

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

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

I. Personal Background

1. I am a Plaintiff in this case.

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

3. When the war started, I was living with my older brother in the [REDACTED] of Monrovia in Liberia. I heard that war had broken out in Nimba, where I was born, between the government Armed Forces of Liberia (“AFL”) and rebel forces belonging to the National Patriotic Front of Liberia (“NPFL”).

II. Before the Lutheran Church Massacre

4. As the NPFL forces marched closer to Monrovia, tensions began to escalate in my neighborhood. The area where I lived was mostly people from Nimba, who belong to the Mano or Gio tribe. I had heard firsthand AFL soldiers in my neighborhood threatening people who were from Nimba County. For instance, in early July 1990, I was sitting within the fence around my home when at around 7:30 p.m. (past the 6:00 p.m. curfew) I heard the two girls screaming in Gio dialect. Then I heard soldiers shouting in English, “These Gio and Mano asses that live in this place, we will get you.” Because of these threats, I saw many Manos and Gios from my neighborhood, including my neighbors, go and seek refuge at St. Peter’s Lutheran Church (the “**Lutheran Church**”) throughout July 1990.

5. As I watched my neighbors flee their homes, I became worried that I would be targeted too because I lived near Manos and Gios and was also from Nimba County—even though I am not Mano or Gio. So, around July 27, 1990, I decided to try to find safety there as

well. I went straight from my home to the church, informing the person at the gate that I was seeking shelter because I was from Nimba.

6. There were people of different tribes staying at the Lutheran Church, but it was predominantly Manos and Gios seeking refuge from the harassment they received from AFL soldiers in Monrovia. Some of the refugees were afraid that I was a reconnaissance agent because I am Mandingo; I had to explain that I am a Nimba man, and I would speak some words in the Mano dialect to reassure them. I could not speak the Mano language very well, but I knew some because I was from Nimba County. There were many families at the Lutheran Church, including old men and women, mothers, children, and infants. I never saw any weapons or armed people at the Lutheran Church. It was clear that the people there were civilians trying to seek shelter. I heard from other people at the church that an NGO—I believe it was the United States Agency for International Development—was distributing food and water to the residents of the church.

7. The Lutheran Church compound consisted of the church building, a school building, a Palava hut, and a courtyard, all surrounded by a fence. A Palava hut is a traditional Liberian hut with a thatched roof supported by columns and no walls, used as a meeting place for community members to gather and settle disputes or have discussions. The entire compound was packed with people when I arrived. The inside of the church was completely full, as was the school building, so I had to sleep outside, in the courtyard between the school building and the Palava hut, near the front entrance of the church compound.

8. I would sometimes stand on the inside of the compound gate or on the second floor of the school building to look out onto Tubman Boulevard or 14th Street. Before the night of the attack, I saw government soldiers drive past the front of the church, along the main road in

jeeps and open-backed pickup trucks. They would slow down to shout threats at us like, “You people have come to group yourself in the church building, but we will come for you and you will see,” and, “You people think you can hide here when your people are fighting us?” The soldiers wore combat helmets and were dressed in full military gear.

9. I also saw soldiers from the Special Anti-Terrorist Unit (“SATU”) driving past the church and patrolling in front of the compound. I could tell they were SATU because they drove in military green jeeps and had a distinct uniform: they wore fresh, olive green camouflage uniforms, bulletproof vests, military insignia on their chests, lion crests on their uniforms, and bird-shaped metal pins. Some wore helmets and some wore red berets. Their helmets looked different from those of other soldiers, as they were military green combat helmets with netting on them.

10. I was familiar with SATU because [REDACTED]. I had seen them in their uniforms. I also often saw SATU soldiers [REDACTED]. SATU commanders [REDACTED].

11. In addition to SATU, Death Squad soldiers also patrolled in front of the Lutheran Church compound. The Death Squad soldiers were distinguishable from SATU because they rode in black Ford jeeps. They would also wear masks.

12. Until July 29, 1990—the night of the attack—I never saw a soldier enter the church; they had only made threats outside and would come and go in front of the church.

III. The Lutheran Church Massacre

13. On the night of the attack, I was outside the school building, in between the school and the fence surrounding the Lutheran Church, next to the Palava hut. The church and

school were packed, and the heat inside made it difficult to sleep, so there were many others out in the courtyard with me. Others were sleeping, but I was not; I slept during the day and stayed up at night, vigilant with fear.

14. Around midnight, I saw soldiers surrounding the fence all around the compound. The soldiers wore combat helmets, and some wore masks on their faces. They entered the compound through the front fence and moved in different directions—some entered the church, some went upstairs, and some went into the school building. Not long after they entered, they opened fire, and people started running everywhere. People near the fence attempted to jump over, others outside the church started to run inside, and people inside the church started running outside.

15. Soldiers shot at the people running around, and several of the civilians were killed. I could hear guns firing in the church and the school building, and children were screaming. When the firing started, I was in my same position, between the school building and the Palava hut. I tried to move a little closer to the entrance of the compound, but I was not able to move very far because there were many bodies and I was afraid I would be shot. A heavy body fell on top of me, where I was lying. The body was holding me down and made it difficult for me to breathe. I managed to move the body some and turn onto my back, so I could breathe better. After some time, I shifted the body, but I could not get away from it entirely. I stayed under the body, partially covered, for some time.

16. The shooting lasted more than one hour. During this time, soldiers were walking around and stepping on the bodies. While I was hiding among the bodies, a soldier stepped onto my shoulder and arm with his boots. Because I was in shock, I did not feel pain and did not move.

17. Once the shooting stopped, I saw a commander enter the compound through the front gate, smoking a cigarette and holding a pistol in one hand. It was dark out, but car headlights made it light in the compound. I was only about ten feet away from the man, and I could see him very clearly. The commander was Moses Thomas, wearing green camouflage and a bulletproof vest. Unlike the other soldiers, Moses Thomas did not wear a combat helmet or a mask. Attached to this Declaration as Exhibit A is a diagram showing where Moses Thomas and I were located when I identified him.

18. I recognized Moses Thomas because I had seen him many times [REDACTED]. [REDACTED]. Once, prior to the start of the war, I had seen Moses Thomas in the neighborhood, and [REDACTED] had introduced Moses Thomas to me as their “chief.”

19. I watched as Moses Thomas walked from the front gate to the front of the church and yelled, “Ceasefire, all soldiers out.” He gave all of his commands in English. He then crossed the courtyard, stepping over dead bodies to walk over to the school building, and he repeated the same orders. Finally, he walked over to a spot toward the center of the courtyard and repeated the order several more times.

20. After these orders, the soldiers began leaving. I saw Moses Thomas walk over to the front of the church and look inside. I then heard him say, “Everyone is dead. All soldiers out.” After this announcement, the soldiers all left.

21. Attached to this Declaration as Exhibit B is a copy of the photo line-up I was shown by my attorneys on May 17, 2017. The individual I have marked in Exhibit B is the chief I recognized at the Lutheran Church on the night of the attack, Moses Thomas.

22. After the soldiers left, I could hear people crying. The streets were quiet, and nobody came to help. I could see people suffering from bullet wounds. I later heard on the news that amongst the dead were women and children, as well as former government officials from Nimba County.

IV. After the Lutheran Church Massacre

23. I left the church very early in the morning, around 4:00 a.m., while it was still dark out and before the end of curfew, which was at 6:00 a.m. As I was leaving, I saw a young girl exit the gate; I know other people survived the attack, but she is the only survivor I recall seeing leave the compound. I returned to my home in [REDACTED] and changed my clothes.

24. In the morning, people started to go back to the church to see what happened. I never returned to the church to see the aftermath because I could not bear to witness the horrific scene.

25. I have lived in fear for my safety ever since the attack. I was so afraid for my security that, until 2017, I never told anyone that I had been present at the church.

26. I remained in Liberia throughout the Civil Wars and never left the country. After President Samuel Doe was captured, rebels from the NPFL took control of [REDACTED], and my home was burned to the ground. Eventually, the Economic Community of West African States Monitoring Group peacekeeping force came to Monrovia and told refugees to go to Freeport district in Monrovia to evacuate. At Freeport, there was an informal refugee camp, and Guinean soldiers were distributing food and humanitarian services.

27. After the attack, I never saw Moses Thomas again. Although I wanted information about him, I was too afraid to ask anybody because he is a dangerous man. The people who I knew and trusted—who I could have asked—were all dead after the massacre.

28. I did not speak to the Truth and Reconciliation Commission (the “TRC”) about the massacre because I was afraid of potential retaliation from Moses Thomas’ kinsmen or other SATU soldiers. I was especially scared because the hearings were public, no security was provided to individuals who testified, and SATU members lived in my community. Moreover, I did not know the TRC was investigating the massacre.

29. I heard at the time that the TRC was created that it would make recommendations on issues of justice and identify perpetrators to be recommended for prosecution. But I did not learn about the TRC’s final report. I also did not know that it made a list of people recommended for war crimes prosecution, or that Moses Thomas was identified in the report.

30. I never sought justice in local courts for the same reasons—I was afraid of retaliation. No security is guaranteed at the local courts, and nothing would stop perpetrators or their kinsmen from attacking victims that came forward to testify about the massacre. If I had brought a case, death squads would have hunted me down and killed me. That is what happens here: they can find you and hurt you, night or day.

31. At the end of the First Civil War in 1996, I had heard rumors that Moses Thomas had left the country and travelled to the Ivory Coast, so that is where I assumed he was. I read the newspapers but never saw his name, so I never knew for certain where he was.

32. Today, I live with the pain of having witnessed and survived the Lutheran Church Massacre. When I think about that night and everything that I saw and went through, I get a severe headache and experience pain in my ear and arm, where I was stepped on. Some days when I think about the massacre, I am not able to do anything else and I have to rest for the whole day. It is very difficult for me to remember and speak about these events, because it makes me feel terrible. But I joined this case and am speaking out now because I know that what

Moses Thomas did was wrong, and I want to bring him to justice. I want him to be held accountable for what he did to me and so many others at the Lutheran Church.

* * *

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 12, 2021, in [REDACTED] Liberia.

[REDACTED]
John Z

**IN THE UNITED STATES DISTRICT COURT
FOR 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,

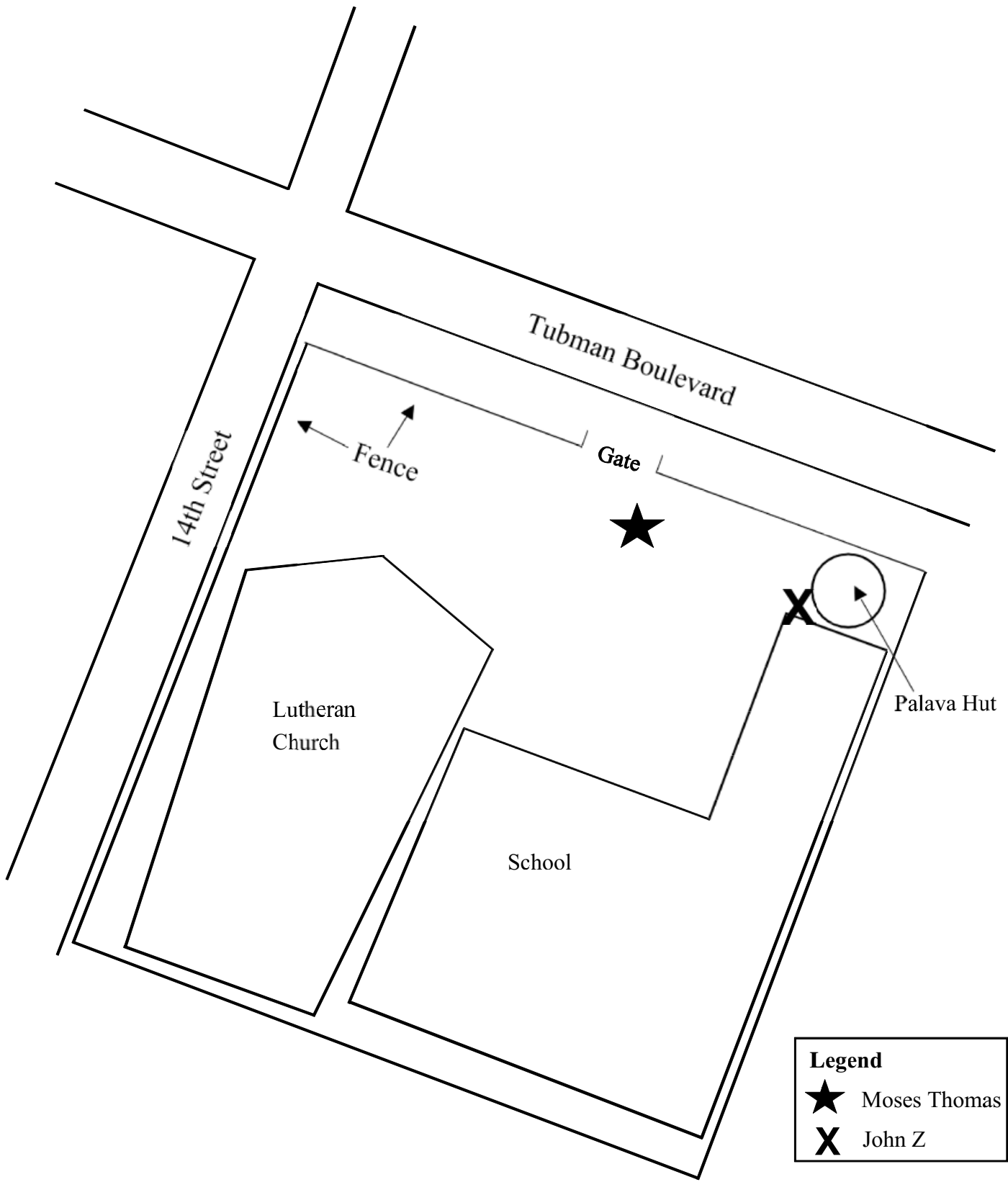
v.

MOSES W. THOMAS,

Defendant.

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

EXHIBIT A



Legend

- ★ Moses Thomas
- X John Z



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EXHIBIT B



17 - May - 2017

