

**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 JOHN X
IN SUPPORT OF PLAINTIFFS' JANE W, JOHN X, JOHN Y, AND JOHN Z
MOTION FOR SUMMARY JUDGEMENT**

I, John X, declare under 28 U.S.C. § 1746 that:

I. Personal Background

1. I am a Plaintiff in this case. I am the representative for my late wife, daughter, and brothers' estates.

2. I was born on [REDACTED], in [REDACTED], Nimba, Liberia. I am from the Gio tribe.

3. I am a [REDACTED]. I live in [REDACTED] with my wife and four children.

4. In 1989, I lived in [REDACTED], Monrovia with my late wife Jane X and daughter Julie X, who were both murdered during the Lutheran Church Massacre. I was a [REDACTED].

II. Before the Lutheran Church Massacre

5. When the war broke out on December 24, 1989, I was visiting my father in [REDACTED], Nimba.

6. After Charles Taylor and his forces entered Nimba, the Armed Forces of Liberia ("AFL") came to Nimba. The AFL would treat anyone from the Mano and Gio tribes as a rebel. They attacked and killed many innocent Mano and Gio men, women, and children. My family and I spent the Christmas season hiding from the patrolling AFL in the bush. I was close to the gunfire, and saw people running away, trying to hide, and being shot.

7. One evening around January 1, 1990, I was in [REDACTED], my father's village in Nimba, and saw a car approaching. When the car arrived, I saw that it was filled with AFL soldiers. I personally recognized one of the soldiers. Another soldier asked me, "where are your people" but they were all hiding in the bush. After the car left, my father came out of the bush and warned me that I must leave the village, as I would not be safe in the village if the soldiers

returned. I am grateful that I took my father's advice and left, because the soldiers returned and burned [REDACTED] and the other villages on the road in the middle of the night. I saw the burned remains of [REDACTED] the next morning. My father had nothing left to live on after the AFL troops burned his home.

8. In January, I left for Monrovia. I thought it would be better to go back to Monrovia, because it was hard to live with the government troops trying to kill us. It took me about a day and a half to travel to Monrovia because there were AFL soldiers and at least four AFL checkpoints on the road.

9. I learned firsthand the danger posed to Manos and Gios at AFL operated checkpoints. When people passed through AFL checkpoints, the soldiers would question them to determine who they were. Soldiers would ask people what their tribe was. Mano and Gio people could also be identified by their dialect and their accent. People identified as Mano or Gio would be arrested and taken in a car to a new destination. I witnessed this questioning and saw Mano and Gio people being separated from others at the checkpoint in Ganta.

10. I was only able to make it safely to Monrovia because I received protection from an AFL soldier named Humphrey Queh. He was a Krahn soldier from a town close to my hometown, so he spoke both Krahn and Gio. When he saw me on the road in [REDACTED] in Nimba, he warned me that I would not be able to pass through the government checkpoints on my own, as they had a large security presence and I would be identified as Gio. Humphrey told me to get into a taxi with him to pass through the checkpoints, and he instructed me not to reveal myself. At one of the checkpoints in Ganta, Humphrey told the army commander, General Smith, that I was a family member traveling with him. General Smith then gave an order to let Queh and his family pass through. Humphrey protected me as his own child. I was only able to pass through the checkpoints because I was under the shield of this Krahn soldier. I believe

Humphrey wanted to help me because he had a humanitarian heart and felt for me, since we were from the same region and could speak the same language.

11. In addition to my experience at the checkpoints, I saw and heard other things as I travelled from Nimba to Monrovia that made me believe AFL soldiers were targeting Manos and Gios. I met people along the road who warned me, as Humphrey Queh did, that AFL soldiers were targeting Mano and Gio people, and it would not be safe for me to pass through checkpoints. In the car with Humphrey Queh, we also passed through many predominantly Mano and Gio towns that were empty because the residents had fled from or had been killed by AFL soldiers. I saw many dead bodies along the way. When we would pass a body on the road, Humphrey Queh would stop the car and ask questions. This is how we learned that AFL soldiers had threatened and killed Gio and Mano civilians.

12. Starting in April of 1990, life in Monrovia became more and more frightening. I began to see and hear about innocent people in Monrovia being killed or taken from their homes. It was mostly Mano and Gio people being targeted. Soldiers at roadblocks questioned people about their tribe and killed Manos and Gios. Threats to Mano and Gio people were talked about openly so that Nimbanians in Monrovia were living in fear, knowing their lives were not secure.

13. I personally learned how Mano and Gio people within the government security apparatus were targeted through my brothers James X and Joseph X. James X was in the [REDACTED], and Joseph X was a [REDACTED] in the AFL, assigned to the [REDACTED]. Around May 1990, the security apparatus, which included the police, immigration authorities, and the AFL, began targeting Nimbanians within their ranks. They would assemble members, identify anyone from Nimba, and disarm them, telling them to stay home. Both of my brothers were disarmed in this way, and they told me about this practice. The government also had another strategy to get rid of Nimbanians: the military and police would call Nimbanians in their

units to come collect their salaries at the military headquarters, but when they arrived, they would be arrested. Many Nimbanians who went to collect salaries never returned. My brothers realized this trick and so they never responded to calls to collect their salaries. They understood that it was not safe for them to remain in residential areas in Monrovia, as they may be targeted. So in early June 1990 they decided to seek shelter at St. Peter's Lutheran Church (**“the Lutheran Church”**). I believe they were some of the first people to go to the church for refuge.

14. Even prominent people were targeted by the AFL. I read in the Daily Observer that the AFL beheaded three prominent Gios. The newspaper reported that they were killed because they were from the Gio tribe, from Nimba. I also read in the Daily Observer that the AFL commander Colonel Gay was calling for the head of Justice Belleh, a councilor from the Mano tribe from Nimba. Colonel Gay threatened Justice Belleh very openly, and the government made no comment in response. I also heard that David Toweh, the senior Senator for Nimba County, had to take refuge at the Lutheran Church after receiving death threats. Senator Toweh suggested in a cabinet meeting that President Samuel Doe should step down, rather than let the whole country suffer through a war. Following this comment, Senator Toweh began receiving death threats and went to the Lutheran Church to seek refuge. I later met Senator Toweh at the church.

15. Manos and Gios were afraid to sleep in their own homes in Monrovia. I was afraid that I would be taken from my house in [REDACTED] at night, so my family and I began sleeping in the house of a friend from Ghana, where I thought it would be safer. One morning in June 1990, I heard that the night before the AFL came for my neighbor, [REDACTED]. He was not home, so the soldiers abducted his daughter. She was not seen again.

16. After the AFL kidnapped my neighbor's daughter, and after seeing and hearing of Manos and Gios being targeted throughout Monrovia, I was afraid that my family would be

attacked because we were Gios. It was clear that the government was not protecting its Nimba citizens and that anyone who was loyal to the government could harm them at any time.

17. In early July 1990, I decided to take my wife and daughter to the Lutheran Church, because I thought we would be safe there. There were Red Cross flags flying at the church. I knew the Red Cross's purpose was about saving lives and protecting civilians. I thought that under the banner of the Red Cross, it would not be possible for heinous crimes to be committed. We went to the church as unarmed civilians, and everyone knew that we were unarmed. We were in desperate need of protection, and I and many others believed that the Red Cross flags would provide us protection. We thought the flags were guiding us to safety.

18. I found my brothers James X and Joseph X at the church after we arrived.

19. There were at least 1,000 people in the church. Most of them were Mano or Gio. I saw a lot of people from my tribe that I recognized, including Senator Toweh, a senior Senator for Nimba County.

20. The people at the church did not have weapons.

21. At the church, we received food and other supplies from the Red Cross and other groups.

22. In the first week after I moved to the church, a huge group of Special Anti-Terrorist Unit soldiers wearing olive-green fatigues and combat helmets surrounded the church. I was standing outside the church, within the compound, alongside other civilians. We were looking out on the streets, to watch for anyone who might come and threaten us. The soldiers jumped over the wall surrounding the church, entering the compound. I was frightened because the soldiers were well-armed. One soldier, who I believe must have been their commander, asked why the people in the compound were standing outside of the church building. Senator Toweh asked why the soldiers entered the church compound. The soldier said he and his troops

were sent by Colonel Gay to protect the people at the church. Senator Toweh explained to the soldiers that everyone at the church was seeking refuge and did not pose a threat, and he asked the soldiers to leave. When the soldier said that Colonel Gay sent them, I became more afraid. I knew that Colonel Gay operated a death squad and had called for the head of Justice Belleh, a civilian, and was targeting Nimbanians. I believed that if Colonel Gay sent the soldiers to the church, then we would not be safe there. But my family and I stayed at the church even after the soldiers came because we had nowhere safe to go.

III. The Lutheran Church Massacre

23. Late on the night of July 29, 1990, I was awake and keeping watch at the church. I was on the right side of the church, my two brothers were upstairs, and my wife and daughter were in the school building. A lot of people were awake, praying and keeping watch.

24. I heard soldiers coming over the fence. Then, I saw a group of AFL soldiers enter the church through the front door. They were wearing the same olive-green fatigues and combat helmets as the group of soldiers who had visited the church before.

25. The soldiers opened fire on the crowd without saying anything.

26. I dropped to the ground and covered myself with blood, so it looked like I had been shot. I hid among the bodies, pretending to be dead.

27. In between firing, I heard a soldier say, "We'll kill every one of you before Taylor comes." I thought the soldiers meant Manos and Gios, who the AFL believed supported Taylor.

28. The killing lasted for about two hours. I lay there as the AFL shot and killed hundreds of unarmed men, women, and children. I feared for my life and my family's lives.

29. After the soldiers left, I remained hidden among the bodies. I was worried the soldiers would come back.

30. Around 7:00 in the morning, I began hearing people shouting, crying, and sympathizing, asking what had happened. When I heard those voices, I got up, as I knew it was people who had come to the church to help the survivors.

31. I began looking for my wife and daughter. When the killing started, we were in disarray and were not right next to each other. I first found the body of my little girl, Julie X. I then found the body of my wife, Jane X. They were some distance from where I was hiding. I later found the bodies of my two brothers, James X and Joseph X.

32. I did not count the bodies, but it looked like almost 1,000 dead people at the church.

IV. The Attack on J.J. Roberts

33. I left the Lutheran Church that morning to look for somewhere to seek refuge. I went to J.J. Roberts School with some other survivors. I had relatives at J.J. Roberts, including my younger brother. Around 1,200 people, mostly Manos and Gios, were at the school. The Red Cross was giving them food and other supplies. The people at J.J. Roberts were praying about the massacre at the Lutheran Church and listening to stories from the survivors.

34. A soldier came and warned us that J.J. Roberts would be the next target. He told us that we needed to leave at all costs.

35. I stayed because I believed that as a male Gio, it was more dangerous for me to leave and pass through the checkpoints. Because the school building was big, I believed I could hide in the roof if I heard any trouble at the entrance.

36. Around 2:00 p.m. on the same day, July 30, a group of soldiers came to the gate of J.J. Roberts. My brother and I hid under the roof of the building, where other men were already hiding.

37. The soldiers said “not one Nimba man will leave. Before the arrival of Taylor, there will be no Gio men.” I heard people begging for their lives and saw soldiers searching everywhere for survivors and killing people, including a man wearing a Red Cross vest, with cutlasses, axes, and guns.

38. The people hiding in the ceiling passed notes and urinated on a blanket so that the soldiers would not hear us.

39. I stayed hidden in the roof until the next morning, when some more Red Cross workers came to J.J. Roberts. From my hiding spot, I saw them crying when they saw the bodies. A Red Cross worker told anyone in the building who was alive to come out from their hiding place. I knew it was safe because of their reaction to the bodies, so I came down from my hiding place. My brother also came out of hiding.

V. After the Lutheran Church Massacre

40. After the attack on J.J. Roberts and the Lutheran Church, I decided to return to Nimba. I did not believe I could be safe in Monrovia, even though I knew travelling would be very dangerous.

41. I travelled back to Nimba. It was not an easy journey because of the war. I walked from J.J. Roberts to Kakata, and then made my way to Firestone and then to Buchanan. After walking all day, I would sleep on the street. From Buchanan, I took a car to [REDACTED], Nimba. The dangerous journey took me close to one month. I prayed the entire time that no soldiers would ask which tribe I was from.

42. To escape the war, I fled Nimba and settled in a refugee camp in [REDACTED]. When Charles Taylor became President in 1997, I returned to Nimba. When the war restarted in 1999, I went back to the refugee camp in [REDACTED], where I lived as a refugee.

43. I did not feel safe making a complaint about the Lutheran Church massacre, even after Ellen Johnson Sirleaf was elected President.

44. Because I feared retaliation, I have not spoken out publicly about my experience at the Lutheran Church. I did not speak to the Truth and Reconciliation Commission (“**TRC**”) about the Lutheran Church Massacre. Even though I heard it was a way to ensure there would be some accountability for what had happened during the war, I was worried I would be targeted for testifying at the TRC. I also did not believe the TRC would protect witnesses.

45. I am only participating in this case because I can remain anonymous.

46. I regret the impact the Lutheran Church Massacre has had on my life. Since my wife was killed, I have felt the emptiness of the relationship I lost. If she were still alive today, she would be caring for our family. I also am left with only the imagination of the woman my daughter could have grown into. I also miss my brothers. If they were still alive today, we would be supporting each other and our family. But without them, I must shoulder that burden alone. My whole family looks to me for what should be done, and that weighs on me. Because I had to care for my family after the massacre, I could not return to school, as I had planned to do. Today, I am still only a high school graduate. The massacre left my life with many shortcomings and forced me to make many sacrifices. Because of these losses, I cannot have total happiness.

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 January 6, 2021, in [REDACTED], Liberia.

[REDACTED]
John X