influenced it, he commissioned it." He answered that he had been present when Massaquoi had given these orders. The witness had been in Kamatahun for 5 days, and throughout these days he saw Gibril Massaquoi every day. He had learned that he was using the names of Angel Gabriel and Gibril Massaquoi from the man himself. Benjamin Yeaten had to leave and left command to Angel Gabriel, and he had introduced himself to the troops.

The witness also shared that he had been forced to carry ammunitions on his head, on order of Angel Gabriel. Civilian 35 had carried two boxes of ammunition and one gun to carry.

Civilian 35 described in detail the torture he was submitted to and reiterated that whilst the torture was carried out by soldiers, it had been Angel Gabriel who gave the order. He also stated that he had heard Gibril Massaquoi gave the order to burn the house with the people in it, on the left entering Vahun. He then specified that the man who had been accused of being a spy and who had been murdered and whose heart had been ripped out was killed by Angel Gabriel, and that the witness saw this himself.

The defense questions the witness

The witness explained to the defense that Massaquoi spoke as the troops' commander, not as the RUF's spokesperson, but the defense pointed out that earlier in the testimony he had said that Massaquoi was RUF's spokesperson. He then said that Benjamin Yeaten had introduced Gibril Massaquoi to the troops, as he had to leave, and that Massaquoi was going to take over. He could not recall exactly when this has happened, between 2001 and 2002. The events in Kamatahun took place between 2001 and 2002, but according to the witness, Gibril Massaquoi was not in Liberia in 2003, but the LURD still fought in Lofa until 2003: he had not seen Massaquoi in Lofa in 2003, but he could clearly remember him in 2001-2002. The defense read

the police report, where Civilian 35 had said that the incidents in Kamatahun happened in 2002 and 2003: the witness said that it must have been a mistake.

The defense continued reading the police report, where the witness had said that he had never lived in Kolahun, and that he left Monrovia to go back to his family once he graduated from university, and once he met his family, rebels attacked. He ran away to Massabolahun, but another group took him to Vahun in 2002, where he was forced to carry weapons. The witness said that indeed he never lived in Kolahun, he had gone there on vacation to see his family, and he saw all of those atrocities between 2001 and 2002. Civilian 35 had said to the police that he remembered the atrocities being committed in 2002, which is when he graduated. Civilian 35 stated that he had not graduated in 2002, but that the war happened in 2001, and that the incursions happened in 2002, mainly in Lofa County: this is why he gave the 2001-2002 timeline for Massaquoi being there and what he experienced.

Asked about his own experiences, the witness explained that when LURD attacked Kolahun, and he had escaped in Massabolahun, where had then been captured, LURD was not present there. RUF then arrived, and LURD retreated, but when they came back, they arrested everyone. Civilian 35 explained that he was a young man at the time, so everyone just assumed he was a rebel, and Charles Taylor had stated that "no ants should live in Lofa" – meaning that no matter which rebels, the troops had to get rid of them. And this is how he got to meet Gibril Massaquoi – not that he had met in in 2001, just that this was the situation in Lofa. The witness experienced LURD forces attacking twice.

On the reason why he had not told the police about the melted plastic torture, the witness said that "I said when you are under duress you experience so many things, right? But only when you have overcome that identical stress that you mind start reflecting on this that were happening at the time. I didn't explain to police, the reason was like my mind didn't go there."

The defense went back to the police notes again, and whilst the witness had shared some torture, he had not disclosed to the court how Gibril Massaquoi, according to the witness, had urinated in his mouth. The witness said that yes, he had done this to him, but the reason why he didn't share it this time is that his mind was not a computer, and he did not remember.

On the matter of the capture of the man in the bush who then got murdered, and whose heart was taken out, the defense asked why he only spoke about one man, when he had discussed two with the Finnish police. The witness said he only remembers one man being killed.

On the matter of the house being burned down, the defense told Civilian 35 that he had said to the police that whilst Gibril Massaquoi was there, Zigzag Marzah was "active", and that the witness described the actions of Zigzag, not of Massaquoi, so why was he now saying that it had been Gibril Massaquoi giving the order? Civilian 35 said there must have been a miscommunication, either with the police, or with the translator. Gibril Massaquoi was the person who ordered the burning of the house, but Zigzag was the one who executed the order. The defense said that in the lower court, the witness had said that he had heard about the house burning down, but Civilian 35 denied it. He said that the police had asked him "do you know Zigzag" and he had responded in the affirmative, saying he had heard about him during the war. And that no, the burning of the house had not been a rumour because he had risked his life.

The defense asked which version of the events was true: to the police, Civilian 35 had said that Zigzag had burned the people, and to the lower court he had said that he had not been present. The witness said that Zigzag had carried the order and that Massaquoi was there, and this is what he had experienced. The defense retorted that when he was asked when Zigzag had burned the house down, the witness had said he had not been there, and that it had been people who told him about it. The witness responded asking why he would say he wasn't there, when he had been, and he reiterated that Zigzag had committed a lot of atrocities, but that Massaquoi had been in Kamatahun and Hassala.

After the witness escaped, he had gone to Sierra Leone – but he could not say for how long. He had then gone back to Monrovia. The defense pointed out that Civilian 35 had said that after he escaped, he had gone to Foya, and then to Guinea, where he began looking for work. The witness responded: "What I'm I going to do in Guinea?" and that he had gone to Sierra Leone as it was easier to go back to Monrovia.

When asked, the witness shared that RUF wore yellow t-shirts.

When asked how the police had gotten in contact with him, Civilian 35 explained that once day he had received a call from Employee 1, asking him if he knew what had happened during the war, and that people wanted to talk to him. He had issues leaving work, but at the end he agreed to go to Monrovia and speak to the Finnish police. The defense asked if Employee 1 had promised financial compensation for this, and the witness said no, but he asked if his transport was being covered by them.

According to the defense, the witness had been under the impression that he was going to receive a scholarship if he had gone to Monrovia. Civilian 35 said that there had been a misunderstanding: he had asked for it, but Employee 1 had told him he was not going to get one.

March 9, 2023 – Day Twenty-seven

On Thursday March 9, three witnesses from Kamatahun Hassala testified before the Court of Appeal.

Each witness testified to similar events of civilians from surrounding villages being rounded up by troops and taken to Kamatahun. The large group of people was assembled in the town center and locked in a house. Upon the orders of their commander, the soldiers set the house ablaze with the people still inside. The witnesses also all testified to a group of women being separated from the group and raped by soldiers during the course of these events.

Each witness also testified to different tributes that had been paid to the victims of these incidents. They described conducting sacrifices to honor those that had been killed, the ceremonial burying of their remains, and the building of a palaver hut in the centre of town.

The final hearing of the week will be held tomorrow, Friday 10.

March 9, 2023 [Liberia] Day 27: Tributes made in Kamatahun

Civilian 13

Prosecution questions Civilian 13

The witness begun explaining that during the war, he had been in Kamatahun. Around 2001, 2002, he had escaped to the bush because of the fighting, as LURD troops had been attacking, but the government troops had come and brought him back. One day, he saw some soldiers speaking Creole and Mende, captained by General Gabriel. These soldiers had captured some people and put them in jail. On General Gabriel's order, he saw a house being put to flames, with people in it. He specified that the troops speaking Creole and Mende were RUF troops from Sierra Leone, and he knew that their commander was Gabriel because that's what the soldiers called him – he did not know if he had any other name besides that. Civilian 13 said that the house that was set on fire was only a house away from his, and he heard Gabriel giving the order to burn it. He could not remember precisely how many people were burned in the house – and it had not been Gabriel himself who set the house on fire, but it had been him giving the order to his troops. He specified that the house that burned was on the left when facing Vahun.

The witness shared that a lot of atrocities happened in Kamatahun, and that government troops carried them as well. Women were raped, but he had ran to the bush, so he had only saw the house being set on fire.

He couldn't estimate how long the RUF troops had been there for, but from the beginning of 2001 to 2002.

The defense questions Civilian 13

The witness could not remember how old he was at the time of the events, but he could estimate he was around 38 years of age as he gave this testimony.

He said that the government troops leader had been Stanley, and that Zigzag had been there too, and he had done really "bad things there". When asked to elaborate, the witness shared that Zigzag used to capture people, kill them, cook them, and eat them. He had seen so himself, including a woman who was asked to cook a human heart. He said that Zigzag used to "love the people that was light skinned" – he did not know the names of the victims of Zigzag, and he could not remember exactly when he had killed people. LURD had come and retreated already, when he saw Zigzag eating someone. Zigzag had not been there when Civilian 13 had witnessed the house burning down with people inside. The witness had heard of other houses being burned down, besides the one he had saw himself.

Asking how he got contacted by the Finnish police, Civilian 13 said that someone had visited the Town Chief, who then contacted him. The Finnish police came after a long while that the Town Chief was contacted. The witness shared that he didn't talk about the war to anyone, as he is still scared – the Town Chief explained that police was coming to interview him about the war. Civilian 47 is a friend of Civilian 13, and he had also spoken with the police, but he had not known, because the police had not even spent the night in Kamatahun, as they were really fast. The defense told him that whilst he had been interviewed on November 28, Civilian 47 had been interviewed the day prior. The witness said that he didn't know about Civilian 47's interview, as he had not been there.

After the war, the witness stayed in Kamatahun as it is "my home that is where I was born, so I cannot go".

The defense asked the witness if he remembered an NGO coming to Kamatahun and putting a memorial plate where the house was burned down. Civilian 13 responded in the affirmative, but that they had not come to question the villagers.

During the war, he had seen Gabriel until he had been in Kamatahun: Gabriel came and went to go on the battlefront, but then came back. He could not estimate for how long he saw him, but when the witness escaped Kamatahun, Gabriel was still there.

Prosecution questions the witness again

The witness stated that he remembered seeing women's bodies – some of them "dried" – they had buried them. The witness did not know how they were killed. They had buried them behind the blacksmith's kitchen, but he could not say how they were killed, and he only helped burying the bodies. He added that other people that will testify will know how they were killed, but he didn't.

Civilian 14

Prosecution questions the witness

Civilian 14 began his testimony by sharing that he is from Kamatahun, and that a lot of fighting happened between LURD forces and government troops. The witness escaped to a nearby town, but the government troops brought them back to Kamatahun. There, there was also RUF troops, with some commanders being Angel Gabriel and Mosquito.

The witness recounted how one day they were all round up in the center of town and soldiers took some people and put them in a house and burn it. He also recounted how he saw some women being raped and killed, and another woman murdered. The witness escaped to LURD controlled area, where, according to him, there weren't the same atrocities being committed.

About Angel Gabriel, the witness said he had learned his name because he always used to announce it before giving orders and said that "I am next to God, when I give order only God can stop it"; the witness had heard this himself several times. He added that Angel Gabriel spoke Creole.

The witness said he was staying at a woman's place in Kamatahun, and that this woman, [REDACTED] used to be with Angel Gabriel, before he killed her. When the civilians were rounded up in the center of town, to be placed in the house that was set on fire, [REDACTED] had held the witness' hand, as she did not want him to be put in the house. According to Civilian 14, that was the only reason why he was spared. He did not know why the civilians were burned, and he said that it was Angel Gabriel who had given the order. He shared that the house were the people were burned was near the town hall, and that he saw this happening with his own eyes and heard himself Angel Gabriel giving the order.

Civilian 14 recounted how women were raped and killed in a blacksmith's kitchen. Angel Gabriel gave the order, although he did not rape nor killed the women himself, and left after giving the order. The witness said he saw the women's bodies, and some of them were tied up. He did not know how they were killed, but he guessed it might have been with knives, as he did not hear any gun shots. He could not even recall exactly how many bodies he saw, just that there were many, 7, 12, maybe more. He had not seen them being raped, but he had heard Angel Gabriel giving the order. He could hear the women crying.

[REDACTED], who had been Angel Gabriel's "wife" had been killed in Yandahun, and was stabbed to death by Angel Gabriel himself. According to the witness, [REDACTED] had been killed the same day they had all reached Yandahun, on a football field. He had been carrying Angel Gabriel's bag, and had been walking with them, so he was not too far away when [REDACTED] had been murdered.

About the house that was set on fire, did not know how many people were burned, but he said there were many, around 50, both men and women, all from different villages collected by soldiers. The house that was burned down was as you entered Kamatahun on the left.

According to the witness, Angel Gabriel was also called Angel Michael. He knew that because he had heard his soldiers calling him that. He spoke Creole.

Defense questions the witness

The witness remembered that the commanders of the government troops were Stanley and Zigzag. He said they were dressed in white sandals, so people could recognize them in battle and not kill them.

Back to the burning house incident, Civilian 14 explained that because [REDACTED] was Angel Gabriel's wife, her holding his hand meant that the soldiers were not supposed to harm him, and that's how he was spared from burning. But she had not said anything to the soldiers.

According to the police report from 2019, the witness had said that [REDACTED] had spoken on his behalf, and this is why he had been spared. Civilian 14 explained that holding his hand was the gesture she did, so she had communicated with the soldiers that he was not supposed to be taken.

He could not remember exactly how much time passed between the burning of the house and the raping of the women, maybe closer to a week than a month. He believed it happened somewhere between 2001 and 2002, but couldn't remember the month, in the dry season.

On the matter of how the Finnish police got in touch with him, the witness said that one day the Town Chief let him know that someone people wanted to ask him questions about the war, and about 6 months later, the police had come.

Civilian 14 shared how someone from the TRC had come to Kamatahun, and according to the witness they had not come to interview people, but to "put the people together to forget about the past and all the things that happened".

Civilian 16

Prosecution questions the witness

The witness began by sharing that he holds a political position in Kamatahun since 2005. He recounted that once a senior person called him asking him to take his motorbike to a nearby village, as it had broken down. Once there, Civilian 16 saw government soldiers, who told the witness that LURD had advanced to Kolahun. They all went back to Kamatahun, and the government troops spent the night there. The morning after, Benjamin Yeaten came and ordered people to fix a bridge. So Civilian 16 blew the trumpet and the men in the town gathered and they went to fix the bridge, but LURD troops attacked. Everyone scattered to the bush, and Civilian 16 estimated that he was there for 2 to 3 weeks, until they were called back to return. But soldiers attacked again, so people escaped to Popalahun. When there, they saw more civilians coming, and they met them along the way to see if their family members were among them. It was then that they were stopped by soldiers. A commander came, his name was Gibril Massaquoi, but his fighting name was Angel Gabriel. He accused the civilians of harboring LURD soldiers, so he burned a house with civilians inside – Civilian 16 heard the cries and laments in different languages coming from the house. A man managed to escape the fire, but he was put back, and did not survive.

Bones were leftover, and the inhabitants decided to bury them. Later on, an NGO, LAPS, came, and assisted the villagers in building a palava hut with the bones inside.

Asked by the prosecution, Civilian 16 said that he had gone to Popalahun to repair the bike around 2001/2002. He knew of Gibril Massaquoi's name because he had introduced himself, and that he himself had said that his fighting name was Angel Gabriel. It had been him who had ordered the burning of the fire, even though he had retreated to his own house when the order was carried out. He couldn't name who had put the house on fire, as there were too many soldiers. According to the witness, Angel Gabriel spoke Creole, but also spoke English. The house that burned down was on the left, if going to Vahun.

When the house was put on fire, the witness also saw seven women being taken to the headquarters. He had not seen what had happened to the women, but he was sure other witnesses could have shared it with the court.

The defense questions the witness

The witness explained that the government troops didn't really wear a specific uniform – some of them used to wear camouflage. RUF commanders wore uniforms, but the simple soldiers wore regular clothes. The defense said that when the police questioned the witness, in 2019, he had said that RUF soldiers wore yellow t-shirts.

Civilian 16 saw Angel Gabriel for the first time in Kamatahun, when the house was burned down. Soldiers used to call him "Gibril Massaquoi". The defense said that in the lower court, Civilian 16 said that it was Angel Gabriel who had been on the scene of the burning house, and the witness responded that he went by both names. He had not seen Angel Gabriel again, after that incident.

About the timing of the incident, the witness had said to the Finnish police that the burning of the house and the raping of the seven women happened in September 2002, the that he had been sure of the year, but not of the month, just that the rice had been planted. The witness answered that "I'm telling you it was 2001-2202. The year of 2000 we were all just running around."

The witness could not remember when people from the TRC came to the town, but he remembered that it had been Jerome Verdier, and they had showed him what had happened there. When LAPS came, they showed them were people had been burned.

Civilian 16 told the court how Kamatahun had been burned down 2 times.

The Finnish police got in touch with the witness via someone who had travelled to the village to tell him. It had not been Employee 1, who the witness had only met once – during the lower court hearings. The defense said that in Employee 1's notebook, it had said he had been to Kamatahun a few months before Civilian 16 was interviewed by the Finnish police, but the witness said that he had not been in town back then. The witness said that he knew the two witnesses who testified prior to him.

March 10, 2023 – Day Twenty-eight

On Friday, March 10, the court heard three more witnesses from Kamatahun Hassala.

The first witness testified in a closed hearing, due to the sensitive nature of the events discussed.

The second and third witnesses spoke of people being brought to Kamatahun from neighboring villages and locked in a house that was set alight. They both also testified to a group of seven women being tied up, stripped naked, and brought to a building near a blacksmith's kitchen. Both witnesses then described that they saw the women's dead bodies the following day but were unable to bury their bodies until some time after, due to the continued presence of soldiers in the village. The witnesses had deduced from what they heard and saw throughout this incident that the women had been raped before they were killed.

The hearings have closed for the week and will resume on Monday 13, at 9am.

March 10, 2023 [Liberia] Day 28: Women raped in Kamatahun

Civilian 22

Prosecution questions the witness

The witness began his testimony by recounting that the war first arrived in Kamatahun Hassala in 2001 to 2002. Civilian 22's family was in Sierra Leone, but he had stayed. Soldiers forced them to build a bridge, but as they were working on it, other soldiers attacked. On that day, there were many commanders present in Kamatahun, including 50 and Stanley. The witness explained that Kamatahun is really close to Sierra Leone, and that there were plenty of roads that crossed there, including a road in the bush, which was used by Stanley as well.

Civilian 22 recounted how many people had been killed in Kamatahun. A house had been burned with people inside it – those who died were all from different villages, not from Kamatahun. He added that the RUF soldiers and the government soldiers "were almost one people." Civilian 22 said there was also another commander, Angel Gabriel. One day seven women were brought to Kamatahun. Once there, they got them naked, they tied them, and Angel Gabriel ordered to kill them. They were taken to the blacksmith kitchen, where they were murdered: before that, they had been crying, and after that, there was silence. The witness explained that him and other civilians buried the bodies sometime after, as the war was going on. For example, Zigzag Marzah had killed more people in other parts of town. He added: "That was my home, and I was forced to be there with them." The witness stated that the soldiers looted zinc from Kamatahun and took it to Sierra Leone.

Asked how the witness knew that the people who had been burned in the house were from different villages, the witness explained that even though they were all from different villages, they all belonged to the same ethnicity, and he had known them.

Civilian 22 explained that he knew that RUF troops were present because they spoke differently than Liberian soldiers: Creole, and among themselves, Mende.

Regarding the burning of the house, he did not know how many people were burned, nor did he know why this happened. He didn't know exactly who had burned it, as there were many commanders. He had not been close enough to see it happening, but he had seen, from the top of a hill, the smoke, the flames, and heard the people crying.

Regarding the incident that saw women being brought to Kamatahun, he reiterated that the commander who had given the order to kill them was Angel Gabriel, he had heard him himself, in Creole. He said that the soldiers and the women were in the house together, and he could hear the women crying. He knew the exact number because he saw them himself.

He knew of Angel Gabriel's name in the same way that he knew other commander's names, like Benjamin Yeaten aka 50.

The witness shared that children that had been murdered were taken near the blacksmith's kitchen. He had not seen how the children had been killed them, but he regularly saw bodies of young children, rotting.

Defense questions Civilian 22

The witness described the hill from which he saw the house burning, He explained that after he saw the smoke and he heard the cries, he didn't do anything, as he did not have any power – if he had any, none of this would have ever happened.

He knew that the year of the incident was 2001/2002 because LURD had attacked in 2001, and that nobody had told him that. The defense counsel pointed out that during the hearings at the lower court, the witness had said that he had been told that the events occurred in 2001. The witness responded he did not remember. He could also not remember exactly what season it had been when the house had been burned down. The defense counsel pointed out that during the first instance proceedings, Civilian 22 had said that it had been during planting season, in May. The witness explained that when LURD attacked they had been planting rice.

Civilian 22 said, unless he was making a mistake, that it took them about 1 week between the burning of the house and the burial of the remains. The defense pointed out that when the witness had spoken to the police, he had said that they buried them the day after. Civilian 22 responded that he did not remember exactly, but that they had dug a hole and put them all in it.

He could not say for how long Angel Gabriel had been in Kamatahun for, as he had left him there. Civilian 22 stated that sometimes Angel Gabriel would come and go, but so did the witness, as the soldiers forced him to go to other villages and come back. He estimated that he had seen Angel Gabriel from a week to a month. The defense pointed out that during the lower court proceedings, the witness had said that he had seen him for three months. The witness answered saying this is why he had given an estimation, as he couldn't really tell for how long.

He could not really remember an organization called LAPS coming to Kamatahun after the war, but he remembered that someone from the TRC had come to tell them to "forget" what had happened there. They had not asked them any questions; they had just come and talk to them as a group. The witness pointed out that maybe the people from the TRC had spoken to the elders, but not with him nor others.

Civilian 22 had showed the burial of the women to white people twice, but he had also learned that white people had come once to see the burial when he had been at the mosque.

He said that he had not really talked about what had happened during the war to anyone, besides when he had been younger and people were lecturing him about the past, and when white people came to question him. He did not know at the time that those people were from Finland, and they had come with a drone to film.

On the matter of what type of clothing Angel Gabriel's soldiers were wearing, Civilian 22 responded that not everyone was using a uniform: sometimes you could see some wearing them, others were wearing navy-blue t-shirts.

Civilian 40

Prosecution questions the witness

The witness explained that in 2001-2002, Kamatahun was attacked by LURD forces. Of GOL, there were many commanders, like Stanley, and 50. He was taken by LURD forces to Popalahun, and then back to Kamatahun. Once back there, soldiers had ordered the civilians to form a line. Angel Gabriel, who was a commander, told his soldiers to kill a boy who had been in the line with the witness. Civilian 40 stated that the soldiers took the heart out. They were then ordered to carry loads to Vahun, and those who could not were put in a house. The house was then burned.

Civilian 40 stated that Angel Gabriel was the commander of the government troops, and that Stanley and 50 were not there when these orders were given. His soldiers were from Sierra Leone, he knew that because they spoke Creole and Mende. He learned about his name because before he gave orders, Angel Gabriel called it out. The witness had heard Angel Gabriel ordering his troops to kill the boy from the line – he couldn't say why he had been killed, just that "they used to kill the people for no reason." The boy had his throat slit, and his heart taken out – the heart was then taken to Angel Gabriel.

The witness shared an episode where women were taken to jail. The women were stripped and he heard them crying – Civilian 40 shared that he thought they were being raped. He stated that Angel Gabriel gave the order, as he was the commander at the time. He thought that because "any woman you the man you naked a woman and you carry her in the room and she's crying its true you are raping that woman." They had been carried to the blacksmith's kitchen – he had seen the bodies the day after, passing by. He did not want to describe how the women had been killed – but the Court insisted for the witness to describe what he saw. Civilian 40 shared that some appeared to have been beaten, and some others had sticks shoved in their vaginas.

Regarding the incident where the house was burned down, Civilian 40 stated that he had seen and heard Angel Gabriel giving the order. He could not estimate how many people had been inside, about 40 or 50.

The witness had only heard Angel Gabriel speak Creole and did not know if he had any other names.

Civilian 40 confirmed that he had also carried loads to Vahun, including ammunition. Any of the soldiers could have ordered civilians to carry loads, including small boys. The reason why civilians were moved was to do forced labor.

Defense questions the witness

Civilian 40 explained that first they had killed the 7 women, then the house was burned. The defense told the witness that during the lower court hearings, Civilian 40 had said that Angel Gabriel had put people in a house and ordered it to be burned, and his soldiers were standing by so that nobody could escape. The witness responded that this is how things had happened. He had also shared, during the first instance proceedings, that the house had been burned before the women had been killed, the next day. Civilian 40 responded that he did not have a computer, and that he was recounting things as he remembered them happening.

Regarding the boy that had been killed, he had been a civilian, but accused by the soldiers of being LURD. About this, the witness had said to the police, in 2019, that Angel Gabriel had ordered for the LURD soldiers to be killed, and for his heart to be cut out. Witness 40 had said this because this is what they had accused the boy of being, but he did not know if that was true or not.

Regarding the women, he did not know which villages they were from exactly, just that they had been near Kamatahun. The defense pointed out that the witness had said that the women had been from a specific village, but he could not remember stating that. The defense also reported that the witness had said to the police that the women had been killed with gunshots, and some had their throats cut. Civilian 40 said he had never said that the women had been shot.

He could not remember how long Angel Gabriel was in Kamatahun for, just that he had been there for a long time. The witness had ran away from Kamatahun, but returned there after the war ended, in 2003-2004.

To end the testimony, the witness described the soldiers as wearing yellow t-shirts, with “navy group” written on it.

March 13, 2023 – Day Twenty-nine

On Monday 13, the Appeals Court heard a soldier that had fought with the Liberian government forces speak on events in Kamatahun Hassala.

The witness gave a detailed account of the different stages of the Second Civil War in Liberia, explaining the relationship between the Liberian government forces and the Revolutionary United Front (RUF) from Sierra Leone. He then described the events of people being gathered from other villages and being put inside a house and the house being burned. The ex-soldier added that this event had caused tensions to form between the groups.

Due to a mix-up, the Court was not able to hear the second witness. Hearings will continue tomorrow, Tuesday 14.

March 13, 2023 [Liberia] Day 29: An ex-government soldier testifies

Witness Soldier 37 is heard

The prosecution questions Soldier 37

The prosecution began by asking Soldier 37 about his participation in the Second Liberian civil war. The witness responded that he participated in the conflict on the government's side. He was initially stationed in Voinjama. As the war escalated, there were no assigned areas because they were fighting all over Lofa county. After the beginning of the war, there were Sierra Leonean troops, the RUF, who came over to the government's side. The witness named Sam Bockarie and Superman as two of the bosses, stating that there were many bosses at the time. When asked how civilians were treated during the war, the witness responded: "If I get to explain how the civilians were treated during the war, we will not leave here today". He explained that villages were burned, people were killed and a lot of things happened.

The witness testified that they were fighting against LURD. He did not know how the LURD rebels were treating civilians, he only knew about the troops on his own side. Soldier 37 stated that some government troops, such as Zigzag Marzah and Superman, were wicked. For example, Zigzag killed civilians that he suspected to be supporting LURD, in places such as Masambolahun, Kolahun and Foya. The witness confirmed that he witnessed such events himself. He testified that, towards the end of the year, some things also happened in Kamatahun. He could not tell whether Kamatahun had another name attached to it, but it was close to Sevelahun and Vahun. He and others were at the frontline near Kamatahun and in the evening, when they got back to the village, they heard that the RUF had killed people there. They were told that one of the commanders, the spokesman, Angel, Gibril Massaquoi, had done it. Angel and Gibril Massaquoi are the same person. He had ordered to kill people. The killings brought confusion, as Sierra Leoneans had killed Liberians.

Soldier 37 testified that he later found out that people were killed inside a burning house, a Palava Hut house and other buildings. Most of the people that were killed were civilians, mostly women. The witness explained that as they returned from the frontline, they heard that the commander had given an order to kill people and they had been killed once they arrived. This caused a lot of confusion and chaos and some people wanted to kill the commander. The

commander was then sent to Vahun. He was not sure whether the people had been killed before the house was set on fire, or whether they were killed by being burned alive inside. The house that was burned was a large house or a base, almost immediately to the left of the village after coming from Kolahun. Soldier 37 heard what had happened from Liberian soldiers who were against such acts.

According to the witness, Gibril Massaquoi was a Sierra Leonean RUF rebel, who came to Liberia in 2001 or 2002. The killing took place in 2002. Soldier 37 had not met Gibril Massaquoi before he heard of these killings in Kamatahun. He had heard the name when Massaquoi came to Liberia, but saw him for the first time in Kamatahun. He had also heard his name before the war in Liberia, when there was a conflict in Freetown. The witness was in Voinjama when he was told that a convoy was coming from Sierra Leone to Liberia to pick them up from the border. Soldier 37 heard the name Gibril Massaquoi and Mosquito at the time. He didn't see them, but knew they were from the RUF. The witness had heard the names on the radio and saw the convoy himself in late 2001 or in 2002. That was when the RUF joined the government forces in Lofa to help them in the war.

Soldier 37 testified that he had seen the houses that had been burned in Kamatahun. They were made of mud walls with concrete placed on top of them. The house that had served as their HQ was damaged, it had been shot with a rocket launcher and most of the houses in the town were damaged. The witness stated that the house had been burned when he returned from the frontline, but he could not be certain as there was a lot of confusion at the time.

Next, the witness testified about how he had gotten into contact with the Finnish police. He stated that he had not heard any news about someone being arrested in Finland before his police interview. He described how one day, he had been in the same car as Employee 1 and people were talking about the war. Employee 1 asked to speak to Soldier 37 and said that a group of white people were coming to ask about the war and asked if he would be interested to speak about his experiences. The witness agreed, and 4 or 5 months later he was interviewed by the Finnish police. After the interview, he saw on the internet that Gibril Massaquoi had been arrested for war crimes. He read the headline of an article and saw several pictures but did not read the article in detail. Employee 1 did not tell him any details and did not specify what kind of people were coming. Soldier 37 was surprised to find out that they were police officers.

Soldier 37 testified that he had seen Gibril Massaquoi himself in Kamatahun in 2000, when he took a helicopter to HQ in Vahun. He also saw Massaquoi in Kamtahun the evening of the killings. Soldiers has demanded that Gibril Massaquoi be killed after what he had done, so they had called Chief of Staff Benjamin Yeaten, who ordered him to go to HQ in Vahun.

The defense questions Soldier 37

The defense began by asking Soldier 37 whether he knew before his interview that the police wanted to know about Gibril Massaquoi. The witness denied this and stated that he was not told at the beginning of the interview about Massaquoi either. The defense pointed out that according to the pre-trial investigation report, the police had told Soldier 37 during the first minute of the interview that the suspect was a Sierra Leonean called Gibril Massaquoi. Soldier 37 could not recall this.

The defense then asked about the timing between the witness' meeting with Employee 1 and his police interview, which he estimated to have been four or five months. They pointed out that, at his police interview, he had said that he met Employee 1 three weeks beforehand. Soldier 37 responded that he may have been mistaken. He described how he spoke with Employee 1 at tearooms in car parks in both Gbarnga and Monrovia. During the car ride towards Gbarnga he did not talk about the subject in particular. After they arrived, Employee 1 had said that he was interested in talking with Soldier 37 about his experiences. The witness confirmed that he did not discuss the events of Kamatahun with Employee 1. The police had asked him about Kamatahun, but this was because he had talked to the police about battles in Lofa and in the various places in the region.

Next, Soldier 37 testified further about the RUF retreating and coming to Liberia. He explained that the RUF divided into two and the junta rebelled against Tejan Kabbah in Freetown. ECOMOG then pushed them out of Freetown and the RUF came over the border to Liberia. According to the witness, the RUF members who came to Liberia could not move freely between Sierra Leone and Liberia. Sam Bockarie's side had come to Liberia and they could not go freely to Freetown anymore. Sam Bockarie was one of the RUF members who came to Liberia, he went to Ivory Coast and launched an attack there. He came with other RUF members, such as Superman. Gibril Massaquoi was an educated man, the secretary or spokesman for the RUF, so didn't take part in the fighting. When they came to Liberia, the RUF joined the government forces.

The witness testified that Sam Bockarie's movements in Liberia and Ivory Coast were not a secret. Soldier 37 did not see the group that Sam Bockarie came with, he only was involved with the RUF in Lofa. According to Soldier 37, Gibril Massaquoi was also in Monrovia, he spent some time there, and went to and from the frontline. He clarified that when the RUF first came to Lofa, Gibril Massaquoi did not go to the frontline. In 2001, 2002, when the war was escalating, he began going to the frontline in Lofa more often. Massaquoi was most active on the frontline in early 2002. He was an RUF commander in Lofa, "not an ordinary man". He was in command of RUF troops at the time. Next, a statement that the witness had made during his lower court hearing was discussed in the court, as to whether 'Angel' had been involved with the RUF or not. The witness stated that he must have not been understood correctly at the lower court, and maintained that he was the commander of the RUF and its third highest ranking member. According to the witnesss, the RUF was called militia in Lofa and they had a yellow shirt as uniform. The militia was a mixture of Sierra Leoneans and Liberians.

Soldier 37 testified that Charles Taylor, as the head of ECOWAS, used it to trick the international community to get the RUF over the border to Liberia. The RUF had gold and diamonds that they were bringing to Charles Taylor. Taylor was negotiating with every party and was trying to get the war in Sierra Leone to end so that the RUF could return to Freetown.

The witness did not know what happened to Gibril Massaquoi after he'd gotten in trouble in Lofa. He could not say whether Massaquoi was able to go to Freetown after he had come to Liberia. He speculated that he may have done so for the negotiations.

It was pointed out that the witness identified the defendant as Angel Gabriel from the series of photographs presented to him at his police interview.

A mix up with witnesses

The afternoon session was intended to hold the hearing of Soldier 12. A person with the same name as Soldier 12, who had also been interviewed by the Finnish police, came to testify. During his testimony, it was revealed that this person was not Soldier 12. The hearing was therefore cancelled.

March 14, 2023 – Day Thirty

On Tuesday 14, two witnesses testified.

The first witness spoke of her friend, who had been in a romantic relationship with the defendant. She described trips from Monrovia to Lofa, where she saw weapons stored in a secret room and wounded soldiers being brought in and out. Some trips had been taken by convoys of pickups, some by helicopter, and others by motorbike.

The second witness was an ex-soldier that had fought with government forces. He had been involved in fighting across both Monrovia and Lofa. He described the close relationship between the Liberian government forces and the RUF as the RUF supported the government on the frontline.

March 14, 2023 [Liberia] Day 30: Back and forth between Monrovia and Lofa

Witness Civilian 60 is heard

The prosecution questions Civilian 60

The prosecution began by asking about where Civilian 60 lived during the war in Liberia. The witness testified that she lived in Congo Town, Sinkor, with her friend [REDACTED], who was Gibril Massaquoi's girlfriend. According to the witness, Gibril Massaquoi used to bring ammunition to Lofa. She knew this because [REDACTED] had told her, and she had been to Lofa with her and Massaquoi. Massaquoi hosted them in a house that had three bedrooms, one of which was off limits, only Massaquoi and his boys could enter it. One day, he came from the frontline with wounded soldiers and his bodyguard left the door open. Civilian 60's friend, [REDACTED], went inside and saw different weapons in the room. Massaquoi caught her in the room and began beating both the bodyguard that had forgotten to lock the door and [REDACTED]. The women wanted to escape, so one of Massaquoi's boys took them away on a Yamaha motorcycle and they escaped to Monrovia.

The witness testified that the house was located in Voinjama. They travelled there in a convoy from Monrovia that had three pickups packed with cargo. Civilian 60 estimated that the things they were transporting were the same things that were placed in the locked room in the house. They left from Congo Town, with Benjamin Yeaten and another general, whom the witness estimated to be General Mosquito. This place was close to the Nigerian embassy where the late Foday Sankoh lived. Gibril Massaquoi was also there, but the witness did not know why. She recalled the people that travelled in the convoy from Congo Town: her friend, 'Uncle Gibril Massaquoi', Benjamin Yeaten and a skinny guy, but stated that she could not remember everyone's names. The convoy left from Monrovia during the day. This was in 2002 or 2003. Civilian 60 travelled with such a convoy only once. She could not remember the route they took from Monrovia to Voinjama and they did not stop anywhere on the way.

Civilian 60 testified that she got to know Gibril Massaquoi through her friend. This friend used to travel to Lofa with Gibril and asked Civilian 60 to join them. She introduced Massaquoi to Civilian 60. Massaquoi shook her hand and called himself Gibril Massaquoi. The witness could not

remember when she met Massaquoi for the first time, but estimated that it was before 2002, on her friend's birthday. Civilian 60 could not remember the language Massaquoi spoke.

According to Civilian 60, Massaquoi was with them in the convoy throughout the whole journey from Monrovia to Voinjama. When they reached Voinjama, he left and returned the next morning with soldiers. The witness did not find out who the soldiers were or how they had gotten wounded. She testified that they would leave at night and come back with a pickup full of wounded soldiers.

Civilian 60 had not seen or heard any news about Massaquoi's arrest before her interview with the Finnish police. She had not seen Massaquoi after she and her friend fled from the house in Voinjama.

The defense questions Civilian 60

The defense began by asking Civilian 60 whether Massaquoi lived in Monrovia, to which she responded that she did not know. She knew that Benjamin Yeaten, and another general that she speculated to be Mosquito, used to visit Massaquoi. The witness testified that she knows someone named Abdul, she had seen him and Massaquoi talking once or twice, but she did not know Abdul well.

The defense asked if Civilian 60 remembered what she had testified about Abdul in lower court. She responded that she could not remember, as she was pregnant at the time with a child whose father had died in an accident. Civilian 60 has three children in total and had two girls with a Lebanese man who is also dead. The defense pointed out that she had testified in the lower court that Abdul was her fiancé and that they had a child together. Civilian 60 responded that this child that she had mentioned in lower court had died in a car accident so she wouldn't want to talk about it. She also explained that she indeed had spoken with Abdul a few times, he had proposed to her and she had accepted. She clarified that Gibril Massaquoi was not aware of their relationship.

Next, the defense asked Civilian 60 about the time she met Defense 09. She testified that she met him at a restaurant on the border between Sierra Leone and Liberia. A group of men were chatting, and she heard the name Gibril Massaquoi. She went to go and speak with the men, and told them that she knows Gibril, as her friend has a child with him. One of the men gave her a phone number and said that a man called Abel would call her. One day, someone called the witness and asked if she knew Massaquoi. She answered yes and was told that some people would call her. Civilian 60 testified that she was scared and did not want to answer, and when the number would call, she would not answer. One time she answered and told the caller to stop calling, but she was told that there is nothing wrong. The witness testified that she found out that Gibril was in trouble during the conversation at the border. She stated that she met Defense 09 about seven or eight months before she was interviewed by the Finnish police. During the conversation at the border, someone had said that Gibril had killed one of his relatives. The name of the person who called her began with the same letter as Employee 1. This person did not mention that Gibril was in trouble, he only told her that people would call her.

Civilian 60 testified that she heard the name Massaquoi before the trip to Voinjama, at the first time they met. The defense pointed out that she had testified in the lower court that the man had introduced himself as Massaquoi, whereas today she said that he introduced himself as Gibril

Massaquoi. She had also testified in the lower court that she only knew his last name and when she had pointed at his photograph during her interview with the police, the police officer had said 'Gibril'. After some discussion of her previous testimony, Civilian 60 denied having heard the name Gibril from the police. She explained that by testifying in the lower court that she only knew his last name, she had meant that she calls people by their last names and did not hear the name Gibril from the police. She confirmed that she was not aware before her interview who the police were looking for. The defense further pointed out that thew witness had told the police during her interview that she knew it would be about Gibril Massaquoi. She explained that Defense 09 had told her about Massaquoi, and once she said that she knew him, he told her that some people would call her.

The witness confirmed that her friend was dating Massaquoi. She had a child with him, but Civilian 60 did not know if the child is still alive. She did not know when the child was born. The defense pointed out that the witness had told the Finnish police that her friend got pregnant soon after the first meeting and the girl was born in early 2002. She responded that she heard about the birth of the baby from her friend. She had been to see the child in late 2002, when the child was already growing.

Civilian 60 could not remember whose birthday it was when she met Massaquoi, but explained that she met him in a guest house. She went there to visit him and her friend. The defense pointed out that the witness had told the Finnish police that she had gone to the guest house for the first time on 18 March 2001 and she could remember the date because it was her friend's birthday. The witness remembered having said so to the police, this visit to the guest house was before their trip to Voinjama. She could not estimate how long after this that they took the trip to Voinjama. Civilian 60 testified that they went to Lofa in 2002 and the girl was born in 2001, but stated that she could not really remember. The defense pointed out that she had told the police that they left for Lofa two weeks after the first meeting, which she confirmed.

The witness testified that she went to Lofa with Gibril Massaquoi two or three times. The first time was in 2002 and the last one in 2003, she could not remember the months. It was during the last trip that she and her friend had to run away, when he was beating her friend, she stepped in, and he pushed her against a door and injured her nose. Civilian 60 couldn't remember whether it was her or her friend that went to Lofa once on a helicopter. There was then a discussion in court around the dates of the different trips to Lofa, and whether they were by convoys of vehicles covered with tarp or by helicopter.

The defense then pointed out that Civilian 60 had not mentioned Massaquoi hitting her during her police interview. The witness explained that she had mentioned it the second time and had showed everyone. She stated that she did not remember everything during the police interview, she had once forgotten about coming back on a Yamaha motorbike but could not forget it as the motorbike crashed and she still had the mark on her leg. The witness exclaimed: "The questions were too many, I was confused. I have never been in court".

Civilian 60 was not sure whether her friend was pregnant when Massaquoi beat her in Voinjama, she was getting fat at the time. Whe Massaquoi was beating her friend, Civilian 60 was outside the room. Massaquoi left her friend in a locked room, and went to the frontline, one of his soldiers came and released the friend and they all left. The defense pointed out that Civilian 60 had testified in the lower court that Massaquoi had beaten them both badly and would have

killed them both, but her friend was pregnant. She explained that she cannot remember these details, but as she had said earlier, her friend was fat.

The defense also referred to Civilian 60's police interview about the last time she had seen Massaquoi. She confirmed that she had not seen him since 2002, but in 2003 he called her friend and she had encouraged her to collect child support from him.

The defense pointed out that Civilian 60 had testified in the lower court that she did not know Massaquoi's name during their trip to Lofa. Civilian 60 explained that she had travelled with her friend to Lofa before. They had gone to a village because her friend's mother or grandmother was ill and after this trip, they began talking about her friend's boyfriend. She stated that she did not mention this in her previous hearings because was not asked about it and it was her personal business, with nothing to do with Massaquoi.

The defense referred to the witness' testimony in the lower court about her meeting Defense 09 on the Sierra Leonean border. She had previously testified that she brought up the name of Gibril Massaquoi when she was asked about Benjamin Yeaten, whereas today in court, she had stated that Defense 09 had asked her about Gibril Massaquoi. Next, there was discussion as to whether, after this meeting, she had called Defense 09, or whether Defense 09 had called her.

Further questions from the prosecution

The prosecution had a few final questions for Civilian 60. Regarding the trips she took with Massaquoi and her friend to Lofa, Voinjama was the only location that she could name. On their first trip, they had three pickups full of cargo and one pickup on the second trip. Her friend had not told her where she had met Massaquoi when she called Civilian 60 in 2003.

Witness X8 is heard

The prosecution questions X8

The prosecution began by asking about X8's participation in Liberia's wars. X8 testified that he was in the NPFL, NPP and NPRAG, all being Charles Taylor's forces. He had also participated in the war that took place while Charles Taylor was in power. He was first part of the ATU, and was then stationed on the frontline in Lofa, Bong and elsewhere. In Lofa, he was fighting against LURD rebels. This fighting took place in 2000, 2001 and 2002. When the war ended, Liberia began disarmament and Charles Taylor left. The witness was in Monrovia at the time. He testified that he was on the frontline the whole time that LURD was pushing them from Lofa to Monrovia. He was also in Monrovia. According to X8, the battles in Monrovia were called World Wars I-III.

X8 testified that government forces in Monrovia had other forces fighting besides them. There were some from Sierra Leone, who were former RUF members, called aqbah. X8 met these troops and fought with them. The witness named some of the commanders that he knew: Sam Bockarie, Yanne, Usman, Kallon, RSN, High Command, some of whom are dead now. These troops had a base near ELWA Junction, at a place called Twelve Houses. Charles Taylor had given this place to Bockarie and others when they came from Sierra Leone. They had their own doctor there, called Doctor Makona. The witness confirmed that he had been to Twelve Houses himself.

The witness testified that he fought alongside aqbah troops in Lofa, Vahun, Kamatahun, Yandehun and Voinjama, and other places which he could not recall. They also went to Ivory Coast and returned. In Monrovia, they fought at New Bridge, Waterside, Freeway and Duala. According to X8, the war entered Monrovia in 2001.

Next, X8 explained how he got into contact with the Finnish police. He testified that [REDACTED] called him and put him in contact with someone. [REDACTED]'s late brother knew X8, so he knew that the witness had participated in the war. [REDACTED] told him that there were people that would like to talk to him. X8 had heard on BBC's Focus on Africa program, after his interview with the police, that Massaquoi was going to be prosecuted in Finland and that he was from Sierra Leone. X8 had heard the name Massaquoi before in relation to the RUF as he had spent time with the Sierra Leoneans and knew most of them. X8 had met Massaquoi at Twelve Houses a few times. The witness was not very close to him as Massaquoi did not spend time at the frontline, he was closer with Sam Bockarie and Junior X.

X8 testified that when he saw Massaquoi at Twelve Houses, people were being brought from the frontline and ammunition was being sent there. According to X8, Massaquoi was keeping records. The witness stated that Massaquoi had no rank. At the time of this meeting, the frontline was at New Bridge and in Vai Town. The last time the witness saw him, Massaquoi was with Doctor Makona driving a bus towards the city. This was during World War III, which the witness estimated to be a month before the ceasefire. The witness testified that Massaquoi spoke with a Sierra Leonean accent and speculated that he was Mende.

The defense questions X8

The defense began by asking X8 about the former RUF members fighting with the government forces in Monrovia. The witness stated that there were former RUF members who came to Liberia. As part of the ATU and the militia, they were permanently stationed in Liberia. X8 spent a long time in Lofa, years. He had been in Lofa throughout the revolution, when Charles Taylor's rebellion started, and when LURD was fighting against Charles Taylor. He estimated that it began in 1999, until 2002 when the war ended in Monrovia. X8 testified that he saw Massaquoi in Lofa during that time period, but he did not know him at the time. The defense pointed out that X8 had testified in the lower court that he had not seen Massaquoi in Lofa. He explained that he had said so because he did not recognize Massaquoi at the time, but he had seen him there.

The witness stated that Massaquoi had travelled through Lofa when he went from Sierra Leone to Monrovia. He had not seen Massaquoi in any other country other than Liberia. The defense pointed out that X8 had testified in the lower court that the first time he met Massaquoi was in Ivory Coast. X8 explained that he had misunderstood the question and confirmed that he had seen Massaquoi in Ivory Coast in 2002, when he was fighting there with Sam Bockarie and Kallon. Massaquoi used to come and go, he did not have a permanent station. He visited Ivory Coast two to four times. X8 saw him with Sam Bockarie there. It was dry season, but almost rainy season, and the witness estimated that this may have been in June or July. The operation in Ivory Coast took six or seven months.

There was then some discussion as to the timing and the locations of the different times the witness saw Massaquoi in Monrovia and in Ivory Coast.

Final questions from the prosecution

The prosecution had a few final questions for X8. He explained that while they were fighting in Lofa, they occasionally went to Monrovia until they were pushed by the rebels to Monrovia. He testified that they usually travelled by car and sometimes by helicopter. He explained the two land routes: one from Vahun via United Logging Company and Bomi, and another from Voinjama to Konia, Zorzor and Gbarnga.

It was pointed out that the witness was not asked to make a photo identification during his police interview.

March 15, 2023 – Day Thirty-one

Today, the Court spent the day assessing one witness. He was the Liberian investigator that the Finnish Police had contracted to help them with their investigations and has been working on the case with them since 2019.

The witness testified to the various trainings that he has received. He talked the court through the different methods that he has used to locate and contact witnesses. A few times, he explained in depth how he came to be interested in a particular person, how he managed to reach them and how he had facilitated their contact with the Finnish police.

In addition, his personal notebook was analyzed page by page.

March 15, 2023 [Liberia] Day 31: An investigator explains

Witness Employee 1 is heard

The prosecution questions Employee 1

The prosecution began by asking what Employee 1 does when he is not working the Finnish authorities. He testified that he is a human rights investigator, not a police officer. He works for an NGO called the Global Justice Research Project (GJRP) that works in co-operation with other international and human rights organizations. He also works with the US Department of Homeland Security, the Department of Justice and other branches of the US government, as well as with various other governments. He described his co-operation with foreign governments as having always been quite similar to his work in this case, he looks for perpetrators. He is contacted because of his experience, governments want to work with his NGO. Employee 1 testified that he has worked on the cases of Martina Johnson with the Belgians, Jungle Jabbah with US authorities and Kunti K with the French. They all participated in the Liberian civil war.

Employee 1 testified that he began working for GJRP in 2002, estimating that it was founded in late 2002 or 2003. GJRP co-operates with other international organizations and with various jurisdictions abroad. GJRP has a sister organization, Civitas Maxima, in Switzerland. According to the investigator, Background 1 founded GJRP and a lawyer called Alain Werner founded CM.

The investigator had received training for his job as an investigator. He had been to the International Institute of Forensic Science in the Hague. He had also received training in Liberia before going to the Hague. He had been to a military institute in the Netherlands, where he had studied working in a hostile environment, dealing with checkpoints, identifying mass graves, understanding the behavior of rebels, and the use of different weapons and ammunition. He had provided copies of the diplomas and certificates that he had received from these training courses, which had been submitted as written evidence.

Employee 1 explained that the Finnish police had requested him to look for witnesses. He was to ask limited questions, such as whether the person was in a certain area when the war started or whether they were aware of the RUF's operations there. He was instructed not to discuss this work with anyone else. He testified that he was removed from his own organization while he worked for the Finnish police, did not visit the GJRP nor spoke with anyone there. He was only

involved with the Finnish police. The police officers who gave him assignments included Thomas, Mikko, Juha and Markus. The first time Employee 1 met them was in Lofa county. He was at the Nascor Hotel in Voinjama with a Brazilian lady and met them there. He saw them, went to introduce himself and they chatted about monkeys. He told the Finnish police that he works for GJRP. The police officers had visited GJRP during their trip and they discussed Liberia's work for founding a war crimes court.

The investigator gave the Finnish police his contact information and left. A few months later, the GJRP received an email asking for him to work with the Finnish police. There were two investigators at GJRP who the police wanted to work with. After a few months, the police came to Liberia again. Their first meeting was at Royal Hotel. They signed a contract, which specified Employee 1's duties. The police then moved to Kendeja and a few days later, they had a meeting there.

Employee 1 confirmed that the meeting they had in Voinjama was completely random, he just happened to run into the Finnish police. The first meeting in Monrovia was in 2019. He received some maps and locations where he was to go and ask questions. Questions that he should ask included whether houses had been burned in the area, whether there was RUF or other military activity there, and whether civilians had been killed. The locations Employee 1 was to cover included Kolahun, Kortohun Tahamba, Sevelahun and Foya. He went first, the police went afterwards and then returned to Finland.

The investigator was not sure when he found out that the investigation was about Gibril Massaquoi. After their first trip, the police returned to Finland and sent him an email that they had missed an area. They sent him a list of villages in Lofa county, towards Vahun and Sierra Leone. When the police came to Liberia for the first time, they had photographs that they used to ask the witnesses to identify the perpetrator. At the time, they had not mentioned Gibril Massaquoi's name to him, they only spoke of the RUF and government troops. On the second trip, when Employee 1 went to Kamatahun Hassala, Kortohun and Vahun he began to hear the names of Gibril or Gabriel Massaquoi, Zigzag Marzah and Stanley. He found this interesting as he had investigated these people himself before. Employee 1 clarified to the court that he had conducted some investigations in Lofa related to these persons before the Finnish arrived and at the moment, he is also conducting an investigation related to some of these names. He found out that the Finnish were interested in Gibril Massaquoi after their second visit, when they went to Kamatahun. The police were investigating and Employee 1 was sitting in a Palava Hut. Some people came over and began talking about their interviews and that is how Employee 1 started to hear these names.

Employee 1 specified that the Finnish police had never mentioned the name of the suspect, they only mentioned the RUF. He estimated that this visit to Kamatahun was in 2020. Another time was when the defense sent him the name of witness Defense 14 for him to locate. He called Defense 14 and escorted him to the hotel in Monrovia. On the way to the hotel, he told Defense 14 that the Finnish wanted to ask him questions, but he did not know what about. Defense 14 then told him that it was probably about Gibril Massaquoi, because he was with him at the safe house. It was through this that Employee 1 became aware that the investigation was about Gibril Massaquoi. This happened during the second police trip to Liberia. The police sent him the name before they arrived.

The investigator testified further that he had heard the name of Gabriel Massaquoi or Massaquoi before the police asked him to work for them. He knew the name Sam Bockarie, that he was from Sierra Leone and a member of the RUF, and had also heard of a spokesman called Massaquoi. Employee 1 used to live near ELWA junction and was running a currency exchange. A Sierra Leonean ex-fighter wanted to borrow money from him and took him to his house so that Employee 1 could verify his home address. He took Employee 1 to Twelve Houses. There was a group of fighters staying there, most of them Sierra Leoneans. Employee 1 got to know these people and heard about the names of the Sierra Leonean commanders. He was shown around Twelve Houses and was shown where Sam Bockarie and Gibril Massaquoi used to be. The investigator explained that many Liberians knew of these people before the investigation. He himself had not heard the name Massaquoi before working for the Finnish police, not even during the investigations he had conducted beforehand. During those investigations, they focused only on Yeaten, and Sam Bockarie's name would come up in connection with the RUF.

Employee 1 described how he searched for witnesses for the Finnish police. The police would send him a list of villages to visit. He would get to a village and there would be certain formalities that he had to carry out to be able to get in contact with the people living there. He had to meet with village elders or chiefs first and explain to them the reason for his visit. To help him with this task, Employee 1 needed to work together with Interpreter 4, who could speak Gbandi, the language spoken in many of the villages. Employee 1 had met Interpreter 4 at the Ministry of Health. Interpreter 4 used to do relief work in the region, so Employee 1 called Thomas from Voinjama and explained why they would need his help. The police wanted to come to Voinjama to interview Interpreter 4 first. Mikko then came to Voinjama and interviewed him.

He then explained how the formalities in the villages work. In Kamatahun, they all met with the deputy village chief because the chief was not present. Employee 1 told him that they were there to look for people, who witnessed fighting between LURD, RUF and government troops in the area. The deputy chief told them that there were a lot of people in the village who had witnessed it, but most of them were not present at the time. The police were told to come back the next day so that they could gather the right people in the village. They came back the next day and the village elders had compiled a list of people. Most of the people on the list were there, but some had fled to Guinea or Sierra Leone. According to Employee 1, this list was given to the police who then conducted interviews without him. The same procedure took place in other locations such as Kamathaun, Kortohun and Masambolahun. Employee 1 stated: "To sum up, these village elders and chiefs were telling people 'you can tell your stories', but I don't know much about them".

Employee 1 testified that the lists consisted only of the inhabitants of that particular village. Kiantahun was different, because when Employee 1 and Interpreter 4 got there, there was nobody there. He found out from an elderly person that the village had seen war. That day, the police arrived in Voinjama and the next day, they all went to Kiantahun to interview the inhabitants right away. Employee 1 was not sure whether there was a list of people in Kiantahun, because they started the interviews immediately after arriving. Employee 1 and Interpreter 4 went there first on a motorcycle. Interpreter 4 told Employee 1 to leave their phone numbers and come back later when the villagers returned. The villagers then called and Employee 1 informed the police. Thomas decided to go to Kiantahun straight away and told Employee 1 and Interpreter 4 to go somewhere else while they did the interviews. He therefore did not know how those interviews were conducted. He found out about the people who had been interviewed by the police in Kiantahun only once the police gave him a list of people that they wanted to meet in

Monrovia, when the court was on its way to Liberia. He did not write the names of the people from Kiantahun in his notebook, he had only written down names from Kamatahun.

The investigator was asked how he had managed to find the witnesses that were not based in Lofa. He explained that he has various methods to locate people. One is to go to tea shops, where people play games and discuss current events, football, politics and past wars. He would go to these tea shops and listen to the conversations, especially when civilians would talk about their experiences. He would then approach someone in confidence, tell them about his investigation and say and that he would be interested in hearing more. Another method is to listen to people when travelling from one place to another, for example in buses. He explained that he might go out of his way to follow a person just to listen to their story and to find new witnesses. His final method is to use the stories of other witnesses to locate new potential witnesses. The original witness might provide the contact information for others or he might search for them himself. Employee 1 explained that whenever he hears an interesting conversation, he takes the person to a quieter place and ask verify that they are speaking of an event that they had witnessed themselves. He would then tell them that there are people interested in what they are talking about and ask if they would be willing to speak of their experience to others.

Employee 1 clarified that even if he is not actively investigating the event that the person is speaking of, he may still take their contact information in case it would be useful in future investigations. He testified that he never mentions the name of the alleged perpetrator, notes are never edited, names are not mentioned and potential witnesses are not shown any photographs. He only tells them that there are some people interested and asks whether they would like to meet them. He had also met people who were not willing to talk about their experiences, especially before a court or police officers. He still takes their contact information, in case he might need it in the future. Occasionally, he has tried to persuade people to come testify, but the ultimate decision to remains with the witness. He gave an example of a person who had requested money for their testimony. The investigator explained that he only tells a witness that their expenses will be paid but no reward can be given for a testimony. He explains to the person why it is important for justice that they come forward with their testimonies. Some witnesses are scared of their safety, so Employee 1 describes security measures that are in place and how they can ensure their own safety by not telling others that they are providing such information.

Employee 1 further testified that he is not aware of the crimes Gibril Massaquoi is charged with, but he knows he's under investigation for war crimes. He had not attempted to figure out what witnesses have told the police or the court, and had not become aware of the contents of witness testimonies in any other way. He does not have any of the case material and the police took his notebooks. For transparency, he had decided to share his notes with the court. He had not told anyone in GJRP or in CM who he had met during his investigations and nobody from these organizations asks him about the investigation. He had not been asked to instruct the witnesses what to say by anyone. He never became aware of which witnesses were being called by the prosecution and which by the defense.

The investigator explained that his duties during the court phase included contacting the witnesses and inviting them to court on the correct date. He would instruct the witnesses on their accommodation and sometimes escorted them to it. Sometimes, he had to travel to look for a witness who could not be reached. He had not discussed the case with them. If witnesses ask him what they will be asked, he tells them that he doesn't know.

The defense questions Employee 1

The defense began by asking about the founding of GJRP. Employee 1 estimated that he began working there in 2002, which he then corrected to 2012 after a further question. Employee 1 explained that he had completed the International Investigator Course in the Hague, and had given his diplomas to the court. This course lasted for three weeks. Most of the training that he had done had taken place in Liberia.

When Employee 1 met the Finnish police for the first time in Lofa, they had interpreters or guides with them. He knew one of them because he also used to work at GJRP. Employee 1 did not know why the Finnish police wanted him to work for them in this investigation. He was aware that GJRP and CM had investigated alleged crimes committed by Gibril Massaquoi beforehand, but they never completed their investigation. He had not participated directly in this previous investigation, but he was aware of it. He estimated that when he had joined the Massaquoi case, the information had been already sent to Finland, this was before the Finnish police came to Monrovia for the first time. Employee 1 then went to Mount Barclay, near Montserrado county, to meet a man related to this case. He could not remember the name of this man but recalled that he was tall. He could not say what information had been delivered to Finland or whether this information was still with CM. Two women from CM came to interview people in Monrovia and Employee 1 estimated that they relayed their findings to Finland. He was not interviewed by them. The investigator explained that he was involved with an interview about Gibril Massaquoi with the man he met in Mount Barclay. This man was interviewed by an employee of CM, Employee 1 just found him and brought him to the interview. His role and methods were similar with this man as with the rest of the witnesses he found for the Finnish police.

The investigator did not conduct any actual interviews before CM came to Liberia to interview people, he would only ask some basic questions as to the witness' location and their experience. He described this as a 'preliminary interview'. Employee 1 recalled being involved in three 'background hearings'. He spoke with two women on the phone and met one man in Mount Barclay. These interviews or hearings were reported to the Finnish police when they first arrived in Liberia. He was not certain how the police had obtained these documents. One of the policemen, Mikko, had told him that CM has a case that had been reported to them. According to Employee 1 this was not a standard procedure, because usually governments would conduct their investigations in Liberia either through the Liberian government or GJRP instead of sending their own officials.

Employee 1 did not know whether CM had sent the information that they had on Massaquoi to the Finnish police, he just assumed so when he saw them in Liberia. He also assumed that the background hearings or preliminary interviews had been sent to the Finnish police. When the police were in Finland, he still did not know who the suspect in the case was. He assumed that the police had been sent information about Massaquoi, but he could not be certain and did not ask. The defense pointed out that Mikael Vairio, one of the police officers involved in the case, had told the court that they wanted Employee 1 to be involved in their investigation because he had been involved in Gibril Massaquoi investigations from the beginning, even before the Finnish police received the case. Employee 1 confirmed this, but stated that the police did not mention this to him personally.

The investigator had not discussed how the witnesses were found in the CM investigation with any of the CM employees, including with [REDACTED], who was involved in the early phases of the case. The defense showed Employee 1 a written memorandum, which he explained was about an investigation into the RUF. He explained that it was possible that names such as Gibril Massaquoi, Sam Bockarie, and others were mentioned. The person referred to in this document was the man he had met in Mount Barclay. Employee 1 described how the interviews were conducted with this man and the two other people mentioned in the document. He had spoken to one of them only on the phone and speculated that GJRP might have interviewed this person further.

There was then a discussion as to whether Employee 1 had previously testified whether he had taken part in any preliminary interviews.

According to Employee 1, when he was working for the Finnish police, he could not work at GJRP at the same time, for transparency. He was not sure whether it was the Finnish police or GJRP that requested this arrangement. Sometimes when he worked with other authorities, he could work with GJRP at the same time, and sometimes he could not. Apart from the Gibril Massaquoi case, the investigator did not know of any other case where GJRP or one its employees was a victim.

For the next part of the hearings, extracts from Employee 1's notebook were analyzed in court.

When the investigator travelled to Lofa for the first time for the Finnish police in 2019 and made notes about the trip in his notebook. He testified that he did not speak with Background 1 about finding [REDACTED] while working for the Finnish police. He confirmed that he did not ask anyone about the clothing that RUF soldiers wore, as he thought that was up to the police.

The defense asked about some names and contact information noted as collected between 6 April to 12 April 2019. The investigator explained that he had written this information down after they had been to a village meeting and the police had conducted interviews. The police wanted him to remain in contact with these potential witnesses about their location and logistics, so he tried to compile this information in his notes. He had received these names from Interpreter 4, who had been interpreting most of the interviews in Lofa. According to Employee 1, the date 6 April to 12 April 2019 indicates the time when these names were gathered. When the defense pointed out that the police conducted interviews in Kortohun in 14 April 2019, he confirmed this and explained that they received this list from the village elders two days before arriving to the village and he gave the list to the police.

Employee 1 confirmed the name of Soldier 7, which was written in his notebook. The police interviewed Soldier 7 and sent him to look for [REDACTED]. He confirmed that he had asked the questions as instructed by the Finnish police, such as whether the person was in a certain place during the war and whether they would be willing to meet with the police. There was a meeting marked on 8 April 2019 that was held with the Finnish police, he was to find out whether there had been an ambush in the area and whether somebody had burned a church in the area or if there were any mass graves. He was also supposed to ask whether people were burned inside a house in Kamatahun.

The investigator was asked about some dates in his notebook that were difficult to interpret. He explained that he wrote some dates down after returning from the field and they might not be

completely accurate, the real dates could be off by a few days here and there. He had brought his notebook to court, so used the original to look the dates. He confirmed that he had met the people whose names were written under a date in 2019. He had met them in a similar way as with other villages, by speaking with the elders who gave them names of potential witnesses. He had not met every person on the list personally, he just wrote down the names he had received in the village. The village chiefs would ask the preliminary questions and provide Employee 1 and Interpreter 4 with the list of names. He further clarified that the names are "a list of witnesses from all those villages, put together and made into a list. And when you know about an investigation, if he has information about an event or a person and tomorrow you need that information, then you go straight to him. One witness might see two different events or two different perpetrators. It is possible that the one witness can be used in both cases. So, when I was talking to these people, I combined all these names for my own use".

The defense asked Employee 1 about some other names that he had written down. Employee 1 estimated that these people had spoken with their village chiefs before speaking with the police. He repeated that he had made the lists for his own use and the dates might not be accurate. He did not keep similar notes during every trip. According to Employee 1, when they got to a village and returned later, as instructed by the village elders, they would not meet all of the people whose names he had written down. The procedure for entering a village was not the same in all villages, but it always had a similar goal.

The investigator testified that he does not know the chief of Kiantahun but knew that Civilian 45 held a political position in Kamatahun. Employee 1 met them when he came to their villages with the police. He testified that he went to Kiantahun twice. The first time no one was around, apart from someone he estimated to be a teacher, so he and Interpreter 4 explained their mission and he said he would put a list together. The police were on their way to Voinjama, Interpreter 4 went to the guest house where they were staying and told them that he had received a call from Kiantahun. Thomas agreed that they should all go.

For the most part, Employee 1 did not ask direct questions about the date of the events, stating: "Once the person says I witnessed the RUF activities, I forget about the year. The year I think should be the concern of the police".

The investigator estimated that he met Civilian 61 twice. There was discussion as to a date written next to the witness' name: the year 2003 was first written down, and then the year 2001 was written over it. He testified that the witness first mentioned 2003 and then corrected himself with the year 2001. He asked whether the witness was sure, and wrote both years down, keeping both visible. He could not say exactly when he had met with this witness. The defense also asked about the year 2003 written next to Civilian 69. Employee 1 explained that this was to do with a different witness, who testified about something else and didn't want to be identified. He repeated that this notebook was for his own personal research.

The defense asked about another list of names that Employee 1 had noted with a description that he had not met them. He explained that he received names from Interpreter 4 and village chiefs. He himself had not met them, but he assumed that interpreter 4 had asked them the same specific questions that the police had given to him. The original plan was for Employee 1 to ask these questions himself, but he could not speak the local language, so he needed the interpreter's help. He would tell the interpreter that if he found any other people who could be useful, he should send their names to him, which the Finnish police was aware of. The police had

not given explicit permission for the village chiefs to ask questions to witnesses, but Employee 1 explained that this was necessary in practice.

The defense asked about a note relating to witness Defense 14. The investigator explained that the defense had asked him to find the witness. The witness had told him about Gibril Massaquoi, so he had written their names next to each other. The other notes had been written down quickly, while he was trying to get all the important information down, so Employee 1 explained them to the court. He had also written down the name of witness Defense 09, because the police wanted him to find him.

Employee 1 then explained the dates of the different trips to Lofa, but maintained that the dates, as they were written in his notebook, were not accurate. He then described how he, the police, and interpreters went together. They had two interpreters, one for English and one for Gbandi. He did not sit in the interviews but stayed in the car or walked around while they were conducted. He then re-explained his trips to Kiantahun. After some confusion as to dates, timings, and other details, the court asked the defense to move on with their questioning.

The investigator testified further that he gave all the relevant contact information he received to the police. The defense pointed out that the police had noted that they had found eight witnesses without him, but the contact information of all these witnesses was noted in his notebook. The investigator responded that he could not find all of the witnesses. Sometimes, a witness would mention another person during the interview and then the police would ask him to contact them before they spoke to them.

The defense further pointed out some witnesses that had testified that they heard the suspect's name from Employee 1. He denied telling the suspect's name to any witness and speculated that they heard the name from social media or from other witnesses. This was only his own speculation, he could not speak for other people.

Employee 1 explained that most of the ex-fighters were reached through other soldiers. For example, a high-ranking soldier may talk about other soldiers, would then bring them to testify. He could not say whether these soldiers would have spoken amongst themselves before he reached them.

The investigator testified that he did not rule out any witness before passing on their contact details to the police. The defense pointed out that every witness contacted through him mentioned the name Angel Gabriel, Angel, Gabriel or Gibril Massaquoi, which he could not explain. The defense also pointed out that most witnessed contacted in 2019 and 2020 placed the events in Waterside in 2003, which the investigator could not confirm or deny.

The defense then asked how he had contacted certain witnesses in 2021. For example, witness X1, whom Employee 1 reached through his wife. The investigator described how X1 was reluctant to testify because he was afraid of being prosecuted himself. One day, he met another former soldier and called X1 in his presence, explaining that he was looking for witnesses who knew about RUF activity in Liberia. X1 then agreed to meet. He also described how Thomas had gone to Sierra Leone and come back with some names of people for him to talk to, but he could not say where he had gotten the names from. There was, for example, a blind woman, who was willing to testify but her husband had stopped her from doing so. The defense asked about a man called [REDACTED], who he had been asked about in previous hearings, whom witness X2 had

previously said had contacted him before Employee 1. The investigator responded that he had spoken to over 200 people altogether, he could not remember them all, and could not recall meeting [REDACTED]. The defense then asked about [REDACTED], whom witness X6 had mentioned had contacted him before Employee 1. Employee 1 could not recall this person. The defense pointed out that he had told the lower court that he met [REDACTED] in Paynesville and that he drives a motorcycle. Employee 1 then recalled being shown [REDACTED]'s name, that he drives a motorcycle, and used to live in Twelve Houses. The defense and the investigator then discussed other names that witnesses had mentioned.

Employee 1 then described how he was called by Thomas after X3's interview. X3 had said that he had some photographs and Thomas had arranged for him to get them. When he went to collect those photographs, X3 said that he wanted to meet Thomas, stating that he could not get the photographs because they were with a former fighter and who wanted money for them. Employee 1 refused this and said that X3 could not see Thomas before bringing him the photographs. He then called Thomas to relay what X3 had said. Later on, he explained to Thomas that someone should go with X3 to verify the photographs. He then met the woman who had the photographs. She asked for money, to which he responded that he could not pay for something which he has not seen. The woman then came back with a black plastic bag, but he could not see what was inside. The defense then corrected Employee 1, as this incident was linked to witness X5 and not witness X3. He then confirmed that he had not seen any pictures in relation to X3 or X5.

The investigator confirmed that he is not related to Soldier 50.

Employee 1 ended his hearing by stating: "I believe in transparency. I work for justice. I don't know the perpetrator. In Liberia we say: 'I don't have fish to fry in this oil', meaning I don't have anything to do with his case, I did my best to be neutral. What we do here will go a long way to deter people that abuse human rights".

March 16, 2023 – Day Thirty-two

Today the Court heard three soldiers about their experiences in connection with the Liberian Civil War.

The first witness told about his experience as a child soldier serving the government troops in Liberia.

The second witness used to work as a driver for the RUF and described his travels between Sierra Leone and Liberia during the Second Liberian Civil War.

The third witness told about being abducted as a child from Sierra Leone ny rebel forces and being brought to Monrovia, Liberia until the end of the war.

Tomorrow, the Court is scheduled to hear one witness. (Editor's note: the hearing for Friday the 17th was cancelled due to the witness being dropped by the Prosecution. The Court will resume hearings on Monday the 20th.

March 16, 2023 [Liberia] Day 32: Child soldiers

Witness X4 is heard

The prosecution questions X4

The prosecution began by asking about X4's participation in Liberia's war. X4 testified that he was a child soldier under Charles Taylor. He was 13 years old in 2003 and was born on May 3, 1990. He fought in Montserrado, Monrovia during the war, in places like Freeport and Dwala. His general was General Shayray. The witness never found out who the enemy was, but the enemy was located in Dwala and they were trying to push them out of the harbor area. According to X4, the conflicts were called World Wars I, II and III and lasted until 2003. There were some foreign troops assisting President Taylor, who General Shayray told him were from Sierra Leone. X4 had gone with General Shayray to pick up a visiting general from Lofa, when he found out that he was a foreigner. This general's name was Gibril Massaquoi. They picked him up from Voinjama in 2003. There were a lot of generals there, such as Benjamin Yeaten. They travelled to Voinjama by land, passing by lots of villages. X4 could only remember the name of Zorzor village as one of the villages that they travelled through. He could not remember where General Massaquoi was staying in Voinjama when they went to pick him up. They returned to Monrovia the same way, by land. General Massaquoi was first taken to White Flower, then by the Nigeria house and the radio station.

X4 learned the name General Gibril Massaquoi there, when it was announced that he was next in line from Benjamin Yeaten. He spoke in the same way Sierra Leoneans speak. X4 saw Massaquoi speak once, when an enemy fighter had been captured. Massaquoi came and killed him. The fighter was captured in Freeport and brought to Capitol Bypass, located near the University of Liberia. The witness confirmed that he witnessed Gibril Massaquoi kill the person himself. He could not remember the last time he saw Massaquoi. He had not heard or seen any news about Massaquoi being arrested in another country before he met one of the Finnish policemen.

According to X4, General Massaquoi was also called Angel Gabriel. There were other soldiers from Sierra Leone in Monrovia during the war, but the witness only knew of Gibril Massaquoi.

The defense questions X4

The defense began by asking X4 about the time he went to pick up Massaquoi from Voinjama. X4 testified that he was told by General Shayray to go there. They went all the way to Voinjama town. Other soldiers went with them, such as General Gaddafi and Mosquito. X4 did not know General Mosquito's real name. He spoke plain English but he couldn't say whether he spoke with an accent or not. The defense pointed out that X4 had told the police that he was tasked to pick up Gibril Massaquoi from Kolahun, Lofa. He responded that he cannot remember all the details after 20 years. General Shayray, General Gaddafi and Benjamin Yeaten were Liberian. According to X4, Massaquoi was to be picked up so that he could help the President. As a child soldier, he was not given any additional information.

X4 testified that he knew about Sam Bockarie and the reason for picking up Gibril Massaquoi had something to do with his death. He could not remember Sam Bockarie's war name. He could not remember the names of any other Sierra Leonean soldiers besides Gibril Massaquoi, as a child soldier he didn't meet the more higher-ranking soldiers. The defense pointed out that the witness had told the police that he saw Massaquoi shoot two enemy fighters in Capitol Bypass. X4 responded that he could not remember the exact number of prisoners, but he could remember that Massaquoi killed a prisoner or multiple prisoners that day.

The witness then described how he was put in touch with the Finnish police. A friend of his had called and said that someone, Employee 1, wanted to contact him. Employee 1 then called him and said that there were people who wanted to talk to him about his experience as a child soldier. X4 gave the name of his friend to the court.

Finally, the witness testified that he heard Massaquoi speak when the captured enemy fighters were killed. Massaquoi told them to go and tell Jesus that Angel Gabriel sent them. This is how he learned the name Angel Gabriel.

It was pointed out that the witness identified the defendant as Gibril Massaquoi from the series of photographs presented to him at his police interview.

Witness X7 is heard

The prosecution questions X7

The prosecution began by asking about X7's experience of the war in Liberia when Charles Taylor was in power. The witness testified that he had personal experience Charles Taylor's rebellion and of the war in Sierra Leone. When Taylor arrived in 1990, X7 was in Lofa county, Voinjama. He and his father decided to go to Freetown, because his father was a soldier stationed at the border between Sierra Leone and Liberia. Before the war progressed, X7's father was killed. He had two wives, so X7 moved to his stepmother's home in Freetown. He stayed there until they heard that the RUF had come to Sierra Leone. X7 and his family were in Freetown when RUF arrived. He went into hiding because many people were being killed. His two sisters hid him in the house until one of them fell in love with a RUF general called Mohamed. She told Mohamed about the witness, who tried to get him to come out from hiding. He learned that X7 smoked and would

bring him tobacco. Mohamed eventually managed to get him to come outside, and became like a brother to him.

Mohamed asked him what he could do and X7 told him that he used to work as driver. Mohamed told him that their chief had a Mercedes truck with no driver. The chief was called Gabriel. Two days later, Mohamed took the witness to see the truck so that he could drive goods to Lofa, Gbarnga and Monrovia. He went to see the truck, saw that it was in good condition, and by February 14, was on his way to Lofa. The chief had a place in Voinjama, called Tegboma Quarters. X7 would transport cocoa from Voinjama to Kailahun, Freetown and Guinea. In 2001, they came to Monrovia when Chief Gabriel came to meet Benjamin Yeaten and Charles Taylor. X7 testified that he was no chief himself, he was just a driver, but he was driving the truck. When they arrived in Monrovia, Gabriel had a Kissi girlfriend, who lived in Congo Town behind the Kiss FM radio station. They had a son. X7 testified that he was not present when Gabriel met with Charles Taylor and Benjamin Yeaten. The NPFL also used his truck and sometimes Benjamin Yeaten would ask for it to transport supplies to the front lines. X7 would drive to Koidu or Kailahun and would sometimes bring soldiers over to Freetown.

The witness testified that once, when Gabriel was in Tegboma, Voinjama, X7 went with Gabriel's girlfriend and her friend to Voinjama, as they wanted to spend time with him. X7 left the women in Voinajma and went with Gabriel from Voinjama to Kolahun and Kailahun to the frontlines, and returned to Voinjama at night. The house in Voinjama had four bedrooms. One of the bedrooms was filled with arms and ammunition. A G4, a logistics person, was stationed in the house and took care of the room with the weapons. According to X7, the G4 had forgotten to lock the door and the two women had gone inside when searching for something to use for cooking. When they saw the weapons, they got scared. X7's cousin had a Yamaha motorcycle at the house and was interested in Gabriel's girlfriend. When the women discovered the weapons, they were scared because Gabriel used to beat his girlfriend. They asked X7's cousin for help and he took them from Voinjama, to Zorzor and then to Gbarnga, where they spent almost two months before returning to Monrovia in March 2002.

X7 testified that he returned to Monrovia in March 2002 and Gabriel went to see Taylor and Yeaten. The witness was not present at the meeting. Another time in 2002, Gabriel and Yeaten had an argument because Yeaten wanted to use the truck. X7 had just driven a full day and a night and said that he was too tired to drive. Yeaten wanted to execute him, so the witness escaped and left the truck there. That was the last time he saw Gabriel.

According to the witness, Mohamed was one of the RUF generals and was under Gabriel. Gabriel was the spokesman for the RUF. X7 found out about Gabriel's role in the RUF when Mohamed hired him to drive the truck. He also saw Gabriel multiple times on the BBC Focus on Africa program. He spent a lot of time with Gabriel, who was also called Angel Gabriel by the soldiers. Gabriel did not travel with X7 on the truck, he had his own jeep, but he often gave orders on where to drive. The witness received the truck in 2000 and began driving on February 14. He picked up the truck from Kailahun in Sierra Leone, where it had been parked. As of 2001, the NPFL was in control of the whole of Voinjama and Lofa area.

X7 confirmed that he came to Monrovia in 2001. They came to pick up cocoa and sandals for the soldiers to use. Gabriel Massaquoi came to meet Charles Taylor and Benjamin Yeaten in Monrovia, he was the RUF spokesman, the same person as Angel Gabriel. Most of his soldiers called him Angel Gabriel, but when he was interviewed on the BBC, he was Gabriel Massaquoi.

They came to Monrovia in separate vehicles multiple times between 2000 and 2002. The last time was around the middle of 2002. At the time, there was fighting ongoing in the Cape Mount and Bomi direction. The was not fighting in central Monrovia at the time.

The witness further confirmed that Gabriel Massaquoi had a girlfriend in Congo Town, who used to cook for the soldiers and with whom he had a baby. X7 had met her multiple times. He found out about her and her friend visiting Gabriel in Voinjama, because they were with Gabriel in another vehicle while X7 was driving the truck in the same convoy. He continued with Gabriel to the frontlines when they had dropped the women off at the house in Voinjama. The witness did not go all the way the actual frontline, but dropped soldiers off nearby. Gabriel Massaquoi also came to the frontline when they were trying to reach Freetown in Sierra Leone. When he left, X7 left the truck to Monrovia, Congo Town, in front of Charles Taylor's house. This was in the middle of 2002. He didn't stay in Monrovia because he feared for his life, so he escaped to Yekepa, Nimba county. The fight between Massaquoi and Yeaten was the last time X7 saw Gabriel Massaquoi.

According to X7, Gabriel Massaquoi spoke English and Krio. He gave the name of the friend of Gabriel Massaquoi's girlfriend to the court. The route that they took from Monrovia to Voinjama went through Zorzor, Yeala and Gbarnga. The witness testified that when he was driving for Gabriel Massaquoi between 2000 and 2002, enemy troops were in Lofa and at the Guinean border. The enemy at the time was ULIMO, there were also troops from the Liberian Peace Council and Black Berets. These groups were organized around 2001.

The witness testified that he had not heard any news about Massaquoi being arrested in another country before his police interview.

The defense questions X7

The defense began by asking about X7 moving to Freetown. The witness testified that he moved to his stepmother's house. He picked up the truck in Kailahun, but the discussions about him receiving the truck took place in Freetown. Gabriel gave the keys to X7's brother-in-law, who gave them to him. The witness recalled people dying and being killed before he picked up the truck. According to him, the RUF had killed people in Makeni. The defense referred to his police interview. The witness had said that he had witnessed a mass murder organized by Mosquito in Makeni, which he confirmed . The defense pointed out that X7 had testified in the lower court that this took place approximately a week before he received the truck and he confirmed this.

According to the witness, Mosquito was also called Master and was a general. The defense pointed out that X7 had testified in the lower court that he received the keys and the truck from his sister's boyfriend two weeks after he had asked for work, and was told to transport the boss around. The witness denied this, saying that Mohamed did not bring the truck to him. He also clarified that he has two sisters, who both fell in love with different generals, the other one was called Issa Kamara. The defense pointed out that the witness had not mentioned the RUF general called Mohamed before, to which X7 responded that he had not mentioned Gabriel Massaquoi's girlfriend and child before either.

X7 used to pick up cocoa from Kailahun and take it to the border between Liberia and Guinea. He testified that he never drove to Monrovia at the exact same time as Massaquoi: one would always arrive before the other. The defense referred to his police interview, where the witness

had said that he had come to Monrovia at the same time as Massaquoi once. The witness could not recall this. He knew that Massaquoi came to Monrovia to meet with senior officials, such as Benjamin Yeaten or Charles Taylor, but he did not know what they spoke about. He explained that Massaquoi had a diplomatic mission because he used to talk with foreign officials. Massaquoi travelled to Monrovia with his bodyguards.

According to the witness, soldiers used the name Angel Gabriel for Gabriel Massaquoi. On the BBC, he was not called Angel Gabriel but by his full name, Gabriel Massaquoi. The defense pointed out that X7 had testified in the lower court that he had not heard any other name used for Massaquoi, and he had not mentioned any other name for Massaquoi in his police interview. X7 could not remember having testified so. He clarified that Gabriel Massaquoi was his full name and "Angel Gabriel was only his war name". X7 had met Massaquoi four times. The defense pointed out that he had spoken of three times in the lower court, to which he responded that he perhaps didn't count the last trip. The witness had been in Monrovia once when Massaquoi wasn't there.

X7 could not estimate how long he had the truck for. When he received it, there was war going on in both Sierra Leone and Liberia. The defense pointed out that X7 had told the police that he had received the truck in November 2002. He responded that during his police interview, he could not remember the exact date, but he now knew the correct date because he had asked his sister. The defense also pointed out that the witness had not mentioned anything in the lower court about Massaquoi's girlfriend and her friend escaping on a motorcycle from Voinjama. X7 responded: "The last time I was here, I said I was not going to say everything, that I was going to save some for another time. Some of us were afraid and we are still afraid, maybe other people may hunt us, you know we worked with those people who can harm us". He continued: "I was a driver for Massaquoi and his friends and family are still around so not everything I will put outside".

The witness testified that he does not know Mohamed's last name. He confirmed that by referring to the man with the motorbike as his cousin, he meant a blood relative. The last time he saw Massaquoi in Monrovia was in the middle of 2002. The defense pointed out that he had told the police that he had seen Massaquoi in August 2003. He responded that this was in 2002, not in 2003. There was then a discussion as to the name of Gabriel Massaquoi's girlfriend, as the witness had given a different name to the lower court. The witness responded that in Africa, people have two different names.

It was pointed out that the witness identified the defendant as Gibril Massaquoi from the series of photographs presented to him at his police interview.

Witness Y1 is heard

The prosecution questions Y1

The prosecution began by asking about where Y1 was born. Y1 testified that he was born in Sierra Leone and currently lives in Lofa. He had come to Liberia in 1999, when he was abducted by rebels. The commander of the rebels was called Gibril Massaquoi. The witness was abducted from his school in Kailahun, Sierra Leone. He could not remember when this happened as he was so young at the time. According to the witness, Gibril Massaquoi was the spokesman for the RUF. He was Sierra Leonean. Gibril Massaquoi was the one who abducted him. Y1 ended up in Liberia

because the rebels went there. Gibril Massaquoi had many heavily armed men with him. They forced him to come to Liberia with them. He could not say why the rebels came to Liberia, or how old he was when they came. He was born in 1983.

Y1 testified that they came to Liberia through Vahun and continued to Monrovia. In Monrovia, he went to Benjamin Yeaten's house. He was sent there by Gibril Massaquoi to protect Yeaten. Benjamin Yeaten was a four-star general. Gibril Massaquoi was also at Yeaten's house but Y1 did not know what he was doing there. When they came to Monrovia, there was fighting ongoing in the city, towards Dwala and Waterside. LURD rebels were coming from Dwala towards Waterside, but they did not make it all the way to Waterside as Yeaten and his troops blocked them. Y1 testified that he also went to Waterside, he was often taken there by his commander, Gibril Massaquoi. There were other men under Massaquoi's command at Waterside fighting against the rebels. When he was not in Waterside, he stayed at Twelve Houses on ELWA junction. All the soldiers from Sierra Leone, as well as Gibril Massaquoi, were stationed there.

The witness could not remember the route that they took from Vahun to Monrovia, nor how long it took. He could not remember how long after the battles in Dwala and Waterside that peace came to Liberia. He could not remember the last time he had seen Massaquoi, it had been such a long time since. He could not tell which dialect Massaquoi spoke. His soldiers used to call him Angel Gabriel. When the war ended, he did not see Massaquoi and "these men" at Waterside again.

The defense questions Y1

The defense began by asking about the commander with whom Y1 came to Liberia. He testified that his commander was Gibril Massaquoi. He also had another commander called Super. According to the witness, Sierra Leone was undergoing disarmament when he came to Liberia. The defense pointed out that Y1 had told the police that after the war in Sierra Leone, Superman said that he could not just sit and watch as the war was happening in Liberia and Superman took them to Liberia. Y1 responded that this was an arrangement between Superman and Gibril Massaquoi because they knew what was happening. He only knew that Superman and Massaquoi were "involved with the President." Both Superman and Massaquoi brought him to Liberia.

The defense further referred to the witness's police interview, where he had said that Superman abducted him. Y1 explained that he mentioned the name of Gibril Massaquoi, because Massaquoi and Superman moved together and Superman took orders from Gibril Massaquoi. He stated that Superman was killed for power. He could not remember when, but testified that it took place in Lofa. Superman's death affected the leadership of his group "because of jealousy". Massaquoi was with them the whole time he was in Sierra Leone and when he came to Vahun. The defense pointed out that the witness had told the police that after Superman's death, they felt bad and wanted to go home. He had said that Gibril Massaquoi had come into the picture when they were in Vahun. Y1 confirmed this, that Massaquoi had first sent Superman and came afterwards. The witness testified that they spent a long time in Vahun. The defense pointed out that Y1 had testified in the lower court that he had spent over a year in Vahun, which he confirmed. Massaquoi was with him in Vahun, he used to come and go. The defense then pointed out that Y1 had told the police that he came to Liberia in 2000, possibly in March. He responded that he cannot remember the exact date. The defense also pointed out that Y1 had told the police he arrived the same month Superman was killed, which he confirmed.

According to the witness, Massaquoi was always with his men after Superman's death, clarifying that he meant that Massaquoi never left for long. He would often go to Monrovia with Benjamin Yeaten and then come back to Vahun.

Y1 testified that he was involved in a car accident in Lofa. He could not remember everything but recalled that some people were killed and he was injured. He could not remember where it had occurred. Massaquoi's vehicle was in the same convoy, in a vehicle in front of the one Y1 was in. Massaquoi was not involved in the accident. The defense pointed out that Y1 had testified in the lower court that the accident took place in Waterside, on the Old Bridge and had said that he was in the same car as Massaquoi. Y1 responded that he could not remember the location of the accident, but he remembered being in a car with Massaquoi. He then stated that he was in a different car to Massaquoi. According to Y1, the last time he saw Massaquoi was not related to the accident. The defense further pointed out that the witness had testified in the lower court that the accident was the last time he had seen Massaquoi. He responded that he could not remember everything, as it happened a long time ago.

Y1 testified that at some point, he moved permanently from Vahun to Monrovia. Massaquoi was not with him when he came to Monrovia. He came because the fighting brought them all to the city. He could not remember having heard of people being shot in a store in Waterside or Monrovia. The defense pointed out that the witness had mentioned in his police interview that he had participated in fighting on Waterside and if he or Benjamin Yeaten saw people looting, they would shoot at them. Y1 confirmed this and stated that Gibril Massaquoi was present when people were shot in a store. He testified that Massaquoi and Benjamin Yeaten used to do that. The defense pointed out that he had told the police that Massaquoi was not there, to which the witness responded that he cannot remember everything.

The defense pointed out that Y1 had said in his police interview that Massaquoi did not use any other names, to which he responded that he cannot remember everything. The defense further pointed out that the witness had said that he didn't know anyone named Angel Gabriel. He repeated that he cannot remember everything as it happened a long time ago.

The witness described how his friend gave his contact information to Employee 1. He had mentioned another name to the police, who he confirmed was also his friend.

Finally, Y1 confirmed that he had only been in one car accident during the war. The accident took place in Lofa, not in Waterside.

It was pointed out that the witness was not asked to make any photo identifications at his police interview.

March 20, 2023 – Day Thirty-three

Today, the Court heard two witnesses about the events in Monrovia.

The first witness described his experiences serving in the NPFL during the Second Liberian Civil War. He met with the Sierra Leonean forces in Monrovia and witnessed a standoff between them and his Liberian commander after the Sierra Leoneans had killed civilians at Water Street.

The second witness spent time in Monrovia at the RUF guest house and described the arrival and stay of multiple RUF members from Sierra Leone. He also described them taking arms and ammunition from Monrovia to Lofa county.

Tomorrow, the Court will begin the day by watching a video recording of the testimony of a witness who testified at the District Court, who has since passed away. In addition, one witness is scheduled to appear before the Court tomorrow.

March 20, 2023 [Liberia] Day 33: Sierra Leoneans in Monrovia

Witness Z2 is heard

The prosecution questions Z2

The prosecution began by asking about Z2's participation in the war in Liberia. The witness testified that he was a part of the NPFL and was stationed under General Fifty in Gbarnga. He later moved to Monrovia in 1996. He stayed in Monrovia until disarmament in 2003, 2004. Before the end of the war, Z2 fought in Monrovia. There was fighting on Water Street and over the bridge to Vai Town. Z2 was near the two bridges, Old Bridge and New Bridge and on Water Street. They were fighting against LURD. The witness testified that there were troops from foreign countries, such as a special unit called aqbah from Sierra Leone, who he worked with. He testified that he was in a presidential guard and would sometimes go on missions with the aqbah troops. The commander of aqbah in Liberia was "Master C" Bockarie. After his death, Fifty promoted Angel Gabriel to command the aqbah. Angel Gabriel was a Sierra Leonean RUF commander.

The witness explained that this promotion occurred in 2002. One night, Z2 was at Fifty's house when the aqbah troops came in pickups. Fifty's house was located on a bypass in Congo Town and he had been assigned to the gate. When they arrived, they said that they had come for Fifty. A commander called Wilfren was there, and Fifty's wife invited them in, but the aqbah waited for Fifty outside the house. Then, they went inside to talk, but the witness did not know what they were discussing, as he stayed outside. The whole aqbah special forces unit came to meet Fifty. At the time, Salami was their commander. There were others present too, such as Angel Gabriel, who was wearing an 'Arabic headscarf'. The next day, the aqbah was assigned a mission on Water Street. They had previously controlled Old Bridge, while Benjamin Yeaten controlled the New Bridge.

Z2 testified that he heard the name Angel Gabriel from other soldiers when he took them to Water Street. He saw him twice: once at the guest house and once on Water Street. On Water Street, Salami gave an order to his men because there was looting going on. According to Z2, the

president had given an order to Fifty, who passed the order on, that looters were to be shot. Z2 saw Angel Gabriel on Water Street in connection to this situation. As a commanding officer, Angel Gabriel didn't go to the frontline. Z2 saw him at the Rasamy building, one of the longest shops on Water Street, located near the bridge. The witness described how Salami went to the store and ordered the aqbah men to shoot, and General Glasco got angry. Troops left their posts and came to Glasco's area to shoot. Glasco then told the Liberians to go to the Rasamy building. At the Rasamy building, Salami and Glasco were arguing. Yanney came from upstairs and was making a lot of noise. Soon, Fifty arrived and told everyone to stop. Fifty called two commanders, one of them was still upstairs, stopped the argument between Salami and Glasco and went back upstairs. Later, they all came down and he gave money to the generals. The soldiers then left the building.

The witness explained that Angel Gabriel was the leader of aqbah. He did not see Angel Gabriel at the Rasamy building during this argument, except when Fifty came to calm the situation. Z2 saw Angel Gabriel going upstairs and come back down wearing the 'Arabic headscarf'. He testified that Angel Gabriel was this commander's 'well-known name'.

Z2 testified that during the argument at the Rasamy building, there was fighting ongoing on the other side of the bridge. The war was called World Wars I, II and III. According to Z2, the war ended in August, while the argument took place in April.

The defense questions Z2

The defense began by asking Z2 about the times he saw Angel Gabriel. He testified that he had seen Angel Gabriel in two different places. On both occasions, he was wearing the 'Arabic headscarf'.

The witness described that he was contacted by a friend who told him about the program. His friend's brother told him that he would take him to Employee 1. They met with another man who took them to the hotel. Employee 1 then later called Z2 and said that he would be taken to the police. Z2's friend told him about [REDACTED] when they were sat together buying palm wine and cigarettes. Employee 1 called him and asked him if he was the person whose number [REDACTED] had given to him and told him to come to the hotel. Z2 testified that the men had mentioned before his police interview that the interview would be about the war and Sierra Leoneans and how they travelled to Liberia and back. He was not told that the case was about Angel Gabriel, only that it would be about aqbah men. The defense pointed out that in his police interview, the witness said that he already knew that the interview would be about Angel Gabriel. The witness denied this. He only found out that the case was related to Angel Gabriel when he arrived at the meeting with the police. The police wanted the names of generals and Z2 gave them a list.

The defense pointed out that Z2 had testified in the lower court that [REDACTED] had told him that one of their friends had an issue with the case, they wanted Z2 to testify, and that the issue was with a case involving Angel Gabriel. Z2 confirmed that he had testified this, but he insisted that [REDACTED] had only told him that the case was mostly about Sierra Leoneans and that he never said that the case was about Bockarie or Angel Gabriel. When Z2 left the interview, he found out from a newspaper that the case was about these men. The defense further pointed out that Z2 had testified in the lower court that he had asked his friend what the case was about, and he'd told him that it was about the three commanders. His friend had told him that the case has a

problem and that it was about Angel Gabriel. Z2 responded that his friend had not used the name Angel Gabriel, but 'one Massaquoi'. He confirmed that his friend had told him that there was an issue in the case concerning Massaquoi, his brother was working on the case. His friend never told the witness what the issue was.

According to Z2, [REDACTED] and Employee 1 were two different people, despite [REDACTED] having the same phone number as Employee 1. Z2 did not recall being asked to the case because someone needed a 'permanent witness'.

Witness Defense 09 is heard

The prosecution questions Defense 09

At the beginning of the hearing, it was explained that despite the code name Defense 09, this witness was originally called by the prosecution in the lower court and then by both parties in the Court of Appeals. It was agreed by the parties that the prosecution would question him first.

The prosecution began by asking about Defense 09's place of birth. Defense 09 testified that he was born in Sierra Leone. The war in Sierra Leone was between the RUF and government troops. Defense 09 was himself a member of the RUF. The organization was founded by Corporal Foday Sebana Sankoh in 1992. He remained its leader until his arrest in Freetown on 17 May, 2000. After Sankoh's arrest, Issa Sesay seized power. At the time, Defense 09 was in Monrovia, in a guest house that had been given to the RUF by Charles Taylor. According to Defense 09, Taylor gave them the guest house because he was strongly supporting the RUF in the war. In exchange, the RUF gave Taylor diamonds. Defense 09 knew about the exchange between the RUF and Charles Taylor, because he worked as a caretaker in the guest house in Monrovia. He would receive the RUF members coming to Monrovia.

Defense 09 testified that he was involved in situations where the RUF handed diamonds over to Charles Taylor. Such RUF members involved were Ibrahim Bah or Issa Sesay. The guest house was located in Congo Town, very near to Taylor's radio station, Kiss FM. It did not have a particular name, it was known as the RUF guest house. The witness arrived at the guest house right after the Lomé agreement in 1999. At that point, Charles Taylor had already given it to the RUF. There were other RUF members besides Ibrahim Bah and Issa Sesay staying there. Right after Sankoh's arrest, Benjamin Yeaten came and told Defense 09 that Issa Sesay and his men were coming. Defense 09 then saw Gibril Massaquoi, Defense 14 and Abdul Razak arriving at the guest house. Issa Sesay said that they were there to help with a diplomatic issue. This was in 2000, but the witness could not remember the exact date.

The witness testified that Benjamin Yeaten was Charles Taylor's head of security at the time. He took Defense 09, Gibril Massaquoi, Abdul Razak and Issa Sesay to White Flower, Charles Taylor's apartment. When Issa Sesay left, Benjamin Yeaten called them and they brought material to the front, to Voinjama in Lofa. According to Defense 09, they transported arms and ammunition there following Taylor's request. Defense 09 travelled to Voinjama with Gibril Massaquoi, Abdul Razak and Benjamin Yeaten and some other soldiers. They travelled on a pick-up with a 50-calibre mounted on it. It carried AK47 rifles, ammunition, and bombs. The witness travelled with arms and ammunition to the front in Voinjama twice. He could not recall exactly how many times Gibril Massaquoi travelled to Voinjama. He could not remember whether Massaquoi was there both the times that he himself went, but confirmed that he travelled with them at least once. The

fighting was at the border area. Defense 09 stayed in Voinjama while the others, Gibril Massaquoi and the rest of the soldiers, continued to the front. According to Defense 09, he could hear the sounds of battle, but he was not at the front. The front was on the Guinean border. Defense 09 knew that the others went to the front, because he saw Benjamin Yeaten organizing it and heard them talking about going there.

Defense 09 testified that he saw the arms and ammunition they had transported. The cargo was taken to the front at the same time as Gibril Massaquoi, Benjamin Yeaten and others went there. It did not stay in Voinjama with Defense 09. The witness could not remember whether there were civilians involved on the trip, but he could remember two women. One was Gibril Massaquoi's girlfriend and the other was Abdul Razak's girlfriend. The witness gave the court the name of Abdul Razak's girlfriend. The women came all the way to Voinjama with them. Defense 09 could not remember exactly where in Voinjama they stayed. He testified that he could not tell whether they were all in the same building, as the buildings were small and everyone was doing their own thing. He could not recall how the women left Voinjama. He could not remember exactly when this trip to Voinjama took place. He estimated that it was in 2000, but could not remember the month.

The witness did not know if Massaquoi went outside of Monrovia without him, he himself stayed in Monrovia until 2001. Massaquoi and the other RUF were renting another house in 2001, because Charles Taylor ordered them to leave the guest house. According to Defense 09, this was because the international community found out about the RUF members staying in the guest house. Massaquoi lived in the new apartment with his wife, Abdul Razak and Defense 14. Everybody moved to the new apartment that Massaquoi had rented and stayed there until leaving for Sierra Leone. Massaquoi had rented this new place because the guest house did not have enough room. It was located in Congo Town.

Defense 09 left Liberia for Sierra Leone in early 2001 with Massaquoi and the others. They drove a pickup from Gbarnga to Foya. Defense 09 then returned to Monrovia before 2007 on personal business. He came to Monrovia another time in 2007, from a SCSL safe house in Freetown. He had been assigned by the prosecutors to find some witnesses. According to Defense 09, he was staying in a safe house for his safety because he was a witness in a special court. This safe house was not guarded. While Defense 09 was staying in Monrovia between 2001 and 2006, he did not see Massaquoi in Monrovia, but saw Defense 13. Defense 09 testified that when he, Massaquoi and the others returned to Sierra Leone in 2001, Defense 13 remained in Monrovia. These days, Defense 13 is in Sierra Leone.

The witness explained that Gibril Massaquoi was a "strong RUF commander" at first, and, due to his hard work, he became the spokesman. Defense 09 knew Massaquoi personally and had seen Massaquoi while he was staying in the safe house in Sierra Leone. This was in 2007, Massaquoi was on his way back from church. Massaquoi was alone. He showed Defense 09 where his safe house was located and Defense 09 visited it.

The defense questions Defense 09

The defense began by asking Defense 09 about his return to Sierra Leone and his subsequent trip to Monrovia. They pointed out that he had testified in the lower court that he had come back to Monrovia in February 2002, which he confirmed. As to Massaquoi's diplomatic mission, the witness explained that it was about arranging some international things. He had no further

knowledge about Massaquoi's role in the mission, or about his participation in the peace negotiations for Sierra Leone. The witness did not know whether Massaquoi had travelled abroad when he was staying in Monrovia. He could not remember whether Defense 14 was with them when they travelled to Voinjama or whether he had gone to Voinjama or Lofa any other time. The Defense pointed out that the witness had said in his police interview that he stayed in Monrovia while Gibril Massaquoi and Defense 14 went to Voinjama with Benjamin Yeaten. Defense 09 confirmed that he had said so but clarified that he had meant Abdul Razak instead of Defense 14. The police did not check his statement afterwards.

The defense also pointed out that Defense 09 had not mentioned to the police about being involved in trips to Voinjama or Lofa. The witness explained that he had not mentioned it to the police because they did not ask. He had mentioned the trip that Massaquoi and Defense 14 took to Lofa but not his own trips, because he was not asked. He was not asked about Massaquoi's presence on the front line during the police interview, but he was asked in court today. He explained that the police asked him where he went and he had answered that he had gone to Voinjama.

Defense 09 could not remember the clothing Massaquoi was wearing during the trips to Lofa. The witness himself wore civilian clothes. He gave the court the code name of another RUF commander in Voinjama. The arms and ammunition were not given to Defense 07, because Benjamin Yeaten was the head of security, so they were taken directly to the front by Gibril Massaquoi and the other soldiers.

The witness could not remember the month they moved out of the guest house in 2001. He could only recall meeting Massaquoi at the safe house after his return to Sierra Leone. The defense pointed out that Defense 09 had told the police that he had met Massaquoi in Makeni in early 2002, which he confirmed. The defense also pointed out that Defense 09 had used a different name for Abdul Razak's girlfriend in the lower court. He responded that he had forgotten that name but they were the same person. He could not recall any other names used for Massaquoi but said that commanders used to change their names. He confirmed that Gaffa was a name that Massaquoi used to hide his identity on the radio. He did not recall the name Wildfire being used for Massaquoi.

Defense 09 testified that he knows Sam Bockarie, who was superior to Massaquoi. The two did not have a good relationship. Bockarie came to Liberia, disobeying orders by Sankoh and Sankoh then named Issa Sesay as the leader of the RUF. The witness could not remember exactly when Sam Bockarie came to Liberia, but it happened soon after the Lomé Peace Agreement was signed. Sam Bockarie did not return to Sierra Leone after that. Massaquoi did not go to Liberia with Bockarie, he came to Monrovia in 2000 after Sankoh's arrest. Defense 09 was not aware of Massaquoi living anywhere else in Monrovia besides the RUF guest house and the apartment he had rented.

The witness stayed in the Special Court safe house from 2007 to 2009. The defense pointed out that Defense 09 had told the police that he began co-operation with the Special Court in 2006 and lived in a safe house until 2007. Defense 09 explained that he got in touch with the court in 2006 and moved to Freetown in 2007. He had gone to the safe house in 2007.

Defense 09 explained that he was called by someone in Freetown and was told that Gibril Massaquoi's lawyer wanted to speak to him. He was not willing to talk at the time, but later came

to Monrovia because he has a child in the city. He was then contacted by the Finnish police, who said they got his phone number from Alain Werner. Defense 09 got to know Werner in 2007 when he was working in the SCSL. From 2007 to 2010, Defense 09 remained in contact with Werner. In 2010, Defense 09 did not know where Werner worked, but he later found out that he had founded Civitas Maxima. Defense 09 co-operated with Werner from 2010 onwards on another matters. He still works with Civitas Maxima, but not with anyone from Liberia or Sierra Leone. Defense 09 does not receive a salary, but a stipend from Civitas Maxima.

The witness testified that he was aware of a case against Gibril Massaquoi before his police interview, as he had been called and told that the lawyer of Gibril Massaquoi wants to talk to him. He did not know about the case before this phone call. He got in contact with Thomas when he came to Monrovia. Defense 09 knows Employee 1, he had not discussed his testimony or Gibril Massaquoi in general with Employee 1. He had met Employee 1 when he came to the guest house that he'd arranged for him. He had given his phone number to Employee 1. Defense 09 had not co-operated with Civitas Maxima before going to the safe house in 2007. Alain Werner was not involved in sending Defense 09 to search for the witness in Monrovia.

Defense 09 could not estimate how long he spent away from Monrovia after his return to Sierra Leone. The prosecution pointed out that he had testified in the lower court that he left Monrovia in late 2001 with Massaquoi and others and said that he returned to Monrovia in February 2002 but could not remember whether Massaquoi had returned with him. Defense 09 responded that he cannot remember the exact time they left Monrovia. The defense then pointed out that he had told the police that Massaquoi left Monrovia in early 2001. Defense 09 confirmed that he had said this to the police.

March 21, 2023 – Day Thirty-four

Today, the Court began the session by watching a video recording of the testimony that a recently deceased witness had previously given at the District Court.

The rest of the day was spent hearing one witness. He was the victim of torture allegedly perpetrated by Gibril Massaquoi, who was instructed to obtain a confession from him regarding a suspected plot to overthrow the then-President Charles Taylor. The witness described his arrest and initial interrogation by Charles Taylor, and then the multiple places where he was taken and held prisoner. He gave a detailed account of the acts of torture that the defendant had either ordered or carried out personally. The witness, who had always denied the allegations, was held for a number of days and only released once a foreign government and international NGOs had put pressure on Charles Taylor to do so.

Court proceedings will continue tomorrow, Wednesday March 22.

March 21, 2023 [Liberia] Day 34: Torture in Klay

Witness X8's lower court recording is viewed

The court began the session by viewing witness X8's testimony from the lower court on a video recording, as the court was unable to hear him in person. Trial monitoring from the witness's hearing before the lower court can be found **here**.

Witness Background 1 is heard

The prosecution questions Background 1

The prosecution began by asking about Background 1's work. The witness testified that he works for the GJRP, an organization he founded in 2012. The GJRP is an organization that documents war-related crimes. It seeks to bring justice to the victims of Liberia's two wars in foreign jurisdictions. The witness testified that during the second Liberian civil war, he worked as the editor for the Analyst Paper newspaper and was a press reporter for the European Union in Liberia. He covered human rights issues, such as Liberia's involvement in the war in Sierra Leone by its sending soldiers for the RUF. Charles Taylor was Liberia's president at the time. He testified that Taylor did not like his coverage of these issues because he was jailed seven times by the police on Taylor's orders. The last time he was jailed was on Monday 24 June, 2002.

The witness then stated: "The most traumatic experience of my life was along with some other people at an underground cell in Klay, Bomi County, and the subsequent tortures that followed". He was held in a prison at the Klay checkpoint. The checkpoint had a gate, with a building on the left and an administrative building where immigration authorities and the police used to work, on the right. Opposite to the administrative building was a weighing station, where unprocessed rubber was weighed. To the northern part of the complex was an underground building which was not originally meant as a prison, but in which he and other people were held. It was July, the rainy season and there was water up to their knees. Every day or every other day the prisoners were brought out, their heads were covered, and they were taken inside a building to be interrogated: "And there I experienced the worst nightmare in my life. I got tortured, and beaten,

tied to my hands behind my back and, sorry we got females here, but electrocuted in my private parts". The woman who was electrocuting him was acting on orders.

Background 1 specified that he was arrested and taken to Klay on Liberia's Independence Day. He could tell the date as he heard soldiers in the area and people along the road to Klay talking about it. He was transferred from Zone Six, to Brewersville, to Klay, on the same day and people along the road were talking about Independence Day.

The witness testified that he was interrogated multiple times in Klay, he could not say how many times in total. The first interrogation took place on the same day he arrived in Klay, on 26 July 2002. He arrived right as the sun was setting and was interrogated for the first time late at night. That night, he was interrogated by Mr Gibril Massaquoi. Mr Massaquoi began by introducing himself as Angel Gabriel, Gibril Massaquoi. He asked him if he knew what Angel Gabriel means. Background 1 responded yes, that it was the name of an angel of God. Then Massaquoi told him that he was going to ask questions and if he did not tell the truth, he would kill him.

According to Background 1, Massaquoi wanted answers to the same questions that President Taylor had asked him. President Taylor wanted Background 1 to admit that he, President Ellen Sirleaf, Robert Perry, Alhaji Kroma and Abraham Mitchell had conspired to overthrow Taylor and to kill him. The witness then narrated the torture that he suffered. He explained: "He began to hit on me and he ordered me tied, what we call in Liberia, tabay. This was just before entering the administration building police office. When I did not talk they moved me into the building and then he said he will do something that will make me to talk and I cried. He brought a lady and this time I was blind folded and I was moved into that small building. I didn't wear a shirt, but I wore trousers, and he pulled down my pants and electrocuted my private parts and I yelled, and I told him that the security people who brought me had lied on me. I told him I was Mandingo, but I was not a rebel fighter and I told him that I did not ask God to make me Mandingo, he made me what he choose to make me. And he tortured me, because of the pains and anguish and the shame, because he had a lady doing that to me, I couldn't remember anything he was saying again after that. This affected me. I do not like to really talk about how it affected me. And I did not say anything, because there was nothing for me to say, because I was a journalist, I did not carry a gun. In short, Mr. Gibril Massaquoi introduced himself to me. I was not alone in the underground cell. There were many people, some soldiers, some civilians. All of which had been arrested because of me, but many of them were Mandingo".

Background 1 further testified that during this first night in Klay, before he was moved to the second building where he was tortured, in addition to Gibril Massaquoi, a man called Joe Tuah was present. He explained that Joe Tuah beat and tortured him, and he is still afraid of him. The witness described that initially they were outside, Joe Tuah was there and started beating him. Then he was taken back to the underground cell. From there, he was taken out by Gibril Massaquoi. He was taken outside right in front of the underground cell, where the first interrogation took place. After that, he was taken in front of the building and then inside. Inside on the right, there was an office area with people inside, but Background 1 was taken to the left, where his torture began. Massaquoi took him to this room and the torture and electric shocks took place there.

The witness confirmed that he met Massaquoi outside the building. He was blindfolded and could hear noise to his right. As the blindfold was removed, Massaquoi was still talking, so he connected the Sierra Leonean accent that he had heard before to him. The witness' blindfold was

removed inside the building, in the room where Massaquoi had taken him. In addition to Massaquoi and the female torturer, Joe Tuah came to the door and left but did not come inside. Joe Tuah beat him outside the building and Massaquoi continued inside the room. Gibril Massaquoi would ask a question and if he didn't get the answer he wanted, he would beat him. The witness could not remember if Massaquoi used anything besides his hand to hit him.

Background 1 testified that he was tied by tabay outside the building. It was Massaquoi who tied him. He demonstrated tabay to the court, showing how a person's hands are tied behind their back so that their elbows touch. He stated that he still has a scar from being tied up with a rope similar to a clothesline. The witness testified that his genitals were electrocuted inside the room. The female torturer was acting on Massaquoi's orders. Massaquoi would ask the questions and if he did not answer, he would order the woman to electrocute him. The witness heard the orders every time. He could not say what machine was used to electrocute him, but described electrodes and sparks coming out of it. He could not remember how many times he was electrocuted: "I was in so much pain I couldn't remember". He could not tell who the woman was. She was speaking in Mano, was not wearing any uniform and was not armed. The witness was certain that Gibril Massaquoi was the had the power of command because he was giving orders to the woman.

The witness had heard Massaquoi's name before 26 July 2002. He had learned the name from the press, as the RUF's spokesman. Background 1 had written about the RUF many times before his detention in Klay, but had not written specifically about Mr Massaquoi. He confirmed that while he was being electrocuted, there were only Massaquoi and the woman in the room. He was certain about Massaquoi's identity, and had not seen him anywhere else. Background 1 did not confess to anything as he had nothing to say. He was crying uncontrollably and after a while, they stopped and took him back to the underground cell. A doctor was brought to treat his elbow. Every time Benjamin Yeaten came to Klay, he would be given a long-sleeved shirt and was told that if he told Yeaten about his torture, they would kill him. It was Joe Tuah who told him not to tell Yeaten.

Background 1 testified that when Joe Tuah was beating him outside the building, there were other people present. It was dark, so he could not tell who they were, but he came to recognize Gibril Massaquoi by his accent, and when he introduced himself to the witness. He did not hear the names of the other people there. They were not civilians, most of them did not have a uniform but had weapons, in what the witness described as a 'military environment'.

The witness left Klay on a helicopter. He landed in the middle of the day on a highway and was blindfolded again. He was taken to Foya's landing zone and from there to Kpello, a small village near Foya. There, he was handed over to Chinese Jabber and then to Mr Peterson. This took place late in August. Chinese Jabber was the commander of Liberian troops in Foya. Background 1 was then transferred to a prison in Foya. He was released on Saturday 7 December 2002. Some Liberians were protesting his detention and the American embassy, Amnesty International and Human Rights Watch were pressuring President Taylor. Taylor finally agreed to release him on the condition he be flown into exile. That same day, the witness was driven to an airport and flown to Ghana and later to the USA.

According to Background 1, his work is viewed favorably as the current and previous Liberian governments have been unwilling or unable to implement the recommendations of the TRC. The co-operation of victims and witnesses has created possibilities for justice in Liberia, despite no

Liberian being held responsible in the country. There are many different groups trying to sabotage GJRP's work. He described that his testimony as a witness was leaked from a special court, which might affect future witnesses' willingness to co-operate with courts and put his own life in danger. There are also people in the US, who have instigated former fighters to commit evil things. For this reason, he avoids travelling after 5 pm. The leak of his witness testimony put his and his daughters' lives in danger and he believes that it was leaked due to this Massaquoi case. He stated: "There are people who would do anything to stop the forward movement of justice".

The witness then testified about the accusations made against him and the GJRP. He explained that they have been accused of paying or coaching witnesses, which he denied, they only cover expenses incurred. According to Background 1, some people feel that they are the only ones who can do such work and try to protect their interests by preventing others from working on these issues. He further explained that the GJRP is accused of telling the witnesses exactly what they need to say. Background 1 stated: "I want this honorable court to remember about 250,000 Liberians and non-Liberians got killed during the war. Those people have relatives. There are people who saw these things. There is no shortage of witnesses for someone to pay some to testify". A victim, such as the witness himself, knows what happened to them.

Background 1 testified that he has not been personally involved with this case. The Finnish police chose independently how to investigate the matter. Nobody from GJRP stayed in contact with Employee 1, who was given to the Finnish police to help. GJRP had conducted its own investigations before the Finnish police became involved. The witness described how they collect evidence relating to war and crimes which is then, depending on the jurisdiction, sent forward to states, who decide what to do with it. According to the witness, GJRP followed this procedure in the Massaquoi case. He had not been personally involved in the investigations that preceded the work of the Finnish police. He explained that he doesn't usually do fieldwork unless he has specific knowledge about something. He had been asked by the police to get into contact with some people who were in prison with him. The day Employee 1 was transferred over to the Finnish police, everyone at GJRP was instructed to not speak to him about anything Massaquoi-related.

The witness testified that he knows that the things Massaquoi did, such as torture, are considered war crimes. He has no knowledge of the charges or the content of witness testimonies in this case besides what he could read in newspapers. He had not read any official documents by the Finnish authorities, such as the police report. Neither Employee 1 nor anyone else from GJRP or Civitas Maxima had told him about the contents of such documents.

The defense questions Background 1

The defense began by asking Background 1 about the people that were detained with him in Klay. He provided some names to the court and explained what he knew about them. They were all there on 26 July 2002, when he was taken to Klay. He testified that he told them what had happened to him the next day, as he returned to the cell.

The defense pointed out that the witness had first testified in the lower court that he did not know who had given the order to electrocute him, but a woman had done it. The witness explained that there had been a general order and he was unaware who had given it. Inside the room, it was clear that Massaquoi was giving orders. The defense pointed out that Background 1 was asked about this many times during his first hearing and he had answered that he could not

tell who gave the order to the woman. He repeated that he knows Massaquoi gave the order to the woman, but in Klay, there was also a general order issued by someone else. Massaquoi was not Liberian, so he could not have done such things without a superior order. The defense also pointed out that Background 1 had testified in his first hearing that Massaquoi could have prevented the woman from electrocuting him and also that the woman was under Massaquoi's command and control, which he confirmed.

The defense further pointed out that Background 1 had testified that Joe Tuah had hit him and had given Massaquoi advice. Background 1 confirmed that Joe Tuah spoke with Mr. Massaquoi, but he did not hear what they were talking about. The defense also pointed out that he had testified that Tuah had ordered Massaquoi to take him to the room to be tortured. Background 1 responded that Massaquoi was taking him to the room when Tuah came to talk to Massaquoi. He could not hear what they were talking about, he could only hear Massaquoi giving orders to the woman inside the room. He did not know who was the superior out of Tuah and Massaquoi. The defense pointed out that he had testified in the lower court that he believes Tuah to be superior to Massaquoi, to which he replied that this was only his belief and he could be mistaken.

Background 1 testified that when he was taken back to his cell after the torture, he told the other prisoners who had tortured him. He did not talk about it right away as he was too scared and in too much pain. He mentioned it the next day to a few people, not everyone. He mentioned that he had been tortured to a couple of 'reliable guys'. The witness explained: "In my culture a different lady does not touch your private and electrocuting on the privates in my culture is abhorrent." He had used both the names Angel Gabriel and Gibril Massaquoi when describing the person who tortured him. The witness provided the names of the people who he told about the torture, who have the same ethnic background as him. He stated: "I did not want it to spread. Thus, I told a few confidantes, in my culture it's shameful". This occurred the next day when they were in the dark, underground cell with water in it.

The defense referred to the witness' testimony in the Special Court for Sierra Leone. He had mentioned that he had been electrocuted and that he had been tortured and interrogated by Benjamin Yeaten, Joe Tuah and their SS men. Background 1 replied that this was a different interrogation to the one on 26 July, he had been interrogated over 20 times. He had been electrocuted more than once, at least twice. The torture he was referring to in his testimony to the Special Court was different to the one that occurred on 26 July. Both happened in Klay. He described the other time as 'milder', as if to 'tease' him. Yeaten was there but did not do it himself. When Yeaten was present, the witness was not electrocuted on his genitals. The defense pointed out that according to Background 1's testimony at the Special Court, he was electrocuted on his genitals by Yeaten and his men, which he confirmed. The witness demonstrated to the court how Yeaten and his men gave him electric shocks directed at his genitals but with his trousers still on.

The defense asked why the marks of his torture had to be hidden from Yeaten if he was also involved. The witness clarified that only the signs of the tabay had to be hidden from Yeaten but he did not know why. He had not mentioned Gibril Massaquoi in his hearing in the Special Court, as the lawyer had not asked about it, his lawyer had told him what to focus on. He stated that he had mentioned Gibril Massaquoi's name in the context of the worst torture.

Background 1 testified further that Gibril Massaquoi introduced himself as Gibril Massaquoi, Angel Gabriel. This took place in Klay. The first time he mentioned his name was on the stairs

leading into the building. Inside the building, Massaquoi mentioned his name numerous times, he could not keep count of how many. He gave an example: “When I was crying, he said look at me, you are talking to Angel Gabriel”. The first time, he wanted him to confess to a conspiracy against President Taylor. The witness could not explain why Angel Gabriel introduced himself. He mentioned the name Gibril Massaquoi first. The witness explained that in Islam, God has two arch angels; Michael and Gibril, which is an Arabic name, or Gabriel. He did not know where Gibril Massaquoi had gotten his name from, but the two names represent the same angel in many religions. Massaquoi had said that Gibril means Gabriel, Angel Gabriel.

The defense referred to a passage of the witness’ testimony at Charles Taylor’s trial, which had been submitted into evidence: ‘I also saw someone there, (…) Gibril Massaquoi. He told me, when he tortured me, if I knew what Gibril meant, I said yes, because I understand Arabic. It means Gabriel. He said OK, I am your angel for your Gabriel’. The witness explained that at the time, in 2009, he lived in Boston, USA and travelled to the Hague for Taylor’s trial. GJRP did not exist at the time. It was founded three years later in 2012, when he moved to Liberia. He testified: “It was I who was dehumanized and tortured, it become my conviction to help other people who were also tortured”.

The defense pointed out that he had not used the name Gibril Massaquoi in Taylor’s trial, he had only mentioned that the person was Sierra Leonean and had asked him if he knew what Gibril means. There was lengthy discussion on this point. Background 1 maintained that Massaquoi had introduced himself: “This guy was very proud of his name and what he did. He puts others down and put himself up like an Angel. Gibril Massaquoi would not have hidden his name, never”.

The defense further pointed out that Background 1 had testified at the Special Court that Gibril said that he had been instructed by Joseph Tate to make him talk. The witness responded that Joseph Tate died in a plane crash before June 2002, every journalist in Liberia knew this. He speculated that this might have been about some other interrogation, as he had been arrested so many times. He was certain that Joseph Tate died before 2002.

There was further discussion about what the witness had testified in previous trials regarding the names that Gibril used to introduce himself. The witness then clarified that the police chief at the time was Paul Mulbah, not Joseph Tate.

The defense then pointed out that during an interview conducted by Civitas Maxima in 2018, Background 1 had said that Gibril Massaquoi was the person using the electrocution machine, and that Joe Tuah was also present and used the machine. Background 1 responded that he had already mentioned that there were multiple instances of torture. The interview with Civitas Maxima was very detailed and culturally difficult for him, as the interviewer was a woman. He maintained that he is certain that it was Gibril Massaquoi.

The defense pointed out that the witness had mentioned in the Civitas Maxima interview that he was taken to Klay on 26 July 2002 and that he had been there for at least a week and undergone at least two rounds of torture before Gibril came. Background 1 responded that before Independence Day on 26 July, he had been arrested at Zone Six in Brewersville. There must be a mistake in the CM interview notes, as he was taken to Klay on 26 July and Gibril Massaquoi tortured him on that day. That was the first time he had been tortured in Klay. Before Klay, he had been tortured in many instances in the various prisons he was kept, at least twice, as he was there for more than a month. The witness listed other locations where he had been tortured:

Zone 6, Zone 5 in Congo Town, Red Light, Zone 7. The defense then brought up the fact that Background 1 did not mention the woman in his interview with Civitas Maxima but spoke about her later in his interview with the Finnish police. The witness repeated that it was culturally difficult to discuss this with a woman with whom he worked.

Background 1 testified that he does not know Civilian 20 and knows many people with the same name as Civilian 19. He stated that he believed he had given a report to Civitas Maxima on how Civilian 20 had been contacted for this trial, as they do with every witness. He had not been involved in pre-interviews relating to Gibril Massaquoi. These interviews covered only basic information as to whether the witness has any information about a particular incident or person as well as their contact information. Background 1 did not recognize Civilian 20's name and repeated that he does not conduct these pre-interviews himself. He had not been present in a preliminary interview conducted for Civitas Maxima about Gibril Massaquoi. The witness could not remember when or how he was first in contact with the Finnish police. He had met Thomas and another policeman, to help convince the Liberian government to allow the Finnish court to operate in Liberia, and to allow the Finnish police to investigate in Liberia.

The defense asked about the Finnish police's first trip to Liberia. Background 1 testified that he was not involved in this case, as he is a victim in the case. GJRP worked with with the police on all practical matters. The Finnish police chose for Employee 1 to work with them, they made the decision independently. According to Background 1, when Employee 1 was not working for the Finnish police, he was working at GJRP. Employee 1 did not tell them anything about the case. The witness could not remember if they had an agreement to not talk about anything related to Gibril Massaquoi, but Employee 1 had strict instructions not to work on the case unless asked by the police. The Finnish police told Employee 1 these instructions when he began working for them, but Background 1 did not know the content or nature of the instructions.

The defense asked about another employee at GJRP. Background 1 explained that this employee had not been involved in monitoring the first trial. Due to security concerns, GJRP had hired security guards to secure the area used for the trial and he was their supervisor. Background 1 had not been involved in discussions about how to find [REDACTED]. They are from the same county, but the witness does not know where he lives. He could not remember discussing finding [REDACTED] with the Finnish police.

At the end of his hearing, Background 1 addressed the court, saying: "I want to thank everyone here. This is a great story for Liberia. We have thousands of victims, like me, who don't have this kind of opportunity for justice. I want to thank the police and the judiciary in Finland. God bless you and thank you".

It was pointed out that the witness identified the defendant as Massaquoi from the series of photographs presented to him at his police interview.

March 22, 2023 – Day Thirty-five

This morning, a former child soldier from Sierra Leone came to testify. He had been captured by rebel groups in Sierra Leone at a young age, fighting first in Sierra Leone and later in Liberia. He described fighting and the mistreatment of civilians across Kolahun and surrounding areas such as Kamatahun, before moving to Monrovia. Once in Monrovia, he described further fighting across the city, including at Waterside.

The witness later described being in Monrovia at the ceasefire which ended the Second Civil War, where fighting factions packed up their weapons to give to the UN. At this point, according to the witness, Gibril Massaquoi had already left Liberia.

There are no hearings scheduled tomorrow Thursday 23, so the Court will reconvene Friday 24, 9am.

March 22, 2023 [Liberia] Day 35: A former child soldier testifies

Witness Soldier 12 is heard

The prosecution questions Soldier 12

The prosecution began by asking about Soldier 12's participation in fighting in Liberia. The witness testified that he was in the government troops, in the Jungle Fire unit. He joined Jungle Fire in 1999 in Voinjama, when he was 18 years old. His commander was Benjamin Yeaten. The witness named some other commanders: Superman, Issa, Salami, Yaney and Sam Bockarie. Before joining Jungle Fire, Soldier 12 was in the RUF. He joined the RUF as a child, he was abducted in Kono. He estimated that he was 12 years old when he was abducted. The witness listed the names of some of the RUF commanders in Sierra Leone: Superman, Sam Bockarie, Issa Sesay, Kumba Gbodema and Gibril Massaquoi.

The witness testified that he came to Liberia when his commanders in Sierra Leone ordered them to come to Liberia to help Charles Taylor. At the time, there was fighting against LURD rebels in Kolahun but not in Voinjama, where Soldier 12 joined Jungle Fire. Other towns where fighting took place included Foya, Masambolahun, Kamatahun, Bolahun, Vahun, Kungbohun and Camp Alpha. The witness had been to all of these locations.

Soldier 12 testified that Gibril Massaquoi was their commander. He met him the first time in Sierra Leone as a little boy. Gibril Massaquoi was the one who abducted him. When the witness moved to Liberia and joined Jungle Fire in 1999, Gibril Massaquoi was among the commanders who also came to Liberia. Massaquoi had been in the towns and villages where the witness had mentioned fighting had taken place. In these towns and villages, Massaquoi used to go to a room and talk with Benjamin Yeaten, Sam Bockarie and Issa. Massaquoi treated civilians badly. The witness testified that he cut the arms off some civilians, killed others, and stole valuables from some others. Massaquoi put some civilians inside a house, locked the door and set the house on fire in Masambolahun. The witness was there and saw it happen. He could not remember how many people were inside the house.

In addition to Lofa county, Soldier 12 was stationed in Bomi Hills, Bopolu, Klay and Bah during the war. He was stationed in Klay between 2002 and 2003, there was fighting there at the time. He was later transferred to Grand Gedeh. When the war ended, Soldier 12 was in Waterside, Monrovia. He moved from Lofa to Monrovia in 2003 with Benjamin Yeaten, Salami, Yaney, Siome, Ranger and Adjutant. The witness saw Gibril Massaquoi in Monrovia in 2002 or 2003. He saw him five or six times in Monrovia at White Flower, President Taylor's house. When he saw Massaquoi at White Flower, he was stationed in Klay but had gone to Monrovia to pick up supplies. Massaquoi was not with him on this mission. He was a commander in Monrovia, and Soldier 12 and others just picked up the supplies and went back.

The witness did not know any other names for Gibril Massaquoi. While he was in Monrovia, there was no fighting going on in the city. Right before the war ended, there were battles in Vai Town, Freeport and Waterside. Soldier 12 was also involved in these battles, on the government's side.

Soldier 12 testified that when he moved from Sierra Leone to Liberia, the war in Sierra Leone had already ended. There was a ceasefire and the UN was present there. When the witness came to Liberia, he was not with Gibril Massaquoi, he came with Sam Bockarie. Massaquoi came to Liberia after them, in the 90s. Massaquoi was not in Kamatahun when Soldier 12 was there, he was in Kolahun at the time. When Soldier 12 was stationed in Klay in 2002 or 2003, he saw Massaquoi come there briefly and continuing his journey as he was not stationed there. Soldier 12 personally saw Massaquoi in Klay when he was stationed there himself.

During the fighting right before the end of the war in Vai Town, Freeport and Waterside, Soldier 12 saw Massaquoi at White Flower. These battles were called World Wars I-III. The witness could not remember the last time he saw Massaquoi in Monrovia. After he had been in Waterside, the UN came and they put their guns down. Massaquoi has already left the country at this point. The witness speculated it was because they were afraid that the soldiers would ask them for their benefits.

The defense questions Soldier 12

The defense began by asking for the witness' current age. The witness testified that he is 23 years old. The defense pointed out that Soldier 12 had told the Finnish police in his interview that when the ceasefire took place in Sierra Leone in 2000, he moved with Sam Bockarie, Superman, Gibril Massaquoi and their boss Issa Sesay to Liberia to help Charles Taylor. Soldier 12 confirmed this, explaining that they came to Liberia the same way, but not at the same time as they arrived within a week from each other. He testified that Sam Bockarie came to Liberia because Charles Taylor had asked him to come and help him, that's why they all came. When they came to Liberia, they first stayed in Kolahun for 2 to 3 years. Gibril Massaquoi was not based there, he travelled back and forth between Sierra Leone and Liberia because he was high-ranking. From Kolahun, Soldier 12 and his troops went to Voinjama, where they stayed for a year. Massaquoi used to be there with them, but he was travelling back and forth and he was not stationed in Voinjama. The witness confirmed that he stayed in Vahun for a year and three months and often saw Massaquoi there.

The defense pointed out that Soldier 12 had testified in the lower court that they had initially arrived in Vahun and stayed there for over three years. Soldier 12 confirmed that they had gone to Vahun first after arriving in Liberia. He and his commander stayed in Vahun for a year and three months, but it was their assigned station for three years. The defense further pointed out

that Soldier 12 had just mentioned staying in Kolahun for 2 or 3 years, while in the lower court he had testified that they had been in Kolahun for 2 or 7 months. The witness explained that they were not stationed in Kolahun at the time, they were going back and forth between Kolahun and Kungbohun. They were stationed in Vahun and they would patrol between three towns, Vahun, Kolahun and Kungbohun. Whenever they went to Vahun, they would see Massaquoi there.

The witness described how they continued from Voinjama to Masambolahun, then to Kamatahun. He could not estimate how long he had stayed in Masambolahun and Kamatahun. They were patrolling at the front line and did not return to Vahun for a while. The witness then confirmed the numerous villages that he had told the Finnish police that he had gone to patrol. He confirmed that after seven months in Kolahun, the RUF moved to Vahun for about a year. From there, they were moved to Monrovia to fight. Soldier 12 confirmed that he had returned to Vahun from Kolahun and was in Vahun for a year. From there, they were moved to Monrovia. They were in Kamatahun during the dry season.

Soldier 12 estimated that he stayed in Waterside for about a month. The Jungle Fire unit didn't have a uniform. They wore jeans and a t-shirt with the words 'Jungle Fire – Man moving, man dropping' printed on it. The shirts did not have a particular color, some were grey, red or blue. Sam Bockarie was with them in Liberia, but he left to fight in the Ivory Coast. Soldier 12 did not know how Sam Bockarie died. He died in 2003. Soldier 12 was in Nimba with his troop while Sam Bockarie was away in the Ivory Coast. They received word that Charles Taylor had ordered Benjamin Yeaten to kill Sam Bockarie, because Taylor was afraid that Bockarie was going to kill him. Soldier 12 was in Ganta when he found out that Yeaten had killed Bockarie. After receiving the news and after the war had ended, Soldier 12 and others went to Kambea. This was in 2004. They left because they thought people would come after them. The witness went to Kambea to look for work.

The witness explained how the Finnish police had gotten in contact with him. One of his brothers took him to an older brother called Employee 1. Employee 1 told him that someone in the country was looking for RUF fighters from Sierra Leone to talk about their experiences and so Soldier 12 went. His brother gave him directions on how to get to the place. Employee 1 told him that there are white people who wanted to talk to former Sierra Leonean fighters. He told him to go to them to find out what they wanted. The brother who told him about Employee 1 worked on the side of the road, and the witness provided his name to the court. The witness knew [REDACTED], but he was not involved in getting him to testify. The defense pointed out that Soldier 12 had testified in the lower court that his brother who had helped him was called [REDACTED], which he denied.

The defense further pointed out that Soldier 12 had testified in the lower court that he had not spent three years with Gibril Massaquoi in Vahun, as he sometimes went to the frontline while Gibril Massaquoi remained in town because he was a commander. When Soldier 12 would return from the frontline, Gibril Massaquoi was always in town. Soldier 12 confirmed this.

It was pointed out that the witness identified someone other than the defendant as Massaquoi from the series of photographs presented to him at his police interview.

March 27, 2023 – Day Thirty-seven

Over the weekend, the Court had to rearrange the schedule of the witness hearings as a number of witnesses had been dropped by both the prosecution and the defense.

Today Monday 27, the Court heard the recording of a testimony that one of the witnesses had previously given at the District Court. Appeals Court hearings will continue tomorrow, Tuesday 28.

March 27, 2023 [Liberia] Day 37: Schedules rearranged

The recording of witness Defence 23 is viewed

The court first watched a video recording of the testimony of witness Defence 23 before the lower court.

The rest of the hearing was cancelled, as the scheduled witnesses could not be reached.

March 28, 2023 – Day Thirty-eight

On Tuesday 27, the Appeals Court heard one witness testify. He testified that he had been approached by Hassan Bility, who had allegedly offered him money and asylum in Europe to provide false testimonies in the cases of different Liberian nationals before foreign courts. The witness testified to having no connection to Gibril Massaquoi and stated he had not participated in the Second Liberian Civil War.

For the second part of the day, the Court watched the tape of a hearing that a witness had given before the District Court.

March 28, 2023 [Liberia] Day 38: Witness allegedly approached for testimony

Witness L1 is heard

The defense questions L1

The defense began questioning L1, a defense witness, by asking if he could recall why he had been asked to testify. The witness responded that it was because of Background 1, whom he knows well. They had gotten to know each other a long time ago, on Jamaica Road in 1991 or 1992. They grew up in the same community, and Background 1 was the reason he joined ULIMO. When Alhaji came, people were encouraged to become fighters to 'liberate the Muslims'. According to L1, Background 1 was the secretary of Alhaji, the rebel leader of ULIMO. This took place in 1992 when ULIMO was at Poe River.

After the 1990s, the witness had been in contact with Background 1 when he was arrested in District Five by Taylor. Background 1 told him that he had been arrested because he had been recruiting people to kill Taylor. He told L1 to go into hiding. The witness could not remember the exact date of this meeting, but estimated that it took place in 1998 or 1999, when Taylor arrested Background 1. At the time, Charles Taylor was already the President of Liberia.

After this arrest, L1 described meeting Background 1 after he came back from the USA, 3 to 5 years ago. Background 1 had arranged the meeting and picked him up from Nepsor. He wanted the witness to testify against people who had fought in the war. Background 1 said many things, such as Gibril Massaquoi being indicted, and things about Jungle Jabbah and Alieu Kosiah. Background 1 gave him 200 dollars and told him that if he testified against Gibril Massaquoi, that he gutted someone in Foya, he would give him 20 000 dollars and asylum somewhere abroad, but not the USA. According to L1, Background 1 was trying to recruit multiple people to testify this way, some of them have already 'died of frustration'.

The witness testified that he and Background 1 went to Mamba Point Hotel for this meeting. At the time, he had not heard any news about Gibril Massaquoi or his arrest, he only knew of Jungle Jabbah. He declined Background 1's offer but kept the 200 dollars he had given him, and Background 1 left him on Carey Street. L1 testified that he had not heard of Gibril Massaquoi at the time, he heard the name for the first time from Background 1. Background 1 did not show him any photographs. According to L1, he had also asked [REDACTED] to testify against Jungle Jabbah, but he had died from 'frustration'. This made the witness scared of Background 1's proposition.

L1 explained that he met Background 1 several times after this meeting. Once at General Langasah's funeral about two years ago, and again at Sekou House on Duport Road, where Background 1 was talking to another general. Background 1 had told the general that [REDACTED] should leave where he was living in London. At the funeral, Background 1 had exclaimed that L1 did not seem to want money as he had declined his offer. The witness had discussed the proposition with a few friends, such as L2 and L3.

The defense showed L1 some photographs from the pre-trial investigation police report, but he did not recognize them.

The witness testified that he had heard about Background 1's other attempts of recruiting witnesses from the people that he had approached, they would discuss between themselves. He used to meet with these people at the veterans' office.

Finally, L1 described his previous interviews with the Finnish police. According to him, the police got his contact information through Peter Solo. Dr. Alan White called him, and then a woman from Finland called, telling him that the police would come and meet him. According to L1, Dr Alan White knew to call him through Peter Solo. Alan White also sent him some messages on WhatsApp, which he had shown to the Finnish police. Alan White had been the prosecutor in the Taylor case, L1 did not know him personally beforehand but had heard of him on the BBC. Alan White asked him whether he knew much about Background 1, which he had confirmed. Alan White then said that Gibril Massaquoi's lawyer would call him. Massaquoi's lawyer called him and told him that the Finnish police would call him.

The prosecution questions L1

The prosecution began by asking about L1's role in ULIMO. The witness testified that he was a fighter in ULIMO during the 'ULIMO war' in Liberia. He began fighting in 1992. He was not fighting when Taylor was president. During the first war, they were fighting against Taylor. L1 did not see the RUF during the war. He had lived in Lofa between 1994 and 1997 in Voinjama, Zorzor, Salayea, and Foya. In 1994, he went to Gbarnga and in 1997, he left Lofa and came to Monrovia.

Background 1 had told the witness that he was a journalist and had studied at the University of Liberia. Background 1 welcomed Kromah at one point, L1 had photographs. When asked what he believes Background 1 does for a living, the witness responded that 'he blames people for what happened during the war', but stated that he did not know the details of his work. He explained that Background 1 had taken people to the United States to testify against Jungle Jabbah and promised them money, but had not paid these people, which frustrated them. According to L1, Background 1's job does not relate to searching for witnesses as he is just compiling lies. L1 stated: 'The best people to prosecute he knows them. He was Secretary to one of them'. According to L1, Background 1 knows that he only fought in ULIMO, and only during Liberia's first civil war.

L1 had also fought in Monrovia, in Octopus and during the 6 April war in 1996. He knows Jungle Jabbah aka Mohammed Jabatteh very well, as he used to be his commander. Jungle Jabbah was a high ranking ULIMO official, he was a deputy to Dumboya, the commander-in-chief. Jungle Jabbah was a ULIMO commander in charge of Popolu during the first Liberian civil war. Jabbah used to beat soldiers who harassed civilians. He was a world-famous rebel who knew the Quran. For example, if someone was captured, they should not be killed. Background 1 knew that L1

knew Jungle Jabbah personally as he was there with them. He had also asked L1 to testify against Jungle Jabbah, during the meeting where he gave him 200 dollars. He wanted him to go to the United States to testify, but L1 told him that he did not want travel to the US as he didn't want to go to jail for fighting in the war. When the prosecutor pointed out that the Jungle Jabbah case took place in 2017, the witness explained that Background 1 told him that Jungle Jabbah would be appealing his judgment. He added: 'The man is just enriching himself through people. He has an estate in Brewersville'.

L1 testified further that he knows Alieu Kosiah. Kosiah is his boss. He was L1's commander in ULIMO at Tody. L1 and Background 1 also discussed Alieu Kosiah when they spoke about Jungle Jabbah. Background 1 asked him to falsely testify against Kosiah. He wanted him to testify that Kosiah fought in Lofa despite him never fighting there. L1 could not fully understand what Background 1 asked him to do because of his deep voice. The witness testified: 'If the people can really go in the community and ask people one at a time there is not one of them that can trust Background 1. If I had the money, I could sue him because he made me go and fight a war'.

The testimony Background 1 asked him to give about Jungle Jabbah was that he killed people and made people open the stomachs of pregnant women. This was the same story to he was supposed to tell about Gibril Massaquoi. The witness understood Background 1 when he spoke Mandingo, he only had issues when he spoke English. Background 1 asked him to testify that Alieu Kosiah and Jungle Jabbah fought in Lofa. Background 1 brought up Gibril Massaquoi during their meeting at Mamba Point. He asked L1 to testify that Massaquoi killed people, committed mass murders and opened the stomachs of pregnant women in Lofa. He wanted him to say that the RUF attacked Foya, which the witness did not believe to be true.

Background 1 had asked many people to provide fake testimonies in the Massaquoi case. When asked to provide the names of some of these people, the witness stated and repeated: 'I believe civilians standing here and civilians standing there, you will not see civilians hanging around when fighting is going on', and 'I know when the war crimes court comes here, I will be the first to testify. Many people know about this, but they are afraid to come and testify'. After intervention from the Presiding Judge, the witness provided a few names. These people were not witnesses in the Massaquoi case but were involved in the Jungle Jabbah and George Boley cases.

The witness met with Background 1 at Mamba Point from a teashop. He was living in Monrovia at the time and has lived in Monrovia ever since. Background 1 gave L1 the 200 dollars because he wanted him to testify. The 200 dollars were to encourage him to provide a fake testimony. Background 1 told him to go and testify against Gibril Massaquoi and say that he opened people's stomachs in Foya. He had said that the 200 dollars were not a bribe but an encouragement, just a payment for transportation costs.

According to L1, Peter Solo was a high-ranking official in ULIMO and LURD, he was the former commander-in-chief in Grand Jeddeh. He did not know how Peter Solo and Alan White knew each other. The prosecution showed the witness a picture of some WhatsApp messages, which he confirmed were messages between himself and Alan White. In one message, Alan White asks L1 to provide a list of witnesses Background 1 had recruited to testify against Gibril Massaquoi and Agnes Reeves. The witness explained that Dr. White was not aware of the veterans' office L1 used to go to, it was Peter Solo who connected the office and the veterans to Alan White. Agnes Reeves was not discussed at the veterans' office, Peter Solo asked L1 about her. The witness only knew that Agnes Reeves was suing Background 1, and Background 1 had asked him to testify

against her as well. Background 1 had asked him to testify against her in the same meeting at Mamba Point where he asked about everyone else. He wanted him to testify that Agnes Reeves fought against Mandingos and that her husband killed Mandingos. There were numerous other people that Background 1 had asked to provide fake testimonies against Agnes Reeves, the witness gave some of their names to the court.

L1 recalled Alan White sending him links to articles in the WhatsApp messages, which he had sent over to the police. He could not remember what the articles said. He stated that he had not been in contact with Alan White in the last year, as he had been living in the bush. The witness had not read the articles that Alan White had sent him and nobody had told him about their contents. He could tell they were about Background 1, because he had opened the links, had seen Background 1's picture and could spell his name.

The witness did not know when Jungle Jabbah's appeal was rejected in the United States. When he had the meeting with Background 1, Jabbah had been sentenced and Background 1 told him that he would attempt to appeal.

The recording of witness Z1 is viewed

Next, the court viewed the video recording of witness Z1's testimony before the lower court.

March 29, 2023 – Day Thirty-nine

Today Wednesday 29, the Court heard three witnesses that had been called by the defense.

The first witness was a journalist, who had been staying in Buedu, Sierra Leone. He had come across many people that had fled from different villages in Liberia and were on their way to refugee camps in Sierra Leone. The witness had interviewed some of these people, regarding events such as that which had taken place in Kamatahun Hassala. A copy of this report was submitted as written evidence for the Court to review.

The second witness was a key figure in the RUF external delegation. He had stayed in the same guesthouses in Monrovia as Gibril Massaquoi and the two had worked closely together. This witness maintained that while the defendant had initially been a front-line commander, during the peace process he had taken on a diplomatic role.

The final witness was a soldier for the Liberian forces. He testified to meeting Gibril Massaquoi first in Foya, and then in Monrovia. He described coming across a number of dead bodies next to a bridge in Waterside, Monrovia. When he asked Massaquoi what had happened, Massaquoi allegedly responded that they had been looting.

The Court will hear two more witnesses tomorrow Thursday 30.

March 29, 2023 [Liberia] Day 39: Defense witnesses testify

Witness L5 is heard

The defense questions L5

The defense began the hearing by presenting a report that witness L5 had drafted and sent to the United Nations. The defense then asked about the witness' background. The witness testified that he was born in Masambolahun, Lofa. He moved to Monrovia in 1968. The witness confirmed that he had drafted the document handed to him by the defense. It was titled 'COHPACKOD' and was drafted when the witness went from Monrovia to Sierra Leone. The witness explained that at the time, the Minister of Defense was accusing the people of Kolahun district of being rebel sympathizers. L5 wrote an article in the Inquirer newspapering debunking these accusations and as a result, the Ministry of Defense ordered his arrest. L5 then had to flee to Sierra Leone. As he got to Sierra Leone, he observed what was happening at the border between Sierra Leone and Liberia. He could not remember exactly when he went to the border, it happened a long time ago. At the time, war was ongoing in Liberia.

The witness testified that he went to Buedu, a border town between Sierra Leone and Liberia. He saw refugees coming from Liberia and going to Sierra Leone and he gathered information from them. He would meet people coming over the border and discuss their experiences with them. L5 estimated that he spent about two weeks in Buedu and then went to Kenema. He could not remember the year, but estimated that this took place in the 1990s, as the crisis was coming towards them. Charles Taylor was the president of Liberia at the time. After he gathered information, L5 went to Kenema to put it all together. It took him about two weeks to complete the report. He confirmed that he had dated the report 21 May 2002 and had sent it to Kofi

Annan, the Secretary-General of the United Nations. He explained that he gathered the information at the border and drafted the letter to Kofi Annan right afterwards, he had a meeting with Amnesty International in Kenema. He estimated that he had gathered the information earlier in May. The defense showed a section of the document which was dated "March-April 2002". The witness explained that the interviews were conducted within this time period and the document was drafted in May.

L5 estimated that he met many people, approximately 20. These people had come in contact with the rebels, especially in Kamatahun, where a massacre had occurred, and were coming straight from Kamatahun to Sierra Leone. Some of them were from other villages, and were taken to Kamatahun, put inside a building, and burned alive. Some of the people he spoke with were there to witness the burning of people in Kamatahun, such as [REDACTED], who was there when his relatives were burned. The witness estimated that in total, he met about 15 people who witnessed houses being burned. According to L5, people were taken from Kailahun, Yamatahun, and Kiantahun, and brought to Kamatahun. He explained that people were 'free to talk', about their experiences, as they had managed to flee from Liberia and were already in Sierra Leone.

The witness confirmed the 'Kamatahun, Hassala clan' mentioned in the document. The leader of the rebels was stationed in Kamatahun. According to him, this was the location where most of the things done by Zigzag Marzah took place. People told him that Zigzag Marzah was the person responsible for burning the people. They said that he captured people, put them inside a house and set the house on fire. Zigzag Marzah was an NPFL commander. L5 had also heard the name Pepper and Salt, but he was not in Kamatahun. The witness confirmed that he had interviewed some people that he knew beforehand.

L5 could not remember how many people were burned in Kamatahun. The people he interviewed only mentioned the NPFL, he could not remember if they mentioned RUF or LURD. He testified that the 28 names listed in his article were people who came from Kamatahun and other areas, most of the people listed in the article were killed in Kamatahun. Most of these names were given to him by people who had been there to witness the killings. There were also some people who had come to Kamatahun after the burning had taken place. They said that people such as [REDACTED] were there when the people were killed. L5 testified further that Zigzag Marzah was Mosquito's commander, he gave orders to him and others. Mosquito was one of the killers, he killed some people by shooting and some with a cutlass.

The witness confirmed that he spent two weeks at the border conducting interviews. He returned to Liberia after the Accra peace negotiations, estimating that this was in 2003. He had heard the name Stanley, it was mentioned by people coming from Liberia. They told him that Stanley was transporting fighters. L5 had not heard the names Massaquoi, Angel, or Angel Gabriel. He had been to Lofa many times after returning to Liberia after the war. People had spoken a lot about the war, including the commanders responsible for atrocities such as Stanley and Zigzag Marzah. L5 had spent time in Masambolahun from 2004.

The prosecution questions L5

The prosecution began by asking about where in Buedu the witness interviewed people. He responded that there was no particular spot in Buedu where he would wait, he was just meeting people on the street. He saw people coming and approached them to talk. He could not remember how many people came from Liberia to Buedu, there were a lot of people. Most of

them passed to other towns and villages, such as Kailahun. There were many refugee camps in the area. L5 would approach a person and ask them for an interview. He would then take the person to a house or building nearby, where they could talk. People were constantly coming over the border, he did not speak with everyone. He took notes and wrote his article based on these interviews.

L5 testified that he had not checked his notes for the names Massaquoi, Angel or Angel Gabriel before appearing in court. He heard the name Gibril Massaquoi from the BBC when the case started. His understanding of the names not being mentioned was based on his own experience and what he learned when he was in contact with people. The witness confirmed that about 15 people told him that they were in Kamatahun to witness people being burned inside a house. Nobody told him how many people in total were in Kamatahun at the time, they only said that there was a big crowd, a lot of people. L5 confirmed that he was told that people were brought to Kamatahun from other villages such as Kiantahun. He did not know how many people lived in Kamatahun at the time.

The witness testified that at the time, he didn't know of the RUF. He didn't remember having learned whether the RUF had been in Lofa at the time. The prosecution pointed out that L5 had testified in the lower court that people had mentioned NPFL and LURD, and although the RUF had not been mentioned, they had been there with the NPFL with their base further away in Foya. L5 responded that he had not met any people in Buedu with contact with the NPFL or RUF. He had heard that the RUF was in Foya at the time, but he did not know any details.

L5 explained how he got in contact with people coming from Liberia. He would ask questions and they would answer. They would tell him what village they were from and tell him what happened. The name Zigzag Marzah was repeated everywhere. He would ask people where they were coming from and the interview would proceed from there. [REDACTED] gave him a detailed description of what happened in Kamatahun, that people were put inside a building and burned. The witness confirmed that his story was recorded accurately. L5 could not remember the first time he went to Masambolahun after returning to Liberia but stated that he had been there several times after the war.

Further questions from the defense

According to L5, the NPFL was fighting ULIMO in Lofa. He repeated that he had not heard the name Massaquoi except in connection with the lawsuit on the BBC. He could not remember how many people were put inside the building in Kamatahun. The defense pointed out that in his article, it is mentioned that of 75 people were killed. The witness estimated that this was what [REDACTED] had said. He could not remember how many people he interviewed in total. The defense pointed out that he had told the Finnish police that he had interviewed about 75 refugees, which he confirmed.

Witness Defense 14 is heard

The defense questions Defense 14

The defense began by asking how witness Defense 14 had gotten to know Gibril Massaquoi. The witness testified that he met Gibril Massaquoi in late 1999 in Segbwema. Massaquoi was introduced to the witness by Foday Sankoh, the leader of the RUF, who told him that Massaquoi

would come to Freetown to work with them. At the time, Massaquoi was on the front in Segbwema as an RUF commander, and Defense 14 was the protocol chief for Foday Sankoh.

Defense 14 moved with Sankoh to Freetown in early 2000 and Massaquoi joined them there. The witness was working at Sankoh's office on Spur Road in Freetown. He handled protocol, and Massaquoi was Sankoh's personal assistant. According to Defense 14, Massaquoi worked directly under Sankoh and relayed instructions from Sankoh to the front. They were working at Spur Road in 2000, before May. He met Gibril Massaquoi every day at the office, they worked from eight o'clock in the morning until five o'clock in the afternoon. They worked there until the attack on Foday Sankoh's residence on 8 May 2000. Sankoh's residence was in the same building with the office.

The witness described how a large crowd gathered outside the office in the morning, they were chanting and shouting slogans. They began throwing stones and tried to cut off the power. Gunshots were also fired at the house. As the gunfire increased, UNAMSIL peacekeepers left the area, despite being responsible for Sankoh's safety. Defense 14 and the others were left alone inside the house. Gibril Massaquoi, some women and Superman were there with Sankoh. They escaped from the back of the house to the bush. According to Defense 14, they were chased and shot at in the bush. They were trying to find their way into Makeni, it took them about two days in the bush to reach there from Freetown. At some point, the group split, and Defense 14 came to Monrovia, while Gibril Massaquoi went to Makeni.

Defense 14 testified that after the Lomé peace agreement the RUF signed a lot of documents to stop the hostilities and continue the peace process. The RUF participated in many meetings in Freetown after Sankoh arrived. The disarmament process was already underway before the attack on 8 May. The witness estimated that regions such as Makeni and Segbwema had been disarmed by then. In 2000, Massaquoi was appointed as member of the RUF external delegation, after the ECOWAS Heads of State meeting. Between the Lomé agreement and the 8 May attack, Massaquoi was an RUF commander and was involved in disarmament. The 8 May attack disrupted the peace process as Foday Sankoh had escaped and was nowhere to be found and many RUF leaders involved in the process were imprisoned. The UN and ECOWAS attempted to get the peace process back on track and the ECOWAS heads of state had a meeting on 26 July 2000 in Monrovia. Defense 14 testified that he met the ECOWAS leaders in Monrovia at the Executive Mansion, a lot of communiqués were signed that day. The witness was told that the ECOWAS leaders wanted the peace process back on track and he was asked to tell them what had happened in Freetown during the 8 May attack and where Sankoh was. The witness named other RUF leaders present at the meeting: Eddie Kanneh, Jonathan Kposowa and Ngulu Baka.

After the meeting, the ECOWAS leaders instructed them to go to Kono to Issa Sesay, who was the RUF battlefield commander at the time and the deputy to Foday Sankoh. The RUF held a meeting in Kono in late 2000. They decided to elect Issa Sesay as the interim leader of the RUF to continue disarmament. Gibril Massaquoi was elected to the external delegation after this meeting in Kono. This delegation consisted of Defense 14, Gibril Massaquoi and Abdul Razack. They were given a mandate to ensure that the ceasefire remain in place and the disarmament process get back on track. The delegation was stationed in Monrovia. They got to Monrovia in 2000 near the end of the dry season. Their task was to agree on details with the ECOWAS heads of state and to communicate with the RUF leaders on the field in Kono and Makeni, which the witness described as a 'diplomatic role'.

The delegation communicated with the RUF in Sierra Leone through a satellite phone. They lived in a guest house in Lower Congo Town and later moved further up Congo Town to another apartment. The witness named the people living in the guest house: himself, Abdul Razak, Gibril Massaquoi and one of Gibril's friends, Defense 13. There were no employees at the guest house. The delegation lived there from 2000 until 2001. After a few months, they moved to another apartment. There were also other people staying in the guest house, such as a woman called [REDACTED], a friend of a radio operator who was also staying there. In the second house, Defense 14 lived with Abdul Razak, Gibril Massaquoi and Defense 13. They stayed there for three to four months.

Defense 14 testified about the trips that the delegation took abroad. Their first trip was to Mali in late 2000, they went to meet the President of Mali. Gibril Massaquoi was the head of the delegation. They travelled from Monrovia to Mali. This was the only trip they took abroad while staying in Monrovia, it lasted for one day. The witness explained that Abuja I was a ceasefire agreement signed in November 2000. Gibril Massaquoi was part of the delegation that went to Abuja. They flew from Monrovia to Abuja and stayed for two days. After that, they had a meeting with the ECOWAS secretariat and the government of Sierra Leone. According to Defense 14, the meeting in Mali resulted in the Abuja I agreement. Massaquoi took part in both trips. While Massaquoi was the head of the delegation in Mali, the head of the delegation in Abuja was Jonathan Kposowa.

The delegation met with Charles Taylor while staying in Monrovia. Defense 14 testified that they met him twice. The first trip the delegation took to Sierra Leone after coming to Monrovia was after the meeting with the ECOWAS heads of state on 26 July 2000. The witness had never travelled to Sierra Leone from Monrovia with Massaquoi and did not know if Massaquoi had ever done so. While they were staying in Monrovia, they met every day as they lived in the same house, their rooms were opposite each other and they ate breakfast and dinner together.

Defense 14 knew of Defense 09, he was an RUF fighter. Defense 09 used to live in the first guest house, but he had no specific tasks, he used to come and go. The witness did not see Defense 09 a lot in Monrovia, estimating that he saw him once a week. He was not aware of Defense 09 travelling with Gibril Massaquoi. Defense 09 did not visit the second guest house.

According to the witness, Defense 13 was a friend of Massaquoi, describing her as a 'personal friend'. He was aware that she had gotten pregnant at some point but could not estimate when: 'I was not concerned about that, it was their privacy, I did not pay attention. I have my own privacy'.

The witness testified that after Abuja I, the external delegation, including Massaquoi, travelled to Sierra Leone. They stayed in Freetown until Abuja II in May 2001. He explained that they were in Freetown because most of the results were to be implemented there, not in Monrovia. He did not know if Massaquoi went to Monrovia during this time they were staying in Freetown. Defense 14 explained that Benjamin Yeaten worked for Charles Taylor, he was in the President's Special Service and was in charge of intelligence. The witness testified that neither he, nor the external delegation, met Benjamin Yeaten in Monrovia. He was not aware of Defense 09 meeting with Yeaten either. He was not aware of Massaquoi ever travelling with Benjamin Yeaten to Lofa.

Defense 14 explained that the delegation did not stay in Monrovia after moving out of the second guest house. They returned to Sierra Leone by land. They drove on pickups through Voinjama and

onwards to Sierra Leone. At the time, there was no fighting in Voinjama or Lofa. There had been some fighting before in Voinjama, but the witness was not aware of any fighting occurring after they had travelled back to Sierra Leone. The witness settled in Patton Street in Freetown and Massaquoi lived in Thunder Hills, in Kissi. This was in 2001. Peace had been declared in Sierra Leone and disarmament was underway. Defense 14 met Massaquoi while he was living in Kissi, Massaquoi was living with his family. He also met Defense 13 twice in Freetown in 2002. He was not aware whether Defense 13 and Massaquoi were in contact at the time.

After the signing of Abuja I, Defense 14 worked on the disarmament process in Sierra Leone. The RUF participated in tripartite meetings with the UN, ECOWAS and Sierra Leonean government. These meetings were held monthly in Freetown, and Massaquoi participated in all of them. The RUF was completely disarmed by late 2003, after peace had been declared in Sierra Leone. According to Defense 14, Massaquoi lived exclusively in Freetown after the delegation returned from Monrovia. At some point, he was evacuated by the UN and taken to a safe house. After the peace negotiations had been completed by late 2002, both Defense 14 and Gibril Massaquoi were in Freetown. Gibril Massaquoi was in Freetown and had been taken to a safe house. After the end of the war, the RUF became a political party, the RUFP. Defense 14 and Gibril Massaquoi both participated in the foundation of this party, Massaquoi was the spokesman for the party. The witness was not aware of Massaquoi doing anything else at the time.

According to Defense 14, Gibril Massaquoi had the code name ‘Wild Fire’ that was used during the war in Sierra Leone. He also had the nickname ‘Gibo’ or ‘Giro’. The witness knew Sam Bockarie, he had met him in Liberia. Sam Bockarie was dismissed from the RUF in 2000, before the 8 May attack. The witness recalled that Bockarie had a bitter quarrel with the leader Foday Sankoh. Sankoh said that Bockarie was not following his orders and he fired Bockarie from the RUF. Bockarie was to be arrested, so fled to Monrovia. He had some troops with him, but the witness could not tell how many men he commanded in total. Gibril Massaquoi did not come to Liberia with Sam Bockarie.

The prosecution questions Defense 14

The prosecution began by asking about Gibril Massaquoi’s role as an RUF commander in late 1999. Defense 14 testified that Massaquoi was a battalion commander and he had his own troops under his command. He carried a weapon, as commanders do. When they were working together at Sankoh’s office in Freetown, Massaquoi relayed orders to the front, the areas under RUF control. Massaquoi used a radio to relay these orders from the office. Massaquoi did not have a satellite phone at the time. He would sometimes use Sankoh’s satellite phone, if the radio was not working.

Defense 14 testified that the delegation was stationed in Monrovia to engage with external and international actors, such as the ECOWAS heads of state. Charles Taylor was requested by the UN to mediate peace in Sierra Leone. According to the witness, ECOWAS decided to place the RUF delegation in Monrovia and they gave the delegation its mandate. He estimated that this decision was the consensus of the five ECOWAS heads of state, including Taylor. The delegation had to work with ECOWAS to bring the peace process back on track was because the 8 May attack had derailed it. The RUF did not respond militarily, or in any other way, to the attack, and they were not discouraged from continuing disarmament as the process was already underway. The witness explained that the attack on Sankoh’s house derailed the peace process because the RUF leader was nowhere to be found. Without a leader, things didn’t move forward. According to Defense

14, the attack occurred because the RUF had been fighting with some UN peacekeepers before and had arrested some of them. He stated that both the RUF attacking the peacekeepers and the attack on 8 May contributed to the peace process being threatened. He could not say how many peacekeepers were captured by the RUF, but agreed that there could have been hundreds of them. He could not say what happened to the peacekeepers.

The witness confirmed that he came to Monrovia after the 8 May attack, while Gibril Massaquoi went to Makeni. The rest of the delegation came to Monrovia after the meeting with the ECOWAS heads of state on 26 July 2000. The witness and Gibril Massaquoi returned to Sierra Leone together in 2001. He could not remember exactly when, but it was in early 2001. The prosecution pointed out that the witness had testified in the lower court that they had left Monrovia in early 2001 but then, after reviewing his statement to the Finnish police, had said that they left in late 2001 or early 2002. The witness responded that they left in 2001 before Abuja II, as they were in Freetown before Abuja II. Gibril Massaquoi had not told him that he would have been in Monrovia in summer 2001. Defense 14 testified that when they both left Monrovia, there was no fighting going on in Liberia. They went to Sierra Leone by land through Voinjama, Lofa. When they came to Monrovia in 2000, there was no fighting there. There were a few skirmishes in the countryside, in Lofa county. LURD had attacked government troops and were being pushed back and forth. The witness was not aware of the RUF participating in these skirmishes. He was not aware of the RUF fighting or being militarily active in Liberia.

Defense 14 testified that he had heard the name Ibrahim Bah. He was not aware of Ibrahim Bah being in Monrovia at the same time as the RUF external delegation. The witness met with Charles Taylor twice while, and the whole delegation was present. They discussed the travel arrangements to Mali and Abuja, as Charles Taylor was organizing the trips. He was not aware of any RUF representatives discussing diamonds, weapons, or ammunition with Charles Taylor. He repeated that he spent every day with Gibril Massaquoi when they were staying in Monrovia. Charles Taylor had given them the satellite phone to communicate with the RUF in Sierra Leone. Everyone in the delegation used the satellite phone. Defense 14 never saw any weapons in the guest houses they were staying in. He was not aware of any actual or former RUF members ever participating in a war in Liberia.

Further questions from the defense

Defense 14 was not aware of Sam Bockarie and his troops being involved in the skirmishes against LURD in 2000. The RUF external delegation prepared for the Abuja I meeting beforehand, and had a day before the meeting in Nigeria. They were communicating with their interim leader, Issa Sesay, before the meeting. The witness did not participate in the Abuja II meeting, but Gibril Massaquoi was there. He estimated that Massaquoi spent two or three days there. The witness explained that Massaquoi was a commander and had troops under his command ‘in the beginning’, in Makeni. When they came back from the Abuja I meeting, Gibril was a diplomat and no longer involved in fighting. Massaquoi was in Makeni after the 8 May attack in 2000. He also lived in Makeni at some point on Azzolini Road. He then moved to Freetown, to Thunder Hill, Kissi. The witness confirmed that the RUF was completely disarmed by early 2003.

Witness Soldier 15 is heard

The defense questions Soldier 15

The defense began by asking about Soldier 15's background. The witness testified that he currently lives in Liberia and has never lived outside the country. He participated in the Second Liberian Civil War with government troops. At the time, it was 1998 and Charles Taylor was president. The war was being fought in Lofa, Bomi and Monrovia. In Lofa, the witness fought in Kolahun, Voinjama and Zorzor. Benjamin Yeaten was the chief of general staff, the overall commander of the government forces. Soldier 15 himself was a commander. They would change locations, sometimes spending a month or two fighting and then returning to Monrovia. In addition to Benjamin Yeaten, also known as Fifty, there were other commanders in Lofa such as Sam Bockarie, and other guys from Sierra Leone. Sam Bockarie came in 1999. He had many troops under his command, such as Mohamed Massaquoi, Gibril Massaquoi, Superman and a minister called Martin, who died on Bomi Road. According to Soldier 15, these people came with Sam Bockarie to Liberia. They pulled out from Koindu in Sierra Leone and came to Foya. Then, they all went to Monrovia.

Mohamed Massaquoi was one of Sam Bockarie's fighters. He was a battalion commander, he died in Foya. The witness recalled that he died in 1999 or 2000, but he could not remember the month. Soldier 15 was not part of the RUF, he fought in the AFL. Mohamed Massaquoi fought in Koindu, Buedu and Freetown in Sierra Leone and then came to Liberia, where he fought in Foya, Kolahun and Voinjama. Soldier 15 knew of Mohamed Massaquoi's activities because they were in the same area and used to sit and talk together about the past and what was happening at the front. He explained that Mohamed Massaquoi never mistreated civilians in front of him, he had civilians who cooked in his house and he fed them. According to Soldier 15, Mohamed Massaquoi was in Lofa from 1999 until 2000, when he died. He was shot on the frontline in Foya, in a Kissi town called Kpendu. Mohamed Massaquoi had RUF fighters under his command, he was part of the RUF fighters that came with Sam Bockarie to Liberia. Mohamed Massaquoi spoke Mende and Krio. Mohamed Massaquoi had an assistant whose fighter name was Action.

The prosecution questions Soldier 15

The prosecution began by asking about Soldier 15's fighting experience in Monrovia. Soldier 15 testified that he fought in Monrovia. It was not Mohamed Massaquoi who came to Monrovia with him – he died in the bush – but Gibril Massaquoi and Action. Gibril Massaquoi fought in Dwala, Freeport and Waterside Bridge with Fifty. Soldier 15 was with Gibril Massaquoi at these locations, their units fought together. Gibril Massaquoi spoke Krio. The witness got to know his first name because they used to sit and talk together. They were together from 1999 to 2003. The first time Soldier 15 spent close time with Gibril Massaquoi was at Twelve Houses, ELWA Junction. Bockarie was introducing people and Gibril Massaquoi was introduced to him.

Next, Soldier 15 testified about an incident in Waterside. He described how civilians broke into a store by the first bridge coming from West Point. Gibril Massaquoi and the Sierra Leoneans had a base at the junction. As the civilians were breaking into the store, the witness saw four to six bodies. They asked who had killed the people and were told that Gibril Massaquoi and his men had done it. They then complained to Fifty. The witness confirmed that he saw the bodies himself. The bodies were outside the store. Gibril Massaquoi also killed two other people towards Water Street. Soldier 15 asked about the bodies from the civilians near the store who told them that the Sierra Leoneans and Massaquoi had killed the people. This was the same day that Salami was killed on the bridge. Soldier 15 saw Gibril Massaquoi nearby around the time he had seen the bodies. When he saw the bodies and was talking with the civilians about the incident, Gibril Massaquoi was between the junction and Old Bridge, near West Point. The

witness asked Gibril Massaquoi why the civilians had been killed and he responded that they were looting. According to Soldier 15, Gibril Massaquoi's base was by the Old Bridge.

The witness testified that the store was located in Waterside, it was the first store after the market building. When coming from Vai Town over the bridge, it was on the right. The discussion between Soldier 15 and Gibril Massaquoi about the civilians took place after he saw the bodies by the store. The witness also clarified that he did not mean that Gibril Massaquoi had killed two people on Water Street, but that he had seen two bodies there and Gibril Massaquoi was in control of that area. He testified that he saw the bodies next to 99 Steps and estimated that they were civilians, not soldiers. According to him, Gibril Massaquoi was responsible for their deaths as he was the commander in charge of the soldiers in that area. The Sierra Leoneans, the RUF, had been assigned there. The witness had asked civilians, and they said that Gibril Massaquoi had killed them. He also confronted Massaquoi about it, who said that the civilians were looting.

When Soldier 15 saw the bodies in Waterside, the government troops were fighting against LURD. The war in Monrovia was called World Wars I-III, anytime the LURD forces would enter the city, it was called a World War. These killings took place during World War III. LURD was on the other side of the bridge in Vai Town at the time. The witness estimated that after he discovered the bodies, the war did not last even a week before the UN arrived.

Further questions from the defense

According to Soldier 15, World Wars I-III took place in 2003. The defense pointed out that Soldier 15 had testified in the lower court that he had seen Gibril Massaquoi in Monrovia in 2001, while he testified now that he only saw Massaquoi in 2003 in Monrovia. Soldier 15 responded that he saw Gibril Massaquoi in Foya from 1999 to 2001 and did not see him after 2001 until 2003 when he saw him in Monrovia. The witness confirmed that he had heard of High Command, he used to serve under Fifty and was assigned to the Sierra Leonean group. He was also in Waterside; he is Sierra Leonean and a member of the RUF. The witness confirmed what he had told the Finnish police, that Mohamed Massaquoi died in Foya in September 2001 while fighting against LURD.

It was pointed out that the witness did not identify anyone from the series of photographs presented to him at his police interview.

March 30, 2023 – Day Forty

On Thursday 30 March, the Court heard two defense witnesses.

The first witness had been working with the Special Security Service with Benjamin Yeaten in Monrovia. The witness stated that he had been arrested for allegedly conspiring against the President and was taken to Klay where he was interrogated and tortured. He testified to having been tortured only by Liberians soldiers and had not seen Gibril Massaquoi during the period of his detention. This witness had made written notes about his arrest, detention and torture and his notebook was submitted to the Court.

The second witness had been captured as a child and forced to join a rebel group. He testified to travelling from Sierra Leone to Liberia and staying at a safehouse in Monrovia with the rebels. One day when the rebels were fleeing the house, the witness came across some photos placing Gibril Massaquoi and other key commanders in Kamatahun, which he had kept. Later, once the witness had heard about the Gibril Massaquoi trial on the news, he submitted the photos to the Finnish police.

The Court will hear two more witnesses tomorrow, Friday 31.

March 30, 2023 [Liberia] Day 40: Witnesses submit evidence

Witness H1 is heard

The defense questions H1

The defense began by asking about H1's experience of the Second Liberian Civil War. H1 testified that he served at the SSS, the Special Security Service. His commander was Magical Day-Day, aka Peter Paye. H1 served in the Advanced Reconnaissance team under President Charles Taylor. He served between 1998 and 2000 and continued to work in the team after the end of the Second Civil War until 2008.

The witness testified that he was arrested in 2002 due to allegations that he was collaborating with dissident groups and LURD rebels. He was arrested on 14 July 2002. Around 10 pm, he was taken to the Military Police headquarters and by around 1.30 am that night, he was taken to Benjamin Yeaten's base on Back Road in Congo Town. Another person, [REDACTED], who was also a member of the SSS, was arrested alongside him. They spent approximately an hour at Back Road and were then driven to Klay by Benjamin Yeaten and his bodyguards. The witness then named some of the bodyguards: Joe Tuah, the Deputy Director of the SSS, and Lieutenant Jallah, who was accompanied by his army of about 30 men. They arrived in Klay around 2.30 am. They were taken out of the car and placed in a pit. The next morning, they were brought out to face Benjamin Yeaten, who asked them questions. Yeaten saw them eating and took their food away and asked the guard angrily why he had given them food. Around 8 or 9 pm, Yeaten's men brought in six or seven other prisoners. H1 named Background 1 and other others. [REDACTED] was brought to Klay before the other group. Background 1 and the others were brought two days after the arrival of [REDACTED] on 17 July 2002.

H1 described that the pit they were kept in was located at Klay junction, at an old rubber processing station. He drew a picture of the area and showed it to the court. All the prisoners were put in one cell. They were occasionally taken outside to eat. The food was not hygienic, it was put inside a bath bucket and the prisoners had to eat out of the bucket. H1 saw Benjamin Yeaten more than two or three times. He was interrogated in Klay, more than four to six times. They were taken out of the pit to be interrogated and then brought back to the pit. The interrogations were done by Joe Tuah and the Special Forces, 7 to 8 people altogether. H1 estimated that the Special Forces were NPFL. The witness gave the names of some of the Special Forces, Sam Selesie, Dopu Menkason. According to H1, NPFL members were Liberian.

The witness testified that he was treated inhumanely during the interrogations. He was tied by tabay and still has marks from where the ropes sank into his skin. H1 described: 'At times they will carry a person outside and we will hear gun sounds and they will say they will do the same thing to you if you don't answer, to instill fear in us'. The witness confirmed that Background 1 had been interrogated in Klay, but Background 1 had not told him about his interrogation. He estimated that Background 1 was interrogated in a similar way to everyone else: they were tabayed and electrocuted during the interrogations. He clarified that he had not been electrocuted himself, but he had heard from the other prisoners that they had been. [REDACTED] had told H1 that his penis had been electrocuted. Background 1 had also told him that he had been electrocuted. Background 1 did not elaborate further. When the prisoners were taken outside together and then taken one by one into a room, Background 1 came back and told them that he had been electrocuted. H1 estimated that Background 1 was brought to Klay on 16 or 17 July 2002, a few days after H1 had been brought there on 14 July.

The prisoners were all taken to different places from Klay. Some were taken to Vahun, some to Foya and other places. H1 was taken to Saclepea, Background 1 was taken to Foya, he was taken away before everyone else. Four or five prisoners were flown out of Klay at the same time on a helicopter. H1 was taken from Klay to the former president's farm a day after Background 1 had left Klay. He was then taken to a police station in Gbarnga and further to Saclepea.

H1 testified that the same people interrogated both him and Background 1 in Klay, explaining that there was a team that had been set up just for interrogations. He estimated that Background 1 was interrogated for the first time on the day after he was brought to Klay on 16 or 17 July. He did not know whether Background 1's penis had been electrocuted more than once, he had only heard him talk about it once when he said that Joe Tuah, Benjamin Yeaten and other guys were giving him electric shocks to the penis. H1 saw Background 1 again in October 2002 in Monrovia, when they were arrested and brought to the National Bureau of Investigation offices on Gurley Street. H1 had not seen Background 1 recently, Background 1 had only called H1 once and wanted to see him, but they did not meet.

The witness had heard of Gibril Massaquoi, he used to be a spokesman for the RUF. H1 has not met Gibril Massaquoi. He testified that he had made notes of his experiences after his release. He has been writing them for five to seven years, when something would come back to him. Some of his notes deal with the events in Klay. The witness showed his notes to the court. He testified that he had begun to write his notes in 2003, around November. H1 confirmed that he had personally written the section in the notes dealing with torture, beating, tabay and electrocution. He confirmed that he had written all the notes contained in the notebook. The witness could not remember exactly when he had written the notes about the torture in Klay, but testified that he had written them between 2003 and 2009 or 2010.

The prosecution questions H1

The prosecution began by asking H1 about the SSS. H1 testified that his commander was Magical Day-Day aka Anthony Paye and Benjamin Yeaten was the highest-ranking commander. He did not have any knowledge of Benjamin Yeaten's co-operation with foreign soldiers or Sierra Leonean soldiers, repeating that the interrogation had only been carried out by Liberians. He confirmed that he had been arrested on 14 July 2002. The prosecution pointed out that he had told the Finnish police that he had been arrested on 19 July 2002. H1's notes were examined, and it was pointed out that he had written down that he had been arrested on 14 July 2002.

H1 explained that he was never interrogated with Background 1. The interrogations were conducted one at a time, with everyone waiting outside while one person was interrogated. He knew every person on the Special Forces interrogation panel, some of them are not alive anymore. H1 could not tell how many times Background 1 was interrogated. He estimated that interrogations took place for six to seven days in total and clarified that they did not take place every day, sometimes they were left in the pit for multiple days in between interrogations.

The witness estimated that Background 1 was taken from Klay in September, while he himself was taken to Saclepea on 3 September. Background 1 had told him one time that he had been electrocuted on the penis by Joe Tuah and Benjamin Yeaten. Background 1 mentioned this outside the interrogation building, not inside the pit. He did not tell this to just H1, he said it to the whole group of prisoners, to warn them.

Further questions from the defense

H1 confirmed that he knew all the interrogators before coming to Klay. There were no women amongst them.

Background 1 called him about a year and a half ago and wanted to meet him. He told him that he would like to see him in town, but never called back.

Witness X9 is heard

The defense questions witness X9

The defense began by asking X9 about his interview with the Finnish police in October 2021. The witness confirmed that he had been interviewed twice. He had been in the same room as the court hearings, with the police, Thomas Elfgren and a woman. The witness had heard from the radio that the Finnish police was in Monrovia, accusing Gibril Massaquoi and seeking the truth about the matter. X9 then contacted [REDACTED], a person that he knew from before and who was working for a human rights organization. He told the witness that people were in Monrovia and gave his phone number to a person in charge of the case. The witness was then asked to come to the interview. The witness was under the impression that [REDACTED] worked with Background 1 at the organization, which had a gap with the people in court. [REDACTED] did not say whether his organization was related to the Massaquoi case. The witness did not know the name of the organization, he just knew it is a human rights organization led by Background 1.

According to X9, the reason for his second interview was that he had mentioned in the first interview that he had photographs to show the Finnish police, so he was asked to come back and

show them. When he came back for the second interview, he brought two photographs with him. The first was of Gibril Massaquoi and the second showed a group of people in it with Gibril Massaquoi standing in front.

The witness testified that he does not have a computer. He does not know how to use a computer or edit photographs. The witness identified the photographs he had brought to the Finnish police, as well as some additional photographs, one of which he hadn't brought. The defense pointed out that the Finnish police had noted that X9 had brought all the photographs included in the document, which he denied.

X9 was asked about the photograph with the group of people, and how he had gotten it. He explained that he was in Sierra Leone during the war, he was abducted on his way to school by rebels, and was recruited as a soldier. They crossed into Liberia through Kailahun and went to Lofa, Kamatahun. He spent most of the time there. The children were not fighting but carried the soldiers' loads and prepared food for them. From Kamatahun they went to Voinjama and then to Monrovia. When they arrived in Monrovia, they went to the YMCA and were divided into the apartments across the street. The witness was assigned to Gibril Massaquoi and brought to Twelve Houses at ELWA Junction, while the rest went with Sam Bockarie, aka Mosquito. One day, X9 and others were left in the apartment by the soldiers, who were escaping from someone. While they were packing up everything in the apartment, he found this photograph. He did not know the people in the photograph, but they were fighters who were in Kamatahun. X9 was not there when this photograph was taken. He could recognize only one person from the photo, the fourth person on the left. X9 gave this person's name to the court. The person on the top right corner of the photo is Gibril Massaquoi. The witness did not notice anything strange about the photo. He estimated that it was 2000, 2001 or 2002 when he found the photo in Monrovia. It was around the time the soldiers left.

The defense asked X9 about two other photographs. He identified the person in one of the photos as Benjamin Yeaten and the person in the other as Gibril Massaquoi. He did not know where these photos were taken. He had also found these photos when he was packing up the house in Monrovia. X9 confirmed that he had not brought one of the photographs to the Finnish police. He had originally brought just one photograph, and Elfgren had asked him if he had any other ones. He had told Elfgren that he had more, and Elfgren had asked him to bring them all. X9 speculated that one of the photographs may have been with the others, but he could not recall bringing it.

The prosecution questions X9

The prosecution began by asking about the organization in which [REDACTED] and Background 1 worked. The witness repeated that he does not know the name of the organization, he only knows that it is a human rights organization led by Background 1. X9 had not received any of the photographs from [REDACTED], Background 1 or any other representative of the organization. He found all the photos from the same house at the same time, when the soldiers left them there. He and the other children left as well, as they thought the army might come for them too. They took everything they wanted from the apartment and left. The witness found the photos in the chief's bedroom, Gibril Massaquoi's bedroom. He kept the photos until the interview with the police, but he did not get them back after the interview.

X9 testified that he contacted [REDACTED] after hearing the news on the radio as he knows that he works at the human rights organization. He asked [REDACTED] if he knows anything about the case. When asked why he wanted to get involved in the trial, he responded: 'I should have my first degree or masters, they took us from school, no more opportunities to go back to school to continue. We lost our parents in the war. If we have the opportunity to prosecute, we can do it.' The witness had not discussed anything related to this testimony with [REDACTED], Background 1 or anyone at the organization. The photographs he had brought to the interview were 'regular photographs'.

Further questions from the defense

The witness repeated that he had heard about the case on the radio and contacted [REDACTED], who helped him get in touch with the police. The people present during the interview were Elfgren and one of his colleagues, a Finnish woman. The defense pointed out that according to the investigation report, [REDACTED] was also present during the interview in case X9 could not understand Liberian English. The witness denied this and said [REDACTED] brought him to the interview and waited outside the room. The defense further pointed out that X9 had been recorded saying to the police that [REDACTED], who belongs to the same community as X9, had called him a few days before the interview and asked him if he speaks the same dialect as Mr Gibril Massaquoi, if he knew anything about Mr Massaquoi and if he could prove it. X9 had responded that he knows something about Mr Massaquoi and he has a photograph of him. [REDACTED] had asked him if he could bring the photos and do something for him, to which X9 had answered that since [REDACTED] is his big brother, he would do so. The witness responded that he had told the police that he had heard about the case on the news and he then called [REDACTED] to ask about it, who then asked X9 if he could come and meet these people. X9 repeated that [REDACTED] had not called him, he had called [REDACTED].

An audio recording of X9's police interview was played in court. The defense asked X9 whether he had heard himself on the recording saying that [REDACTED] had called him. The witness responded that [REDACTED] had called him back, after he had initially called him. He had called to ask about the news and afterwards, [REDACTED] called him and asked if X9 could do something for him. The witness confirmed that Mr Massaquoi speaks Mende.

X9 testified that he had found the picture with the group of soldiers and Massaquoi at the house in Monrovia. X9 knew a village called Mende Gumah, it is in Kailahun, he had travelled through there during the war. He had not found any photos in that village. The defense asked the witness about another photograph that was discussed during the first interview. He responded that he had brought the group photo and another photo that had not been presented to him. The defense pointed out that he had told the Finnish police that he had found the photo of Gibril and the people behind him in Sam Bockarie's house when they all left. He had also told the police that he had been there when the photo was taken, when the soldiers returned from the front. He responded that he had been there when the photograph had been taken and that he had brought it to the Finnish police.

The witness testified that he could now remember bringing the other photograph. He had also found it in the apartment. The defense pointed out that the photo was taken in Sierra Leone in 1999 and can be found online. The witness responded that he didn't know about that, he just found it at the apartment. The defense pointed out that he had just said that he was there when the photo was taken, to which he replied that he found it at the apartment.

X9 testified that he had brought the two remaining photos to the police. He was not aware of the photographs having been manipulated.

Further questions from the prosecution

X9 repeated he had contacted [REDACTED] after hearing about the Massaquoi trial on the radio. After he had called [REDACTED], he had called him back.

Further questions from the defense

X9 had asked [REDACTED] if he knew anything about the Massaquoi trial. [REDACTED] then asked him the same question when he later called him back. The defense pointed out that the witness had told the Finnish police that he had found the photo with the rebels posing in a village called Mende Gumah. X9 testified that Mende Gumah is in Kailahun but he did not find the photo there.

March 31, 2023 – Forty-one

On Friday 31 March, the Court heard two defense witnesses. Both had been in close contact with Gibril Massaquoi since the 90s, when the defendant was an active member of the RUF in Sierra Leone. They both described his role as the personal assistant to the leader of the RUF, the late Foday Sankoh. Both witnesses gave detailed accounts as to Massaquoi's relations with other key figures within the group.

Both witnesses testified to accompanying Massaquoi on numerous trips between Freetown, Abuja, and Monrovia. The defendant and the witnesses had gone on these trips to meet with state leaders and international organizations to work on the peace process and solidify ceasefire and disarmament.

March 31, 2023 [Liberia] Day 41: Defense witnesses provide context

Witness Defense 12 is heard

The defense questions Defense 12

The defense began by asking how the witness got to know Gibril Massaquoi. Defense 12 responded that Gibril Massaquoi is his biological brother. He testified that Mr Massaquoi was in Lunsar in early 1999. He had been arrested in 1998 by the AFRC and was released when the West Side Soldiers attacked Freetown and freed the prisoners. Massaquoi then escaped with [REDACTED] to the mountains and went to Lunsar via Makeni in early 1999. The witness estimated that Massaquoi was released from prison in mid 1998. In early 1999, he was in Lunsar and Makeni with his friend Dennis Mingo, aka Superman. At the time, Foday Sankoh was in Lomé, Togo and he called Superman as he was trying to reach Issa Sesay. Superman had to leave Makeni because of an assignment he received from Foday Sankoh. Near Makeni, he met with Issa Sesay's troops. Due to a misunderstanding between Superman and Issa Sesay, the two groups began fighting each other. Defense 12 could not say whether Gibril Massaquoi had been involved in the fighting. After Superman returned, he decided to send Gibril Massaquoi to Lomé to meet Foday Sankoh. This was the early phase of the peace process and Foday Sankoh wanted to know what was happening on the ground, as he was in Lomé. This was the first quarter of 1999. The Lomé peace agreement was signed some point after the meeting between Massaquoi and Sankoh.

Defense 12 further testified that when Foday Sankoh returned to Sierra Leone, he asked Gibril Massaquoi to be his personal assistant. Before this, Gibril had been a frontline commander in the RUF, stationed around Makeni and Lunsar. When Sankoh appointed him as his personal assistant, Gibril Massaquoi left all frontline functions and became an administrative person. The witness was a frontline commander in the RUF himself, stationed around Bombohun and Kailahun. He found out about Gibril Massaquoi's whereabouts through radio messages. Every command post had a radio receiver and information was passed across different fronts. For example, the witness learned through the radio that Gibril Massaquoi had been appointed a special assistant to Foday Sankoh and that he had been relieved of all frontline responsibilities.

The witness explained that Gibril Massaquoi worked as Sankoh's special assistant in Freetown, at Sankoh's residence on Spur Road. He went to Freetown in October 1999. He moved with his family – his wife, Elisabeth Mansaray, and children. Elisabeth moved from Bo to Freetown and

Gibril moved from Lunsar. Defense 12 went into detail about Gibril's work as a special assistant. He was responsible for the RUF's correspondence and for sending all the material related to the peace process. He was in charge of the RUF's documentation and information management. He worked almost every day of the week, especially on weekends and Sundays. At the time, the witness was working for UNAMSIL in Bo County as a ceasefire observer. He travelled regularly to Freetown to give reports and information. On these trips to Freetown, he usually met with Gibril Massaquoi. He estimated that he travelled to Freetown monthly.

Gibril Massaquoi's assignment as a special assistant included travelling. The witness recalled Massaquoi and Sankoh travelling to South Africa once, estimating that this was in early 2000. According to Defense 12, Gibril worked on Spur Road until Sankoh's residence was attacked on 8 May 2000. He was not there on the day of the attack, but he heard from VHF radio that Sankoh's residence had been attacked and RUF members had been killed in the attack. Foday Sankoh had been arrested and some people had escaped to the mountains with the security forces chasing them. The witness named some of the people present at the residence during the attack: Foday Sankoh, Denis Mingo, Gibril Massaquoi, Captain Musa from UNAMSIL and Abdul Swaray. Gibril was among those that escaped to the mountains and the witness heard on the radio that he managed to go to Lunsar via Makeni. The witness described the consequences of the attack: "The peace process did not hold, because the leader was captured, and from that time also there were a lot of disturbances against the peacekeeping forces that were in Sierra Leone". Many UN peacekeepers in Sierra Leone were harassed and their equipment was stolen as it was felt that they were not protecting the RUF. The RUF and UNAMSIL blamed each other for the attack and the international community finally forced the RUF to return to the 7 July agreement that had been signed in Lomé.

After the attack on Sankoh's residence, Foday Sankoh never returned to lead the RUF. Issa Sesay became the leader of the organization soon after Sankoh's capture in a meeting in Kailahun, around mid-2000. The witness testified that Gibril Massaquoi and Issa Sesay did not have the best relationship at the beginning, as Issa had once arrested Gibril in Makeni and he was only released with the help of UN troops. When Foday Sankoh returned to Spur Road after the signing of the Lomé agreement, their relationship improved. When Issa Sesay had been elected as the interim leader of the RUF, he called all RUF senior members and commanders to a meeting in Kono in September 2000, where Gibril Massaquoi was appointed the head of the RUF external delegation. The witness named other members of the delegation: Defense 20, Defense 05, Abdul Razak and Defense 14. The task of the external delegation was to get the peace process back on track. This meant that the delegation needed to meet with ECOWAS leaders and to resign the peace agreement Foday Sankoh had signed, since he had been arrested and was not in charge of the RUF anymore. The delegation left for Monrovia in October 2000 to have a meeting with ECOWAS leaders. The delegation came to Monrovia because it was safe there at the time and they could travel easily from Monrovia to wherever they were needed.

Defense 12 could not tell how long the delegation stayed in Monrovia, but he knew that the delegation had some preliminary talks with ECOWAS before going to Abuja. It was thought that President Charles Taylor thought would be able to influence the RUF into returning to the peace negotiations as he had been accused of supporting them in the past. The witness learned of the delegation's activities in Monrovia through the RUF's radio system. From Monrovia, the delegation went to Nigeria, where the Abuja I agreement was signed on 10 November 2000. The Abuja I agreement was a 30-day ceasefire between the RUF and the Sierra Leonean government. Gibril Massaquoi was the head of the delegation and travelled to Nigeria. Defense 12 could not

tell how long he stayed there. After signing the ceasefire agreement, he returned to Sierra Leone, where he was involved in the tripartite negotiations between the UN peacekeepers, the Sierra Leonean government and the RUF. The witness speculated that the delegation went through Monrovia after the Abuja negotiations on their way to Sierra Leone. He could not remember whether Massaquoi returned to Monrovia after he had participated in the tripartite negotiations.

The witness also testified about his own activities in Liberia between 1999 and 2003. Before the beginning of the disarmament process and the signing of Abuja II in May, rebels attacked the Liberia-Sierra Leone border. Defense 12 and Defense 03 were tasked by Issa Sesay to bring reinforcements to NPFL troops in Liberia. They went through Koindu in Sierra Leone and met the NPFL troops in Mendekoma, Liberia in early 2001. They brought about 70 armed men to reinforce the NPFL. They met the commander in Mendekoma and handed over the troops they had brought. Defense 12 could not remember the name of this NPFL commander. He testified that he did not participate in combat in Mendekoma or elsewhere in Liberia, this was the first time he had been to the country. He estimated that he spent two days in Mendekoma and returned to Sierra Leone after completing his mission. He confirmed that the armed men that he and Defense 03 handed over to the NPFL commander were RUF. He also confirmed that before this, there had been RUF troops in Liberia. A commander, Eagle, had been sent by Issa Sesay to attack the rear around Voinjama. Eagle's other flank between Foya, Mendekoma and Sierra Leone was open as the NPFL did not have enough men to secure the area and that is why Issa Sesay ordered Defense 12 and Eagle to bring troops to Mendekoma.

Defense 12 did not know if there were any other RUF commanders in Liberia when Eagle was stationed there. He had heard that Eagle was fighting in Kolahun, Foya and Vahun. According to Defense 12, Eagle was in Liberia because the peace process was almost at the disarmament stage and there were "distractions" coming towards Sierra Leone. Eagle was ordered to conduct a flanking attack, to prevent these distractions or soldiers from reaching Sierra Leone. This was in May 2001.

Defense 12 did not know if Gibril Massaquoi had fought in Liberia. Gibril Massaquoi was one of the leaders of the tripartite meetings that were held in almost all regional and district headquarters in Sierra Leone, to better convince the fighters to give up their weapons. Disarmament started in Lunsar in 1999 on Foday Sankoh's orders and continued in May 2001. The tripartite meetings were held in order to get the disarmament ongoing again. The witness testified that he was disarmed in Tongo Fields in 2001. Disarmament continued throughout 2001, and in 2002 there were elections in Sierra Leone.

According to the witness, Gibril Massaquoi stayed in Freetown after returning from Liberia. He could not remember the exact time of Massaquoi's arrest in Makeni, but recalled that the UN flew him to Freetown after the arrest. The second time Gibril was in Freetown, he lived in Kissi, Thunder Hills. The witness estimated that he moved there in late 2001. Gibril lived there with his family, consisting of his wife and children, whom the witness named. At the time, Defense 12 was living in Bo, Tongo Fields and Freetown. Every time he was in Freetown, he would meet with Gibril, estimating that this was about twice a month. They also met once in Waterloo and twice in Bo, when Gibril came to visit on family business. Gibril participated in the paramount chief elections by assisting the campaign of their eldest sister, Defense 18. In late 2001, the RUF became a political party and Gibril Massaquoi was participating in these arrangements in Freetown. Gibril also had a fishing project in Gbondapi, sponsored and financed by the DDR for Disarmament, Demobilization and Reintegration. He was looking for land to acquire and staff for

the project. The project was never implemented as Gibril was taken by the Special Court as a witness to a secure location and Defense 12 had not seen him since. Defense 12 could not say where the Special Court took Gibril.

Defense 12 testified that he personally saw Gibril Massaquoi participate in the campaigning of the paramount chief elections. The Massaquoi family had almost monthly meetings about the campaign, which Gibril attended. The Sierra Leonean 2002 general elections took place around the same time as the paramount chief elections. According to Defense 12, Gibril Massaquoi was also involved with the general elections, as the RUF had been transformed into a political party and Gibril was responsible for making arrangements for the party. The witness was not aware of any other role Gibril Massaquoi may have had in these elections.

According to the witness, Gibril Massaquoi was living with his wife Elisabeth Mansaray, his children and Michael Bona, his cousin, at the safe location the Special Court had arranged for him. Gibril Massaquoi also had a girlfriend, Defense 13. The witness could not tell when Defense 13 and Gibril Massaquoi had met, nor for how long their relationship lasted. They had a son, but he could not say when the son was born.

According to Defense 12, Gibril Massaquoi was also called Gaffa, which was his code name. Every commander in the RUF had a code name. Gaffa was a code name used in Sierra Leone. The witness had not heard of a person called Angel Gabriel. He knew Sam Bockarie, the second in command in the RUF after Foday Sankoh. According to the witness, Sam Bockarie left the RUF and escaped to Liberia in December 1999 when he refused Sankoh's orders. Gibril Massaquoi did not move to Liberia with Sam Bockarie. Gibril Massaquoi never had armed troops under his command in Liberia, as all of his frontline responsibilities ended in 1999 when Sankoh asked him to be his special assistant. The witness testified that: "When you are an assistant, you do not carry arms or take part in armed battle, you are more of a civilian in administration". When Issa Sesay was the leader of the RUF, Gibril Massaquoi did not have armed troops under his command.

The prosecution questions Defense 12

The prosecution began by pointing out that Defense 12 had told the Finnish police that when Gibril went to Lunsar after the 8 May 2000 attack, he had troops in Lunsar under his command. The witness responded that he remembered telling the police that Superman was the battlefield commander in Lunsar, and Gibril was with him. With Superman as the commander in Lunsar, he couldn't say that another commander could be present. The witness explained that the attack on Sankoh's residence was caused because NGOs and civilians in Sierra Leone did not believe that Sankoh was committed to the peace process and they wanted him to move faster with it. He confirmed that the RUF attack on the UN peacekeepers took place immediately after the attack on Sankoh's residence. When the prosecution pointed out that, according to public sources, the attacks against the UN peacekeepers took place before the attack on Sankoh's house, the witness responded that he could not tell whether it occurred before or after. According to Defense 12, the RUF looted the property of UN peacekeepers and took them as hostages.

Defense 12 testified that the peace process was on shaky ground after the 8 May 2000 attack was because the Lomé agreement no longer existed. When Sankoh was arrested, the RUF no longer had a centralized leadership. The senior members met in Kailahun and Issa Sesay was appointed

the interim leader of the organization. According to Defense 12, there were some RUF members who thought that there was no reason to continue the peace process after the attack and this was the reason for the peace process being threatened. The RUF was also pressured by the international community and ECOWAS, which led to Sesay's appointment and the creation of the external delegation.

The witness could not tell the exact route the external delegation took from Sierra Leone to Monrovia, only that they travelled through Kailahun in Sierra Leone. Gibril Massaquoi had not mentioned the route they took. Defense 12 could not say whether there was fighting going on in Liberia when the delegation travelled to Monrovia. Monrovia was chosen because ECOWAS leaders thought that Charles Taylor would have the best chance of getting the RUF back to the peace process.

According to Defense 12, Issa Sesay ordered him to bring reinforcements to Mendekoma and told him that the peace process was on track and that the RUF was facing a lot of international pressure to disarm, while their flank was being destroyed. That is why Defense 12 and [REDACTED] were told to bring the reinforcement troop to Mendekoma and to hand them over there. At the time, the NPFL was fighting LURD rebels. Battles were going on when Defense 12 arrived with the troops to Mendekoma in early 2001. He described that Mendekoma had been burned down. He could not tell which party, LURD or NPFL, had burned the village. According to the witness, Eagle was sent to Liberia because Issa and the RUF leadership were thinking that leaving their flank vulnerable would only create harm for civilians. Eagle was sent to Voinjama to cover the RUF's flank and to protect Sierra Leone from attacks in order to secure the peace process. Issa Sesay was afraid of the LURD rebels attacking Sierra Leone. The troops withdrew when they heard that the peace process was underway.

The witness could not remember for how long Gibril Massaquoi stayed in Monrovia with the external delegation before going to Abuja. He could not remember whether Gibril had been to Monrovia after he left Abuja and had returned to Sierra Leone. When asked how he could know that Gibril could not have commanded troops in Liberia when he could not remember his whereabouts, Defense 12 explained that Gibril was busy with the tripartite meetings after his return to Sierra Leone: "How can I say for a high-profiled diplomat who has been in a peace process to be a warlord at the same time?"

Defense 12 could not remember for how long Gibril Massaquoi stayed in Makeni before he was arrested by Issa Sesay in late 2001. After Gibril returned from Abuja, he lived in Freetown and participated in the tripartite meetings. In 2001, Defense 12 himself lived in Tongo, Kenema District, Sierra Leone. He met with Gibril once in 2001 in Tongo and once in Makeni. The witness' knowledge of Gibril Massaquoi's whereabouts was based on the peace process: "His movement was based on the peace process, because that was the time the peace process was fragile and RUF was forced to go back and at that time it was hell on him as the duty of the leader of the external delegation." He estimated that the paramount chief elections in which Gibril helped his sister to campaign took place in 2001 or 2002 and the preparations for the fishing project took place around the same time. He testified that he was not in the same town as Gibril, whom he said was living in Freetown in 2002, while he lived in Tongo, Bo and Freetown. The chiefdom in which the elections took place is called Gallinas Perry.

The witness confirmed that he had not heard of a person called Angel Gabriel. He remembered having spoken of this name with the Finnish police, who had asked him if Gibril was called Angel

Gabriel. He recalled telling the police that he does not know why people call Gibril Angel Gabriel and he explained to the court that his family had been following the trial and the news being published online and in print. Defense 12 did not have any information as to Charles Taylor's relationship with the RUF.

Defense 12 could not remember exactly what happened when Gibril was taken by the Special Court. He only knew that Gibril was being protected as a witness. Information about Gibril's co-operation with the Special Court spread because some of his family went with him and some didn't.

Witness Defense 05 is heard

The defense questions Defense 05

The defense began by asking Defense 05 how he knew Gibril Massaquoi. Defense 05 testified that he met Gibril Massaquoi during the war in Sierra Leone in 1991. He was abducted in his home region and later met Gibril Massaquoi. Gibril Massaquoi returned from Lomé in 1999 and stayed with Defense 05 and others in Freetown. Gibril was a part of a delegation throughout the war. The Lomé meeting was held in 1999, it was a peace agreement signed with Foday Sankoh. Defense 05 had not been to Lomé himself, but he met Foday Sankoh in Abidjan. After the Lomé agreement signing, Gibril Massaquoi went to Freetown, where he worked as a special assistant to Foday Sankoh. Gibril Massaquoi worked on Spur Road, Defense 05 also worked and lived there at the time. Gibril Massaquoi arrived at the office every morning and stayed until 10, 12 o'clock. They saw each other every day. They both worked there until the attack on 8 May 2000.

The witness named the people present in the office on 8 May 2000 including himself, a Nigerian, Captain Musa, Gibril Massaquoi and Foday Sankoh. They first received word that there had been an attack against the UN, which led to Foday Sankoh, Mr. Papay, sending a delegation to Lunsar to find out what was happening. They heard on the radio that the UN had gone to disarm RUF members in Makeni and shooting had broken out. They also heard that UN peacekeepers had been taken as hostages by the RUF. According to Defense 05, Foday Sankoh was very worried about the situation. As a reaction to this, people began attacking the office on Spur Road. The witness saw four bodies. They could not leave the building because they were being shot at. Finally, they managed to escape from the backyard over the fence. Those who escaped included Gibril Massaquoi, Foday Sankoh, Superman and some other men. Some others were arrested. They all went together at first but later they got separated. Defense 05 met Gibril Massaquoi in Makeni after spending three weeks in the bush. The witness heard that Foday Sankoh had been shot in the leg and was arrested during the attack.

Defense 05 testified that after the attack and Sankoh's arrest, everyone was confused and did not know what to do. This ruined the earlier peace agreement signed by Sankoh. Everyone began attacking the RUF: Sierra Leonean Army, the kamajaro. Foday Sankoh never returned to lead the RUF, Issa Sesay was appointed as the new leader. This took place in 2000 in a meeting in Kono. Defense 05 participated in the meeting, with Gibril Massaquoi, Superman and Morris Kallon. A delegation was also appointed at the meeting, as Issa Sesay had been contacted by Charles Taylor who had asked for a peace negotiation. This was how Abuja I and II got started. Gibril Massaquoi became the leader of the delegation and Defense 05, Abdul Razak and Defense 14 went to Monrovia. They travelled to Monrovia because Charles Taylor had contacted the RUF for the

negotiations. They travelled in late 2000, during the rainy season. They travelled from Koindu to Foya, Voinjama, Kolahun and Monrovia. This was the only route they knew to be secure. RUF soldiers secured the route, led by Eagle in Voinjama. Defence 05 was with Gibril Massaquoi in Makeni and Eagle was in Kailahun when Eagle was tasked to clear the road to Foya. The witness knew of Eagle's movements through radio. He was not sure if Eagle was the only RUF commander in Lofa, but when they got there, they were told that Eagle was the commander. The witness explained that he did not see anything during the journey, because he was sick and stayed in the car. He could therefore not say if there were any other RUF commanders in Lofa at the time. The witness could not remember how long it took for Eagle to clear the road for the delegation.

According to Defense 05, the delegation met with Eagle in Voinjama. They were not attacked during their travel to Monrovia. They left from Kono in the morning and arrived in the evening. In Monrovia, they stayed in a guest house. The next day, Gibril Massquoi, Issa Sesay, Morris Kallon and Defense 14 went to a meeting with Charles Taylor. After the meeting, Issa, Defense 05 and Morris Kallon returned to Sierra Leone, while Gibril Massaquoi, Defence 14 and Abdul Razak stayed in Monrovia, as they were the actual delegation. The witness explained that Gibril Massaquoi used to go back and forth between Sierra Leone and Monrovia as the delegation leader. He participated in Abuja I and Abuja II negotiations. He could not tell when Gibril Massquoi returned to Sierra Leone after he had left Monrovia. The witness did not attend the Abuja I meeting. These negotiations were about disarmament and Foday Sankoh's release. The delegation was travelling back and forth and meeting ECOWAS leaders. The witness could not tell the exact timings of these trips, but estimated they took place in late 2000. He could not remember when the disarmament process began in Sierra Leone, but it was after the peace process. Defense 05 himself disarmed in Kono.

Once disarmament started, Defense 05 met with Gibril Massaquoi in Makeni. He met Gibril Massaquoi whenever he went to Makeni. Defense 05 also met Massaquoi in Makeni after the completion of the disarmament process. The first elections were held in Sierra Leone in 2001 or 2002, after disarmament. Defense 05 met Gibril Massaquoi before the elections, but not after them. After the elections, he met with him in Freetown in a place called Light.

According to Defense 05, Gibril Massaquoi had a code name, Gaffa. When he was discussing the name Angel Gabriel with the Finnish police, it was the police who brought up the name Angel Gabriel. Defense 05 knew Sam Bockarie. He knew that Gibril Massaquoi and Sam Bockarie had problems with each other. Bockarie left Sierra Leone to go to Liberia after the Lomé agreement, as he did not want to disarm. Gibril did not go with him, he was in Spur Road, Freetown.

The prosecution questions Defense 05

The prosecution began by asking about Gibril Massaquoi as a commander in the RUF. According to Defense 05, Gibril Massaquoi was a commander with Superman in Northern Sierra Leone before the first peace agreement in 1996. He remained a commander until a ceasefire during the AFRC regime, when Johnny Paul Koroma overthrew President Tejan Kabbah. The prosecution pointed out that the witness had told the Finnish police that Massaquoi had been a frontline commander between 1999 and 2000 in Makeni and Lunsar. He replied that Gibril Massaquoi became a frontline commander again after the 8 May 2000 attack, when they returned to Makeni. Defense 05 testified that there was a satellite phone at the Spur Road office, which Gibril used to relay messages to and from Foday Sankoh.

Defense 05 confirmed that he had heard that the RUF had taken UN peacekeepers hostage. He could not remember when Gibril Massaquoi returned to Sierra Leone after the delegation had travelled to Monrovia. They did not travel through Vahun on their way to Monrovia, but travelled through Koindu, Foya, Kolahun, Voinjama. According to Defense 05, Eagle cleared the road for the delegation. He described the road clearing as a military operation of resisting attack and pushing the enemy away but could not give any further details. Charles Taylor's soldiers were in Lofa and they were attacked, but the witness did not know by whom. Eagle went to Lofa with armed soldiers. Charles Taylor had contacted Issa Sesay for the peace negotiations and Eagle's operation was related to this. Eagle's and Taylor's troops were fighting side-by-side against the same enemy to clear the road.

Defense 05 did not know for how long Gibril Massaquoi stayed in Monrovia after he had gone to Sierra Leone and returned to Monrovia. Defense 05 testified that Defense 09 was the caretaker of the guest house in Monrovia. He was staying at the guest house and taking care of those staying at the house. Defense 05 did not remember seeing a person called Ibrahim Bah in Monrovia.

The prosecution pointed out that Defense 05 was asked by the Finnish police if he has heard of Angel or Angel Gabriel and he said that Angel was Gibril Massaquoi's code name. Defense 05 replied that he did say this to the police, but when he was thinking about the issue at home, he remembered that Gibril's code name was Gaffa instead. The prosecution pointed out that Defense 05 had earlier testified that the police brought up the name, to which Defense 05 replied that he was asked whether he knew that Angel Gabriel was Gibril Massaquoi.

Defense 05 confirmed that Gibril returned to being a frontline commander in the Makeni-Lunsar area with Superman after the 8 May attack. Superman was the senior out of the two. The witness then repeated some of the different places that Gibril Massaquoi travelled to during the peace process.

April 3, 2023 – Day Forty-two

Today Monday 3 was the first day of the last week of this phase of the Appeals Court's hearings in Monrovia. The Court heard 3 more defense witnesses who had travelled from Sierra Leone to testify.

The first witness described spending a lot of time with Gibril Massaquoi during their time in the RUF. He was asked about events between 1999 and 2003, Mr Massaquoi's whereabouts in Sierra Leone and trips to Liberia that the two had made during this time.

The second witness described being a bodyguard to the RUF leader Foday Sankoh. He spoke about the attack on Sankoh's residence in Freetown, during which he was also captured. The witness spent multiple years in prison during the 2000s.

The third witness also knew Mr Massaquoi from the RUF. His questioning focused on the code names and war names Mr Massaquoi used in Sierra Leone. Also discussed was whether other people in the RUF had used similar war names to those that some witnesses had alleged that Mr Massaquoi had used in Liberia.

Tomorrow Tuesday 4 is the last day of this phase of hearings. The Court is scheduled to hear 2 more defense witnesses from Sierra Leone, before flying back to Finland. Hearings will recommence after the Easter break, on Wednesday, April 12.

April 3, 2023 [Liberia] Day 42: Former RUF members testify

Witness Defense 21 is heard

The defense questions Defense 21

The defense began by asking how Defense 21 had gotten to know Gibril Massaquoi. He testified that he had known Gibril Massaquoi since 1999, when Massaquoi had gotten out of prison with the help of the West Side Boys. They met in Lunsar, where Defense 21 saw Massaquoi with Superman aka Dennis Mingo. The witness testified that Massaquoi did not have any ongoing arguments with anyone at the time. Massaquoi was a spokesman before his prison term in 1996 and after being released, he worked on administrative and media tasks. Massaquoi did not have a military rank, but the witness heard him being called Commander. According to the witness, everyone who had an administrative role was called a commander. Massaquoi worked as a spokesman and as the head of media and communication. In the RUF, there were different commanders. Some were media commanders, others were battlefield commanders. Gibril Massaquoi was not a battlefield commander after his release, "he was just a commander."

The witness named some RUF battlefield commanders during the 1990s: Morris Kallon, Colonel Jalloh, Base Marry, Superman, and Rambo. Issa Sesay was a field commander and a former leader of the RUF, a battlefield commander. Non-combatant commanders included Gibril Massaquoi, who worked as an administrative and media commander and Edward Collins and Omrie Golley, who were media commanders.

Defense 21 stated that he had never been an RUF member himself. He used to work in intelligence and as a mediator between the RUF and the Sierra Leonean government. Within the RUF, he had been in contact with Gibril Massaquoi, Abdul Razak, Omrie Golley and Kenneth. Defense 21 was involved in the NCDDR, the National Disarmament, Demobilization and Reintegration Council by training ex-fighters. He also had a project for agricultural development. Defense 21 testified that his connection with Gibril Massaquoi was based on a task given by his boss, who sent him to keep contact with the RUF as a liaison officer for President Tejan Kabbah.

The witness testified that Gibril Massaquoi was in Lunsar and Makeni in 1999 after his release from prison. He was trying to mediate the peace process. Defense 21 met him in Makeni. Gibril Massaquoi had been appointed to lead a delegation in Kono in August 2000 until February 2001. After his release from prison, Gibril Massaquoi remained in Lunsar and Makeni until late 1999 or early 2000, when the UN flew him to Freetown. Before the attack on 8 May, Massaquoi worked as Foday Sankoh's personal assistant. There was a discussion in court as to the year that Massaquoi began this role. The witness explained that Massaquoi worked on Spur Road at Sankoh's office. He met Massaquoi during this time period, sometimes weekly, sometimes monthly, describing him as a personal friend of his. The witness was not present on Spur Road when the attack took place on 8 May 2000. He learned about the attack from the news. Gibril Massaquoi was lucky and managed to escape with his colleagues to Lunsar. Defense 21 met him in Lunsar after the attack. According to him, the reason for the attack was the arrest of peacekeepers by Issa Sesay and others. Foday Sankoh was captured in the bush and he held in Pademba Road Prison. After the attack, Issa Sesay led the RUF.

Defense 21 testified that between 1999 and 2001 he moved back and forth between Lunsar, Makeni and Freetown until the beginning of disarmament. In Makeni, he and Massaaquoi lived together in the defense headquarters. In 2000 Gibril Massaquoi was Sankoh's personal assistant, he negotiated peace treaties and went to Kenema to participate in the tripartite meetings in August 2000. Between August 2000 and February 2001, Massaquoi was a delegation leader and he visited Monrovia, Mali and other places. Massaquoi went to Monrovia with Abdul Razak and Defense 14. The witness was not involved in these travels, but he met with the members of the delegation in Makeni in connection to his mediation tasks and learned about their movements there. Defense 21 was not aware where Massaquoi's residence was located during the negotiations in Monrovia but stated that he had a rented apartment. Before the 8 May attack, Massaquoi rented an apartment in Murray Town, Western Freetown. When Massaquoi returned in February 2001, he worked for peace, led the delegation and participated in almost all the tripartite meetings. Defense 21 testified that they were together at the time. Massaquoi's last visit to Monrovia was in February 2001. The witness could not remember exactly when the tripartite meetings began but estimated that it was during 2001.

The witness explained that he was staying and travelling with the RUF delegation and Massaquoi during the tripartite meetings. This is why he knew that Massaquoi participated in all of the tripartite meetings except for one meeting in Makeni in November, because he had been flown to Freetown, because Issa wanted to kill him. Defense 21 testified that he personally called Major Oladipo to prevent this from happening and Gibril Massaquoi was flown to Freetown in October 2001. Issa Sesay wanted to sabotage the peace process. After his evacuation from Makeni, Gibril Massaquoi lived in East Freetown and from there he moved to Thunder Hill. Defense 21 testified that he frequently met Massaquoi at the time, they were close friends. Massaquoi lived with his wife Lizzie and two of his children. The witness met Massaquoi weekly in Freetown. Massaquoi participated in human rights meetings, the reintegration of soldiers, and the return of refugees.

The NCDDR had projects to provide training to former fighters and Massaquoi had a fishing project in Gbundapi that was never completed. Massaquoi was with the Special Court when the project was supposed to be implemented. The fishing project was accepted in late 2000 and it was supposed to be implemented in 2003. Defense 21 completed his own project. Massaquoi was given this project after his evacuation to Freetown. He had made preparations for it, he had staff and funding ready.

Defense 21 testified that Gibril Massaquoi did not participate in political activities in Sierra Leone. After his evacuation from Makeni to Freetown in late 2001, Massaquoi did not have a role in the RUF. He participated in human rights meetings and had a conflict with Issa Sesay. The witness estimated that the war in Sierra Leone ended in 2000 or 2002. Gibril Massaquoi cooperated with the Special Court as a witness. Defense 21 had been involved in one meeting between Massaquoi and Alan White, the prosecutor of the Special Court, maybe in early 2003.

The witness had been to Liberia in 2002 right after the elections in Sierra Leone to pick up Massaquoi's daughter. The child was eight years old when Defense 21 came to pick her up, he met her mother on his trip, who told him that she was born in 1994. The witness did not bring anyone else from Liberia to Sierra Leone. It was a difficult time as Klay Junction was being attacked. The witness picked up the child from the city center in Monrovia, a person called [REDACTED] gave him the child. The witness confirmed that Gibril Massaquoi had a girlfriend, Defense 13, in Monrovia. He did not meet Defense 13 on his trip to Monrovia, but, in Freetown, she had given him the address to pick up the child. Defense 13 had that address because she had lived in Monrovia before. She has a son, who was born in 2001 or 2002 in Freetown. Defense 21 knew that this child was born in Freetown because he had visited Defense 13's home in Tengbeh, Freetown. He confirmed Gibril Massaquoi as the father of the child. The witness gave the name of the mother of the child whom he had picked up from Monrovia, and stated that she passed away beforehand. Gibril Massaquoi did not go get his daughter himself, because he was in Freetown he could not access Monrovia anymore. This was because the Special Court had begun its work and Charles Taylor had killed some of his commanders, such as Mosquito and Superman. In Makeni, it was the mother of the child who had asked him to get the child from Monrovia, as she was very sick.

According to Defense 21, Gibril Massaquoi was afraid for his life at the time. He was placed in the safe house by the Special Court on 10 March 2003. The witness knew the date, because he went to the Criminal Investigation Department and Issa Sesay and Morris were arrested. He had met Lizzy, but never saw Gibril Massaquoi again. Defense 21 went to visit Gibril in 2008 a few days before he left for Finland. The house was in the Light District in Freetown. The defense pointed out that the witness had testified in the lower court that Gibril had also visited his home, which he denied. At the safe house, there were some armed guards, some of them knew Defense 21. The witness also met Gibril three times in his convoy, and the last time they met was just before Gibril left for Finland.

The witness was not aware of any truck that Gibril Massaquoi might have owned or had under his command. He had heard of a man transporting rice and cocoa to Voinjama in a car, but he could not remember the name of the driver. The witness had not heard of [REDACTED], but he had heard of a driver called [REDACTED], who was a civilian transporting foodstuffs in Sierra Leone, between Magburaka and Makeni. Base Marry was the commander in Magburaka at the time. According to Defense 21, Gibril Massaquoi did not smoke tobacco.

The prosecution questions Defense 21

The prosecution began by asking Defense 21 to confirm what he had said about Gibril Massaquoi not being a military commander after his release from prison. The witness confirmed this, and explained that Gibril Massaquoi fought once in Makeni, when he had to defend himself from an attack by Issa Sesay in 1999. The prosecution pointed out that the witness had testified in the lower court that Massaquoi had fought alongside Superman with his men until early 2001 in Lunsar. The witness confirmed this, saying that this was where Gibril Massaquoi had to defend himself against Issa Sesay. Lunsar was not a battlefield, disarmament began there in 1999. The witness then corrected the year 2001 to 1999. He described the fight between Massaquoi and Superman against Issa Sesy: "When Massaquoi came to Lunsar, he and Superman they went to Issa Sesay and he said their Leader Foday Sankoh was calling him and he was not responding. Issa attacked them, it was an in-fight between Superman and Issa Sesay, a fight between the two commanders, a battle of supremacy between the two".

Defense 21 confirmed that he had never been a member of the RUF. His information on these internal affairs of the RUF was based on him being in Makeni and Lunsar as part of the peace process. He was providing training to RUF fighters and disarming them, so he got to know a lot of things about the RUF. He clarified that he was tagged as an RUF collaborator. This was the reason he had to escape from Freetown to Lunsar after the 8 May attack: "At that time angry youths were just catching people with no former trial and just putting a tire on them and burning them." As he was not an actual soldier, he had to be careful about the accusations of his cooperation with the RUF.

The witness lived with Gibril Massaquoi in Makeni from 2000 until October 2001, when Massaquoi was flown to Freetown. They were not together every day, but they saw each other most of the time. Sometimes Gibril went on his peace missions and they would not see each other for a while, but they were together whenever they were both in Makeni. The periods in between were not long, less than a month at a time. Defense 21 was not a part of the delegation, so he did not go with Massaquoi on his peace missions. When the delegation went to Monrovia in August 2000, they met with ECOMOG and ECOWAS. The witness testified that he was told that they went to discuss the peace process, but nobody mentioned
discussing diamonds or ammunition.

Defense 21 confirmed that he did not participate in the tripartite meetings. His information about Gibril Massaquoi's participation in these meetings was based on what Massaquoi had told him. He was with Massaquoi until he boarded the UN helicopter to go to the talks. Massaquoi was picked up from Makeni by helicopter four times between 2000 and November 2001. Issa Sesay and Massaquoi had a conflict about the peace process after the Lomé agreement, before the elections, because Issa wanted to go to Kailahun with soldiers and disturb the peace process. Issa also accused Massaquoi of being a member of the SLPP in November 2001 and he wanted to kill him.

The witness then described Massaquoi's fishing project: "It was late 2002 and early 2003. He had trained staff to train the ex-combatants in fishing in Gbundapi". Massaquoi did not train these fighters himself, he had staff to do the training. Massaquoi himself was preparing the project and writing a proposal for the NCDDR in late 2002 in Freetown. The witness could not say how long it took to write the proposal. Gibril Massaquoi never returned to Monrovia or Makeni after his return to Sierra Leone in February 2001. Defense 21 had not heard of Massaquoi being in Liberia

in summer 2001. He did not go with anyone to pick up Massaquoi's daughter from Monrovia in 2002 and they returned to Sierra Leone alone. The prosecution pointed out that the witness had testified in the lower court that he had also picked up Massaquoi's wife in Liberia.
He responded that Massaquoi's wife was not in Monrovia but in Freetown at the time, he just went to pick up Massquoi's daughter.

According to Defense 21, Massaquoi could not come to Liberia in 2002 as he was not a part of the RUF anymore, he had problems with the RUF leadership and had no protection. The witness had heard that Mosquito, aka Sam Bockarie, had been killed in Liberia by Charles Taylor in 2002. This was before he went to pick up Massaquoi's daughter. The witness explained that he himself was 'indirectly' arrested when the arrest of Morris Kallon and Issa Sesay took place. He described the incident: "I was mediating between Issa Sesay and Massaquoi. So they said the Director of the CID invited Gibril Massaquoi to the CID headquarters. So I went along with Massaquoi to the CID and that was where we saw the police and they arrested Morris, Issa and all of us, but later we were all released, March 10, 2002. That day, Issa was arrested and Gibril was taken to safety".

According to Defense 21, the guard who knew him at Gibril Massaquoi's safe house was Defense 08. When he was coming back from Liberia to Sierra Leone in 2002 with Massaquoi's daughter, he travelled from Freetown, to Zimmi, to Bo Waterside and back. He had to take this route by the coast, because LURD rebels had attacked Klay Junction.

Final questions from the defense

The defense referred to the witness' interview with the Finnish police, where he had stated that there had been a serious clash between Gibril and Superman, and Issa Sesay and Rambo. People were killed, including Rambo. The witness confirmed this. Gibril returned to Lunsar after this clash in late 1999. According to Defense 21, Gibril was never against peace.

Questions from the court

The court asked the witness to clarify what he had testified about the safe house. Defense 12 explained that the last time he met with Gibril Massaquoi was two days before he left for Finland. He had visited Gibril Massaquoi many times in the safe house as he was a family friend. Massaquoi also came out of the safe house with an escort, but he did not visit the witness' home. He saw Massaquoi's convoy three times. These encounters took place when Defense 21 was on his way to Massaquoi's safe house and happened to see him in the convoy. The witness visited Massaquoi in various safe houses between 2003 and 2005.

According to Defense 21, after his evacuation from Makeni to Freetown, Gibril Massaquoi did not return to Makeni.

Witness Soldier 41 is heard

The defense questions Soldier 41

The defense began by asking how Soldier 41 had gotten to know Gibril Massaquoi. The witness testified that he had met Gibril Massaquoi during the RUF war in Sierra Leone in 1991. They were both members of the RUF. Later, Massaquoi became an RUF frontline commander, he had this position from 1994 to 1997. When the AFRC came in 1997, Johnny Paul seized power from

President Kabbah. Johnny Paul called in the RUF and the two groups ruled Sierra Leone for about nine months until they were removed from power. Gibril was not a commander at the time, because he was not appointed as a minister.

The witness explained that Gibril Massaquoi left Makeni in Northern Sierra Leone and went to Corporal Foday Sankoh in Lomé. He returned to Makeni after the signing of the Lomé agreement between the Sierra Leonean Government and the RUF on 7 July 1999. It was agreed that the RUF should move on to political activities and have an administrative structure, so Foday Sankoh appointed Gibril Massaquoi his personal assistant in Freetown. The witness saw Massaquoi leave for Freetown in October 1999. He was a bodyguard for the late Foday Sankoh along with others such as including Defence 05 and Akem Turay. They all came to Freetown in October and worked at 56 Spur Road. Gibril Massaquoi lived in Murray Town, but he came to work at Sankoh's residence every day. Soldier 41 saw Gibril Massaquoi every day.

Solider 41 testified that he worked on Spur Road until the events of 8 May 2000. He listed the people present at the house that day: Gibril Massaquoi, Superman, Momoh Rogers and other bodyguards. They all scattered and Gibril Massaquoi found a way to get to Makeni with Superman. Soldier 41 was arrested and detained in Pademba Road Prison. He was released on 6 September 2007. The witness knew Sam Bockarie, he was an RUF field commander until the signing of the Lomé agreement in 1999. After that, there was an internal problem and Sam Bockarie came to Liberia. Gibril Massaquoi did not come with Sam Bockarie to Liberia.

The witness explained that Gibril Massaquoi was also called Gaffa, it was a code name used on the radio. Some people called him Gibo, short for Gibril. Soldier 41 had met Massaquoi once after getting out of prison. They met in 2007 in Freetown at the Youyi building near the Light District. He met Massaquoi, his wife and children inside a house, an upstairs building. Soldier 41 understood that at the time, Massaquoi was working with the Special Court for Sierra Leone, but he did not know any details. He had heard that the Special Court was ensuring Massaquoi's safety. He did not see any security guards at the house. The defense pointed out that Soldier 41 had testified in the lower court that he had met Massaquoi in Freetown in a building that had Sierra Leonean security guards inside arranged by the Sierra Leonean police. Soldier 41 confirmed this, he was not sure why the security guards were from the Sierra Leonean police since the Special Court had its own UN staff.

The prosecution questions Soldier 41

The prosecution began by asking about 1999, when Soldier 41 had said that they had had a large group of people coming to receive Foday Sankoh in Monrovia. The witness explained that they lived in Congo Town, because they had been given a place there. When they left, Defense 09 took care of the place from October 1999 until Charles Taylor escaped from power.

The arrest of the peacekeepers took place before the attack on Sankoh's residence on 8 May 2000. The RUF had arrested them in RUF controlled areas. When he was in prison, Soldier 41 had heard that Gibril Massaquoi came to Liberia in relation to the peace process. He heard that when the peace process collapsed, Gibril Massaquoi and others went to Makeni and started to renegotiate it. Soldier 41 explained that they sometimes had a radio in prison and people would sometimes bring news from all over the country. He found out about Massaquoi's participation in the peace negotiations through radio broadcasts.

Soldier 41 explained that Gibril Massaquoi used the code name Gaffa since he became a commander. He was using it when Soldier 41 was arrested on 8 May 2000. After the Lomé agreement, Gibril Massaquoi did not use any code names, because he was a politician. The witness was certain of this, because he had met his former comrades after getting out of prison and they would have told him if Massaquoi would have used any other code name.

The witness saw Massaquoi during the same month when he got out of prison. He only met with Massaquoi once before leaving Freetown. When asked how he knew that Defense 09 stayed at the building in Monrovia until Charles Taylor's surrender, he responded that that was where they had left him.

Witness Soldier 43 is heard

The defense questions Soldier 43

The defense began by asking how Soldier 43 met Gibril Massaquoi. He testified that they met when they were fighting for the control of Sierra Leone in 1991. Gibril Massaquoi was arrested in 1999 after the attack on Freetown and was in prison. Massaquoi was with Foday Sankoh in 1999, their cooperation began that year. When Foday Sankoh was in prison in 1999, Massaquoi was in Makeni as an administrative leader. The defense pointed out that Sankoh was arrested in spring 2000, which the witness confirmed. Soldier 43 was in Tongo at the time. He knew that Massaquoi was in Makeni, because Makeni was the RUF's headquarters at the time and all senior leaders were there. Issa Sesay was in charge of the headquarters in Makeni.

The witness described Issa Sesay and Gibril Massaquoi's relationship as 'bitter'. Soldier 43 and others were arrested in October 2001, because they supported Gibril. Issa Sesay accused Gibril of instigating younger commanders to oppose him. Issa did not want to disarm. The problem between the two RUF leaders arose when Gibril was flown to Tongo by the UN.

Soldier 43 testified that Gibril Massaquoi and Foday Sankoh went together to the Abidjan peace agreement negotiations. When Sankoh was arrested in Nigeria, Gibril was there with him. The defense pointed out that Sankoh was arrested in Nigeria in 1997, which the witness confirmed. After 1999, when Foday Sankoh was in Freetown, Gibril Massaquoi was with him. Soldier 43 was not in Freetown, but he had heard of this from someone working in the peace committee.

The witness could not remember Gibril Massaquoi travelling outside Sierra Leone after Sankoh's arrest. He knew Sam Bockarie, he was one of their commanders. He left the RUF in 1999 and came to Liberia. The witness heard that he died there. Gibril Massaquoi did not come with Sam Bockarie to Liberia, as they were not on friendly terms. When Bockarie left for Liberia, Massaquoi was in Makeni as an administrative chief. According to Soldier 43, they used to call Gibril Massaquoi Godson for all the challenges he had to face during the war.

Soldier 43 had heard of Angel Gabriel, he was an RUF soldiers. He was located at the Rutile Mining Company in Sierra Leone. He was lower ranking than Soldier 43, he was the younger brother of the witness' wife during the war. The witness provided Angel Gabriel's real name to the court. After coming to court, the witness had asked his friends for this name. He confirmed that he participated in combat in Sierra Leone as an RUF fighter. According to Soldier 43, he fought from 1991 to 1997 or 1998. Angel Gabriel is still alive, the witness heard that he

now lives at the border. Soldier 43 had also heard of another Angel Gabriel, but he had died in 1994 or 1995. Soldier 43 had met him personally, he was Temne, they trained together in 1991.

The prosecution questions Soldier 43

The prosecution began by asking about Soldier 43's stay in Tongo with Massaquoi. The witness testified that this was around the 20 October. Massaquoi came to Tongo to talk to the men there, as peace had been signed. He told them that their struggle was coming to an end and advised them to not listen to Issa Sesay, who was in control of the mines. The RUF needed money to change into a political party. Soldier 43 was located at a diamond mine in Tongo. Issa Sesay had told Gibril Massaquoi to not go to Tongo, but he had gone anyway. Issa then accused Massaquoi of treason. Soldier 43 explained that Issa wanted the profits of the mines for himself and Gibril told them that they should not listen to Issa, who just wanted to enrich himself.

The witness testified that the diamonds from the Tongo mines went to Issa Sesay. He had once heard that Issa had gone to Liberia with the profits from the mines and Charles Taylor had him arrested. There were rumors going around the frontlines that Issa was taking large amounts of diamonds to Charles Taylor. According to Soldier 43, Taylor was like a father figure to the RUF, because he had helped the RUF at the beginning of the war in Sierra Leone, stating that the RUF came from Liberia to Sierra Leone. Foday Sankoh had brought the movement to Sierra Leone. Between 1999 and 2003 the relationship between RUF and Charles Taylor's NPFL was not as good, ULIMO was present at the border. The RUF was present in Liberia from 1991 to 1996 or 1997. They had a supply route going from Sierra Leone to Voinjama before Mosquito left the RUF. Soldier 43 had not been in Liberia to personally witness the use of this supply route. He testified that he had been in Liberia in 1991 and 1992 fighting with the NPFL but had not been in the country since 1996 or 1997. Gibril Massaquoi was also on the Liberian side of the border at the time. He was delivering food to the soldiers who had been ambushed.

When asked how he knew that Gibril Massaquoi had not travelled abroad after Sankoh's arrest, Solder 43 explained that Massaquoi was an administrative person and commanders like himself always knew where he was. He could not remember Massaquoi travelling abroad after the problem in 2001. Massaquoi had not told him that he had travelled to Liberia in summer 2001, he could only remember Massaquoi travelling to the peace talks with Sankoh.

According to Soldier 43, the Angel Gabriel who had died in 1994 or 1995 was not a commander, he was a corporal. This Angel Gabriel did not fight in Liberia before his death. As for the other Angel Gabriel, the witness speculated that he finished fighting in 1997 or 1998 because that was the last time he saw him. The witness had seen him fighting with the RUF in different parts of Sierra Leone. He speculated that this Angel Gabriel is currently alive and in Liberia, because he had spent lots of time at the border area. The witness had also heard from Angel Gabriel's that his sister, the witness' ex-wife, was in Liberia. Soldier 43 finally testified that he could not tell where this person currently is. According to Soldier 43, Gibril Massaquoi knew this Angel Gabriel. Soldier 43 had spoken about Angel Gabriel with the current president of the RUFP. He began asking about this name after the first trial.

Final questions from the defense

Soldier 43 further testified that in 1998, the RUF was present all over Sierra Leone. His commander was [REDACTED].

April 4, 2023 – Day Forty-three

This Tuesday 4 April was the last day of this round of hearings in Monrovia.

The Appeals Court heard two witnesses, both from Sierra Leone. The first witness had worked with the Witness Protection Unit at the Special Court of Sierra Leone. He described the high security arrangements surrounding the safehouses and highlighted the fact that no one living inside them could have left without prior agreement and with a security detail. The second witness was a family member of Gibril Massaquoi, who testified to him being in Sierra Leone at different periods across 2001 to 2003, to help her with her Paramount Chief election campaigning.

The Appeals Court will be flying back to Finland over the next few days. There will be a break for Easter, and then the hearings will continue again in Turku.

April 4, 2023 [Liberia] Day 43: Final day in Monrovia

Witness Defense 08

The defense questions Defense 08

The defense began by asking Defense 08 about his work for the Special Court for Sierra Leone. The witness testified that he began working for the Special Court in 2003. Before that, he worked as a police officer. He worked for the Special Court until 2010 as a security guard. He protected Gibril Massaquoi from March 10, 2003. He was guarding a safe house on Pipeline, the first one that Gibril Massaquoi was placed in. It was located on Wilkinson Road, after Congo Cross.

Defense 08 had sent photographs of this safe house to Saleem Vahidy, he had taken them himself. The defense showed the photographs to the witness, they had been included in case file. The witness identified the fence and barbed wire in the photographs and confirmed they were there when Gibril Massaquoi lived in the house. He was brought in on 10 March. The witness began working on 7 March. Gibril Massaquoi lived in the building for one year. There were other people being protected by the Special Court at the time. Different people had different security levels. Gibril Massaquoi was a high-profile witness, a key witness. His protection was different from those who were just monitored: he had security guards in the safe house. Those without security guards were still checked on every day, despite not having full-time security.

The witness explained that Gibril Massaquoi had 24-hour security every day of the week from the very beginning. In the morning there were two security guards, one of them was armed. They had three shifts, morning, afternoon and night. The morning shift ran from 7am to 2pm, and the night shift began at 8pm. Gibril Massaquoi came to the safe house with his family. This included his wife Elizabeth, his children, and Michael Bona. Defense 08 did not know Gibril Massaquoi or his family before they came to the safe house. He knew the other guards before he started working at Massaquoi's safe house, they were all former policemen.

Defense 08 described that with every shift change, the guards would mark down the change of guards in a logbook and they would check that the witness and their family were present in the

safe house. This check was conducted every time the shift changed. Gibril was called Goofy in the logbook. They would write down that Goofy and the family were safe in the logbook. There was only entrance to the property: a bigger gate for cars and a smaller gate. The gates were normally locked. The house itself had two doors, a front door and a back door. These doors were also locked.

The witness testified that Gibril Massaquoi could not move freely from the safe house in 2003. He did not leave the safe house unless he was called by the Special Court office to a meeting. The deputy chief at the office would receive all requests for Gibril to leave the safe house. The security guard on duty would send the request to the office. Defense 08 testified that Gibril never left the safe house at his own request without a security guard. On request, he could leave the property with guards. Sometimes the guards took Gibril to a meeting with his lawyer or just drove him around the city. If the Special Court wanted to meet with Gibril, the OTP [Office of the Prosecutor] sent a request to the VWS [Victim and Witness Section], who then directed the request to the guards on duty at the safe house. It was either the chief of WVS, Saleem, or the deputy chief, who notified the guards that they needed Gibril at a certain time. The guards would then notify Gibril, so that he could be ready to leave when needed. Somebody on staff would drive Gibril to the meetings with OTP. The duration of these trips depended on the OTP's needs, but according to Defense 08, Gibril never stayed overnight. Gibril never spent the night outside the safe house.

Defense 08 testified that, in 2003, he only had one day off per week. For six days a week, he was either guarding a safe house or working at the office. He saw Gibril every day, even if he was working at the office, he would still go and check on every witness daily. He added that it would have been very risky for Gibril to leave for several days. They had 24-hour security and the guards checked the apartment twice a day.

Gibril Massaquoi's role as a high-profile witness was based on his testimony and role as a witness. It was decided by the OTP. The witness testified that if Gibril left the safe house, he would have been killed. He was threatened by his colleagues, but the witness could not say who they were. In 2003, they took Gibril outside the safe house only once every two or three months, as the situation was very tense. After his testimony, Massaquoi was not allowed to go outside without a request. They took him to drink palm wine in 2003, but the witness could not provide an exact date. Massaquoi never broke the rules of the safe house. Defense 08 could not say if Gibril had left the safe house to go to a funeral after 2003. Gibril Massaquoi was given a weekly allowance that he had to sign for. When the first safe house began, there was a cook that cooked for the family. She worked there until the end of the trial. Massaquoi received the allowance personally in cash, he had to sign for it. The security guard working at the office brought the money every Friday.

Defense 08 testified about the threat to the safe house. He was not there, but his colleague was present at the house. His colleague was attacked at the third safe house in Kington. The attacker was armed and there was a struggle with a security guard, who was injured. Gibril Massaquoi and his family remained safe during the attack. After the attack, they changed safe houses.

The witness repeated that when he started working at the safe house, there were two guards per shift and one of the guards was armed. Later, when they changed the safe house after the attack, there was an armed guard permanently stationed outside. Over time, up to 15 security guards were added. At the very beginning, there were only four guards in total. The colleagues

threatening to kill Massaquoi were from the RUF. They wanted to kill him because he had testified against them. Massaquoi never left the safe house without the guards being aware, the gate was always locked. Massaquoi's safe house had the highest security level. The people living in the different safe houses did not know who else was in the other houses nor where they were located.

Defense 08 knew Defense 09, he was also a witness of the Special Court. His safe house did not have security guards, the guards just went there to check on him every day. He was allowed to move outside his safe house. The witness also knew Y9, another protected witness. At the beginning, Y9 had security guards but his security was later reduced after his testimony in court. The witness estimated that Y9 came under their protection in 2004 or 2005. The witness named two other people who had the same security level as Gibril Massaquoi.

The prosecution questions Defense 08

The prosecution began by asking about the date when Defense 08 began working for the Special Court. The witness testified that he remembers the date so well because he still has an employee ID card that specifies the first day he worked at the Special Court. He did not have this ID card with him during the hearing. He remembered the date of Gibril Massaquoi's arrival, 10 March 2003, because he had picked him up from his apartment. The witness showed various employee ID cards that he had received from the Special Court, the first of which showed an expiry date of 7 March 2005. The prosecution pointed out that the witness had testified in the lower court that Massaquoi arrived on 8 March 2003. The witness denied this and insisted that he had testified that he arrived on 10 March 2003. The prosecution further pointed out that he had told the Finnish police in his interview that Massaquoi had arrived at the safe house in May 2003. The witness denied saying so and suggested that the police made a mistake. He insisted that the date was 10 March 2003, because Massaquoi was the first witness that was brought into the safe house, a few days after the witness had begun working there. According to Defense 08, the date was recorded on a document somewhere. The witness could not produce the document for the court. He testified that he remembered that date of Massaquoi's arrival so much better than Y9's because Massaquoi was their first witness.

Defense 08 testified that the first safe house in Pipeline, on Wilkinson Road, and had two stories. There was one room downstairs and four rooms upstairs. Massaquoi and his family lived upstairs. During his witness protection, Gibril Massaquoi lived in four different safe houses. The second was located on Jomo Kenyatta Road, near the Special Court. The third was located in Kington and the fourth in Light, coming from King Harman Road. The witness could not remember the address of the third safe house. He testified that Gibril Massaquoi lived in the first safe house for almost exactly one year. The witness could not recall the date of the attack on the third safe house.

The witness then explained the security guards' shifts. For the first few days, there were four guards in total, until they received a few more guards and began working in shifts. They worked in three shifts. During the first few days, when there were only four guards, they worked very long days. Two guards would work a 24-hour shift throughout the day and night and the next morning, two others would come and relieve them. This arrangement continued for approximately two weeks. After receiving additional guards, they began working in pairs during each shift, three shifts a day with six guards in total.

Defense 08 described the rotation list that specified when a guard would work in the office or at the safe house. Office work did not take place at night. Gibril Massaquoi's safe house was checked twice per day during shift changes in the morning and in the afternoon. Every safe house was also checked every day by the guard working in the office. Mr Massaquoi had to sign a document for the allowance and Defense 08 checked the document for his signature every Friday when he was working in the office. The security guards also worked as drivers. Defense 08 testified that even on days where he was assigned driver duty, he would still perform checks on every safe house.

The witness further testified that the cook, H4, was working at Massaquoi's first safe house. She arrived there the next day, on 11 March and worked for over a month. Massaquoi's family did not have a key to the doors downstairs. The family had access to the yard without the guards present, as the property had a fence. Children could not leave the property but could go outside in the yard.

Defense 08 knew that Massaquoi's life was in danger because he was a high-profile witness who had 24/7 security arrangements. He named the 3 other guards with him at the beginning. Michael Bona, Gibril Massaquoi's brother, is currently in Finland. The witness had spoken with Gibril Massaquoi and Michael Bona after 2010, when he stopped working at the Special Court. They met whenever Massaquoi and Bona came to Freetown, and sometimes he and Gibril talk on the phone. The last time Michael Bona visited him in Freetown was in late 2022. He walked past Defense 08's office and told him that he had been asking around for him. Michael Bona only came to say hello, they did not discuss Gibril nor his arrest in Finland. The witness did not become aware of Gibril Massaquoi's arrest until Mikael, a Finnish policeman, came to his office to interview him. The prosecution pointed out that the witness had told the Finnish police that Michael Bona came to visit him in October 2020. The witness replied that he cannot remember the month, Bona just came to say hello and he had not heard from him since.

Further questions from the defense

The witness testified that Michael Bona did not give him any instructions regarding the safe house or how to answer questions relating to Gibril Massaquoi or the safe house.

Questions from the court

The court had a few remaining questions for the witness.

Defense 08 testified that the person wounded in the attack on the safe house was the attacker, who was wounded by the security guard. The witness only met with Michael Bona once. They had not met after his hearing at the lower court. In 2003, the Massaquoi family did not have any visitors. After his testimony, there were some visitors. His family members came to visit him before he left. Even after his testimony, Mr Massaquoi was not allowed to visit friends without the security guards.

The witness confirmed that he had spoken with Gibril Massaquoi recently on the phone, they talked about their families. The court pointed out that he had mentioned a different number of guards in the lower court. The witness insisted that there were four guards in the beginning and gave their names to the court.

Witness Defense 18 is heard

The defense questions Defense 18

The defense began by asking Defense 18 to explain her role as a Paramount Chief. The witness testified that she is a traditional leader in a chiefdom. Her chiefdom is the Gallinas Chiefdom in Pujehun district, Southern Sierra Leone. Her term began on 13 April 2019. She had tried to run for Paramount Chief in 2002 but had not succeeded. As Paramount Chief, she leads the whole chiefdom and makes all the decisions. The witness testified that Gibril Massaquoi is her cousin, but traditionally she calls him her brother. In 1999, Gibril Massaquoi was in Freetown. The government was trying to restore law and order in the country and chiefdom elections were being planned. The witness met Gibril Massaquoi in Freetown in relation to these paramount chief elections. Before the 2002 elections, the previous leader of the Gallinas-Perry chiefdom had been elected in 1973. The chief elected in Gallinas-Perry before 2002 was Defense 18's father. He ruled the chiefdom for 14 years. In 2002, Defense 18 was running against PC Issa Bemba Kamara, Mohammed Mansaray, Mohammed Massaquoi, James Galiwa Massaquoi and others, there were 7 candidates altogether. PC Issa Bemba Kamara had gotten elected in 2002. Defense 18 sometimes met Gibril Massaquoi at his home in Murray Town, sometimes at Foday Sankoh's residence. She knew that he was involved with Foday Sankoh but wasn't sure exactly what for. Her campaign in the 2002 elections began in 1999, but the process was slow due to disarmament. According to Defense 18, it is common that campaigns in paramount chief elections take years. Originally, the elections were supposed to take place in 1999 or 2000 but they were postponed because there was not enough money for disarmament. The second time the elections were postponed was in 2002. Then, they all campaigned and Defense 18 lost.

The witness explained the campaigning process. They went to villages and towns in the chiefdom and talked to people. They put posters in public places and when the elections were postponed, they wrote over the year with the new year. Gibril Massaquoi was also involved in the campaigning. He planned campaign meetings, provided them with vehicles, and worked as the secretary of the campaign team. Gibril Massaquoi was also involved in visiting the towns and village in the Gallinas chiefdom. They went on four-day campaign trips every month and would return to Freetown. The campaign team had multiple meetings and Gibril prepared reports on the campaigning efforts. By the end of 2001, the campaigning became more intense as the elections were coming up. Everybody was campaigning more and faster. At the time, they campaigned almost every day. They would either go somewhere to campaign, or invite people to meet them. Gibril Massaquoi also participated in this phase of the campaign and invited people, the witness stated: "All of us, we did it as a family, we speak with one voice".

Defense 18 was not aware whether Gibril Massaquoi participated in other elections in 2002. Gibril was a part of a movement in 2000 to 2001, they used to meet in Sankoh's apartment. The government had asked them to come out of the bush and Gibril participated in the peace process later, in the Lomé peace negotiations and in Ivory Coast. Gibril Massaquoi travelled with Sankoh to Lomé and Togo. He also participated in the peace negotiations in Sierra Leone, but the witness did not know any details.

The witness had seen Gibril Massaquoi after the 2002 paramount chief elections. They met in early 2003 in Freetown, on Hannah Benka Coker Street near the Youyi building. The witness was on her way back from a funeral and happened to see Gibril on the street. They stopped to say hello and see how everyone was doing. At the time, Gibril was living in Kissi, Thunder Hills.

The prosecution questions Defense 18

The prosecution began by asking about the Gallinas-Perry chiefdom, currently known as Gallinas. The chiefdom did not have a chief between 1990 and 2002 because of the war. The witness confirmed that the election in which she ran took place on 10 January 2002. The prosecution referred to a piece of evidence, a study from Harvard University on the chiefdoms of Sierra Leone. The witness confirmed that the man who got elected in 2002, Issa Bemba Kamara was also called Alhaji J B Kamara Kroma as noted in the evidence, that was his previous name. The prosecution referred to the piece of evidence, which indicated that the next elections after the death of Defense 18's father were held in 2005. The witness denied this, stating that she went to university in 2005, and her mother died in 2005, 3 years after the election.

Defense 18 testified that they conducted campaigning trips in 1999, 2000 and 2001. After the attack on Sankoh's house, she did not see Gibril Massaquoi until 2001 in Freetown. The attack took place on 8 May 2000, and the next time she saw Gibril Massaquoi was in November 2001 in Thunder Hills. She confirmed that Gibril Massaquoi did not participate in the campaigning between 8 May 2000 and November 2001, they all had a break because the country was in a state of instability. After November 2001, Gibril participated in numerous campaigning trips, because the elections were so close. According to Defense 18, there were more than ten trips. Gibril Massaquoi also drafted reports about the campaigning, for example in late 2001.

The witness had not met Gibril Massaquoi after February 2003. Gibril had not told her that he would have gone to Liberia.

Finally, Defense 18 showed a campaign poster to the court.

April 12, 2023 – Day Forty-four

Today, the Court had its first hearing back in Finland after returning from Liberia. It heard two witnesses called by the Defense.

The first witness, a family member of Mr Massaquoi, described life under the protection of the Special Court for Sierra Leone after Mr Massaquoi agreed to testify.

The second witness, a former official at the Special Court, was asked about the details of Mr Massaquoi's witness statements and the protection he was afforded by the Special Court.

The Court will continue tomorrow by examining various types of evidence and hearing one additional witness.

April 12, 2023 [Finland] Day 44: The Court returns to Finland

Witness Michael Bona is heard

The defense questions Michael Bona

The defense began their questioning by asking Michael Bona about his relationship with Gibril Massaquoi. Mr. Bona testified that he knows Gibril Massaquoi from Sierra Leone, they are biological brothers. Gibril Massaquoi was in prison in Freetown in 1999 and he was released that same year. After his release, Massaquoi lived in Makeni. He was a spokesman for the RUF anddid not have any additional roles in the RUF at the time. Michael Bona himself lived in Bo. They did not see each other at the time. In 2000, Gibril Massaquoi was in Freetown and participated in the peace negotiations. He was invited there by the Sierra Leonean government. Massaquoi also worked as a special assistant to Foday Sankoh, the leader of the RUF. The office was located on Spur Road in Freetown, Bona had visited the office a few times. At the time, Massaquoi lived on Doherty Street in Murray Town. He lived there with Elizabeth and their children, as well as Elizabeth's brother. The witness testified to visiting Massaquoi twice in early 2000 before 8 May.

On 8 May 2000, there was a large demonstration near Sankoh's apartment. Bona testified that Massaquoi left Freetown and people, including himself, were arrested all over. He was arrested in May 2000 and released on 9 August 2001. The next time Bona saw Massaquoi was in 2002. They met in Freetown, Massaquoi had moved there from Makeni. Massaquoi was having problems with his colleagues, such as Issa Sesay, so the UN had to fly him to Freetown. The witness named the people that Massaquoi was living with in Thunder Hills in 2002. They met in March or April, it was very close to the elections in May. After this meeting, Bona and Massaquoi stayed together until moving to Finland together. They lived together in 2002 in Thunder Hills and in March 2003, when Issa Sesay and others were indicted, they moved to a safe house together.

In March or April 2002, Massaquoi was working on an election campaign. He would occasionally travel for a few days to do campaign work in places such as Segbwema. Massaquoi was involved in the activity of the SPP, the Sierra Leone Peoples' Party. He talked with young voters to convince them to vote for the party. Massaquoi was not working at the time. Bona could not

remember any additional activities Massaquoi might have had at the time. They saw each other almost daily when living together in Thunder Hills.

Bona and Massaquoi both moved to the safe house in March 2003. Bona later found out that Massaquoi had an agreement with the Special Court to move him to the safe house for security reasons. The safe house was located in Pipeline, near Wilkinson Road. The witness provided the names of the other people living in the safe house. They lived there for a year. There was a room downstairs for the guards to use. Upstairs he had his own room, while the children and Gibril had theirs. The house was fenced all around. The guards were there to protect them, to prevent anyone from going in or out. There were always two guards present. Bona testified that no one could or wanted to go out from the safe house, for safety reasons. They had a cook as they could not go outside to buy groceries. Occasionally, Massaquoi left the safe house to go to a meeting with the UN and would return after a few hours. The guards would open the gate to let a car in that would take him. Massaquoi was being hidden from the neighbors as well, because he was working for the Special Court and the Special Court had to protect him.

Bona testified that the guards were always on duty at the safe house. They were armed and they did not sleep on shift. New guards would come in to change shifts. After living for a year on Wilkinson Road, they moved to Jomo Kenyatta Road near the Special Court. The Special Court decided for them to move. They lived on Jomo Kenyatta Road for a few years, until 2004. In 2004, they moved to Kington and lived there until 2005. In 2005, they moved to another safe house. These changes were always done for security reasons.

The witness described a security threat that occurred in Kington: They were all inside and the security guards were downstairs. Massaquoi was praying, and Bona was in the living room with the children. Suddenly, they heard noises of a struggle and thought that somebody was attacking. Once they heard the glass door shatter, they realized that the guards were fighting with the attackers. They gathered into a corner together and called the police. When the police arrived, they were behind the house. Bona could not remember the date of the attack, but estimated that it took place in 2005. He explained that the attack was directed at Massaquoi, as he was the person being protected in the safe house. He never found out who was behind the attack. The Special Court investigated it, but Bona did not know anything about the results of their investigation. The security measures in place at the safe house were changed after the attack. After the attack, uniformed, visibly armed police officers were introduced to protect the safe house. Apart from this, nothing else about the security measures changed.

Bona testified that Massaquoi did not leave the safe house alone. He would only leave with the security guards to go to the office. In 2006, when his daughter died, Massaquoi and Bona left the house to bury her. They returned the next day. In 2007, Gibril travelled to United States, but Bona did not know what he was doing there. He was not gone for long, less than a month.

The witness was not aware of any other names used for Massaquoi except Gibo, a nickname used by his friends. Bona knew Defense 08, he was one of the security guards at the safe house. Bona had met Defense 08 in 2019 in Freetown. They know each other and Defense 08 had called him when he was visiting Freetown. They met at his office at the police headquarters. They had not seen each other or been in contact since this meeting. Bona testified that at the safe house, they received an allowance for their living costs. The guards brought a book every Friday and Massaquoi signed for the money. The witness provided the name of the cook at the safe house. She was working there when they arrived in March 2003.

The prosecution questions Michael Bona

The prosecution began by asking how Bona knew about Gibril Massaquoi's whereabouts in 1999 and 2000. Bona testified that he received a lot of information in prison from the inmates and prison staff. He also sent letters through the Red Cross to his family in Bo. He had heard Massaquoi talking on the radio. When he was talking on the BBC, they knew he was in Makeni. Bona confirmed that he was in prison between 8 May 2000 and 6 August 2001 and that he met Massaquoi for the first time after his release in March or April 2002. Bona did not go with Massaquoi on his campaign trips that year. At the time, they lived together in Thunder Hills and saw each other almost every day. Massaquoi did not travel abroad in 2002, he did not leave Sierra Leone after being flown to Freetown by the UN. As they lived together in 2002, Massaquoi could not go anywhere without Bona knowing.

Massaquoi was only allowed to bring his immediate family to the safe house. Not everyone living at Thunder Hills was allowed to go with him to the safe house. At the time of the move, Bona was 16 years old. The Special Court did not perform any background checks, as Massaquoi was able to decide who would move into the safe house with him. They did not have any visitors at the safe house besides in 2008, when they were about to leave for Finland. The office Gibril Massaquoi went to was the office of the Special Court, but he did not go there often. When Massaquoi went to the office, he would not stay for long. Besides the funeral in Bo and the one trip to United States, Massaquoi did not leave the safe house. Bona was not aware where in the United States Massaquoi had gone to. He travelled with the Special Court, but Bona did not know with whom exactly.

Regarding the attack on the safe house, Bona testified that everyone living there was present at the time of the attack. The glass door that was broken was on the first floor. It was attached to another door, the glass door was the on the inside. As the struggle was happening in the front of the house, the family was inside, gathered in the kitchen at the back of the house. The security guards prevented the attackers from getting into the house and to the people inside. Bona did not think that the guards managed to detain the attackers. The family remained within the fence the whole time. When the police arrived, they were by the fence, outside the house.

In 2019, Defense 08 called the witness when he was in Freetown. Defense 08 happened to know that he was in Freetown, but Bona did not know how. They talked about Gibril, the family and how everyone was doing. He and Defense 08 had been friends from the time Defense 08 began protecting them. He was not aware of any other family members Gibril Massaquoi might have had in Liberia. He did not know who brought Massaquoi's daughter from Liberia, he met her at the safe house. Bona had not personally met Gilbert Morrisette, but his brother talked about him in the safe house. He had lived with Defense 01 at Thunder Hills for a short time from 2002 to 2003. Defense 12 is his brother. Defense 12 did not move into the safe house with Massaquoi because he has his own family in Bo, he did not live in the city like Bona and Massaquoi.

Bona testified that his legal first name is Michael. He testified that he had not used the name Agent, but he cannot prevent others from calling him what they want. His friends had called him Agent, 116 and Willow. Gibril Massaquoi had sometimes called him Agent. Bona testified that he has never been a member of the RUF. He was arrested because of his connection to Gibril Massaquoi, people saw him as part of the RUF due to his family ties. The prosecution pointed out that some other people questioned during the case had said that he was a member of the RUF.

Bona responded that he does not know who would have said so, and that the notion of membership should be defined precisely – one cannot be a member of an armed group without being trained to do so.

Final question from the defense

The witness testified that he had been a member of the political party that followed the RUF, the RUFP.

Witness Gilbert Morrisette is heard

The defense questions Gilbert Morrisette

The defense began by asking Gilbert Morrisette about his educational and professional background. Morrisette testified that he graduated the Royal Canadian Police Academy. He worked for the Special Court for Sierra Leone between 2002 and 2008. He started as an Assistant Chief Investigator under Dr. Alan White and after Dr. White's departure, he became the Chief Investigator of the Special Court. He reported to the heads of the Criminal Investigations Unit and the Victim and Witness Section. His office, the Office of the Prosecutor and the Investigation Unit were a part of the Special Court.

Morrisette had been working for a short while at the Special Court when Dr. Alan White and Corinne Dufka introduced him to Gibril Massaquoi in 2002. Corinne Dufka was a human rights investigator, who had known Massaquoi beforehand. Morrisette attended some of the interviews the OTP conducted with Massaquoi, but only at the beginning. He could not remember exactly when these interviews began, but estimated that they started very early, maybe around 2002. The OTP was seeking any information Massaquoi had in relation to the civil war in Sierra Leone, all the atrocities that he knew about. They were conducted on Special Court premises, and sometimes in hotel rooms or at safe houses. Morrisette had also met Massaquoi outside these interviews. He testified that he may have met him briefly after an interview, as he was waiting to be transported back to the safe house. Morrisette could not recall Dr. Alan White or any other interviewer meeting with Gibril Massaquoi outside the interviews.

Morrisette testified that almost right after the beginning of the interviews, Massaquoi was brought to the VWS for protection. He explained the different offices of the court that worked with witnesses.

The witness stated that it was likely that Massaquoi had a Witness Protection Agreement. When this Agreement was drafted in October 2002, Massaquoi was under the Witness Management Unit and was transferred under the Witness Protection Unit after it was signed. The Witness Protection Unit placed Massaquoi in a safe house, but Morrisette could not remember when this took place. He had met with Massaquoi while he was living in a safe house. These meetings were held at the OTP office or in a hotel, such as Mamba Point. The meetings were held based on the request of the prosecutor's office or the investigation unit.

Morrisette recalled one unofficial meeting, where no documents were prepared. Massaquoi contacted Morrisette once, he was upset about not being allowed to leave the safe house. Morrisette called the director of the Witness Management Unit and picked up Massaquoi from the safe house to join him and two other members of the OTP. It was a Sunday afternoon and

they went to the beach. No documents were drafted for this meeting, which Morrisette described as a "social meeting." Morrisette was not aware of any private meetings between Dr. Alan White and Massaquoi.

The witness testified that Massaquoi was always available for a meeting when one was requested. The meetings were arranged quickly after the request had been sent, only 10 to 20 minutes later. Morrisette was not aware of Massaquoi leaving the safe house without authorization or leaving the first safe house for a long period of time. Morrisette was not aware of the type of protection Massaquoi had before being placed in the safe house.

Neither Morrisette nor anyone else from the Special Court had asked Massaquoi to go to Liberia. Morrisette speculated that the validity of Witness Protection Agreement that Massaquoi had signed would have ended if he committed any war crimes or participated in any combat while under the agreement. The decision to end the agreement would have come from the OTP. According to Morrisette, no such decision was ever taken.

The witness testified that it was possible that, in 2003, he would have contacted Massaquoi on the telephone without meeting with him. He could have called Massaquoi or vice versa. The witness knew of Sam Bockarie. He had not been involved with him other than when his body was brought to Sierra Leone. Morrisette went to the airport to meet the plane carrying Bockarie's body. He could not remember when this took place, but speculated that it was on a Sunday. At the time, Gibril Massaquoi was in the safe house. Morrisette was not aware of any role he may have had in bringing Sam Bockarie's body to Sierra Leone. He was just told by Dr. Alan White to go to the airport to collect the body. The witness could not say how the body of Sam Bockarie was identified, he was not present when it occurred. Sam Bockarie was a member of the RUF and a part of Charles Taylor's troops.

Morrisette testified that Gibril Massaquoi was a spokesman in the RUF. He was not sure whether he held a high rank in the organization. The reason why he was not indicted by the Special Court was because of his cooperation as a witness. Gibril Massaquoi was a crucial witness for the OTP as he had many connections within the RUF and with Charles Taylor. Massaquoi was placed in a safe house due to concerns over his security. RUF fighters went to Liberia through Lofa county to join Charles Taylor's troops.

The witness explained that the investigative team also conducted interviews in Liberia. People were questioned on the RUF's role in the Liberian civil war, the RUF's connections with Charles Taylor, and Taylor's role in the conflicts. These interviews were conducted all over Liberia, in Lofa county, Monrovia and elsewhere. The witness stated that everything could be checked in the archives of the Special Court registry. Morrisette participated in these interviews, as did Alan White and Corinne Dufka. In total, there were 12 to 15 investigators. Morrisette had read through some of these interviews, and had passed them on to Mr. Haddad, the head of the Criminal Intelligence Unit at the Special Court, who entered them onto his database. He estimated that the investigators of the Special Court conducted a hundred interviews in Liberia. The names Angel and Angel Massaquoi came up in these interviews, they were nicknames for Gibril Massaquoi. The witness repeated that everything could be checked in the archives, they were all handled by Mr. Haddad.

Morrisette repeated: "The name Gibril Massaquoi came up. Angel Gabriel came up. We knew who he was". He did not know if Angel Gabriel participated in fighting in Liberia. The defense

pointed out that Morrisette had testified in the lower court that the names Gibril Massaquoi and Angel Gabriel had not appeared in the interviews. He testified that he did not remember being asked that and that he would not have replied as such if he was asked.

The prosecution questions Gilbert Morrisette

The prosecution began by asking Gilbert Morrisette why Gibril Massaquoi was chosen as a witness for the Special Court. The witness testified that Massaquoi had valuable information. A witness was not chosen just like that, it was a relationship that had to be built over time. Massaquoi was first a source of Corinne Dufka's, who introduced him to Alan White, who then introduced him to Morrisette. As they met with Massaquoi, the interviews were sent to other units who evaluated the information. Morrisette had not done any specific research into Massaquoi's background, "Everyone in Liberia and Sierra Leone knew who he was". Massaquoi was known as the spokesman of the RUF. He used to be a teacher, he was married and was teaching his own children. The witness did not know Massaquoi's rank, title or history in the RUF. He did not know of any crimes Massaquoi may have committed in Sierra Leone.

Morrisette could not remember when the RUF joined Charles Taylor's forces in Liberia. He speculated that they had a financial motive for doing so. He did not know who would have passed on money to who. He did not know at whose request or under whose direction the RUF fought in Liberia. Morrisette described Gibril Massaquoi as a credible witness. The OTP wanted to know everything he knew about the conflicts in Liberia and Sierra Leone, and what he knew about the RUF. He could not remember how often these interviews took place, or whether there were long breaks between interviews. He testified that it was impossible for Massaquoi to travel abroad between interviews, as he was under the protection and surveillance of the Witness Protection Unit.

The witness did not know how many safe houses Massaquoi had lived in. The investigators had nothing to do with the operation of the safe houses, this was up to the Witness Protection Unit under the Registrar. Morrisette was not sure whether he could remember an attack against one of the safe houses. He did not know whether Massaquoi or his family received visitors in the safe houses. He did not know whether Massaquoi was allowed to leave the safe houses to meet his friends. He could not remember whether Massaquoi placed in the first safe house because of a particular event. He could not remember how many interviews he had done with Massaquoi. He did not know whether any information on Massaquoi's involvement in the peace negotiations in Liberia came up in the interviews. He could not describe the relationship between Massaquoi and Charles Taylor before Massaquoi was transferred into the safe house. He was not aware of Massaquoi supplying diamonds to Charles Taylor. He was not sure that the RUF was bringing diamonds to Charles Taylor, but speculated that they were.

Morrisette had heard of the RUF house in Monrovia. He explained that it was a place where the RUF was staying when they went to discuss business with Charles Taylor. He was "pretty sure" that Massaquoi had been there for that reason.

The prosecution pointed out that Morrisette had testified in the lower court that Massaquoi had gone to Liberia to the RUF house to meet with Charles Taylor and to exchange diamonds to arms. The witness replied that this was very possible. He had become aware of such possible activity through the information obtained in the course of the Special Court's investigations.

Morrisette further testified that the decision to not call Massaquoi as a witness in the RUF or Charles Taylor trials was taken by the prosecutor, not by the investigators. He could not recall ever finding out why. He had been to the airport to receive Sam Bockarie's body, the pathologist had to re-identify the body. It had been identified once before sending it to Sierra Leone. Morrisette went to the airport because his manager had sent him over to "make sure that everything was done properly." Morrisette was not aware what Alan White thought of Massaquoi or his background. The OTP wanted to speak with him because he had a lot of information about the RUF, the arms trade and other subjects, they wanted to have him as an insider witness. Morrisette confirmed that he discussed Massaquoi's background with Alan White, he knew that he thought he would be important for the case, but he didn't know what else he thought of him. The witness repeated that everything could be checked in the archives.

The witness explained that the interviews conducted in Liberia included people from all walks of life. He repeated that everything could be checked in the archives. They wanted to speak with anyone who had any knowledge about what they were investigating. Morrisette confirmed that the names Angel Gabriel or Angel came up in the interviews as being used for Gibril Massaquoi. Morrisette testified that he does not know a person called Michael Bona.

Morrisette repeated that he was not aware of Massaquoi committing crimes in Liberia.

When they conducted interviews in Liberia, they had a mandate to investigate the RUF's activities in the country. The prosecution pointed out that Morrisette had testified in the lower court that they did not have such a mandate, which the witness denied. The defense pointed out that Morrisette had told the Finnish police that the fact that Gibril Massaquoi would have fought in Liberia between 1999 and 2003 did not come up during the investigation and that not a single witness had mentioned Massaquoi. Morrisette could not remember whether he had told the Finnish police so.

April 13, 2023 – Day Forty-five

Today, the Court examined various types of evidence relating to the case. First, the parties drew the Court's attention to written evidence submitted in relation to a particular witness' statement, who had subsequently declined testifying in the case.

Afterwards, the Court watched the recording from District Court of an another witness who had also declined to testify in the Appeals Court.

The last witness of the day, heard via video link, was a criminal investigator for the Special Court of Sierra Leone.

April 13, 2023 [Finland] Day 45: Various evidence admitted

Parties discuss their documentary evidence

The Court began by going through pieces of documentary evidence presented by the prosecution and the defense. The evidence was related to Saleem Vahidy, the head of the Victim and Witness Section at the Special Court for Sierra Leone at the time when Gibril Massaquoi was at the safe house. Saleem Vahidy was unable to testify in court, so his answers to the questions that Finnish police had asked him via email were examined instead. The parties also presented a report of the attack on Gibril Massaquoi's safe house prepared by Mr. Vahidy.

Witness Defense 02's recording is viewed

The Court then watched a video recording of Defense 02's testimony before the lower court.

Witness Corinne Dufka is heard

The defense questions Corinne Dufka

The defense began by asking Corinne Dufka about her educational background. Dufka testified that she has a master's degree from Berkeley University. She currently works as a consultant in Washington DC. Between 1999 and 2003, she worked as a researcher at Human Rights Watch (HRW). She was working on Sierra Leone and West Africa. She worked with HRW until 2020. She also worked as an advisor and researcher for the Office of the Prosecutor (OTP) at the Special Court for Sierra Leone (SCSL) between 2 October 2002 and 1 October 2003, taking a sabbatical year from HRW. Her task was to provide historical context of the conflict in Sierra Leone to the OTP. She looked for witnesses and interviewed them and gathered background information on the atrocities investigated by the SCSL.

Dufka testified that during her time at HRW, before working for SCSL, her job was related to the Second Liberian Civil War. She investigated alleged atrocities by all sides of the conflict by speaking to victims and witnesses. By 'all sides', she was referring to government forces under Charles Taylor and LURD rebel forces. The first time she travelled to Liberia was in early 2002. Most of her investigative work took place in Sierra Leone, where she interviewed refugees who had fled from Liberia. The investigations in Liberia took approximately ten days, where she interviewed victims, witnesses and other people such as diplomats, representatives of human

rights organizations and the UN, as well as researchers in Monrovia and other cities. She could not say how many people she had interviewed in Liberia, but estimated that she interviewed about 250 people in total during her research.

The witness testified that she visited refugee camps in Sierra Leone between 2001 and 2002 seven times but could not recall the dates. The camps were located in Eastern Sierra Leone, in Bo and Kenema. She explained: "There were all kinds of abuses committed by forces sympathetic to the Liberian government. Sexual violence, beatings, kidnappings, destruction of property. They followed a certain pattern because Lofa was an important area for both the rebels and the government forces. There were several, intense battles to take control of Lofa. Towns and villages changed hands".

She also explained collective punishments carried out by government troops: "The Liberian forces considered certain ethnic groups as rebels based on either real or fictitious activities. Government forces used to accuse entire villages, rightly or wrongly, of supporting rebels and committed atrocities to punish them." Dufka had documented one such incident, where a village was recaptured by the government forces and would gather the inhabitants and proclaim a punishment for their alleged support for the rebels. People were locked into houses and burned alive, women and children were raped and people were forced to carry goods for the soldiers back to their base. According to Dufka, such incidents occurred in numerous villages in Lofa county.

Dufka testified further that she had spoken with five witnesses about the events in Kiantahun and Kamatahun in September to December 2001. Dozens of civilians had fled Kiantahun and the government troops took them to Kamatahun, put them inside a house and burned them alive. About 70 people died during this incident. The witnesses seemed to be speaking about the same incident, with most of them saying that it took place in September 2001 in Kamatahun. One of Dufka's colleagues had also received a witness statement from someone who spoke of the same atrocities in Lofa. Five out of these six witnesses mentioned a name believed to be the commander responsible, Zigzag Marzah. This name was mentioned by dozens of people as a person committing atrocities in Lofa. Zigzag Marzah is a Liberian commander, who Dufka described as "notoriously brutal". Her research revealed 61 witnesses or victims of atrocities from different villages in Lofa, where this name came up frequently. Many witnesses named him as the commander. They could recognize the name as he used to introduce himself and other people at the scene said his name. Based on her interviews, Dufka described Zigzag Marzah as having killed, terrorized and kidnapped people in Lofa. Most people said that he was part of the Armed Forces of Liberia (AFL) while some witnesses also mentioned that he was part of Jungle Fire.

According to the witness, the chain of command between various units and forces supporting the government in Lofa was blurred and difficult to understand. There were multiple different troops, such as the AFL, Jungle Fire, Navy Division and the Marine Division. She could not say what the relationships between these units and the AFL were. One witness had described that Jungle Fire wore yellow t-shirts.

Dufka testified that there was another notorious commander mentioned by the witnesses she interviewed, Stanley. She could not recall whether Stanley had been mentioned as being present in Kamatahun. She had compiled the content of her interviews and published a report called "Back to the Brink" and another report. The Back to the Brink report contained two of the

interviews about the events in Kamatahun. The witness estimated that HRW had in total six witness statements about the events in Kamatahun Hassala. She had conducted these interviews in 2002, when she visited the refugee camps in Sierra Leone. The names of various soldiers came up in relation to Kamatahun, but she could only remember the name of Zigzag Marzah. She testified that none of the statements mentioned Gibril Massaquoi as the perpetrator and the names of Angel Gabriel or Angel did not come up during the interviews.

The interviews were conducted using HRW's methodology: people were interviewed one-by-one using an interpreter. Dufka conducted interviews during seven trips in total, with a total of 61 witnesses. Many of the witnesses volunteered the name of the commander, while for some, she asked them if there had been a commander present or if they had heard the name of a commander. She never mentioned the name of a commander to the witnesses.

Dufka testified that her work at the SCSL were not related to the Second Liberian Civil War. She had not come across Gibril Massaquoi being called Angel Gabriel during her time at the SCSL. She could not remember how she had first met Gibril Massaquoi, but she interviewed him multiple times while working for the SCSL. At the time, Massaquoi was a spokesman for the RUF. He was living between Makeni and Freetown. Dufka was working with him because was she speaking with armed groups, and Massaquoi was the RUF's spokesman. She had asked the RUF to release captured civilians and was looking for information about the atrocities committed by and against the RUF. She was not in contact with Massaquoi outside their meetings. She would call Masaquoi and ask for a meeting and it would usually be arranged a day or two afterwards. It was easy to reach Massaquoi at the time. All the meetings were initiated by her.

The witness described the different meetings she had with Massaquoi. The first meeting took place on 22 June 2001, in Makeni. They spoke about the fact that the RUF had committed to releasing all their prisoners, as well as some alleged ceasefire violations. The meeting was held in Massaquoi's home-office. She could not remember for how long the meeting lasted. The second meeting between took place on 5 July 2001 in Makeni, in the same place as the first one. Dufka could not remember for how long this meeting lasted, but estimated that it took an hour. The topic was the same the first meeting. The first four meetings were all about the same topics, the release of the prisoners captured by the RUF and alleged ceasefire violations. The third meeting was held on 11 July 2001 and the fourth on 18 July, both in Makeni. At the time, there had been multiple alleged violations of the ceasefire by the RUF and the situation was tense. This was the reason for the many meetings in a short time period. Dufka was also interviewing witnesses in Makeni hospital.

Dufka further testified that Massaquoi played a role in the Sierra Leonean peace negotiations, but she doesn't know any other details. She knew that Massaquoi was present in multiple important negotiations to bring peace to Sierra Leone. Their fifth meeting was in Freetown on 31 January 2002. They discussed the history of the conflict in Sierra Leone and the command structure towards the end of the war. The sixth meeting was on 18 July 2002 in Freetown, and the seventh meeting took place in August 2002, where they spoke more about the same. During the seventh meeting, she introduced Massaquoi to the SCSL Chief Investigator, Dr. Alan White. After introducing them, she left the meeting. They met at Mamba Point Hotel in Freetown. The eighth meeting was on 5 September 2002 in Freetown, they discussed the command structure in further detail.

The witness had taken detailed notes of each meeting and she pointed out that during the lower court trial, she had noted down the date, location and reason for each meeting. She had also taken notes after talking to two journalists who had met Massaquoi in 2001. Massaquoi had met with these journalists twice, in April and May 2001, in Makeni.

Dufka explained that she introduced Massaquoi to Alan White because she understood after their meetings that Massaquoi had detailed information about the command structure of the rebel groups in Sierra Leone. At the time, it was clear that a Special Court was going to be formed and she wanted to gain understanding of the people potentially responsible for atrocities. The mandate of the court covered only those who were the most responsible. Based on her research, she assessed that Massaquoi was not one of those who bore the greatest responsibility for the atrocities committed by the RUF. She believed that Dr. White would benefit from the information that Massaquoi had. Her assessment of Massaquoi's responsibility was based on the witness testimonies she had received as an investigator for the SCSL. Massaquoi had also told her about his role in the RUF, such as his part in the diamond trade and one incident in 1992. She did not have exact information as to what he was alleged to have done at the time. She added that Massaquoi voluntarily gave up information about his role, which added to his credibility. The SCSL conducted its own investigation into Massaquoi's possible responsibility for atrocities, but she did not have any more information on the investigation.

The witness testified that she found out after her meetings with Massaquoi that he had become a witness for the SCSL. The last time she saw Massaquoi was in September 2002. She could not recall whether his co-operation with the SCSL was common knowledge at any point. It would not have been safe for Massaquoi to travel to Liberia in summer 2003, as the indictments by the SCSL were being prepared around that time. As he had disappeared from the public eye, there were rumors in Freetown that he might be working for the SCSL. The indictment showed that the SCSL had in-depth knowledge of the RUF and the AFRC, which had been supported by Charles Taylor. Dufka explained: "When Charles Taylor's indictment was published in June 2003, I could not see the defendant going to Liberia to support Taylor at the same time as he was trying to build a case before the Special Court for Sierra Leone." The indictment was issued in March 2003 and published in June 2003. When asked whether Charles Taylor had done anything to prevent people testifying against him, she responded: "I can't say what was on Charles Taylor's mind at the time, but two senior RUF commanders had been killed by Liberian forces at the time, Sam Bockarie and Dennis Mingo." According to her sources, these killings something to do with their knowledge of Charles Taylor's role in the Sierra Leonean war. The witness speculated that it was probable that Charles Taylor knew of Massaquoi's co-operation with the SCSL.

Dufka testified that she met L5 various times in Sierra Leone when he was conducting his research with refugees from Liberia. L5 worked with a community-based human rights organization which documented atrocities in Lofa County. She described L5's reports as detailed.

The prosecution questions Corinne Dufka

The prosecution began by asking Dufka whether she was aware of any other position Massaquoi had in the RUF. She responded that she believes Massaquoi had different roles in the RUF in the past, but during the time she was involved with him he worked as a spokesman.
She recalled reading somewhere that he had been a commander in the RUF. She believed that he had been high-ranking within the RUF as he had been Foday Sankoh's assistant. Dufka explained that she had not asked Massaquoi about his role in the RUF, as she knew from the media that he

was the spokesman. She testified that they did discuss Massaquoi's previous roles within the RUF, but not in detail. Massaquoi had spoken about the execution of NPFL fighters by the RUF early during the Sierra Leonean war. She speculated that this happened in Kailahun district in the early 90s. Dufka could not recall if Massaquoi elaborated on his involvement in the incident.

Dufka was aware of the RUF's involvement in the Second Liberian Civil War. She testified that in late 1999, Sam Bockarie got into a conflict with the RUF leadership and left for Liberia with hundreds of RUF fighters. They joined the Liberian security forces and fought for Charles Taylor.

Massaquoi had not mentioned that he had been to Liberia. She could not remember whether he had mentioned his role in the RUF external delegation. She could not remember anything about Massaquoi being involved with Charles Taylor. She had read some articles about the war in Sierra Leone and Massaquoi had mentioned that he had been a part of the diamond trade. She could not remember any details of what he had told her about the diamond trade. Dufka was not aware of the RUF house in Monrovia. She confirmed that Massaquoi never mentioned that he had been in Liberia in the early 2000s.

The witness testified that she was not in contact with Massaquoi between their meetings on 8 July 2001 and 31 January 2002. She had no idea what he was doing during this period. She confirmed that they never discussed arms deals. She considered Massaquoi a credible witness, who provided information she needed: "I think he seemed very honest about the fact that he knew about the wrongs done by the RUF. He told me that he was involved in one of the atrocities. He also gave detailed information about the command structure of the AFRC and the RUF. This information was very typical and fitted our methodology as it could be corroborated by other witnesses."

Dufka could not recall what the Truth and Reconciliation Committee had written about Massaquoi in their report. When the prosecution pointed out that the report stated that there were reservations about Massaquoi's statements, as he often downplayed his own role, Dufka responded that the report was published after their meetings. She did not know why the SCSL did not hear Massaquoi as a witness in the Charles Taylor trial. She did not know where he lived in 2003. She did not know about his housing or security arrangements after he had entered into the witness protection agreement. They had not discussed his participation in elections in 2002.

The witness testified that she did not think that Massaquoi would have been indicted by the SCSL. Her idea of the potential perpetrators the most responsible for atrocities did not include him, as he spent a part of the war in prison. According to her research, Massaquoi was not a commander on the battlefield and did not commit or order atrocities during the time period under the SCSL's mandate. She based this assessment on discussions she had with victims, witnesses and people with knowledge of the war in Sierra Leone. She explained that she sought to verify the information that Massaquoi gave her from other sources. She recalled reading newspaper articles about Massaquoi's possible co-operation with the SCSL, but could not remember which articles. She explained where the rumor about his co-operation came from: Massaquoi was living and spending a lot of time with former RUF members. The fact that, when they were arrested, he did not appear on the indictments and was not arrested himself, gave room for speculation. She confirmed that her statement that Charles Taylor likely knew about Massaquoi's work with the SCSL was her own speculation.

Dufka mentioned a study from 2004, where former Sierra Leonean and Liberian fighters had been interviewed. Some of them had mentioned that Dennis Mingo and Sam Bockarie were killed because they knew about Charles Taylor's support for the war in Sierra Leone. Dennis Mingo was also known as Superman. He was killed in November 2001.

The witness confirmed that she had not been to Lofa herself. The five people who mentioned the events in Kamatahun were all adults, both men and women. Some of them were from Kiantahun. They had all had been there to witness the events in Kamatahun. Some of the Liberian fighters she had interviewed had mentioned Sierra Leoneans and the RUF. None of them mentioned that RUF commanders committed atrocities in Lofa.

Dufka testified that she had spoken to L5 in 2021. She had contacted him because she thought that the information he had may be useful for the Finnish police. She called him to ask if she could give some of the information he gave her to the Finnish police.

She could not say how certain the witnesses who had mentioned Zigzag Marzah were of the commander's identity. Numerous witnesses identified Zigzag and Stanley as the commanders at the scene, some of them mentioned that Zigzag was giving orders. She had not been to Lofa herself, and neither had the other HRW researchers gathering information at the time. Dufka could not tell whether Massaquoi was telling her the whole truth about his participation in the RUF, but he never refused to answer a question.

April 14, 2023 – Day Forty-six

Today, the Court finished the April sessions in Finland by hearing the opinion of two experts in psychology.

The first expert to be heard was called by the Prosecutor during the Appeals Court phase, in response to the report previously presented to the District Court by another expert. The expert discussed, among other things, the effect of trauma on witness testimony and how witness recollections may change over time after experiencing highly traumatic events. Also presented was a critique of the expert report that the District Court had relied upon on in their deliberations.

The second expert had authored the report used during the District Court phase and was called to respond to this critique. In fact, both experts actually agreed on a number of issues relating to witness psychology and trauma. Some differences, however, still remained between the two.

The Court will not be in session for the next few weeks and will resume its hearings in early May in Monrovia, Liberia.

April 14, 2023 [Finland] Day 46: Experts heard

Expert witness Helinä Häkkänen is heard

The prosecution questions Dr. Helinä Häkkänen

The prosecution began by asking Dr. Häkkänen about her educational background. Dr. Häkkänen testified that she holds a PhD in psychology and is an associate professor in forensic psychology and criminal psychology. She also performs clinical work as a psychotherapist. Her experience in forensic psychology dates to 1996, when she began working for the University of Helsinki and various offices at the Finnish police. She has been working as psychotherapist since 2013 and has written 60 internationally published scientific articles and four books. She has testified as an expert witness dozens of times in Finland and was an accredited expert witness at the International Criminal Court (ICC) between 2005 and 2010. She has worked with refugees from Syria and Iraq, as well as internally displaced people from the Karelia region. Her research covers subjects such as memory function, amnesia and memory behavior related to violent crimes and violent situations, including trauma related to tribunals and criminal procedure and the police's perception of how people behave in courts. Dr. Häkkänen testified that most of her clients in her clinical work are severely traumatized, having experienced situations such as violence and war. For most of her clients, many years have passed after the traumatic events, and for some, decades have passed since the event before they came to her.

The expert opinion that Dr. Häkkänen submitted to the court was based on the expert opinions issued by Dr. Julia Korkman, the pre-trial investigation report prepared by the Finnish police and the judgment of the lower court. She had read the witness testimonies in the pre-trial investigation report.

Dr. Häkkänen detailed the most important factors to be considered in the trial: "First of all, identification. I understand that the acts themselves are not contested, so identification is at the

heart of it. On the other hand, how reliably can a person recall events decades after they have occurred. And also, the role of traumatization in remembering and telling the story. Furthermore, the way in which international criminal tribunals and the Finnish Supreme Court have assessed personal testimony in such cases and its reliability is also relevant."

She stated that she would rather not testify about 'collective culture', as she is not an expert on culture. According to her, the notion of collectivism does not usually arise in the context of psychotherapy. Based on her clinical experience, people who have experienced traumatic events usually do not want to discuss such experiences as discussing them brings up feelings of fear and flashbacks. They generally avoid recalling such memories. According to Dr. Häkkänen, human beings, by default, remember situations where their life is at stake very well, at least when it comes to the details crucial for survival. They are able to recall these details in safe circumstances, where they also have the courage to face the memories. In psychotherapy, it might take hours before a client is ready to go through such issues.

Dr. Häkkänen then described her methodology. With her client, they select a specific memory and try to retrace it. She can often see how easy or hard it is for the clients to recall such memories. Recalling details such as the ones discussed in this trial is usually very difficult. People often say that they would not want to relive such memories. Such memories do not appear at once. They appear in phases and usually memories are supplemented during follow-up sessions. The first recollection is often rather limited and people only get the courage to face their memories as therapy progresses. Clients may also dissociate, a psychological defense mechanism where a person sees themselves from the outside, making it twice as hard to accurately recall the memory. She gave the example of international criminal jurisprudence which has demonstrated that child soldiers are often cold and emotionless when testifying.

The witness further testified that it is possible to recognize a traumatized witness based on their behavior in court. If a person starts shaking while recalling an event, this usually means that the event in question has severely traumatized them. She also pointed out that the hearing situation itself can also cause people to shake, because it can be a highly stressful situation. Besides the shaking which was reported for some of the witnesses, she testified that it is not possible for her to determine whether a particular witness is traumatized or not.

According to Dr. Häkkänen, the effect trauma has on a person's memory is highly individual. According to current research, a traumatic event can still traumatize a person even decades afterwards, if they have not received proper treatment. The traumatic event can have the person being mentally present in the traumatic situation while recalling it. This can lead them to behave as if they were still in that situation: scarcity of speech, strong bodily reactions, ambiguities, incoherence, confusion, completions, omissions, etc. She explained that for this reason, she has previously argued that the case law of the Finnish Supreme Court on evaluating the credibility of witness testimonies is too demanding when it comes to traumatized witnesses, as the degree of uniformity in various testimonies given throughout a criminal trial required is too high. She cited research that demonstrates that post-traumatic stress disorder (PTSD) is prevalent with about a third of individuals who have experienced war, while the connection between PTSD and weaker cognitive functions has also been demonstrated. According to her, for example requiring a person to recall precise dates, decades after the fact, is too much to ask for.

The witness explained that the testimony of a traumatized person is more susceptible to change than that of a non-traumatized witness, while there are also examples of instances where highly

traumatized witnesses were able to recall details even decades afterwards with a surprising accuracy. It is important to distinguish between a person's ability to remember a fact, from their ability to produce the memory trace, especially in a stressful situation such as testifying in court.

Dr. Häkkänen further testified that it is easier for a traumatized witness to recall details that were crucial for their survival than other details of the traumatic event. Non-crucial details are more prone to be forgotten over time than crucial details. Traumatized individuals are also generally less willing to discuss their experiences. Another possible factor contributing to this unwillingness could be sexual violence, often experienced in armed conflicts, as it usually creates a strong stigma.

On the passage of time since the traumatic event, Dr. Häkkänen explained that details crucial for survival can survive even decades without being forgotten. Non-crucial details are more prone to being forgotten. People generally remember traumatic events rather well, apart from events that occurred when a person was two or three years old, as memory is not yet fully developed at that age. In psychotherapy, it is common that once a memory is being worked on, the person's memory begins to expand and they can remember more and more details. When emotions are worked on, the stagnation in the memory system is removed. People may not have difficulty remembering things, but they have difficulty, for example, in verbalizing things around the memory. Dr. Häkkänen cited a study conducted among 78 survivors of Nazi concentration camps 40 years after they were released. A substantial number of them recalled the events in a detailed manner despite the decades that had passed since the events. Some of them had forgotten the name of the commander of the camp, while 90% of the survivors remembered it correctly. 80% could identify the commander from a photo, although this identification procedure was not valid as only one photograph was shown.

Dr. Häkkänen also referred to further studies conducted among war veterans and refugees demonstrating that the memories changed every time the interviewees recalled events. She testified that a person might remember a fact in one manner the first time they are asked to recall it, and in another manner the next time they recall it. This is a completely natural reaction caused by the person's memory. Current research does not recognize a point in time after which memory stops changing. Memories are prone to change over time in two ways: some memories are forgotten, becoming impossible to recall, while others could come back after initially being forgotten, either as full memories or partially, getting more accurate over time. She explained that the idea that additions to memory are a sign of unreliability is not in line with psychology, nor with her own clinical experience. She described the ways a testimony might change over time. Reasons for such changes include new information, time to recall, rush, interview interaction, interpretation, perceived feedback from the first interview, whether the person feels safe when recalling the memory, etc. There is a huge number of possible contributors to such changes in testimonies.

The witness further pointed out that the perception of time in Africa is different. The ICC, for example, does not give much weight to the fact that a witness makes a mistake in recalling the date or cannot determine it at all.

As for the identification of the alleged perpetrator during the police investigation, Dr. Häkkänen testified that there are two types of witnesses: those who knew the perpetrator beforehand and those who did not. Only the latter truly recognize the perpetrator based on their face when shown a photograph by the police, making their identification more psychologically valuable. She

explained that elements such as the lighting and distance from the perpetrator at the time of the events could impact the possibility of correct identification. As for the present case, she pointed out that often a witness who had identified someone else than the defendant had chosen somebody wearing a hat in the photo. If the perpetrator was wearing a hat at the scene, this could mislead the witnesses when looking at the photographs.

Dr. Häkkänen referred to a study that had examined the evaluation of witness credibility by international criminal tribunals. International tribunals have had to evaluate whether there are objective grounds for determining whether a witness' testimony is based on something other than their own experiences. Some decisions have deemed that inaccuracies or lack of uniformity between testimonies do not automatically discredit the testimonies or witnesses. A lack of clocks, watches and calendars has also been taken into account in international criminal trials when evaluating the witnesses' ability to recall the time and date of an event.

The defense questions Helinä Häkkänen

The defense began by asking for Dr. Häkkänen's observations on Dr. Korkman's latest expert opinion. Dr. Häkkänen stated that they seemed to both agree on two issues. Firstly, they both agree that the passage of time weakens an eyewitness' ability to identify the perpetrator. However, this conclusion only applied to eyewitness, not direct victims of violence. Currently, there is not much research on how direct victims of violence identify perpetrators. She disagreed with Dr. Korkman's statement that humans are inherently poor at identification, especially after a long period of time. She explained that neither of the sources cited by Dr. Korkman address that issue: the first source concerned the relationship between recognition accuracy and recognition reliability, and the second source dealt with the physical distance between the person identifying and the person being identified. She also criticized the fact that the studies cited by Dr. Korkman only dealt with external eyewitnesses, not the direct victims of violent crimes and their ability to identify the perpetrator, a phenomenon currently unknown to the field of forensic psychology. As to the 'co-witness phenomenon', she stated it is known that a memory can be shaped by information from other people, however it is not something that she had encountered in psychotherapy as having a substantial effect on memory recollection.

The witness explained that there is no way to tell whether a person's memory recollection has changed or become more accurate over time. She could not say whether a person's certainty of the accuracy of their memory could correspond to reality.

Dr. Häkkänen further criticized Dr. Korkman's observations on amnesia, she did not see anything in the present case relating to amnesia. She was not aware of any studies about the amnesia of wartime experiences. She cited a scholar from Harvard University, who has stated that traumatic memories are never completely forgotten except due to external physical trauma, such as a hit to the head. Current research does not suggest that adults would be capable of completely forgetting their wartime experiences. She stated: "Today, it is not believed that it is possible to completely forget a war event in adulthood. Those memories are islands of recollection, they are fragmented, they are recalled in stages."

She also criticized some of the studies referred to in Korkman's report for being methodologically flawed or inapplicable to the circumstances examined in the present trial. She criticized Dr. Korkman's report itself for not fulfilling the scientific standards for an expert report submitted in a trial.

On the crucial and non-crucial details for survival, Dr. Häkkänen gave examples of the color of the perpetrator's hat as a non-crucial detail, while the fact that they were told that they are going to die could be seen as a crucial detail. Memories can be sounds, smells, or physical memories. Trauma can affect the existence of directly contradictory elements in testimonies, making two testimonies by the same person incompatible with each other. However, it is scientifically impossible to conclude whether trauma is the factor that causes such contradictions. The witness listed other factors which could contribute to contradictory memory recollections. Contradictory elements can also be the result of intentional lying, but according to Dr. Häkkänen, the research on lying demonstrates that a person who is lying often seeks to maintain their story as much as possible. She suggested that the way to verify which testimony is the most accurate is to link it to other witness accounts.

According to Dr. Häkkänen, the fact that the witness might later receive information about the potential perpetrator, such as their name, would not change their memory of the act itself. If the person has not seen the perpetrator themselves and trusts the person who provides them with the information, they may start to believe it. Who a witness may trust depends on their personal context, but most people trust some form of authority. An adult is also capable of completely fabricating a recollection of something. However, Dr. Häkkänen stated that the current research on this is not applicable to the present case. She mentioned one study, but noted that the authors of the study concluded that the data is not reliable, and conclusions drawn from this study would be speculative. She noted that it is possible that an adult creates an erroneous memory of something without external influences, but this is very difficult to verify.

On the fact that some of the witnesses had spoken about their experiences with others, Dr. Häkkänen stated that she would assume that these would mostly be external eyewitnesses to the events, not the direct victims of the violence, and stated that she had no research data on this. She explained that discussion could either refine or distort memories, but it is difficult to conduct research on memories becoming more accurate on the basis of external effects.

Dr. Häkkänen further stated that the effects of trauma and PTSD are highly individual. These effects depend on a person's background, their prior experiences, and the help they may have received after the fact. However, the concrete effect that trauma has on human memory is similar from one person to another. Trauma contributes to the fragmentation of memories, making testimonies appear less logical when it comes to the non-crucial details. But for details crucial for survival, a traumatized person might remember them surprisingly well. She explained that an assessment of trauma requires a medical examination, an assessment by a psychotherapist or a symptom assessment by a clinical psychologist. It is impossible to determine that somebody has been traumatized based on the changes in their testimony alone. Physical or psychological factors can also point to traumatization, such as visible shaking or dissociation during a hearing, however Dr. Häkkänen also pointed out that these effects could also be caused by stress experienced during the hearing.

According to Dr. Häkkänen, current forensic psychology does not have any tool at its disposal to evaluate the credibility of a witness statement. When asked about a newspaper article she had written about the present trial, she stated: "The fact is, war is a traumatic experience in general. I've written a few articles about how judges in particular understand how traumatization manifests itself in people's gestures and body language. That was part of the reason I knew these situations were challenging." Her aim was to raise attention towards the issue of traumatization and the challenges it poses to evaluating witness testimonies.

Expert witness Julia Korkman is heard

The defense questions Julia Korkman

The defense began by asking about the background material Dr. Korkman had used when drafting the two expert opinions for the present trial. Dr. Korkman testified that she was asked by the Finnish police to summarize scientific research on questions presented by the Finnish police and the prosecution. She was not provided with the pre-trial investigation report or any other documents related to the case. Dr. Korkman testified that she is an associate professor in forensic psychology. She has led multiple research projects on themes such as eyewitness identification, and crimes committed against children and their investigation. Currently she is involved in research projects on victims of rape. She is also supervising a doctoral thesis on memory recall in legal contexts. She has also worked on the theme of the influence of culture on memory recollection and recall.

The witness was asked to explain the contents of her reports in more detail. She began by explaining that humans are herd animals and are susceptible to including the opinions and perceptions of others into their own. This phenomenon has been extensively researched in lab conditions. She described two cases, the Viking Sally and the Anna Lindh stabbing case, where this had been observed. She explained that this effect could also produce positive results, as humans are capable of receiving correct memories and observations from others. She stated that she could not say whether the definition of a 'trustworthy person' differs across cultures, adding that a child, for example, would always trust their parents.

According to Dr. Korkman, humans have a strong tendency to supplement gaps in memories, particularly in rapidly evolving situations. She described a case of police violence in the US which psychology experts examined, suggesting that the fact that police violence had been widely discussed in the US at the time created a preconception that influenced how people interpreted the situation. She explained that a person does not necessarily notice when their memory is being affected by preconceptions or any other factors external to the memory itself. She also explained that there is a difference between external eyewitnesses and direct victims, as "the emotionally important things are best remembered". Current research demonstrates that all memories are susceptible to distortion, but it is difficult to research these issues in a scientifically and ecologically valid way. Research suggests that traumatic experiences are remembered better and for longer than regular, less important events. It is also known that in life-threatening situations, a person may focus on only a few details, for example through gun focus.

Current research indicates that traumatic memories contain more emotion that regular ones. A person that is traumatized tends to demonstrate avoidance behavior, to avoid anything that reminds them of the traumatic situation. Details that remain in a person's memory include those details that were life-threatening. There has been research that a very traumatic situation makes face recognition more difficult.

When explaining the impact of time on recollection of traumatic memories, Dr. Korkman stated that most studies refer to an old study from 1885. According to this study, most of the content of a memory is forgotten almost immediately after the fact, and as more time passes, details are forgotten more slowly. If central details about an event are still remembered after a decade, they most likely do not disappear from memory at all. Dr. Korkman stated that her previous statement had been misunderstood by the lower court, and that memories are malleable and can change

constantly. As for whether traumatic memories are more fragmented than memories on a non-traumatic event, she responded: “The criterion of consistency is not realistic, regardless of whether the situation is traumatic or not.”

On inconsistencies in witness testimonies, Dr. Korkman explained that the way the questions are asked must be considered. Open questions favor memory recollection. If interpretations are given and the person first denies it and then later says otherwise, it can be difficult to exclude that the person has not been influenced by the questioning. Leading questions can distort memories. While the majority of studies in the field have been done among on university students in the West, the basics of memory are universal. The witness explained a process by which a person subconsciously creates a memory using information that they have received afterwards.

Dr. Korkman had discussed the role of culture on memory recollection in her expert opinion. She explained: “Talking about cultural differences is always a gross generalization. However, it has long been argued that the West is a rather individualistic culture, where events are defined by the experiencer. Whereas other cultures, such as East Asian or African countries, have a more collectivist culture. For example, when adults reflect on their childhood, community-based cultures are more likely to remember community experiences, while Americans remember what happened to themselves.” She added: “I know of cases in Finland where people have imagined that they have been in a case where they have not, just because they heard so much about it. I would consider this a rather generic, universal trait. It’s possible, of course, that this tendency is greater in more communal cultures, but I don’t know that there is any research evidence for this.” She mentioned that the issue had arisen in a Finnish war crimes trial in Rwanda and noted that “Finnish authorities seem to have difficulty with people from Arab backgrounds when they give broad accounts of things.”

Next, the witness discussed the notion of co-witnessing, stating that discussing events with someone considered close can affect a person’s memories. She noted that the effect of trauma on memories is highly individual and varies from one person to another. It is very difficult to determine whether a person has been traumatized based on their behavior during an interview or a court hearing. A change in testimonies alone should not be used to conclude that a person is traumatized. Post-traumatic memories could be more susceptible to distortion. Post-traumatic recollection often involves nightmares, which can increase the risk of confusing the real with the imagined.

Dr. Korkman was asked to comment on the criticisms raised by Dr. Häkkänen in her first expert opinion. She explained that she agreed with most of the points raised by Dr. Häkkänen but disagreed with others.

The prosecution questions Julia Korkman

The prosecution began by asking whether the research projects Dr. Korkman had been involved in had to do with memory functioning in violent situations. Dr. Korkman stated that she had studied the testimonies of children who have experienced sexual and violent crimes. The context of asylum interviews also has a lot to do with traumatized people, but not necessarily in a criminal context. Dr. Korkman had not examined the case material during the preparation of her second report, but had looked at the lower court judgment.

According to Dr. Korkman, the fact that witnesses cannot remember exact dates or times in relation to the events should not be used to draw any particular conclusions. She also pointed out that cultural aspects, such as if people are not used to using a calendar, could also have a large impact on this. The lack of correct photo identifications should also not be given much weight as the elements of a credible identification are hard to achieve. In general, Dr. Korkman stated that an identification of a perpetrator effectuated two decades after the events in question should not be given much weight.

May 4, 2023 – Day Forty-seven

Today, the Appeals Court began its second official trip to Monrovia, Liberia to hear witnesses in the Gibril Massaquoi case.

This time, the Court is seeking to hear witnesses from neighboring Sierra Leone. Unlike during the Lower Court phase, the Finnish authorities did not manage to secure permission from the government of Sierra Leone for the Court to come to Freetown and hold hearings there. Therefore, the witnesses are being brought to Monrovia to testify.

No witnesses were heard in person today. The Court viewed one witness' testimony from the District Court on a videotape, as they could not come to testify this time around. Additionally, the Court examined some written evidence brought by the Defense.

The Court will continue to hear witnesses tomorrow, Friday 5 May. This trip is scheduled to last until 12 May.

May 4, 2023 [Liberia] Day 47: The Appeals Court returns to Monrovia

Witness Defense 04's testimony is viewed

The Turku Court of Appeal began its second trip to Monrovia by watching the recording of Defense 04's testimony before the lower court.

Defense documentaryevidence is examined

The Court examined various new pieces of documentary evidence presented by the defense. The first piece of evidence was a news piece from 12 January 2003 discussing the second round of Paramount Chief elections in Gallinas-Perry. The second piece of evidence was an annex to Corinne Dufka's police interview. Based on a request from the Finnish police, Corinne Dufka had written down some names from her notebook of commanders of government forces present in Lofa. The third piece of evidence was a letter signed by Massaquoi on 17 August 2001 at the RUF headquarters in Makeni. The defense also referred to a piece of documentary evidence presented during an earlier session in relation to Background 1's testimony of his experiences in Klay.

Prosecution documentaryevidence is examined

The prosecution also presented an additional piece of documentary evidence, the work certificates of Employee 1 mentioned in his testimony.

May 5, 2023 – Day Forty-eight

Today, the Court heard the first witnesses of its second trip to Liberia. They had come from Sierra Leone to testify in Monrovia.

The first witness, a personal connection of Mr Massaquoi, described their relationship and Mr Massaquoi's whereabouts from the years 1999 to 2003, the years under examination in this trial. The witness was also questioned about Mr Massaquoi's family life before his entry into the witness protection program in Sierra Leone.

The second witness, a former RUF fighter, told the Court about an operation undertaken by the RUF in 2000, where troops crossed from Sierra Leone into Liberia. He also spoke of his encounters with Mr Massaquoi during the early 2000s.

The Court will continue hearing witnesses on Monday.

May 5, 2023 [Liberia] Day 48: Defense witnesses from Sierra Leone

Witness Defense 13 is heard

The defense questions Defense 13

The defense began by asking where Defense 13 had met Gibril Massaquoi. Defense 13 testified that she had met him in Freetown in 2000, she could not remember the exact month. He was working as an assistant to the RUF's leader, Foday Sankoh. Defense 13 heard him speaking on the news, he was a spokesman. He worked on Spur Road and lived in Thunder Hills, in Kissi, Freetown. Defense 13 lived in Tembe Town and Patton Street. Defense 13 and Gibril Massaquoi did not live together in Freetown. He was living with his wife, brother, cousin and children. The witness never went to his apartment, he would come to her in Tembe Town. The witness and Gibril Massaquoi were dating. He visited her many times.

Defense 13 testified that Massaquoi travelled abroad. After the 8 May event in Freetown, he went to Abidjan. The witness herself went to Banjul, The Gambia. While she was there, he contacted her and told her that he was going to Monrovia for peace talks. Many people were being chased after 8 May 2000 and the witness had to escape, it took her two months at most to go to The Gambia. In Banjul, she used a satellite phone to contact Gibril Massaquoi. He told her he was staying in the province in Sierra Leone, because he could not be in the city. The witness could not recall the places he said he went to. Gibril told her that he was on his way to Monrovia, so she left The Gambia and went to Monrovia. She could not recall when she left, estimating that it was in August 2000. The witness reached Monrovia before Gibril, but he arrived not long after. When she first got to Monrovia, she was living with two friends whose names she provided to the court. Gibril Massaquoi was living in a guest house at the time. They would visit each other in Monrovia, she went to the guest house once. Later, Gibril and the other people living in the guesthouse moved and rented an apartment in Congo Town. At the guesthouse, he lived with Abdul Razak and others. Abdul Razak had a girlfriend, but the witness could not recall her name. Massaquoi came to her every time he wanted to, he came daily if he could. He also spent the night at the witness' place a few times.

The witness testified that she got pregnant in Monrovia, around September. A month after her arrival, she found out that she was pregnant. The child was born in Freetown. Gibril left Defense 13 in Monrovia when he left for Freetown. Not long later, she also travelled to Freetown. This was in 2000. According to Defense 13, the child was born on 5 July 2001. She could not recall how long after her arrival in Freetown the child was born. When the witness arrived in Freetown, Massaquoi was in Thunder Hills, Kissi, with his wife. When asked about his work, the witness testified: "I only know he was going about the peace process, because he was a key player in the peace process". Defense 13 testified that she saw Gibril in Freetown before the birth of her child, he stayed with her until she gave birth. They met every 2 to 3 days until the child's birth. He also came to see her and the child often after Defense 13 had given birth. They always met at her place. He stopped visiting in 2002 or 2003, the witness heard from one of his family members that he was working with the UN and trying to get Foday Sankoh in court. This was in early 2003. She did not know where he was living when he was working with the UN.

The prosecution questions Defense 13

The prosecution began by asking about the timing of Defense 13's meeting Massaquoi in Freetown. She clarified that they had met before 8 May 2000. When she was in The Gambia and they spoke on the satellite phone, she knew that he was in Freetown because she called him, not the other way around. When she left him in Freetown, nobody knew where anyone was. When she called him from The Gambia, she was under the impression that he was in the province. She called shortly after arriving to Banjul, but she could not estimate how long after 8 May 2000 this was. They spoke through the satellite phone several times and he told her that he was going to Monrovia. Massaquoi had the satellite phone with him. The witness paid for the trip from Banjul to Monrovia herself.

Defense 13 did not know of someone called Defense 09 living in the guest house in Monrovia, testifying that anyone could have lived there. She did not know who owned the guest house. Massaquoi travelled to West Africa from Monrovia, to Nigeria and Mali. He was never gone for a long time. This was in autumn 2000, as the witness was back in Freetown in 2001. She left for Freetown because she did not want to give birth in Monrovia. Massaquoi had returned to Freetown before Defense 13 left Monrovia.

The prosecution pointed out that Defense 13 had testified in the lower court that she was uncertain about the date of birth of her child, but had mentioned the date 5 June. The witness maintained that her child was born on 5 July 2001. She gave birth at home and remembered the date. She did not register the child at the hospital. The witness provided the name of the child to the court. She confirmed that Massaquoi did not leave Freetown before she gave birth as he met with her every 2 to 3 days beforehand. She could not remember him leaving Freetown at the time. After giving birth, he came to see her often, every few days, when he wanted to see his child. This continued until 2003. When she did not see him for a few months, she did some research and found out from his family that he was cooperating with the UN. She estimated that their child was two years old when she found out that Massaquoi was working with the UN. She had found out that the former RUF leader had been charged with war crimes and Massaquoi had been named as a witness. She could not recall which family member told her this. She did not know the details of his work with the UN, or whether he travelled. After this, she never saw him again, she only heard that he had been taken to Finland.

The prosecution pointed out that Defense 13 had testified in the lower court that she knew that Gibril had travelled abroad with the people from the Special Court, and that she had heard this from Gibril's brothers. The witness explained that the only travel she knew about was his going to Finland. The prosecution also pointed out that Defense 13 had testified in the lower court that she had met Gibril, when he came to see their child, after he started cooperating with the Special Court. She replied that maybe he came to see their child when she wasn't there, but she was not aware of it. She had tried to go meet him herself, but she had been told that he had security and that she wouldn't be allowed to see him. The witness testified that she does not know Defense 21.

Defense 13 testified that someone came to pick her up in Freetown on her way from Monrovia. She could not remember how she had travelled from Monrovia to Freetown, but somebody was there in Freetown to help her. She gave the nickname of the person who came to pick her up to the court. She testified that she got to Freetown on her own, and he met her in Freetown and helped her with her luggage and the child. She was travelling with her friend, they were three in total. The child was her friend's child. She could not remember the name of the child. The witness knew that Gibril had a daughter in Monrovia, but this was not the child she travelled from Monrovia to Freetown with. She saw Gibril's daughter later in Freetown. She speculated that one of Gibril's friends had come to pick her up from Monrovia. She could not remember when this happened, but she was in Freetown at the time. Defense 13 did not know why Gibril did not pick his daughter up himself.

Further questions from the defense

Defense 13 had heard of the DDR meetings, it was a post-war program in Sierra Leone. She speculated that Gibril was involved as he was member of the RUF and all RUF members had to go through the process. She testified that he had participated in meetings to do with the program. The defense pointed out that Defense 13 had testified in the lower court that she had come to Freetown right before her child was born in April-May 2001 and the child was born in July. The witness responded that she could not remember when she had travelled to Freetown. She estimated that it was in early 2001.

Witness Defense 11 is heard

The defense questions Defense 11

The defense began by asking Defense 11 where he had met Gibril Massaquoi. The witness testified that he met him in 1999 in Lunsar, when he was working as a radio operator for Superman. They were both members of the RUF. Defense 11 provided his codename to the court. He testified that he spent 7 months in total in Lunsar. They retreated and returned after the AFRC fell. After Lunsar, Defense 11 went to Makeni, in early 2000. He came to Freetown that same year when Foday Sankoh was released, he called Defense 11 to be his radio operator. The witness worked on Spur Road, where Massaquoi was working as a personal assistant to Foday Sankoh. They saw each other almost every day. They worked on Spur Road until the attack in May. Defense 11, Gibril Massaquoi and others managed to escape from Spur Road and they spent the rest of the day on a hill to the East of the apartment. During the night, they began to move. It took them 11 days to reach Lunsar. At some point, they were surprised by the enemy and only some of them made it to their destination. The witness listed the 7 people in total who made it to Lunsar. They had left Foday Sankoh at the base of the hill. When the soldiers chasing them had

retreated, they went back to look for him but could not find him. In Lunsar, they found out on the radio that Sankoh had been captured. He was never released.

The witness testified that Sankoh's capture meant that the RUF no longer had a functioning chain of command. In Lunsar, Issa, Morris Kallon and others came to pick up Defense 11, Gibril Massaquoi, Superman and everyone else who had escaped from Freetown and took them to Makeni. They spent two days in Makeni before a general assembly was called at Issa's apartment. It was announced that Issa would assume the role of leader. It was also decided that Gibril Massaquoi would remain a personal assistant. This was the only meeting that witness knew of regarding the RUF command structure. After Makeni, they went to Kono, where Issa gave instructions for Superman and a battalion of men to go to Liberia. There was an order to ensure that the route was maintained. LURD forces were fighting there and had cut off the route to Monrovia. The route went through Buedu to Foya. From Foya, the route led to Kolahun and Zorzor. The order was issued in August or September 2000.

Defense 11 testified that he has been to Liberia. He worked as a radio operator for Colonel Eagle. He went to Liberia in August or September 2000. As the route was not open, the troops were divided; some went to Kolahun, some went to Vahun and Defense 11 was on Foya. He stayed in Foya until May 2001 when disarmament began and he returned to Sierra Leone. He went to Kono to hand over his weapons. While he was in Liberia, the witness was always with Eagle while working on his shift. Another radio operator worked the other shift. He was always at the same location with Eagle, Eagle was his commander. Besides Eagle, Superman was also there, he had brought a battalion. They had no base, they were conducting operations around the Foya axis. There were three flanks, Kolahun, Foya and Vahun. The witness had met some of the Liberian commanders, such as Benjamin Yeaten, Zigzag Marzah at the border in Buedu. Zigzag Marzah was the commander the witness knew the best.

The witness testified that the fighting lasted until May 2001 when they retreated for disarmament. Colonel Eagle returned with him to Sierra Leone. Massaquoi's role as a personal assistant was to make sure that the leader would be released. Liberia was decided as the location for peacemaking. Defense 11 saw him with Issa and others on the route to Monrovia travelling on a pickup. Liberia was the location for peacemaking because Charles Taylor had influence over the RUF and other African leaders. Massaquoi was also involved in tripartite meetings. The witness saw him passing by Foya on their way to Monrovia in 2001. Defense 11 was not aware of Massaquoi participating in fighting in Liberia. They returned after two days, he saw them again in Foya. He was not aware of Massaquoi being in Monrovia before this. He was not aware of any RUF soldiers staying in Liberia after they retreated to Sierra Leone.

After returning from Liberia, Defense 11 met Massaquoi in Freetown in 2002. They met at the party office of the RUFP on Boston Street: "He was enlightening people that we are now a party, we should enlighten people so we can win the election". They also met in Thunder Hills, around June. Massaquoi was involved in the tripartite meetings. He travelled with the UN and the government to rebel-controlled areas as part of the DDR process. This process was ongoing before disarmament. The witness also met Massaquoi after the election at Kissi Road Junction.

According to Defense 11, Gibril Massaquoi's code name was Gaffa. It was later changed to Wild Fire. His friends called him Gibou.

The prosecution questions Defense 11

The prosecution began by asking Defense 11 about the battalion Superman was taking to Liberia. There were about 240 men in an RUF battalion: 15 men per squad, 4 squads per battalion. They had three commanders, Superman, Eagle and Mandela. Superman and Eagle went to Liberia with the battalions. Superman was the senior commander of the three, he was the battalion commander. The troops were moved in two groups. The second group followed the first group not long after. Defense 11 was in the first group. There was not enough space for all the men in their vehicles.

The route they were to open was the link between the RUF and Monrovia. It was the way to their closest ally, the Liberian government, the NPFL, led by Charles Taylor. The RUF transported intelligence and supplies through this route. It was also used in the peace negotiations and in seeking the release of Foday Sankoh. The RUF also needed to the route to get basic supplies from Liberia, such as food. Defense 11 was not aware whether the RUF received arms and ammunition from Liberia. The prosecution pointed out that he had testified in the lower court that the RUF had a maintenance route to Monrovia to carry the most of the supplies, such as rice and ammunition, and that Taylor's government was supplying the RUF with ammunition. The witness responded that Taylor supplied ammunition at the beginning of the war, in 1991-1992, not in 2000-2002. Taylor allowed hundreds of RUF fighters to enter Liberia so that the RUF could secure its interests in the area.

Defense 11 explained that the RUF and the Liberians had separate command structures and areas of operations. The Sierra Leoneans were in Vahun, Kolahun and Foya. Foya was the headquarters, while the Liberians were around Zorzor. The RUF and the Liberians did not go into each other's areas of operations. The RUF was an active party in the fighting against LURD. They managed to secure the route until their retreat back to Sierra Leone. The route was used in the peace negotiations by Issa, Massaquoi and the others. They took the route to go to Monrovia to start the peace negotiations. The witness saw the team going back and forth between Monrovia and Sierra Leone once. The route was also used by the RUF to bring food from Liberia.

The other radio operator working for Eagle was H2. The witness testified that he never travelled to Monrovia and was not aware of Eagle travelling to Monrovia while he was in Foya. The RUF had another service route through Vahun, ULC, Lofa Bridge to Monrovia. This route was not used as the road could not handle the vehicles. Most of the bridges were built of logs and they were rotten.

The witness could not remember the exact month in 2001 when he had seen Massaquoi and his team pass Foya. They went to Monrovia to open negotiations about peace and returned a few days later. The next time he saw Massaquoi was in summer 2002, after disarmament. Defense 11 was not aware of his whereabouts between 2001 and summer 2002. They met in 2002 before the election, in April-May at the RUFP party office. The last time he saw him was in late 2002, at Kissi Road junction. The witness was not aware of any RUF fighting in Liberia after that.

Further questions from the defense

Defense 11 testified that Massaquoi participated in the peace negotiations in Sierra Leone before the tripartite meetings, he was telling RUF fighters to disarm. He also announced the disarmament efforts on the field radio that the witness was operating. His disarmament efforts began in Lunsar and Kambia. Massaquoi was involved in the Abuja I and Abuja II agreement.

Defense 11 travelled with Foday Sankoh to Abuja, where Sankoh was arrested. Gibril Massaquoi was involved in the efforts to have Sankoh released.

Further questions from the prosecution

Defense 11 testified that he had seen Benjamin Yeaten in Buedu. The RUF received supplies from him in 1993, 1995, before they joined the AFRC in 1997. He was not aware of the RUF receiving any supplies from him after 2000. The prosecution pointed out that the witness had testified in the lower court that the RUF acted independently in Lofa, but received arms and ammunition from Benjamin Yeaten. The witness testified that he did not remember saying so, but if the RUF did receive arms and ammunition, it must have been during an emergency.

May 8, 2023 – Day Forty-nine

Today, the Court heard only one witness, a former RUF commander, who had known Gibril Massaquoi during the Sierra Leonean civil war.

The witness described his experience as a commander of an RUF battalion that moved from Sierra Leone to Liberia to secure a land route in Lofa county, leading from RUF-controlled areas in Sierra Leone to Monrovia, Liberia. This operation had been described earlier by other witnesses, who were part of the RUF forces that took care of the operation as well as Mr Massaquoi himself. The witness also testified about his and Mr Massaquoi's whereabouts before and after the disarmament process in Sierra Leone, that ended its civil war.

May 8, 2023 [Liberia] Day 49: Former RUF commander takes the stand

Witness Defense 07 is heard

The defense questions Defense 07

The defense began by asking Defense 07 how he met Gibril Massaquoi. The witness testified that he had gotten to know him in 1991 during the war in Sierra Leone. They were both members of the RUF. Defense 07 gave his war name to the court. Gibril Massaquoi's code name was Gaffa. In 1999, Defence 07 was serving as an RUF commander. He was fighting in Sierra Leone and later in Liberia. The Lomé peace agreement was signed in 1999 and it ended the fighting in Sierra Leone. Defense 07 estimated that the agreement was signed around July. After the signing, the witness continued to work for the RUF to maintain the peace.

The witness testified that Gibril Massaquoi was in prison in early 1999. After being released by the West Side Boys in January, he went back to the rebel lines. He worked as a spokesman and press secretary, he had begun these tasks back in 1997. After the Lomé agreement was signed, Foday Sankoh, aka Papay, called and asked him to be his assistant in Freetown. He worked on Spur Road until May 2000. The witness knew this because he was also based on Spur Road for the whole time that Gibril Massaquoi was working there. The witness was a part of the Ceasefire Monitoring Committee, he began working there in January 2000 until May 2000 when they were attacked. The witness described the attack: the ceasefire was broken and the Sierra Leonean government used civilians and soldiers to attack the RUF. He was in Bo, Southern Sierra Leone, on a mission when the attack took place. Everyone close to Foday Sankoh was arrested, but Gibril Massaquoi managed to escape to Lunsar. Foday Sankoh was shot in the leg and arrested. Before the attack, there had been skirmishes between the RUF and the UN, which led to the attack against Sankoh, Gibril Massaquoi, and others.

Defense 07 testified that after Sankoh's arrest, General Issa took leadership of the RUF. They had a meeting where Issa forced himself as the leader, which the rest of the RUF leadership later agreed to. They had a general meeting in Kono around July or August. The witness was present at the meeting, along with Gibril Massaquoi, Morris Kallon, Red, Augustine Gbao, Abdul Razak and several other commanders. At the meeting, the idea came up that ECOWAS wanted the RUF to have a leader, so they had to appoint one. They named Issa as the leader during the meeting in Kono. The witness testified that neither he nor Gibril Massaquoi were happy with the appointment. After they had elected General Sesay as the interim leader, Sesay said that they

needed a delegation to go to meet with Charles Taylor in Monrovia for the peace process. Gibril Massaquoi was elected as the leader of this delegation. General Issa told them that ECOWAS had contacted him about the meeting in Monrovia.

The delegation consisted of Gibril Massaquoi, Morris Kallon, Abdul Razak, Ray, General Issa, Defense 14, Pa Benda and others. Defense 07 did not know where Massaquoi went after the meeting, but he remembered that LURD blocked the road in Foya, Lofa County after the meeting. Defense 07 was tasked to take armed men and join the Liberian forces to reopen the road. He testified that the meeting in Kono was in July or August and he left for Liberia around September 2000. Gibril Massaquoi did not go with him, he returned to Lunsar and Makeni after the meeting in Kono.

Defense 07 testified that he had 90 men with him when he left for Liberia. They attacked on two flanks alongside the Liberians, he could not say how many troops were involved in the operation. One flank was in the area from Zorzor Road to Voinjama, and the other one was on Kolahun Road. The witness was located in Kolahun. Superman was not in Liberia with Defense 07's forces at that time. The witness explained that Superman left for Liberia right after the meeting in Kono because he disagreed with the outcome of the meeting. The witness had two radio operators with him, H2 and [REDACTED].

The witness explained that the reason for reopening the road was for the RUF to continue with the peace process and to come to meet the ECOWAS leaders. They used that road to travel. The road was closed from Foya, to Kolahun, to Voinjama. They had to fight heavy battles to reopen the road in Kolahun and in an area between Kolahun and Voinjama. They also fought at the Liberian Produce Marketing Company (LPMC) near Voinjama. Defense 07 managed to push the enemy away from Voinjama and outside Liberia, back to Guinea where they had come from. They managed to reopen the road and the fighting ended after the operation. The original orders were to open the road in 72 hours, but because of the heavy battles at the LPMC, it took them ten days. After the road was opened, Gibril Massaquoi and the rest of the delegation travelled to Monrovia. They met the witness and Benjamin Yeaten in Voinjama, where the RUF headquarters in Liberia were located at the time. The delegation continued on their journey after an hour. The witness later found out that the delegation had reached Monrovia, but he did not join them there. He had later travelled to Monrovia, but could not recall when. The witness testified that he had not been to Monrovia before the delegation travelled in 2000.

The defense pointed out that Defense 07 had testified in the lower court that he had visited Monrovia after the delegation's mission. He explained that he came to pay a visit after his mission. He came to Monrovia with Benjamin Yeaten and they met with President Taylor, who thanked them for opening the road in Lofa. At the time of his visit, neither Gibril Massaquoi nor any other members of the delegation were in Monrovia. Defense 07 testified that he left Liberia in June 2001. His troops in Liberia were called Cobra Unit. The name was to distinguish themselves from government troops. The Liberians knew that Cobra Unit consisted of Sierra Leoneans, because they spoke krio. They could not call themselves the RUF, because the RUF was fighting in Sierra Leone. They had to hide the fact that they were fighting in Liberia, the battles had to be covered up. These instructions came from Benjamin Yeaten, who, according to Defense 07, represented Charles Taylor. The witness speculated that they were trying to hide the fact from the international community.

Defense 07 testified that during the combat in Lofa, there not many civilians around as most of them had fled. Cobra Unit did not have any uniforms, they were all wearing different clothes. The witness saw Mosquito and Superman in Lofa. Superman had already left the RUF at the time. The witness also met some Liberian commanders, such as Benjamin Yeaten, Liberian Mosquito, Zigzag Marzah, Colonel Stanley and others. He saw them in combat, they were all fighting from Kolahun to Voinjama and all the way to Guinea. The witness described Zigzag Marzah as "part of us", he was based in Foya. Benjamin Yeaten also participated in fighting. Defense 07 further testified that the Liberians did not supply them with arms and ammunition, they came with their own arms from Sierra Leone. Gibril Massaquoi was not supplying them with arms and ammunition. The witness had not seen him involved in fighting in Liberia on these missions.

The witness provided his code name to the court. As opposed to war names, code names were used to send messages on the field radio. Gibril's code name was Gaffa. Between the times that Defense 07 went to Liberia in September 2000 and May 2001, he visited Sierra Leone twice, as he had responsibilities as a brigade commander. His only task in Liberia was to open the road and to ensure it stayed open. When the delegation travelled to Monrovia, the witness saw them in Voinjama. He saw them again after two weeks, when they went back to Sierra Leone. He also saw Gibril Massaquoi in Liberia when the delegation was travelling through Lofa again on their way to Mali. This was in late 2000, around November or December. After returning to Sierra Leone, Defense 07 met Massaquoi in Freetown. They met several times after the disarmament, in 2002, at the party office in Freetown. They did not meet in spring 2001, when Defense 07 returned to Sierra Leone. The witness testified that at the time, Gibril Massaquoi was in Northern Sierra Leone, at the headquarters in Makeni. He was working on the disarmament process. He learned about this from national radio and field radio. Massaquoi featured in radio broadcasts.

In 2002, Defense 07 met with Massaquoi in connection with the political party RUFP. They met at the party offices, they were preparing for the elections. The witness testified that when he left Liberia, there were no RUF soldiers left in Liberia. They left once the mission was completed. There were some ex-RUF fighters in Liberia, such as Superman who had left the RUF and brought some of his bodyguards to Liberia with him. Sam Bockarie came to Liberia in 1999 with a lot of men, and they never returned to Sierra Leone. When the RUFP was founded in 2002, some of the ex-fighters were charged in a court for the most serious crimes. There were also training centers and jobs provided for ex-fighters, such as farming.

The prosecution questions Defense 07

The prosecution began by asking Defense 07 about the skirmishes with the UN. The witness testified that he got information that the UN was forcing disarmament on the RUF, and this caused the skirmishes between the UN and RUF forces. The RUF did not want to give up their weapons. The witness got this information from General Issa. The RUF also took some UN peacekeepers hostage, which led to the Sierra Leonean government conducting the "grave attack" against Foday Sankoh's office on Spur Road in May. Defense 07 testified that it was not ECOWAS' idea for the RUF to come and fight in Liberia. It was the idea of President Taylor and Issa Sesay, to open the road so that the delegation could reach Monrovia. The witness did not know whether ECOWAS learned about these battles in Liberia between the RUF and the Liberian Armed Forces against LURD. He did not know why LURD had attacked Liberia and blocked the road, but he deemed that this it a part of LURD's struggle against the Liberian government. This struggle could be characterized as a war. The witness denied that the RUF had joined the civil war in Liberia, since they did not join the Liberian army to fight in the war against LURD. The RUF

joined the fighting to open the road and once that task was completed, they went back to Sierra Leone.

According to Defense 07, the reason that the RUF did not leave Liberia immediately after the road was opened in ten days was because they had to defend the road. They had come to Liberia for peace and were defending the road so that the peace delegation could move freely. The road in Lofa was the only land route to Monrovia. There were also sea and air routes. They drove LURD all the way back to Guinea to ensure that they would not come back and attack again. They also fought LURD in Guinea, they drove them to the border between Guinea and Liberia and followed them into Guinea. The prosecutor provided the witness with a code name and asked him if it corresponded with Defense 11's real name, which he could not confirm. According to him, the RUF and LURD both lost men during the fighting in Lofa.

The witness was aware of what the delegation was doing in Monrovia. According to him, they met with President Charles Taylor and ECOWAS foreign ministers. As one of the leaders of the RUF, he was kept informed on the RUF field radio and he also got news from the BBC. Defense 07 didn't know exactly what was talked about, but knew that the delegation was in Monrovia to talk about peace. When Defense 07 and Benjamin Yeaten came to Monrovia to be thanked by Charles Taylor, they were not thanked by ECOWAS, as ECOWAS was not involved in the operation. According to the witness, they did not thank him personally, but they appreciated the fact that the delegation could reach Monrovia. He could tell that ECOWAS appreciated his work: "because they call the RUF and we answer, and it's like a father called you." ECOWAS like a father "because they pioneered the peace". When the witness and Benjamin Yeaten met Taylor in Monrovia, Taylor showed his appreciation to Yeaten. He gave the RUF leadership, General Sesay, money.

Defense 07 explained that the RUF received ammunition to fight, but it was the RUF's property. They received ammunition in Lofa, where the fighting was: in Foya, Kolahun and Voinjama. The ammunition was flown in from Monrovia. He testified that when he got to Lofa, fighting had already started and the civilians had already fled. They did not look for civilians in the bush or in villages, they were only looking for the enemy.

The witness testified that Superman and Massaquoi were on friendly terms before Superman came to Liberia. When he left, they no longer had contact with each other. Superman left the RUF and came to Liberia because he was not in good terms with Issa Sesay. He came to surrender to Benjamin Yeaten. The Liberian government accepted him and ordered him to Lofa, around Vahun. Massaquoi did not go to see Superman in Lofa. Defense 07 knew this as he could not have gone around Lofa without him knowing. He testified that Massaquoi did not see Superman even after he returned to Sierra Leone, as he was too busy with all the meetings that he wouldn't have had the time to meet with Superman.

Defense 07 saw Massaquoi in Freetown after disarmament until the elections in May 2002. The witness personally disarmed in December 2001, and stated that he was the last person to give up his guns. He and Massaquoi met every time he went to Freetown, about once every month and once after the elections. As to Massaquoi's whereabouts in 2001, the witness testified that he heard about him being in Makeni on the field radio. He also heard on local and national radio that he was there. He estimated that over 500 current or former RUF fighters remained in Liberia when he left in May 2001.

Further questions from the defense

The times the witness met with Massaquoi in Freetown were not arranged. They would see each other at the party office. The last time they met was in May 2002. In 2003, their leader was arrested and he heard that Gibril Massaquoi was taken to a UN safehouse. The RUFP did not have much activity after the elections in May. Defense 07 testified that he saw Gibril in June or July 2002 in Thunder Hills, Kissi. Gibril was living there at the time.

Finally, the witness provided Superman's real name the court. He also thanked Gibril for bringing peace to Sierra Leone.

May 9, 2023 – Day Fifty

Today, the Court heard two former RUF members called by the Defense of Mr Massaquoi.

The first witness, the former coordinator of education within RUF-controlled areas in Sierra Leone, testified about the various meetings they attended with Gibril Massquoi in Sierra Leone and other countries. They had also met Mr Massaquoi after the disarmament process had been completed in Sierra Leone and provided information to the Special Court for Sierra Leone.

The second witness was a former RUF radio operator, who used to work directly with Mr Massaquoi during the Sierra Leonean civil war. He described the whereabouts of Mr Massaquoi in different parts of Sierra Leone during the war and the disarmament process. He also stated that he had lived with Mr Massaquoi for a while after the war, before Mr Massaquoi began to cooperate with the Special Court for Sierra Leone.

The Court will continue the hearings on Wednesday 10, hearing two additional witnesses.

May 9, 2023 [Liberia] Day 50: Former RUF members heard

Witness Defense 20 is heard

The defense questions Defense 20

The defense began by asking Defense 20 where he had first met Gibril Massaquoi. Defense 20 testified that she got to know Gibril Massaquoi in Kailahun District at the beginning of the war. They were both members of the RUFP, Massaquoi was the spokesman and the witness was in charge of children's education. She could not recall exactly when they met.

The witness described the RUF's work with ECOWAS. Gibril Massaquoi and Kposowa were delegation leaders and they had a lot of tripartite negotiations in different countries. She testified: "in RUF he was one of the most educated man. Gibril went to school and he knew how to speak English well". He was sent to meetings and tripartite negotiations with different people. These tripartite negotiations were held in late 2002 in Abuja and around Sierra Leone. The witness sometimes went to some meetings.

The Abuja agreement was a ceasefire between the RUF and the SLPP government. It was signed at the ECOWAS building, in Abuja, Nigeria on 10 November 2000. Defense 20 was there with Massaquoi. They travelled to Abuja by going from Kono to Kailahun, and then from Foya by helicopter to Springfield, Monrovia. They were received by Nigerian ECOWAS staff and taken to Abuja. They walked from Kono to Kailahun, which took three to four days. They were in Abuja for about a month. When they left Nigeria, they went back to the headquarters in Kono. The day after arriving in Abuja, they began working with ECOWAS. They discussed a lot of different things there, they were advised by the President, who said that their leader should be sent to a French country.

The delegation consisted of herself, Gibril Massaquoi, Mr. Kposowa, Pa Benda, Defense 11 and others. Defense 20 testified that she saw Massaquoi every day in Abuja, they were staying in the same hotel. They took the same route back, from Abuja by helicopter to Roberts Airfield and

from there to Foya airstrip. From Foya, they continued to Kailahun and Kono. All the members of the delegation returned to Kono together, they had tripartite meetings in Kono, Makeni, Lunsar and Freetown.

The witness testified that she met Massaquoi in Freetown after the Abuja trip, in Kington. His wife was also staying there. This was in 2002, when there was already peace. Defense 20 often saw Massaquoi in Freetown in 2002. She would stay overnight at his place, they were scared in Freetown as they had just come out of the bush. She first saw him in Kington. Later, when she was in Kailahun, she heard that he had been attacked and had moved to a yellow house. The witness did not know where it was located, she was told about it as a secret. She also met with him at the Special Court. She went there every day after the war, they called her and she went. Defense 20 testified that she was working for the court. The reason that Massaquoi went to the Special Court was a secret. According to the witness, all RUF members were called to the Special Court: "Some people were going to defend, some were going to prosecute." She testified that in 2002, when Massaquoi was in Kington, he was not working. He had told her that some people had rented the house for him. She testified that: "We had so many secret jobs to do, the Special Court was there". At the time of the RUFP, Defense 20 was in charge of the schools that had been set up in the areas liberated by the RUF. They had schools in the bush, where people were hiding, they were open in the mornings when there was fighting going on.

The prosecution questions Defense 20

The prosecution began by asking when the war in Sierra Leone began. The witness testified that it began on 3 March 1991. She could not recall when the RUFP was founded. She explained that she was one of the people who signed the creation of the RUFP. She could not recall exactly when this was, but it was after the ceasefire. Before that, the RUF was a military organization fighting the Sierra Leonean government, it was a "rebel government" from 1991 to 1996.

Besides Abuja, Defense 20 recalled meeting with the Nigerian president with Massaquoi. He invited them to dinners and meetings to discuss peace in Sierra Leone. There were two meetings in Abuja, this was Abuja I. As for meetings that she attended with Massaquoi, the witness mentioned the tripartite negotiations in Makeni and Kono. There were white people there, the UN was there. The witness attended some, but not all, of the meetings. Massaquoi participated in all RUF meetings, because he was the most educated out of them all and he would inform the media. These meetings were in 2000. She testified that many meetings were held in Abuja and other countries, Charles Taylor didn't want them to be in Liberia because he had already been accused of looking after the Sierra Leoneans.

The witness confirmed that she met Massaquoi after the war in Freetown, in Kington. They met at his home, where he lived with his wife and children. She did not ask who owned the house or why he was living there. She would go there at night, wake up early and leave for meetings. She did not notice whether there were any guards at the house and stated that "I did not look for that, when we moved from the bush everyone had his own secret". Later she heard that Massaquoi had flown out of the country. She was told that he had been attacked and was flown out of the country. She did not see him after the attack, she had only heard that he had moved to a yellow house. During her meetings at the Special Court, the witness saw Massaquoi within the large, fenced area of the building, not inside a courtroom. They did not speak to each other as people were working for different parties. This was in 2002. There were different people at the

Special Court, and the Court told them not to talk amongst themselves. They didn't want anybody to interfere.

After her questioning, the Defense 20 asked to address the court. She stated: "Gibril Massaquoi, as I know him, was the most educated young man. The commanders of education were not equipped so the revolution needed to get information out about us, good or bad. So, the revolution secured him because he gave the message to the world. Our father used to love him because he's bold and clever. Whenever we were in meetings he talked to people gently. Some turned out not to love him because Sankoh loved him. We called him Mr. Peace. He goes everywhere where peace is so I called him Mr. Savior. That is all I have to say".

Witness Defense 10 is heard

The defense questions Defense 10

The defense began by asking how Defense 10 had gotten to know Gibril Massaquoi. The witness testified that he has known him since childhood, they lived close by. Defense 10 is a year older than him. In 1999, the witness worked as a radio operator for the RUF. He was stationed in Port Loko, Lunsar, under Defense 01. Gibril Massaquoi was arrested in 1999 and released from Pademba Road Prison by the West Side Boys on 6 January 1999. After his release, he went to Lunsar, where Superman arranged security for him. He began doing PR. The witness was in Lunsar at the time, and was assigned to him. He and Gibril Massaquoi travelled between Makeni and Lunsar, the headquarters were in Makeni. The witness testified that he went with Gibril Massaquoi wherever he went. They had a radio and a satellite phone which they brought with them. Defense 10 was responsible for them, he kept them next to him when he slept, and security guards watched over him and the devices.

The witness testified that Issa Sesay became the leader of the RUF once Foday Sankoh was no longer the leader. Issa was a battlefield commander. Mosquito was also a commander for a while, but he left. When Gibril Massaquoi was released from prison in 1999, Foday Sankoh was the leader of the RUF. Sankoh was arrested in Abuja, Nigeria and was communicating with Issa that the peace process must continue, because the initial 1996 peace agreement did not hold. The Lomé peace agreement was signed on 7 July 1999. At the time, Gibril Massaquoi was with Defense 10. He was appointed by Superman to participate in the negotiations. He went through Guinea to Lomé and spent two weeks there. After Lomé, Foday Sankoh returned to Freetown. Gibril Massaquoi left Lunsar and went to work as a personal assistant to Foday Sankoh in Freetown.

Defense 10 explained that the radio was at everybody's disposal, while the satellite phone was only for Massaquoi's use. He would carry the satellite phone around and if there was a message for Masaquoi, he would find him to pass on the message. This was in Lunsar, where Massaquoi was travelling. The radio and the satellite phone were kept in the same place, where the witness slept. Massaquoi was often called often by the media, about skirmishes or battles, once a month or every two months.

The witness testified that after the May 8 attack, some commanders went to Makeni while Gibril went through to bush to meet them in Lunsar. Defense 10 began working as a radio operator for the RUF in 1996. He worked for Issa Sesay, Morris Kallon, Superman and Gibril Massaquoi. He stopped working for him during disarmament in 2001. After the attack on 8 May, Defense 10

continued to work as Massaquoi's radio operator. After the attack, Issa Sesay called a general meeting with all the commanders. They decided to continue with the peace process as some of the men did not want to fight anymore. They decided to contact UNAMSIL and to appoint Gibril into the external delegation.

Defense 10 explained that Massaquoi moved to Freetown after the peace process had been put back on track. The witness went with him, they were taken by air in a UN helicopter. The reason for this airlift was an internal conflict within the RUF. Gibril had told them not to attack UNAMSIL, everyone grabbed guns, including Gibril who had to defend himself. This happened in Makeni, at the Defense HQ. The conflict was between Issa Sesay and Gibril Massaquoi, as Issa said that he did not take orders from Massaquoi. Massaquoi had told Issa that they wanted the peace process to stay on track.

The witness further testified that he and Massaquoi were present at all the tripartite meetings. Gibril was a representative for the RUF. Defense 10 was not involved in the actual meetings. He stayed outside and listened to the radio and helped the representatives use it if necessary. His radios were used to pass information about the meetings. The witness could not recall when the tripartite meetings began, but the first one was held in Kambia District before disarmament. Defense 10 estimated that he was involved in five meetings in total over the period of five to six months. He listed the locations that these meetings were held in. In addition to the tripartite meetings, Massaquoi was involved in the peace process by talking to people about these issues, he would go from battalion to battalion. The witness did not go with him on these trips. He was not there when Gibril was attacked in Segbwema and could not say when this attack occurred. According to Defense 10, Gibril was attacked and robbed.

Defense 10 testified that Massaquoi's first code name was Gaffa and it was later changed to Wild Fire. The code names were changed because the enemy was watching. The witness was aware of Massaquoi's cooperation with the Special Court for Sierra Leone. One morning, Gibril Massaquoi left for town, and returned late with the UN police. Gibril told Defense 10 and others not to be afraid, he was being taken to a safe house. The witness recalled that this was on 10 March 2002. He did not see Massaquoi after that. The witness never visited him at the safe house, but Michael Bona used to come and bring food for them.

The prosecution questions Defense 10

The prosecution began by asking Defense 10 when he stopped working as Massaquoi's radio operator. The witness testified that he stopped in 2001 right after disarmament, when he handed over all his equipment to UNAMSIL. He estimated that this took place in early 2001, around January. All the equipment was given to UNAMSIL, including radios, solar panels and all the satellite phones the RUF had.

The witness testified that he was with Massaquoi from 1999 until 2002, they lived in the same house. When Massaquoi left the witness in Lunsar and went to Freetown to work as Foday Sankoh's assistant in 2000, he took the satellite phone with him. The witness confirmed that the only time Massaquoi had the satellite phone to himself was when he was working as Foday Sankoh's assistant. He explained that there was an internal struggle within the RUF, and UN peacekeepers had been taken hostage before the 8 May 2000 attack. Issa Sesay, Augustine Gbao and other senior commanders were there. The witness could not say whether Massaquoi had a satellite phone at his disposal after disarmament, as they were not together. After disarmament

in January 2001, Defense 10 and Massaquoi came to Freetown together as a family. Gibril rented a place from Thunder Hills and the witness was living there with him. He lived there from January 2001 to 10 March 2002, when Massaquoi was taken to the safe house. During that time, the witness didn't see Massaquoi with a satellite phone.

Defense 10 testified that Gibril was appointed to the external delegation and went to Liberia to negotiate about peace. He had talks with ECOWAS, the President of Mali, the UN, and others. This was during the rainy season in 2000. The witness did not know whether Gibril went to Liberia when they were living together in Freetown from January 2001. He did not know if he had a girlfriend in Liberia. The witness knew Defense 13, he had known her in Sierra Leone before she and Gibril started dating. He did not know whether Defense 13 had been to Monrovia. The prosecution pointed out that Defense 10 had testified in the lower court that Massaquoi went to Liberia in 2001 to pick up his girlfriend Defense 13. The witness did not remember saying so. There was further discussion as to what Defense 10 had previously testified about seeing Massaquoi go to Liberia to pick up Defense 13 and a child.

The witness was at the house when UNAMSIL came to pick Massaquoi up and take him to the safe house. Michael Bona was also living there. When Gibril was paid money, Michael Bona came to bring them some, he was supporting them. The witness repeated that he had never gone to visit Gibril at the safe house. He had heard about an attack on the safe house and went there to look for them. When he got there, the guards told him said that they had been attacked and had moved.

Defense 10 testified that he had a satellite phone during the tripartite meetings. After disarmament, peace was declared very quickly. They gave up their supplies, President Tejan Kabbah declared that the war was over and it ended.

Question from the court

The court asked the witness to confirm when the war ended, referring to a previous witness who had testified that he had disarmed in December 2001. Defense 10 maintained that he was disarmed in early 2001 and peace came shortly after. The court also asked him to confirm the year when Massaquoi moved to the safe house, referring to previous witnesses that testified that this occurred in 2003. The witness maintained that it was in 2002, he had been living with Massaquoi for about a year and had written everything down in a notebook.

May 10, 2023 – Day Fifty-one

Today, the Court heard two former members of the RUF, who stated to have known Gibril Massaquoi during his time in the RUF.

The first witness had been a part of an RUF road-clearing operation in Liberia, while Mr Massaquoi was in Liberia. He also testified about his contact with Mr Massaquoi in Sierra Leone during and after the disarmament process.

The second witness had mainly been in contact with Mr Massaquoi in Sierra Leone. He had been involved in diamond mining for the RUF and testified about Mr Massaquoi's presence in mining areas. He also testified about Mr Massaquoi's whereabouts after the official ending of the war, as well as his activities in integrating former fighters back into society via a fishing project. He was also asked about the arrangements at Mr Massaquoi's safe house, as he stated to have visited Mr Massaquoi there in 2003.

The Court is scheduled to continue the hearings tomorrow, Thursday 11, with two more witnesses.

May 10, 2023 [Liberia] Day 51: RUF members meeting with Massaquoi

Witness Defense 03 is heard

The defense questions Defense 03

The defense began by asking Defense 03 how he had gotten to know Gibril Massaquoi. Defense 03 testified that he had known Gibril Massaquoi since 1991, when they joined the RUF. Gibril was a target commander and Defense 03 was in the target he was commanding. Gibril was a target commander until 1996, when he left for the North and joined Superman. He got sick in 1996 and was taken by helicopter to the Ivory Coast. He spent a long time there, and after returning, he spoke to the international media. He was with Foday Sankoh as a spokesman. Later, when the peace process started, he joined Sankoh in Freetown as his special assistant.

The witness testified that he came to Liberia once. He had come to fight, but returned the same day without fighting. He came with soldiers and Defense 12. They had 70 men in total. They went through Koindu, Sierra Leone, and crossed the border to Mendekoma, Liberia. This was in 1999 or 2000, it was the rainy season. They were sent to Liberia to help open the road and to help the Liberians push the enemy away. Eagle was sent to one flank, while Defense 03 and Defense 12 were on the other flank by the border between Liberia and Guinea. The route was used to travel to Monrovia; from Foya to Buedu and Kolahun. They had to open the road so that the delegation with Gibril Massaquoi, Issa Sesay and others could travel freely. Defense 12 was in charge of the troops they brought to Liberia. Defense 12 stayed in Mendekoma, near the Guinean and Liberian border. There was also another village, which they used as a base camp to plan combat, but the witness could not recall the name of the village.

Defense 03 provided the court with Eagle's real name. Eagle fought in Kolahun and Foya, on the main road. He had come to Liberia before Defense 03, he had opened and cleared the road. Defense 03 and Defense 12 were sent to prevent the enemy from attacking Eagle. The enemy

consisted of ULIMO troops, such as Mosquito Spray. The witness stayed in Liberia for only a day and when he left, Eagle was still there. Defense 12 stayed in Liberia after the witness left. He could not say for how long Defense 12 remained in Liberia, but estimated that it did not take a week for him to return. The witness met some RUF commanders while he was in Liberia, such as Colonel Jungle and Liberian Mosquito, who was NPFL. Defense 03 handed over the troops to Liberian Mosquito. He had also met Zigzag Marzah in Liberia, in the village, the name of which he could not recall. The witness explained that Zigzag Marzah came from Monrovia and went back and forth, he was one of Charles Taylor's senior commanders. Defense 03 did not see anything in particular in Liberia, he just handed over the troops and left.

At the time, disarmament was ongoing in Sierra Leone. The witness was disarmed in Tongo in early 2001. When he returned to Sierra Leone, the troops he had brought to Liberia stayed there. He did not meet Gibril Massaquoi in Liberia, but he saw the delegation going through Buedu in Sierra Leone on their way to and from Monrovia. Defense 03 testified that the delegation travelled to Monrovia specifically because Charles Taylor was a part of the peace process. Going to Monrovia simplified things for the RUF. This was an effort to get the Abuja peace process back on track, Abuja I was in 2000 and Abuja II in 2001. There were also tripartite negotiations in Kono after Abuja I.

Defense 03 explained that he did not meet Gibril after he returned to Sierra Leone from Liberia, he only saw the delegation pass by Buedu. Gibril was a diplomat at the time. The witness spent the whole disarmament period in Tongo. He had also lived in Buedu and Freetown. He lived in Freetown in 1997, 1999 and 2000. He met Gibril Massaquoi in Sierra Leone in 2001 or 2002 and in 2006, 2007 or 2008, when he was getting ready to leave for Finland. In 2002, around the time the RUF was transferred into a political party and participating in the elections, they met at Gibril Massaquoi's house. He was living in Kissi, in a yellow house. Massaquoi participated in the political activities of the RUFP. He was given money to rent an office and to buy supplies, he was the party spokesman. This was in 2002. The witness met Massaquoi almost daily in 2002 at the party office or at Massaquoi's house.

The witness did not know what else Massaquoi was doing in 2002. After the 2002 elections, they met in 2007 or 2008 in Freetown. Massaquoi's code name was Gaffa and he was also called Gibo. Defense 03 had not heard of anyone named Angel Gabriel or Angel in the RUF. He knew Sam Bockarie aka Mosquito, and testified that he and Gibril Massaquoi were not on friendly terms, there was a lot of confusion and internal conflict between Issa, Mosquito and Gibril. Sam Bockarie was an RUF member and he lived in Sierra Leone. He moved to Liberia in 1999. Defense 03 testified that if Gibril Massaquoi had come with him, Sam Bockarie would have killed him.

The prosecution questions Defense 03

The prosecution began by asking about Defense 03's trip to Mendekoma. The witness testified that this was in late 2000, possibly in June. He listed the places they had travelled through, and then confirmed that it was actually in 2001. Mendekoma is in Lofa county. He had only spent one day in Liberia, he left the same day as there was no food or work in Mendekoma. The prosecution pointed out that the witness had testified in the lower court that he had spent three days in Lofa. He responded that he had only spent one day in Liberia, but Defense 12 had told him that he had spent three days there.

Defense 03 maintained that he only brought the troops to Mendekoma and returned, he did not participate in any fighting. He had fought near the border earlier, in 1991-1993. He confirmed that this trip to Mendekoma was the only time he had been to Liberia. The witness then added that he had fought on the first day when he came to Liberia. They fought in Foya, at Foya Airfield for two to three hours. They fought with NPFL against the enemy who had blocked the road, LURD. This all took place within one day: they arrived at night, all preparations were made, they attacked early in the morning, and came back that evening. Foya Airfield is four to five miles away from Mendekoma. They took small roads to Foya Airfield and went back to Mendekoma after the attack. There were 70 RUF troops and over a hundred Liberians. The RUF went by foot, while the Liberians attacked in vehicles. They walked from Mendekoma to Foya on the same day. The trip from Tongo to Mendekoma took two to three days, but he had only spent one day in Mendekoma.

The witness confirmed that his task was related to Eagle's operation opening the road for the delegation. According to him, it was the RUF's idea for the delegation to travel to Monrovia, as ECOWAS needed a delegation from the RUF. ECOWAS was not aware of the fighting taking place in order for the delegation to make it to Monrovia, they just wanted them there. The RUF and NPFL fighters that fought alongside each other at Foya Airfield knew each other, some of the RUF fighters had already fought in the NPFL. Defense 03 testified that the only time he saw Gibril Massaquoi in Liberia was one of two trips he had in Liberia. He knew of Massaquoi's travels in Liberia, because he had been at the Kono meeting and had heard about his work with the delegation. The second trip was for Abuja II, when Massaquoi went from Lunsar to Guinea, because Issa, Massaquoi and Mosquito were not on good terms. At the time, it was possible to travel from Guinea to Liberia by air or by land.

Defense 03 testified that he came to Freetown after disarmament in 2001-2002 and met Massaquoi. In 2001, they kept in touch by radio. The witness was not aware of Gibril's whereabouts between 2002 and 2003, he only heard about him again in 2007. During disarmament, not all the communication equipment was taken away from them, there was some left over for the commanders to communicate with each other. Once there were problems with the peacekeepers, everything was taken away. They also had one hidden at the house in the government compound. The witness confirmed that he saw Massaquoi at his house and at the party office in Freetown in 2002, but that they didn't see each other after that. The prosecution pointed out that he had testified in the lower court that he had moved away from Freetown, to Tongo, before the general elections. There was discussion in court as to when the witness was in Freetown and Tongo in 2002, and when and where he had seen Massaquoi.

The witness went to Liberia with 70 troops in total and returned with three or four bodyguards, leaving the Liberians in Mendekoma with about 65 men in total.

Further questions from the defense

Defense 03 testified that Massaquoi only spent one day in Tongo when he had the problem with Issa Sesay. Massaquoi was evacuated from Tongo to Makeni and then from Makeni to Freetown. The witness knew one Sierra Leonean called Gabriel, Mike Lamin's brother. After the defense referred to his police interview, the witness recalled that he used to know one Angel Gabriel. He was RUF, and the witness had heard that he died in 1997 or 1998, in Tongo. The defense pointed out that he had told the Finnish police that he died after disarmament, around 2003, in Tongo. Defense 03 responded that he heard about Angel Gabriel's death after disarmament. Angel

Gabriel was addressed as a sergeant, he had two or three bodyguards under him. Defense 03, Angel Gabriel and others was all under Mosquito, Issa Sesay and Morris Kallon. The witness explained that he knows of two Angel Gabriels, one soldier, who died in Tongo, and Mike Lamin's brother, who was not a soldier. He had gotten to know Mike Lamin's brother through the AFRC. He did not participate in combat. Both Gabriels were referred to as Angel Gabriel.

Witness Defense 06 is heard

The defense questions Defense 06

The defense began by asking Defense 06 how he had gotten to know Gibril Massaquoi. The witness testified that he had known Gibril Massaquoi since the beginning of the war, in 1991 or 1992. They were in different targets. In 1999, the witness was in Tongo, he had been assigned there. Gibril Massaquoi was in prison at Pademba Road at the time, before the AFRC released him. The witness heard about him through the field radio, but he did not meet him personally. In 2000, the witness met Massaquoi in Makeni, after Foday Sankoh had been ousted from the RUF. He went to get financial help for diamond mining. Massaquoi told him that he did not have money at the time, but that he would call him once he had some. Massaquoi contacted him in 2002 and they met in Freetown. This time, he did not have the money, but he told the witness that he was preparing a fishing project for the DDR, it had been approved. Defense 06 and two others joined him to Gbondapi not long after, this was during the dry season 2002. They spent one day in Gbondapi, after which Massaquoi went to Bo and Defense 06 went to Tongo. Before this trip, Massaquoi had written the project and was waiting for its approval. They went there to prepare for the project, they met with leaders and told them about it. The witness never saw the document that Massaquoi had prepared.

Defense 06 was aware of Gibril Massaquoi's cooperation with the UN. Later, Gibril and Issa Sesay were arrested, Gibril joined the prosecution's side and was put in a safe house. The fishing project was never implemented, as Gibril never received the money for it. The witness learned about this in 2002. In late 2002, Massaquoi was arrested and in 2003, he was put in the safe house. The last time Defense 06 met with Massaquoi was in 2003. Massaquoi called and asked to meet him. He went to meet him near the stadium, Massaquoi gave money to the security guards and they went upstairs.

The witness did not know of anyone called Angel Gabriel. He had heard of someone named Gabriel, but had never met them. He was located around the Kailahun District. The witness could not remember the address for the safe house. It was located near the stadium, near the Youyi building.

The prosecution questions Defense 06

The prosecution began by asking about the financial support Defense 06 had asked for the diamond mining in Tongo. The witness testified that the RUF was operating the diamond mines in Tongo: "when you are fighting war, when you capture any place, that area is for you". At the time, the RUF had the whole area, Lunsar, Kono, Tongo. The diamonds that were mined in Tongo could be kept by whoever found them. The mines weren't controlled, any RUF fighter could come and mine for themselves. Massaquoi was in Lunsar and in 2002 he came to tell the miners that they should stop and dig for the government. The prosecution pointed out that Defense 06 had testified in the lower court that Massaquoi had boys mining for him at the diamond mines. The

witness explained: “One thing during the revolution, when boys were assigned with you anything they did it was you. If they were doing it for him, he would not have told them to stop”. Massaquoi came to tell them that they had to get permits from the government before mining. Defense 06 testified that Massaquoi did not take any diamonds, it was Issa who would come and take people’s diamonds, but Massaquoi put a stop to that. The witness did not know what Issa did with the diamonds, he was the leader of the RUF at the time.

Defense 06 testified that when he went to meet Massaquoi in Freetown, Massaquoi was not working at the time. He was participating in the political activities of the RUF. The witness went to see him at the RUF party office about two or three months after the elections in 2002. He, Gibril Massaquoi, and two others went to Gbondapi to make arrangements for the fishing project. The witness could not recall what kind of arrangements they were making, he only remembered that they would have returned once the money came through. Defense 06 was supposed to train the participants in the project. The first time he heard about the project was in 2002, when he had been to Freetown to see Massaquoi.

The witness denied that Massaquoi gave money to the guards at the safe house when he went to visit him in 2003. He explained that his name was written down, and then he was allowed to go upstairs. There were about four guards in total, they were all armed. Three to four months had passed since his move to the safe house until Gibril called him. He told him that the money for the fishing project had not come through, and that the project would probably not come to anything as he could be leaving for Finland at any moment. They only spent an hour together, and the witness returned to Tongo. He later heard that Gibril had gone to Finland, it was not long after their meeting. Defense 06 was aware that Gibril had been a part of a delegation in Liberia in 2001. He testified that he had only visited Gibril in the safe house once. The prosecution pointed out that he had testified at the lower court that he was friends with Gibril and had gone to the safe house a few times, and that he was “known” there. The witness denied this, stating that one could not simply walk into the safe house without having their name written down. He and Gibril were friends, but if he had not called him, he would not have gone to the safe house.

Final question from the defense

The witness confirmed that he had heard of a sergeant Angel Gabriel, he got the information on the field radio.

May 11, 2023 – Day Fifty-two

Today, the Court continued the hearings in Monrovia by hearing one new witness called by Mr Massaquoi's defense. Another witness, also called by the Defense, did not come to testify.

The witness used to work as a radio operator for the RUF during the Second Liberian Civil War. He was sent to Liberia in 1999 and he spent time there until the latter end of the war in Sierra Leone, 2001-2002. He testified about the origins of the RUF operation in Liberia and the whereabouts of various RUF commanders in Lofa county, Liberia. In addition to Lofa county, he testified to being in the capital Monrovia in 2001.

The Court will end its second trip to Liberia tomorrow, Friday 12, by hearing one last witness. After that, the Court will return to Finland for the final phase of the trial. The next hearings are scheduled for the latter part of May and the trial is expected to conclude in early June.

May 11, 2023 [Liberia] Day 52: A new defense witness is heard

Witness H2 is heard

The defense questions H2

The defense began by asking H2 about his membership in the RUF. The witness testified that he was abducted in 1991, he was with the RUF from then until the director declared that the war was over in early 2002. In 1999, he was working as a radio operator in Liberia. He was sent there by General Issa Sesay. He was stationed in Lofa, but he often moved back and forth between Sierra Leone and Liberia. He was initially stationed with Superman. He served under Superman for a year and a half, until Superman was wounded and taken to Monrovia. H2 was then assigned to General Yeaten, aka Fifty. He explained: "I would never have come to Liberia if it had not been the collective agreement between the Liberian government and leadership of RUF".

The witness testified that once, Issa Sesay came from Kono to the border and Yeaten came and met him there from Liberia. This meeting took place around 1999 or 2000, Superman had not been injured yet. The mission he was sent on in 1999 was to defend the route from Foya, Voinjama and Kolahun. The route had been attacked by rebels and the troops H2 belonged to were sent to defend the route. It was used by the RUF delegates, and to transport material and troops between Liberia and Sierra Leone. The witness' assignment was in communication. The rebels were called LURD, their leader was Mosquito Spray.

H2 was initially based in Foya. He was later airlifted to Tendebu and when Voinjama was captured, he stayed there for a while before going to Kolahun. The witness did not meet Superman after he was wounded, as H2's troop had retreated to Buedu. After receiving treatment in Monrovia, Superman returned to Vahun. At the time, LURD had captured Voinjama, Kolahun and Foya. The RUF was trying to fight them and retreated to Vahun. H2 met Superman in Vahun in 2001, around the middle of the year.

The witness had also been to Monrovia. He travelled with Benjamin Yeaten from the front to Monrovia and back. Once, Yeaten was sick, and the witness went with him to a village so that he could communicate with others. There was no fighting in Monrovia when H2 was there, the war

was in Lofa at the time. H2 described a clash between Liberian and Sierra Leonean troops in Lofa: Charles Taylor said the insurgents were coming from Guinea, and he sent forces to fight them. The Liberians joined in the battle and lost. Upon their return to Lofa, the Liberian army and Colonel Chucky had a conflict which led to the death of one of Chucky's bodyguards, Johnny Paul Koroma. The RUF fighters were attached to the SSS division, SSS Cobra in Liberia. They were not operating independently in Liberia, they were under the command of General Yeaten.

H2 knew of Sam Bockarie. Sam Bockarie had had a conflict with Sankoh and left for Liberia with a number of fighters in 1999. He also knew Eagle, he was a commander of a troop sent to support the fight in Liberia. The witness worked with Eagle in Kolahun until Voinjama was captured. H2 listed other Sierra Leonean commanders that were in Liberia between 1999 and 2001: Harris, Eagle, Superman, Colonel Chucky and Colonel Sheriff. He listed the Liberians he had met in Lofa: Benjamin Yeaten, Fasu, Green Eagle, Peanut Butter, Roland Duo, Zigzag Marzah, Colonel Jungle and Colonel Dubu Megason. Zigzag Marzah was with the Liberians working with Benjamin Yeaten. He was stationed with Yeaten and went anywhere Yeaten would go. When Yeaten went to Monrovia, he would leave Zigzag in charge. This was when Zigzag committed most of his atrocities; he would burn houses and kill people. He would act like he was the supreme commander and had to be obeyed. The witness testified that Zigzag burned houses and killed people in Popalahun, Kamatahun and Vahun. The killings in these places took place when Yeaten was in Monrovia.

Zigzag was the senior commander when Yeaten was in Monrovia. At the end of every month, H2 had to draft a security report and report what he had seen at the front. H2 was in Popalahun when Zigzag was committing these atrocities, he saw him putting civilians in the house and lighting the house on fire. They opposed it. H2 could not say how many people were killed inside the house. The attack on Popalahun took place in 2001 during the rainy season, around June or July. There was also another commander called Next to God, he was Liberian.

H2 was also present in Kamatahun when Zigzag committed atrocities. Superman and Zigzag had a conflict and Zigzag was told that he could no longer behave like a rebel, he was fighting for the government now, so he had to behave. H2 saw Zigzag shooting civilians in Kamatahun, the house was burned in Popalahun. H2 had not heard of Kamatahun Hassala or Kamatahun Tahamba. He described the location of the Kamatahun where Zigzag shot civilians: next to the main road going from Kolahun towards Foya and the Sierra Leonean border, it was the road that goes to Popalahun and Vahun. This incident also took place in 2001. H2's troops had withdrawn from Guinea to Kolahun. The rains hadn't started yet. There were reports made of this. When Yeaten returned, people told him what Zigzag had done. At the time, everyone was focused on the combat against the rebels. They did not want to blame anyone, nobody ordered Zigzag to behave like he did, he did it all on his own.

The witness knew Gibril Massaquoi, he was the RUF's spokesman and one of the delegates moving between Sierra Leone and Liberia, one of the peacemakers. He had seen Gibril Massaquoi in Liberia once after 1999. He was travelling and was in Kolahun. These people came to Kolahun and continued to Monrovia by helicopter, they were on their way to peace negotiations. That same week, the witness went to Monrovia with Yeaten and stayed at a guest house near the Nigerian Embassy. H2 did not meet Massaquoi in Monrovia. He knew that Massaquoi was not a part of the combat troops. There was always a notification on the radio when reinforcements were being brought in, he would have known if Massaquoi was a part of reinforcements that

came to fight. The witness could not recall Gibril Massaquoi travelling from Monrovia with Benjamin Yeaten.

The witness gave his code names and radio names.

Question from the court

H2 confirmed that Gibril Massaquoi's code name in Sierra Leone was Gaffa. Every commander had a code name.

The prosecution questions H2

The prosecution began by asking H2 about his stay in Liberia. The witness testified that he was in Liberia from 1999 until late 2001 or early 2002. LURD was attacking the whole of Liberia, not just the route to Monrovia the RUF was using. Charles Taylor was using the road to supply the RUF with arms, ammunition and sometimes medical material. He did not know whether the RUF was paying for the supplies.

H2 testified that when he saw Massaquoi and the delegation going from Kolahun to Monrovia by helicopter, LURD was attacking between Voinjama and Zorzor. There was an ambush by LURD in a village in the area. For this reason, high-ranking officers avoided travelling by land and travelled by air instead. The witness listed the various places in Lofa that had landing spots for helicopters. According to H2, it took an hour and fifteen minutes to get to Monrovia by helicopter. The RUF used six different helicopters: ATU-001, ATU-002, ATU-003, SSS-001, SSS-002 and SSS-003. ATU-002 was also used as a combat helicopter. Both the Anti-Terrorist Unit (ATU) and the Special Security Service (SSS) were government troops under Taylor. The witness could not recall exactly when he had seen Massaquoi in Kolahun, it was either in 2000 or 2001.

The prosecution pointed out that H2 had told the Finnish police that he had seen Massaquoi with the delegation in Voinjama or Kolahun on his way to Monrovia in late 2001. The witness responded that he cannot provide the exact date, it could have been either 2000 or late 2001. He corrected his previous statement, testifying that he saw Massaquoi in Kolahun, not in Voinjama and added that he believes it was in 2001, late 2001.

The witness spent two Christmases in Monrovia, in 2000 to 2001 and 2001 to 2002. In 2001, H2 was in Monrovia with General Yeaten, who had gotten sick. H2 was there with his radio to help Yeaten with his communications. Eagle was also there, he came alone by motorcycle from Voinjama. H2 left Voinjama at the same time as Eagle, but they did not travel together.

According to H2, the RUF fighters were attached to the SSS as SSS Cobra. SSS Cobra was an addition, a reinforcement to the rest of the SSS troops. The rest of the SSS had their own uniforms, while SSS Cobra was given green and brown uniforms with "Libyan Workers' Hardware" printed on them. Depending on the mission, they would use either the green or brown uniforms. Benjamin Yeaten was commanding SSS Cobra, but there were also other commanders, such as Sheriff, Harris, Superman and Eagle. Eagle returned to Sierra Leone in early 2000. Eagle was in Monrovia for Christmas 2001, after which they all returned to the border with Guinea. There was fighting and Eagle was supposed to join his troops, but he did not and returned to Sierra Leone instead. H2 confirmed that all RUF fighters in Liberia were a part of the SSS Cobra.

The witness testified that Zigzag Marzah spoke Liberian, he was Gio, his war name was Ziza. H2 did not witness the incident in Popalahun himself, but heard from the other fighters what had happened with Zigzag. In Kamatahun, he witnessed it firsthand: “He saw a group of men and he opened fire and later on we found that the men were not fighters”. This happened outside the village, when H2’s troop was approaching Kamatahun.

H2 explained that the RUF guest house in Monrovia had a few permanent employees and provided their names to the court. He confirmed that Defense 09 was at the guest house, he was a bodyguard to Foday Sankoh. Defense 09 was sent to the guest house before H2 had come to Liberia. When H2 left Monrovia, Defense 09 still stayed in the city. H2 met Defense 09 in Sierra Leone after the end of the war in 2002.

The witness further testified that when the Voinjama-Kolahun-Foya route was lost to rebels, there was also a route that began from Bomaru in Sierra Leone. It continued to Vahun, LPCM, Kumbo, Lofa Bridge, Bomi Hills and Monrovia. H2 had travelled along this route with Roland Duo in 2001, during the rainy season. They travelled sometimes by land, sometimes by helicopter.

Further questions from the defense

H2 testified that he saw the houses being lit on fire in Popalahun. He heard about Zigzag lighting the houses later. He could not tell exactly how many houses were set on fire, and added that he could see one or two houses burning at the entrance to the village.

Decision on using the police interviews of certain witnesses

After hearing witness H2, the court had to decide on a technical aspect as to whether to use the police interviews of two witnesses who were unable to testify in court. Under Finnish legislation, a witness could normally be brought to court with the help of Finnish police. The first witness, Y9, was hospitalized right before his scheduled hearing. The second, H3, had not appeared for his scheduled hearing. The court decided that their witness testimonies could be admitted by listening to the recording of their police interviews in court, as there was no feasible possibility to have them testify in court.

May 12, 2023 – Day Fifty-three

Today, the Court ended its second trip to Monrovia, Liberia by hearing one additional witness.

The witness, a former RUF member and commander, testified about his relationship with Gibril Massaquoi, especially between 2001 and 2003. The witness testified that he lived with Mr Massquoi for a few years and participated in his fishing project preparations in Sierra Leone. The witness also testified that he had visited Mr Massaquoi in the Special Court safe house. The witness was questioned about these subjects by both parties, as there were some inconsistencies between his previous testimonies and that which he was giving the Court of Appeals.

Next, the Court of Appeals will return to Finland for the final phase of the proceedings. The next hearings are scheduled for the latter part of May.

May 12, 2023 [Liberia] Day 53: Final Witness in Monrovia

Witness Defense 01 is heard

The defense questions Defense 01

The defense began by asking Defense 01 where he had first met Gibril Massaquoi. The witness testified that he had known him since his school years, as he was his teacher in secondary school. They both lived in Pujehun, where they both were abducted by the RUF. In early 1999, the witness was in Freetown and later in 1999 he was in Lunsar. According to Defense 01, Gibril Massaquoi was with Foday Sankoh in Nigeria in 1997. Issa Sesay had Gibril and Steve Bio arrested in Bo and he was in prison until 6 January 1999. After being released, he went to Lunsar. Defense 01 was a battalion commander in Lunsar at the time, he received Gibril there. The witness sent Gibril to Makeni to receive medical treatment and he stayed there until late 1999, November, when Foday Sankoh invited him to Freetown to work as his personal assistant. Massaquoi worked with Sankoh and participated in meetings with him. Defense 01 stayed in Lunsar. He had been named the Director of the Port Loko District for the RUFP in Lunsar and would occasionally go to Freetown for meetings, where he met Gibril. Gibril travelled to Lunsar sometimes, to bring food from Sankoh to ex-fighters, and try to unite them and open the party office.

According to Defense 01, Gibril worked as Sankoh's personal assistant until 8 May 2000, when Sankoh was arrested. This was in connection to an attack on Sankoh, caused by the RUF attacking UN peacekeepers in Makeni and Kailahun in April 2000. NGOs, students and regular people attacked Sankoh's residence. Everyone at the residence escaped to survive. A few days later, they saw Gibril and the others in Lunsar. Sankoh was never released after his arrest, which led to a power vacuum in the RUF. Issa Sesay was later appointed as the leader in Kono. Issa Sesay was the head of the RUF's military wing, while Gibril Massaquoi was part of the political wing, he had not been a fighter since 1999. After some negotiations with ECOWAS and the UN, there was a general meeting in Kono in July or August, all the commanders were invited. At the meeting, it was decided that a delegation led by Massaquoi should be sent to Liberia. The delegation included Abdul Razak, Defense 20, Defense 24 and Jonathan Kposowa. Their mission was to move to get the peacekeepers released and to advance the peace process in Sierra Leone. They left for Liberia in August 2000. They travelled back and forth between Kono and Liberia. The witness did

not know if there was a particular reason that the delegation travelled to Monrovia and speculated that it was to be able to meet with West African leaders.

The witness met Gibril Massaquoi in Makeni when the delegation came back from its mission to Liberia. They had a meeting with Issa Sesay and others. They had various meetings like that, as the delegation came to update Issa Sesay on their progress. The witness himself participated in a meeting held in October 2000, the UN peacekeepers had been released and the peace process was about to begin. Defense 01 also met with Massaquoi in Makeni in December 2000, when the delegation returned from Liberia for good. After the delegation's return, Massaquoi worked with the tripartite arrangement between the Sierra Leonean government, UNAMSIL and the RUF. The committee had meetings in various locations, they were looking at how to disarm, demobilize and reintegrate the fighters after the war and how to reunite child soldiers with their families. Defense 01 testified that Massaquoi participated in all of these meetings, they continued until November or December 2001. Massaquoi did not return to Liberia, he was living in Makeni at the time. The witness also participated in the tripartite meetings as he had been appointed Child Soldiers Coordinator. He saw Massaquoi during these meetings. One meeting was held in Kenema in 2001, he could not recall the exact date. The meetings lasted about three to four hours each. After the Kenema meeting, Defense 01 returned to Lunsar and Massaquoi returned to Makeni. The witness had also participated in one tripartite meeting in Freetown in August or September and one in Magburaka in 2001. There were meetings every two or three weeks.

Defense 01 testified that he lived in Lunsar until December 2001, when he moved to Freetown. At the time, Massaquoi was living in Freetown. He had been evacuated there by the UN in November 2001, after he had had a conflict with Issa Sesay. The witness was not in Makeni when this incident took place. He had heard that Issa Sesay had accused Massaquoi of inciting the miners in Tongo to stop digging. When Gibril Massaquoi was brought to Freetown, Defense 01 lived with him at 10B Thunder Hill Road, Kissi. He moved in with Gibril Massaquoi straight after leaving Lunsar in December 2001, as there was nothing left to do in Lunsar, there was no RUF activity there. He decided to go to Freetown to study, he was admitted to the Sierra Leone University for 2002, but he could not pursue his studies for financial reasons and had drop out. He then applied to another program for the term 2002-2003 and studied agriculture. The witness listed the other people living with them in Thunder Hills.

The witness lived with Massaquoi from late 2001 until 2003. He saw Massaquoi in the mornings and after he got back from school. Massaquoi did not leave the house for long periods of time, except in 2003, when the Special Court took him away. In 2003, Defense 01 heard from the BBC Focus on Africa program, that Gibril, Augustine Gbao and Issa Sesay had been arrested and they had been taken to an undisclosed location. Later that night, he saw Gibril at the house with the Special Court's prosecution team and security guards. Gibril told him that he was safe and not to worry. He packed his things and took his family to the safe house that same night. Defense 01 could not remember the exact date that this happened, but estimated that it was in early 2003. Later, he met Massaquoi in the safe house in Freetown. The safe house was located on Cotton Street, opposite the Okeke fishing company, on the main road, near Light District. The first time he visited the safe house was two to three years later, in 2006 and again in 2008. Two weeks before he was supposed to leave, Gibril called. When the witness got to the safe house, Defense 10, Michael Bona, the children, the wife, the cook and the security guards were all there.

Defense 01 explained that Gibril was involved in the political activities of the RUFP between 2001 and 2002. In early 2002, he quit the RUFP and began setting up a fishing project to train ex-

fighters. This project was accepted by the DDR, who wanted to fund the project, but as he was taken under the protection of the Special Court, the funding was never transferred to his account. Massaquoi was preparing the papers in Freetown. The project was supposed to be with ex-fighters from Pujehun, in Gbondapi. The witness testified that he saw the written document that he had prepared, he was with him the day he sent it to the DDR. Defense 01 had prepared an agriculture project, to involve ex-fighters in rice farming, funded by the DDR. The preparation of his project took a week. He did not know how long it took Gibril to write his own document, as Defense 01 only became involved in the data analysis phase of Gibril's project. He explained that they would analyze responses to surveys of people's needs. Gibril Massaquoi sent people to carry out the surveys and bring back the completed forms to him.

The witness knew Defense 13, she was Gibril Massaquoi's wife. They were together in Freetown but did not live in the same house. He heard about the birth of their son in December 2000.

Defense 01 had not heard of anyone called Angel Gabriel or Angel. At school from 1991 to 1993, Gibril was called Gibs.

The prosecution questions Defense 01

The prosecution began by asking Defense 01 about the meeting in Kono. The witness confirmed that he was present at the meeting. He did not know why Liberia was chosen as the location for these meetings. He confirmed that Massaquoi attended every tripartite meeting that took place since December 2000: "If there is any number better than 100 percent I would have told this court. He attended all three of the meetings I attended." He also indicated that this could be confirmed by UNASMIL, the Sierra Leonean government, or the Ministry of Justice. The witness testified that these meetings took place in 2001. He could not estimate how many meetings were held in 2001 in total. In 2002, the President declared peace at Freetown International Airport.

When Defense 01 moved to Freetown in December 2001, he moved immediately to the same house as Massaquoi. He was certain of the date, as it was the year he began his studies. The prosecution pointed out that Defense 01 had testified in the lower court that he had lived with Massaquoi when he had enrolled in university in 2003 to 2004. There was discussion in court as to when the witness was enrolled in university, and when he moved to Massaquoi's house.

The witness testified that when they lived together, he was not with Gibril every second. He was not aware of Gibril going to Gbondapi for the fishing project in 2002. Defense 13 lived in Freetown between 2001 and 2003. When asked whether Gibril used to meet with her, he responded: "Defense 13 is his wife, he can go to her anytime, any hour, I don't need to monitor him." The safe house that Defense 01 visited was located in central Freetown. He gave details of how to reach it. The witness had heard that it was not the first safe house Gibril had lived in, but he did not know where he had lived before he had visited him. The prosecution pointed out that Defense 01 had told the Finnish police that he had been to all three of the places where Massaquoi was held. He had previously testified that the first one, on KLM Road, he had visited three times the second one only once, and the third one, located on Congo Cross, he had visited often. The witness responded that the one on Congo Cross was the safe house he had already mentioned, located near Light. The first one was located on Kiyama Road. The second house was in Brookfields.

Defense 01 gave the name of Massaquoi and Defense 13's son to the court. He testified that the child originally had a Muslim name, but Defense 13 changed it to a Christian name when he was baptized at church. The witness was there when the child was baptized. He had heard that Defense 13 gave birth in Liberia.

The witness was not aware of Massaquoi's travels to Liberia in 2001. He had heard something about it, but did not have any details. He had also heard that Massaquoi had travelled to the United States in cooperation with the Special Court.

Final questions from the defense

Defense 01 testified that Massaquoi lived in Freetown at the same time as Defense 13. He knew that he used to meet Defense 13 and the child, but he could not say how often. He clarified that the DDR negotiations were the same thing as the tripartite negotiations.

The defense pointed out that he had mentioned a fighter named Angel Gabriel during his police interview. This Angel Gabriel was not a commander, but a fighter in Makeni, Lunsar and Kono. The witness responded that he had testified today that there was one Angel Gabriel, but that was not Gibril. He confirmed that he had heard this name being used by someone. He was not in Lunsar, but in Kono, Buedu and Kailahun. There were also other people named Angel, five to seven in total. Most of them were RUF members. As for the Angel Gabriel he had spoken to the police about, he was not sure if he had been an RUF member. One of the people named Angel was in Lunsar, he was a radio operator. Some of them were in Liberia. The witness had heard of fighters going from Sierra Leone to Liberia and back, testifying that: "You know in RUF we have a monitoring system, I was a commander and I heard that they were in Liberia fighting, I had a radio so I used to hear". He himself fought in Sierra Leone.

Final questions from the prosecution

Defense 01 speculated that he had heard of the Angel who had been in Liberia to fight around 1998 to 2000.

May 23, 2023 – Day Fifty-four

Today, the Turku Court of Appeals resumed its hearings in Finland in the Massaquoi case.

The Court began by listening to the recording of a pre-trial investigation interview of a witness, who could not make it to Monrovia while the Court was there this month due to health reasons. While in Monrovia, the Court concluded that it would be nearly impossible to hear this and another witness from Sierra Leone during the current proceedings without unduly postponing the procedure. The Court therefore decided to admit their pre-trial statements.

The witness testified about being a protected witness of the Special Court for Sierra Leone, much like Mr Massaquoi. The witness had discussed with the Finnish police the security arrangements in his and Mr Massaquoi's safe houses and their possible shortcomings.

The Court also heard a new witness that was called by the defense of Mr Massaquoi via video link from the Netherlands. The witness testified that she was a cook in the safe house where Mr Massaquoi lived with his family in 2003.

The Court will continue the proceedings tomorrow, Wednesday 24, by admitting another pre-trial recording and hearing another new witness via video link.

May 23, 2023 [Finland] Day 54: The Court returns to Turku, Finland

The recording of Witness Y9's police interview is played

As Y9 was unable to appear in court, the court decided that his witness testimony could be received by watching the recording of his police interview. The recording was played in court.

Y9 stated that he joined the army in 1998 when there was the coup. The AFRC called the RUF to join them in Freetown. They were removed from Freetown by ECOMOG troops and they left for Kono. Johnny Paul went to Kailahun. Y9's base was in Kono, they went from there to Gabala and then to Northern Sierra Leone. After being pushed out of Freetown, they went to the West Side, they had a base there. They left Freetown on 6 January 1999 when ECOMOG pushed them out. They remained in West Side until the ceasefire. Gibril Massaquoi and others came to see them, he and others had been sent by Foday Sankoh to talk with the West Side Boys. According to Y9, Gibril Massaquoi was heavily armed, so they disarmed him before they could talk. Then, they began to talk about peace on the West Side.

Y9's group had issues with the Lomé peace agreement. Their leader, Johnny Paul Koroma, was arrested in Kailahun and they were not called to Lomé despite them being a part of the fighting. For this reason, they decided to arrest the UNAMSIL peacekeepers. Foday Sankoh had already sent Gibril Massaquoi before that to discuss what they could do for the Lomé peace agreement. Until the ceasefire entered into force, the West Side Boys held some ECOMOG troops.

One of the reasons why the West Side Boys came to Liberia was for the release of Johnny Paul Koroma, they met him in Liberia. They also wanted to have the chairmanship of the CCP peace consolidation. The government and the army were against this. In June 2000, the RUF split up in Makeni and went towards Freetown. There was a large battle and the West Side Boys managed

to stop the RUF, they ambushed their convoy. Y9 came to Freetown and wanted to join Johnny Paul Koroma there, but he was arrested and detained without charges until he was released in 2004.

In 2003, while Y9 was in prison, the Special Court for Sierra Leone contacted him and asked him questions about the war, 1999, and the 6 January attack. They began to take his statements and contacted him in relation to the AFRC and RUF trials. Y9 was placed in a safe house during the AFRC, RUF and Charles Taylor trials. He testified in the AFRC and RUF trials. At one point, he was contacted and asked to deny his statements. He reported the matter, which was investigated, and the people trying to get him to deny his statements were convicted.

In the RUF trial, his testimony concerned the cooperation between the RUF and the AFRC in Freetown, where they received supplies from and how the RUF was organized. He also testified about the RUF's command structure. According to Y9, Gibril Massaquoi was part of a team that came to Freetown to talk with AFRC when they had seized power. He was later suspected of conspiring against the AFRC and was arrested. When the West Side Boys, Y9 included, came to Freetown, they released him from Pademba Road Prison. Gibril Massaquoi was a senior commander. He led the troops to the West Side. Y9 described him as a very smart man and mercenary, he was used for his knowledge and education to gain control of situations. He was the mastermind behind many situations, even when Y9 came out of the safe house. He was a mastermind in relation to witness management when he left for Finland. There were guards that had been assigned to Gibril Massaquoi and it was said that they would attack him. This incident, an attack against him, was intentionally kept confidential by the leadership of the Special Court, and it was decided that he should be relocated.

When Y9 was released from prison in 2004, he stayed home for a bit before he was placed in a safe house during the trials. At the time, Gibril was in a safe house behind the stadium, in Congo Cross. Y9 never visited him at the safe house, he only walked past it.

Y9 stated that he was free to leave his safe house as he pleased. There were a lot of instances of mismanagement and various challenges related to the safe house. Y9 mentioned manipulation and the intentional placement of security guards to safe houses. The Special Court did not want to increase the attention or importance of some things, which led to Massaquoi being relocated. The head of the Witness Management was opposed to the present trial and "did not want to see Gibril Massaquoi being exploited." He had told the witness to be careful about his testimony and had asked him what he was going to testify about. Y9 was told not to say anything that would ruin the Special Court's reputation as they were still looking after him. He speculated that something that may tarnish their reputation was the fact that people staying in the safe houses could leave whenever they pleased.

The witness told the Finnish police that his safe house had a logbook. The guards would come in and sign the logbook and, most of the time, they would then leave. They would sometimes tell him that they wanted to take care of personal business before coming in to work. He always let them, they would come in, write their names in the logbook and leave. Y9 knew that Massaquoi had armed guards at his safe house. Y9 also had armed guards after Taylor's trial. They were supposed to be present 24 hours a day, but there were still a lot of lapses, not enough surveillance. He never saw the head of the security guards, as he had been "compromised." After Taylor's trial, he was supposed to have guards 24/7, but they were coming and going as they pleased, just like with the regular guards and the logbook.

Y9 had heard about the attack on Gibril Massaquoi at the safe house. He had heard that someone wanted to assassinate him so that he wouldn't say anything. The attack was orchestrated and Gibril Massaquoi was relocated.

The witness confirmed that he was arrested in June 2000. He received information in prison about the RUF's activities, such as Superman crossing the border into Liberia. He had heard that Gibril Massaquoi had also gone to Liberia and then to Guinea. In 1998-1999, Y9 had been a fighter. He described that houses were burned down, and people had their limbs amputated with cutlasses. When Gibril Massaquoi was released from prison in 1999, he was with the RUF.

Next, Y9 explained his relationship with the Special Court. He was contacted and told that they would need to talk face to face. He went to the Special Court's office and spoke with different people there. He told them that there were issues with the security arrangements at the safe house, that the security at the safe houses was compromised. In 2007, when Y9 was a protected witness, he had gone to Kailahun in 2007 without the court ever knowing about it. At the time, there were a lot of tensions in Freetown. Y9 decided to test what would happen if an ex-fighter left Freetown, so he went to Kailahun. According to him, the Special Court never knew that he had travelled there. The office that paid his allowance would close on Friday, so he told them that he would come on Saturday and the matter was not looked into until Monday. He could do whatever he wanted in the meantime. Y9 had heard about a person losing their weapon in connection with Gibril Massaquoi. The Special Court did not want to address it. He explained that a weapon going missing was very alarming. He testified that from his understanding, this was arranged by Gibril Massaquoi.

Y9 could not say that the Special Court was aware of Gibril's role in Liberia. They were more focused on the AFRC and RUF trials. He speculated that Gibril was chosen as a witness as there were not many people willing to cooperate with the Special Court.

Witness H4 is heard

The court heard H4 through video link from the Netherlands.

The defense questions H4

The defense began by asking H4 how she had gotten to know Gibril Massaquoi. The witness testified that he was her former boss, she used to cook for him from March 2003. She worked until September, when she went on maternity leave. She returned in January 2004 and worked for a few months until he was relocated to a different safe house. She worked in 7 Pipeline, near Wilkinson Road, at the safe house where he lived with his family. H4 worked for the Special Court. She worked from Monday to Saturday, from nine to five. She saw Massaquoi every day. H4 listed the people that lived at the house with him.

When H4 came back to work in January 2004, it was at a different safe house. This one was located at the Jomo Kenyatta Road, opposite to the Special Court. She worked there for a few months, four to five months, until Massaquoi was moved to another safe house. H4 worked in only two of the safe houses, in Pipeline and on Jomo Kenyatta Road. She explained that if Massaquoi had to leave the safe house on Pipeline, he wouldn't go out alone. The security guards came with him and acted as his driver. The security guards worked from morning to afternoon, when there was another shift that worked until night. H4 named a few of the security guards,

including Defense 08, H6, and Z3. Besides them and H4, there were no other staff members at the Pipeline safe house. The security guards were always present at the safe house, there were 2, 3, 4 guards there at the same time. People could not access the house freely. There was a gate and a guard at the gate, and no way for anyone to get in or out.

H4 explained that Massaquoi left the safe house whenever he had an appointment somewhere, with the doctor or a meeting at the Special Court. He always left with a security guard. He did not have appointments every day, but she could not say how often he would leave for these appointments. He was never gone for more than two hours at a time. The witness was not sure whether Massaquoi had stayed the night outside the safe house, but she always saw him in the mornings when she went to work. They had no visitors at the safe house in 2003.

The prosecution questions H4

The prosecution began by asking H4 when she had begun working at the safe house. She confirmed that she worked from March to September 2003, but she could not remember the exact dates. She worked until the end of September and gave birth to her son on 24 October 2003. She had her son's birth certificate with her and presented the document from her phone to the court. The document showed that the child was born on 24 October 2003 in Freetown and had been registered on 23 July 2008 in Freetown. The document had been issued and signed the same day, 23 July 2008. H4 explained that she had come to the Netherlands in 2007 and wanted her children to visit her. In order for them to get a passport in Sierra Leone, they had to get a birth certificate. H4's husband went to the hospital and they issued the birth certificates for her children. H4 speculated that her husband had told the hospital the date of birth and names of her son and daughter.

The witness testified that she was the only cook working in 2003. Another cook started working in 2004, but they did not work for Mr. Gibril. She had told the Dutch police that she was the main cook. She explained that there were three cooks besides her, but she was the main cook. She named another person, who was a helper, so they were four in total making food at the Special Court in 2004. She worked there until 2007. At Brookfields Hotel, there was a large kitchen where they cooked. She didn't work there in 2003, as it didn't open until 2004. In 2003, she was working for Mr. Gibril at Pipeline. There was another safe house located at Hills Station. She had worked there as well, but she could not remember when. She had taken food to Hills Station but could not remember whether she had done so in 2003.

H4 testified that Massaquoi once left the safe house to go to the beach for a walk. She could not recall him and Elizabeth leaving the safe house together without the security guards. She repeated that nobody visited the safe house in 2003, not even Massaquoi's friends or relatives. She could not remember whether Elizabeth left the safe house in 2003. H4 would go grocery shopping with Aunt Nancy. Besides shopping for groceries, she did not leave the safe house during her working hours. She worked downstairs, while Massaquoi and his family lived upstairs, but he liked to come downstairs and read newspapers. The family watched movies inside the house and the children played inside the fenced area to pass the time. Sometimes the wife would come to the kitchen and spend time with her or go to the other side to spend time with the security guards. The witness could not recall what Massaquoi would do to pass the time.

H4 knew H3, he worked at the safe house. They did not work at the same safe house in 2003. From March to September 2003, she worked at the safe house at the same time as Defense 08.

They did not see each other every day, the security guards worked in shifts, Defense 08 was not there every day. The witness could not remember exactly when in 2003 Defense 08 worked at the safe house.

The safe house in Pipeline had only one gate and one door. The children did not go to school in 2003. She was not aware of the connection between Mr. Massaquoi and Michael Bona, but she saw him being brought to the safe house with the rest of the family. She could not remember Michael Bona having a particular assignment at the safe house. During the half a year she worked there in 2003, the only times she did not see Massaquoi at the house was on Sundays, as she did not work on that day. The security guards were three or two in total, with one of them by the door inside and one of them outside the house. If there were three of them, two would be outside.

The witness stopped working at Massaquoi's safe house in 2004. After that, she saw him in 2004 or 2005 at another safe house. She saw him at the balcony from the car, they waved to each other. She had also been in contact with him since then, testifying that she spoke to his daughter last year. She had heard that he had won a case in Finland and had searched for his daughter on Facebook, asking to speak with him. H4 then talked with Gibril Massaquoi on the phone. She had heard from his daughter that he and Elizabeth had split up.

H4 had mentioned a name during her testimony. She was not sure of the first name of this person. She recalled one of the security guards losing his weapon during his shift at Massaquoi's safe house. She did not know which security guard had lost his weapon, she was not at the house at the time, she was at the Special Court when a report about the incident came in. According to that report, the incident occurred in 2005.

Further questions from the defense

H4 further testified that they kept a logbook at the safe house. It was used by the guards to mark when someone was going in or out. She explained that when she called Massaquoi, he did not want to talk to her.

Further questions from the prosecution

When H4 began working at the safe house, Massaquoi had not yet arrived. He was brought in a week after she began working there, after they had set up the kitchen. She estimated that she began working in early March and stated that it is also possible that she began working on 16 April 2003.

Defense written evidence is presented

Finally, the defense presented a piece of written evidence. They had requested information from the Finnish police about the Liberian Truth and Reconciliation Commission reports concerning the burning of houses. According to the police, the Commission had conducted over 1000 interviews in Lofa and at least 3900 in Montserrado, with no mention of Angel Gabriel or Gibril Massaquoi.

The prosecution pointed out that the TRC reports state that they are not exhaustive.

May 24, 2023 – Day Fifty-five

Today, the Court continued its hearings in Turku, Finland.

The Court began by hearing the pre-trial tape of a witness who could not make it to the hearing in Monrovia earlier this month. This witness told the Finnish police that he had worked as a security guard in the safe houses where Mr Massaquoi was kept as a protected witness of the Special Court for Sierra Leone. He was asked about the security arrangements at the safe house and whether Mr Massaquoi could have left the safe house while staying there.

The second witness of the day was heard via video link from abroad. He testified to having worked as a security guard in the safe houses where Mr Massaquoi lived from 2003 to 2005. Much like the first witness, this witness was questioned by the parties about the security arrangements and routines followed in the safe houses and whether Mr Massaquoi could have left the residence while staying there.

The Court is scheduled to continue the hearings next week, Monday 29.

May 24, 2023 [Finland] Day 55: Safe house security examined

Witness H3's police interview recording is played

As H3 was unable to appear in court and the court decided that his witness testimony could be received by watching the recording of his police interview. The recording was played in court.

H3 was asked about his tasks and assignments in 2003. He testified that in 2003, he worked as an armed police officer in Sierra Leone. From 22 May 2003, he was working in witness protection at the request of the Special Court for Sierra Leone. When he began this role, witnesses were being brought from different districts by the Witness Protection Team. His task was to protect witnesses that were placed in safe houses. He worked in the safe houses, in the office and he sometimes travelled to other districts to bring more witnesses to Freetown. In 2003, he was working at a safe house on Pipeline. The witness living in that safe house was Gibril Massaquoi, he lived there with his wife, children and brother. This was the first safe house H3 worked at and it was the first safe house that Gibril Massaquoi stayed in. H3 could not recall exactly when he was brought into the safe house. They had logbooks that they used at the time. He was not sure whether these logbooks had been archived or whether they could be accessed.

When the witness began working for the Special Court, it took a few weeks before any witnesses were brought. Gibril was the first witness. This was the first time the witness had met Gibril Massaquoi, he had heard his name on the radio before but had never met him. He was brought a few weeks after 22 May 2003. When H3 went to the safe house for the first time, Gibril Massaquoi was there. He started working at the safe house the same day he was brought there. Gibril Massaquoi was there with his family, but Michael Bona came later. H3 estimated that Gibril spent about a year in the first safe house. He had heard of an attack in Kington, in Bomi, Freetown. He was not on duty when the incident occurred. He could not remember the date, but it had been mentioned in some documents. He learned about the attack when he came to the office.

H3 explained the security arrangements at Pipeline. The guards were split into two shifts, A and B. There were one or two guards per shift. The safe house had a fence and some of the guards were armed. There was security 24/7. The guards had the key to the gate because the witnesses were not allowed to leave the house freely, even for meetings at the Special Court office. The safe house on Pipeline had one main gate and one exit gate, but only the main gate could be used. The witness could not have used the exit gate as they would not be authorized by the guards to do so. The guards had a room inside the house, but they mostly sat outside by the gate. The guards saw the witness every day. They would stay on duty until the next shift came to relieve them. The guard coming to the next shift had to see the witness before changing shifts.

The witness could not remember any time that Gibril stayed out of the safe house on Pipeline for a long period of time. He listed some of the other guards working at Pipeline, including Defense 08 and H6. There were no other members of staff, Gibril's wife was cooking. Someone was sent to buy groceries so that they could cook at the house. He could not recall who did the shopping but speculated that it was Gibril's wife. He then stated that there were some women working in Witness Protection who may have done it, including a lady who is now in Holland whose name he had forgotten. He speculated that GM's wife went outside to buy groceries. Neither Gibril Massaquoi nor Michael Bona went outside. Every time the guards changed shifts, they would see the witness and note their shift in the logbook before commencing their duties.

H3 was not involved in escorting Gibril outside the safe house. Other security guards from the office took care of these duties. The longest time Gibril was away from the safe house was two to three hours. His return was always noted in the logbook, he had a code name so that he could not be identified. H3 testified that Gibril never spent the night outside the safe house.

After Pipeline, Gibril Massaquoi was taken to Jomo Kenyatta Road, Freetown. He stayed there for almost a year as well. From there, he was taken to Kington, where the attack happened. After Kington, he moved to the Light, around the Brookfields area. H3 could not remember the street Gibril Massaquoi lived on in Light. H3 worked in all of these safe houses. The one in Light was the last one. After Gibril Massaquoi was relocated, H3 had not seen him. They had not called each other either.

Witness H6 is heard

H6 was heard via video link from the United Kingdom.

The defense questions H6

The defense began by asking H6 where he had gotten to know Gibril Massaquoi. H6 testified that they met in Sierra Leone, when he was working for the Special Court for Sierra Leone. They met in March 2003 on 7B Pipeline, off Wilkinson Road. It was one of the Special Court's safe houses, the witness was working there as a security guard for the Witness Protection Unit. He began working there in March 2003 and worked with Gibril Massaquoi until early 2005. The safe house in Pipeline was the first one Gibril Massaquoi lived in. He lived there with his family, whose names the witness listed. Massaquoi lived in the Pipeline safe house until 2004, when the family moved to Jomo Kenyatta Road. They did not live there for a long time, H6 estimated that they moved again at the end of 2004.

H6 gave the names and code names of the other guards working at the Pipeline safehouse, including Defense 08 and a woman who did not work as a security guard but came to visit the house occasionally. He also provided his own code name. The witness was working at the safe house with his wife when Massaquoi arrived there. His wife, H4, worked as a cook at the safe house. The witness gave the names of the three other guards working at the safe house when Massaquoi arrived, including Defense 08. H6's task was to guard the safe house during the day. He would make sure that Gibril Massaquoi and his family did not leave the house and that nobody came inside. He would patrol and walk around the area. The guards had a logbook that was used to note down shift changes and anything that happened at the house. The witness testified that he worked at the safe house seven days a week from March till September 2003. He did not have days off and did not take any sick leave or other time off. His shift was from 7 am to 7 pm. He usually saw Gibril Massaquoi during his shift, he could hear the family upstairs playing games or listening to the radio.

The witness testified that when he was not patrolling the property, he was downstairs inside the house, facing the gate. When the guards changed shifts, they would inspect the house, the family and Gibril Massaquoi before handing the shift over to the next guard. The logbook was used to log daily activities, such as the beginning and end of patrols and the change of the guards. Gibril Massaquoi left the safe house in 2003, to go to a doctor's appointment or to the office of the Special Court. He always had security with him, he never left the house alone. The guards at the house were contacted via phone or radio before a vehicle was sent to pick him up. H6 could not say exactly how long the trips outside the safe house took, it depended on the appointment. He was never gone for a whole day.

Massaquoi was paid an allowance while he was living at the safe house. In 2005, H6 had stopped working at the safe houses and went to work at the main office, where he handled the allowance payments. The guards had to make sure that Gibril Massaquoi personally signed for the money, his family members could not receive the money themselves. Massaquoi received the allowance every Friday.

H6 was aware of the attack on Gibril Massaquoi's safe house. It occurred in Kington. The witness was not present at the safe house at the time, but he had heard about it at the office. He estimated that the attack took place in 2005. He testified that H4 did not work at the safe house for as long as he did. She was pregnant at the time, she came for a few months and left. Later, she worked as a cook at Brookfields Hotel. The last time the witness saw Massaquoi face to face was in 2005. They had spoken after that, in 2022, the witness had congratulated him for winning his case.

The prosecution questions H6

The prosecution began by asking H6 about the start date of his employment at the Pipeline safe house. The witness testified that he could not forget the start date of his employment. He began working in March 2003, he did not know why the Special Court had written 16 April 2003 on his work contract. H4 began working around the same time as H6. They both began at the safe house in Pipeline. They were both at the safe house when Massaquoi and his family were brought in. H4 was asked to clean the house and H6 helped her with it. H6 could not remember being assigned anywhere else before starting at the safe house in Pipeline. He worked there the whole time Gibril Massaquoi lived at the house, with no days off. H6 could not remember when H4 stopped

working at the safe house, she was pregnant and left when she gave birth. Their child was born on 24 October 2003.

H6 testified that there were in total three guards at the safe house when Massaquoi arrived. The witness was there during the day and another shift would come for the night. This arrangement lasted two to three months before they had more guards came in. Massaquoi's family members did not go outside without the guards accompanying them. The children did not go to school. The family had no visitors. This was the case for the whole time he worked there until 2005. H6 recalled Massaquoi complaining about not being able to leave the safe house, he wanted to go to the beach. He was not sure whether he was taken to the beach, but he had opened the gate and Massaquoi was taken somewhere. He could not remember when the allowance payments began.

H6 worked in other safe houses after he left the one Gibril Massaquoi was living in. Between 2003 and early 2005, he worked only at Gibril Massaquoi's safe house. H6 did not know Y9. He knew H3, he came to work at the safe house later, similarly to Z3 and others, around 2004 or 2005. H3 did not work at Massaquoi's safe house on Pipeline at the same time as H6. The witness knew [REDACTED], he worked at the Pipeline, Jomo Kenyatta Road and Kington safe houses. He had heard that he had lost his weapon during a shift, he had gone out drinking with his friends and lost it. This did not happen within the safe house premises, but outside.

The witness called Massaquoi in 2022 to congratulate him. He testified that Massaquoi was in the Special Court's witness protection program between 2003 and 2005 and if anyone says he did anything during that time, they are lying. The witness and Massaquoi were not in regular contact between 2005 and 2022, but they spoke often. He did not know whether Massaquoi had been in contact with H4, but she had told him that she had also congratulated him for winning his case. H4 told him that all power comes from Christ and that he should tell the truth about the safe house.

According to H6, the safe house in Pipeline had only door at the front. It was surrounded by a tall fence with barbed wire on top. It only had one gate as an entrance. He could not remember any other gates or exits.

Questions from the court

The witness confirmed that originally, there were two to three guards at the safe house. He was alone during the day and there was another guard on night shift, he was armed. H6 was not armed on duty. There were two guards during the day from the beginning.

June 21, 2023 – Day Fifty-six

Today, the Court heard one final witness before the summer break. The witness was heard remotely via video link in Turku.

According to their testimony, the witness worked as a security officer at the Special Court for Sierra Leone from 2004 onwards and also worked with Mr Massaquoi in his safe houses. The witness described the security arrangements in Mr Massaquoi's safe houses in detail. The witness recounted a different version of many details mentioned by other earlier witnesses. They were therefore questioned extensively by both prosecution and defence, for example about Mr Massaquoi's ability to leave the safe house without supervision.

After this witness, the Court is scheduled to break for summer. Some potential witness hearings and the final pleadings of the parties, have been postponed until August and early September, respectively.

June 21, 2023 [Finland] Day 56: Last witness before summer break

Witness Z3 is heard

Z3 was heard via video link from the United Kingdom.

The prosecution questions Z3

The prosecution began by asking Z3 about his employment with the Special Court for Sierra Leone. The witness testified that he had worked for the Special Court from August 2004 until May 2010. He worked in witness protection: he guarded the witnesses, their family and their movements and looked after their welfare. When he began working at the Special Court, Gibril Massaquoi was involved in the witness protection program. Z3 met him in 2004 in Freetown, Sierra Leone. Before that, they had met in Liberia in 1997. In 2004, they met in a safe house in Kington. The witness was assigned to protect him. From Kington, he moved to a safe house near the stadium, near Congo Cross bridge. Z3 also worked there to protect him.

The witness testified that he saw Gibril Massaquoi every week from 2004 onwards. He had different shifts every day, during some weeks he saw him only once a week, while during others he saw him twice a week. Sometimes, the witness was ordered to take Gibril Massaquoi anywhere he wanted to go in Freetown and he would drive him around. Z3 explained that the security arrangements in some of the safe houses run by the Special Court was inadequate. The safe house was attacked once in Kington, putting the security guards in danger. He clarified that some safe houses were not fenced, there was no surveillance equipment, people could walk in freely. Some houses had several entrances. Gibril Massaquoi lived in the safe houses with his wife and children, three in total. His brother also lived there and there were a lot of guests coming in at any point in time, Gibril Massaquoi's friends and family came to visit him. The guards could not ask the guests to leave and they could enter the safe house freely with no prior notice or request.

The safe houses Gibril Massaquoi was placed in were on Aberdeen Road, Jomo Kenyatta Road, Kington, Congo Cross. He left in 2007. Z3 added that he did not often see Gibril Massaquoi in the safe house while he was working there; he was told that he was studying or sleeping by his wife

or children. Z3 would sometimes hand over the shift to the next guard without seeing him at all and sometimes the next guard wouldn't see him either. The guests that would come to the gate at any time would ask to see Mr Massaquoi and the guards had no right to refuse, they usually let them in. The guards were familiar with most of the guests as they visited frequently. Z3 noted the visits down. The visitors were mostly Massaquoi's friends and relatives, some were former fighters.

Z3 testified that there was always a security guard and an armed policeman at the gate. When he started working at the Special Court, he was working at seven to ten different safe houses. He could not remember how many guards were working at these houses, but not every safe house had security guards. The guards at Gibril Massaquoi's safe house were always armed. When Z3 began at the safe house, the security arrangements were the same as before he had started. The first safe house on Aberdeen Road was not very secure, so Gibril Massaquoi was relocated. Every time something happened, he was relocated. As he was a high-profile witness, he needed good protection. Not every witness was protected by armed police or security guards. The safe house on Aberdeen Road was not very secure due to its location and environment. When the attack took place in Kington, Gibril Massaquoi did not have policemen guarding him. They came to the safe house only when he was relocated from Kington to Congo Cross, near the stadium.

The witness further testified that he would be called from the office by his supervisor to take Gibrl Massaquoi anywhere he wanted to go in Freetown. He would go about his business, do what he wanted to do, Z3 would stay in the car and then take him back to the safe house. One place Z3 could remember was on Bathurst Street, near Pademba Street. It was a place founded originally by RUF rebels, Massaquoi used to go there. He also went to see one of his girlfriends at night in the Kissy District.

Z3 testified that it would have been possible for Gibril Massaquoi to leave the safe house without anyone noticing. In addition to the main entrance, there was an exit at the back of the building. There were instances when the witness did not see Massaquoi during his shift. He complained about this to his colleagues, he was told that he was sleeping or studying. It was possible to travel between Sierra Leone and Liberia in one day as long as the transport was arranged beforehand. He knew this because in 1990, during the Liberian civil war, he had travelled with 8 missionaries. He had left Liberia one evening and arrived in Freetown the next day. The house did not have any security cameras. He speculated that Massaquoi could have been absent from the safe house for long periods of time, as he was not seen every day and his presence could not be verified. Massaquoi could have been absent from the safe house at least for two days, maybe longer. Massaquoi was capable of planning this, Z3 knows him. They first met in Liberia during the war, when the NPFL captured Z3. The second time they met was in Sierra Leone. He testified: "Based on my conversations with him, I know he could talk his way out of any crime. When you go from Sierra Leone to Liberia, you don't necessarily go straight from Freetown to Monrovia. You can go to a village or to the border. It is easy, very easy".

The witness testified that all the safe houses had more than one entrance and they could be left from the back as well. The fences around the houses could be climbed. He gave the attack on Kington as an example, the attackers had climbed over the fence, it was easy. Nobody watched the back gate and there were no cameras. He had complained about it to his colleagues and to his supervisors, who he named, but nothing was done about it. Z3 knew Saleem Vahidy, he was the head of the WVS. He did not think that Saleem Vahidy was aware of the fact that guards would change shifts with only a verbal confirmation from Gibril Massaquoi's family that he was

sleeping. The official instructions required that the guard coming to the shift would see the witness, but this did not occur in practice.

Z3 testified that Gibril Massaquoi was very nice and friendly towards the guards and described them as "close friends." He also clarified the 'alleged' attack in Kington, Gibril Massaquoi had been planning it as a way to prove his innocence. He had planned the attack with people outside the safe house, they would come and attack the safe house so that he could show that his life was in danger and be moved to another place. He speculated that if the attack had not been planned, the security guard on shift would have been killed. The attackers came to the yard and Gibril Massaquoi climbed over the fence and ran away. He knew that the attack was coming and was ready to climb over the fence. Z3 found out about the attack from the guard on duty. They all rushed to the house to secure the area. More guards were added for the night and he was relocated the next day. All the guards knew that he had planned the attack. The incident was investigated, but it did not lead to anything besides him being relocated "because he was a high-profile person and they needed him."

According to the witness, the security arrangements differed between different witnesses. Some witnesses had no security at all, some had many. Some had a close protection officer, but no policemen securing the house. Gibril Massaquoi's situation was different due to his background, he needed the highest level of security possible. He was in danger because of the atrocities he had committed, such as ritual killings and opening people's stomachs. Stories about these acts are still going around in Liberia and people know that he committed them, he was trying to hide from what he did.

Z3 knew Y9, he was in Liberia during the war. He had not met him in Sierra Leone. It would have been possible for Gibril Massaquoi to leave the safe house in 2003 without a guard. This was based on his understanding of the security arrangements in the 2003 safe house. He had not personally seen Massaquoi leave the safe house unattended. Sometimes a guard would fall asleep at their post, leaving the high-profile witness able to leave unnoticed. Z3 and his colleague had both fallen asleep once with another witness, and he had left the safe house. One policeman had also fallen asleep and had his gun stolen. Z3 could not recall him or any of his colleagues reporting Massaquoi missing or being absent from the safe house. Should they have encountered this, they had instructions to report it to the office.

The defense questions Z3

The defense began by asking if Z3 knew when Gibril Massaquoi was placed in the first safe house. The witness testified that he did not know. The first safe house was located on Aberdeen Road, near the Aberdeen Beach in Freetown. He had learned the location of the safe house from one of his colleagues from the Special Court. The first safe house had more than one gate. He could not remember who had told him this, but he had been shown the house when he began working for the Special Court in 2004. The defense pointed out that Z3 had testified in the lower court that he had not worked at the Special Court during the first two safe houses Gibril Massaquoi was placed in and that he was not aware of their security arrangements. He had also testified that he had not been to the first two safe houses. The witness responded that he had meant that he had not been assigned to work in these two safe houses. He was aware of their locations, and he had lived next to the second one.

Z3 testified that the guards could check the guests when they arrived. The final decision on whether to allow them in or not was with the permission of the high-profile witness. The guards did not always have prior notice of a guest's visit. Sometimes, Gibril's wife or children would come and tell the guards that the guest could come in. The guests spent different amounts of time at the safe house, some spent the night. The visits were recorded in a logbook. Z3 could not name any of the ex-fighters that came to visit Gibril, he did not know them as they were not in the same unit during the war. They did not record the visitor's names, just the amount of people visiting. Gibril's brother was also an ex-fighter, Z3 gave his nickname to the court. He is currently in Finland with Gibril. The defense pointed out that the witness had testified in the lower court that he did not know how many witnesses the Special Court was protecting in total when Massaquoi had been placed in the safe house. He had also testified that he did not know anything about the entrances and exits of Massaquoi's first safe house. The witness replied that he could not remember saying so.

The witness testified that the logbook was used to mark down shift changes, to note down when visitors came by, and to note when the high-profile witness left the safe house or returned, when he was sent for by the office. When a guard came to relieve another guard from duty, it was written down in the logbook. When the shift was being handed over, the situation at the safe house was checked. It was not written in the logbook, the guards just discussed it between themselves. Despite the instructions being to check on the witness, the guards did not always see the witness or check his whereabouts.

Z3 could not remember when he started working at Gibril Massaquoi's safe house. He was doing both night and day shifts and estimated that one shift lasted for 12 hours. He could not always tell which guard would come on duty next. He could not tell how many times he was told that Massaquoi was sleeping or studying, but this occurred several times. There were several times where he didn't see him. If Massaquoi was picked up by someone, Z3 was notified by the office that he would be picked up shortly before. The guard coming to pick him up would notify the guards on duty that he was on his way to pick up the witness. He then clarified that this notification did not come beforehand; the driver would mention it when he arrived at the safe house to pick up the witness. Z3 was not aware of Massaquoi not being present when a guard was coming to pick him up, this never happened when he was on duty. He could not remember how many times Massaquoi was picked up for meetings during his shifts, but it happened several times. Z3 had not driven Massaquoi's family members himself, he had not seen it happen during his shifts. He speculated that the children were driven to school when they enrolled, but this didn't happen very often.

Massaquoi received an allowance, it was paid in cash. Sometimes the money was given to his wife if he was sleeping. His wife could sign for the money as well. When Gibril was present, he had to personally sign for the money. The defense pointed out that Z3 had testified in the lower court that he was aware of money being given to witnesses, but not whether they had signed for it or not. He replied that either the high-profile witness or his wife signed for the money.

Z3 testified that it was the responsibility of the guard on duty to notify his supervisor if the witness was not in the safe house. The guard on duty was responsible for the witness during his shift. Massaquoi used the allowance for food and for taking care of his family. He was not aware of Massaquoi giving money to his relatives to support them. The Special Court was responsible for the education of the children, medical care and renovations and repairs at the safe house. The

money given to Massaquoi was for himself and his family, he could spend it as he wanted. The furthest Z3 had taken Massaquoi was on Kissy Road, they had not been outside Freetown.

The witness confirmed that he was on duty during the shift just before the attack on the safe house. He didn't notice anything that could have been related to the attack. The attack happened at night and he was on the day shift. Z3 based his speculation that Massaquoi had planned the attack on the way it happened. He speculated that if it had truly been planned by outsiders, his colleagues would have been attacked more severely and the witness would have been in danger. The attack was allowed to happen in a certain way, it was conducted so that Massaquoi would be taken seriously and relocated. The safe house was near the worst slum in Sierra Leone and Massaquoi did not like this.

None of the other guards ever told Z3 that Massaquoi left the safe house alone. They discussed the possibility among themselves. The policeman who lost his weapon, Massaquoi was involved in that incident as well. A policeman losing his weapon is a sign of weakness. The security arrangements had many flaws, they all slept on duty there. Massaquoi could have made a plan to stay away from the safe house for more than two days by making a deal with the guards. He could have made an agreement with his family that they would cover for him if somebody came to ask about him. He could have done it on a weekend, when the security was not as tight and the office was closed. Z3 testified that Massaquoi had the money and contacts to do so, he is very intelligent. He could have also left the safe house in Kington. The defense pointed out that the witness had testified in the lower court that it was not possible to leave the safe house in Kington. He replied that it was possible through the back door.

Z3 saw Massaquoi in Liberia in 1997, in Bo Waterside, near the border. He could not recall the exact month that they saw each other.

The witness was contacted by the Finnish police through the British police. When he was in the US, he was contacted and was asked whether he had any information about the present case. He told the police that he knows a lot about this case. A man called Alan had contacted him before the Finnish police. The witness did not know his full name, he knew him as Alan from when he worked at the Special Court. Alan contacted him through WhatsApp. The defense pointed out that Z3 had testified in the lower court that Alan had worked as a lawyer in the Special Court, they had worked together, they had discussed about the Finnish police contacting him. Z3 confirmed this. He had not spoken about Gibril Massaquoi with Alan. Z3 knew H4 and H6, they are married, they all worked together at the Special Court.

Question from the court

Z3 testified that when Massaquoi was picked up from the safe house, he was contacted by his lawyer on his mobile phone.

August 25, 2023 – Day Fifty-seven

Today, the Court began the final phase of the proceedings by hearing a new witness called in by the Defence.

The witness, a former RUF member, served with high-ranking RUF and Liberian commanders. He knew Gibril Massaquoi personally and was questioned by both Defence and Prosecution extensively about the events that had been discussed throughout the trial.

The witness testified, for example, about Gibril Massaquoi's whereabouts between 2000 and 2003, the RUF fighting alongside the Liberian government troops in Lofa County, Liberia, and events in Waterside, Monrovia.

The Court is scheduled to continue on Monday with the hearing of another new witness and the defendant, Mr Massaquoi, before the final pleadings by both parties which are scheduled for early September.

August 25, 2023 [Finland] Day 57: Final phase of the trial begins

Documentary evidence is discussed

The court began the session by examining various pieces of written evidence presented by both the defense and the prosecution. The first two pieces of evidence were answers to questions that the defense and prosecution had asked the Special Court of Sierra Leone. Both parties had asked the Special Court about its evidence database and the interviews it conducted in Liberia. The third piece of evidence, an article published in the German magazine Die Zeit about Kamatahun Hassala, was presented by the defense.

Witness H5 is heard

The defense questions H5

The defense began by asking how H5 had gotten to know Gibril Massaquoi. The witness testified that he knows him from their RUF days in Sierra Leone. They first met in the Western Area, from Masiaka to Mile 81 and Bo. They met during the civil war in Sierra Leone. H5 was around 11 or 12 at the time, he was born on 4 November 1980. They were both RUF members at the time, he had been abducted as a young boy in Kailahun and met Massaquoi up to 2 years later. He was working under Superman, he was fetching water for his wife and doing chores for them. The witness went to Liberia with Superman around the same time as LURD's second attempted attack on Liberia. Sam Bockarie was stationed in Buedu, while Superman had been stationed in Kono and Makeni. The witness was not aware of the exact movements of Sam Bockarie. He had seen him in Liberia.

The witness testified that Superman went to Liberia with a battalion of 60 to 80 men to support Charles Taylor's troops against LURD, who was attacking the government and wanted to overthrow it. H5 was in Liberia with Benjamin Yeaten, they told him that he should go to school as he was smart, and that he should not go back to the RUF, but should stay with Yeaten. Yeaten "adopted" him when Superman crossed the border and Voinjama was recaptured from the

rebels. From then on, H5 stayed with Yeaten. At the time, he was stationed in Monrovia. Benjamin Yeaten returned to Monrovia when the invasion ended, H5 estimated that this was around 1999 and 2000. After the rebels attacked and he was in Monrovia, he used to travel often to Lofa. He would go to Kolahun, Foya and Vahun, these were all locations where Benjamin Yeaten would have his base for a few weeks at a time. He was not a frontline commander, he stayed behind.

H5 saw Gibril Massaquoi in Lofa between 1999 and 2001. He testified that they met in Vahun in 2001 or 2002. The witness listed the Liberian soldiers and commanders that he remembered were in Lofa at the time, LURD was only in Lofa, so all the commanders were there: Benjamin Yeaten, the "boss himself," Roland Duo, the Navy Chief of Staff, Christopher Varmo, aka Mosquito, was the leader of the First Army. Yeaten was in command of the SSS and its separate unit called Jungle Fire. There was also Junior and Sampson. Superman was in Lofa before he died, and so was Zigzag Marzah. The witness could not say what Massaquoi was doing in Vahun, but he was not alone; he was there with Morris Kallon, Mike Lamin and some others from the RUF. H5 speculated that they wanted to go to Monrovia to meet with President Taylor. They were only passing by Vahun, it was not possible to meet President Taylor without going through Benjamin Yeaten. He saw Massaquoi over two days. The witness was not aware whether Massaquoi had troops under his command in Lofa. He had gone from Lofa to Monrovia with Massaquoi and his friends, they travelled by car and motorbike.

The witness testified that he had not seen Massaquoi participate in combat. He knew Defense 07, he was the first commander to go to Liberia to help Taylor's forces when LURD attacked for the first time in Lofa. The second time was when Superman went to Liberia. H5 had been in different areas where there had been fighting; he was in Foya the day it was attacked and also in Vahun when it was attacked. On his way to Monrovia, there had been an ambush in Kumbohun. The witness had heard of Kamatahun and the atrocities against civilians there. He had heard that there had been a massacre in Kamatahun Hassala, but he could not say much about it because he was not there personally. Zigzag Marzah had been arrested and imprisoned because of the incident. The witness was personally present when Zigzag was arrested in Sinkor. Yeaten was very angry with him and tortured him, and the President's wife stepped in. H5 estimated that the government did not like what had happened in Popalahun and other places, it didn't look good in the media. He speculated that the government arrested Zigzag to clear its image. The witness could not say when the arrest had taken place.

H5 was in Monrovia permanently and only went to Lofa if Benjamin Yeaten needed something there. He had also seen Massaquoi in Monrovia. They met after Superman's death, maybe in 2001 or 2002. They met at White Flower, the President's residence. H5 was in hospital when Superman was killed. From there, he went to Vahun, where Benjamin Yeaten was with Superman. They were supposed to travel to Monrovia, but Yeaten cancelled the trip. H5 wanted them to travel, because he wanted to see the African football qualifiers, but Yeaten told him no, as he had plans to kill Superman. Superman died about two days before H5 heard about it. The day he found out about Superman's death, he saw Gibril Massaquoi at the White Flower. They met outside the White Flower, about two days after Superman's death. The witness did not see Massaquoi again after this. At the time, LURD and government forces were fighting in Lofa, the situation in Monrovia was peaceful. LURD came to Monrovia and left many times.

The witness knew of World Wars I, II and III. He described the different battles and explained the different command structures in Liberian and Sierra Leonean armed forces. There were three

attacks in total. During the third attack, the battles were fought between two bridges. Benjamin Yeaten was in charge at New Bridge, he was staying at EJ Roye. Roland Duo was in charge of Somalia Drive, between Freeport and Red Light. An Army Division was stationed at Waterside Bridge, led by Christopher Varmo, aka Mosquito. H5 had been to the two bridges, when he came back from Ghana. When asked about violence against civilians, he stated that civilians had no business on the battlefield. Government forces were also fighting between each other and were looting for personal gain, that is why Anti Looting Squad was formed. The witness did not know if Massaquoi was present during the World Wars.

H5 knew of Salami, his full name was Salami Kabbah. He was Benjamin Yeaten's personal driver, a member of the SSS. Salami was killed during the fighting in Monrovia. The witness was not present when it happened, had been shot in the stomach during the first attack on Monrovia and he was receiving treatment in Ghana during the second attack. During the third attack, he was coming and going. That day, he was at EJ Roye with Benjamin Yeaten and Salami. He was talking with Salami, when there was a distress call from Somalia Drive. Something was needed from the ammunition depot at White Flower. Salami went to deal with the situation and Benjamin Yeaten went to meet with the President. The witness went to Sinkor and he got a call that a bomb had fallen and had killed Salami. He later saw Salami's body, after the ceasefire. Salami was buried at the Old Road cemetery. Gibril Massaquoi was not present at the funeral. H5 was not sure whether there had been other people named Massaquoi present at the Waterside area, it is a common name.

The witness could not recall there being a group called aqbah. When fighting was ongoing, it was not possible for a government vehicle to travel from Monrovia to Kolahun, Voinjama or Vahun. The war ended in Monrovia in 2003, he was there to witness it. It was the same month that Charles Taylor left for Nigeria. The witness estimated that World War I began in 2002 or 2003. After the war, he stayed in Liberia until he was taken away by the Special Court. He did not see Gibril Massaquoi after the war until he saw him at the Special Court.

H5 found out about Gibril Massaquoi's arrest in Finland on the webpage of Civitas Maxima. When he saw the news, he contacted people at Civitas Maxima, he knew Alan Wonder from the Special Court. They met in 2016 in Paris. He was waiting for a decision. Alan wrote him a recommendation letter. When H5 saw the news about Gibril's arrest, he sent a screenshot of the Facebook page to Alan. He wrote to Alan and said that he doubted the timeline of the case, when Gibril Massaquoi was supposed to have been in Liberia. He also contacted Background 1. Neither of them answered despite them having communicated before. H5 had also spoken with Alan after the first judgment.

The witness had met Background 1 during the Second Liberian Civil War. Background 1 was arrested after publishing an article in 1999, 2000 or 2003. After Charles Taylor and Benjamin Yeaten saw the article, he was arrested and taken to Klay. H5 went with Benjamin Yeaten to see him in Klay. He declined to comment on whether Background 1 had been subjected to violence in Klay. He did not see Gibril Massaquoi there.

The prosecution questions H5

The prosecution began by asking about when Superman went to Liberia. The witness testified that it was around the second time that LURD attacked the Liberian government. They had been pushed back to Guinea after the first attack and during the second attack, Superman went to

Liberia. This was in connection with the Liberian Civil War that began after 1996 when Charles Taylor had been elected President. Superman went to Liberia to help Taylor's troops to repel the rebels, he pushed them to Guinea. Superman did not go to Guinea in connection with this particular battle, he went there later. He went from Sierra Leone to Guinea to fight. H5 did not know what kind of mission Superman was on at the time. He was certain that Superman had gone to Guinea, it was mentioned on the radio and in the newspapers.

H5 explained that Defense 07 went to Liberia during LURD's first attack, to help the government. Superman was only there during the second attack. He could not say for how long Defense 07 had been in Liberia before Superman came, but estimated it was less than a year. When Defense 07 left for Liberia, Sam Bockarie was the leader of the RUF and when Superman went, the RUF was led by Issa Sesay. Defense 07 also went to Voinjama. H5 could not tell for how long Defense 07 stayed in Liberia. He explained that he had originally gone to Liberia with Superman, but he did not return to Sierra Leone with him as he stayed in Liberia with Benjamin Yeaten. After Superman had gone to Liberia to counter the second attack, H5 stayed permanently in Liberia.

When the witness moved to Monrovia, he was staying in Congo Town, at White Flower and at Benjamin Yeaten's residence. He rented an apartment from Benjamin Yeaten's little brother, Busy Boy. He had been to the RUF guest house in Liberia, it was in Sinkor. While he was in Monrovia, the RUF representatives were told to move out of the guest house. The RUF had a person taking care of the guest house. When Taylor came to power, he opened the borders for the RUF. Because of international pressure over Taylor's RUF connections, the RUF was told to leave the guest house. H5 confirmed that the caretaker of the guest house was Defense 09. He used to be a part of Black Guy Unit, they were Foday Sankoh's bodyguards. H5 knew that Defense 09 had gone to Monrovia before him, but he could not tell when. H5 was involved in getting Defense 09 as a witness at the Special Court and they were both moved from Liberia to Sierra Leone around the same time, after the arrest of Charles Taylor.

H5 and Benjamin Yeaten often went to Lofa after their move to Monrovia. Initially they went to Kolahun, then Vahun. Roland Duo was in Foya. There was fighting ongoing while he was in Lofa around this time. He saw RUF members there, they were fighting alongside government troops. H5 testified that Benjamin Yeaten transported arms to Lofa, he was the leader of the SSS and all supplies had to go through him. The RUF was incorporated into a unit called Jungle Fire led by a Liberian, to show that there was no official connection between the Liberian government and the RUF. H5 also testified that it was clear that diamonds were exchanged between the RUF and Charles Taylor. Benjamin Yeaten may have acted as a middleman, but the diamonds were for Charles Taylor. Taylor was supplying the RUF with ammunition and it was common knowledge that arms were exchanged for diamonds.

The witness testified that he was not personally present in Kamatahun when the atrocities were committed against civilians, but he had heard about it. Zigzag Marzah was arrested after this incident in Monrovia. He had heard Benjamin Yeaten discussing the incident, it took place in Kamatahun. H5 was not certain when this had taken place, estimating that it was in 2000 or 2001.

H5 and Gibril Massaquoi met in Vahun. He was a part of a delegation on its way to meet with Charles Taylor with Mike Lamin, Morris Kallon, and others. They came from Sierra Leone and met in Vahun. The delegation continued on his vehicle. They left from Vahun towards Kumbohun and Monrovia through the logging company. They were ambushed in Kumbohun and could not get

to Monrovia. H5 had heard from somewhere that Taylor was trying to destroy evidence against him, it would not be wise to go to Monrovia as Superman had been already killed. The witness confirmed that he had met Gibril Massaquoi two days after Superman's death at the White Flower. This was before they met in Vahun. It was possible that he met Gibril Massaquoi in Vahun in the last six months of 2001.

The witness testified that he was injured in the stomach on the third day of World War I. He was first taken to the president's house and transported to Harbel hospital. From there, he was transferred to Ghana. At the time, there were Sierra Leoneans in Monrovia. H5 was not in Monrovia during World War II, he was in Ghana receiving treatment. He returned to Monrovia during World War III, he was repairing weapons. He was staying at White Flower, the fighting was taking place in Waterside and Somalia Drive, between the two bridges. H5 saw Sierra Leoneans when he went to the frontlines. He could not estimate how many there were. There were a lot of RUF and Sierra Leoneans. The witness explained that the word aqbah means a strong man, a tough guy. As the RUF called themselves that, the Liberians adopted the word and started calling them aqbah. There was no specific independent RUF unit in Monrovia at the time, they were spread out all over the government forces. Christopher Varmo was the original Mosquito, he was in Monrovia during the World Wars.

H5 travelled to Ghana by plane. During the World Wars, it was possible to reach certain areas in Lofa by air. LURD had conquered the whole of Lofa, so government helicopters could not really land there.

The witness was moved back to Sierra Leone by the Special Court. He was a witness for them, he was placed in a protected safe house in Freetown. H5 explained the security arrangements of the safehouse. He was supposed to let them know when he was going somewhere, but sometimes he went out without telling them. He was checked on and given things that he asked for, and he was left alone. He had also visited other safe houses, they all seemed the same to him. He was not aware of the details of the security arrangements. H5 was a high-level witness.

Further questions from the defense

H5 confirmed that he saw Gibril Massaquoi in Liberia at White Flower two days after Superman's death. They met in Vahun after this, he was there with Morris Kallon and Mike Lamin. After the RUF representatives were asked to vacate the guest house in Monrovia, Defense 09 stayed nearby. He lived close to the safe house and later in Red Light. The witness had not heard of Gibril Massaquoi being arrested in Liberia. When Sam Bockarie went to Liberia, he took his own troops with him, he had bodyguards such as Salami Kabbah. They were merged into different units of the Liberian troops. Taylor did not want anyone to know that there was an RUF unit in Liberia.

The witness repeated that he was an important witness for the Special Court. After his testimony, he stayed in Sierra Leone and went to France in 2015. After his testimony, he continued visiting the Special Court and got help with things, sometimes financially. He could send emails to the Netherlands if he needed help. Between 2008 and 2015 in Sierra Leone, he did not have any guards with him, he just had the phone number of a policeman working at the Special Court.

H5 had been in contact with Alain Werner and other lawyers before the present trial. When he saw the case online and that Gibril Massaquoi was accused of crimes in Liberia in 2002 and 2003,

he was shocked. He sent messages about the case to Alain and Background 1 saying that he could help them to understand what had happened. He was also contacted by journalists from different countries. Nobody had pressured him or given him any financial incentives, he just wanted to get on with his life. He had sent a message from German journalist Johannes Böhme to Alain Werner and they spoke about it. The defense referred to H5's police interview, where he had mentioned that Werner wanted him to stay out of the case and asked him to meet in Paris. H5 declined to comment.

Further questions from the prosecution

H5 had a code name when he testified in Special Court. He stated that he was shocked and upset that the testimony that he made at the Special Court had ended up being used in the present case.

Witness Z3's recording from lower court is listened to

The court briefly listened to one question from Z3's lower court hearing to clarify the content of his testimony.

August 28, 2023 – Day Fifty-eight

Today Monday August 28th, Gibril Massaquoi testified before the Appeals Court for the last time during these proceedings.

In the morning, a final witness testified online. He had experience working with investigators at the Special Court of Sierra Leone from summer 2003. He spoke of his role of taking some witnesses statements and analyzing others in relation to RUF activities in Sierra Leone. The witness stated that he had not heard of the name Gibril Massaquoi or Angel Gabriel in the course of these investigations.

The session ended with Gibril Massaquoi's final hearing. He answered some last questions to do with his whereabouts from 2001-3, routes he used when travelling around Liberia and the functioning of the safehouses that he stayed in during his time cooperating with the Special Court.

The Appeal's Court has now concluded all its hearings. Next week, the prosecution will present its final pleadings on Monday 4th, followed by the defense on Friday 8th.

August 28, 2023 [Finland] Day 58: Gibril Massaquoi's final word

Witness Abraham Haddad is heard

The defense questions Abraham Haddad

The defense began by asking Abraham Haddad about his background. Haddad testified that he had done his training in Melbourne, Australia. He worked as a sergeant and a detective with the Victoria police for about 25 years. In 2003, he was employed by the UN as an intelligence analyst at the Special Court for Sierra Leone. His supervisor was Wayne Baston, who was at the Special Court for about six months before he left and Haddad took over. Haddad analyzed information brought in by investigators on the RUF, AFRC and CDF. He received handwritten reports, interview notes, graphs and documents. He assisted the prosecutor's office in managing the information. He also analyzed potential threats and risks to the Special Court as well as how to mitigate them. At the end of his term, he also worked as an investigator, travelling to various countries and taking statements. On the RUF, they collected statements and testimonies that the investigators were taking from the witnesses as well as news reports, for example on the role of foreign mercenaries connected to diamonds. Information relating to the RUF came from inside and outside Sierra Leone, such as from the Gambia and Liberia. Haddad did not conduct any interviews himself related to the RUF.

The witness had not gone to Liberia to conduct interviews on the RUF. He read all the interviews conducted in Liberia and added them to the investigation database, from where they were sent to the parties of the various trials at the Special Court. He could not say exactly how many interviews he had read, he estimated that there had been 50 or 60 in total. His task was to read all the interviews conducted by the Special Court staff. The witnesses in Liberia spoke of things such as diamond deals between the RUF and Charles Taylor, the connection between the RUF and Taylor and Taylor's role in the conflict in Sierra Leone. These interviews were carried out in Liberia from 2004 until 2007, when he left the Special Court. The work continued after he left.

Haddad had also read interviews conducted in Sierra Leone relating to the RUF's activities in Liberia. These interviews were related to Northern Sierra Leone, they were conducted in Sierra Leone. Liberian witnesses were interviewed in Monrovia. According to Haddad, Gibril Massaquoi's name did not come up in any of the interviews conducted in Liberia or in Sierra Leone. Gibril Massaquoi's radio call sign was Gaffa. The pseudonym the Special Court used during his witness protection was Goofy. The names Angel or Angel Gabriel did not come up during the interviews.

Haddad began working for the Special Court in July 2003, he had met Gibril Massaquoi in early 2004. His understanding was that in July 2003, Massaquoi was in a safe house with his children and his wife, under 24-hour surveillance. The access to the safe house was managed by the WVS. The Special Court would not have sent Gibril Massaquoi to Liberia to look for witnesses while he was staying at the safe house. He had not come across anything in the interviews about a witness being reached through him.

Haddad had heard of Background 1, but they had not met personally. He had read one of Background 1's testimonies in 2004, when it became public. He had not heard of Background 1 testifying that Gibril Massaquoi tortured him. According to Haddad, in his testimony, Background 1 mentioned that he was arrested by the SSS and taken somewhere, where he was tortured by Charles Taylor's son Chucky and Benjamin Yeaten. The witness stopped working for the Special Court in November 2007.

The prosecution questions Abraham Haddad

The prosecution began by asking Haddad about the interviews he had conducted. The witness explained that there was no official list of questions that they were supposed to ask, they just asked the interviewees where they had been and what they had experienced, with follow-up questions if needed. Two witnesses at a camp in Tripoli, Libya, were asked about the time before Charles Taylor came from the Ivory Coast in December 1989, Foday Sankoh, and the creation of the RUF, and how the war progressed in Sierra Leone and Liberia. He could not say what kind of questions were posed by the investigators in Liberia, they were also trying to get people to tell their story.

Haddad had not asked the interviewees about a village called Kamatahun. He had not directly asked whether they had been in Monrovia during the summer of 2003. He had not discussed events occurring in summer 2003 with them. He could not say whether his colleagues who had interviewed witnesses in Liberia had asked them about Kamatahun or events occurring in summer 2003 in Monrovia. He could not remember a village called Kamatahun, testifying that this village had not come up in the interviews he had read. From the material he had looked at, the radio call sign for Gibril Massaquoi, Gaffa, could have come up when he had been analyzing radio traffic between Monrovia and Sierra Leone. He recalled that one of the investigators had told him that Gaffa was his callsign. Haddad's task was to analyze the volume of radio traffic, he could not remember its content. The callsign Gaffa came up maybe two to three times in total, when he was analyzing the time period before 2000.

The witness was certain that the testimony from Background 1 that he had read mentioned his torture. He could not tell the date when the torture had allegedly happened, but speculated that it was before 2004. He testified that he would have known if Gibril Massaquoi was sent on a mission to Liberia to look for witnesses by the Special Court before he started working there. He

explained that if Gibril Massaquoi had been sent to Liberia, he would have been instantly killed there, and gave examples of Johny Paul Koroma and Sam Bockarie who were killed. He no information about any concrete plans to kill Gibril Massaquoi in Liberia, but he testified that he would bet his life on it.

Haddad explained that he was asked to testify in the current trial by Gibril Massaquoi's defense lawyers. He had not discussed the matter personally with Gibril Massaquoi in recent months. They had spoken about four to six months prior, when the lower court had acquitted him. Gibril's lawyer had asked him if he had heard of Angel or Angel Gabriel, he had answered that he had not. Haddad knew that Gibril was placed in a safe house as a protected witness. He never went to visit him and was not aware of the location of the safe house. If somebody wanted to talk to Gibril, they contacted the chief investigator. He assumed that they then contacted the WVS and Saleem Vahidy, who would send someone to bring Gibril to the Special Court by car. Haddad did not know of any details, of how Vahidy or his unit contacted Gibril. He testified that he did not think that Gibril had any legal counsel during this process. When he talked to him, he didn't have anyone assisting him.

Further questions from the defense

Haddad testified that he was stationed in Freetown when he joined the Special Court in 2003. The RUF did not have a base in Freetown during or after summer 2003. He had never seen or heard of Gibril not being available for a meeting when his presence was requested by the Special Court.

Defendant Gibril Massaquoi is heard

The defense questions Gibril Massaquoi

The defense began by asking Gibril Massaquoi whether he had been to Makeni since his evacuation in 2001. He testified that he never went there again, Makeni was the base for Issa Sesay and others, he could not have gone back after their conflict. As for H5's statement that he was in Vahun in 2001 with Mike Lamin, he responded that he believes H5 has trouble timing the events correctly. He testified that he met H5 in Vahun in late 2000 with the delegation. Mike Lamin was not there, he was in prison in Sierra Leone at the time, from May 2000 to August 2001. Mike Lamin was never a member of the delegation, he was in prison the whole time they were negotiating peace and was arrested after the UN incident in May 2000. He confirmed that none of the other witnesses heard in the present case had mentioned Mike Lamin as a member of the delegation.

Massaquoi testified that he was taken to the first safe house on 10 March 2003 with his family. It was a white building, it had three bedrooms upstairs and one bedroom downstairs. He confirmed that it was the building in the photographs included in the pre-trial investigation report. His family was relocated in April 2004 to a building almost opposite the Special Court. He was told that this was a temporary placement before they could get a more permanent place. The building was a light color, almost yellow. They stayed there until July 2004, when they were taken to the third safe house. The first safe house was located on 7B Pipeline, a side street off Wilkinson Road. The second safe house was on Jomo Kenyatta Road, near the center of Freetown. The third safe house was on Cole Lane in Kington, it was maroon in color. The family was relocated to the fourth safe house in July 2005 after the attack, a few weeks after the attack. This house was on North

Horton Street, near the national stadium. The house was off-white, like the walls of the courtroom.

Massaquoi did not know the exact shifts of the guards. He would only know that the shift was changing when the guards would come to check on him and his family upstairs. He could not tell who the next security guard would be, unless the current guard told him. The only safe house where the WVS allowed visitors was the final safe house. He had requested to see his mother and some relatives after his testimony in court. Security would not have allowed visitors that were not authorized by the WVS. Defense 20 had not visited him in a safe house, but at his residence in Thunder Hills. The house was indeed yellow, but not a safe house. He was already cooperating with the Special Court at the time. This was in around November, Defense 20 wanted to discuss issues with teachers in Eastern Sierra Leone and spent the night.

Massaquoi explained that his cell phone was taken away in the safe house. After a few months his phone was given back to him with a new SIM card. Sometimes they called it directly, and he was told that the Office of the Prosecutor wanted to see him and would come to pick him up. Sometimes they called the guard at the safe house who would let him know that the OTP wanted to see him. If he was called directly, the guard was also notified. Usually, they called the guards before they called him. It usually took anywhere from half an hour to two hours before a van was sent to pick him up. The van always had two guards and a driver, and Massaquoi always sat in the middle of the two guards. Massaquoi remembered Z3. He was introduced to Z3 in late 2004, at the Kington safe house. He saw him two to three times a month when he came to guard the house. Z3 also drove him to the hospital once. In the fourth safe house, he drove him to WVS and OTP. Z3 was the driver, not the security guard.

There was no RUF base in Freetown, they only had the RUFP office. Z3 could not have taken him to the RUFP office because they already knew that he was a witness, it had been all over the media. It would have been dangerous for him to go to the RUFP office. Z3 never took him to see his girlfriend. At that time, his only girlfriend was Defense 13. When she was still in Freetown, she was not living in the center but in Tengbeh Town, and she later moved to Guinea. Massaquoi testified that he would have never asked Z3 to take him to see Defense 13. Z3 never drove him without security guards.

Massaquoi further testified that he did not have a lawyer while he was staying at the safe house. There was no one between him and the WVS during their meetings. Defense 01 had lived with him from January 2002 to 10 March 2003. They lived together at Thunder Hills when Defense 01 was studying. Massaquoi did not testify at the RUF trial, but at the AFRC trial, sometime in 2006. Afterwards, it took over a year before his request to meet his family was granted. He met his family in 2008, a few weeks or a month before they came to Finland.

The prosecution questions Gibril Massaquoi

The prosecution began by asking Massaquoi about when he met H5 in Vahun. He could not remember exactly when in 2000 they met. They had travelled to Vahun and the helicopter from Monrovia didn't come, so they had to sleep in Vahun and left the next day. That was the first time he saw H5 in Vahun. Their trip was related to the work of the RUF's external delegation. They travelled several times. When they travelled to Monrovia by land, the route went through Voinjama and Kolahun. Massaquoi met Defense 07 once in Voinjama. He could not remember whether they had travelled south from Vahun, along smaller roads, instead of going to Voinjama,

testifying that they travelled either by helicopter or by main roads. The prosecution pointed out that he had mentioned in his first statement that the delegation always travelled through the northern main road from Foya to Voinjama and further to Monrovia. There was no mention of going to Vahun. Massaquoi responded that he had in fact mentioned Vahun and that he had travelled from Vahun to Monrovia either by land or by helicopter. He could not remember how many times he had been to Vahun. He could not recall if he had been in Vahun in June 2001. June 2001 was the last time he was in Monrovia. He packed his things and left for Sierra Leone. He could not remember where they crossed the border, as he was sleeping in the car.

The prosecution pointed out that Massaquoi had told the Special Court that he had been to Vahun in June 2001, this statement was included in one of the documents presented by the defense in their written evidence. Massaquoi confirmed the statement, Benjamin Yeaten was based in Vahun. He could not remember a village called Kamatahun Hassala located to the north of Vahun. He could remember Kolahun as they sometimes landed in Kolahun by helicopter and drove to the border from there.

Massaquoi could not recall how many times he travelled with the delegation between Sierra Leone and Liberia. The trips began in August 2000 and ended in February 2001, except when he returned in June 2001 to pick up his things from Monrovia. After every meeting in Liberia, Mali, or Nigeria, he had to go back to brief Issa Sesay and others. He speculated that the trip to Vahun that he had spoken to the Special Court about was from when he used Issa Sesay's vehicle to go and came back in his own car. He had met Benjamin Yeaten on that trip. Benjamin Yeaten used to give them vehicles and sometimes called the helicopter to pick up the delegation. He arranged the delegation's security in Monrovia. When asked about whether Benjamin Yeaten had given weapons to the RUF, he said that those who brought weapons were not part of the delegation. When asked about the fact that the delegation was there when Yeaten gave weapons to the RUF, he responded: "I can't say it was a coincidence because I know that before this moment the RUF leadership had a relationship with Yeaten."

Massaquoi remembered five guards from when he was taken to the safe house in 2003. He gave their names, including Defense 08 and H6, to the court. He repeated that he could not have known who the next security guard on shift would be, he had no information how the guards planned their shifts. The guards began working at the safe house at the same time he was brought in. At first, two guards would work throughout the day and night. Later, they changed to a shift-based system, with one guard during the day and one during the night. He could not remember when the change in shifts took place. The guards stayed within the fence, by the gate that was locked or in the backyard. The guards had keys to the lock between the upstairs and downstairs area inside the house. The main door to the house was locked and the guards had the key, the family could not leave freely. The children were also locked inside the house, they would sometimes play in the living room or sometimes in their own room. The children could also play in the backyard when the back door was open for cooking.

Finally, Massaquoi testified that a lot of Issa Sesay and Morris Kallon's bodyguards knew he was working with the Special Court. There were reports in the media that he was working with a special court, his name began appearing in the media from the day the court began arresting people. He used a code name up until his testimony in court, when he stated that he would rather testify openly.

September 4, 2023 – Day Fifty-nine

Today marked the beginning of the final week of the Gibril Massaquoi trial in Finland, with the Turku Court of Appeals hearing the Prosecution's final pleadings.

First, the two prosecutors outlined the witness testimonies received for each of the charges. They also gave an overview of the written evidence and witness testimonies presented by the defence of Mr Massaquoi aimed to counter the charges. Overall, the prosecutors argued that their witnesses had described the events in Liberia in a detailed and sufficiently uniform manner across the different phases of the proceedings, while the evidence submitted by the defence was internally contradictory and did not manage to remove Mr Massaquoi from being at the crime scene during the alleged acts.

The evidence relating to the events of summer 2003 in Monrovia was looked at in greater detail, as Mr Massaquoi had already begun to work with the Special Court for Sierra Leone at that time and he had been taken to a safe house in Freetown, Sierra Leone. The Prosecution claimed that there were multiple contradictions in the defence evidence relating to the details of Mr Massaquoi's witness protection in Freetown that allegedly made it impossible for him to have been in Monrovia during the alleged acts.

As multiple witnesses had mentioned that the perpetrator used a war name Angel Gabriel during the atrocities, the prosecutors presented statistics as to how many witnesses had connected this name to Mr Massaquoi. According to them, a large majority of the witnesses had connected the names Angel Gabriel and Gibril Massaquoi and when combined with other ways of identifying the perpetrator, the Prosecution argued that no reasonable doubt remains as Mr Massaquoi being the perpetrator of these atrocities in Liberia.

The Defence of Mr Massaquoi is set to present their final pleadings this Friday, concluding the trial in the Court of Appeals.

September 4, 2023 [Finland] Day 59: The prosecution's closing arguments

Prosecution final pleadings

The prosecution began their final pleadings by going through the evidence count by count following the indictment.

They began by examining the numerous witness testimonies relating to count 4.1, 'Murders in Kamatahun Hassala'. According to the prosecution, most of the witnesses had witnessed the events directly, and some had heard of them through someone else. Many of the witnesses described a similar series of events, of people brought to Kamatahun Hassala from various villages and the surrounding bush. Witnesses also mentioned that when RUF soldiers came to the villages, they were accused of being LURD spies and this was at least partially the reason why they were captured. As for the perpetrator, many witnesses testified that a commander called Angel Gabriel gave orders to put people inside a house and light it on fire. In addition to civilians, two soldiers present at the scene, Soldier 12 and Soldier 50, testified that Gibril Massaquoi gave the order. Soldier 50 testified that Gibril Massaquoi used the name Angel Gabriel during the operation.

A separate chain of events, count 4.1.3 (iii), was the rape of seven women, who were taken behind the blacksmith's kitchen to be raped and killed. Multiple civilians described the details of these events. Civilian 70 testified that he saw the incident himself, how women, including his wife, were taken there. He also saw the bodies the next day. Many other witnesses described the events similarly and there was no reason to doubt their testimony. Despite the minor differences between the testimonies in the lower court and in the court of appeal, the witnesses generally described the same locations, buildings and events in both hearings. They also named Angel Gabriel as the commander responsible for the event.

For count 4.2, the murder on Moinjama in Nyandehun, the prosecution explained that the sole witness testifying to this incident gave a consistent and credible account of how he personally saw Angel Gabriel killing Moinjama.

As for count 4.5.3, of forced labor in Lofa County, the prosecution explained how four civilians were mentioned in the indictment. Their testimonies support the indictment, they also named Gibril Massaquoi as the commander ordering them to carry goods for the soldiers.

Civilian 35 and Civilian 40 testified, in relation to count 4.5.5, how Gibril Massaquoi gave the order to cook a heart that was cut out of a man's body in Kamatahun Hassala. Civilian 40 named the perpetrator as Angel Gabriel.

In relation to count 4.5.7, of assault in Kamatahun Hassala, the witness who testified to this event used the names Angel Gabriel and Angel Massaquoi.

The prosecution then examined the events in Monrovia under count 4.3. He described the general situation in Waterside, where civilians were looking for food. There was shooting at the market, soldiers shot into a crowd following the orders of their commanders. According to the prosecution, both civilians and soldiers had testified similarly when it comes to the events in Waterside. There are more soldiers as witnesses when compared to the events in Lofa. Many witnesses mentioned RUF troops fighting in Monrovia and that the Liberians called the Sierra Leoneans aqbah. Many soldiers testified that Gibril Massaquoi was a commander for the aqbah and he used the name Angel Gabriel. A large number of witnesses had described events of civilians being captured and taken to a base under or near a bridge, where they were killed. The events at 99 Steps were discussed separately, the prosecution relied mainly on the witness testimonies or former fighters who had described Gibril Massaquoi's role in the incident.

After going over the witness testimonies and the indictment, the prosecution turned towards the written evidence that Gibril Massaquoi's defense had presented. The prosecution had prepared a timeline based on the written evidence and witness testimonies presented by the defense. For the years 2001, 2002 and 2003 the prosecution demonstrated the time periods where Gibril Massaquoi's whereabouts could not be verified based on the evidence presented.

For the year 2001, the prosecution presented a list of dates and locations that could actually be verified. According to the prosecution, credible pieces of evidence only accounted for 29 to 31 days in total in 2001, meaning that despite the vast evidence presented, Gibril Massaquoi had many opportunities to commit the alleged acts as his whereabouts could not be confirmed. The prosecution argued that the written evidence presented by the defense could not refute the possibility that Gibril Masssaquoi could have been in Kamatahun Hassala during the time the alleged acts were committed.

The prosecution also analyzed the defense witness testimonies. Gibril Massaquoi himself had testified that he lived in Makeni in summer 2001 and moved to Freetown in October 2001 after his evacuation. Defense 01 had testified that Gibril Massaquoi had moved to Freetown in November 2001. Defense 10 had testified that he lived with Gibril Massaquoi in Freetown from January 2001 to 10 March 2002. This conflicted with the written evidence presented by the defense. Defense 13 testified that Gibril Massaquoi had lived in Freetown from 1 January 2001 to early 2003 and that they had met every two to three days. This testimony conflicts with the written evidence presented. Defense 14 testified that Gibril Massaquoi lived in Freetown in 2001 and went to Monrovia in May 2001. Defense 21 testified that Gibril Massaquoi lived with him in Makeni from 2000 to October 2001. While this testimony was compatible with Gibril Massaquoi's own testimony and the written evidence presented, it included multiple gaps where he was gone for weeks. The prosecution argued that this would not prevent Gibril Massaquoi from being in Kamatahun Hassala during the time when the alleged acts were committed in 2001.

The prosecution then moved to 2002. They presented a timeline of written evidence and argued that none of the evidence could be used to verify Gibril Massaquoi's whereabouts. The only concrete dates for Gibril Massaquoi being present in a particular location where on 5, 11 and 18 July and 5 September 2002, when he was meeting with Corinne Dufka. The prosecution then went over the witness testimonies. A particular uncertainty was related to the timing of the fishing project, as witnesses had placed the dates of the project differently. The prosecution argued that the testimonies of the timing of the project and the possible measures Gibril Massaquoi had taken to prepare for the project were not uniform. It was also maintained that the project could not have prevented Gibril Massaquoi from being in Liberia at any point in time. A similar uncertainty related to the paramount chief elections in Gallinas Perry. Based on witness testimonies and written evidence, the prosecution argued that the timing of the elections had not been verified and therefore the claims that Gibril Massaquoi was participating in campaigning in 2000-2001 could not be confirmed. The prosecution argued that the evidence presented could not be used to determine that Gibril Massaquoi could not have been in Liberia during the campaign period. Gibril Massaquoi could have been in Liberia on 26 July 2002, the date Background 1 had testified as the date he had tortured him in Klay.

Finally, the prosecution discussed the evidence on Gibril Massaquoi's whereabouts in 2003. No written evidence was submitted in relation to dates past March 2003, as Gibril Massaquoi had moved to the safe house. The prosecution stated that they do not contest that Gibril Massaquoi was in the safe house for most of 2003. However, various witnesses had placed Gibril Massaquoi in Monrovia during the World Wars, not just prosecution witnesses, but also one defense witness Soldier 15, who had testified that he fought with Gibril Massaquoi in Waterside. All of the defense witnesses who had testified that Gibril Massaquoi could not have left the safe house were former employees of the Special Court, who had a duty to make sure Gibril Massaquoi and his family stayed in the safe house. The prosecution argued that these individuals had been so bad at their job that they had allowed Gibril Massaquoi to travel to Liberia. The evidence relating to the safe house, especially regarding the guards and their shifts, had been extremely contradictory. Various defense witnesses had testified that they had met Gibril Massaquoi outside the safe house or that they had visited the safe house. This demonstrates that the house was not a prison, but a safe house used to protect Gibril Massaquoi and his family. The prosecution questioned whether Gibril Massaquoi truly had no possibility to leave the safe house.

The prosecution then turned towards certain pieces of evidence that the defense had used to argue that prosecution witnesses had confused Gibril Massaquoi with someone else. The prosecution discussed the report drafted by L5 as well as its methodology. The prosecution did not contest that Zigzag Marzah had participated in the atrocities committed in Kamatahun Hassala, but L5's report did not exhaustively demonstrate that Gibril Massaquoi could not have been present as well. There had been multiple violent incidents in the area and it was possible that the report had not reached those who had witnessed the atrocities committed by Gibril Massaquoi. Similar points were made about the report prepared by Corinne Dufka for Human Rights Watch. The two reports by the Liberian Truth and Reconciliation Commission had also mentioned that the documents were by no means exhaustive. This meant that the fact that they did not mention Gibril Massaquoi, Angel Gabriel or Angel could not be taken to mean that a person with these names could not have been present in relation to the alleged acts in Liberia. The statements gathered by the Special Court contained the interviews of about 50 to 55 witnesses. They had been archived in a manner that prevented anyone from knowing where the witnesses had been interviewed or what kind of questions they had been asked. As H5 had testified that the investigators in Liberia had not asked specifically about Kamatahun Hassala or the events during the World Wars, these statements could not be taken to indicate that Gibril Massaquoi was the wrong person to be prosecuted for these acts.

As for the charge of torture, the prosecution presented the fact that Background 1 had first mentioned the torture he had endured in 2008, his testimony was presented as documentary evidence by the defense. Contrary to the defense's claim, the prosecution argued that Background 1 had not mentioned 'SSS' men, which would only include Liberians, but 'SS' men, which could mean anything else. The prosecution also pointed out that Background 1 had mentioned the names Gibril Massaquoi and Angel Gabriel during the Charles Taylor trial, three years before he had founded his organization in 2012, which refuted the theory of a conspiracy. Background 1 was also interrupted during his testimony in the Charles Taylor trial and he was not at all asked about Gibril Massaquoi as his torturer.

The prosecution further examined the different testimonies that Background 1 had provided during this trial. While H1 testified that Background 1 did not mention Gibril Massaquoi as his torturer and had in fact mentioned other names, the prosecution argued that Background 1 had himself testified that he only mentioned Gibril Massaquoi's name to a few cellmates that he trusted. The fact that H1 had not heard this name could not be used to exclude the possibility of Gibril Massaquoi's responsibility for the act. Background 1 had also mentioned various instances of torture in his own testimony, but the charges are only related to the one committed by Gibril Massaquoi. The contradictions in Background 1's testimonies had been explained by Background 1 during his latest testimony.

The prosecution also presented their findings on the identification of the perpetrator by the witnesses. Various witnesses had identified Gibril Massaquoi from the photographs presented as the perpetrator. Various witnesses had also mentioned a commander called Angel Gabriel as the one responsible for the alleged acts, and many had directly connected Angel Gabriel to Gibril Massaquoi. Various witnesses had testified that the RUF commander spoke Krio and Mende or that he spoke like a Sierra Leonean. Most of the witnesses mentioned that the commander had introduced himself, and a large majority of the witnesses who had mentioned the name Angel Gabriel had also connected this name to Gibril Massaquoi. A significantly smaller portion of witnesses had mentioned Angel Gabriel, but not Gibril Massaquoi, while a small portion mentioned that Gibril Massaquoi had not used such a name.

According to the prosecution, just over a half of the witnesses in relation to the events of Kamatahun Hassala and Waterside had mentioned that the perpetrator used a slogan of some sort. Many of them connected the slogan to the name Gibril Massaquoi, while others testified that the slogan included the name Gibril or Massaquoi. A large portion of witnesses also testified that the slogan included the name Angel Gabriel. Additionally, 28 witnesses had correctly identified Gibril Massaquoi from a photograph. While some risk was related to this method of identification, the lower court had not correctly assessed the risk. The witnesses had provided more information in the court of appeal as to whether they had been aware of Gibril Massaquoi's arrest or if they had seen his photograph in the media. Only two witnesses out of these 28 had mentioned that they had seen Gibril Massaquoi's picture beforehand, meaning that the lower court had erred in its risk assessment. Considering the numbers and facts related to the witnesses identifying the perpetrator and connecting the various names to Gibril Massaquoi, the prosecution asked who else could have been the Sierra Leonean leading the aqbah in Monrovia, if not Gibril Massaquoi. According to the prosecution, no reasonable doubt remains as to the identity of the perpetrator mentioned by the witnesses.

The prosecution also addressed some claims made about Civitas Maxima and the Global Justice and Research Project. Witness L1 had claimed that Background 1 had attempted to recruit him to lie about Jungle Jabbah, Kunti Kamara, Alieu Kosiah, Gibril Massaquoi and Agnes Reeves Taylor. The prosecution examined each of these trials to demonstrate that Background 1 or L1 had no real connection to the respondent or the events or that the timing of the events as relayed by L1 was off. The court in Switzerland had also discussed this same issue in relation to Kosiah's proceedings and had, in both instances, rejected any claims of a conspiracy to recruit false witnesses.

Claims had also been made against Employee 1, who had assisted the Finnish police on the ground in Liberia. The prosecution argued that Employee 1 could have never understood what kind of witnesses he was supposed to recruit, as he had no idea about the content of these proceedings which were held in Finnish. Employee 1 had explained in a logical and patient manner all the possibly confusing details found in his notebook or in his testimonies and had maintained that he had conducted himself with a great level of integrity when assisting the Finnish police. The prosecution concluded that given the explanations received from Employee 1, none of these claims could support any possible effect Employee 1 would have had on the witness testimonies and in any event, it was not practically possible for him to do so. The present case included over one hundred testimonies in total, Employee 1 could never have been able to make sure all of them would have been uniform and according to his own made-up story.

Finally, the prosecution focused on how the extensive evidence presented in the present case should be evaluated by the court. They referred to Dr. Korkman's expert statement, which mentioned that contradictions are a sign a lack of credibility. Dr. Häkkänen had highlighted the existing bias in legal thinking about the added credibility of a first testimony. The prosecution argued that the present case and its factual circumstances could challenge this bias in the Finnish legal system. As there are not many cases with evidence relating to events over 20 years ago, the court should adopt a more lenient approach in relation to the witness testimonies. It is impossible to remember all the details from 20 years ago. According to the prosecution, small contradictions and changes should not be taken to indicate a complete lack of credibility. The present case is the first time a Finnish court has to evaluate such testimonies and evidence on such a large scale. The passage of time and the evident trauma of the witnesses should be taken into account when the court evaluates the evidence. The prosecution ended their pleadings with

a number of direct quotes from the testimonies, where witnesses explained the states of trauma the events left them in.

September 8, 2023 – Day Sixty

Today marked the final day in the proceedings of the Gibril Massaquoi trial in the Turku Court of Appeals. The whole day was dedicated to the Defense of Mr Massaquoi delivering the closing arguments.

The defense attorney of Mr Massaquoi went through the charges in a meticulous way, analyzing each aspect of the case. He criticized the investigation conducted by the Finnish police before and even during the trial in the lower and appeals courts for not following various standards set in Finnish law, and stressed the extraordinary situation this created during the trial. The way many witnesses were contacted and brought to the trial by the Finnish police or the local employees in Liberia was also criticized by the Defense.

The Defense also focused on the witness testimonies supporting the prosecution's case by highlighting the changes in the testimonies throughout the proceedings. Ultimately, the Defense argued that the Prosecution had not managed to rule out the alternative version presented by the Defense of the events in Liberia between 2001 and 2003 and Mr Massaquoi's role in them, thus not fulfilling the required threshold for a guilty verdict on any of the charges.

The Court will now enter the deliberation phase, with the judgment expected by 15 November.

September 8, 2023 [Finland] Day 60: The defense's closing arguments

Defense final pleadings

The defense began their final pleadings by giving an overview of how the trial had progressed. Civitas Maxima had done its own investigation in 2018 and shared its results with the Finnish authorities. The Finnish police had interviewed everyone that had been interviewed by Civitas Maxima, but none of the witnesses were used during the present trial. The Finnish police decided to get their own witnesses and travelled to Liberia in early 2019. Employee 1 and another GJRP employee were contracted out from the Global Justice and Research Project (GJRP) to help the police during their second trip. They helped the police with finding witnesses throughout the process. According to the defense, all the witnesses found by Employee 1 and the other employee could name Massaquoi or Angel Gabriel. The defense also gave an overview of each trip the Finnish police had taken during the pre-trial investigation, as well as each of the 11 additional investigation reports drafted after the initial pre-trial investigation report had been completed.

The defense discussed the evaluation of the evidence, of how the prosecution had presented a hypothesis that Gibril Massaquoi led troops in Lofa and left the safe house to travel to Monrovia. A new addition to the prosecution's hypothesis was that in various events in Lofa, Zigzag Marzah also participated. The defense had previously presented its own argument that Zigzag was responsible for these atrocities and that Gibril Massaquoi could not leave the safe house.

The Finnish Supreme Court case KKO 2013:96 had set the applicable standard to be followed when evaluating evidence in a criminal case. It is up to the prosecutor to demonstrate that the case and evidence supporting culpability is sufficiently clear to reach a guilty verdict. According to the defense, a central question in the present trial is whether the contradictions and changes in

the witness testimonies are a result of trauma. The District Court had discussed this issue extensively in its judgment. Dr. Häkkänen had presented some counterarguments. The defense stated that trauma itself does not make a testimony credible; it is one explanation among others as to why there may be changes and contradictions between the testimonies of the same person. The experts stated that trauma affects memories in a highly individual manner and traumatic memories may not be any more fragmented than regular memories. The sole fact that a witness' testimony has changed does not indicate that the witness has been traumatized.

The defense highlighted Dr. Korkman's statement that people are susceptible to talking about their experiences with others all the time. She had also stated that people are capable of changing their perceptions and memories based on information received from others; it is even possible that completely new memories are created. The defense argued that the mere possibility of trauma should not be allowed to prejudice the legal protection of the defendant. It must also be possible to take the changing nature of the testimony as a factor undermining its probative value.

The defense raised that the jurisprudence of the International Criminal Court mentioned by Dr. Häkkänen cannot be applied to the present case, as the case does not contain any evidence other than witness testimonies. Any uncertainty as to the historical facts must not be of detriment to the defendant.

The defense focused on the identification done by the witnesses. According to the defense, the first credible identification took place in December 2019, long after the beginning of the police interviews. After Gibril Massaquoi's arrest in Finland, the number of correct identifications greatly increased. Numerous witnesses mentioned, during the appeal proceedings, that they had seen news about Gibril Massaquoi's arrest. The defense pointed out some additional points decreasing the credibility of the identification carried out by the police and criticized the fact that Zigzag Marzah was not included in the photographs, despite the prosecution admitting that Marzah had committed similar acts in Lofa.

According to the defense, the Finnish police had deemed Background 1 to have a conflict of interest in the case. The pre-trial investigation is to be conducted by a police officer duly employed in a public office. This could not be applied to Employee 1, who has not received a training akin to a Finnish police officer. Nothing would have prevented including a Finnish police officer in Liberia when searching for witnesses. In the defense's view, Employee 1 had done things reserved for police officer under Finnish law. Given that Background 1, Employee 1's superior, is a plaintiff in this case and has been separately deemed to have a conflict of interest in the matter, Employee 1's status is also highly questionable. Employee 1 cannot be considered to have been truly removed from GJRP. Employee 1 had also changed his testimony as to how he had found and met witnesses, and whether he had participated in the investigation conducted by Civitas Maxima, as well as in many other details. Some things differed depending on whether it was asked from Employee 1 or from the Finnish police involved in the investigation. All the witnesses found by Employee 1 mentioned the name Angel, Angel Gabriel or Massaquoi.

As for evidence presented, the defense pointed out that a considerable possibility exists that the alleged acts have taken place on the days when Gibril Massaquoi was credibly outside Liberia. When the possible time of commission is multiple months, the prosecution should have been able to time the acts with more precision. According to the defense, the prosecution has not been able to demonstrate that the alleged acts were committed during the time that Gibril

Massaquoi was in Liberia. The defense stated that they do not deny that the alleged acts may have taken place, but the details of the alleged acts in the indictment should be demonstrated with sufficient precision. They maintained that any alternative hypothesis should be excluded before there could be sufficient certainty as to Gibril Massaquoi's guilt.

The defense presented a table highlighting the contradictions in the witness testimonies. According to the defense, it can be seen that the information about the perpetrator gets stronger the further the trial progresses. Various witnesses spoke of mixed names, such as Angel Michael or Zigzag Massaquoi. Many witnesses also mentioned that they had spoken about the events with others, while others first denied but then admitted to it once their pre-trial interview or recording was reviewed. As the witnesses had initially denied having spoken with someone else about the events, nobody tried to investigate whether they did so or with whom. According to the defense, it is impossible to evaluate the role these external discussions may have played on their testimonies, as the witnesses denied having such discussions in the first place. The defense also referred to the many additions in the testimonies.

The defense then began discussing the details in the indictment. As for the events in Monrovia, the original time for the commission of the alleged acts ended on 9 March 2003. On 1 July 2021, the prosecution extended this timeframe up to 18 August 2003, without explaining which parts of the indictment were affected by this extension. The evidence for Monrovia is solely based on witness testimonies and the defense has continuously maintained, based on both witness testimonies and documentary evidence, that Gibril Massaquoi was in a safe house as of 10 March 2003. Gibril Massaquoi had an incentive to not commit acts mentioned in the indictment since signing the witness protection agreement in October 2002.

The defense also presented overviews of the timing of the events, the identification of the perpetrator and how the witnesses had been found. They maintained that some sort of change had happened after defense witnesses were heard for the first time, as there was a sudden change in testimonies about the timing of the Monrovia events and the identification of the perpetrator.

The defense then moved to discuss the counts relating to the events in Kamatahun Hassala. They argued that the timing of the events differs from the timing advanced by the prosecution and that Gibril Massaquoi was not present at the time of the alleged acts. Their evidence countering the indictment is based on written evidence and the fact that Gibril Massaquoi had left Liberia in June 2001. The defense discussed the content of the witness testimonies in detail in relation to every count, highlighting the changes between hearings and the lack of credible identifications by the witnesses.

After discussing the witness testimonies in relation to the counts, the defense turned their attention to Employee 1's conduct and how witnesses were found in Lofa. According to the defense, Employee 1 had travelled between the Finnish police's second and third trip to Lofa to search for witnesses specifically related to Gibril Massaquoi. The defense pointed out that Employee 1's testimony about this trip and the related notes in his notebook had changed from the lower court to his hearing in the court of appeal. The defense went over details related to Employee 1's visit to Kiantahun and concluded that the explanations he gave about the trip could not be truthful. The defense also discussed various sections of Employee 1's notebook in detail.

The defense also discussed Defense 09's testimony. According to the defense, Defense 09 was the only person who had testified having been on the frontline with Gibril Massaquoi. He had also testified that Gibril Massaquoi left Liberia in early 2000. After the pre-trial interview, it came to light that Defense 09 has a strong connection to Civitas Maxima, Alain Werner had contacted the head investigator. Employee 1's notebook contains Defense 09's name with a date after 2019, which according to the defense leads to the question as to whether Defense 09 had already been heard at that time. The Finnish police was not willing to discuss the connection between Defense 09 and Civitas Maxima. Defense 09's testimony had also changed, and he had brought one witness to the case, who knew who the suspect in the case was even before his police interview.

L5 had heard many witnesses about the events in Kamatahun Hassala. Many of them named Zigzag Marzah, while none of them named Angel, Angel Gabriel or Gibril Massaquoi. Corinne Dufka's report contained similar results. The defense had checked the list of victims mentioned in L5's article and the list of victims the prosecution had referred to, drafted by Civilian 50. There were six names that figured on both lists, meaning that they are referring to the same incident.

The defense also focused on Background 1's testimony, as it was central for the torture charges. They highlighted various aspects of Background 1's testimony and the changes in his testimony and in the indictment. In sum, the defense argued that the timing of the events had changed and there was no way to credibly verify the timing of the alleged torture in Klay. The defense also saw it as unlikely that Gibril Massaquoi would have introduced himself, knowing what he was doing elsewhere at the time, it seemed unbelievable that he would have done so. There was also evidence of Gibril Massaquoi being in Sierra Leone in July 2002 around the probable timing of Background 1's torture. Many defense witnesses had testified that Gibril Masaquoi did not leave Sierra Leone in June-July 2002.

As for the mention of the name Angel Gabriel or Angel, the defense referred to the report of the Liberian Truth and Reconciliation Commission in 2009. There was no mention of Gibril Massaquoi, Angel or Angel Gabriel. The Finnish police had conducted a large summary of all the interviews undertaken by the TRC, which included only one mention of a Massaquoi, who, according to the interview, could not speak English well. The defense also presented an overview of witnesses who had not mentioned the name Angel Gabriel or Gibril Massaquoi.

The defense criticized the fact that H5 had expressed his doubt as to the case's timeline to both Alain Werner and Background 1. According to the defense, Werner knew H5's importance in the case and told him to stay off it and promised to write him a recommendation letter for France. The defense pointed out that Civitas Maxima and the GJRP have maintained throughout the case that they do not pay witnesses or affect them in any way, yet Werner had written a recommendation letter for H5. The defense then asked whether there had been any additional witnesses who had been prevented from being brought to the case by Civitas Maxima or GJRP.

The defense focused separately on the issue of the safe house. Gibril Massaquoi had entered the safe house on 10 March 2003. The house had constant surveillance and one could not leave it unnoticed. The premises were checked with every shift change. None of the witness testimonies mentioned a situation where Gibril Massaquoi would have been absent or where someone did not know where he was. The defense rejected the arguments advanced by the prosecution, namely that the guards were so bad that Gibril Massaquoi could have gone to Liberia, by stating that, for example H4 had no personal duty to keep Gibril Massaquoi at the safe house. The other

argument was that the Special Court would have sent Gibril Massaquoi to Liberia. The defense pointed out that it was deemed 'suicide' by Corinne Dufka for Gibril Massaquoi to go to Liberia in summer 2003. Z3 became part of the investigation through Werner and his testimony had changed drastically from the lower court. According to the defense, Z3's testimony in the court of appeal was good for 'what was needed, not for any actual information.'

The defense highlighted the fact that, in the prosecution's timelines, they had not taken all the time needed for travel into account. The defense went over their own timelines, presenting written evidence as to Gibril Massaquoi's whereabouts. Finally, the defense argued that Gibril Massaquoi had presented a vast amount of evidence countering the charges. Many aspects of the case were brought about by accident. Gibril Massaquoi had been in the public eye for a long time, yet there are not many traces of him in relation to the alleged acts to be found.

The defense argued that they have managed to diminish the credibility of the prosecution's witness testimonies with their countering evidence and have demonstrated that Gibril Massaquoi could not have left the safe house in 2003 under any circumstances.

The defense concluded that there is a reasonable doubt as to Gibril Massaquoi's guilt and that all the charges should be dismissed by the court.