

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED:** _____
MOHAMMED JABBATEH, : **VIOLATIONS:**
a/k/a "Jungle Jabbah" : **18 U.S.C. § 1546 (fraud in immigration**
: **documents – 2 counts)**
: **18 U.S.C. § 1621 (perjury – 2 counts)**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

BACKGROUND

1. In 1822, freed American slaves settled on the western coast of Africa in the area that now encompasses Liberia, which became an independent republic in 1847. Liberia's political landscape was dominated by the descendants of these settlers, known as "Americo-Liberians," despite the fact that Americo-Liberians comprised only approximately five percent of Liberia's population. Liberia was never colonized by a foreign power. However, the Americo-Liberian settlers administrated a colonial style system of government that denied full civic rights to some of the indigenous tribal groups and relied on coercive force to maintain power. The historical marginalization of indigenous tribal groups and the violence inflicted on native Liberians created a deeply divided society and set the stage for the conflict that erupted in the latter decades of the twentieth century.

2. On April 12, 1980, a small group of Liberian soldiers seized power, killing President William Tolbert and other government officials of the Americo-Liberian elite and taking control of the Executive Mansion in Monrovia, Liberia's capital. The group was led by Master Sergeant Samuel K. Doe. Doe, a member of the Krahn tribe, was Liberia's *de facto* ruler through 1985. In 1985, Doe was elected president of Liberia. Doe's government was recognized by the international community, including the United States.

3. Doe was an authoritarian ruler, first as Liberia's *de facto* leader and later as Liberia's president. He banned political activities and used the military to suppress dissent. He cultivated patronage systems that benefitted his fellow Krahn tribesmen and elevated members of the Mandingo tribe, previously considered outsiders in Liberia, to favored economic and political status. At the same time, Doe sidelined former allies, in particular, members of the Gio and Mano tribes who helped to bring him to power, largely if not completely excluding them from political society.

4. The Doe administration's corruption, repressive rule, and favoritism fueled resentment among many in Liberia. Consequently, in 1985, one of Doe's former brigadier generals returned to Liberia from exile and rallied Gio and Mano supporters from Liberia's army to take over the government by force. This was the beginning of the National Patriotic Front of Liberia (NPFL), a rebel military organization committed to the overthrow of the Doe government. After the coup failed, Armed Forces of Liberia (AFL) soldiers loyal to Doe executed hundreds of Gio and Mano soldiers and carried out reprisal attacks that killed hundreds, if not thousands of Gio and Mano civilians.

5. The Doe administration's misconduct engendered the late 1980s re-formation of the defunct NPFL, this time founded by Charles Taylor and others.

6. In the late 1980s, Taylor and others met in the Ivory Coast to assess an NPFL military plan of action and to identify bases for NPFL military training. NPFL rebels received support from the governments of Burkina Faso and Sierra Leone, and Libyan ruler Muammar Kaddafi supplied the NPFL with both arms and specialized training at bases in Libya.

7. On December 24, 1989, NPFL forces attacked Liberia through the Ivory Coast and initiated an offensive aimed at overthrowing Doe. By April 1990, the NPFL controlled approximately 90% of Liberia outside of Monrovia.

8. In July 1990, a number of Taylor's NPFL fighters defected and joined a splinter faction called the Independent National Patriotic front of Liberia (INPFL). The INPFL was led by Prince Yormie Johnson, a former NPFL military training officer. In September 1990, Doe was captured by INPFL forces, who tortured and executed him.

9. Despite Doe's demise, the NPFL persisted with a campaign for control of the country, fighting against other rebel factions as well as groups loyal to the former Doe government. The United Liberation Movement for Democracy in Liberia (ULIMO) was one of the main rebel factions against whom the NPFL fought.

10. ULIMO, which was primarily composed of ethnic Mandingo and Krahn forces, was born from the alliance of three groups formed by former ministers of the Doe regime: the Liberian United Defense Force (LUDF), the Movement for the Redemption of Liberian Muslims (MRM), and the Liberian Peace Council (LPC).

11. In early 1991, former Krahn AFL soldiers in Sierra Leone formed the LUDF as a self-defense group to protect Liberian refugees from Revolutionary United Front (RUF) rebels, a Sierra Leonean group backed by the NPFL. The LUDF was led by retired AFL General Albert Karpah, who had served as Doe's Minister of Defense and Ambassador to Sierra Leone. After

the RUF invaded Sierra Leone and attacked the Liberian refugee camps in March 1991, the LUDF began receiving arms from the Sierra Leone military to repel the rebels.

12. In February 1991, Alhaji G. V. Kromah, an ethnic Mandingo and Doe's former Assistant Minister for Information, founded the Movement for the Redemption of Liberian Muslims, also called the Movement for the Redemption of Muslims (MRM), in Guinea. The group attracted followers from the Liberian Mandingo refugee population in Guinea.

13. In a bid to increase the MRM ranks and secure a weapons source, Kromah proposed to join forces with Karpeh's LUDF and the LPC, led by former Minister of Education George Boley, and on May 29, 1991, ULIMO was officially founded in Conakry, Guinea. Karpeh initially led ULIMO, with Kromah as its spokesman until Kromah orchestrated Karpeh's assassination on June 1, 1992, and took over leadership of the group.

14. ULIMO made its first successful military incursions into Liberia in early 1992, initially capturing strategic towns along Liberia's border with Sierra Leone. In August 1992, ULIMO overran NPFL positions and gained control of much of northwestern Liberia, establishing its headquarters at Tubmanburg, Bomi County. By 1993, ULIMO controlled Lofa, Gbarpolu, and Grand Cape Mount Counties, and portions of Bomi and Montserrado Counties. The Po River Bridge on the border of Montserrado and Bomi Counties marked the limit of ULIMO's geographic reach. The group failed to take new territory after reaching the bridge due to desertions and the eventual fracturing of the group.

15. In June 1993, ULIMO raided several villages in Cape Mount County, beating and threatening villagers alleged to be NPFL accomplices.

16. ULIMO troops committed numerous political killings in Lofa County in 1993. For example, in July 1993, ULIMO is alleged to have killed as many as 300 members of the Lorma ethnic group in Voinjama, Lofa County, who opposed ULIMO control of the town

17. In December 1993, ULIMO looted and destroyed the office of the United Nations High Commissioner for Refugees (UNHCR) in Vahun, Lofa County, causing the suspension of all humanitarian operations in the region.

18. In 1993 and 1994, ULIMO fighters in Lofa County subjected civilians to torture, including cutting off their ears and hands. In one series of attacks, a ULIMO commander cut off the ears of a victim, tore the heart out of another victim, and tortured an old woman by crushing her leg between two pieces of wood.

19. As the ULIMO offensive wore on, individual commanders increasingly turned to looting and mining activities, both for survival and personal gain, rather than focusing on military actions. ULIMO typically operated by attacking a civilian village with attractive looting potential and subjecting villagers to brutal violence, including torture, rape, and ritualized cannibalism. After looting a location, ULIMO fighters would often force villagers to carry the looted goods long distances for eventual sale.

20. At the time of ULIMO's initial organization, Krahn and Mandingo fighters formed a natural alliance, as both ethnicities were targeted by the NPFL. However, military, political, and commercial rivalries within the group eventually led to its disintegration. Kromah, a Mandingo, first used the ethnic divide within ULIMO to his advantage by proclaiming himself the leader of all ULIMO Mandingo elements in order to win over Mandingo fighters loyal to Karpeh, a Krahn. Control of valuable diamond and timber-trading routes along the Sierra Leone-Liberia border was also at stake; Roosevelt Johnson, a former Liberian Ministry of Finance

official who was popular among Krahn ULIMO elements, had entered into trading deals in the region, disrupting established Mandingo trading.

21. In March 1994, ULIMO split into two wings – the Krahn-dominated ULIMO-J, led by Roosevelt Johnson, and the Mandingo-dominated ULIMO-K, led by Alhaji G.V. Kromah. The split, was initiated when Krahn and Mandingo elements turned on each other at the ULIMO headquarters in Tubmanburg, Bomi County. After Mandingo ULIMO forces loyal to Kromah attempted to disarm Krahn ULIMO forces at Tubmanburg, ULIMO fighters subsequently split along ethnic lines throughout ULIMO territory. Within days, fierce fighting erupted throughout ULIMO-controlled territory between the newly-formed factions – the largely Mandingo ULIMO-K under Kromah and the largely Krahn ULIMO-J under Johnson, who had until the split served as ULIMO’s chairman of military affairs.

22. After the 1994 split, ULIMO-K battled ULIMO-J in the western counties, which had previously been under joint ULIMO control; however, both wings joined with other groups, including the Economic Community of West African States Monitoring Group (ECOMOG), a regional peacekeeping force, and the AFL to combat the NPFL in central Liberia. After ULIMO split, Lofa County remained the ULIMO-K stronghold, while ULIMO-J retreated to Bong Mines, outside of Kakata, Margibi County.

23. On June 22, 1994, ULIMO-K troops massacred nine civilians, including women and children, in Brewerville, Montserrado County. Witnesses confirmed that ULIMO-K questioned the victims about their tribal backgrounds and then killed or tortured them and threw their bodies into a well.

24. In September 1994, ULIMO-K, in coalition with the AFL, LPC, Lofa Defense Force (LDF), and dissident NPFL forces, attacked the NPFL headquarters in Gbarnga. Large numbers of civilians were reportedly killed by fighters from all the forces involved.

25. In 1994 and 1995, ULIMO-K and ULIMO-J forces indiscriminately killed civilians in towns in Grand Cape Mount and Bomi Counties as the two groups vied for control of the counties. In mid-June 1994, ULIMO-K fighters reportedly killed at least four civilians and took women hostage for money when they burned and looted villages in the Tienne area of Cape Mount County, apparently accusing the villagers of supporting ULIMO-J, according to Amnesty International. In August 1994, ULIMO-K fighters allegedly killed at least 20 civilians in Gbesseh, Cape Mount County. In late February 1995, ULIMO-K fighters killed 27 civilians in Gbarma, Grand Cape Mount County, and burned to the ground the neighboring villages of Tarkpoima and Zuo, according to the U.S. Department of State. In March 1995, ULIMO-K fighters killed hundreds of civilians in Menkor Town, Grand Cape Mount County, and abducted many others. Also in March 1995, ULIMO-K fighters ambushed vehicles on the Bomi Highway, killing at least five civilians and injuring others. On April 4, 1995 ULIMO-K fighters entered Kpeneji town in Grand Cape Mount County, killing three civilians and setting the town on fire, including a large displaced persons camp. In late April 1995, ULIMO-K forces killed 55 civilians in Guthrie, Bomi County.

JABBATEH

26. Throughout much of the 1990s, defendant MOHAMMED JABBATEH, a/k/a "Jungle Jabbah," was first a ULIMO commander and was then a ULIMO-K commander after ULIMO split into two factions.

27. During his overall time as a ULIMO commander or higher ranking officer (encompassing both his time as a ULIMO commander or higher ranking officer and as a ULIMO-K commander or higher ranking officer) defendant MOHAMMED JABBATEH, a/k/a "Jungle Jabbah," either personally committed, or ordered ULIMO troops under his command to commit the following nonexclusive list of acts: 1) the murder of civilian noncombatants; 2) the sexual enslavement of women; 3) the public raping of women; 4) the maiming of civilian noncombatants; 5) the torturing of civilian noncombatants 6) the enslavement of civilian noncombatants; 7) the conscription of child soldiers; 8) the execution of prisoners of war; and 9) the desecration and mutilation of corpses; and 10) the killing of any person because of race, religion, nationality, ethnic origin or political opinion.

28. On or about December 7, 1998, defendant MOHAMMED JABBATEH, a/k/a "Jungle Jabbah," made application for asylum by filing a Form I-589 with United States immigration authorities. In his application JABBATEH checked the "Yes" box and referred immigration to his personal statement when answering the following question:

2. Have you or any member of your family ever belonged to or been associated with any organizations or groups in your home country, such as, but not limited to, a political party, student group, labor union, religious organization, military or paramilitary group, civil patrol, guerrilla organization, ethnic group, human rights group, or the press or media?

If yes, provide a detailed explanation of your or your relatives' involvement with each group and include the name of each organization or group; the dates of membership or affiliation; the purpose of the organization; your duties or your relatives' duties or responsibility in the group or organization; and whether you or your relatives are still active in the group(s).

29. On or about December 7, 1998, defendant MOHAMMED JABBATEH, a/k/a "Jungle Jabbah," when making application for asylum, referred immigration officials to his

personal statement in which he did not reveal his positions in ULIMO and ULIMO-K as a commander or higher ranking officer, or his activities in those positions.

30. On or about January 11, 1999, during the asylum seeking process, defendant MOHAMMED JABBATEH, a/k/a "Jungle Jabbah," was interviewed by an immigration asylum officer for purposes of determining whether JABBATEH's application should be granted. To this end JABBATEH falsely responded "no" to the following two queries: 1) "[H]ave you ever committed a crime?"; and 2) "[H]ave you ever harmed anyone else?"

31. On or about December 23, 1999, defendant MOHAMMED JABBATEH, a/k/a "Jungle Jabbah" largely based upon his answers to questions posed on his Form I-589 asylum application and his answers to questions posed during his asylum application interview, received asylum.

32. On or about November 5, 2002, defendant MOHAMMED JABBATEH, a/k/a "Jungle Jabbah," applied for legal permanent residency by filing a Form I-485 with United States immigration authorities. JABBATEH falsely responded "No" to the following two questions.

Form I-485, Part 3, question 8 reads as follows:

Have you ever engaged in genocide, or otherwise ordered, incited, assisted or otherwise participated in the killing of any person because of race, religion, nationality, ethnic origin or political opinion?

Form I-485, Part 3, question 10 reads as follows:

Are you under a final order of civil penalty for violating section 274C of the Immigration and Nationality Act for use of fraudulent documents or have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, procured, or procured, a visa, other documentation, or entry into the U.S. or any immigration benefit?

33. On or about March 11, 2011, defendant MOHAMMED JABBATEH, a/k/a "Jungle Jabbah," was interviewed under oath by a United States immigration officer for purposes

of determining whether JABBATEH should be granted legal permanent residency. During the interview Jabbateh swore that his answers to queries posed in Form I-485, part 3, questions 8 and 10 were truthful.

34. On or about March 11, 2011, in the Eastern District of Pennsylvania, defendant

MOHAMMED JABBATEH,
a/k/a "Jungle Jabbah,"

knowingly made under oath, and knowingly certified as true under penalty of perjury, a false statement with respect to a material fact in an application and document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-485, Application to Register Permanent Resident or Adjust Status, by which the defendant applied to become a legal permanent resident, in that the defendant answered "No" to the following question, set forth in Form I-485, Part 3:

Have you ever engaged in genocide, or otherwise ordered, incited, assisted or otherwise participated in the killing of any person because of race, religion, nationality, ethnic origin or political opinion?

As the defendant then and there well knew, his answer to the question set forth above was false, in that, he had ordered, incited, assisted, and otherwise participated in the killing of any person because of religion, nationality, ethnic origin, and political opinion.

In violation of Title 18, United States Code, Section 1546(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 33 of Count One of this indictment are incorporated here.
2. On or about March 11, in the Eastern District of Pennsylvania, defendant

MOHAMMED JABBATEH,
a/k/a "Jungle Jabbah,"

knowingly made under oath, and knowingly certified as true under penalty of perjury, a false statement with respect to a material fact in an application and document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-485, application to Register Permanent Resident or Adjust Status by which the defendant applied to become a legal permanent resident, in that the defendant answered "No" to the following question, set forth in Form I-485, Part 3, question 10:

Are you under a final order of civil penalty for violating section 274C of the Immigration and Nationality Act for use of fraudulent documents or have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, or procured, a visa, other documentation, or entry into the U.S. or any immigration benefit?

As the defendant then and there well knew, the statement set forth above was false, in that the defendant, by fraud and willful misrepresentation of material fact, procured asylum in the United States.

In violation of Title 18, United States Code, Section 1546(a).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 33 of Count One of this indictment are incorporated here.
2. On or about March 11, 2011, in the Eastern District of Pennsylvania, defendant

MOHAMMED JABBATEH,
a/k/a "Jungle Jabbah,"

having taken an oath before a competent tribunal, officer and person, in a case in which a law of the United States authorizes an oath to be administered, that he would testify, declare, depose, and certify truly, did willfully and contrary to such oath, state before an immigration officer that when he checked the box responding "No" to the following query at question 8 on Form I-485,

Part 3:

Have you ever engaged in genocide, or otherwise ordered, incited, assisted or otherwise participated in the killing of any person because of race, religion, nationality, ethnic origin or political opinion?

that his answer of "No" was truthful, when as the defendant then and there well knew and believed, his answer of "No" to the above query was false in that the defendant knew at the time he made the statement that he had ordered, incited, assisted and otherwise participated in the killing of any person because of religion, nationality, ethnic origin, and political opinion.

In violation of Title 18, United States Code, Section 1621(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 33 of Count One of this indictment are incorporated here.
2. On or about March 11, 2011, in the Eastern District of Pennsylvania, defendant

MOHAMMED JABBATEH,
a/k/a "Jungle Jabbah,"

having taken an oath before a competent tribunal, officer and person, in a case in which a law of the United States authorizes an oath to be administered, that he would testify, declare, depose, and certify truly, did willfully and contrary to such oath, state before an immigration officer that when he checked the box responding "No" to the following query at question 10 on form I-485,

Part 3:

Are you under a final order of civil penalty for violating section 274C of the Immigration and Nationality Act for use of fraudulent documents or have you, by fraud or willful misrepresentation of a material fact, ever sought to procure, procured, or procured, a visa, other documentation, or entry into the U.S. or any immigration benefit?

that his answer of "No" was truthful, when as the defendant then and there well knew and believed, his answer of "No" to the above query was false in that the defendant knew at the time he made the statement that he had procured asylum in the United States by fraud and willful misrepresentation of material fact.

In violation of Title 18, United States Code, Section 1621(1).

A TRUE BILL:

FOREPERSON

ZANE DAVID MEMEGER
United States Attorney