



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 11 AUGUST 2009
10.04 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Justice Richard Lussick, Presiding
Justice Teresa Doherty
Justice Julia Sebutinde
Justice El Hadji Malick Sow, Alternate

For Chambers:

Mr Simon Meisenberg
Ms Sidney Thompson

For the Registry:

Ms Rachel Irura
Mr Benedict Williams

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Mr Christopher Santora
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah
Mr Terry Munyard

1 Tuesday, 11 August 2009

2 [Open session]

3 [The accused present]

4 [Upon commencing at 10.04 a.m.]

10:04:49 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first, please.

7 MS HOLLIS: Good morning, Mr President, your Honours,
8 opposing counsel. Today for the Prosecution, Mohamed A Bangura,
9 Christopher Santora, myself Brenda J Hollis and our case manager
10:05:34 10 Maja Dimitrova.

11 PRESIDING JUDGE: Thank you, Ms Hollis. Yes, Mr Griffiths.

12 MR GRIFFITHS: Good morning, Mr President, your Honours,
13 counsel opposite. For the Defence today, myself Courtenay
14 Griffiths and with me are my learned friends Mr Morris Anyah and
10:05:46 15 Mr Terry Munyard. We are again joined by Ms Amelia Montgomery.

16 PRESIDING JUDGE: Thank you, Mr Griffiths.

17 Before we proceed, just for the record I will have noted
18 that the Court is starting late today, in fact 35 minutes late,
19 and this was brought about by the necessity of a faulty Defence
10:06:10 20 computer having to be repaired. That computer was required for
21 the continued presentation of the Defence case.

22 Mr Taylor, I will remind you that you are still bound by
23 your declaration to tell the truth.

24 DANKPANNAH DR CHARLES GHANKAY TAYLOR:

10:06:29 25 [On former affirmation]

26 EXAMINATION-IN-CHIEF BY MR GRIFFITHS: [Continued]

27 Q. Mr Taylor, yesterday when we adjourned we were looking at
28 letters which you had written to President Kabbah and you had
29 also written in virtually identical terms on the same date to

1 President Conte. Do you recall that?

2 A. Yes, I do.

3 MR GRIFFITHS: Could the witness please be shown the
4 document behind our divider 9, please:

10:07:26 5 Q. Now, Mr Taylor, is that the letter you wrote to
6 President Conte?

7 A. Yes, this is the - this is the letter.

8 Q. Now, that letter is incomplete, is it not?

9 A. It is.

10:07:40 10 Q. Because there should be a second page to it?

11 A. That is correct.

12 Q. But when we look behind divider 10, we see that this
13 document bears a number of similarities with the document behind
14 divider 10, doesn't it?

10:08:04 15 A. It does.

16 Q. It's the same date, yes?

17 A. That is correct.

18 Q. And in identical terms, at least so far as the first page
19 is concerned, yes?

10:08:16 20 A. That is correct.

21 Q. Now, what prompted you, Mr Taylor, to be writing to both
22 Presidents in those terms on that same day?

23 A. Well, if you see the content of the letter, it's really
24 about steps that we are taking in certain parts of the protocols
10:08:44 25 that we are trying to invoke at the time and I am writing the two
26 of them, explaining to them some of the parts, the articles that
27 we want to invoke, and also impressing upon their minds that they
28 had been told and warned about the presence of Liberians in
29 Sierra Leone and the conditions under which our understanding was

1 for their being there. So basically, that's what we did here.
2 We also did a similar letter to the Secretary-General at the same
3 time.

4 Q. At the same time?

10:09:19 5 A. Just about. About a day - about a day or so after, but we
6 informed the Secretary-General also.

7 Q. Now, can we look, please, behind divider 14? Do you
8 recognise that document, Mr Taylor?

9 A. Yes. This is the letter that I wrote to the
10:10:00 10 Secretary-General also detailing to him the parts of the
11 Mano River Union treaties that we were invoking in our quest to
12 continue to push for peace in Sierra Leone.

13 Q. Now, let us look at the terms of this letter. Now, we note
14 the date, the 23rd of February. Yes, Mr Taylor?

10:10:28 15 A. Yes, we do.

16 Q. So it's a day after the two letters written to
17 President Kabbah and President Conte, yes?

18 A. Yes.

19 Q. "I am pleased to present my compliments, and, in reference
10:10:44 20 to the Sierra Leonean conflict, take this opportunity to bring to
21 your attention efforts the Government of Liberia is making to
22 help ensure peace and security in our sister Republic of
23 Sierra Leone and to our sub-region as a whole.

24 The Government of Liberia has consistently and repeatedly
10:11:04 25 called on its citizens to disengage from the Sierra Leonean
26 conflict and return home. In furtherance of this pronouncement,
27 the Government of Liberia has invoked Articles V, VI, VIII and IX
28 of the non-aggression and security cooperation treaty between
29 countries of the Mano River Union particularly Article VIII,

1 which provides that any member of the military or paramilitary
2 forces found within the territory of the high contracting party
3 without proper leave of absence, prior clearance, entry permit
4 and travel document shall be arrested and kept in custody.

10:11:43 5 Further, the government concerned shall immediately be notified.

6 Article IX calls for the establishment of a joint security
7 liaison committee consisting of three representatives from each
8 high contracting party who shall have the responsibility to
9 liaise on the subject of fugitive criminals, dissidents, as well
10:12:10 10 as subversive activities of citizens of their respective countries
11 in the territory of each other, exchange information, investigate
12 reports affecting the security of the high contracting parties
13 with a view to maintaining the desired peaceful coexistence. In
14 addition, my government has called for the immediate appointment
10:12:32 15 of these members of the joint security liaison committee provided
16 for in that instrument.

17 Furthermore, we have proposed a convening of a ministerial
18 meeting of the Mano River Union on March 3, 1999, in Monrovia, to
19 develop a mechanism for the implementation of the non-aggression
10:12:51 20 and security cooperation treaty, and to prepare for a summit
21 meeting of the Heads of State.

22 In view of the above, we renew our many requests for the
23 United Nations to consider the deployment of observers-monitors
24 at the Liberia-Sierra Leonean border. This development will
10:13:11 25 enhance the measures we anticipate taking along with the other
26 members of the Mano River Union.

27 Excellency, I'm herewith requesting your personal support
28 and that of the Security Council on this initiative."

29 And it's signed by you, Mr Taylor, yes?

1 A. That is correct.

2 MR GRIFFITHS: Now, before we move on, could I ask,
3 Mr President, that the incomplete letter, which I accept is
4 incomplete, to President Conte, be marked for identification
10:13:48 5 MFI-76?

6 PRESIDING JUDGE: Yes. That document will be marked
7 MFI-76.

8 MR GRIFFITHS: And could I also ask that the letter to the
9 Secretary-General dated the 23rd, be also marked for
10:14:16 10 identification MFI-77, please?

11 PRESIDING JUDGE: Yes. That document is marked for
12 identification MFI-77.

13 MR GRIFFITHS:

14 Q. So, Mr Taylor, would it be fair to say that the documents
10:14:41 15 we've looked at set out various steps taken by the Liberian
16 government to reassure the international community and its
17 neighbours of its intent so far as Sierra Leone is concerned?

18 A. That is correct, yes.

19 Q. And help us: In all, how many steps were taken by your
10:15:06 20 government to assure the international community and your
21 neighbours, Mr Taylor?

22 A. There are just so many. So many. But what we did, we - I
23 had the foreign ministry and the minister of state and some other
24 officials put together a chronology for government use so we
10:15:40 25 could take a stock of what we were doing and how well we were
26 fairing in trying to fend off all of these what you call
27 diplomatic pressures, and that chronology we kept as an official
28 government document that - mostly of 1998 and up to 1999 we did a
29 chronology.

1 Q. Could I ask the witness, please, to look behind divider 13.

2 Do you recognise that document, Mr Taylor?

3 A. Yes, this is the chronology.

4 Q. And remind us, who created it?

10:16:51 5 A. My government.

6 Q. Why?

7 A. We wanted to take stock of exactly what we had done, the
8 different events, and then, you know, document them and make sure
9 that we had things in order. Because we were always confronted

10:17:10 10 with some diplomatic pressure, and we could just refer and go
11 back to the records and bring exactly what we had done.

12 Q. Now, we see that the chronology begins on 5 May 1998, is
13 that correct?

14 A. That is correct.

10:17:31 15 Q. Now, is there any significance so far as that date is
16 concerned, Mr Taylor?

17 A. May 5, 1998. Well, not particularly, but during this
18 period all dates are important.

19 Q. Now, we see that on that date you had written to the
10:17:55 20 Secretary-General denying allegations by the ministry of defence
21 of the Federal Republic of Nigeria that the Government of Liberia
22 was involved in the conflict in Sierra Leone, yes?

23 A. That is correct.

24 Q. Now, do you recall who was the minister of defence in
10:18:16 25 Nigeria at this time?

26 A. No, I do not.

27 Q. But who was head of the Nigerian administration at this
28 time, May 1998?

29 A. May 1998, that's - this is just about the time we are

1 nearing - this is General Abdul salami Abubakar nearing the Abacha
2 time now. This is May/June - this is probably Abacha. I think
3 Abacha died somewhere in May. I have forgotten the right day.

4 Q. We dealt with that last week. Abacha died in June.

10:19:01 5 A. June. So this is still Abacha.

6 Q. So the situation then, Mr Taylor is this: You supposedly
7 had a good relationship with President Abacha, didn't you?

8 A. Yeah, but don't forget now we're saying that there was a
9 deterioration coming on toward the end of the Abacha years.

10:19:20 10 Q. But in any event, it's during the currency of the Abacha
11 regime that this letter is being written about Liberian
12 involvement, yes?

13 A. That is correct.

14 Q. And so you, therefore, decided to write to the
15 Secretary-General to deny those allegations, yes?

16 A. Definitely.

17 Q. Did you speak to President Abacha about this?

18 A. I am more than sure I did. The fact that it is stated here
19 that the allegations came from the defence ministry, in

10:20:03 20 diplomatic terms, that's something that I am sure I would have
21 raised with the President, because you don't find ministries in
22 governments accusing other governments. It doesn't happen. So
23 this looks like - as soon as I see the defence ministry, and when

24 we saw it, I am sure I spoke to Abacha about it and then raised
10:20:29 25 it immediately with the UN, because we are going through all this

26 little problem with the ECOMOG people in Liberia. And if there
27 is a formal allegation, it's out of protocol for ministers or
28 ministries, as it is put here, to go on and make these kinds of
29 allegations. But this may be typical of the type of thing that

1 we saw in the foreign ministers' meeting where the Sierra Leonean
2 foreign minister says something, General Shelpidi says something,
3 then there is a closed meeting, and they put them out and then
4 come up with a decision. So something like this I wouldn't -
10:21:12 5 while it is not as serious as one would look at it, but we did
6 take some steps immediately to try to fend it off, and there is
7 no doubt in my mind that I would have spoken to Abacha about it.
8 Q. Well, it must have been serious, Mr Taylor, for you - to
9 have caused you to write to the Secretary-General about it.

10:21:33 10 A. Yes, but we had written to the Secretary-General many other
11 times about other allegations too about this Sierra Leonean
12 situation. So what we are doing, any time these issues come up,
13 we - the best thing to do is to deal with it immediately and deal
14 with it at the level. Here is the Secretary-General; I am sure
10:21:52 15 we probably raised it back with ECOWAS about it. But we just
16 building up, because we can see how things are moving, and Abacha
17 and I are having, even though some difficulties, but we are still
18 talking.

19 Q. Now, in drawing up this chronology of measures taken by the
10:22:14 20 Government of Liberia to dispel allegations regarding Liberia's
21 support for the RUF junta, Mr Taylor, was this supposed to be a
22 complete list of steps taken by the Government of Liberia?

23 A. No. This is, I would say at best, a very good accounting.
24 But along the way there are - there could be problems or steps
10:22:41 25 that the government took. But this is a very good listing of
26 what - I guess what's important for us at the time of the
27 document.

28 Q. For example, just so that we know how much assistance this
29 chronology can provide us with, are telephone calls made by you

1 listed on this document?

2 A. No, no, no, telephones calls are not listed here.

3 Q. Or other communications between you and your brother
4 Presidents in the region?

10:23:18 5 A. No, no, no, these are not - these are not listed here.

6 Q. But help us with this: Does this chronology cover the
7 period when allegations began about the Government of Liberia?

8 A. Yes, let's - in fact, let's reflect a little bit. The
9 first and foremost real allegation made is done around June of
10:23:54 10 1998, if my recollection serves me write, when Ambassador Okelo
11 writes a note to the Security Council, and this starts this whole
12 process. But his is now coming back from when? It's coming back
13 from the intervention in February. So this period, going to
14 March, April, May, this is the grinding-out period where there
10:24:24 15 are a lot of accusations here, accusations there. And when you
16 see the armed forces people of Nigeria making an allegation in
17 May, it's also going back to what? The February situation:
18 Liberians are killed; Liberians are captured. So that's the
19 level of the allegation.

10:24:46 20 Q. Well, what I am trying to seek your assistance with,
21 Mr Taylor, is this: Give us a rough idea, using this document
22 and what you have just told us, roughly when was it that these
23 allegations starting surfacing about Liberia's involvement?

24 A. Quite frankly, I would say immediately following the
10:25:17 25 intervention, or thereabouts, we started hearing little gossips
26 about Liberians and Liberians being involved in Sierra Leone.

27 Q. So that would be round about February of 1998 then?

28 A. That is correct.

29 Q. And then in May, therefore, we have this complaint being

1 made by the ministry of defence of the Federal Republic of
2 Nigeria, yes?

3 A. That is correct.

4 Q. And then in June we have the letter from the special
10:25:50 5 representative of the Secretary-General to the Security Council?

6 A. That is correct.

7 Q. Now we see, moving on with this schedule, that on 29 May,
8 so towards the end of May, you call President Kabbah for dialogue
9 in Sierra Leone, yes?

10:26:14 10 A. Yes.

11 Q. Now, help us with this.

12 PRESIDING JUDGE: What does that mean, that entry for the
13 29th? The accused has already said that this list doesn't
14 include telephone calls, so what sort of calls are we talking
10:26:30 15 about here?

16 MR GRIFFITHS:

17 Q. What does that mean, Mr Taylor? You have heard the
18 question.

19 A. When the issue of telephone calls came out, these documents
10:26:41 20 do not list - what I would call it - the transcript of calls, we
21 don't refer to that. But when it says here that President Taylor
22 calls President Kabbah, calls for a dialogue, it is this
23 particular call could be even a public statement for a dialogue.
24 But in this particular case, it's probably a phone call saying,
10:27:09 25 "Look, let's talk." But when I say that it does not include
26 calls, it does not include all of the calls, may I qualify that,
27 because there are hundreds of calls between President Kabbah and
28 myself and they are not listed. That's how I was responding to
29 the counsel's question, your Honour.

1 Q. So can you help us then as to so far as 29 May is
2 concerned, is that a telephone call or is it a public statement?
3 Do we know?

4 A. This must be a telephone call that I called
10:27:40 5 President Kabbah and called for a dialogue.

6 Q. Now, help us. Would this be the first time that you had
7 ever called President Kabbah?

8 A. Oh, no, no, no, no. He and I had been speaking on numerous
9 occasions. No.

10:28:01 10 Q. Because he had become President in 1996, hadn't he?

11 A. Yes. And I had also - remember after my inauguration in
12 1997 I had gone to Conakry and we met, so Kabbah and I were not
13 strangers.

14 Q. It follows on 4 June Vice-President Dogolea attends the
10:28:32 15 Mano River Union summit held in Conakry, yes?

16 A. That is correct.

17 Q. And can you help us as to the purpose of that meeting?

18 A. This is the early stage of getting the Mano River Union
19 operational and at this particular level, I did not go. The
10:28:53 20 Vice-President attended that and this was - I am sure at this
21 particular level the Heads of State were not meeting, so he went
22 to this meeting.

23 Q. Then on 22 June the Government of Liberia issued a
24 statement reiterating its position that it does not provide
10:29:14 25 support to the RUF or junta in Sierra Leone. Now we looked at
26 that letter, didn't we?

27 A. Yes.

28 Q. That letter followed the meeting between the President of
29 the Security Council and the head of your mission in New York?

1 A. That is correct.

2 Q. Then we come to 24 June 1998 where you dispatch a
3 delegation to Sierra Leone to reaffirm the stated position of the
4 Government of Liberia regarding Sierra Leone. Who was sent to
10:29:52 5 Sierra Leone on that occasion, Mr Taylor?

6 A. I really cannot recall the individuals on this delegation,
7 but the foreign minister headed this delegation. But the members
8 of it, I don't know. This is the type of delegation that the
9 foreign minister headed, yes.

10:30:18 10 Q. And what was the purpose of sending that delegation to
11 Sierra Leone?

12 A. Well, you have these major allegations coming out. The
13 special representative of the Secretary-General has written to
14 Security Council, the Security Council President has met with my
10:30:39 15 minister counsellor and what he has said in that meeting was that
16 he expected a response from Liberia. We begin that process of
17 trying to respond. And because of the good relationship with
18 Sierra Leone, we immediately - this is just a diplomatic move to
19 assure your neighbour and your colleague that there is no need to
10:31:03 20 worry and that these are just mere allegations and there is

21 nothing substantive to it. So you dispatch a high level
22 delegation that would be someone like either your Vice-President
23 or your foreign minister to go in, meet the Head of State, the
24 President, explain to him, "Look, your brother wants to let you
10:31:22 25 know that there is no need to worry, these are just allegations,
26 and you have the full support of the government." That's what
27 you would do.

28 Q. Now, remind us, Mr Taylor, what's the date of Liberia's
29 Independence Day?

1 A. 26 July.

2 Q. I ask for this reason: You note that the next entry is for
3 20 July, yes?

4 A. Yes.

10:31:47 5 Q. Where you host President at Tejan Kabbah in Monrovia, is
6 that right?

7 A. Yes, President Kabbah - this is this should be about
8 the - this is the wrong typing here because Kabbah is in Monrovia
9 for the 26th. So we come from - so this particular, it should be
10 really 26 July and not 20 July.

11 Q. So that date we should correct to 26 July, should we?

12 A. That is correct. He attends the 26 July independence
13 programme.

14 Q. And you spoke to him on that occasion, did you, about the
10:32:32 15 situation and the allegations?

16 A. Yes, yes. But I think we should note something here for
17 the Court. If there is this conflict so serious and Kabbah and I
18 are virtually at blows, Kabbah wouldn't come to visit me at my
19 independence celebration.

10:32:57 20 So this must be noted here. It is important that even
21 while this is going on, even Kabbah himself, you don't
22 just - when Presidents are at virtual war with each other, they
23 don't go visiting like that. They probably meet at different
24 conferences, at side bars and talk. But for Kabbah to leave
10:33:20 25 Freetown and come to Liberia, it simply means that, what, at
26 least the relationship is not cold, I will put it that way.

27 Q. So we see that that meeting reaffirms Liberia's commitment
28 to the policy of non-aggression against the territorial integrity
29 of Sierra Leone, yes?

1 A. That is correct.

2 Q. Now, we note, Mr Taylor, that the next entry is for 15
3 October 1998?

4 A. Yes.

10:33:54 5 Q. So there is a two month gap, yes?

6 A. Yes.

7 Q. Because, just taking stock of where we've got to, we see
8 various measures taken in May, June, July, particularly in June
9 at the time of that meeting between the President of the

10:34:16 10 Security Council and your representative to the United Nations,
11 yes?

12 A. Yes.

13 Q. We then see a two month gap over the summer of 1998, yes?

14 A. Yes.

10:34:28 15 Q. Then the next event is 15 October when the Government of
16 Liberia denies allegations by Sierra Leone that Liberia deployed
17 5,000 troops on the border. That's an incident we've dealt with?

18 A. Yes.

10:34:50 19 Q. Which was investigated by the United Nations and the
20 allegation was proved to be false. Is that correct?

21 A. That is correct.

22 Q. So that's in October. Then in November we see
23 President Taylor confers with the Sierra Leonean ambassador to
24 Liberia and expresses Liberia's intention to undertake talks with
10:35:15 25 the RUF in advancement of dialogue in Sierra Leone. Is that
26 right?

27 A. That's correct.

28 Q. Now note the date, Mr Taylor, 10 November 1998. Now, you
29 told us about visits by Sam Bockarie to Liberia, yes?

1 A. Yes.

2 Q. Did Sam Bockarie come to Liberia in November 1998?

3 A. Yes. Sam Bockarie passed through Liberia, yes, at that
4 time.

10:35:53 5 Q. Well, let's just remind ourselves, please. When was the
6 first time Bockarie came to Liberia?

7 A. September.

8 Q. The second time?

9 A. October.

10:36:04 10 Q. And the next time?

11 A. Going through in November.

12 Q. Now, where it says here that you confer with the
13 Sierra Leonean ambassador and express your intention to undertake
14 talks with the RUF, why were you informing the Sierra Leonean
15 embassy of that intent?

10:36:34 16 A. Well, when you see a statement like this made in diplomatic
17 circles that you confer with ambassador, sometimes they are
18 courtesy calls. When you have a good working relationship with a
19 country there are numerous times the ambassador may come in to
10:36:58 20 see you. So this is really a discussion where you say, "Listen,
21 we are going to undertake" - because do not forget and for the
22 records let's get it straight, you mentioned the two months.

23 Just as a reflection, do not forget that we get this letter from
24 our ambassador in August 1998 about the intention of Eddie Kanneh
10:37:26 25 and Sam Bockarie to visit Liberia. We inform our colleagues. So
26 even at this ambassadorial level their governments already know.
27 And in September remember we are very busy with the fighting,
28 this Johnson situation in Monrovia. So we have that situation.

29 So here we are, this is just merely a courtesy call where

1 we mention that, yes, we will be talking to the RUF. So this is
2 not anything new. You have these discussions on courtesy calls
3 all the time. So just look at this as a reiteration, we are
4 reiterating to the ambassador for him to pass onto his government
10:38:08 5 because you know that by this time, of course, all of the Heads
6 of State of the committees know that Bockarie has already made a
7 trip to Liberia. This is November. So they already know. So
8 this is a just a conversation, "Well, look, we will continue our
9 discussions" and in a discussion like this we would have even
10:38:33 10 briefed the ambassador to pass on some messages to his government
11 about the details of the conversation.

12 Q. So, Mr Taylor, bluntly, was it your desire to keep your
13 contact with the RUF secret?

14 A. No. How do you keep a secret when you are talking to the
10:38:50 15 governments, ambassadors and everybody? Everyone knew
16 Sam Bockarie came to Liberia. It was announced. It's nothing
17 secret.

18 Q. Let's go over the page, shall we? That same month you
19 attended the Mano River Union summit held in Conakry, yes?

10:39:10 20 A. That is correct.

21 Q. We need not delay with that. Then in December you received
22 the chairman of the Security Council committee on sanctions
23 against Sierra Leone, Ambassador Hans Dahlgren?

24 A. That is correct.

10:39:25 25 Q. And, as we see, reiterated Liberia's denial of any
26 involvement in the Sierra Leonean conflict, yes?

27 A. Yes.

28 Q. Then we have that letter you wrote to the Secretary-General
29 on 19 December 1998 regarding the issuance of arms by the Kabbah

1 government, yes?

2 A. Yes.

3 Q. And also elaborated on the efforts made by your government
4 to improve its relations with the Government of Sierra Leone?

10:39:54 5 A. That is correct.

6 Q. And on the same date a special statement was issued
7 concerning the closure of the Liberian border with Sierra Leone
8 and the deployment of units of the AFL on the border. We've
9 dealt with that letter, haven't we?

10:40:14 10 A. That is correct, yes.

11 Q. That statement?

12 A. Uh-huh.

13 Q. And then on Christmas Eve, your government dispatched more
14 troops to the Liberia-Sierra Leone border to obviate any
10:40:32 15 eventuality of being implicated in the Sierra Leonean imbroglio,
16 yes?

17 A. Yes.

18 Q. Late December the 28th, you call on the leadership in
19 Sierra Leone to show statesmanship by engaging the RUF in
10:40:53 20 dialogue, yes?

21 A. Yes.

22 Q. And a day after issues a policy statement calling on the
23 United Nations to establish a commission of inquiry regarding the
24 allegations and inviting Sierra Leone to join Liberia in a joint
10:41:09 25 patrolling exercise of the border.

26 Now, again, can we pause and take stock and note something
27 here, Mr Taylor.

28 A. Uh-huh.

29 Q. That in the month of December, there seems to be heightened

1 activity in this regard, doesn't there?

2 A. In the month of December, yes.

3 Q. Because we see 10 December, the 19th, the 24th, the 28th,
4 the 29th, do you see that?

10:41:41 5 A. Yes, I do.

6 Q. And, of course, we need to remind ourselves what's going on
7 across the border in this period leading up to the New Year?
8 This is the period when an advance is taking place on Freetown
9 which culminates on 6 January, yes?

10:42:03 10 A. That is correct, yes.

11 Q. And so there is this heightened activity in that period,
12 yes?

13 A. Yes.

14 Q. Let's go over the page. January 6 you write to the
10:42:22 15 President of the Security Council reiterating the government's
16 determination to normalise relations with Sierra Leone and
17 renewing your call for the deployment of UN observers on the
18 Liberia Sierra Leone border, is that right?

19 A. That is right.

10:42:39 20 Q. And then on the 9th, you call for an ECOWAS emergency
21 session on Sierra Leone?

22 A. Yes.

23 Q. Then between the 10th and the 16th a high level delegation
24 led by Vice President Dogolea visits Abuja, Accra and Lome to
10:43:02 25 pursue the same issue, yes?

26 A. Yes. What is going on here, let's go back to the 9th. We
27 do call for this emergency session. What he is travelling around
28 is briefing Heads of State. We must - under the rules, you must
29 - for any member state to call for an emergency session, you need

1 to get the concurrence of - I think it's about 50 per cent of
2 those willing to attend. And so he is going around because
3 within this period, we are working on getting a ceasefire. So we
4 are also trying to get this emergency session to deal with this
10:43:47 5 whole issue of the ceasefire in Sierra Leone.

6 Q. Now, on 14 January you announce an undertaking by the RUF
7 to agree to a ceasefire in response to a request by Liberia?

8 A. That is correct.

9 Q. Now, help us: How did it come about that it was you who
10:44:10 10 was making that announcement?

11 A. Because, don't forget now, there are three countries
12 responsible - or charged with the responsibility: Liberia,
13 Cote d'Ivoire, and Ghana are charged with the responsibility of
14 engaging the RUF and the junta. I am the point guard, so to
10:44:34 15 speak, on this effort. And you get to see, because there is
16 absolutely no connection between what Guinea is doing in this
17 particular situation, so the contacts are being made by me. Why?
18 At this time Sam Bockarie has already been to Liberia, the first
19 time, the second time, and has come through the third time. So
10:45:00 20 it is obvious that these contacts with are being made and the
21 information shared with my colleagues.

22 Q. Now, I want a bit more detail about that, Mr Taylor. So in
23 obtaining that agreement to a ceasefire, in practical terms, what
24 did that involve? Did it involve contact between you and
10:45:31 25 representatives of the RUF, for example?

26 A. Yes. We were - maybe something slipped that we haven't
27 gotten in here. Liberia being taken as almost the frontline
28 mediator on this thing, we had a senior foreign ministry official
29 responsible for the Sierra Leonean - what we call portfolio. I

1 am sorry, he is now dead. The deputy minister of foreign
2 affairs, Tambakai Jangaba --

3 Q. Could you spell that for us?

4 A. Tambakai, T-A-M-B-A-K-A-I, Jangaba, J-A-N-G-A-B-A. He is

10:46:22 5 late now. He was the senior Liberian government official that
6 dealt with the day-to-day situation. In fact, we do have a
7 picture of him. He was also in Lome for these talks. We have
8 these ongoing talks. I mentioned to this Court - and I hope that
9 it is reflected somewhere - immediately following the January 6
10:46:51 10 invasion, by the 7th there were discussions that we were briefed
11 on that were held between President Tejani Kabbah and Foday
12 Sankoh. Immediately after that failed situation, okay? We were
13 briefed on this and this whole idea, okay, of getting back to the
14 peace table evolved almost immediately from ECOWAS; that at this
10:47:26 15 particular time it was important to go back to the November 1996
16 agreement. I keep emphasising this because it is, I would say,
17 these sets of discussions that finally, finally brought about
18 what we saw at the end in July 1999 in Lome.

19 So the actions that we had taken now, we had taken it in
10:47:52 20 concert. There are deliberations. And in fact, when you see,
21 for example, on the 14th President Taylor announces an
22 undertaking by the RUF, before you make this announcement, even
23 though it is coming from me, you have already informed everyone
24 what you have obtained, they accept it, and then you make that
10:48:11 25 announcement. There is nothing unilateral about these kinds of
26 activities in diplomacy. You have to inform people.

27 So most times when you hear states making announcements, it
28 does not mean that others have not been fully briefed. They are
29 briefed. But you have - you negotiated it, you've informed your

1 colleagues, they say, "Well, go ahead," and then you put it out.
2 That's for the outside world. But those are that are involved
3 have been informed before the announcement is made.

4 Q. So I take it it follows, then, that the ceasefire had been
10:48:49 5 secured prior to the 14th when it was announced?

6 A. Oh, definitely. Definitely. Definitely.

7 Q. Now, I am helpfully reminded, Mr Taylor - I wonder if we
8 could just go back a page, please, and it's on that issue we
9 looked at right at the beginning as to the completeness of this
10:49:14 10 chronology. Looking at the month of December --

11 A. Yes.

12 Q. Yes, looking at this month of December, where
13 you - December 19, a special statement concerning the closure of
14 the Liberian border. Help me, had the border been closed prior
10:49:45 15 to that special statement being made?

16 A. The borders were closed several times: Closed/open,
17 closed/open. This is just another time of the closure. This was
18 not the first closure.

19 Q. I see. Okay. Let's go back then, please, and pick up the
10:50:07 20 chronology.

21 Help us, please, with the entry at January 22; what does
22 that mean?

23 A. January 22, that's the foreign minister of Liberia
24 underscores Liberia's interest in witnessing peace in
10:50:32 25 Sierra Leone.

26 Q. That's Monie Captan, yes?

27 A. Yes, that's the foreign minister informing.

28 Q. Then on 25 January in your state of the union address, you
29 declare an intention to contribute to the peace process in

1 Sierra Leone; is that correct?

2 A. Yes. The state of the union address, just for some
3 context, that's the address to a joint session of the national
4 legislature and because, just like in the case of the
10:51:12 5 United States, because we operate similarly, because the
6 legislature is not responsible for foreign policy, we are making
7 the statement as a type of information. It doesn't mean that it
8 is not ongoing, but we just underscore this.

9 Q. Now, why did your government decide to issue a white paper
10:51:35 10 on the Sierra Leonean crisis on January 26, 1999?

11 A. Well, as we are going along, we are just - this white paper
12 really is an official statement. Really, it's an official
13 statement issued by the government, and I'm sure this is through
14 the foreign ministry. But it's just a continuation of making
10:52:01 15 sure that we are very crystal clear about where we stand on the
16 issue.

17 Q. And then we see on 8 February 1999, the Government of
18 Liberia welcomes the decision of President Kabbah to open
19 dialogue with the RUF, yes?

10:52:23 20 A. Yes. President Kabbah in February publicly announces this
21 whole concept of dialogue that the committee had been talking
22 about for a long time. He goes public this time and says that he
23 is prepared to open dialogue, and it is also around this time
24 that in the background the groundwork had been laid for
10:52:53 25 discussions for formal ceasefire into an agreement, and the
26 background had already been set for the Lome Agreement - I mean,
27 excuse me, the agreement - for the Lome discussions. So this
28 decision on Kabbah's part to open a dialogue, he is hinting that
29 we are about to start talking. This is what this really is

1 meani ng.

2 Q. And what was it your view regarding the opening of such
3 dialogue between President Kabbah and the RUF?

4 A. Personally, I was happy because my role as mediator was -
10:53:43 5 in a way, there was a plus to what we were doing and we felt good
6 about it - and I am saying "we" because I am talking about
7 members of the committee - felt good about it, that after these
8 discussions, in fact, President Kabbah had met with Foday Sankoh
9 again, I think a day or two before his decision, from information
10:54:10 10 that we were fed, that he had met with Kabbah - I mean, with
11 Sankoh, and Sankoh had also met with some of his principal
12 people. Don't forget now, Sankoh is also incarcerated, okay, but
13 he is meeting with him. So this particular pronouncement now
14 simply means that all of the little pieces have been put in place
10:54:32 15 to begin major talks.

16 Q. Now, did you consider such dialogue as being the best way
17 forward?

18 A. Oh, defini tely. Defini tely, yes.

19 Q. And then we see in - the day after you call on Foday Sankoh
10:54:50 20 to exercise leadership in ensuring an end to the Sierra Leone
21 conflict. What prompted you to do that?

22 A. We have already discussed. We know that we are going
23 to - I know that Kabbah has met Foday Sankoh in Freetown. I know
24 that. I know that Foday Sankoh has already met some of his
10:55:10 25 seni or people during these discussions and he is incarcerated.
26 So I am making this pronouncement because I know the background
27 of what is going on. So I already am aware of the meetings in
28 Sierra Leone between Kabbah, Foday Sankoh and some of Foday
29 Sankoh's seni or people.

1 And so with this, this is just another move on Heads of
2 State part to say, "Listen, we call on this person to do this",
3 and he, Foday Sankoh, would be told from the news reports that
4 President Taylor and other leaders in ECOWAS are calling upon you
10:55:48 5 to show leadership.

6 Q. Now, that suggests that hitherto he showed a lack of
7 leadership, doesn't it?

8 A. Well, I wouldn't put it quite that way. I wouldn't put it
9 quite that way, counsel. I would just say that these are
10:56:07 10 diplomatic statements. It doesn't mean that you had not done it
11 before. It simply means that you should maybe push it a little
12 further.

13 Q. Well, he had in a sense sabotaged the Abidjan Peace
14 Agreement, hadn't he, Mr Taylor, in November 1996?

10:56:33 15 A. Well, I am not - I don't know all of what happened during
16 the Abidjan agreement talks. I am not - all I know is that an
17 agreement finally came out. I was not privy to what was going on
18 at that particular time, so I don't know if any sabotage
19 occurred, but I do know that an agreement was finalised.

10:56:56 20 Q. At this time, Mr Taylor, were you in direct contact with
21 Foday Sankoh?

22 A. No, no. Foday Sankoh at this time, don't let's forget, he
23 is incarcerated. Foday Sankoh at this time is already found
24 guilty and is condemned I think to hanging. No, no, no. No one
10:57:45 25 - I have no contact. The only contact that I have is with the
26 President and what they are doing in Sierra Leone. No, I have no
27 contact with him.

28 Q. What about contact with any of his subordinates?

29 A. Definitely. We have contact with the RUF people, with

1 Bockarie, them, and the other people inside Sierra Leone. We do
2 have contact with them.

3 Q. What about one Gibril Massaquoi?

4 A. Gibril Massaquoi, not at that particular time. I know
10:58:22 5 Gibril, but Gibril comes on later. I don't have any direct
6 contact with Gibril at this time to the best of my recollection.
7 Later on, yes.

8 Q. Let's go to the final page then, shall we. We see 16
9 February, the Liberian Senate conducts a hearing on the issue of
10:58:53 10 accusations levelled against Liberia. Is that correct?

11 A. That is correct.

12 Q. Now you mentioned that yesterday, didn't you?

13 A. Yes, I did.

14 Q. In relation to Chapter 11 of the Liberian penal code?

10:59:03 15 A. That's correct.

16 Q. And its consequent implication of you in criminal activity
17 as President of the country?

18 A. That is correct.

19 Q. And that's why the Liberian Senate took the step to conduct
10:59:13 20 such a hearing, is that right?

21 A. That is correct.

22 Q. Then on 17 February police apprehend alleged collaborators
23 of the RUF. Tell us about that, please.

24 A. There was I think reports that reached me. The details I
10:59:35 25 would have to really reflect on. But there was a company called
26 Red Deer I think that was operating out of Liberia where the
27 British national - and apparently they had been working or doing
28 some work for the RUF that we were not aware of. And so the
29 police raided them, arrested them. They were - in fact, the

1 British national was thrown out of Liberia for what he was doing.
2 All of the equipment, computers and different things were seized
3 and the operations were closed down. That's what I know.

4 Q. What work were they doing for the RUF?

11:00:27 5 A. In fact, what was found at that place, we saw some suits of
6 uniform, military uniform. The police seized I think hand-held
7 walkie-talkies. There were quite a few things that - in fact,
8 the Sierra Leoneans that were involved were also expelled. In
9 fact, there was someone connected at the Sierra Leonean embassy
11:01:04 10 that was also connected with that and because of his diplomatic
11 immunity he was also expelled. But the Government of
12 Sierra Leone was fully briefed about what was going on during
13 this time.

14 We were asked to turn the British national over to ECOMOG.
11:01:23 15 We did not. We just declared him persona non grata and threw him
16 out of the country. In fact, we were very enraged by this
17 because we saw it, quite frankly, and I may have been wrong at
18 the time, we saw it more as an intelligence ploy because we - in
19 fact, we accused the British national of working for I think MI 5
11:01:51 20 or 6 because we could not understand how they were operating this
21 so-called Red Deer company in such secrecy but were in touch with
22 a few Sierra Leonean that were connected with the RUF. We did
23 not understand it and how could that be because there is a
24 Sierra Leonean diplomat who is also going in and out of this
11:02:14 25 property and was arrested. We couldn't hold him because of his
26 diplomatic status. We threw him out.

27 So we saw this as an intelligence ploy that some major you
28 know western intelligence agency had put together, but we were
29 glad that we broke it up. We exposed it. We informed the

1 Sierra Leonean government about it. So we closed that right
2 down.

3 Q. What do you mean that a Sierra Leonean diplomat was
4 visiting the company?

11:02:45 5 A. Yes. We arrested him. We couldn't hold him because he had
6 diplomatic immunity, but we did expel him from Liberia. That's
7 what we couldn't understand. There were uniforms. They had
8 military uniforms, like I say walkie-talkies and we just couldn't
9 understand it because we had not been informed by the RUF that
11:03:07 10 they had any representatives at that place in Monrovia and they
11 were operating something like - at the front they had offices, at
12 the back they had warehouses and the police raid took everything
13 from them.

14 In fact, we really thought that the British were behind
11:03:26 15 this. We didn't accuse them formally but this was the thinking
16 at the time because how could the RUF be operating in Monrovia in
17 Liberia and carrying out actions against Sierra Leone with a
18 Sierra Leonean diplomat going to the property. So it was just an
19 intelligence ploy I think that they set up to do this and he got
11:03:50 20 caught red handed and thrown out of the country.

21 JUDGE SEBUTINDE: Mr Griffiths, if I may enquire, why did
22 the Government of Liberia come to the conclusion that these were
23 collaborators of the RUF?

24 THE WITNESS: They were RUF individuals - some of the
11:04:07 25 individuals arrested said that they were RUF personnel. Most of
26 them that were there were RUF personnel and that's what was
27 strange to us. They had admitted to being RUF personnel. But
28 the presence of this Caucasian British national that is operating
29 this company and the presence - the frequent presence of a

1 Sierra Leonean diplomat caused us to have questions about what
2 was really going on there.

3 MR GRIFFITHS:

4 Q. Now, what was your conclusion as to the intent behind
11:04:51 5 British intelligence setting up such an operation in Liberia?

6 A. I think this was an attempt to show Liberia's involvement
7 with the RUF and helping them out. This was what came to our
8 minds.

9 Q. What, like a sting operation?

11:05:12 10 A. No. Based on your question, this whole plan was I think to
11 showcase the idea that Liberia is involved in helping RUF people.
12 And I guess at some later point they would have probably leaked
13 the information that here is a place in Liberia where even though
14 the Liberian government is denying, but there are RUF
11:05:42 15 collaborators there, you know, operating. I think this is what
16 they wanted to do.

17 I think a sting operation is a little different. A sting
18 operation, if my understanding is correct, is when you carry out
19 raids. So if there was a sting operation, the sting operation
11:06:00 20 was carried out by the Government of Liberia. But the British
21 intelligence ploy is not a sting operation. We carried out the
22 sting operation by razing the place and arresting those involved.

23 Q. Now we see that thereafter - that was on the 17th.

24 Thereafter on the 23rd you invited members of the

11:06:21 25 Mano River Union to a ministerial meeting on 3 March that we have
26 dealt with. Then on the 24th, so that's what --

27 A. This is --

28 Q. A week after. The Government of Liberia declares a
29 Sierra Leonean diplomat persona non grata for alleged involvement

1 in acts incompatible with his duties as a diplomat. It also
2 frees the alleged collaborators in the case involving the Red
3 Deer International company. That's what you have just been
4 telling us about, yes?

11:06:52 5 A. Yes, that's correct.

6 MR GRIFFITHS: Let's leave that document behind but before
7 I do can I ask, please, that this chronology of measures taken by
8 the Government of Liberia to dispel allegations regarding
9 Liberia's support to the RUF junta be marked for identification

11:07:18 10 MFI-78, please.

11 PRESIDING JUDGE: Yes. That document is marked for
12 identification MFI-78.

13 MR GRIFFITHS:

14 Q. Now, Mr Taylor, you had told us about the disarmament
11:07:41 15 process which had taken place during - well, tell us when,
16 disarmament?

17 A. Disarmament started late '96 into '97.

18 Q. Now, help us. What had happened to those arms?

19 A. All of the arms were kept by the ECOMOG and UN observers in
11:08:10 20 Liberia. All.

21 Q. And where were they stored?

22 A. They were stored at ECOMOG headquarters.

23 Q. And what was the intention so far as what was going to
24 happen to those arms?

11:08:32 25 A. Well, there was a long debate over what should happen to
26 the arms. In fact, at the legislative level, at the cabinet
27 level, some ideas came that the good arms should be kept for a
28 restructured army and the bad ones should be destroyed, but we
29 had pressure from all over. In fact, the United States, our good

1 friends, insisted. I remember Howard Jeter telling me,
2 "Mr President, we think that the destruction of all of these arms
3 will send a proper signal that Liberia wants to put the war years
4 behind it."

11:09:23

5 Quite frankly, a lot of our people did not like it, but
6 eventually because we had been told by all of our good friends
7 that if and when you did this a lot of doors would open up for
8 Liberia, we finally decided to destroy all of the arms.

9 Q. Now, the discussions regarding that destruction began when?

11:09:49

10 A. I would say, oh, it runs several months. It runs several
11 months, but it is concluded around late February, at least
12 February where the final decisions are taken, I write to the
13 Secretary-General, he responds finally and so I would put it to
14 around this first quarter of '99.

11:10:19

15 Q. Now you appear to be suggesting, Mr Taylor, that you were
16 hoping to ingratiate yourself with the Americans by carrying out
17 this destruction?

18 A. I wouldn't put it quite that way, counsel. What I would
19 say, if I - as I have recounted our interaction with the

11:10:46

20 United States, while we were very firm as a small poor weak
21 country because of our own dignity, we were not anti-American.
22 And as a matter of fact let me say no Liberian President, none
23 now, yesterday or probably in the future, will ever be successful
24 unless there is a good relationship with the United States. So
25 we were still hoping that we could build this strong relationship
26 that we always had.

11:11:14

27 Q. Now did you have any access or control over those arms,
28 Mr Taylor?

29 A. None whatsoever. None.

1 Q. Who had control over them?

2 A. ECOMOG and the United Nations had those arms at ECOMOG base
3 under lock and key 24 hours a day.

4 Q. Now, at this time did you have any concerns about external
11:11:49 5 threats to Liberia?

6 A. Oh, yes. Oh, yes. We were getting information about
7 possible attacks. Yes, we were very concerned about our
8 inability to defend ourselves.

9 Q. Well if there was such an inability, why were you putting
11:12:12 10 the Republic at risk by discussing the destruction of arms?

11 A. Well, in the first place we didn't have the arms
12 physically. As long as they were there, well, fine, that was one
13 thing. But don't let's forget during this time we know that
14 ECOMOG is also looking at the possibilities of a pull out, but
11:12:36 15 there was a programme that had been agreed upon of capacity
16 building and so we were looking at the restructuring of the armed
17 forces. And let me just state that the United Nations at this
18 time was already engaged in police training - in a police
19 training exercise. They had started training policemen. So to a
11:12:59 20 great extent we were still looking at the goodwill of the
21 international community and a small contingent left behind by
22 ECOMOG and, if there was a threat, we were counting again on
23 ECOWAS, you know, to act because after all ECOMOG had moved next
24 door in Sierra Leone and so they were not very far.

11:13:21 25 Q. Now, you spoke of discussions with the United States
26 regarding the destruction of these arms. Was there anyone in
27 particular --

28 A. Yes.

29 Q. -- you discussed this matter with?

1 A. Yes. We - I personally discussed this matter at length
2 with the Deputy Assistant Secretary of State at that time, Howard
3 Jeter, but also we had a retired United States general, General
4 Yerks, that we had also asked on one of his trips back to the
11:13:59 5 United States - small countries do this. You try to find
6 friends.

7 And let me just mention right off the bat that General
8 Yerks was not hired by the Liberian government. He was not paid
9 any money. He was not paid any fees. Just as a friend of
11:14:14 10 Liberia we asked him to talk to some of his friends at State that
11 he knew very well to see what their real intentions were and as
12 to whether they really meant business, because there were many
13 other issues being discussed at that time. We were discussing
14 arms, but America also had interest in the Mobil situation that I
11:14:37 15 mentioned yesterday. So there were several issues on the table
16 and sometimes it is good to get a neutral person to just go in
17 and throw a few things around. So we spoke to General Yerks
18 about that too.

19 Q. And did he conduct those enquiries for you?

11:14:54 20 A. Yes, General Yerks met with several individuals at State
21 and he wrote a letter back to me detailing what their interests
22 were and me gave some advice as to how he thought we could
23 proceed without any hiccups. And, of course, these were just
24 suggestions that we could take or leave, but he wrote me a full
11:15:23 25 letter on that.

26 Q. Have a look, please, behind divider 16. Do you recognise
27 that document, Mr Taylor?

28 A. Yes, this is it.

29 Q. What is it?

1 A. This is the letter from General Yerks to me detailing the
2 meetings who he had met at the State Department and coming up
3 with some ideas of what he felt could move things forward.

11:16:20 4 Q. Now, we see from the date that it's the - that's the date
5 received, yes?

6 A. Yes. If you look at the very top of the page, that would
7 be a better understanding of the date that it came through.

8 Q. There appears to be a facsimile reference at the top?

9 A. Yes.

11:16:34 10 Q. Which is the 18 February and then we have handwritten to
11 the right that it was received on 24 February, yes?

12 A. Yes.

13 Q. Now just to remind ourselves to keep the chronology in
14 mind, 24 February is the date from that last chronology you
11:16:53 15 looked at when the Sierra Leonean diplomat was declared persona
16 non grata so we keep up to date with this chronology of events.
17 Now we see that this letter is addressed to you, the President of
18 the Republic of Liberia, and it reads as follows:

19 "Dear Mr President:

11:17:17 20 I hasten to forward this note on the most positive
21 enthusiastic reaction I received from the US Department of State
22 reporting on my recent visit with you. Contacts have been made
23 with Secretary Rice, Ambassador Jeter, Deputy Secretary
24 Huddleston and Liberian Desk Officer List."

11:17:42 25 What's a Liberian Desk Officer List?

26 A. At the State Department, there are desk officers for
27 countries. Before you even get to the level of deputy assistant
28 secretary, there is that person responsible. And let me just add
29 here for the Court, this Secretary Rice is not Condoleezza Rice.

1 It is then the Assistant Secretary of State for African Affairs,
2 Susan Rice, who is presently US ambassador at the United Nations.
3 That's somebody's name, List.

4 Q. List?

11:18:27 5 A. Yes.

6 Q. "The overwhelming consensus was the time has come to break
7 sword and extend the olive branch in US/Liberian relations." Can
8 you explain what you understood by that, "break sword and extend
9 the olive branch"? What did you understand by that?

11:18:53 10 A. Our understanding at this time was that over the years of
11 my presidency they had shown indifference and that they were
12 prepared to turn a new page. This is how we interpreted it.

13 Q. "I have convinced them that your intention is and has been
14 that, and their stated intention to me was likewise. The key to
11:19:20 15 success in our mutual task is to show by action not rhetoric, on
16 both sides, the sincerity of each one's purpose.

17 Your initiatives in brokering ceasefire in Sierra Leone,
18 your meeting with President Kabbah, your being amenable to reason
19 in the disposition of recovered arms all were forcibly pointed
11:19:48 20 out by me and admirably commented upon by them. I do have a
21 personal opinion on the disposition of arms. I seriously suspect

22 the recovered arms will be of minimal usability given the lack of
23 maintenance, et cetera. It would be a magnanimous gesture on
24 your part to agree to their total destruction which in turn could

11:20:18 25 lead to an early lifting of the arms embargo. This would allow
26 too the expeditious refit of your national force. I emphasise
27 the absolute need for you to reconstitute Liberia's armed forces
28 and of your duty to your citizens to provide for their national
29 security. I am convinced the department gave a little on this

1 point and recognised the need as long as the force is not
2 projected outside of Liberia. To State's credit they were, prior
3 to the Sierra Leone crisis, championing the effort to provide you
4 with US Department of Defence assistance teams. I will follow up
11:21:07 5 on this with Secretary Cohen."

6 Who is Secretary Cohen?

7 A. This is Herman Cohen.

8 Q. "The avoidance of even the perception of monopolies was a
9 signal major point of their concern. I reviewed with them your
11:21:28 10 decision to proceed at haste to bring Mobil back in country."

11 Pause there. "Perception of monopolies", what's that
12 about?

13 A. They had misinterpreted the laws of Liberia as regards what
14 I mentioned earlier here I think during the week or last week,
11:21:51 15 regarding the functions of the Liberian National Petroleum
16 Company. That is not - this is what we call in Liberia a public
17 corporation that has as its duty under the laws of Liberia the
18 importation of hydrocarbons, but they saw that as one company
19 that the government wanted to use and we kept saying, "No, no,
11:22:21 20 that's the law." The law is that the Liberian National Petroleum
21 Company is responsible for the importation of petroleum products.
22 It does not do it itself. It grants licences to do it. It
23 didn't do it itself, but they didn't understand it.

24 And Mobil wanted to do this outside of the Liberian
11:22:44 25 National Petroleum Company. We refused. They pushed it several
26 times and we just got upset and told them they had to close down
27 if they were going to continue to violate the laws. That whether
28 we liked the laws or not, the laws are there and until they are
29 changed no-one will be permitted to break them. So we had to

1 close Mobil down and throw them out of the country.

2 Q. "I reviewed with them your decision to proceed at haste to
3 bring Mobil back in country. I was quite surprised at the great
4 importance they placed on this matter."

11:23:25 5 Who is the "they"?

6 A. Oh, State. State Department. They were - you know, Mobil
7 is a major multinational and so they were very adamant they
8 wanted Mobil back and all this other talk was about Mobil.

9 Q. "The Deputy Secretary stated the Mobil return in a
11:23:50 10 meaningful manner will be closely watched as a major signal
11 monopolies are indeed past. This is imperative and will lead to
12 the opening up of productive input from donor nations and country
13 plans from the IMF and World Bank."

14 Mr Taylor, what is this saying? That, unless you let Mobil
11:24:16 15 back into the country, you are not going to get any aid from IMF
16 and the World Bank?

17 A. Yes, that's exactly what he said here. And I have been
18 talking about it here. Little countries go through this all -
19 there is nothing new here. Don't let's forget now, we see here
11:24:34 20 IMF, Europe, World Bank, the United States. The United States
21 controls the World Bank and as long as a major multinational like
22 Mobil, by not permitting Mobil to break our laws, our whole
23 country was being held, what, at ransom for this particular act.

24 But this is not unusual for little countries. Little countries
11:24:59 25 go through this all the time. And so for them, you bring Mobil
26 back, you talk to the World Bank, you talk to the IMF and we open
27 up some doors for you. You don't bring them back, you get
28 nothing. It happens all the time. Nobody is shocked by this.

29 Q. "This is imperative and will lead to the opening of

1 productive input from donor nations and country plans from the
2 IMF and World Bank. I strongly urge your good adviser Brown and
3 director Dunbar finalise a meeting with Mobil and other friends
4 in Monrovia within two weeks and suggest you clearly and
11:25:43 5 personally impress upon them your desire to make this Mobil
6 effort work. I will try to attend as well if conditions and
7 logistics permit."

8 Who is adviser Brown?

9 A. That's the adviser to the Liberian National Petroleum
11:26:08 10 Company.

11 Q. And who is director Dunbar?

12 A. That's the head of the Liberian national petroleum agency.

13 Q. What's his name?

14 A. This here is not a his, not his at this time. The director
11:26:22 15 is a lady. Brown is a man. Lewis Brown. And the director there
16 is Belle Dunbar.

17 Q. Belle Dunbar. "In summary, I trust I am not too
18 presumption in suggesting a few near term actions." Top of the
19 list, one: "Conclude Mobil meeting and quickly release/announce
11:26:56 20 the event." Two: "Seriously consider destruction of recovered
21 arms and inform, publicly, Secretary-General Kofi Annan. Three:

22 "Announce your invitation for US Department of Defence
23 assistance teams to come to Liberia. This will not happen until
24 the arms embargo is lifted, but you will be on record and the
11:27:21 25 arms initiative I suggested above would complement the lifting.
26 The invite should go through state.

27 Continue high profile your efforts to broker a ceasefire in
28 Sierra Leone. Your leadership here is essential to success.

29 These were the major items discussed. I will meet with

1 Secretary Rice when she returns from South Africa. As I continue
2 to press efforts here to benefit the good people of Liberia, my
3 intention is to coordinate closely with Ambassador Rachel Diggs,
4 Adviser Brown, and Counselor Pierre. God bless in your efforts
11:28:10 5 for peace. General Yerks."

6 Now, effectively then, Mr Taylor, you were being told what
7 timetable to follow, weren't you?

8 A. Yes, you could say that.

9 Q. Now, help us. What happened with the Mobil situation?

11:28:40 10 A. We eventually brought Mobil back. We brought Mobil back
11 and they agreed to work with the Liberian National Petroleum
12 Company. In effect here we were really squeezed, but we had to.
13 You know, we wanted to move forward, and we did.

14 Q. So Mobil came back. Were the arms destroyed?

11:29:13 15 A. Yes, remember we --

16 Q. When were the arms destroyed?

17 A. The destructions started somewhere I will say around March.
18 As we go forward we destroyed them. I am not being precise here
19 because it was done over time. It took about close to two months

11:29:38 20 to destroy the millions of rounds of ammunition. So it took --

21 Q. We will come to that, Mr Taylor. I am just looking at this
22 checklist of what you had to do. I note the time.

23 PRESIDING JUDGE: Yes, I think we will take the morning
24 break now and resume at 12 o'clock.

11:30:09 25 [Break taken at 11.30 a.m.]

26 [Upon resuming at 12.00 p.m.]

27 PRESIDING JUDGE: Yes, please continue, Mr Griffiths.

28 MR GRIFFITHS: May it please your Honours:

29 Q. Mr Taylor, prior to the short adjournment we were looking

1 at this letter behind divider 16. Could we return to it, please.

2 Do you have it, Mr Taylor?

3 A. Yes, I do.

4 Q. Now, we were looking at the various steps which had been
12:02:42 5 set out and which you were being invited to adopt with a view to
6 obtaining an assistance from, amongst others, the IMF and the
7 World Bank, yes?

8 A. Yes.

9 Q. Now, you've already agreed with me that Mobil was allowed
12:03:04 10 back into the country?

11 A. That is correct.

12 Q. The destruction of the arms began in 1999?

13 A. That is correct.

14 Q. Did you announce an invitation for the US Department of
12:03:23 15 Defence assistance teams to come to Liberia?

16 A. Yes, we did.

17 Q. When did you do that?

18 A. Just before we started the full destruction of the arms,
19 what we did - the actual meaning of this was we invited them to
12:03:45 20 come to undertake the process of retraining the armed forces.

21 That's what he means by defence assistance team. So we did do
22 that. Just before the destruction started.

23 Q. And the fourth thing that you were being asked to do was to
24 continue high profile your efforts to broker a ceasefire in
12:04:06 25 Sierra Leone, yes?

26 A. Uh-huh.

27 Q. And did you continue to do that?

28 A. Oh, yes, we worked - not just because of this, but because
29 of our obligation also with ECOWAS, we continued the work, yes.

1 Q. Now help us, please, Mr Taylor, with this: Here is a
2 letter setting out, in effect, a programme which you should adopt
3 in order to receive the assistance referred to from donor nations
4 and country plans from the IMF and the World Bank, yes?

12:04:45 5 A. Yes.

6 Q. Now help us, please. At this point in time as President of
7 the Republic of Liberia what was your priority: Getting your
8 economy back on its feet; reorganising the Liberia army possibly
9 with the assistance of the Americans; or was it, as suggested,
10 assisting the RUF next door in Sierra Leone? What was your
11 priority?

12:05:18

12 A. Getting my country going and making sure that we would
13 receive the assistance from the international community that we
14 needed so badly. This is 1999. I'm elected in 1997. Nothing is
15 happening. Nothing is going on except Sierra Leone,
16 Sierra Leone, Sierra Leone, Sierra Leone. That's all that is
17 going on.

12:05:43

18 Liberia is not moving and all I'm trying to do - again, I
19 emphasise, what General Yerks did here was just, you know, we
20 sent out feelers. This is what we got, "Look, if you do this, it
21 does not necessarily mean that everything that they promised
22 would happen but at least it would be a start", and we did these
23 things because we wanted to get the country going.

12:06:01

24 I don't have any money in the country. I don't have an
25 army. I don't have a police. I have no assistance from the IMF.
26 I have no assistance from the World Bank. I have no assistance
27 from any - also in this letter he talked about donor countries.
28 The European Union, that's the buzz word for other donor
29 countries. Nothing is coming in. The only thing I'm thinking

12:06:17

1 about is how can I satisfy some of these conditionalities after
2 conditionalities to get my country going and the last thing on my
3 mind is trying to help a rebel group in Sierra Leone. That's the
4 last thing on my mind.

12:07:02 5 MR GRIFFITHS: I ask that that letter from General Yerks,
6 dated 18 February 1999, be marked for identification MFI-79
7 please.

8 PRESIDING JUDGE: That document is marked MFI-79 for
9 identification.

12:07:16 10 MR GRIFFITHS: I'm grateful:

11 Q. Now, Mr Taylor, over the course of going through the
12 chronology of events we've looked at various reports of the
13 Secretary-General of the United Nations observer mission in
14 Sierra Leone.

12:07:36 15 A. That's correct.

16 Q. And we've observed that the Secretary-General was mandated
17 by the United Nations to produce such reports at regular
18 intervals.

19 A. That is correct.

12:07:49 20 Q. Now the last such report we looked at was dated 7 January
21 1999, wasn't it?

22 A. That is correct.

23 Q. Immediately after the Freetown invasion. Do you recall
24 when the next such report was issued?

12:08:13 25 A. Yes, the 30 days, 60 days interval, so early March the
26 Secretary-General did a full report accounting for the period
27 between 7 January all the way - that's around the very first few
28 days of March.

29 Q. Let us look, please, at the document behind divider 17. Do

1 you have it?

2 A. Yes, I do. This is it. It's the fifth report, yes. This
3 is it.

4 Q. Now we see that this document, Mr Taylor, is dated 4 March
12:09:01 5 1999, yes?

6 A. That is correct.

7 Q. And as you've already observed this is the fifth report of
8 the Secretary-General of the United Nations observer mission,
9 yes?

12:09:13 10 A. That is correct.

11 Q. And if we just briefly look at some of paragraph 1, it
12 provides that:

13 "The Security Council requested me to keep the Council
14 closely informed on the situation in Sierra Leone and to submit a
12:09:33 15 further report by 5 March with recommendations on the future
16 deployment of the United Nations observer mission in
17 Sierra Leone."

18 Now moving to paragraph 2, "Rebel attack on Freetown and
19 its aftermath":

12:09:53 20 "As described in my report of 7 January ...", which we've
21 looked at, "... rebel fighters belonging to the Armed Forces
22 Revolutionary Council (AFRC) and the Revolutionary United Front
23 attacked Freetown on 6 January 1999. The rebels attacked the
24 city from the east and penetrated as far as the centre which they
12:10:18 25 held for four days before being forced to withdraw by a
26 counterattack. The fighting resulting in the deaths of between
27 3,000 and 5,000 persons, including rebel fighters, soldiers of
28 ECOMOG, members of the CDF militia who were defending the capital
29 and large numbers of civilian inhabitants. Many civilians were

1 severely mutilated by the rebels. Up to 150,000 people were
2 displaced in and around Freetown, and the rebels burnt down large
3 numbers of public buildings and homes. "

4 Then at paragraph 3:

12:11:05 5 "After fierce fighting, ECOMOG forces located in the
6 western part of Freetown reinforced from the main ECOMOG base at
7 Lungi managed to expel the rebels and regain control of the city.
8 However, several thousand rebels are thought to remain in the
9 peninsula mountains surrounding Freetown despite ECOMOG and CDF
12:11:28 10 efforts to dislodge them. It is also believed that unknown
11 numbers of rebels might have infiltrated the city and remain
12 there ready to launch further attacks. Consequently the security
13 situation in Freetown, despite recent improvements, should still
14 be considered volatile. On 24 February ECOMOG succeeded in
12:11:53 15 expelling the rebels from Waterloo, although they remain in a
16 position to cut the main road from Freetown to Bo and Kenema.

17 The rebels are now thought to control much of the north of
18 the country, though ECOMOG has, with varying success, contested
19 rebel control around Lunsar, Port Loko and Kambia and retains
12:12:18 20 possession of Kabala and Bumbuna. In the south, ECOMOG has
21 repulsed several rebel attacks on Kenema. Around Bo, the second
22 largest city in Sierra Leone, the situation remains calm but
23 tense. Rebel forces reportedly rely on some foreign mercenaries,
24 including some Europeans and Liberians, and are reported to be
12:12:45 25 receiving weapons from outside the country.

26 During the crisis, which began in mid-December, ECOMOG
27 received several thousand reinforcements from Nigeria, Ghana,
28 Guinea and Mali. However, some doubt has been cast over the
29 longer term future of ECOMOG in Sierra Leone in light of

1 statements made by candidates in the Nigerian elections. The
2 contribution of Nigeria to ECOMOG has been so central that
3 ECOMOG's military viability could be threatened if that
4 contribution were reduced. Though efforts to create a Sierra
12:13:21 5 Leonean army deserve further support, the army is unlikely to be
6 able to bear the burden alone, at least for the foreseeable
7 future."

8 It then goes on to deal with UNOMSIL personnel. We need
9 not bother with that, but just briefly skimming paragraph 7 note:

12:13:46 10 "Following rebel offensive in December and January,
11 ex-soldiers in the disarmament and demobilisation camp at Lungi
12 were relocated by the government in Freetown. The majority of
13 them appear to have either joined the rebels or disappeared."

14 Let's go to paragraph 9, please, over the page. Again,
12:14:16 15 just skimming at line 3:

16 "During the rebel attack on Freetown more than 200
17 policemen and members of their families were killed and police
18 equipment and infrastructure were destroyed, including the
19 criminal investigation department headquarters and all its files,
12:14:36 20 records and documentation. The Pademba Road prison was also
21 broken into and all of the prisoners escaped, a situation which
22 poses a serious security threat. This has significantly impaired
23 the government's efforts to maintain law and order in the city."

24 Then let's come now in a bit more detail to look at
12:15:06 25 paragraphs 10 and 11 through to 14:

26 "The Government of Sierra Leone has continued to refine its
27 policy with regard to negotiations with the rebels and to take
28 initiatives accordingly. On 7 January, President Kabbah met with
29 Corporal Foday Sankoh ..."

1 Pause there. When did you first learn of that meeting,
2 Mr Taylor?

3 A. Immediately after it happened.

4 Q. And how did you find out?

12:15:35 5 A. Because Kabbah told us. He told me and other members.

6 Q. How?

7 A. By telephone.

8 Q. "... the leader of the RUF in an effort to arrange a
9 ceasefire. On 16 January, the President issued a statement
12:15:51 10 reiterating his readiness to pursue political dialogue and
11 repeating his offer of amnesty to the rebels.

12 On 7 February 1999, President Ahmad Tejan Kabbah delivered
13 a radio broadcast in which he again indicated his readiness to
14 engage in a dialogue with the rebel leaders and to allow
12:16:13 15 Foday Sankoh to meet other RUF leaders, provided that the RUF
16 accepted the legitimacy of the government. The President stated
17 that the Abidjan Peace Agreement of November 1996 could be used
18 as a frame of reference for such a dialogue.

19 On 21 February, President Kabbah addressed the people of
12:16:37 20 Sierra Leone in a nationwide radio broadcast in which he called
21 on the Security Council, especially its permanent members, to
22 exert pressure on those states and individuals who continue to
23 supply the weapons and logistics which are being used to kill
24 Sierra Leoneans. President Kabbah stated that it was no longer
12:16:58 25 enough for the Council to condemn the activities of the rebels
26 but to consider the possibility of taking further action, not
27 excluding the threat of force, against the rebels in order to
28 give effect to the Council's previous demands that the rebels
29 cease all violence and seek genuine dialogue for the restoration

1 of lasting peace and stability in Sierra Leone. President Kabbah
2 also reasserted his government's determination to defend the
3 territory of Sierra Leone.

12:17:38 4 On 25 February, the ministry of information,
5 communications, tourism and culture reaffirmed the government's
6 commitment to dialogue with the rebels, stressing the crucial
7 importance of seeking the views and suggestions of the civil
8 society and expressing the government's readiness to review the
9 Abidjan Peace Agreement in the light of the prevailing situation.

12:17:59 10 On 28 February, President Kabbah again addressed the nation
11 in a radio broadcast in which he agreed that Foday Sankoh and RUF
12 members could hold their internal consultations in Lome or
13 Bamako."

14 Pause there. Mr Taylor, were you aware of that?

12:18:18 15 A. Oh, yes, these were the two choices. I had spoken about
16 this before.

17 Q. And, Mr Taylor, how were these RUF members to get to either
18 Lome or Bamako?

12:18:41 19 A. The arrangements were made through the discussions that
20 they would all come to Liberia under, you know, UN auspices along
21 with the Liberian government and they will be transported via
22 Liberia to Lome.

23 Q. And we will come in due course, will we not, to look at the
24 discussions which took place to arrange those transport
12:19:00 25 arrangements, won't we?

26 A. Definitely, yes.

27 Q. "He stressed that following these consultations, the RUF
28 leader should be returned to Freetown to resume his appeal
29 against his conviction for treason and related offences. The

1 President also called for the immediate release of all civilians
2 being held in detention by the rebels, including children and
3 women whom they had abducted during the recent attack on
4 Freetown. "

12:19:37 5 Let's ignore the next paragraph and go to paragraph 16:

6 "These diplomatic activities culminated in the meeting in
7 Conakry on 29 January of the Heads of State of the three troop
8 contributing countries of ECOMOG: Ghana, Guinea and Nigeria. At
9 that meeting, President Rawlings, President Conte and President
10 Abubakar agreed on the need to convene an ECOWAS summit meeting
11 on Sierra Leone to be followed by a visit by representatives of
12 the ECOMOG Committee of Six on Sierra Leone to New York to brief
13 the Security Council. The Committee of Six on Sierra Leone
14 comprises those three countries as well as Togo, Cote d'Ivoire
15 and Liberia. The three Heads of State also instructed their
16 ministers for foreign affairs to develop a strategy for pursuing
17 the dual-track approach outlined in paragraph 15 above.

18 Following a visit to Freetown from 13 to 16 February for
19 consultations with the government, my special representative met
20 with representatives of the RUF in Abidjan. "

21 Pause there. Mr Taylor, given your role on the Committee
22 of Six on Sierra Leone, you've already described contact that you
23 had with the RUF.

24 A. Yes.

12:21:19 25 Q. Were you also aware that the United Nations were themselves
26 in contact with the RUF?

27 A. They were talking to them too, yes. We were aware. There
28 was nothing hidden about that, yes.

29 Q. And were you aware of this meeting in Abidjan between the

1 UN special representative with the RUF in Abidjan?

2 A. Yes, this was under really the auspices of the Ivorian
3 government more than what is told here. He is just talking -
4 they met there, but don't forget Ivory Coast is a member of this
12:21:57 5 so they go to Ivory Coast for discussions too and the special
6 representative meets them there.

7 Q. Over the page, please:

8 "On 21 February to ascertain the RUF commitment to the
9 dialogue and the peace process and to discuss how best to
12:22:14 10 expedite the internal RUF consultations pursuant to President
11 Kabbah's offer of a dialogue. These discussions also dealt with
12 a number of issues, including the venue, format, and duration of
13 the internal RUF consultations, a ceasefire, respect for human
14 rights, and the provision of humanitarian assistance."

12:22:44 15 Could I just have a moment, please, Mr President, to check
16 something. Yes:

17 "A ceasefire, respect for human rights, and provision of
18 humanitarian assistance. The outcome these preliminary
19 discussions is now being reviewed by the Government of
12:23:25 20 Sierra Leone and other members of ECOWAS."

21 Pause there. Mr Taylor, were you party to those
22 preliminary discussions?

23 A. Yes, there's nothing going on here. There's a lot - maybe
24 later I'm sure we'll get to it. This is the Secretary-General's
12:23:44 25 report, but the background work is being done. He is only
26 reporting the end result, but there is a lot of consultations
27 going on. Even the decision to use the 1996 agreement. And
28 another very important part, if you see here they are just
29 talking RUF, RUF, RUF. There is nothing about the junta being

1 mentioned here. There are also discussions and decisions have
2 been taken as to how we should proceed and this is why the junta
3 doesn't come into the picture even into Lome.

4 Q. Why not?

12:24:19 5 A. Well, a decision was taken after the junta in fact - let's
6 get this clear. After the junta was kicked out of Freetown the
7 junta for all purposes was no longer considered a serious
8 organisation. In fact, because it was determined even then that
9 it was - they were the armed forces of Sierra Leone, eventually
10 once an agreement was reached they would have to come under the
11 auspices of the legitimate government. So it was not proper to
12 hold discussions with the armed forces of Sierra Leone. That
13 really comprised this junta that went into Freetown.

14 But the real obstacle and the real people to talk to were
12:25:10 15 the RUF, so a decision was taken then and there to just forget
16 who the junta were because these are Sierra Leonean soldiers. At
17 the end of the day once we have an agreement we would deal with
18 the armed forces of Sierra Leonean personnel. So that's why
19 right now all of these decisions are taken. We have agreed that
12:25:31 20 this is the way we're going to proceed and this is why you see
21 President Kabbah keeps going back to the 1996 agreement. So all
22 we are trying to do now is to revive the 1996 agreement and then
23 move forward.

24 Q. Now tell me this, Mr Taylor. In light of what you've just
12:25:48 25 told us, did you at any stage have any contact with the junta?

26 A. Not at all. No. No one. No one got in contact. Even
27 though we were authorised to - we were authorised - by "we" I
28 mean the three countries were authorised to, up until this time
29 we had never spoken to anyone in that junta. No one absolutely.

1 Q. I want to be clear what you are telling us, Mr Taylor. We
2 appreciate the coup d'etat took place on 25 May 1997?

3 A. That is correct.

4 Q. They remained in power until the ECOMOG intervention in
12:26:31 5 February 1998?

6 A. That is correct.

7 Q. We are now at February 1999?

8 A. That is correct.

9 Q. Mr Taylor, my question to you now is very specific. From
12:26:44 10 25 May 1997 until the point we have now reached did you ever have
11 any contact with the junta?

12 A. Yes. Twice that we've talked about here. As far as that
13 word "contact" is concerned, there were two contacts - if we want
14 to call it contacts. The first one had to do with what? A

12:27:11 15 letter from Johnny Paul Koroma that we did not respond to. And
16 the second one was a delegation sent that I did not meet. So --

17 Q. Thank you for reminding me, Mr Taylor.

18 A. So I can recall those contacts.

19 Q. But apart from those two occasions, did you have any other
12:27:30 20 contact with the junta?

21 A. None whatsoever. None whatsoever.

22 Q. Did you ever have any contact with the junta through
23 ECOWAS?

24 A. No, no, no. I'm part of ECOWAS. I'm ECOWAS too. No.

12:27:52 25 Q. "Should agreement be reached on a venue for talks outside
26 Sierra Leone, it would be necessary to temporarily lift the ban
27 on the travel of RUF leaders imposed by the Security Council
28 resolution 1132."

29 Now, were you aware of that travel ban, Mr Taylor?

1 A. That is correct and that is why Sam Bockarie did not leave
2 to come unless it was known by everybody. And each time anyone
3 left Sierra Leone, including as we go forward, it had to get at
4 least either the direct or at least the - by direct I mean either
12:28:37 5 documented or maybe a telephone call where some official at the
6 UN being aware of it would grant the permission or they couldn't
7 travel. Whether it was Sankoh, okay, or whether we go forward
8 Johnny Paul or all of these people, they could not travel without
9 this approval.

12:28:54 10 Q. Let's get to the core of this document for our purposes.
11 Paragraphs 18 and 19:

12 "Relations between Sierra Leone and Liberia. In response
13 to repeated allegations that the Government of Liberia was
14 supporting the Sierra Leonean rebels, the Liberian government
12:29:19 15 issued a statement, circulated on the conflict in Sierra Leone.
16 In the statement, the government reaffirmed its recognition of
17 the government of President Ahmad Tejan Kabbah as the legitimate
18 Government of Sierra Leone and stated further that it had not and
19 would not support, nor be a party to, any attempt to destabilise
12:29:44 20 the Republic of Sierra Leone or any other country.

21 The Government of Liberia also announced in its statement
22 that it had launched an effort to repatriate and offer amnesty to
23 Liberians fighting in Sierra Leone and, as a matter of urgency,
24 requested the United Nations to assist the governments of
12:30:04 25 Sierra Leone and Liberia in identifying, documenting, and
26 processing Liberians fighting in Sierra Leone for an organised
27 repatriation. The Government of Liberia also renewed its request
28 to the Security Council to approve the deployment of United
29 Nations monitors along with ECOMOG forces at the

1 Liberia-Sierra Leone border in the light of repeated allegations
2 of illegal shipments of arms to the rebels."

3 Now we've gone over all of that during the course of our
4 examination of the events in 1999, have we not, Mr Taylor?

12:30:43 5 A. Yes, we have. But sadly, even with this, this situation,
6 sadly some countries misinterpreted this whole thing and saw this
7 as admission to the fact that Liberia had sent fighters into
8 Sierra Leone.

9 Q. Saw what as an admission?

12:31:06 10 A. The fact that we had said we were granting amnesty to and
11 wanted Liberians to come home. Some people interpreted that as
12 okay, he sent them so he is calling them back.

13 Q. Now for completeness let us just look at certain aspects of
14 the other pages before I take you to the other paragraphs which
12:31:39 15 are at the core of what we need to deal with. But just so that
16 it cannot be said that we're ignoring other realities let us look
17 starting at paragraph 21:

18 "The team found that the ultimate responsibility for the
19 fighting for most of the civilian casualties and for the related
12:31:58 20 humanitarian emergency in Freetown rested with the rebel forces.

21 Though it was impossible to state with precision the actual
22 number of civilian casualties, most estimates put the total
23 casualty figure at between 3,000 and 5,000, including rebel
24 fighters and ECOMOG and CDF combatants. It is feared that at
12:32:22 25 least 2,000 of those casualties were civilian inhabitants of
26 Freetown. Many civilians were killed while being used by the
27 rebels as human shields in combat or because they reportedly
28 refused to come out into the streets to demonstrate in favour of
29 the rebels. Many were killed while trying to protect family

1 members from death or rape, or while trying to protect their
2 property from looting and destruction.

3 Much of the killing seems to have been arbitrary and to
4 have been carried out by child fighters or rebel fighters under
12:33:02 5 the influence of drugs or alcohol. However, there is also
6 evidence that some of the murders were targeted including
7 reportedly the murder of 200 police personnel. The
8 solicitor-general was killed during fighting as were the resident
9 minister for the north and adviser to President Kabbah and at
12:33:20 10 least two journalists.

11 Other victims who appear to have been deliberately targeted
12 include senior officials of the Sierra Leonean national
13 commission for democracy and human rights, the council of
14 churches, and the national commission for rehabilitation,
12:33:38 15 reconstruction and reintegration as well as Nigerian nationals.
16 According to medical sources interviewed by the human rights
17 assessment team, many hundreds of civilians were treated for the
18 amputation of limbs or other forms of mutilation including some
19 70 at Connaught Hospital alone. It is feared that hundreds of
12:34:02 20 other victims of mutilation did not survive to seek treatment.

21 Victims of amputation and mutilation include men, women and
22 children, some as young as six years old. The mutilations were
23 usually inflicted with a machetes or axes. During February there
24 was a sharp drop in reported incidents of mutilation by rebel
12:34:25 25 elements in areas where they are located.

26 There have been reports of widespread rape and other forms
27 of sexual abuse by rebel elements in Freetown and Makeni. In
28 Freetown eyewitnesses reported incidents of violent group rape of
29 young women and girls rounded up by the rebels for that heinous

1 purpose. Many rape victims were reported to have been
2 subsequently abducted, mutilated or killed.

3 A significant number of the rebel combatants were children.
4 Reports were received of death and injuries being inflicted by
12:35:05 5 boys as young as eight to 11 years old.

6 The rebels abducted a large but unverifiable number of
7 people in Freetown and other places they attacked. By
8 mid-February, childcare agencies reported that some 2,000
9 children had gone missing in Freetown alone since 6 January.

12:35:27 10 Agency staff said that they had witnessed the abduction by rebels
11 of some 300 of these children. Escapees reported that abducted
12 boys were selected for training as fighters or used as porters.
13 Women and girls were taken for sexual purposes or to cook food.

14 A small number of prominent Sierra Leonean personalities and
12:35:51 15 foreigners were also abducted including the Roman Catholic
16 Archbishop of Freetown. Foreign abductees included several
17 Indian workers, Roman Catholic nuns of Indian and Kenyan
18 nationality and one Spanish and one French journalist. Though
19 some managed to escape, at least eight abductees were killed and
12:36:16 20 two seriously injured. Rebels continue to hold Roman Catholic
21 mission personnel abducted at Makeni and Kambia.

22 Rebel forces were also responsible for the deliberate
23 widespread destruction of civilian property and public utilities
24 in Freetown and other locations, such as Makeni and Kambia. In
12:36:39 25 the centre of Freetown, about 20 per cent of the housing stock
26 was destroyed, with as much as 90 per cent destroyed in the
27 eastern outskirts of the city. Some public facilities appear to
28 have been deliberately demolished, including police stations, the
29 Pademba Road prison, the Nigerian high commission and UNOMSIL

1 headquarters. The residences of human rights activists, lawyers,
2 journalists and government officials were also targeted as well
3 as churches, mosques and hospitals.

4 Eyewitnesses interviewed by the assessment team also
12:37:21 5 reported summary executions of alleged rebels or rebel
6 sympathisers by ECOMOG soldiers. Persistent reports were
7 received of execution in various parts of Freetown, sometimes
8 carried out after a cursory interrogation. One alleged victim of
9 summary execution was an eight year old boy caught in possession
12:37:47 10 of a pistol. Members of the assessment team witnessed an
11 execution at Connaught Hospital on 3 February by men in ECOMOG
12 uniforms. Members of the CDF are also accused of mistreating
13 civilians during the crisis in Freetown. ECOMOG jets attacking
14 Freetown during the fighting are also reported to have caused
12:38:12 15 civilian casualties. ECOMOG soldiers also detained and
16 physically mistreated national staff members of a number of
17 humanitarian NGOs and the International Committee of the Red
18 Cross, apparently accusing them, without evidence, of being rebel
19 collaborators. ECOMOG high command has subsequently indicated to
12:38:36 20 my special representative their intention to investigate these
21 allegations and to take corrective action as necessary."

22 Now, Mr Taylor, what we've just gone through there between
23 paragraph 20 and 28 is in many ways a summary of the orgy of
24 violence which engulfed Freetown for those four days beginning on
12:39:07 25 6 January 1999. Now, Mr Taylor, have you ever denied that those
26 atrocities were committed in Sierra Leone?

27 A. I've never denied that they were committed. I know - I
28 mean, everybody knows some terrible things happened in
29 Sierra Leone.

1 Q. Mr Taylor, did you order, incite, or in any way encourage
2 the commission of such atrocities?

3 A. No, I did not. No, could not have.

4 Q. Did you have anything to gain from ordering, assisting,
12:39:52 5 encouraging, or in any way aiding and abetting such acts?

6 A. No, I did not. I did not.

7 Q. Did you unleash that violence on Freetown in order to
8 terrorise the population of Sierra Leone?

9 A. No, I did not. I had no control over those who did this
12:40:21 10 and could not have ordered them. I had no contact. I had no
11 control. I had no association with them to have ordered such, or
12 encouraged such. None whatsoever.

13 Q. Now let's just skim over the humanitarian situation
14 section, whilst noting in passing just extracting from paragraph
12:40:49 15 31, "The number of refugees in neighbouring countries has
16 increased to an estimated 450,000 with an estimated 700,000
17 internally displaced persons."

18 Now, were some of those refugees a consequence of that
19 Freetown invasion? Did some of them come to Liberia, Mr Taylor?

12:41:22 20 A. Yes. Hundreds of thousands, yes.

21 Q. Now, unless I'm asked to, I would like us please to go to
22 section 7, page 10 of this document, and let's begin at paragraph
23 44:

24 "Sierra Leone continues to face an extremely complex and
12:42:12 25 difficult situation fraught with serious risks. Though ECOMOG
26 has succeeded in driving the rebels from Freetown and restoring
27 order in its immediate vicinity, the capital is still threatened
28 by rebel forces in the peninsula.

29 I unreservedly strongly condemn the merciless murders,

1 inhuman mutilations, and other appalling human rights violations
2 perpetrated by the rebels on the innocent civilian inhabitants of
3 Freetown and the widespread property damage they have inflicted.
4 In the light of some allegation that members of pro-government
12:42:54 5 forces may also have been guilty of violations, I hope that the
6 government will fulfil its assurances that such allegations will
7 be investigated and welcome its assurances that these forces will
8 adhere to international human rights standards in the future.

9 Concern over violations of human rights and the prevention
12:43:18 10 of further violations stand at the heart of the Sierra Leonean
11 conflict. For that reason, and in view of the scale and enormity
12 of the violations inflicted recently in Freetown, I intend to
13 deploy an additional human rights officer to UNOMSIL. This will
14 enable the human rights component to expand its reporting and
12:43:44 15 deepen its coverage of human rights abuses in Sierra Leone as
16 well as to maintain its technical cooperation activities with
17 Sierra Leonean human rights organisations."

18 I think we can skip the next three paragraphs. Now let's
19 go to paragraphs 50, 51 and 52:

12:44:11 20 "I intend to pursue further with President Taylor some of
21 the suggestions contained in the statement of the Government of
22 Liberia. Since practical obstacles to the proposal to deploy
23 United Nations monitors at the border between Sierra Leone and
24 Liberia remain, as deployment of the ECOMOG forces required to
12:44:34 25 protect them is unlikely, the steps taken by the government to
26 encourage the repatriation, disarmament and demobilisation of
27 Liberian fighters in Sierra Leone are welcome."

28 Pause there. Mr Taylor, what were the so-called practical
29 obstacles to the deployment of UN monitors on the border?

1 A. The UN monitors are not armed and so one of the
2 difficulties they were having, they have to be protected by armed
3 ECOMOG personnel and so they wanted to make sure that there would
4 be ECOMOG personnel available to protect the observers in the
5 region.

12:45:22

6 Q. Paragraph 51:

7 "President Kabbah's decision to allow the leader of RUF,
8 Corporal Foday Sankoh, to meet with rebel leaders in order to
9 develop a coherent set of political demands, which would form the
10 basis of subsequent negotiations with the government, is a bold
11 and valuable initiative. The United Nations will continue to
12 facilitate the conduct of talks through the provision of its good
13 offices as required.

12:45:46

14 The preliminary meeting my special representative held with
15 representatives of the RUF in Abidjan on 21 February may have
16 helped lay the groundwork for further negotiations which might be
17 based on the Abidjan Peace Agreement signed in November 1996 by
18 the government and RUF. In order to proceed, RUF must recognise
19 the legitimacy of the government, agree to a ceasefire, renounce
20 violence, especially attacks on civilians, and permit
21 humanitarian access to the areas they control under conditions of
22 adequate security."

12:46:06

23 Now in summary, Mr Taylor, what did you make of the - this
24 fifth report of the Secretary-General?

12:46:30

25 A. Well, he is reporting faithfully to the Security Council
26 about what is going on. Although he doesn't get into the details
27 because he doesn't know all of the details, but at least the end
28 results are he is seeing, as he reports here, the end result is
29 the Lome meeting that starts - even though you see the Lome

12:47:00

1 agreement is signed in July, but the talks in Lome start as early
2 as April beginning with the first stage of trying to get a
3 ceasefire and then the second stage the actual agreement. That
4 ceasefire - the ceasefire discussions begin in April, they go
12:47:48 5 May, I think the ceasefire is negotiated around June and then we
6 get into the second phase, you know, where we get a full
7 agreement.

8 So by and large, on the issue where he talks about the -
9 about, "I intend to pursue further with President Taylor", one of
12:48:12 10 the things we were trying to do at this time was not to bring
11 anyone out of Sierra Leone except it was done in conjunction with
12 the United Nations, okay? Because this thing of granting amnesty
13 was to get them not to be afraid of our laws against mercenarism,
14 but we wanted to make sure that each person was identified; that
12:48:39 15 is the UN, Sierra Leone and Liberia would work together in
16 identifying them and probably coming up with a travel document or
17 a card of identification to know who were coming out of
18 Sierra Leone back to Liberia just in case there was some
19 questions in the future.

12:48:58 20 So by and large the report is exactly what happened and we
21 finally decided that the talks would be held in Lome in April.
22 Everybody now is moving towards Lome to get the discussions
23 going, so it's a pretty accurate report of the prevailing
24 situation on the ground.

12:49:22 25 Q. Now, Mr Taylor, you have told us I think yesterday - it
26 could have been last week - of having written to the
27 Secretary-General in January of 1999. Do you recall telling us
28 that?

29 A. Yes.

1 Q. Did you ever receive a response to that letter?

2 A. Yes, the most important - that's on the arms. I had
3 written him about the - about the arms and he finally responds
4 around this time.

12:49:57 5 Q. About what arms?

6 A. The destruction - for the destruction of the arms in
7 Liberia and he responds. Right after this report he responds to
8 the letter.

9 MR GRIFFITHS: Now before I move to that letter, can I ask,
12:50:10 10 please, that this fifth report of the Secretary-General to the
11 United Nations be marked for identification MFI-80, please.

12 PRESIDING JUDGE: Yes, I noticed two pages there that you
13 probably don't need put in. One of them is numbered 21593 and
14 the other is numbered 21608. They both appear to be covering
12:50:52 15 pages.

16 MR GRIFFITHS: I fully agree with that, Mr President, and
17 there is no need to burden ourselves with additional pages if
18 they have not been referred to.

19 PRESIDING JUDGE: All right. The document just described
12:51:05 20 by Mr Griffiths excluding pages that have been numbered 21593 and
21 21608 will be marked for identification MFI-80.

22 MR GRIFFITHS: I'm grateful:

23 Q. Now let's look, please, behind divider 18. Mr Taylor, this
24 letter we see is dated 5 March 1999, yes?

12:52:04 25 A. That is correct.

26 Q. And it's addressed to you from the Secretary-General?

27 A. That is true.

28 Q. "Excellency, I have the honour to refer to your letter
29 addressed to me dated 22 January 1999 concerning the disposal of

1 the weapons surrendered to ECOMOG during the disarmament exercise
2 of 1996 to 1997 and my preliminary response dated 22 February
3 1999.

12:52:45 4 I am sure you will agree that this matter can be speedily
5 resolved. We are currently assembling a team of small arms
6 experts who can determine which weapons are serviceable and which
7 are not and will dispatch them to Monrovia as soon as possible.
8 The team will, of course, look forward to the full cooperation of
9 your government. After conducting a technical assessment of the
12:53:07 10 arms and ammunition, accompanied by representatives of your
11 government and of ECOMOG, the team will make its determination
12 accordingly.

13 I note and welcome your government's willingness to destroy
14 any weapons found to be unserviceable. The United Nations team
12:53:27 15 will therefore be prepared to offer your government technical
16 advices on the modalities for the destruction of such weapons.
17 As regards any weapons or ammunition which may be found to be
18 serviceable, we would assume that further consultation on their
19 disposition between your government, ECOMOG and ourselves would
12:53:48 20 be necessary."

21 What does that last sentence mean, Mr Taylor?

22 A. You say that further consultations between all of the
23 parties?

24 Q. Well, it's my fault for asking an inappropriate question.

12:54:11 25 What was the attitude of your government towards weapons
26 collected which could still be used?

27 A. We were pushing at first for the serviceable weapons to be
28 kept for a future armed force. This was a view that we held. I
29 even appointed a cabinet committee to look into it, but that was

1 not to be the case. You can see from a letter that we just went
2 through, as this process is evolving we finally gave in and
3 destroyed everything.

4 But our original intention was to at least keep the
12:54:54 5 serviceable ones. Once a future army was trained, it could be
6 armed. But we were told that that would not fly and so one of
7 the things that the insistence was - even on the lifting of the
8 embargo it was stated that we had to destroy everything to get
9 the embargo lifted. It didn't make sense to us. It would still

12:55:20 10 mean we had to go back to taxpayers. After the army was formed
11 we would have to go back to the Liberian people to buy weapons,
12 so why throw away good weapons? But some of these things you
13 never understand them in the international community. So here I
14 am stuck. I am being told - besides that Mobil thing I'm being
12:55:41 15 told here if you want to get the arms embargo lifted you have to
16 destroy all of these weapons. So we just gave in finally.

17 Q. But, Mr Taylor, you are a sovereign republic. Why did you
18 need to be consulting about such serviceable arms with ECOMOG and
19 the United Nations?

12:56:00 20 A. Sovereignty, yes, we - that's a word that we'll get into
21 the actual definition. We must see that that's - sovereignty is
22 relative when it comes to little countries and so you can exert
23 all sovereignty you want, but you don't get anything in return if
24 you don't dance according to the tunes of the big countries. So
12:56:29 25 sovereignty really is relative when it comes to these issues in
26 the international community.

27 So we - because I am concentrating more on getting my
28 country moving forward, getting my economy going, I'm not about
29 to hold the country up for an impossible amount of time just to

1 get - what, to keep weapons. So I want to move forward and so I
2 try to do - after holding up for what? We're talking about -
3 these discussions were going on for - in excess of six, nine
4 months we were on these discussions. But apparently the
12:57:12 5 international community was determined to destroy all the arms or
6 nothing would happen for Liberia and so I wanted for something
7 good to happen for Liberia and I gave in. So sovereignty becomes
8 relative under certain conditions.

9 Q. Now, Mr Taylor, the UN special representative in Liberia at
12:57:37 10 this time, is it still Mr Felix Downes-Thomas?

11 A. Yes, he is still there.

12 Q. And as far as you're aware, the special representative in
13 Freetown, Mr Okelo, is he still in place?

14 A. To the best of my knowledge, yes, he is.

12:57:55 15 Q. And at or about this time in 1999, were there any
16 developments in the relationship between those two men?

17 A. Yes. In fact, Okelo - Okelo had dealt this first what I
18 will call mischief all the way back in June of 1998 when Okelo
19 wrote that document to the Security Council talking about most of
12:58:37 20 the people that were supporting the junta were Liberians.

21 So Okelo always had this little attitude when it came to
22 Liberia. And he would write or say things from his post in
23 Sierra Leone about Liberia that sometimes were not true and I
24 guess without the knowledge of his colleague on the other side.

12:59:07 25 And so we were always calling in the special representative of
26 the Secretary-General in Liberia and saying, "But look, we see
27 this. It is not true. You are here. You have to correct this."
28 Okay.

29 So by the end of March there appeared to have been some

1 conflict between him and Downes-Thomas who is the special
2 representative in Liberia writes - wrote a very serious memo to
3 his bosses and tried to correct some of the what I will call
4 really antagonising statements that have been made by and through
12:59:49 5 Okelo that he tries to correct because he is under pressure too
6 from the Liberian government side to make right some of these
7 false interpretations that have been presented from Okelo, who is
8 not assigned to Liberia. And he sends this report out in late
9 March and we are given copies of it because we want to correct
13:00:14 10 these problems also just as we've always been writing to the
11 Secretary-General to correct problems.

12 MR GRIFFITHS: Now, before we move on further to discuss
13 that could I ask, please, that the letter from the
14 Secretary-General of the United Nations to President Taylor dated
13:00:34 15 5 March 1999 be marked for identification, please, MFI-81.

16 PRESIDING JUDGE: That document is marked for
17 identification MFI-81.

18 MR GRIFFITHS:

19 Q. Now, Mr Taylor, we've moved on and we're now discussing a
13:00:49 20 memo which you say you saw in late March, yes?

21 A. That is correct.

22 Q. Who is that from?

23 A. It's from Mr Thomas commenting on the activities of his
24 colleague and what he had caused to be said from the Liberian
13:01:06 25 side.

26 Q. Okay. Let us look, please, at the document behind divider

27 19. Do you have it, Mr Taylor?

28 A. Yes, I do.

29 Q. Now we see that this is what's called a code cable from

1 Downes-Thomas, representative of the Secretary-General, to
2 Prendergast who you helpfully told us is the
3 Undersecretary-General.

4 A. For political affairs.

13:01:54 5 Q. And we see it's entitled "Observations on Sierra Leone and
6 Liberia":

7 "With reference to your code cable of 25 March, I wish to
8 thank you for providing me with a copy of special envoy Okel'o's
9 of the 29th March together with the note on his political
10 officer's unannounced visit to Monrovia during the period between
11 5 and 11 March 1999."

13:02:19

12 Pause there. Did you know - were you informed about such a
13 visit at the time, Mr Taylor?

14 A. No, I was not.

13:02:33

15 Q. So the UN special representative in Freetown sends
16 unannounced his political officer to Monrovia without telling the
17 President of Liberia about it?

18 A. Well, as we can see here he didn't even tell his colleague
19 about it. No, once this is a UN official and he has proper
20 travel documents coming to Liberia, arriving at the airport of
21 course he would not be turned back. He would be received as a
22 normal person coming in.

13:02:59

23 Q. "The contents of the cables in question are as
24 contradictory as the differences which exist within the terms of
25 reference provided to PAO Zongwe by special envoy Okelo and the
26 officer's own interpretation of what his trip to Liberia was
27 intended to accomplish. On one hand, the special envoy advises
28 that his instructions to his officer were to 'attempt an
29 assessment of the Sierra Leonean situation from the Liberian

13:03:20

1 perspective and observe internal Liberian developments impacting
2 on Sierra Leone'. On the other hand, the officer states that his
3 visit to Monrovia was to participate in the mission 'on the
4 preliminary findings mission in connection with the disposal of
13:04:02 5 arms collected during the 1996-1997 disarmament in Liberia'."

6 Now pause there, Mr Taylor. What was the purpose of the
7 Secretary-General of the United Nations having Mr Felix
8 Downes-Thomas based in Monrovia?

9 A. The purpose was to represent the United Nations, his
13:04:33 10 office, and to report faithfully, and I use the word faithfully,
11 back to the Secretary-General as to the developments in Liberia.

12 Q. And help me --

13 A. And this is a very senior United Nations post.

14 Q. And help me, what was the purpose of having an identical
13:04:51 15 individual in Freetown by the name of Francis Okelo?

16 A. That he would do the same on that side in that other -
17 using your word - sovereign country.

18 Q. Now help me. Can you, given your understanding of these
19 things, understand why Mr Okelo in Freetown would take it upon
13:05:13 20 himself to send this man unannounced onto the turf of his
21 colleague in Monrovia?

22 A. Two words. Two words. Mischievous. The second word I would
23 use would be deceit. And there is a problem because the mischief
24 again starts with Okelo from back in June of 1998.

13:05:46 25 Q. It's the same Okelo who sent information to the Security
26 Council --

27 A. Yes.

28 Q. -- who was acting in this underhand way with his own
29 colleague in Monrovia?

1 A. That is correct.

2 Q. "But before responding to your request for comments on the
3 officer's note I would like to formally convey to you my overall
4 views on the matter. These follow.

13:06:13 5 The contents of both communications from UNOMSIL are
6 incredible and objectionable. Nevertheless, they raise certain
7 fundamental questions which deserve answers:

8 Can special envoy Okelo or UNOMSIL decide unilaterally to
9 conduct work in Liberia and, if so, on what basis?

13:06:41 10 What are the reasons for UNOMSIL's implicit assumption that
11 the reporting from the UN office in Liberia is either inadequate
12 or deficient?

13 What was the need and urgency for UNOMSIL to undertake the
14 so-called 'assessment' in Monrovia?

13:07:02 15 And does UNOMSIL per se have any role to play in the
16 disposal of arms and ammunition currently in the joint custody of
17 the UN and ECOWAS whose surrogates are UN office Liberia and
18 ECOMOG?

19 These questions also relate to some basic issues that have
13:07:26 20 significant bearing on interdepartmental communication as well as
21 inter-mission cooperation and in that regard on the matter of
22 policy guidance provided to peacekeeping and peace-building
23 missions.

24 It was wrong and improper for special envoy Okelo to have
13:07:46 25 sent a junior officer to, in effect, snoop around Monrovia."

26 Mr Taylor, can you think of any reason why the UN's man in
27 Freetown was wanting to snoop around Monrovia in this way if he
28 didn't have an agenda of his own? Can you think of any reason?

29 A. Well, he had an agenda. He had an agenda. He had had some

1 very rough statements from Liberia going all the way back to his
2 original thing.

3 And, you know, there is one thing that I think we ought to
4 interject here, one of the worst things to happen to any little
5 country is to get something tossed in UN circles. A statement or
6 an accusation, it's like - it's almost like a cancer. It just
7 grows and grows and grows. And so Liberia always had a very bad
8 - terrible spot. Whenever any of our officials encountered

9 Okelo, I mean they really gave it to him straight, because we
10 just felt that Okelo was mischievous, and for him to have done
11 what he did as of June, that went to the Security Council and
12 caused this avalanche from that time until now, that it was
13 mischievous. And even though segments of the United Nations,
14 ECOWAS, everyone had said, "Yes, there are these allegations. We
15 have no proof", but Okelo was still there. For what reason? He
16 had an agenda.

17 Q. "For him to have done so without a word about it to me,
18 either before and during or even after his political offices's
19 escapades in Monrovia, is simply extraordinary if not suspect.

20 In short, the manner in which special envoy Okelo and his
21 political officer handled this matter of the Monrovia visit has
22 been thoroughly unprofessional.

23 Putting aside the special envoy's failure to display, in
24 this case, elementary professional courtesy, I am even more
25 surprised by his cavalier indifference to the potentially
26 disastrous situation that could have been created for UN office
27 Liberia by the plausible perception that the United Nations is
28 engaged in some form of spying in Monrovia. This is not
29 farfetched given the continuing deterioration and complicated

1 relations between Sierra Leone and Liberia. It becomes an
2 extremely delicate matter for a UN official, especially one based
3 in Sierra Leone, to be sent surreptitiously to make 'an
4 assessment of the Sierra Leonean situation from the Liberian
13:10:52 5 perspective and observe internal developments impacting on
6 Sierra Leone'.

7 If indeed this so-called assessment was ever intended to be
8 a serious undertaking, then headquarters, which must have
9 approved the mission, could have at least informed me accordingly
13:11:10 10 and ensure that the assessment was carried out in a professional,
11 transparent and coordinated fashion. Despite these remarks, I
12 will refrain from characterising the judgment from which emerged
13 the decision to send the PAO to Liberia. However, I do consider
14 that decision objectionable. Clearly unacceptable is special
13:11:33 15 envoy Okelo and his PAO ascribing unto themselves the
16 responsibility of assessing and reporting 'on the Liberian
17 situation and the leadership of President Taylor ...' Unless I
18 have misunderstood the mandate of UNOL, I believe that these
19 matters are indisputably and strictly within the purview of the
13:11:56 20 special representative of the Secretary-General in Liberia.

21 In this connection, I should draw your attention to the
22 attached message from me to you dated 9 February 1999. I sought
23 clarification and guidance about what appeared to be
24 headquarters' approval of the special envoy's request to visit
13:12:18 25 Liberia for purposes that I found questionable and smacking of
26 'mission-creep'. Before its receipt of my message, DPA was as
27 uninformed about this business of special envoy Okelo undertaking
28 a mission to Liberia as I suspect it was about the PAO's
29 assessment mission in Monrovia. Whether or not this points to a

1 certain internal breakdown in communication, I do not know. What
2 remains curious, however, is that the PAO's 'assessment' mission
3 was not fundamentally dissimilar to the terms under which special
4 envoy Okelo was to have visited Liberia.

13:12:59 5 Only in the light of the foregoing, do I now consider it
6 necessary for headquarters to issue a clear directive concerning
7 the areas of competence for UNOL and UNOMSIL. Such a directive
8 could usefully include procedures for cooperation between these
9 two entities. While I sincerely consider action along these
13:13:24 10 lines to be somewhat unfortunate, I nevertheless hope that it
11 would serve to preclude any further attempts at blurring the
12 distinct jurisdictional areas of both missions' activities.

13 With regard to your request for comments on the officer's
14 note, I should state that I found it reckless and somewhat
13:13:44 15 amateurish. My suspicion is that he could have benefited from
16 proper instructions and sound guidance. It is therefore not
17 surprising that he failed to confine himself to strictly
18 Sierra Leone-Liberian business. By and large, his note is an
19 amalgam of chatty cocktail gossip, gratuitous observations and
13:14:05 20 dangerous subjective speculations. Special envoy Okelo's view
21 that his office makes perceptive observations on the Liberian
22 situation and the leadership of President Taylor is probably a
23 result of him being stationed in Sierra Leone. From my vantage
24 point, however, there is a degree of irresponsibility on the part
13:14:29 25 of special envoy Okelo in forwarding and widely distributing the
26 note officially. That note, albeit journalistic in nature,
27 contains dangerous and, in my view, unverified pieces of
28 information. Be that as it may, the somewhat inconvenient truth
29 is that the note now officially advises the United Nations that

1 one of its staff members has confirmation that:

2 President Taylor is a business partner to Mr Radcliffe, a
3 British diamond dealer believed to be one of the many diamond
4 dealers with connections in Sierra Leone."

13:15:09 5 Let's pause there, Mr Taylor. Diamonds are not only a
6 girl's best friend. They are also at the heart of this
7 Prosecution, as we know.

8 A. That is correct.

9 Q. Now what we have here is Mr Okelo, from the vantage point
13:15:26 10 of Sierra Leone, floating a connection between you and diamonds.
11 Do you agree?

12 A. That is correct.

13 Q. Now this was the same Okelo who in June of the previous
14 year had floated other ideas about Liberia, is that right?

13:15:44 15 A. That is correct.

16 Q. And here we have his colleague in Monrovia depicting his
17 behaviour in the most unprofessional way. That's right, isn't
18 it?

19 A. That's right, but it goes beyond that. Mr Radcliffe here
13:16:02 20 is the gentleman that was arrested from the Red Deer place that
21 we just went through by Liberian police, the British national,
22 and deported back to Britain. If he had been a business partner
23 of mine he would have told the British government, "Radcliffe
24 here is the gentleman at Red Deer that was arrested by Liberian
13:16:25 25 police having these uniforms and walkie-talkies and were deported
26 from Liberia and turned back over to the British government."
27 That's why we suspected that he was working for MI6. That for
28 this British Caucasian to be in Liberia operating as - so this is
29 where you can see the mischief. This is the Radcliffe. This is

1 the diamond dealer that is there. He is with RUF people in our
2 place. He is arrested, he is deported back to London and the
3 Sierra Leonean diplomat is declared persona non grata. That's
4 the same Radcliffe.

13:16:58 5 Q. Now look what is happening here, Mr Taylor. In a note
6 described by a professional colleague as journalistic in nature,
7 this document is now officially advising the United Nations.

8 A. That's right.

9 Q. Now what's the implications of that, Mr Taylor?

13:17:19 10 A. Oh, very serious implications. This is supposed to serve
11 as further confirmation that Liberia is getting diamonds from the
12 RUF and this is the confirmation. This is the intent.

13 Q. Now prior to this, had you heard any suggestion that you
14 were involved in diamonds in Sierra Leone?

13:17:44 15 A. No, no, no, no. Prior to this there had been no - what
16 Okello first said was that most of the people that were supporting
17 the junta were Liberians. This is the first real input that
18 diamonds become an issue. It starts here.

19 Q. And so we need to examine in detail how that comes about.

13:18:05 20 So it's the special representative of the Secretary-General in
21 Freetown sending someone on a spying mission to Monrovia?

22 A. Yes.

23 Q. Who then develops a note described as journalistic?

24 A. Yes.

13:18:19 25 Q. Which is then circulated in the United Nations?

26 A. That is correct.

27 Q. Yes?

28 A. That is correct.

29 Q. Secondly, in that note circulated, "Sam Bockarie (aka

1 Mosquito of RUF fame) resided in Monrovia at the house of
2 Liberian senator ... " - pronounce that name for me.

3 A. Senator Kpoto.

13:18:48 4 Q. Now first of all, taking things in stages, who is Senator
5 Kpoto?

6 A. He is late now. The late Senator Kpoto served as pro tem
7 of the Liberian - President pro tem of the Liberian Senate.
8 Very, very, very well-known individual. Very, very, very well
9 respected in Liberia.

13:19:08 10 Q. Now, help us. As far as you're aware, was there any
11 contact between him and Sam Bockarie?

12 A. None. The President pro tem had no contact with
13 Sam Bockarie. Sam Bockarie came to Liberia, he came on the
14 invitation of my government and the people he had contacts with
13:19:27 15 included, like I said, the deputy minister of foreign affairs,
16 who was looking into the matter; the head of the Secret Service,
17 Benjamin Yeaten; my chief of protocol. This is the President pro
18 tem of the Senate. He had nothing to do with this man.

19 Q. Now, where did Sam Bockarie stay when he went - visited
13:19:50 20 Monrovia?

21 A. After the first trip, where he stayed, at a hotel. By the
22 second trip, he was granted - my government gave them a
23 guesthouse on the boulevard.

24 Q. Now, was that guesthouse owned by Liberian Senator Kpoto?

13:20:08 25 A. No, no, no, that guesthouse was not owned by Senator Kpoto.
26 As a matter of fact, that house was leased by the government from
27 the foreign minister, Monie Captan.

28 Q. Now, help us. By this stage, we're talking about March
29 1999, had Sam Bockarie at any time resided in Monrovia?

1 A. No, not to my knowledge. No, maybe some - some time in his
2 earlier life, but no. During this period, no, no, no.

3 Q. So as far as this piece of information being circulated
4 through the machinations of the special representative in
13:20:56 5 Freetown, was there any truth in it?

6 A. No truth whatsoever. None.

7 Q. Yet this was circulating at the United Nations?

8 A. It was, yes.

9 Q. Thirdly, "The wife of Johnny Paul Koroma, head of the AFRC,
13:21:14 10 Sierra Leone, received money in Monrovia and must have some time
11 lived or continued to stay in Liberia." Any truth in that?

12 A. None whatsoever. But let's go back to some evidence that
13 was given in this Court about this so-called Johnny Paul Koroma's
14 wife. Totally, totally different. Never lived in Liberia.

13:21:42 15 Q. Fourthly:

16 "Arms and ammunition are being stockpiled in Liberia
17 (presumably at Yekepa airstrip) to be used for a devastating
18 (sic) assault on Freetown in the event that the proposed
19 political dialogue between the Government of Sierra Leone and the
13:22:05 20 rebels fails."

21 Now let's take things slowly, Mr Taylor, given its
22 importance. First of all, can we have a look at the map of
23 Liberia, please, L1. Where is Yekepa?

24 A. Yekepa is in the northeastern part of Liberia.

13:22:50 25 Q. Can you indicate on the map where it is, please.

26 A. Yekepa, that's right up here.

27 Q. Yes, we see where that is.

28 A. Yekepa, yes.

29 Q. Now just give me a moment, please, Mr Taylor. Is there an

1 airstrip in Yekepa?

2 A. No, I wouldn't say - there used to be an airstrip in
3 Yekepa, but over the years of the conflict, the closure of the
4 company, it was - it had grown up into a forest.

13:24:07 5 Q. Now, let's have a look please. Can we go back to this
6 bundle of maps and let's have a look at map 3, which is a
7 planning and transport atlas of Liberia. We know where Yekepa is
8 now, don't we?

9 A. Uh-huh.

13:24:50 10 Q. And we see below it just to the left the symbol of an
11 aeroplane?

12 A. Uh-huh.

13 Q. Do you see it?

14 A. Yes.

13:24:57 15 Q. But where that symbol is, Mr Taylor, is that in Yekepa?

16 A. Where that symbol is, yes, that's Yekepa.

17 Q. Right. Now, were arms and ammunition being stockpiled in
18 Liberia presumably at Yekepa airstrip?

19 A. There were no arms being stockpiled in Liberia anywhere,
13:25:37 20 Yekepa or not, none whatsoever, because we did not even have arms
21 to stockpile. So this man, whoever he is, is talking pure
22 nonsense. It's a blatant lie.

23 Q. Now, help us. Remember on 22 January you had written to
24 the Secretary-General about the destruction of arms, yes?

13:25:59 25 A. That is correct.

26 Q. Was that because you were secretly stockpiling them at
27 Yekepa, Mr Taylor, so you could afford to?

28 A. No, that's not true. That is not the case. We were trying
29 to destroy these arms because we wanted to get going, but Liberia

1 had no kind of arms and why would we - even if we had arms, why
2 we would take them to Yekepa? I mean, that's what just became so
3 suspicious to everybody.

4 What is Yekepa? Let's just get one thing - maybe I need to
13:26:25 5 tell the Court this. Yekepa. Yekepa is a little town that used
6 to be a mining town that had been deserted by the LAMCO mines for
7 many years. It's a deserted area that nobody really goes to,
8 okay? That's why I'm saying at the time the mine operated they
9 had a small airstrip there for light planes to come and go, but
13:26:51 10 I'm not sure what date this map is. If you look at a recent map
11 of Liberia, it would not even show an airstrip because it doesn't
12 exist.

13 Q. Now can you go back to your seat, Mr Taylor, and it may be
14 that we might have to look at the map again after lunch, but for
13:27:14 15 now let's just conclude this document, shall we:

16 "With these confirmations the PAO seems to have unearthed
17 the evidence of Liberia's complicity in the war in Sierra Leone,
18 something that up to now has eluded UNOL. The question this
19 raises, however, is whether or not the UN should remain silent
13:27:43 20 about these matters, particularly about the confirmed information
21 related to the stockpiling of arms by Liberia for war against
22 Sierra Leone. I would very much like guidance on how to proceed
23 with that specific matter. I consider it an extremely serious
24 allegation and would not want to be accused at a later stage for
13:28:06 25 having had information of that sort and failed to act on it."

26 Now, Mr Taylor --

27 A. Yes.

28 Q. -- you recall we've looked at previous United Nations
29 documents which have said quite explicitly that the UN has not

1 received any evidence implicating Sierra Leone in - implicating
2 Liberia in Sierra Leone?

3 A. Yes.

4 Q. Do you remember we've looked at all those documents?

13:28:35 5 A. That is correct.

6 Q. All of a sudden now, due to the activities of this
7 political officer sent surreptitiously to Liberia --

8 A. Yes.

9 Q. -- you're said to be complicit in what's going on in
13:28:53 10 Sierra Leone?

11 A. That is correct.

12 Q. Now what did you do about this, Mr Taylor?

13 A. Well, as you see what is going on, we immediately raised
14 the issue of making sure that this is investigated, this
13:29:16 15 allegation. We are on the special representative and really what
16 happens after this is this dies a very natural death because
17 there is really nothing to it. After this document is fired off,
18 we never hear about this report any more.

19 Q. But the damage had already been done?

13:29:33 20 A. It had been done, but everybody knew that it was a lie and
21 so nobody pursued this beyond this. That was it. But that's
22 what I mean by the mischief of this. Just as you've said,
23 everyone is out there trying to find something. They send this
24 little boy, who probably never even reached to Nimba because
13:29:56 25 Yekepa is really on the Liberian/Guinean border.

26 Now this is supposed to be the confirmation, but if you
27 watch what is going on here and the reason why I think this dies
28 a natural death, because when this special representative says,
29 "Well, listen. We are advising you on what to do from now. This

1 is very serious. Let's get into it", the intent of just making
2 it, you know, a hush hush, or maybe something where it would put
3 Liberia in a bad state, they do not want an investigation. This
4 is typical to what happens in these systems.

13:30:35 5 All of the years of the accusations, the Secretary-General
6 himself has said in his reports that this is another incident
7 where Mr Taylor, for example, is asking for people to be deployed
8 at the border. Not once, not twice, not thrice, many times.
9 Some of these things are designed never to reach to conclusion.

13:30:55 10 This is what I'm saying. "We'll spread this disinformation and
11 let him fight over it."

12 But, like you say, the damage is already done and after
13 this there is no formal investigation and nothing happens. It
14 just stays out there and lingers and lingers, because if there is
13:31:17 15 anything serious or credible about this what would have happened?
16 The Security Council would take this up immediately.

17 MR GRIFFITHS: Mr Taylor, let that thought linger over
18 lunch because I note the time.

19 THE WITNESS: Okay.

13:31:28 20 PRESIDING JUDGE: Yes, thank you, Mr Griffiths. We'll
21 break for lunch now and resume at 2.30.

22 [Lunch break taken at 1.30 p.m.]

23 [Upon resuming at 2.30 p.m.]

24 PRESIDING JUDGE: Yes, Mr Griffiths.

14:31:38 25 MR GRIFFITHS: May it please your Honours:

26 Q. Mr Taylor, can we go back to where we left off just before
27 lunch, please, and could you have before you the document behind
28 divider 19. Do you have it, Mr Taylor?

29 A. Yes, I do.

1 Q. Now, just before lunch you were saying that there was no
2 formal investigation but it just stays out there, lingers and
3 lingers, because if there is anything serious or credible about
4 that, that would have happened. The Security Council would have
14:32:32 5 taken this up immediately, and then we had - because the tape ran
6 out - to stop. What were you telling us, Mr Taylor, please?

7 A. Well, it may be important for us to put this in a focus so
8 the Court can see what is going on. As a reminder, in August of
9 1998 - remember the letter, I don't remember the exhibit number -
14:33:16 10 where my ambassador in Conakry writes this letter to the foreign
11 minister, but he raises some very important points based on what
12 we see in there, and remember in one important part of that
13 letter he says that Eddie Kanneh comes and says that some woman
14 has told him that there's a plan underway to get Taylor out of
14:33:42 15 office. If we look at that.

16 Now, this particular case now involving this report and
17 Mr Radcliffe, while there is, I do believe, controversy over the
18 Sierra Leonean web page and what they've been producing - I think
19 there is some controversy, I think, still under discussions in
14:34:11 20 the Court regarding that web page - this incident of Mr Radcliffe
21 and whatever happens in February of 1999, and Radcliffe and his
22 co-conspirators are dealt with, and that is reported in all the
23 newspapers and it's on that Sierra Leonean web page, because I
24 have seen it. Now, when you look at this, now this is almost a
14:34:41 25 month after Radcliffe - he's not alone. Radcliffe, I say, is
26 operating with some Sierra Leoneans. There is an Australian
27 involved in this too, and they are handled. The Australian is
28 sent back to Australia. Radcliffe is an older man, but he looks
29 like typical of a good secret agent. He is sent back to Britain.

1 We didn't hear anything about Radcliffe. The Sierra Leonean
2 diplomat is expelled from the country. They all go back to their
3 countries. You hear nothing from these people.

4 Now, why would Charles Taylor send his business diamond
14:35:21 5 partner back to London and you hear nothing about him? The other
6 guy that goes back to Australia, you hear nothing about him.
7 This is not a secret story. This matter happens in February of
8 1999 and it's reported widely. So this - my situation was an
9 accident waiting to happen. This whole Charles Taylor thing,
14:35:44 10 it's as confusing as it can ever get. It's just an accident that
11 had been waiting for years to happen. I mean, decisions had been
12 taken and the players were just going on, because it's not
13 natural to have all of these accusations just hanging out there:
14 Arms, diamonds, billions of dollars, assets around the world, and
14:36:12 15 nobody gets to the bottom of it. For years. Not one month, two
16 months. For years.

17 It's another example of what I'm talking about with this
18 whole story of this man and Sam Bockarie is coming and living in
19 Keikura Kpoto's house. Why should Sam Bockarie live in Kpoto's
14:36:35 20 house when he's officially coming and everybody who is supposed
21 to know, knows that he's coming to Liberia. They know where to
22 find him, but he reports here. So it's this kind of stuff that
23 I'm talking about.

24 In February of 1998 is when this Radcliffe story first
14:36:50 25 breaks, okay? It's reported widely. And he comes and he twists
26 it all around and there are several players. So for me. I'm
27 just saying this level of mischief, I don't think these people
28 are operating on their own. Okelo comes in June. He sees
29 Liberians that are being investigated by ECOMOG. There is no

1 report from ECOWAS or the OAU saying these people were sent by
2 Taylor. He fires a letter off to the Security Council saying
3 that the people that we're looking for, they're all supported by
4 Liberians. Most of them are Liberians, and we just have this
14:37:27 5 hanging and hanging and hanging, and I guess this is the result
6 of the accident now that has happened to me. Nobody ever stopped
7 to check anything.

8 Q. Mr Taylor, you mentioned a letter from the Embassy of
9 Liberia, and I don't ask everyone to turn it up because it's a
14:37:45 10 document that was advanced in week 31. It's MFI-49. Let us just
11 remind ourselves of something in that document. The second
12 paragraph:

13 "According to Major Kanneh, his sister has learnt from the
14 Guinean number two of the United Nations representative that they
14:38:06 15 are doing everything possible to overthrow President Charles
16 Ghankay Taylor."

17 So it's from the United Nations representative --

18 A. That's what I'm saying. That's where the mischief --

19 Q. -- number two.

14:38:21 20 A. Yeah. That's where the mischief is coming from. This
21 mischief started from back there, and that guy is the political
22 officer. I don't know if he is the number two in the hierarchy,
23 but this guy who is doing this report is the political - is the
24 political officer. So all this mischief, I don't think Okelo is
14:38:40 25 alone in this. I don't think so. But it's just hanging out
26 there on me.

27 It's hanging out there and the way these things work, your
28 Honours, some countries have already consumed this. They've
29 consumed this. For them, it's a part of their programme already.

1 Others will get to know that it did not happen, and you will see
2 from here on there's not one report of the Secretary-General that
3 comes out to even talk about this. You will see nothing about
4 this. This is it. But the damage is already done and I'm - from
14:39:14 5 that time, I will believe until now, diamonds started and
6 diamonds continue, continue, that Charles Taylor is supposed to
7 be receiving diamonds. Now my diamond business partner
8 Mr Radcliffe, the British, is gone. My other business partner,
9 the Australian, is gone. You hear nothing about them any more,
14:39:34 10 but there will be people that will come up and say: Yes, we
11 heard about diamonds, and this is how it all goes. And I hope we
12 can get that newspaper article so the Court can see it, that this
13 is nothing new. It happens in February.

14 Q. So we have the following themes coming out of this, don't
14:39:53 15 we, Mr Taylor: One, your connection with diamonds.

16 A. That is correct.

17 Q. Two, your connection with Sam Bockarie?

18 A. Yes.

19 Q. Three, a connection with the AFRC?

14:40:05 20 A. That is correct.

21 Q. Four, arms and ammunition going to the RUF?

22 A. At least stockpiled, yes, for that purpose; to wage war.

23 Q. And, of course, the same Mr Okelo in the June of the
24 previous year had started the ball rolling on the:

14:40:32 25 Charles Taylor has sent Liberians to fight in Sierra Leone.

26 A. This is what it amounts to.

27 Q. Right. So five themes: Liberians in Sierra Leone?

28 A. Yes.

29 Q. Diamonds?

1 A. Yes.

2 Q. Association with Bockarie?

3 A. Yes.

4 Q. Association with the AFRC?

14:40:50 5 A. Yes.

6 Q. Arms and ammunition, all can be traced back to Okelo?

7 A. Beginning in 1998, that's when it starts.

8 Q. And that's in June 1998?

9 A. That is correct.

14:41:04 10 Q. The letter from the embassy I've just referred to which
11 mentions the second in command of the UN special representative,
12 that's August?

13 A. Yes.

14 Q. And then come March of 1999 we have these further

14:41:20 15 allegations, yes, Mr Taylor?

16 A. That is correct. That's what I'm saying, yes.

17 Q. What do you say is going on here then, Mr Taylor?

18 A. Decisions - the way these things work out there, you know,
19 like I say, my situation was an accident waiting to happen. It

14:41:46 20 was just a slow process to get to me and they finally did. It's
21 just a slow process and it happens. Sometimes it takes years,
22 but they finally get to you. Just as we're hearing today, I've
23 been out of office now since 1983. Two years before I left
24 office, I was accused of - excuse me.

14:42:16 25 Q. You left office which year?

26 A. No, no, '93. I'm talking - this thing got me so upset.

27 2003, excuse me. Two years before I left office I was accused of
28 amassing billions. So put that back to 2001/2002. Until today,
29 recently as - as recent as a few months back, I heard the Chief

1 Prosecutor of the Sierra Leonean Court still talking about
2 millions and billions. No-one, no human being, from 2001 until
3 now has ever come up and said, "Here is a bank account with a
4 million dollars belonging to Mr Taylor." It is just hanging out
14:43:07 5 there. That's all you get.

6 I remember a good man like Colin Powell sitting down in
7 Washington DC at a donors conference saying, "Well, we're talking
8 to Mr Taylor with assets scattered around the world." This is
9 what he was giving as a document, just as unfortunately he sat at
14:43:29 10 the Security Council with this little file and talked about these
11 weapons of mass destruction. But, you know, these documents are
12 given to you and you read them. I don't hold him responsible for
13 that.

14 But what has really disturbed my entire life, no-one has
14:43:50 15 come up to say, "Well, here is it." What is so secret if
16 Charles Taylor has money? Unlike diamonds, "Charles Taylor is a
17 little good for nothing. He's receiving money from - diamonds
18 from the RUF." And, "Oh, he's smuggling arms, that - phantom
19 arms, phantom diamonds, phantom bank accounts." Until today,
14:44:10 20 they've just hung this thing over me. It has destroyed me.

21 MR GRIFFITHS: Can I ask, please, that this document be
22 marked for identification. It is the code cable dated 30 March
23 1999 from Felix Downes-Thomas, special representative of the
24 Secretary-General of the United Nations, and may it be marked as
14:44:38 25 MFI-82 please.

26 PRESIDING JUDGE: Yes, said document is marked MFI-82.
27 Yes, I think I know what you're going to say, Ms Hollis.

28 MR GRIFFITHS: The numbering, I know.

29 PRESIDING JUDGE: It does end in page 4 of nine pages.

1 MS HOLLIS: That's correct and we would ask that we be
2 provided with pages 5 through 9.

3 PRESIDING JUDGE: Do you have that?

4 MR GRIFFITHS: I would if I could, but I have the document
14:45:03 5 in this form. I'm sorry.

6 PRESIDING JUDGE: Well once again, Ms Hollis, we note what
7 you've pointed out. This is a matter that can be raised again
8 when the document is tendered.

9 MS HOLLIS: Thank you, Mr President.

14:45:26 10 MR GRIFFITHS:

11 Q. Now, Mr Taylor, earlier when we looked at the previous
12 documentation, in particular the fifth report of the
13 Secretary-General of the United Nations, we observed that the
14 modalities, to borrow a UN phrase, were being put in place for
14:45:50 15 the transport of representatives of the RUF for consultations as
16 to peace, yes?

17 A. That is correct.

18 Q. Now, were you involved in the planning of those logistics?

19 A. Not the direct - this was being organised by the United
14:46:18 20 Nations, but my government was a part of the operational phase of
21 it where - that is requesting permission to come through, getting
22 our security personnel to escort their people to the border to
23 pick up the Sierra Leoneans, internal helicopter flights. There
24 are some other details that were strictly within UN circles, but
14:46:49 25 we knew. Even the movement - in fact, Foday Sankoh flew over
26 Liberia. He was one of the first to go to Lome.

27 But the whole month of April is a very busy month dealing
28 with - this is not a one day situation. We go through this for
29 about two/three weeks. We are moving people, getting clearance

1 for people. Some of these individuals did not have travel
2 documents. We had to help with these documents. We had to help
3 with providing security. And on some of these missions not just
4 the Liberian government was involved and the United Nations, but
14:47:32 5 we also had - sometimes, you know, the big countries carry on
6 their own operation. We had - the United States had individuals
7 involved. But this was a very busy month of logistics, moving,
8 bringing people in.

9 Q. Which month?

14:47:47 10 A. April.

11 Q. Can you recall now when in April this began?

12 A. I would put it to - the real operation I would put it to
13 around mid-April. I'm saying this because I think Sankoh left
14 just - he probably moved just before the middle of April, so I
14:48:13 15 would put the full scale operation to about the - I would say the
16 last two-thirds of April.

17 Q. Right. Well I'm hoping, Mr Taylor, we can go through the
18 arrangements and the logistics involved with this fairly swiftly.
19 Now could I invite your attention first of all, please, to a
14:48:39 20 document behind divider 20.

21 A. Yes.

22 Q. Now I'm hoping, Mr Taylor, that what we can do is to just
23 flick through these documents - a succession of documents -
24 dealing with the overflight and the arrangements fairly quickly
14:49:07 25 so we can see what's going on, yes?

26 Now, we see this document here. Let's go to the second
27 page of it, 2 of 2 at the top, yes? "Arrival in and departure
28 from Liberia of UNOMSIL aircraft"?

29 A. Yes.

1 Q. Now looking at it:

2 "Further to my earlier note of today's date on the subject
3 above, I'm attaching a copy of the request from United Nations
4 Observer Mission in Sierra Leone for an overflight authorisation
14:49:39 5 in connection with the purpose stated in my previous note."

6 And what purpose is that, Mr Taylor?

7 A. If I can recall this movement, it's got to be the Sankoh
8 movement. I'm not sure if it's in that note, but this is about
9 the first of those.

14:49:59 10 Q. Right. Now, there are a succession of documents dealing
11 with this. Can we go over to the next divider, please? It is
12 divider 21, yes?

13 A. Yes.

14 Q. So this is the following day, 17 April, yes?

14:50:24 15 A. Yes.

16 Q. "Flight clearance and related border activities. Further
17 to telephone conversations with both ASG Fall and SRSG Okelo on
18 17 April 1999, I wish to advise as follows:

19 The Government of Liberia has acceded to the request for
14:50:47 20 the possible landing of an aircraft at the Robertsfield
21 International Airport as well as to the request for overflight.

22 The convoy from Monrovia to the border that would carry the
23 'special guests' is scheduled to depart Monrovia at 0600 hours on
24 Sunday, 18 April 1999."

14:51:13 25 A. Yes.

26 Q. "UNOL will be part of that convoy and will be represented
27 by two officers and a security officer.

28 The US embassy has informed me that its political officer
29 will also join the convoy.

1 Given the unroadworthiness of UNOL's car fleet, I am
2 grateful to the UNHCR resident representative in Liberia who has
3 provided us with two vehicles, fuel and drivers to facilitate
4 UNOL's participation in this exercise.

14:51:48 5 Advice given to UNOL's representatives include the
6 following:

7 Their basic function is to observe what transpires at the
8 border with a view to reporting to the same.

9 While they should confine themselves to remaining on
14:52:05 10 Liberian soil to the extent possible, they would have to use
11 discretionary judgment if a decision to cross over into Sierra
12 Leone territory became necessary.

13 They should advise the special guests that UNOMSIL has
14 informed us that the agreement is not more than 14 comrades,
14:52:25 15 compatriots are to be picked from the border for onward
16 transportation to Togo via Robertsfield International Airport. I
17 will through telephone contact seek confirmation as to whether
18 the 14 includes the guests already in Monrovia."

19 Can we pause there and just clarify a couple of things.
14:52:46 20 Special guests are who, Mr Taylor?

21 A. There are two individuals. This is General Ibrahim Bah, to
22 the best of my recollection, and Barrister - what do they call
23 the Sierra Leonean man? Barrister Golley.

24 Q. The man who wears a three-piece suit in the jungle?

14:53:18 25 A. Omrie Golley. These are the two individuals that are the
26 special guests that are representing the RUF that the United
27 Nations is talking about here.

28 Q. Right. So there --

29 JUDGE SEBUTINDE: Mr Griffiths, was that Ibrahim or Abraham

1 Bah?

2 THE WITNESS: Your Honour, Ibrahim. Normally some people
3 spell - I think it's an "I", Ibrahim. Some people say Abraham,
4 but I think it's Ibrahim. That's how I know it, Ibrahim Bah,
14:53:49 5 with an "I" and not an "A".

6 MR GRIFFITHS:

7 Q. Right. So they're the special guests?

8 A. Yes.

9 Q. And do you see on the last line it says "includes the
14:53:57 10 guests already in Monrovia". Who are they?

11 A. Well, they are in Monrovia. Bah and Golley are in
12 Monrovia. They are joining this convoy. So I do not know which
13 other guests, but the special guests refers to the two of them.

14 Q. Right. So the special guests are Bah and Golley?

14:54:29 15 A. Yes.

16 Q. Let's go over the page, shall we:

17 "They should seek permission in advance from the
18 appropriate persons as to whether or not snapshots can be taken.

19 The transportation of the guests is fundamentally the
14:54:44 20 responsibility of the Government of Liberia."

21 Is that true?

22 A. Yes. We are a part of it, yes.

23 Q. "In view of the time that it takes to get to the border, it
24 may be necessary for the team to remain overnight. I have

14:54:58 25 provided the team with a satellite phone and I have instructed
26 them to advise both UNOMSIL, Freetown and UNOL Monrovia of their
27 arrival at and departure from the border. Thus UNOMSIL will know
28 when to dispatch its aircraft to Robertsfield International
29 Airport.

1 With regard to the question of crossing into Sierra Leone,
2 the UNOL team was advised to play it by ear since the various
3 scenarios relating to this eventuality could involve a situation
4 where the entire delegation found it necessary to cross over. In
14:55:41 5 such a situation, the UNOL team is advised to join heads with the
6 US delegate to determine how best to proceed. I am also
7 requesting UNOMSIL's advice on the matter."

8 Okay?

9 A. Yes.

14:55:54 10 Q. So that's on the 17th?

11 A. Yes, they are going to see if they can get the other
12 individuals to come.

13 Q. Right.

14 A. Yes.

14:56:01 15 Q. Now let's go over to the next divider, please. We are now
16 at the 19th, aren't we, Mr Taylor?

17 A. Yes.

18 Q. And again it's dealing with flight clearance and related
19 border activities:

14:56:21 20 "Following my telephone conversation with ASG Fall on
21 Saturday, 17 April on matters dealt with on the same date on the
22 subject above, I decided that it could be prudent for the UNOL
23 officers going to the border with Golley et al" - is that the man
24 you were talking about?

14:56:42 25 A. That's Golley, yes.

26 Q. "... not to venture into Sierra Leonean territory. They
27 were so instructed. Also ASG Fall and I shared information in
28 our separate telephone conversations with the Secretary-General
29 regarding the nature of UNOL's involvement in the Golley stopover

1 in Liberia. The three UNOL staff members, the legal officer, one
2 political officer and the security officer, departed Monrovia on
3 18 April at 0600 hours for Foya, Lofa County, along the border
4 with Sierra Leone. The team joined a convoy of vehicles carrying
14:57:27 5 members of the Liberian Special Security Service who accompanied
6 Mr Golley. "

7 Is that true, Mr Taylor?

8 A. Yes, they are responsible for the security, yeah.

9 Q. "One political officer of the United States Embassy in
14:57:40 10 Monrovia also formed part of the delegation." Is that true?

11 A. That is true.

12 Q. "My officers have been in telephone contact with me and
13 have reported that they arrived in Foya late last night, where
14 they overnighted before proceeding to the border this morning, a
14:57:53 15 40-minute trip. Speaking to me from the border at 1045 hours, my
16 officers informed me that Mr Golley and his party had crossed
17 over into Sierra Leone, where they were hoping to link up with
18 their comrades at a location which is situated 45 minutes away
19 from the border.

14:58:15 20 One is not sure how long the operation of selecting
21 participants for the Togo talks will take; however. Mr Golley
22 has a target to include such negotiations by 1300 hours today.
23 Once the delegation returns to the point where my officers are
24 located, they shall commence the journey to Robertsfield
14:58:40 25 International Airport.

26 I have reiterated my instruction to my officers that they
27 should contact UNOMSIL Freetown just prior to their departure
28 from the border. I have also instructed them to keep me briefed
29 on their movements and to advise me when they are within three

1 hours of Monrovia. Once I receive the information, I shall also
2 contact special representative Okelo ...". Yes?

3 Yes.

4 A. Yes.

14:59:10 5 Q. Go over the page. We see from paragraph one this is the
6 same date, the 19th.

7 A. Yes.

8 Q. "Kindly provide as precisely as possible the arrival time
9 of Brigadier General Joshi et al."

14:59:42 10 What's that about?

11 A. I'm not too sure, but this brigadier general, I'm sure, is
12 one of the individuals that works for the UN that is helping to
13 coordinate this operation.

14 Q. So they're also coming into Monrovia at this time, into
14:59:58 15 Liberia?

16 A. Yeah, and it may be good for the attention of the Court to
17 point out who ASG Fall is. He's the assistant Secretary-General
18 of the United Nations, Fall. I know him very well. He's from
19 Senegal, Fall. So he's the most senior officer now. I mean,
15:00:17 20 he's over these two special representatives.

21 Q. So he's a much more senior individual?

22 A. Yes, Fall is Assistant Secretary-General.

23 Q. "Trying desperately to reach Ministry of Foreign Affairs to
24 alert them about the said arrival and to request, if necessary,
15:00:38 25 for permission for General Joshi and his party entry and stay in
26 Monrovia. Therefore, kindly provide urgently the names and all
27 relevant passport information of those accompanying General
28 Joshi. Also advise whether they will be arriving in uniform,
29 with arms or not."

1 Now that - the Ministry of Foreign Affairs, is that your
2 Ministry of Foreign Affairs, Mr Taylor?

3 A. That is correct, yes.

4 Q. Right, so that's the 19th. Let's go over the page and look
15:01:15 5 behind divider 23. Yes?

6 A. Yes.

7 Q. And we're still dealing with the travel arrangements and
8 we've now --

9 MR GRIFFITHS: Mr President, can I just pause to mention
15:01:31 10 this. I am dealing with all these travel arrangements, hopefully
11 as quickly as possible, and then perhaps at the end we can give
12 them one collective MFI number, because they're all on the same
13 topic?

14 PRESIDING JUDGE: Yes.

15:01:46 15 MR GRIFFITHS:

16 Q. Over the page, Mr Taylor, behind number 23, yes?

17 A. Yes.

18 Q. We're now on 20 April.

19 "Flight clearance and related border activities. I attach
15:01:58 20 for your information a copy of the report of UNOL's officers who
21 have returned from the Sierra Leone/Liberia border. In addition,
22 an update on recent developments follows:

23 Following the return to Monrovia of UNOL's officers,
24 UNOMSIL CMO Brigadier General SC Joshi, Major Abid Bhutta,
15:02:24 25 Mr Desmond Parker and I met with the Minister of State For
26 Presidential Affairs, the Honourable Jonathan Taylor, at the
27 Executive Mansion."

28 Do you recall that meeting, Mr Taylor?

29 A. Yes, they did meet.

1 Q. "Mr Omrie Golley and General Ibrahim Bah of the RUF were
2 also present. Brigadier Joshi outlined his mission to convey the
3 14 RUF participants, including of Golley and Bah, to Lome."

4 Yes?

15:03:02 5 A. Yes.

6 Q. And as you'd already indicated, Mr Taylor, Golley and Bah
7 were already in Monrovia?

8 A. Yes.

9 Q. "Mr Golley expressed his gratitude to Brigadier General
10 Joshi for UNOMSIL's role in facilitating the talks, but pointed
11 out that problems with communication had made it necessary for
12 him to seek the assistance of President Charles Taylor in
13 providing transport for the RUF participants to Lome."

14 Again, Mr Taylor, you agree with that?

15:03:34 15 A. Yes.

16 Q. "Golley also pointed out that during his discussions with
17 the RUF high command on 19 April in Sierra Leone ..." and we've
18 dealt with that road trip up to Lofa County, over the border?

19 A. Yes.

15:03:48 20 Q. "... the latter had expressed grave concerns regarding the
21 security of its members. These concerns were heightened in light
22 of the fact that it was the understanding of the high command
23 that the internal discussions in Lome would be 'en famille',
24 while recent indications were that everyone and his brother were
15:04:10 25 now going to be a part of the discussions. The security
26 implications of such wide participation was particularly
27 worrisome to the RUF high command. He also wondered why Corporal
28 Sankoh's escort en route to Lome included ECOMOG officers, as was
29 reported to the BBC."

1 Pause there. So Mr Taylor, Sankoh was already in Lome, was
2 he?

3 A. By this time, yes. He was about the first to be taken
4 there. But what he - what they did not know, Sankoh was not
15:04:49 5 taken to Lome as a free man. That's why he's being escorted.
6 They don't know this.

7 Q. Who doesn't know this?

8 A. Golley doesn't know that. They think that he's free, but
9 Sankoh is not taken to Lome as a free man. That's why he's under
15:05:12 10 escort and he's taken there. And quite frankly, maybe, you know,
11 I can say this is over time now. If these talks had not
12 succeeded, he would have returned to Sierra Leone still
13 incarcerated. That was the whole purpose of having them escort
14 him, and some people knew, but others didn't know. But he was
15:05:31 15 not a free man. That's why he's being escorted, and they are
16 concerned about this.

17 Q. And let's pause and look at some supporting evidence for
18 that, Mr Taylor. Exhibit D-19, could be put that up quickly on
19 the overhead, please. Now, we see this is dated Sunday, 18
15:06:09 20 April, yes? And we're in this period now, this critical weekend,
21 yes?

22 A. Yes.

23 Q. And it's from the BBC News.

24 "The leader of the Sierra Leonean rebels, Foday Sankoh, has
15:06:23 25 arrived in the Togolese capital Lome following his release from
26 jail to consult his commanders on possible peace talks to end
27 Sierra Leone's eight-year civil war.

28 Mr Sankoh has been sentenced to death for his movement's
29 attacks on civilians, but the Sierra Leone Appeal Court agreed to

1 release him" - important word - "temporarily in an effort to end
2 the conflict. 'The Revolutionary United Front is convinced of
3 the need for peace and they know they have to make some
4 sacrifice,' he told reporters as he boarded a United Nations
15:07:07 5 plane at Freetown Airport.

6 The rebel leader is due to hold a week of discussions with
7 his military commanders in the Togolese town of Kara, the home
8 town of the Togolese President Nassingbe Eyadema, who is helping
9 to broker the peace initiative.

15:07:23 10 It is hoped that this will lead to direct talks with the
11 Sierra Leone government.

12 The United Nations Security Council lifted a travel ban on
13 Mr Sankoh imposed because of his movement's attacks on civilians,
14 and he will be accompanied by UN officials.

15:07:53 15 BBC West Africa correspondent Mark Doyle says the peace
16 efforts come at a time when both sides appear to have realised
17 that a final military victory will not be possible without
18 completely destroying what little remains of Sierra Leone's
19 infrastructure after nine years of war.

15:08:19 20 The rebels of the Revolutionary United Front control much
21 of the Sierra Leonean countryside in a war which has created the
22 largest refugee population in Africa and destabilised several
23 West African countries.

24 Despite backing from a 15,000-strong West African
15:08:37 25 intervention army, the Sierra Leone government has proved
26 incapable of beating the rebellion through military means.

27 Some 6,000 people are thought to have been killed during a
28 brief rebel invasion of the Sierra Leonean capital, Freetown, in
29 January.

1 The rebels committed widespread atrocities, including
2 deliberately mutilating innocent civilians.

3 Mr Sankoh's commanders have not seen him for the two years
4 that he has been in jail since being picked up on arms offences
15:09:09 5 in Nigeria in early 1997.

6 BBC West Africa correspondent Mark Doyle says that if their
7 meeting goes well, substantive talks will then get underway
8 between Sierra Leonean government envoys and the rebels.

9 The President-Elect of Nigeria, Olusegun Obasanjo, has said
15:09:28 10 he believes that the talks will be successful.

11 Nigeria, the most powerful state in West Africa, leads the
12 intervention army fighting on the side of the Sierra Leone
13 government side, but wants to pull its troops out.

14 The rebels have been calling for months for Mr Sankoh to be
15:09:47 15 freed as a gesture of reconciliation.

16 President Kabbah, who was elected in 1996 and ousted for
17 nine months by a 1997 military coup, has repeatedly said that the
18 law should run its course, but he has said he would be prepared
19 to pardon Mr Sankoh if that was the price of peace."

15:10:12 20 So what we're looking at now then, Mr Taylor, is this, is
21 it not: These initial talks just involve the RUF, is that right?

22 A. These initial talks just involve the RUF, but also these
23 are what you call exploratory talks to see as to whether there
24 can be some progress, because what Tejan Kabbah has said is that
15:10:52 25 the Sankoh appeal was coming up and the only thing that would
26 stop that process would be if peace came. So that's what I meant
27 when I said he was not a free man when he went to Lome. If
28 things had broken down, he would have been brought right back to
29 continue the process of appeal. The Heads of State knew that.

1 At least I knew that, okay?

2 So when they get to Lome, they begin the discussions and
3 the first discussions in Lome are about ceasefire. Once that
4 takes hold, then they get into the actual negotiations and so
15:11:31 5 things --

6 Q. Let's not get ahead of ourselves, Mr Taylor. Let's just,
7 as quickly as we can, get through these logistical difficulties
8 and then we can discuss what actually happens when everybody gets
9 there, okay?

15:11:46 10 Now, Mr Taylor, you said you knew that Sankoh was not a
11 free man --

12 A. Yes.

13 Q. -- but the RUF in Sierra Leone didn't know that.

14 A. They did not know that.

15:11:59 15 Q. Was it a deliberate decision taken not to tell them?

16 A. I would say yes.

17 Q. Why?

18 A. Because they would not have seen that movement as being
19 fruitful and earnest, but I also want to believe that Sankoh
15:12:19 20 helped because Sankoh himself knew that he was not a free man and
21 he didn't tell them either. So there was not like a little
22 secret kept. He knew he was not a free man when he went to Lome
23 at the early stages and I think this was done - if they had been
24 told, "He's just going. He's not free", nothing would have
15:12:36 25 happened in Lome.

26 Q. Right. We're going back to the document now, yes, behind
27 divider 23:

28 "... included ECOMOG officers as was reported on the BBC.
29 He informed the meeting that in light of these considerations,

1 the 14 participants chosen by the high command had remained in
2 Sierra Leone and would be transported at a later date to Lome,
3 while both General Bah and himself would proceed to Lome by
4 private arrangement. He pointed out that there was a need to
15:13:13 5 move quickly in establishing contact between the RUF participants
6 and their leader and it was on this basis that he had decided to
7 leave today for Lome, accompanied by General Bah. He was,
8 according to him, acting upon the orders of the RUF high command.

9 Brigadier General Joshi assured Mr Golley that the security
15:13:41 10 of RUF participants was guaranteed as long they utilised the
11 means of transport offered by UNOMSIL. He refuted the allegation
12 that Corporal Sankoh's escort included ECOMOG officers and
13 appealed to Mr Golley to await the arrival of the other
14 participants and to proceed as earlier planned. Both Golley and
15:14:03 15 General Bah categorically refused that course of action. A
16 request by Brigadier General Joshi that Golley and Bah
17 communicate with Sankoh on the matter was rejected.

18 It was finally agreed that both men would attempt to
19 contact Corporal Sankoh while the UN team consulted with UNOMSIL
15:14:24 20 and headquarters New York on the latest developments.

21 On return to UNOL headquarters, I called Minister Taylor
22 and drew his attention to the fact that the travel of the RUF
23 delegation had been made possible by the Security Council, which
24 had lifted the travel ban imposed on the 14 representatives of
15:14:47 25 the RUF to enable them to participate in the Lome meeting. I
26 also emphasised that, for this reason, it was imperative that
27 they travel on the UN aircraft. To travel otherwise would give
28 rise to the probability of their going elsewhere other than Lome.
29 In this connection, the minister should be aware of the

1 probability that any assistance given by his government to an
2 alternative means of transport could be viewed as the Government
3 of Liberia aiding and abetting the escape of these persons from
4 the sanctions imposed on them. Minister Taylor ..."

15:15:26 5 Who is that, Minister Taylor?

6 A. The minister of state for presidential affairs.

7 Q. What's his full name?

8 A. He's Dr Jonathan Taylor.

9 Q. Jonathan Taylor:

15:15:38 10 "Minister Taylor took pains to explain that the Government
11 of Liberia did not wish to be seen as either aiding or abetting
12 the RUF to break sanctions. He pointed out that President Taylor
13 had in his presence and in response to security concerns raised
14 by Golley promised to do whatever was necessary to move the
15:16:00 15 process forward."

16 Had you said that?

17 A. Yes, there was fear.

18 Q. On whose part?

19 A. On the part of the RUF delegation, Golley and Bah, and in
15:16:08 20 fact the other guys from what had happened did not want to come.
21 They were afraid also. So this is just the surface of it. But
22 it took a lot of talking and massaging to get them to even move,
23 and we said, "Well, look, whatever we have to do ..." - they
24 wanted, first of all, to verify that Sankoh was in Lome. They
15:16:33 25 wanted to be sure of that first, even before the team left Sierra
26 Leone, but we managed to work around it to get them to go. It
27 was mostly based on fear.

28 Q. So help us, Mr Taylor. How much direct involvement did you
29 have in all this that's going on between these dates, starting on

1 16 April? We're now at 20 April.

2 A. Well you have to realise that, counsel, my foreign minister
3 and my minister of state for presidential affairs, I mean, once
4 they know and get involved their instructions are coming from me.

15:17:13 5 So I'm not meeting these people talking, but that's why, when you
6 call the minister of state, that's the chief of staff of the
7 President's cabinet. I mean, that's almost - the UN special
8 representative can't just call me indirectly. He has access to
9 him, but I'm involved. Yes, I'm making the decisions.

15:17:31 10 Q. But during this period, Mr Taylor, did you meet with
11 Ibrahim Bah and Omrie Golley?

12 A. No. When Bah and Golley first came to the country, no, I
13 didn't meet them. I didn't have to meet them, no.

14 Q. Did you see them at all before they left for Lome?

15:17:46 15 A. Yes, I did see them before they left.

16 Q. Because you told us earlier that Bah left Liberia when
17 Dr Manneh left.

18 A. That is correct.

19 Q. Had he, to your knowledge, been back to Liberia since?

15:17:58 20 A. Not at all. That's why I keep saying they tried to connect
21 Bah with me. Bah is strictly - he left Liberia around '93/'94
22 and had no connection with me. He is now fully with Foday
23 Sankoh, based on even evidence before this Court.

24 Q. Going back to the document:

15:18:21 25 "During a strategy session at UNOL headquarters, it was
26 decided that the way forward is as follows:

27 The UNOMSIL aircraft will carry out its mission on
28 Thursday, 22 April.

29 RUF participants will cross over into Liberian territory on

1 Wednesday, 21 April and would be escorted to Voinjama.

2 UNOMSIL's aircraft will land at the Voinjama airstrip on
3 Thursday, 22 April and take the first batch of participants to
4 Lome via Spriggs Payne Airport, Monrovia, if refuelling is
15:19:01 5 necessary. If not, then the flight from Voinjama to Lome will be
6 a direct one.

7 The aircraft will turn around and effect a second shuttle
8 on Friday, 23 April.

9 Brigadier General Joshi discussed this plan with Okelo. I
15:19:21 10 did the same with Minister Taylor, minister of state for
11 presidential affairs, who acknowledged the plan to be the most
12 effective means of achieving the desired outcome. Minister
13 Taylor is in the process of concluding arrangements for a
14 security escort from the Liberian border crossing point to
15:19:41 15 Voinjama as well as further overflight and landing clearances."

16 And then, "I attach for your information", which need not
17 bother us.

18 Can we note everyone, because of earlier concern expressed,
19 that we see - if we go back to the beginning of this document, we
15:20:10 20 note the numbering in the top right-hand corner, 2 of 8. If we
21 go over to behind divider 24, we see we come to 3 of 8. Can I
22 now invite your attention to that document, 3 of 8. Do we all
23 have it, Mr Taylor?

24 A. Yes, I do.

15:20:46 25 Q. "Report on the visit to the Liberia-Sierra Leone border:

26 On 18 April, three UNOL officers, Bi ong Deng, Alvin Wood
27 and Masi mba Tafi renyika, accompanied a two-man delegation of
28 Revolutionary United Front members, Omrie Golley and General
29 Ibrahim Bah, to the Liberian-Sierra Leone border. The main

1 objective of UNOL's participation in this mission was to observe
2 the crossing of the two-man RUF delegation into Sierra Leone and
3 their re-entry into Liberia, accompanied by a delegation of 14
4 RUF members who were scheduled to fly to Lome to attend RUF
15:21:38 5 internal consultations with their leader Foday Sankoh. According
6 to departure arrangements, the group was to meet in front of
7 President's Taylor residence at 6 a.m. on 18 April."

8 Is that right, Mr Taylor?

9 A. Yes.

15:21:56 10 Q. Why?

11 A. That's the Executive Mansion.

12 Q. Yes, I know. Why?

13 A. Well, I really don't - in front of the place I really don't
14 know the main details why they had to meet out there, but that's
15:22:12 15 the Executive Mansion and I guess the --

16 Q. "UNOL officers, accompanied by special representative
17 arrived at the rendezvous at 6.10 a.m., 30 minutes before the
18 arrival of the RUF members escorted by Special Security Service
19 members including the SSS deputy director."

15:22:36 20 Who is that?

21 A. At this time this had to be Joseph Montgomery.

22 Q. Why do you say that?

23 A. Well he was the deputy director for operations, so this
24 would be something that he would be involved with.

15:22:59 25 Q. "Also included in the convoy of seven vehicles that
26 departed for the border was a political officer from the US
27 embassy in Monrovia, Mr Hartford Jennings. In addition to UNOL's
28 two vehicles which were provided by UNHCR, the convoy also
29 included one from the US embassy ..."

1 Now, Mr Taylor, you remember that Mr Hartford Jennings
2 appearing in relation to Hassan Bility?

3 A. Yes, that is correct, who was supposed to - yes, yes, yes,
4 Hassan. It's the same Jennings.

15:23:39 5 Q. "... the convoy also included one from the US embassy, two
6 for the SSS members and two provided by the Government of Liberia
7 to the two-man RUF delegation. From Monrovia, the convoy drove
8 from Gbarnga, Zorzor, Voinjama and Kolahun before arriving in
9 Foya, where the delegation spent the night prior to proceeding to
15:24:09 10 the border on 19 April. In Voinjama, the convoy was joined by
11 two additional vehicles of SSU members and Armed Forces of
12 Liberia soldiers.

13 During a stopover in Voinjama, Mr Golley made a telephone
14 call to Lome, Togo, and spoke to the executive secretary of
15:24:28 15 ECOWAS, Mr Lansana Kouyate, and to the foreign minister of Togo.
16 In his conversation with Mr Kouyate, Mr Golley raised concerns
17 regarding the security arrangement for Sankoh from Sierra Leone
18 to Lome. He referred to a BBC news bulletin which he said had
19 reported that afternoon that Sankoh's security during the flight
15:24:55 20 to Lome was provided by ECOMOG. This he alleged was contrary to
21 the understanding between the RUF, United Nations and ECOWAS. He
22 also stressed to Mr Kouyate that he did not want Sankoh to go
23 through the ordeal of talking to a lot of people. He made it
24 clear that no one should be allowed to talk to Sankoh, especially
15:25:20 25 the press, before the arrival of the RUF delegation. Apparently
26 he was assured by Mr Kouyate that security arrangements would
27 remain as agreed.

28 In informal private conversations with the two RUF members
29 on the night of 18 April in Foya, Mr Golley raised a number of

1 issues pertaining to Sierra Leonean peace process. Among the
2 issues he raised included the fact that:

3 The RUF continues to consider Sankoh as a man in chains,
4 since his temporary release was only to facilitate the peace
15:25:59 5 process.

6 The outcome of negotiation between the RUF and the
7 Government of Sierra Leone should not be prejudged.

8 Although the RUF wants peace in Sierra Leone, it should not
9 be a victim of peace.

10 President Taylor was not fairly treated by ECOWAS and the
11 United Nations by not being properly consulted and given due
12 respect. "

13 Did you agree with that, Mr Taylor?

14 A. Not exactly. Mr Golley is lawyer, so.

15:26:35 15 Q. So, you're a politician?

16 A. Yes. I mean lawyers have their own interpretation
17 sometimes, and so he is not quite right about this.

18 Q. Okay. "The RUF was not in a hurry to engage in peace talks
19 and would not allow itself to be kicked around.

15:26:54 20 Constitutional machinations in Sierra Leone would not bring
21 peace. Genuine peace could only be brought about through
22 dialogue and negotiations among Sierra Leoneans. He emphasised
23 that both sides should be opened minded and put all cards on the
24 table.

15:27:10 25 The recent peace process conference in Freetown was not
26 representative of the Sierra Leonean civil society.

27 The RUF should be respected as a partner in peace, and as
28 far as the RUF was concerned, it was not getting that respect
29 from the United Nations and ECOWAS thus far.

1 We left Foya for Tinkia border on 19 April at around 8.15
2 a.m. We were met at the border by a group of RUF members, who
3 informed us that they had come to fetch Mr Golley and General Bah
4 for consultations with RUF military leaders inside Sierra Leone
15:27:54 5 in order to select delegates to meet with Sankoh in Lome. UNOL
6 officers and the US political officer waited at the border for
7 about seven hours before Golley and General Bah returned at 4.30
8 p.m., but without other RUF members expected to fly to Lome. On
9 their return, Golley briefed us on their meeting and expressed
15:28:28 10 optimism regarding the progress made thus far in selecting
11 members of the delegation and the security arrangements for the
12 RUF members. He showed us a list with 14 names on it, but
13 excluding his and General Bah's. He then copied the same names
14 on a new sheet of paper, adding his and General Bah's at the top.
15:28:54 15 He informed us that the two of them, himself and General Bah,
16 would be flying to Lome using either a UN or a commercial flight
17 upon arrival in Monrovia. Golley informed us that the other 14
18 RUF members would hire a plane and that he had already made
19 arrangements to that effect.

15:29:15 20 We left Tinkia around 5 p.m. and made a brief stopover in
21 Foya before proceeding to Monrovia. Upon arrival on the morning
22 of 20 April, we obtained contact numbers from Mr Golley where he
23 could be reached for travel arrangements with the UN."

24 Let's go overleaf again, please, and we see the
15:29:40 25 continuation of the same handnumberings in the top right-hand
26 corner. Now, we see that this one is from Joshi to Okelo, yes,
27 Mr Taylor?

28 A. Yes.

29 Q. Also on 20 April, yes?

1 A. Mmm.

2 Q. "I arrived here yesterday accompanied by four MI LOBS at
3 1500 hours." MI LOBS are what, Mr Taylor?

4 A. I'm sorry, I can't help. I can only --

15:30:27 5 Q. Military observers, I think.

6 A. Yeah, these are, definitely.

7 Q. "On arrival we called on Felix Downes-Thomas, who informed
8 me that the arrangements communicated to us for transportation of
9 the RUF delegation from Sierra Leone to Monrovia was already in
10 progress. I was, however, informed by the political officer that
11 due to apprehensions expressed from security and logistics,

15:30:46 12 Mr Omrie Golley and Lieutenant General Ibrahim Bah were returning
13 with the delegations. Accordingly, the RUF delegation had
14 chartered an aircraft to proceed to Lome independently, whereas

15:31:11 15 Mr Omrie Golley and the General Ibrahim Bah would wish to proceed
16 to Lome using our flight. They arrived there at 0500 hours today
17 and I met them today at 12.45 p.m. The special representative
18 was present on my request accompanied by his special assistant,
19 Mr Desmond Parker.

15:31:39 20 During the discussion held in the office of the Minister of
21 Presidential Affairs of Liberia, Mr Jonathan Taylor, the Deputy
22 Minister of Foreign Affairs, Mr Minicon was also present.

23 Mr Omrie Golley expressed his desire to proceed to Lome as per
24 arrangements given in paragraph 1 above. My response was in
15:32:06 25 accordance with our arrangements put in place based on
26 instructions received and concurrence of the Government of Sierra
27 Leone and Corporal Foday Sankoh; that is, (1) transportation of
28 delegation of 14 inclusive of Mr Golley and Ibrahim Bah by UN
29 aircraft only; (2), delegation to be unarmed; (3), to be

1 accompanied by two military observers on each of the two shuttle
2 flights to Lome. I further emphasised that no other arrangement
3 was acceptable in view of the travel ban imposed by the sanctions
4 committee. Since the arrangement was unacceptable to Mr Omrie
15:32:54 5 Golley in view of his stated apprehensions, I suggested that we
6 continue our discussion after he has consulted Corporal Foday
7 Sankoh again. I understand that Mr Omrie Golley has not talked
8 to Corporal Foday Sankoh and has since left Monrovia, along with
9 Lieutenant General Bah.

15:33:21 10 During my telephone conversation with Foday Sankoh, the
11 latter expressed apprehensions about the motives of Mr Omrie
12 Golley. I am further given to understand that Mr Omrie Golley
13 and Lieutenant General Ibrahim Bah have left Monrovia, presumably
14 for Lome, at about 5.30 p.m. today.

15:33:40 15 Special representative Mr Felix Downes-Thomas called the
16 Minister For Presidential Affairs, Mr Jonathan Taylor, at about
17 the same time and impressed upon him that any deviation which may
18 constitute violation of the sanctions committee approval of the
19 arrangements of transportation of the RUF delegation to Lome may
15:34:02 20 not be advisable.

21 As discussed, we are going ahead with preparations to lift
22 the RUF delegation on two successive days commencing Thursday, 22
23 April, from Voinjama to Lome, either directly or via Monrovia in
24 two sets of shuttle flights after consultations with Foday Sankoh
15:34:29 25 and Maskita. The aircraft on its return on 24 April can bring
26 back two military observers from Lome and me from Monrovia to
27 Freetown. Mr Felix Downes-Thomas has commenced preliminary
28 discussions with the Government of Liberia, who appear to be in
29 agreement with this course of action."

1 So can we take it then, Mr Taylor, that the Government of
2 Liberia was involved every step of the way in this process?

3 A. As you can see, every step of the way. We are not
4 meddling. We are involved every step of the way.

15:35:14 5 Q. Let's see if we can just finish this logistical part this
6 afternoon, please. Over the page, behind divider 26. Do you
7 have it?

8 A. Yes, I do.

9 MR GRIFFITHS: I think something has happened here, because
15:35:43 10 this document is incomplete. I see what's happened. We've dealt
11 with this document already. This is the document behind divider
12 23. It's the same document. It's the start of the pages 1 to 8
13 document, so I think we can usefully discard this. It serves no
14 purpose; it's a repetition. So let's go behind divider 27 then.

15:36:45 15 For the assistance of the Court staff, can I say that we'll
16 be taking this up to the document behind divider 32, okay? We're
17 just dealing with transport arrangements. So if you have
18 available to you, I'll give you an opportunity to get all the
19 documents up to the document behind divider 32, please, so we can
15:37:09 20 just complete this episode.

21 Q. So let's now go behind divider 27. We're now on 21 April.

22 A. Yes.

23 Q. And this is from the special representative of the
24 Secretary-General, we can see.

15:37:43 25 "Further to my report of 20 April 1999 on the above and to
26 my report of today's date on the security incident in Voinjama
27 involving UN personnel and other members of the international
28 community, please be advised of the following:

29 I have had constant and ongoing consultation with UNOMSIL,

1 CMO Brigadier General S Joshi on the latest developments here as
2 they relate to General Joshi's mission. The events of the last
3 24 hours have necessitated a change in strategy and a reworking
4 of the itinerary which was proposed yesterday. "

15:38:31 5 Now can we pause for a moment here, Mr Taylor. Now, let's
6 see where we are. The Government of Liberia are in the middle of
7 assisting the United Nations, ECOWAS and the Government of Sierra
8 Leone to transport representatives of the RUF to Lome. Is that
9 right?

15:38:57 10 A. That is right.

11 Q. On 21 April 1999 an incident took place in Voinjama, didn't
12 it?

13 A. Yes, yes.

14 Q. What was it?

15:39:10 15 A. I think it was just some minor altercations. Nothing that
16 is very grave. Just some minor altercations.

17 Q. Voinjama is where?

18 A. In Lofa County.

19 Q. Now, what was the security incident in Voinjama?

15:39:40 20 A. The details I don't quite recall, but I think it was just
21 some of these problems where you're going through maybe a
22 checkpoint again and people that do not understand, misbehave.
23 But to the best of my recollection it was not a serious problem.
24 It was not a war or anything.

15:40:02 25 Q. Well, let's move on:

26 "I have held constant and ongoing consultations with
27 UNOMSIL CMO Brigadier General Joshi on the latest developments
28 here as they relate to General Joshi's mission. The events of
29 the last 24 hours have necessitated a change in strategy and a

1 reworking of the itinerary which was proposed yesterday, after
2 our meetings with Messrs Golley and Bah and with the Minister of
3 State For Presidential Affairs.

4 In light of the current security situation in Voinjama, we
15:40:44 5 have decided that it would be unwise to proceed with the proposal
6 to move the RUF participants from Foya and airlift them from
7 Voinjama. Instead, we propose to airlift the 14 from Vahun to
8 Monrovia using a helicopter and to then proceed to Lome. This
9 will eliminate the need for the participants to travel by road
15:41:11 10 from Vahun to Voinjama, especially during this tense period."

11 Tense period, Mr Taylor?

12 A. Yes, that's - okay, there's a little problem coming. This
13 is the beginning of the LURD situation developing, that's what.
14 But it's a - it's not very serious at this time.

15:41:38 15 Q. So what do you mean it's beginning of the LURD situation?

16 A. Well, you have - there is some firing in Voinjama where
17 people try to get people to run out of the town and the
18 securities put it under control.

19 Q. We'll come back to it in a moment:

15:42:14 20 "... tense period. Brigadier General Joshi has proposed
21 that this exercise should commence on Friday, 23 April, once the
22 following steps have been taken:

23 He is able to get an evaluation of the feasibility from his
24 aviation safety officer; the appropriate message is conveyed to,
15:42:34 25 and received by, the RUF; and the Government of Liberia provides
26 us with security assessment of the Vahun area.

27 There would be a need to make two trips from Vahun to
28 Monrovia, given the fact that the helicopter has a capacity of 15
29 passengers, and one must take into account the presence of two

1 military observer escorts on board, along with representatives of
2 UNOL and the Government of Liberia.

3 In light of the above, the exercise will commence on Friday
4 the 23rd and end on Saturday, 24 April, if all goes well. The
15:43:16 5 Government of Liberia has been requested to provide a security
6 assessment of Vahun, and we await their response."

7 In due course, Mr Taylor, did you provide such a security
8 assessment?

9 A. Yes.

15:43:33 10 Q. Yes?

11 A. Yes, and they did fly out of Vahun.

12 Q. And that security assessment, was it provided by your
13 government?

14 A. Oh, yes.

15:43:46 15 Q. Let's just flick ahead before we conclude and have a quick
16 look behind divider 33. What's that document about, Mr Taylor?

17 A. This is about the LURD situation.

18 Q. No, the 21 April 1999 incursion into Lofa County, yes?

19 A. Yes.

15:44:20 20 Q. Let's go back behind 27. So at the time that this
21 airlifting is going on there's been an incursion from where?

22 A. Guinea.

23 Q. Of whom?

24 A. LURD.

15:44:47 25 Q. Let's go behind 28 now, please. Over the page. Back on
26 transport. We're still on 21 April here and this is from General
27 Joshi:

28 "Please refer to my fax of yesterday on the subject. While
29 all arrangements for conveyance of RUF delegation to Lome were

1 being put in place, a report was received of a security
2 disturbance in Voinjama area also involving UN personnel along
3 with a combined UN/donor mission. I am annexing a list of these
4 personnel with this message. Reports from Government of Liberia
15:45:44 5 sources seems to suggest involvement allegedly of some Guinean
6 dissidents, though earlier reports indicated a faction fight
7 within the Liberian security forces which has since been
8 reportedly verified by the Government of Liberia to be incorrect.
9 Accordingly, the arrangements for transportation of RUF

15:46:04 10 delegation made thus far should stand cancelled unless the
11 security situation in Voinjama shows an unlikely improvement.

12 The new arrangement envisages a three-stage movement of the
13 delegation. These stages will be as follows: Stage one, road
14 movement of delegation from rebel area to international border
15:46:34 15 under rebel arrangement; stage two, road movement from
16 international border to Vahun under arrangement of UNOL,
17 Government of Liberia, UNOMSIL military observers. Government of
18 Liberia will be requested for security and transportation during
19 this stage. Air transportation by UNOMSIL helicopter/aircraft
15:46:56 20 from Vahun to Monrovia and onward movement from Monrovia to Lome.

21 The same stages of movement will be repeated the next day.
22 The movement will be carried out on Friday and Saturday, that's
23 23 and 24 April respectively. This would require feasibility
24 evaluation by our aviation safety officer, necessary
15:47:23 25 communication to the RUF leadership in Lome as well always Buedu,
26 and security guarantees by the Government of Liberia in the Vahun
27 area.

28 I am proceeding to make necessary arrangements and request
29 your advice and guidance as deemed appropriate. I am also

1 annexing a cable from Felix Downes-Thomas on the subject. In the
2 meantime, we have received an unconfirmed report that three
3 members of donor groups tried to move to Guinea by a car provided
4 by the international rescue committee which was ambushed. "

15:47:55 5 When we go over the page, we see the list of those who were
6 to be involved in the movement, yes, Mr Taylor?

7 A. That is correct.

8 Q. I don't think we need dwell over long on that. Let's move
9 on over the page, please. Letter from Felix Downes-Thomas dated
10 23 April:

15:48:27 11 "I wish to thank you for the overall assistance and
12 cooperation which UNHCR, through you and your office, have
13 extended to UNOL to facilitate the arrangements related to the
14 subject above. Specifically, I thank you for providing us with
15 the two vehicles and drivers that took our observers from the
16 Monrovia to the Liberia-Sierra Leone border on Sunday, 18 May
17 1999. "

18 That can't be May. That has to be Sunday, 18 April.

19 A. Yes.

15:49:08 20 Q. "Your permission for us to use the UNHCR vehicles in Vahun
21 for movement between the border and the airstrip in Vahun is also
22 appreciated. "

23 He expresses his gratitude for the excellent display of
24 interagency cooperation. I don't think we need trouble any more
15:49:32 25 with that.

26 And then when we go overleaf behind 30, again we can deal
27 with this quite swiftly. What we have here behind this document
28 is a list of those RUF representatives. We see it's signed by
29 Masi mba Tafi renyika, who we know was sent to meet with the

1 delegation at the border. Are you following me, Mr Taylor?

2 A. Yes. My problem is there a more complete list that I know
3 of. There's a complete list. This is just part of that.

4 Q. We're missing the second page. I will have to see if we
15:50:40 5 can obtain the second page of this document, because we see we
6 start at number 8.

7 A. The full list is a little further, because there is a full
8 list.

9 Q. Well, let's ignore this document. Can I invite everyone to
15:51:01 10 fold this document over and ignore it, the document behind
11 divider 30. Let's go behind divider 31 dated 24 April, yes.
12 Paragraph 2:

13 "The operation to airlift the RUF delegation commenced this
14 morning at 9.10 in the morning in Monrovia. One UNOL officer
15:51:47 15 accompanied the two UNOMSIL military observers to Vahun. One
16 Government of Liberia security officer as well as one political
17 officer of the US embassy also travelled on the helicopter, which
18 arrived in Vahun at 10.30 a.m.

19 The 14-member delegation was picked up and arrived in
15:52:04 20 Monrovia at 1.50 p.m. There were seven changes in the
21 composition of the original delegation. The delegation was taken
22 to a Government of Liberia safe guesthouse, where they were
23 provided lunch before the first of the two seven-member groups
24 boarded another UN flight for Lome."

15:52:22 25 Which guesthouse is that?

26 A. That's the RUF guesthouse.

27 Q. "The second seven-man group will remain under the
28 protection of Government of Liberia security until tomorrow, when
29 hopefully they will depart around 10 a.m. for Lome. Thus far,

1 the entire operation has proceeded with no hitches.

2 Attached is a list of the 14 members of this delegation. "

3 If we go over the page now, now we see the list. This is
4 behind divider 32. Yes, Mr Taylor?

15:53:16 5 A. Yes, that's it.

6 Q. And for the record, the list of RUF representatives were:
7 (1) Mr SYB Rogers, who is described as the head - I'm hesitating.
8 I'm waiting to see if there's an objection.

9 MS HOLLIS: I think we complicate things when we draw
15:53:58 10 attention to certain things. Otherwise a name is just a name,
11 but when you draw attention to it then it causes problems.

12 MR GRIFFITHS: Can I just read out the list of names?

13 PRESIDING JUDGE: Yes, go ahead and read those.

14 MR GRIFFITHS: Mr SYB Rogers, head; Colonel Lawrence S
15:54:25 15 Wormandia; Brigadier Mike Lamin; Colonel Rashid Sandi; Lieutenant
16 Colonel Idri ssa Kamara; Major Agnes Finnoh; Major Amara Vand
17 Junior; Major Rashid Foday; Major SS Williams; Major Earnest
18 Ngegba; Major M Jalloh; Captain Alex Williams; and Major Morie
19 Gibao; and Lieutenant Aruna Dauda Finnie. And I presume we
15:55:07 20 should add to that list Omrie Golley and Major Ibrahim Bah, which
21 was indicated in some of the earlier documents that we looked at.

22 Now having reached this point, Mr President, could I pause
23 now, please, and as one MFI with perhaps subdivisions into A, B,
24 C and D and so it would be MFI-83.

15:55:41 25 PRESIDING JUDGE: That's correct. I think we start with
26 the document behind divider 20, don't we?

27 MR GRIFFITHS: Divider 20. So the document behind divider
28 20 is a note to Monie Captan, minister of foreign affairs, from
29 Felix Downes-Thomas, representative of the Secretary-General,

1 dated 16 April 1999. Could that be MFI-83A?

2 PRESIDING JUDGE: Yes, that's marked MFI-83A. There is
3 some confusion here.

4 MR GRIFFITHS: It's behind divider 20, but I didn't refer
15:56:43 5 to the face page of it.

6 JUDGE SEBUTINDE: I'm looking for the reference to Monie
7 Captan.

8 MR GRIFFITHS: If you look here, your Honour, "Note to
9 Monie Captan".

10 PRESIDING JUDGE: Well, in any event, those both pages are
11 forming part of the one document MFI-83A. That's your intention,
12 Mr Griffiths?

13 MR GRIFFITHS: Well, your Honour, I think there is no point
14 in burdening ourselves with the first page because I didn't refer
15:57:26 15 to it, so if we just refer to the second page, solely the note to
16 His Excellency Monie Captan, minister for foreign affairs.

17 PRESIDING JUDGE: All right. That's the document then that
18 is marked MFI-83A.

19 MR GRIFFITHS: I'm grateful. And then if we move to behind
15:58:06 20 divider 21 and if we refer to this as the "outgoing code cable"
21 from Felix Downes-Thomas, dated 17 April 1999, and refer to that
22 as MFI-83B, Mr President.

23 PRESIDING JUDGE: Yes, that will be marked accordingly.

24 MR GRIFFITHS: And then moving on to C, the document behind
15:58:55 25 divider 22 which again is an outgoing code cable from Felix
26 Downes-Thomas, dated 19 April 1999, that becomes our MFI-83C.

27 PRESIDING JUDGE: Yes, that document is marked MFI-83C.
28 There is two documents. Do you want them to form part of the --

29 MR GRIFFITHS: We referred to both of them, so if we refer

1 to them as the one number.

2 PRESIDING JUDGE: All right.

3 MR GRIFFITHS: Both pages. And moving on to behind divider
4 23, again it's an outgoing code cable from Felix Downes-Thomas,
16:00:12 5 dated 20 April 1999. May that become MFI-83D?

6 PRESIDING JUDGE: Yes, that's marked MFI-83D.

7 MR GRIFFITHS: And then moving on, behind divider 24,
8 report on the visit to the Liberia-Sierra Leone border, dated 20
9 April '99. May that become --

16:00:56 10 PRESIDING JUDGE: Yes, that's marked MFI-83E.

11 MR GRIFFITHS: I'm grateful. Then the fax from Brigadier
12 General Joshi to Francis Okelo, special representative of the
13 Secretary-General, dated 20 April 1999, can that become MFI-83F?

14 PRESIDING JUDGE: Yes, MFI-83F.

16:01:46 15 MR GRIFFITHS: We're ignoring the document behind divider
16 26. That can be discarded. We go to behind divider 27 and this
17 is an outgoing code cable from Felix Downes-Thomas, dated 21
18 April 1999. MFI-83G, please.

19 PRESIDING JUDGE: Yes, marked MFI-83G.

16:02:38 20 MR GRIFFITHS: I'm grateful. Next is a fax from Brigadier
21 General Joshi to Francis Okelo, dated 21 April 1999, to become
22 83H, please.

23 PRESIDING JUDGE: Yes, that's marked for identification
24 MFI-83H.

16:03:30 25 MR GRIFFITHS: Next is a letter to Mr Ebou Camara of UNHCR
26 from Felix Downes-Thomas, dated 23 April 1999.

27 PRESIDING JUDGE: That's marked MFI-83I.

28 MR GRIFFITHS: We're discarding the document behind divider
29 30. Next then we have an outgoing code cable from Felix

1 Downes-Thomas, dated 24 April 1999.

2 PRESIDING JUDGE: This is marked MFI-83J.

3 MR GRIFFITHS: And finally behind divider 32 can we just
4 call this "List of RUF delegation to Lome"?

16:05:38 5 PRESIDING JUDGE: Yes, that document just described is
6 marked for identification MFI-83K.

7 MR GRIFFITHS: I'm grateful. I think that concludes that
8 exercise, Mr President, your Honours:

9 Q. Now, Mr Taylor, having gone through all of that
16:06:12 10 documentation, can we just pause for a minute and review where we
11 are. Firstly the RUF movement through Liberia to Lome, that was
12 all official and public. Is that correct?

13 A. That is correct.

14 Q. With a number of international parties involved. Is that
16:06:43 15 correct?

16 A. That is correct.

17 Q. Including a representative from the United States embassy
18 in Monrovia?

19 A. That is correct.

16:06:50 20 Q. And those agencies included the UN, the UNHCR and ECOWAS?

21 A. That is correct.

22 Q. So it was not just down to the Government of Liberia, was
23 it?

24 A. Not at all.

16:07:07 25 Q. It occurred at a time when a degree of tension arose in
26 Lofa because of the incursion from Guinea?

27 A. That is correct.

28 Q. And involved in the security arrangements in transporting
29 Bah and Golley up to the border are members of your SSS?

1 A. Involved, yes.

2 Q. Which is run by, of course, Benjamin Yeaten, yes?

3 A. That is correct.

4 Q. Dr Manneh was in no way involved with this process?

16:07:50 5 A. No, no, not at all. Manneh had left years before.

6 Q. And can it be said that this movement was part of a plan to
7 which you were party, concocted in Libya?

8 A. What plan? To move Golley and Bah to the border?

9 Q. Along with the RUF representatives. That's what I'm

16:08:17 10 asking.

11 A. Don't let's forget now, Golley and Bah are moved to the
12 border, not just with the SSS, but there are UN people involved.

13 Everyone is involved. It's not just the two of them. The United
14 States embassy is involved in that escort. The United Nations is

16:08:33 15 involved. They go up to the border and they wait while the RUF

16 people go in, do their negotiations and come out. There is
17 nothing concocted in Libya. This is concocted right in West

18 Africa by ECOWAS states, the United Nations, and if we're looking
19 for co-conspirators and any concoction then the UN and the

16:08:56 20 American embassy are all co-conspirators.

21 Q. Thank you. Now, this occurs at a historical period when
22 the RUF and the junta have been forced - well those involved in
23 the 6 January invasion have been forced to retreat from Freetown,
24 yes?

16:09:19 25 A. That is correct.

26 Q. And whilst this is going on, on the one hand, Mr Taylor, do
27 you still have in mind the four-point plan of action suggested to
28 you by General Yerks?

29 A. Well, whether - the suggestions from General Yerks, they

1 are all good, but whether the United States government decides to
2 help or not the process of bringing peace to Sierra Leone is an
3 obligation - is a duty - and so I do not see that as a quid pro
4 quo. I just see those suggestions as being good, but we have a
16:10:22 5 duty - a responsibility - to bringing peace to the West African
6 sub-region and so I do it because we are West African brothers.
7 I do it because we are just about one family. Not specifically
8 because of that particular issue, but - I mean it helps, but
9 that's not basically the reason.

16:10:47 10 Q. Now, I referred you earlier to a document regarding that
11 incursion in Lofa County. Can we have a look now at that
12 document, please. It's behind divider 33. Do you have it,
13 Mr Taylor?

14 A. Yes, I do.

16:11:37 15 Q. Now, we see the document is headed:
16 "Situation report, Republic of Liberia, the April 21, 1999
17 incursion into Lofa County compiled by the National Security
18 Council, May 4, 1999. Overview. This latest attempt by armed
19 insurgents to disrupt the peace and stability of Liberia was not
16:12:12 20 entirely unexpected."

21 Wasn't it?

22 A. Well, we know of - they are speaking here at a level that
23 we haven't reached yet, but they know of certain things that the
24 security have been following. Don't forget now, we've been
16:12:29 25 warned. We've been --

26 Q. Which warning are you talking about?

27 A. Let's go back to my ambassador in Guinea sending that note
28 from Eddie Kanneh. They've already warned us that there's
29 something at foot, be careful, watch your borders. So we are

1 observing and when this happens, this is just a reflection.

2 Q. And you will recall the reference to former Krahn members
3 of the AFL congregating in Guiglo in Cote d'Ivoire?

4 A. That is correct, yes.

16:13:06 5 Q. So is your National Security Council monitoring these
6 developments across the borders in your neighbouring countries,
7 Mr Taylor?

8 A. We are trying to. It's a difficult process. We're trying
9 to. These kinds of programmes and monitoring call for a lot of
16:13:25 10 money, but we are doing our best.

11 Q. "At a time when efforts have been accelerated for the final
12 solution of the Sierra Leone crisis, a new window of violence has
13 erupted from Guinean soil as if abdominal effect is in the
14 making.

16:13:52 15 The Government of Liberia, cognisant of a larger danger of
16 conflict engulfing the third member of the Mano River Union,
17 consistently sounded alarms over the past 12 months to the effect
18 that dissidents were being trained in a number of locations in
19 both Sierra Leone and Guinea with the plan of carrying out an
16:14:14 20 attack on the Liberian government.

21 At a diplomatic level, Liberia engaged in a constructive
22 shuttle in an attempt at honest dialogue with our neighbours and
23 other countries within the ECOWAS framework; no less than a dozen
24 shuttles were carried out over the past 12 months."

16:14:37 25 Which shuttles are you talking about?

26 A. The Mano River Union meetings, the ECOWAS meetings, the
27 foreign ministers' meetings, the defence ministers' meetings.
28 All of these combined.

29 Q. "In addition to several meetings between the leaders of

1 Liberia, Sierra Leone and Guinea, high level delegations,
2 including those headed by the Vice-President of Liberia, the
3 President Pro Tempore of the Liberian Senate, the Foreign
4 Minister, the Defence Minister, the Minister of National
16:15:14 5 Security, et cetera, have kept dialogue open with their
6 counterparts in our neighbouring countries.

7 At the highest level, assurances were exchanged between
8 Presidents Kabbah, Taylor and Conte that no dissident activity
9 would be allowed to emanate from any of their countries directed
16:15:37 10 against the respective governments."

11 Had you come to such an agreement?

12 A. Yes. Remember the Mano River Union protocols and those
13 parts that I invoked in those letters to Conte, Kabbah, and I
14 even wrote Kofi Annan about. So this is the reference to that.

16:15:56 15 Q. "Nevertheless, the Government of Liberia continued to
16 receive intelligence reports of dissident training activities in
17 the town of ..." blank. What should we put in there?

18 A. Zimmi. That's where we had gotten the reports. It was
19 Zimmi.

16:16:15 20 Q. "In Sierra Leone and Macenta, Guinea. The government over
21 the past several months has identified former council members
22 Alhaji Kromah, Vambah Kanneh, Lavalie Supuwood amongst others" -
23 identified them as what?

24 A. Those that are trying to engage in these activities.

16:16:51 25 Q. So that included Mr Supuwood, did it?

26 A. Yes, at that particular time. It just shows that we - that
27 people can forgive and forget and move forward.

28 Q. "At the same time, suspicion abounded that Liberia was
29 harbouring Guinean dissidents and accusations rife that Liberia

1 was supporting the RUF against the Kabbah government. This
2 three-way scenario, finger-pointing, and counter-accusations
3 among the leaders of the Mano River Union states neither quieted
4 anxieties that tension within the sub-region would accelerate.

16:17:37 5 On the diplomatic front, over a year ago the level of the
6 Guinean representation in Monrovia was scaled down to the level
7 of a charge d'affaires, while the Liberian Embassy in Conakry
8 receives merely a lukewarm reception from our Guinean hosts."

9 Is that true?

16:18:06 10 A. Yes, that is true.

11 Q. "As a matter of disappointment, the Ambassador in Conakry
12 was not invited to the recent inauguration of President Conte.
13 Neither was the Government of Liberia invited to attend."

14 Is that true, Mr Taylor?

16:18:23 15 A. That is true.

16 Q. Mr Taylor, how had relations with President Conte come to
17 this low an ebb?

18 A. I guess the better question would be was it ever high?
19 Conte and I never got on. Conte supported Alhaji Kromah with
16:18:41 20 ULIMO-K. They fought out of Guinea. Kromah actually lived in
21 Conakry, everyone, and so remember when I said my trip in 1995, I
22 go to Monrovia - and we've seen that picture, one of the exhibits
23 shown here - where Conte, Boley and I go to Conakry. Now, that
24 is a hairy, hairy move being made, because up until that time

16:19:07 25 Conte and I had never dealt - we were archenemies, I can say. So
26 we just really never got along. Even the - I said to this Court
27 I have a wife that is partly from Guinea and Senegal, and she was
28 even close to Conte, and in our tradition I can remember I sent
29 her to Conakry once - in our position - in our tradition when a

1 woman comes and she sits at your feet, I mean, and she talks to
2 you, traditionally, as a man you accept her. You accept what she
3 says. But even Conte did not do that. So Conte I had always had
4 problems. So I wouldn't say it deteriorated; let's say if we
16:20:01 5 were at a level of five, it didn't go - it just dropped to four.
6 But we were always low. We were never - on a scale of one to
7 ten, we were always around five. I mean, it was just that.

8 Q. Well, help me with this on that topic then, Mr Taylor: Who
9 did you get on better with, President Kabbah or President Conte?

16:20:23 10 A. If we compare the two and the relationship, I guess because
11 we could speak English, I think Tejani Kabbah and I got on a
12 little better because maybe we could express - I speak a little
13 French, but not that much. But Tejani and I got on a little
14 better because we could say very strong things to each other,
16:20:45 15 which we did, and we could understand it. And I couldn't
16 communicate that well in French, even though I speak a little
17 good French. But I would say between the two of them, I would
18 say a little better with Kabbah.

19 Q. "Although some level of dialogue continues between the
16:21:00 20 governments of Liberia and Guinea, this slide in diplomatic
21 interaction has given greater pause in the traditionally
22 friendly, warm and brotherly relations between the two countries.

23 In a candid and straightforward fashion, the Government of
24 Liberia, concerned over the imminent incursion into Liberian
16:21:24 25 territory, the President of Liberia warned in public statements
26 and media reports that Liberia would exercise the option of going
27 in hot pursuit of any insurgents, no matter where they came from.
28 The Government of Liberia has always regarded this threat as
29 valid, but had, however, never entertained the hope that it would

1 be forced to make good on its threat.

2 Further, as a means of instituting some preventive actions
3 and to give reason a chance to prevail, the Government of Liberia
4 has decided not to take any such immediate action more than two
16:22:10 5 weeks following the incursion in order to give reason, sanity and
6 good judgment a chance to prevail.

7 However, it must be noted that the Republic of Liberia
8 cannot afford to be seen in a position of issuing veiled threats.
9 Hence, the need to thoroughly address the Lofa incursion in the
16:22:33 10 most straightforward terms and to create confidence amongst all
11 parties that such an incursion will henceforth be discouraged.

12 That the City of Voinjama would be the target of the
13 insurgents is not just surprising to the Liberian government. In
14 the first instance, Lofa County is bordered by both Guinea and
16:23:00 15 Sierra Leone. The porous nature of the border provides more than
16 60 separate crossings - such border crossings underpinned by
17 generations of cultural, social and commercial interactions
18 transcending family and tribal connections are most difficult to
19 monitor."

16:23:24 20 Pause there. Is that the geographical, social, political,
21 ethnic reality, Mr Taylor?

22 A. It is. It is.

23 Q. And without you having to move, if we just remind ourselves
24 by looking at this map, we're talking about this area here,
16:24:02 25 aren't we?

26 A. That is correct.

27 Q. Which projects like a finger into Guinea, yes?

28 A. That whole green section on the map, counsel, at the top,
29 yes.

1 Q. That's the area we're talking about, is it?

2 A. Exactly, yes.

3 Q. And it's that area where you say that:

4 "... underpinned by generations of cultural, social and
16:24:25 5 commercial interactions transcending family and tribal
6 connections are most difficult to monitor."

7 Yes?

8 A. Yes.

9 Q. "It is because of this reason that the Government of
16:24:38 10 Liberia has opted to pursue confidence building as a
11 counter-measure to conflict."

12 Now, Mr Taylor, let us just pause for a moment and look at
13 that. Just over the border from Lofa County is Kailahun, is it
14 not?

16:25:00 15 A. Yes. I haven't been in there, but yes.

16 Q. In Sierra Leone, yes?

17 A. Yes.

18 Q. And that was for some time in a sense the redoubt of the
19 RUF, their stronghold?

16:25:14 20 A. Yes.

21 Q. And it's in that particular geographical location that when
22 this incursion takes place on the 21st, a number of individuals,
23 agencies and countries are trying to extract RUF members to go to
24 Lome, they're coming over the border in that same part of the
16:25:41 25 world, isn't it?

26 A. No, not exactly. This incursion is coming from a little
27 different point.

28 Q. Yes, I know, but we're talking about the RUF coming in to
29 Foya.

1 A. Yes.

2 Q. To be taken out by helicopter to Monrovia.

3 A. That is correct.

4 Q. And we're talking about an attack on Voinjama which is --

16:26:03 5 A. Okay. Okay, the general area. Okay, I understand. Yes,
6 that's right.

7 Q. Yes?

8 A. Yes, that's right.

9 Q. Now, help us, Mr Taylor. Did you see any design or motive
16:26:18 10 behind the timing of that incursion?

11 A. Well, one could say this is an attempt to sabotage the
12 process, that that could be a very good reason, but I think in
13 terms of value, that would be very, very low on the value bar.
14 But I think - their attempt to sabotage the process, I think it's
16:26:52 15 very strong, yeah.

16 Q. Let's just finish with this document, shall we:

17 "Voinjama is also the former stronghold of the defunct
18 ULIMO-K faction and home to a large number of citizens who
19 supported the cause of ULIMO-K. Besides, the geographical
16:27:18 20 proximity of Voinjama to the dissident training centres of
21 Macenta, Guinea and Badar, Liberia, made Voinjama the ideal
22 target for the insurgents from Guinea."

23 Now, apart from this situation report, Mr Taylor, did you
24 take any other steps regarding this incursion?

16:27:46 25 A. Yes, we contacted President Conte. By this time, we got
26 Nigeria involved, we got ECOWAS involved, discussions followed at
27 the ECOWAS level. Of course, General Lansana Conte denied that
28 he was involved. But we did subsequently do exactly what we said
29 here. We wanted to take it at a confidence-building level

1 instead of the conflict level.

2 MR GRIFFITHS: I note the time, Mr President. Would it be
3 convenient to pause there?

4 JUDGE DOHERTY: Mr Griffiths, before we do that, I'm not
16:28:28 5 clear who is the author of this report.

6 THE WITNESS: The National Security Council of Liberia,
7 your Honour. My government.

8 MR GRIFFITHS: Well, maybe we can just use the remaining
9 seconds to mark this for identification, please. So situation
16:28:47 10 report on 21 April incursion into Lofa County to be marked as
11 MFI-84, please.

12 PRESIDING JUDGE: Yes, that document is now marked MFI-84.

13 MR GRIFFITHS: I'm grateful.

14 PRESIDING JUDGE: Just before we adjourn, Mr Taylor, I'll
16:29:06 15 remind you of that caution again. You are not permitted to
16 discuss your evidence with any other person.

17 We'll adjourn now until 9.30 a.m. tomorrow.

18 [Whereupon the hearing adjourned at 4.30 p.m.
19 to be reconvened on Wednesday, 12 August 2009
20 at 9.30 a.m.]

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I N D E X

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