

**IN THE UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF PENNSYLVANIA**

JANE W, in her individual capacity, and in her capacity as the personal representative of the estates of her relatives, James W, Julie W and Jen W;

JOHN X, in his individual capacity, and in his capacity as the personal representative of the estates of his relatives, Jane X, Julie X, James X and Joseph X;

JOHN Y, in his individual capacity;

AND JOHN Z, in his individual capacity,

Plaintiffs,

v.

MOSES W. THOMAS,

Defendant.

Case No. 2:18-CV-00569-PBT

**DECLARATION OF PATRICK ROBERT
IN SUPPORT OF PLAINTIFFS' JANE W, JOHN X, JOHN Y, AND JOHN Z
MOTION FOR SUMMARY JUDGMENT**

I, Patrick Robert, declare under 28 U.S.C. §1746 that:

I. Personal Background

1. I am a war correspondent and photographer. I have worked as a journalist for 40 years, since 1980.

2. I worked for the French photo news agency, Sygma, based out of Paris for 19 years. When I worked at Sygma, I covered many conflicts, including the conflicts in Iraq, Kuwait, Afghanistan, Liberia, Sierra Leone, Chad, Ivory Coast, Rwanda, and other countries.

3. Today, I work as a freelance photojournalist.

II. Background on Reporting on Liberia

4. I reported on the Liberian Civil Wars between May 1990 and July 2003. This was an assignment from Sygma. I made three trips to Liberia in 1990. My first trip was May to June 1990. The second trip was July and August 1990. And my third trip was September to October 1990.

5. When the war broke out in December 1989, I was not immediately available to travel to Liberia. The first time I traveled there was in May 1990. At that point, the war was well underway. Charles Taylor and his National Patriotic Front of Liberia (“**NPFL**”) forces were on the eastern side of Liberia, not yet in Monrovia.

6. I reported from the NPFL side of the conflict. Charles Taylor gave journalists a free press pass. It was a paper from a top officer in charge of communication. This paper would allow journalists to go anywhere they wanted. NPFL forces respected this paper, and journalists felt safe travelling around areas controlled by the NPFL to report on the conflict.

7. In contrast, it was very difficult to get a visa to cover the war from the side of Liberia controlled by the Armed Forces of Liberia (“**AFL**”). It was also more dangerous on the

AFL side of the conflict; the soldiers were not reliable, and they would not allow journalists to travel with them. One of my colleagues tried to cover the war from Monrovia, which was controlled by the AFL at that time, but he was unable to do so.

8. The first time I visited Liberia in May 1990, I first flew from Paris, where I was living, to Abidjan, Cote d'Ivoire. I then travelled to Liberia by road and entered at the country's eastern border with Cote d'Ivoire. This eastern area of Liberia was controlled by the NPFL.

9. I reported from eastern Liberia, on the NPFL side of the conflict, during two trips in 1990, from May to June, and again from July to August. During this time, the frontline between the NPFL and AFL was dangerous, but it was well-delineated and stable. I would stay in the same town for a few days, or even a few weeks. As the NPFL gained ground on AFL forces and the frontline advanced west towards Monrovia, I would also advance with the frontline and NPFL forces. I was travelling with other journalists at the time, including journalists from the Associated Press and Reuters.

10. When I arrived in a new town, I would arrive with the first NPFL fighters. Upon arrival, we would often discover dead bodies and signs of looted homes and businesses. I knew it was not NPFL forces that had committed these attacks, because I had just arrived with them. The death and destruction were the work of AFL soldiers in retreat.

11. Every day, I would also see a line of civilians escaping the frontline. This line of people fleeing was continuous throughout the conflict. I saw many people fleeing from Monrovia.

III. Hearing about the LCM

12. In July 1990, I was in Tapeta, Liberia. It is a small town near the border with Cote d'Ivoire, about 350 kilometers from Monrovia. I was staying at the Firestone rubber compound with NPFL forces as well as other journalists.

13. I recall hearing on the radio that a massacre took place at the St. Peter's Lutheran Church in Monrovia.

14. On August 5, I met a group of about 20 civilians who had just crossed the frontline onto the NPFL side. They had been taking shelter at St Peter's Lutheran Church in Monrovia when the massacre happened. They said Death Squad and AFL forces were responsible, and they killed approximately 600 people. One man lost his wife and kids. They appeared to be in shock, and they strongly denounced the violence of the massacre after several journalists questioned them about the attack.

15. I continued to report from Liberia until August 28, 1990, and then I briefly returned to Paris in September 1990.

16. I returned to Cote d'Ivoire on September 6, 1990, to cover the inauguration of the Yamoussoukro Basilica and the visit from Pope John Paul II. When I was in Cote d'Ivoire, I learned that Prince Johnson had captured and executed President Samuel Doe. I set up a trip to Monrovia, on assignment with Sygma, to cover the situation in Liberia.

IV. Visit to Monrovia with ECOMOG forces

17. To travel to Monrovia, I flew from Cote d'Ivoire to Freetown, Sierra Leone. Then from Freetown, I travelled to Monrovia on a Nigerian cargo ship carrying Ghanaian peacekeepers to serve in the Economic Community of West African States Monitoring Group

(“**ECOMOG**”) forces. The boat was also bringing the new ECOMOG commander, Major-General Joshua Dogonyaro, to Monrovia.

18. I arrived in Monrovia on September 17, 1990 with an assignment to cover the situation in Liberia after the assassination of President Samuel Doe.

19. On or around October 9, 1990 Major-General Dogonyaro was going to visit Prince Johnson at Spriggs Payne Airfield, in Monrovia. The ECOMOG press officer, Major Otulana, allowed the press to travel with Dogonyaro and the ECOMOG forces. Because of that, I and two other journalists—Mark Huband and Stephen Smith—were able to accompany Major-General Dogonyaro on his visit to Prince Johnson.

20. I walked around the airfield during that visit with the ECOMOG forces, along with Mark Huband and Stephen Smith. At the end of the tarmac, we could see decomposed bodies, which were basically skeletons at that point. We saw at least nine bodies, some still dressed in clothes, all lying on the ground at the end of the tarmac. From their clothing, they appeared to be civilians. We were told by the ECOMOG forces that the area was under AFL control.

21. During this visit to the airfield, I took a few photographs of the skeletons at the airfield, which I've attached as Exhibits to this Declaration.

22. In one, you can see four bodies. Two are wearing pants, which are civilian clothing, not military fatigues. A true and correct copy of this photograph is attached to this Declaration as Exhibit A. I took a close up photograph of a body, which appears to be a woman wearing a dress. A true and correct copy of this photograph is attached to this Declaration as Exhibit B. In another photograph I captured, you can see four more bodies, again, none of them are wearing military fatigues. You can see the ECOMOG soldiers I was with that day walking

around the bodies in the background. A true and correct copy of this photograph is attached to this Declaration as Exhibit C.

23. After the visit to the airfield, I asked the ECOMOG press officer, Major Otulana, if we could visit the Lutheran Church. I wanted to go there to photograph the aftermath of the massacre I had heard about a few months earlier from the civilians who were fleeing.

24. Major Otulana, and a group of Nigerian servicemen from ECOMOG accompanied me and journalists Mark Huband and Stephen Smith to the church that same day. This was the first time ECOMOG forces had visited the church since the massacre.

25. When I arrived, we could see a few dead bodies in front of the church. They were covered in what looked like white lye powder, presumably to help with decomposition. The bodies were in bad shape, as they had been there for several months. On the ground, there was also a black liquid, which must have been blood. During this visit on October 9, 1990, I took a number of photographs of the scene at the Lutheran Church, which are attached to this Declaration as Exhibits.

26. I took a photograph of bodies outside the church. The photo shows the body of what appears to be a woman, which has started to decompose. She is lying in a pile of clothing and bloodstains. Behind her body, you can see at least three skulls, which were not attached to a body. In the background, there is more furniture that is overturned. I took this photograph outside a side entrance to the church. A true and correct copy of this photograph is attached to this Declaration as Exhibit D.

27. Inside the church, part of the roof was destroyed and falling down, and other furniture was damaged or overturned. There were more bodies inside the church, also covered in lye. I saw approximately twenty bodies both inside and outside the church. There were also

shoes, clothing, and other personal effects on the floor of the church. The church floor was also covered in blood stains.

28. I took a few photographs inside the church, including one photograph from the back of the church. In it, you can see part of the roof had fallen down on the left-hand side, and the floor is covered in blood stains and shoes, clothing, and other personal items. A true and correct copy of this photograph is attached to this Declaration as Exhibit E. The second photo has a better view of the destroyed roof and more overturned furniture. You can also see a body in the foreground, covered in white lye powder. A true and correct copy of this photograph is attached to this Declaration as Exhibit F.

29. I also took a photograph of a pile of bodies inside the church. Because the bodies were decomposing, it was hard to make out how many there were. But the photograph shows at least two bodies, both covered in white lye powder. One of the bodies appears to be of a woman, wearing a dress. They are lying in a larger pile of clothing, which likely contains more decomposing bodies. From their clothing and all the clothing surrounding them, they appear to be civilians. A true and correct copy of this photograph is attached to this Declaration as Exhibit G.

30. Most of the bodies I saw were not recognizable, as they had started to decompose after sitting there for months. But I could tell that all the clothing on the bodies, and all the remaining clothing scattered around the church compound, was civilian clothing. I could also tell some of the bodies must have been women, as they were wearing dresses. I did not see any weapons at the church or on the compound.

31. Before we arrived at the church, I had read a report that church members had already buried many of the bodies and put them into a mass grave next to the church, under the

basketball court. But there were too many bodies to fit into the mass grave, and they had to use lye on the remaining bodies.

32. We exited the church after we heard screams outside. A group of Death Squad soldiers arrived from the frontline, which at that time was in Congo Town, a neighborhood of Monrovia a few kilometers east of the church. The group was commanded by Colonel Michael Tilley. Major Otulana identified Tilley, but I was already familiar with who Tilley was because I had photographed him the day before, on October 8th, at the Executive Mansion along with General David Nimely, the new AFL Chief of Staff. The soldiers were in a very bad mood, especially Tilley. They were upset to see us at the church. It was frightening. Tilley appeared very angry and threatening. Tilley and Major Otulana proceeded to get into an argument because Tilley did not want us at the church. Major Otulana told Tilley that ECOMOG had the authority to go anywhere, and Tilley's forces had nothing to do at the church.

33. I took a photograph of the encounter between Tilley and the ECOMOG forces outside the church after Tilley arrived. A true and correct copy of this photograph is attached to this Declaration as Exhibit H. In the photograph Tilley is on the left, in a blue shirt with a bandage on his left hand and a wrap around his head, arguing with Major Otulana, who is wearing a green beret and sunglasses. I took this photograph on the street outside the Lutheran Church. You cannot see the church, as it was behind me when I took this photo.

34. After approximately ten minutes, Tilley finally left with his forces, and they headed toward the frontline. We also left so as not to further provoke Tilley and his men. I would have spent more time at the Lutheran church if Tilly hadn't interrupted us.

35. The previous day, October 8, journalists were invited to the Executive Mansion to meet the new authorities who took over after President Doe and his ministers were killed. I was

interested in meeting the new leaders, so I went to the Executive Mansion with Stephen Smith and Mark Huband. We met with Brigadier General David Nimley, who was acting Chief of Staff, and his staff at the time. I also saw Tilley at the Executive Mansion on that visit.

36. I took a photograph of General Nimley and other new leaders outside the Executive Mansion that day, on October 8, 1990. They are standing at the steps in front of the entrance to the mansion. You can see General Nimley at the front of the group, with a green hat and binoculars. You can also see Tilley in the background to the left of General Nimley, wearing a dark jacket and the same head wrap with shells that he was wearing the following day, when I saw him at the Lutheran Church. A true and correct copy of this photograph is attached to this Declaration as Exhibit I.

37. I also took a photograph of Tilley outside the Executive Mansion. Tilley is in the center of the photograph, with the same dark jacket and military fatigues underneath, the same head wrap with shells, and his left hand covered in a bandage, like it was the following day. The man beside Tilley in a green beret is an ECOMOG officer, but the rest of the men with Tilley are from the Death Squad. I knew these men were part of the Death Squad because they introduced themselves as such. This photograph was taken outside the entrance to the Executive Mansion on October 8, 1990. A true and correct copy of this photograph is attached to this Declaration as Exhibit J. I took another photograph of the Executive Mansion on the same day. A true and correct copy of this photograph is attached to this Declaration as Exhibit K.

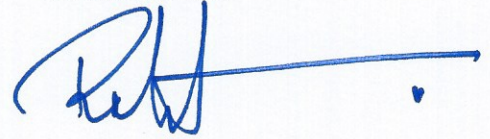
38. On October 10, 1990 I returned to Freetown and flew to Paris on October 11th.

* * *

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on February the 24th, 2021 in Paris, France.

Patrick Robert



**IN THE UNITED STATES DISTRICT COURT
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JANE W, in her individual capacity, and in her capacity as the personal representative of the estates of her relatives, James W, Julie W and Jen W;

JOHN X, in his individual capacity, and in his capacity as the personal representative of the estates of his relatives, Jane X, Julie X, James X and Joseph X;

JOHN Y, in his individual capacity;

AND JOHN Z, in his individual capacity,

Plaintiffs,

v.

MOSES W. THOMAS,

Defendant.

Case No. 2:18-CV-00569-PBT

EXHIBIT A



EXHIBIT A

2

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EXHIBIT B



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EXHIBIT C



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EXHIBIT D

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EXHIBIT E



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EXHIBIT F



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EXHIBIT G



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EXHIBIT H



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EXHIBIT J



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EXHIBIT K



EXHIBIT K