



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 11 JANUARY 2010
9.30 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
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah
Mr Terry Munyard
Ms Salia Moinanen

1 Monday, 11 January 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.33 a.m.]

09:31:36 5 PRESIDING JUDGE: Good morning. We'll take appearances
6 first, please.

7 MS HOLLIS: Good morning, Mr President, your Honours,
8 opposing counsel, and happy new year to all of you from the
9 Prosecution. Today for the Prosecution, Brenda J Hollis, Mohamed
09:35:04 10 A Bangura, and our case manager, Maja Dimitrova.

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

12 MR GRIFFITHS: Again, happy new year to everyone from the
13 Defence, and today for the Defence is myself Courtenay Griffiths,
14 with me Mr Morris Anyah and Mr Terry Munyard of counsel and our
09:35:22 15 case manager, Ms Salla Moilanen.

16 PRESIDING JUDGE: Thank you, Mr Griffiths. From the Bench,
17 very best wishes for the new year to all of the people involved
18 in the trial.

19 Mr Taylor, you're going to be asked some further questions.
09:35:43 20 I'll simply remind you that you are still bound by the oath you
21 took when you stepped into the witness box. Ms Hollis?

22 MS HOLLIS: Thank you, Mr President. Mr President, one
23 matter before we begin our questioning. At page 31622 of the
24 transcript the Trial Chamber ordered the Defence to provide to
09:36:11 25 the Prosecution a list of their next set of witnesses by
26 DCT number on or before the close of business of 11 December
27 2009. Now, perhaps through inadvertence, we have not received
28 that list and we would ask that the Defence be reminded to
29 provide us with that list.

1 MR GRIFFITHS: Mr President, as I understand the situation,
2 we're obliged to provide a list of witnesses two weeks in advance
3 and we've done that, because based on the time estimate given to
4 the Court by Ms Hollis as to the length of her cross-examination,
09:37:18 5 we had filed a witness list bearing that framework in mind and,
6 in our submission, we've complied.

7 PRESIDING JUDGE: Just one moment. I'm just looking at my
8 notes of the order made before we adjourned. Ms Hollis, I'm not
9 quite with you on that order.

09:38:29 10 MS HOLLIS: Mr President, it was the 11 November page
11 reference, and there were orders that were provided. The
12 Prosecution, in addition to requesting a core and back-up
13 witnesses, had asked for our management purposes and consistent
14 with our practice during our case in chief that the Defence
09:38:50 15 provide us with a list of their next group of witnesses by DCT
16 number only, of course, so that we could assign responsibility
17 for those witnesses. And the - on page 31622, I believe
18 beginning at line 25, was the Bench's order that the Defence
19 provide that list to the Prosecution on or before the close of
09:39:21 20 business 11 December 2009, and that was the next set of Defence
21 witnesses by DCT number only.

22 PRESIDING JUDGE: What do you say to that, Mr Griffiths?

23 MR GRIFFITHS: In compliance with our understanding of the
24 Court's order, Mr President, we filed on 11 December and CMS 870
09:40:06 25 and CMS 871 refers, firstly, our list of core and back-up
26 witnesses and also the witnesses we would be calling for the
27 weeks 11 January to 15 January, which we were required to do.
28 And based on the time estimate as to the length of her
29 cross-examination given by Ms Hollis, we determined the only

1 witness we would be calling during that time frame would be
2 Mr Taylor. So as far as we're concerned, any obligation to serve
3 further Defence witnesses by DCT number or otherwise at this
4 stage is unnecessary.

09:40:48 5 PRESIDING JUDGE: I see. Ms Hollis, I'm going to have to
6 go back into the transcript. I don't have any personal note of
7 the specific terminology of the order we made. But you are
8 saying now that the Defence has not provided you with their next
9 set of witnesses by the close of business on 11 December 2009.

09:41:18 10 MS HOLLIS: That is --

11 PRESIDING JUDGE: I understand Mr Taylor [sic] is saying
12 that the next witness following that date is obviously the
13 accused.

14 MS HOLLIS: I think you will have to go back to refresh
09:41:34 15 yourself, Mr President, but just to assist you with that, the
16 Prosecution had raised earlier in the proceedings a request that
17 the Defence provide to the Prosecution a listing of witnesses
18 they were going to call by groups, by DCT number, so that we
19 could assign our own internal taskings for those witnesses. And
09:42:02 20 then on the 11th, the Prosecution again made the request and it
21 requested that, at page 31555, that no later than the
22 commencement of the break the Prosecution be provided with a list
23 of the next batch of witnesses that would be called by the
24 Defence by DCT number for our management purposes. And then at
09:42:29 25 31583 we repeated the request relating to the list of the next
26 group of witnesses to be called by the Defence by DCT number, of
27 course, not by name. We're not asking - we did not ask they be
28 put in order, simply a listing of what they envisioned as their
29 next group of witnesses that would appeared that would enable us

1 over the recess to organise our work in relation to those
2 witnesses and it was in that context that at page 31622 the Trial
3 Chamber ordered the Defence to provide this list of the next
4 group of witnesses by DCT number on or before the close of
09:43:13 5 business. So that was the context. But certainly we understand
6 that you may have to go back and look at the transcript on that.

7 PRESIDING JUDGE: The memorandum or letter, if you like, of
8 11 December 2009 from Mr Griffiths does not satisfy those
9 requirements in your opinion.

09:43:35 10 MS HOLLIS: That is correct. That is not the next batch of
11 witnesses. That is simply the notice for the - the two-week
12 notice of who would appear now, not the next batch of witnesses.

13 PRESIDING JUDGE: Yes. Just one moment.

14 JUDGE SEBUTINDE: Ms Hollis, we're trying to get something
09:44:08 15 straight based on the documentation that we've been presented
16 with since the recess. What we have on the Bench is a list filed
17 by the Defence containing 98 core witnesses by DCT number. So
18 that's okay. You have that one as well.

19 MS HOLLIS: Yes, your Honour.

09:44:28 20 JUDGE SEBUTINDE: And I guess that's all we have.

21 MS HOLLIS: I believe there was the two-week notice as
22 well.

23 JUDGE SEBUTINDE: Do we have a disclosure by two-weeks
24 notice as well? What number would that be?

09:44:43 25 MS HOLLIS: I believe Mr Griffiths may have given that
26 number earlier.

27 JUDGE SEBUTINDE: Just give us a moment while we find our
28 feet, please. Mr Griffiths, you are saying that CMS 870 which
29 contains the witness list for the next two weeks has already been

1 filed?

2 MR GRIFFITHS: Yes, it has been.

3 JUDGE SEBUTINDE: And that as far as you are concerned you
4 have thereby discharged your procedural obligation.

09:46:28 5 MR GRIFFITHS: That's our position.

6 JUDGE SEBUTINDE: I understand that. Okay, we'll take a
7 moment.

8 PRESIDING JUDGE: We're trying to look at that,
9 Mr Griffiths, but we don't have the document in front of us.

09:46:35 10 Normally we could go on to the courtroom folder and see it but in
11 our absence, for some reason I'll never understand, the computers
12 have been reconfigured and we can't get into the courtroom
13 folder, so that's going to cause a little bit of delay.

14 MR GRIFFITHS: I wonder, Mr President, how urgent this
09:46:56 15 matter is and whether or not we could delay resolving it until a
16 later stage in the proceedings and continue with the
17 cross-examination of the defendant at this time.

18 PRESIDING JUDGE: What do you say to that, Ms Hollis?

19 MS HOLLIS: We would certainly be in agreement with that,
09:47:13 20 Mr President, as an efficient way to proceed.

21 PRESIDING JUDGE: All right. We'll look into that matter.
22 We're getting some copies of the document last referred to
23 printed out, so in the meantime go ahead with your
24 cross-examination, Ms Hollis.

09:47:29 25 MS HOLLIS: Thank you, Mr President.

26 DANKPANNAH DR CHARLES GHANKAY TAYLOR:

27 [On former affirmation]

28 CROSS-EXAMINATION BY MS HOLLIS: [Continued]

29 Q. Good morning, Mr Taylor.

1 A. Good morning.

2 Q. Mr Taylor, you remember on 16 November we talked about the
3 timing of your escape from jail in the United States as compared
4 to General Quiwonkpa's failed coup in Liberia. Do you recall
09:47:56 5 that?

6 A. Yes, yes.

7 Q. In relation to the timing, we put to you that, contrary to
8 your evidence on direct examination, in fact you had some two
9 months from the time of your escape from jail to travel to Africa
09:48:20 10 and take part in the Quiwonkpa coup. Do you recall us putting
11 that to you?

12 A. Yes, I do.

13 Q. And you said that was totally, totally incorrect. Do you
14 recall that?

09:48:34 15 A. Well, no. I think what I did say was that - if my
16 recollection is correct I said I can remember still being in the
17 United States when the coup occurred and I admit that I had some
18 problems with the timing of it, yes, but I recall that.

19 Q. Now, Mr Taylor, you do accept then that you had two months
09:49:12 20 from the time of your escape to travel to Africa to take part in
21 the coup. Do you accept that?

22 A. Well, not exactly two months but I had some time. I think
23 the escape occurred, if I recall, in September and the coup
24 occurred in November. If we look at the dates, about a month and
09:49:33 25 something. But there is a space in time. Exactly two months --

26 Q. It's actually two months, isn't that right?

27 A. Well, I'll have to check the days but I do know that there
28 is a time in between that I'm still in the United States.

29 Q. So, Mr Taylor, your story to these judges on direct

1 examination that you only had a few days before - after your
2 escape before the coup occurred that wasn't correct, was it?

3 A. Well, as it turns out, no. I was more concerned about the
4 time of the coup, when I arrived in New York and my departure
09:50:11 5 from the United States. I was focusing on that. But I do admit
6 that there is a difference in time.

7 Q. A big difference, correct?

8 A. I wouldn't say big. I said there's a different in time.

9 Q. So why didn't you travel to Africa to join General

09:50:26 10 Quiwonkpa in that coup, Mr Taylor?

11 A. At the particular time I didn't have the full means to
12 travel. I was trying to put the means together.

13 Q. That's not really the case, is it, Mr Taylor? That's not
14 the story you've told before?

09:50:41 15 A. Well, that's exactly what happened.

16 Q. Mr Taylor, have you ever told anyone that you actually took
17 part in that coup?

18 A. No, I never took part in the coup.

19 Q. You've never told anyone that?

09:50:52 20 A. No.

21 Q. Perhaps we could look at tab 47 in annex 3. It's binder 2
22 of annex 3. That is tab 47 in annex 3 and that's binder 2 of
23 annex 3. Do you see that document, Mr Taylor?

24 A. Yes, I do.

09:52:29 25 Q. And this purports to be a profile of you based on
26 information from court records and this is submitted by your then
27 attorney Ramsey Clark. Correct, Mr Taylor? July 27, 1990 is the
28 date on the last page with the name Ramsey Clark. Do you see
29 that name?

1 A. Yeah but I would disagree.

2 Q. Do you see that, Mr Taylor?

3 A. I would disagree that this has been some court records.

4 Q. Well, that's what your attorney put in this filing,
09:53:05 5 Mr Taylor?

6 JUDGE SEBUTINDE: Ms Hollis, what court are we talking
7 about? Certainly not the Special Court.

8 MS HOLLIS: Magistrate's document, United States District
9 Court for the District of Massachusetts.

09:53:18 10 "This profile of Charles M Taylor is based on information
11 from Court records in US v Charles M Taylor, magistrate's docket
12 number 84-1251R in the United States District Court for the
13 District of Massachusetts and attorney files. For additional
14 information or inquiries contact Ramsey Clark."

09:53:38 15 Q. Now Ramsey Clark was the person who represented you in your
16 extradition proceedings, isn't that correct, Mr Taylor?

17 A. That is correct.

18 Q. And if we were to look at this document, and again if we
19 look at the last page of this document we see the name Ramsey
09:53:58 20 Clark, July 27, 1990?

21 A. That is correct.

22 Q. Now, if we look at page 11 of the document and the ERN
23 stamp number ends in 480, and if we look at the second to last
24 paragraph, "Before the United States District Court ruled on his
09:54:30 25 petition he escaped on September 15, 1985." So is that your
26 recollection about the time you escaped?

27 A. Oh, I think it was sometime in September, yeah. I think
28 about this.

29 Q. And then if we look at the last paragraph on that page:

1 "Within months of his escape Taylor was in West Africa
2 assisting General Quiwonkpa in a major military effort to
3 overthrow Doe, one of the most violent military dictators in
4 recent African history."

09:55:06 5 Do you see that?

6 A. Yes.

7 Q. So your attorney files this and tells us that within months
8 you were in West Africa assisting General Quiwonkpa. Now where
9 would he get that information, Mr Taylor?

09:55:18 10 A. I really don't know.

11 Q. You think he just made it up?

12 A. Well, I don't know how Ramsey wrote this and I see it in
13 1990 because the fact of the matter, when I escaped from jail and
14 finally reached in West Africa after the death of General

09:55:34 15 Quiwonkpa my attorney informed the United States government that
16 I was in Africa. So I cannot account for why Ramsey said that
17 because Ramsey was in touch with me throughout the period of my
18 escape.

19 Q. That's right, but --

09:55:47 20 A. So I --

21 Q. -- you gave him this story, didn't you, Mr Taylor?

22 A. I did not give Ramsey --

23 Q. To make yourself look better?

24 A. Excuse me. I would not lie about it if I was a part of it.

09:55:55 25 Q. Of course you would, Mr Taylor.

26 A. No, I wouldn't.

27 Q. Just as you lied to this Court earlier about the timing of
28 your escape and the coup?

29 A. That is not correct. We have gone --

1 Q. So he just made this up out of thin air then, it wasn't
2 based on what you told him?

3 A. If you give me a chance I will answer your question. And
4 we have all the chances still in this trial to ask Ramsey why he
09:56:16 5 said this and who represented this to him because I was still in
6 New York when General Quiwonkpa was killed. I was still in the
7 United States. After I reached Africa I called my counsel and
8 informed him and he said, "Well, Mr Taylor, I will inform the
9 United States government that you are out of the United States."

09:56:34 10 So I did not in 1990, when I'm already fighting a war in Liberia
11 - in 1990 I'm already fighting a war in Liberia. When Ramsey
12 constructed this statement I want to say that he probably made an
13 error about this. This is constructed long after. So I did not
14 tell Ramsey this and at the time he wrote this, which is when I'm
09:56:59 15 already fighting in Liberia, he probably construed that this is a
16 continuation. But I'll tell you, because you've raised this,
17 I'll make sure we get an affidavit from Ramsey Clark stating that
18 I did not represent this to him and I would not lie about this
19 and I'll make sure we do this.

09:57:17 20 Q. We suggest you did lie about it and whatever you get from
21 him will be to cover up your lie, Mr Taylor?

22 A. Well, unlike the Prosecution that have lied on many
23 occasions, I am not a liar.

24 Q. That will be determined, won't it?

09:57:25 25 A. It will be.

26 Q. And on page 12 he goes on and says Charles Taylor escaped.
27 So he has you part of this coup attempt and he has you escaping.
28 Now where did he get that information, Mr Taylor?

29 A. As far as the escape is concerned, that information about

1 my escape Ramsey got it from me because I told Ramsey at the time
2 that quite frankly I did not know who arranged my escape. And
3 Ramsey knew all along that I was in contact. I told him I was in
4 contact with General Quiwonkpa while I was in prison in
09:58:02 5 Massachusetts. I spoke to General Quiwonkpa on the telephone.
6 General Quiwonkpa sent Harry Nyuan to me. I have told this Court
7 Mr Nyuan is still alive. I was aware that something was
8 happening and I have told this Court that General Quiwonkpa asked
9 the United States government to release me. And I --

09:58:20 10 Q. Mr Taylor, when he talks about escape here he is talking
11 about you escaping from the attempted coup that went bad. Isn't
12 that correct?

13 A. From what attempted --

14 Q. He is not talking about your escape from jail; he has
09:58:35 15 already talked about that?

16 A. What attempted coup that went bad when I'm not in Liberia?
17 I'm not in Liberia at all.

18 Q. That's not the story you told him, is it?

19 A. Ms Hollis, I'm not sure of - if you are right about what
09:58:47 20 you are saying what Ramsey meant but Ramsey Clark knows that I
21 was in the United States when the coup occurred. Ramsey Clark
22 knows that when I escaped and got into Africa I informed him.
23 And in fact the individual that informed the United States
24 government about my entering into Africa was Ramsey Clark. And I
09:59:14 25 think if we read that statement carefully, Ramsey Clark said
26 Charles Taylor escaped but continued efforts to overthrow Doe,
27 which I did, and he is saying that I continued efforts and it's
28 the same effort that led to my 1989 attack on Liberia, if I
29 understand his English properly.

1 Q. Now, Mr Taylor --

2 A. And he says four years later.

3 Q. Now, Mr Taylor, when we began this discussion I reminded
4 you of our prior discussion about the timing of your escape and
09:59:50 5 the coup and our putting to you that you had in fact some two
6 months from the time of your escape to travel to Africa and take
7 part in the coup, and I put to you that at that time when that
8 was first put to you by us on the 16th you said that was totally,
9 totally incorrect. Now today in Court you've told the judges

10:00:13 10 that in fact you did not say that on 16th November?

11 A. Listen, Ms Hollis, we can take all day trying to go through
12 - trying to beat a dead horse to death. Look, I have said that
13 there is an error that I made earnestly in the timing between my
14 escape and the coup. I have told these judges. Now, how long
10:00:34 15 you want to beat this, it's up to you. There is an error between
16 - excuse me. Let me continue. Between September and November,
17 it's been a long time, I did make an error in the timing of the
18 escape and the time of the coup because I was still in the United
19 States. And I have been very frank about that.

10:00:52 20 Q. You didn't go back for that because you were afraid to get
21 involved in that direct fighting. Isn't that correct?

22 A. If you are suggesting that I'm a coward, I'm not a coward,
23 Ms Hollis.

24 Q. You also didn't go back for that because you knew if the
10:01:08 25 coup succeeded you wouldn't be able to achieve your goal of
26 becoming leader in Liberia. Isn't that correct?

27 A. Oh, Ms Hollis. General Quiwonkpa was a very personal
28 friend of mine. I supported his leadership. That was totally
29 not the reason. I regret very much that I could not be there

1 because I believe, had I been there, General Quiwonkpa would have
2 succeeded, just as I was on the ground in 1980 and assisted to
3 consolidate the revolution. I think that he didn't have
4 trustworthy people around him and did not know what was going on
10:01:44 5 when he entered Monrovia, announced that he had taken over and
6 Doe was still in the mansion. No, I'm not a coward, no.

7 Q. Mr Taylor, did you actually take part in the 1980 coup?

8 A. When the coup occurred in 1980, I did not participate on
9 the night of the coup, but as of the morning of the coup, all
10:02:04 10 records of Liberia will show, I was invited into the barracks at
11 about 6 a.m. that morning to assist in putting together the
12 revolution.

13 Q. And, Mr Taylor, just to make sure we have a clear record
14 here, let's remind ourselves of the transcript of 16 November
10:02:21 15 2009 at page 31678.

16 MS HOLLIS: Under the new system, are we able to call up
17 those transcript pages? That's going to pose some difficulties.
18 I did have a copy of the page. Perhaps copies could be made so
19 it's clear I'm not misquoting the witness.

10:03:11 20 JUDGE SEBUTINDE: Madam Court Manager, is it possible at
21 least to run off two copies for the Bench?

22 MS IRURA: Your Honour, I'm in the process of trying to
23 open the transcript and I will try and run off the copies.

24 PRESIDING JUDGE: Have you asked your question in relation
10:03:41 25 to that transcript yet, Ms Hollis? Mr Taylor might quite agree
26 with you that --

27 MS HOLLIS: He has disagreed, Mr President.

28 PRESIDING JUDGE: That's the matter you put to him before
29 is covered in that transcript.

1 MS HOLLIS: That's correct.

2 PRESIDING JUDGE: We'll need to see it.

3 MS IRURA: Your Honour, it's an open session transcript, so
4 I'm able to display it.

10:04:09 5 MS HOLLIS:

6 Q. Now, Mr Taylor, perhaps while we're waiting for that, we
7 can also --

8 PRESIDING JUDGE: We do have that transcript up now,
9 Ms Hollis.

10:04:20 10 MS HOLLIS: Do you have it on your screens? We don't have
11 it on ours.

12 PRESIDING JUDGE: Press PC 1.

13 MS HOLLIS:

14 Q. Yes. Now, look, Mr Taylor, if we look at line - starting
10:04:33 15 with line 1 there, the question to you was:

16 "Q. In fact, Mr Taylor, you escaped from that jail two
17 months before the coup attempt, did you not?

18 A. That is totally, totally incorrect."

19 And then if we go down to line 14:

10:04:47 20 "Q. The reality is, Mr Taylor, that you in fact had two
21 months to travel to Africa and take part in that coup,
22 didn't you?

23 A. That is totally, totally incorrect. I don't know the
24 basis, but totally, totally, totally incorrect."

10:05:01 25 So on 16 November you in fact did say that it was incorrect
26 that you had two months to travel, isn't that right, Mr Taylor?

27 A. Yes, I did say that, yes.

28 Q. And now today you say something different?

29 A. I have said today that there is a difference in timing in

1 dealing with a number of two months or one month. Yes, I did say
2 today that there is a problem in the time between September 15
3 and November. For me, it's not two months, but it's close to two
4 months.

10:05:36 5 Q. Mr Taylor, between 16 November and today, on 11th December,
6 the Prosecution disclosed materials it was going - new materials
7 it was going to use in the cross-examination of yourself,
8 disclosed those materials to the Defence. Have you reviewed any
9 of those materials, Mr Taylor, prior to coming into Court today?

10:06:00 10 A. Yes, I have seen the material, yes.

11 Q. And, in fact, have you reviewed this exhibit that we're
12 looking - or this document we're looking at now from Ramsey
13 Clark? Did you review that prior to today?

14 A. Yes, I did see Ramsey's note, yes.

10:06:17 15 Q. You also reviewed an article that gave the date of your
16 escape as September in DCT-124, page 34. Did you also review
17 that article?

18 A. I'll have to look at it.

19 Q. That was an article that was in fact provided by your
10:06:44 20 Defence, "One jailbreak coup in the bush". DCT-124, page 34 of
21 that article. Did you review the article, Mr Taylor?

22 A. Well, let me see the article before I say yes. Yes, I have
23 seen this.

24 Q. So you reviewed that prior to your testimony today?

10:07:10 25 A. Some time ago. Some time ago I saw this.

26 Q. Mr Taylor, did you also review the Liberian TRC report that
27 gave the timing of General Quiwonkpa's coup?

28 A. I have not - I have not gone through the TRC report
29 because --

1 Q. That was tab 48 in annex 3, and it shows a chronology of
2 key events in Liberian history.

3 A. Now you are asking two questions. The TRC report is
4 different from what you are talking about.

10:07:56 5 Q. No, I'm talking, Mr Taylor, about tab 48 in annex 3,
6 appendix D, key events in Liberian history from 1979 to 2003.

7 A. Yes, I have seen this document, but I disagree with some of
8 the dates in this.

9 Q. Well, the one date we're interested in, Mr Taylor, is the
10:08:43 10 coup - the date of the coup showing November 12, 1985, General
11 Thomas Quiwonkpa stages a failed coup.

12 A. Well, you see, what makes this so difficult now --

13 Q. Are you disagreeing with that date, Mr Taylor?

14 A. Well, I have to because you have here November 12, 1985.
10:09:03 15 What does the Ramsey Clark document state?

16 Q. What does it say, Mr Taylor?

17 A. Okay. We have different dates here about, what - the coup
18 occurred around about November 12.

19 Q. Mr Taylor, where in the Ramsey Clark document does it give
10:09:21 20 the date of the coup in Liberia?

21 A. No, the Ramsey Clark document talks about the escape. I'm
22 trying to say dates, some people get the dates wrong.

23 Q. Mr Taylor, what we suggest to you is that your testimony
24 right now has been fashioned based on your review of these
10:09:40 25 documents. It's your attempt to try to fashion your story so
26 that it doesn't appear the complete lie that it is. That's what
27 we suggest to you, Mr Taylor.

28 A. Well, I suggest that you are wrong and I suggest that
29 that's your story, as prosecutors normally make up stories,

1 that's your story. So if you are trying to suggest that I don't
2 have a right to review these documents and be earnest to this
3 Court, that it's only by reviewing documents that I can make
4 statements before this Court, I think that is just totally
10:10:20 5 irrational. I have a right to read these documents. I will read
6 them.

7 And if I make a statement before this Court that after
8 reflection is wrong, I will inform these judges. I'm not afraid
9 of that. And so to suggest that, suggest that, then I shouldn't
10:10:36 10 see the documents. But I think it's a part of the awkward
11 movement on the part of this Prosecution of trying to make all
12 kinds of irrational suggestions now like you've just done to say,
13 by reading these documents you've fashioned. So what do you do?
14 Stop me from reading the documents, right?

10:10:55 15 Q. Well, there may be a dispute about that that comes up,
16 Mr Taylor, as to what documents you should actually be allowed to
17 read, but the point is you did look at these documents before you
18 gave these answers today, that's correct, is it not?

19 A. That is not correct.

10:11:06 20 Q. You just said you did, Mr Taylor.

21 A. No. Well, we're talking about - listen, this is not an
22 American style court. We're talking about a situation. You make
23 a generalised statement.

24 Q. Mr Taylor --

10:11:15 25 A. Excuse, may I complete my statement?

26 Q. Mr Taylor, no --

27 A. Well, I will complete. You will not stop me. No. Let me
28 complete.

29 Q. Mr Taylor --

1 A. No.

2 PRESIDING JUDGE: Just a minute, please.

3 THE WITNESS: You have to let me complete.

4 MS HOLLIS:

10:11:26 5 Q. No, Mr Taylor, not when you are being nonresponsive.

6 PRESIDING JUDGE: Just start again and put the question to
7 Mr Taylor, please.

8 MS HOLLIS: Thank you, Mr President:

9 Q. Mr Taylor, this morning in this Court you have now told
10:11:36 10 these judges that prior to your testimony this morning you have
11 reviewed these documents we just talked about. That is to say,
12 the document that was submitted by Ramsey Clark, your attorney,
13 the article "One jailbreak coup in the bush", and appendix D,
14 Liberian Truth and Reconciliation Commission diaspora project
10:12:10 15 showing November 12, 1985, as the date of the coup. Now, it is
16 correct, Mr Taylor, is it not, that you have told the judges this
17 morning that you have reviewed these documents prior to your
18 testimony today? That is correct, is it not?

19 A. Well, you've asked me six questions. Six. About six
10:12:30 20 different documents. Six questions. Now, can we have them one
21 by one and I will respond to them.

22 Q. Actually, three different documents, but let's try it
23 again, Mr Taylor. The Ramsey Clark document, you told the judges
24 this morning that you had reviewed that document before your
10:12:49 25 testimony today, correct?

26 A. Well, let me just inform the judges --

27 Q. No, Mr Taylor. Is that correct or not?

28 A. Excuse me.

29 Q. You told the judges that you had reviewed this document

1 before your testimony today, correct?

2 A. I reviewed this document months ago. The Ramsey Clark
3 document to these judges is not new. It is not new to your
4 examination today. Ramsey Clark's document formed a part of
10:13:11 5 these documents months ago. I'm answering your question.

6 Q. Mr Taylor, you are not answering the question.

7 A. Excuse me. Listen, I'm on trial here and I am the accused.

8 Q. Mr Taylor, you are a witness and it is your job to answer
9 questions, not to make speeches. Do you understand that?

10:13:26 10 A. I'm the accused. You do not - the judges are going to
11 instruct me. I don't take instructions from you. There are
12 contexts involved here and this is my life.

13 Q. Contexts can be brought out by --

14 A. I'm not going to let you mess with it.

10:13:38 15 Q. -- your attorney if you want it.

16 A. No, no, no, no.

17 Q. The question is very simple. You have a good grasp of the
18 English language.

19 A. Very good.

10:13:44 20 Q. You have told the judges you reviewed this document prior
21 to your testimony this morning, correct?

22 A. Well, that's not the context because --

23 Q. Correct, Mr Taylor?

24 A. That's not the context.

10:13:50 25 PRESIDING JUDGE: Mr Taylor, just so I get your answer
26 correct, to that question you answered that you reviewed it
27 months ago.

28 THE WITNESS: Months ago. That's what I'm trying to tell
29 her.

1 MS HOLLIS:

2 Q. So this is not a new document to you. There's no surprise
3 in this document to you?

4 A. Of course there's no surprise in this document because most
10:14:05 5 of these documents are not fresh anyway.

6 Q. Mr Taylor, as to appendix D, key events in the Liberian
7 history from 1979 to 2003, you also reviewed that document before
8 your testimony today, correct?

9 A. Months ago. This is not new.

10:14:20 10 Q. So were you given a copy of this over the weekend?

11 A. This is not new. Amongst the bundles, I went through it.
12 I saw this. This is not new.

13 Q. Were you given a copy of this document on Friday or over
14 this weekend?

10:14:34 15 A. No. I was given a copy of these documents immediately
16 after - your bundle after the close of business in what was it?
17 December. I was given all of your filings. Your filings, we
18 received copies of all of the documents that you filed.

19 Q. So, Mr Taylor, you were given copies of every document that
10:14:56 20 we filed on 11 December and disclosed to your Defence; is that
21 correct?

22 A. All of the documents that were disclosed to the Defence by
23 you, we have received copies.

24 Q. When you say "we", Mr Taylor, you are sitting there as one
10:15:12 25 person. I'm asking if you have received copies?

26 A. I have received copies, yes.

27 Q. And the article "One Jailbreak Coup in the Bush", you told
28 the Court that you had reviewed this document prior to your
29 testimony today, correct?

1 A. Yes, I have seen this months ago. Months ago.

2 Q. When you say months ago, when did you first see the
3 document?

4 A. This document was contained in documents that I received I
10:15:34 5 would say almost two years ago. This is an old document.

6 Q. So there's no surprise in this document?

7 A. There's no surprise in this as far as my seeing it.

8 JUDGE SEBUTINDE: Ms Hollis, is this last document
9 contained in a tab number that we may follow? Something about
10:15:52 10 jailbreak. What document are you talking about?

11 MS HOLLIS: This is a document that is not in a tab. It
12 was a DCT. It was a document provided by the Defence, week 30,
13 tab 4. The appendix D "Key events in Liberian history" is number
14 48 in annex 3 and the profile of Charles Taylor is number 4 in
10:16:24 15 annex 3:

16 Q. Now, Mr Taylor, if we go back to this profile, which was
17 number 47 in annex 3, there are some other things in here of
18 interest as well, Mr Taylor.

19 A. But you have not asked me the third question about - that
10:16:58 20 you raised before about the truth commission report and you're
21 going to come back and say I said yes to that.

22 Q. Mr Taylor, that is appendix D, "Key events in the Liberian
23 history from 1979 to 2003", the top is captioned, "Liberian Truth
24 and Reconciliation Commission, diaspora project, appendix D"?

10:17:20 25 A. I have not read that document because it is a work still in
26 progress. I have not read it.

27 Q. You have not looked at appendix D?

28 A. I have not read the Liberian truth commission report.

29 Q. Mr Taylor, that is not the question. Appendix D?

1 A. I don't know what you are referring to by appendix. Where
2 is appendix D? When you say D, I don't know.

3 Q. Would you show appendix D, please, to the witness. You
4 have looked at it before, Mr Taylor. That is the document that
10:17:48 5 was at number 48 in annex 3, appendix D?

6 A. The document I'm shown here is --

7 Q. It looks like this.

8 A. Yes, these are the events. That's not the truth commission
9 report.

10:18:02 10 Q. Mr Taylor, it is appendix D of the Liberian Truth and
11 Reconciliation Commission project. Now you have seen that before
12 today, correct?

13 A. No, no, no. Let's get something right --

14 JUDGE SEBUTINDE: Ms Hollis, excuse me, is this an appendix
10:18:20 15 to the report of the Truth and Reconciliation Commission of
16 Liberia or some other report?

17 MS HOLLIS: No, it is the Liberian Truth and Reconciliation
18 Commission diaspora project, appendix D.

19 JUDGE SEBUTINDE: What is the diaspora project?

10:18:39 20 MS HOLLIS: That is, as I understand it, a diaspora project
21 is the report itself and there was a subpart that had to do with
22 the diaspora as well.

23 THE WITNESS: No.

24 MS HOLLIS:

10:18:59 25 Q. Mr Taylor --

26 A. Well, my understanding of this report --

27 Q. Let's be clear. I'm talking about this document, appendix
28 D. You saw that before today, is that correct?

29 A. Well, I think --

1 MR GRIFFITHS: Mr President, I hesitate to interrupt but
2 there may well be some confusion here because we've been served
3 with the final report of the TRC, Truth and Reconciliation
4 Commission for the Republic of Liberia, and quite separately we
10:19:28 5 were served with the document my learned friend is referring to
6 which, apart from small type at the top, suggests that this has
7 come from a completely different organisation. So perhaps my
8 learned friend ought to put the question differently: Have you
9 seen this document, as opposed to have you seen the appendix to
10:19:52 10 the TRC report? Because there is nothing directly apparent on
11 the face of this document to make it clear that it's an appendix
12 to the TRC report.

13 MS HOLLIS:

14 Q. Mr Taylor, I have said this before when I have identified
10:20:08 15 this document to you and I will say it again. You are looking at
16 the document. It is appendix D, "Key events in Liberian history
17 from 1979 to 2003." You are looking at that document, correct,
18 Mr Taylor?

19 A. I'm looking at the document.

10:20:22 20 Q. At the very top, "Liberian Truth and Reconciliation
21 Commission diaspora project, appendix D." Mr Taylor the question
22 is quite simple: You have seen this document prior to your
23 testimony today, correct?

24 A. I have seen this document.

10:20:51 25 Q. And, Mr Taylor, again just so we can be clear about dates,
26 if we are to look at number 6 in annex 3, which is page 115 of
27 the Liberian Truth and Reconciliation Commission final report,
28 volume 2, that is number 6 in annex 3.

29 PRESIDING JUDGE: If you can just pause we'll get hold of

1 that document.

2 MS HOLLIS: It's in binder 1 of 3 in annex 3 and it is tab
3 number 6 and we are looking at page 115.

4 PRESIDING JUDGE: I've got tab number 6.

10:22:51 5 MS HOLLIS: Page 115.

6 PRESIDING JUDGE: 115, thank you.

7 MS HOLLIS: Tab number 6, page 115.

8 JUDGE DOHERTY: My pages appear to go from 8 to 171.

9 MS HOLLIS: When we disclosed this, we have a copy of our
10:24:12 10 disclosure, and 115 was included in that.

11 PRESIDING JUDGE: I've got 115 in my copy. It may be just
12 a printing error.

13 MS HOLLIS: Because we gave one copy for the Chambers to be
14 reproduced so perhaps there was an error in the reprinting of
10:24:29 15 that one copy.

16 JUDGE SEBUTINDE: The Presiding Judge has a copy, the other
17 three judges don't, so I suppose the case can go on.

18 PRESIDING JUDGE: It's only one page. Could that be
19 printed for the other judges, three copies?

10:25:15 20 MS IRURA: Your Honours, I'm displaying the page.

21 PRESIDING JUDGE: We have that on the screen as well now.

22 MS HOLLIS:

23 Q. Mr Taylor, if you look at the marked portion, it includes
24 the sentence, "The political contest spilled into the streets on
10:25:39 25 November 12, 1985 when General Thomas Quiwonkpa mounted his
26 second bid to unseat Doe." So, Mr Taylor, do you still take
27 issue with 12 November 1985 as date of the attempted coup of
28 General Quiwonkpa?

29 A. Do you still take issue? I didn't take issue with it

1 before. But, your Honours, I want to make one thing clear before
2 the Court right now. I have not discussed this with counsel
3 because this would have constituted, you know, discussing my
4 testimony with counsel. This is the truth commission report from
10:26:13 5 Liberia. The questions that I'm going to answer regarding
6 questions raised by the counsel as she's done - excuse me, not
7 she, as Ms Hollis has done now, will deal with the historical
8 issues because this truth commission report as it is in Liberia
9 right now is not a historical document, so there --

10:26:35 10 MR KOUMJIAN: Your Honours, we're going to object to this
11 speech by this witness. He is here to answer questions, not to
12 give speeches.

13 THE WITNESS: Well then I cannot answer questions on the
14 truth commission report because it is a work in progress. As a
10:26:45 15 historical document, no.

16 PRESIDING JUDGE: Ms Hollis, put your questions that you
17 are going to ask and I don't know whether there's going to be
18 some historical basis or not, or any valid reason for Mr Taylor
19 not to answer, but you put your question.

10:27:05 20 MS HOLLIS:

21 Q. Mr Taylor, you have seen that page 115 and that according
22 to the Liberian Truth and Reconciliation Commission final report,
23 12 November 1985 was when General Quiwonkpa made his second
24 attempt at power, correct?

10:27:25 25 A. Well, your Honours, I have --

26 Q. Mr Taylor, is that correct?

27 A. Excuse me, your Honours, I'm going to need some guidance
28 from the Bench because --

29 PRESIDING JUDGE: I'll give you the guidance: That's a

1 question you can answer.

2 THE WITNESS: May I just mention something, your Honour,
3 with all due respect?

4 PRESIDING JUDGE: What's the problem?

10:27:40 5 THE WITNESS: The truth commission report from Liberia is a
6 report that is presently in question where members of that
7 commission, lawyers on that commission, are now going to Court
8 filing suit against the authenticity of this report. So to begin
9 to use the truth commission report to ask me questions where I
10:28:04 10 could even be a subject of trial in that thing I think is wrong.

11 So I'm prepared to answer factual matters about historical facts
12 but the reference to the report, I feel right now that this
13 report is still a work in progress and there is nothing
14 historically factual about it. So I'm prepared, your Honour, to
10:28:24 15 answer to any factual questions but not as it is being posed by
16 counsel regarding the truth commission report of Liberia which is
17 still a questionable report now in progress. That's the issue I
18 want to raise before this Court.

19 PRESIDING JUDGE: Mr Taylor, the question asked was this
10:28:42 20 and you are quite capable of answering it, this is the question:

21 "Mr Taylor, you have seen that page 115 and that according
22 to the Liberian Truth and Reconciliation Commission final report,
23 12 November 1985 was when General Quiwonkpa made his second
24 attempt at power, correct?"

10:29:03 25 All you are being asked is have you seen it?

26 THE WITNESS: I have seen it.

27 PRESIDING JUDGE: Right. Next question, Ms Hollis.

28 MS HOLLIS: Thank you:

29 Q. Mr Taylor, the two months between your escape and the coup

1 when you failed to go to West Africa to assist in that coup, was
2 that because you had divulged information about that coup to the
3 Liberian government?

4 A. Oh, no. I wanted to - no.

10:29:36 5 Q. Had you told the CIA or other United States agencies about
6 that coup?

7 A. No, I did not.

8 Q. So you simply didn't go?

9 A. I have just said this morning that there were certain
10:29:51 10 constraints that why I was not there on time.

11 MS HOLLIS: Your Honours, at this time we would ask for
12 certain of these exhibits to be marked for identification. We
13 would ask that number 6 in annex 3, page 115, be marked for
14 identification. That is the page of the Liberian Truth and
10:30:25 15 Reconciliation Commission final report, volume 2. And so that we
16 can be clear in the record as to what this is found in, we would
17 also ask that the first page of that report be included in that
18 exhibit showing that Republic of Liberia Truth and Reconciliation
19 Commission final report unedited, volume 2, and you have that, I
10:30:58 20 believe, Mr President.

21 MR GRIFFITHS: Mr President, can I be clear that for
22 present purposes the application being made is limited to page
23 115 and the frontispiece.

24 MS HOLLIS: That is correct.

10:31:17 25 MR GRIFFITHS: I'm grateful.

26 PRESIDING JUDGE: You want page 115 and the cover sheet
27 marked for identification.

28 MS HOLLIS: That is correct, Mr President.

29 PRESIDING JUDGE: We'll mark page 115 as MFI-315, I think

1 it is, 315A and the cover sheet will be MFI-315B.

2 MS HOLLIS: Thank you, Mr President. We would also ask
3 that number 47 in annex 3 be marked for identification. That is
4 the profile of Charles Taylor.

10:32:09 5 MR GRIFFITHS: In relation to this document, Mr President,
6 can I ask whether the Prosecution are in possession of a signed
7 copy of this document bearing a signature and/or the seal of the
8 Magistrate's Court in Massachusetts showing proof of
9 authenticity?

10:32:31 10 MS HOLLIS: No, we are not.

11 PRESIDING JUDGE: That document that you've just described
12 will be marked for identification MFI-316.

13 MS HOLLIS: And we would ask that number 48 in annex 3,
14 that is appendix D, key events in Liberian history from 1979 to
10:33:05 15 2003, also be marked for identification.

16 PRESIDING JUDGE: That document is marked MFI-317.

17 MS HOLLIS:

18 Q. Mr Taylor, before we move on on a different topic, looking
19 at MFI-316, if we look at page 10 of that document - in fact, it
10:33:34 20 begins on - at page 9 mentioning your GSA service and then on

21 page 10 it talks about this issue of monies from Liberia. And
22 you remember, Mr Taylor, you talked to the judges about the
23 embezzlement charges that the Government of Liberia under Master
24 Sergeant Doe had levied against you and that was the basis for
10:34:18 25 the request for your extradition. You remember talking about

26 that?

27 A. Yes, I do.

28 Q. And it involved a \$900,000 amount that you were alleged to
29 have taken. You recall that?

1 A. Yes, I do.

2 Q. And at page 10 at the top it says, "It was later discovered
3 that Dhillon brothers" - and this was the firm that supposedly
4 the \$900,000 came from, correct, Mr Taylor?

10:34:47 5 A. Well, yes, but the firm was - these are the owners of the
6 firm. The firm has a different name. I don't see it here.

7 Q. You remember the name of that firm?

8 A. I don't. But Dhillon owned the firm. I don't remember the
9 name of the firm.

10:35:11 10 Q. So here on page 10 it says:

11 "It was later discovered the Dhillon brothers had
12 transferred \$100,000 from the \$900,000 to an account maintained
13 by Taylor in the US to cover unrelated monies they had received
14 from Taylor in Liberia for transfer to his account in New York.

10:35:31 15 These monies belong to a number of people whom Taylor refused to
16 identify because their lives would be endangered in Liberia if
17 the government knew who they were and that they were transferring
18 money out of the country through Taylor. Apparently Dhillon
19 brothers had retain a \$100,000 received from Taylor in Liberia or
10:35:51 20 transferred it elsewhere, and replaced it with \$100,000 from the
21 \$900,000 on the parts contract. The Government of Liberia never
22 claimed the \$100,000 was illegally transferred to Taylor. It
23 claimed Taylor took the entire \$900,000 a fact disproved by bank
24 records."

10:36:11 25 So in this document, Mr Taylor, Mr Clark is indicating that
26 indeed \$100,000 was transferred to an account maintained by you
27 in the United States. Is that correct?

28 A. That is correct.

29 Q. So in the United States you had an account and this would

1 have been during what time frame, Mr Taylor, that this \$100,000
2 was transferred to your account in New York?

3 A. Oh, boy. I would say - this could be - I'm not too sure,
4 but somewhere between '82, '83. Somewhere about there.

10:36:57 5 Q. Were there any other large sums that were put in that
6 account of yours in New York during this time, Mr Taylor?

7 A. No. If it had been so, the US government would have
8 disclosed it, no.

9 Q. Did the US government freeze this money in this account, do
10:37:17 10 you know?

11 A. I don't know. No, I don't think they did. No, they
12 didn't.

13 Q. So, Mr Taylor, in fact you did get \$100,000 from this
14 company. Isn't that correct?

10:37:24 15 A. No. I got \$100,000 from Mr Dhillon.

16 Q. That was part \$900,000 that you were alleged to have
17 embezzled?

18 A. Well, I can't say that. I cannot say that and I don't
19 think anybody can say that this 100 came from the 900. The only
10:37:48 20 thing that can be said factually is that I received \$100,000, but
21 one cannot say it came from this amount or from that amount. I
22 did receive \$100,000.

23 Q. Well, it was part the funds that you embezzled, isn't that
24 correct, Mr Taylor?

10:38:01 25 A. Well, I wouldn't say that is correct. It depends on what
26 you mean by funds that I embezzled. It was never --

27 Q. -- should legitimately have gone to the Government of
28 Liberia that you took in your position as head of GSA.

29 A. No, no, no, you are wrong, counsel. This is not funds to

1 have gone to the Government of Liberia and it was never proven
2 that I embezzled any money.

3 Q. Now, Mr Taylor, let's turn to another topic. During your
4 testimony on several occasions you have referred to your attack
10:38:55 5 on Liberia as your revolution, as the revolution, correct?

6 A. It was a revolution, yes.

7 Q. And you made that reference on 14 July, 15 July, you have
8 made that reference on other occasions and your counsel himself
9 has characterised your attack as the revolution, correct?

10:39:20 10 A. Yes.

11 Q. Is that how you saw your actions in Liberia, as a
12 revolution?

13 A. Oh, yes.

14 Q. And the March 1991 attack on Sierra Leone, did you consider
10:39:33 15 that a revolution as well?

16 A. I have no judgment on that. I cannot account for why they
17 did. Mine was a revolution in Liberia. I do not know --

18 Q. So you would not have characterised that as a revolution?

19 A. Well, I refuse to categorise because I do not know what
10:39:50 20 were the basis of that attack, so I cannot categorise it. I
21 refuse to do that. It could have been an act of banditry. It
22 could have been anything, so I cannot categorise it.

23 Q. Mr Taylor, you've also told these judges on several
24 occasions that you did not meet Foday Sankoh until August 1991,
10:40:13 25 correct? Do you recall telling the judges that?

26 A. That is correct.

27 Q. Now, that is not really true, is it?

28 A. That is 100 per cent true.

29 Q. In fact you had met Foday Sankoh long before August 1991,

1 isn't that correct?

2 A. That is not correct.

3 Q. You met him even before your attack on Liberia, isn't that
4 correct?

10:40:38 5 A. That is not correct.

6 Q. Mr Taylor, do you remember an interview in 1998 with a
7 woman who worked for BBC by the name of Mary Harper?

8 A. That is correct. And I mentioned to Mary Harper that I
9 had --

10:40:53 10 Q. It was an interview for Talk About Africa?

11 A. That is correct.

12 Q. And you remember it took place in December 1998?

13 A. Thereabouts, yes.

14 Q. And during that interview, you told her, among other
10:41:07 15 things, that conflicts in Africa result from people using
16 ethnicity and tribal affinity to do what they want to do, yes?

17 A. That is correct.

18 Q. Indeed, that's what you did in Liberia, isn't that correct?
19 You used tribal and ethnic affinity to do what you wanted to do
10:41:25 20 to gain power?

21 A. Ms Hollis, that would be total - I did not send Doe to
22 murder people. No, that is totally incorrect.

23 Q. Mr Taylor, during this interview with Mary Harper, you also
24 referred to your good friend and brother President Kabbah. Do
10:41:39 25 you recall that?

26 A. That is correct.

27 Q. And when you referred to your good friend and brother
28 President Kabbah, Ms Harper replied that he, meaning
29 President Kabbah, was not really a good friend and brother of

1 yours because people were accusing you of desperately trying to
2 get rid of him. Do you remember her making that comment to you?

3 A. Vaguely, yes.

4 Q. And you answered that the international community did not
10:42:07 5 support President Kabbah sufficiently following his election. So
6 everyone should have known that President Kabbah was going to be
7 in trouble. Do you remember telling her that?

8 A. That is correct.

9 Q. And then you told Ms Harper, "It is known by everyone that
10:42:24 10 I had been friendly with Foday Sankoh for many years before the
11 revolution." Do you recall telling Mary Harper that?

12 PRESIDING JUDGE: Just before you answer, I think you said
13 - you quoted Ms Harper as - you quoted what was said to Ms Harper
14 as it is known by everyone, et cetera. Is that right?

10:42:47 15 MS HOLLIS: That is correct.

16 PRESIDING JUDGE: The LiveNote record says "it is not known
17 by everyone" which is diametrically opposed in meaning, so I just
18 thought I would mention that now in case it's missed when the
19 transcript is edited.

10:42:59 20 MS HOLLIS: Thank you, Mr President.

21 Q. Indeed, let's go over that again because it is important.
22 You told Ms Harper, "It is known by everyone that I have been
23 friendly with Foday Sankoh for many years before the revolution."
24 You told her that in 1998, didn't you, Mr Taylor?

10:43:16 25 A. Yes, I did.

26 Q. Now, Mr Taylor, before you came in here this morning to
27 testify you had reviewed the transcript of that interview in
28 December 1998, had you not?

29 A. I've reviewed that, yes. Not before I came in here this

1 morn ing.

2 Q. When did you review that, Mr Taylor?

3 A. Some time ago. Some time ago I read through.

4 Q. And you read the transcript of it and did you listen to the
10:43:47 5 broadcast itself?

6 A. At the time that Mary Harper did it, I didn't listen to the
7 broadcast, but I recall the --

8 Q. Before you testified here today, Mr Taylor, did you listen
9 to the broadcast itself? Did you review it?

10:44:01 10 A. The transcript that you sent?

11 Q. No, the broadcast itself, did you listen to it?

12 A. No, I didn't listen to it.

13 Q. Do you want to hear it just to refresh yourself?

14 A. No, no. I agree that I said that to her. I agree.

10:44:12 15 Q. So in December 1998 you told Mary Harper that everyone knew
16 you had been friendly with Foday Sankoh for many years before the
17 revolution. So at that point in time you hadn't really fashioned
18 what story you were going to tell later, had you, Mr Taylor?

19 A. Well, let's look at, you know, the cynical way you ask your
10:44:29 20 question and let's look at the language. I had never known
21 Foday Sankoh. I said to her, it is known by everyone, that I had
22 known Foday Sankoh before the revolution, which was totally
23 incorrect because I had not known him. And I'm saying to her
24 that everyone knows, and this is what is out there because this
10:44:50 25 is 1998, I'm already President, I said it is known by everyone
26 that I knew Foday Sankoh, when in fact I did not.

27 Q. Actually, Mr Taylor, what you said was, "It is known by
28 everyone that I have been friendly with Foday Sankoh for many
29 years before the revolution"?

1 A. That's the knowledge of people out there which is
2 incorrect. That's the knowledge by people.

3 Q. Mr Taylor, you are playing with words here, aren't you?

4 A. No, I'm not playing with words.

10:45:15 5 Q. So you're saying that when you say, "It is known by
6 everyone I have been friendly with Foday Sankoh for many years
7 before the revolution," that just means other people have it
8 wrong. Is that what you are trying to tell the judges?

9 A. That is correct. Ms Hollis, I had never in my life met
10:45:33 10 Foday Sankoh before 1991. And I'm saying to you I say everybody,
11 it is known by everybody that I met him, that is incorrect.

12 Q. It's just another one of your attempts to cover up your
13 lies, isn't that right, Mr Taylor?

14 A. That is totally, totally incorrect, Ms Hollis. There is no
10:45:55 15 evidence Foday Sankoh before he died - I had never known or met
16 him before, ever, and I'm telling her that everyone knows this
17 and just like everyone knows now that I have billions of dollars,
18 everyone knows and there is no truth to any billions but
19 everybody knows that I have billions, including you.

10:46:13 20 Q. Mr Taylor, we suggest that what you told Mary Harper in
21 December 1998 was that you had been friends with Foday Sankoh
22 since before the revolution; not other people mistakenly thought
23 that but you had been friends with Foday Sankoh since --

24 A. I have never met Foday Sankoh in my entire life and there
10:46:35 25 is no Sierra Leonean or Liberian or others that had never met
26 Foday Sankoh. That's why I'm saying everybody knows and they
27 know they're wrong. Everybody knows now that I have billions.
28 Everybody knows that Charles Taylor is rich. It is all a lie.

29 Q. That's your story here in court?

1 PRESIDING JUDGE: Mr Taylor, you haven't answered the
2 question. You weren't asked that. You were asked did you tell
3 Mary Harper?

4 THE WITNESS: I have said yes. I have said I told her that
10:47:01 5 then she got - I'm sorry, then Ms Hollis got into what it meant
6 and I'm trying to tell her that the knowledge of something - I'm
7 saying to Mary everybody knows that I was friendly with
8 Foday Sankoh before revolution, okay, and I'm trying to give you
9 the context. I'm saying that everybody knows that Charles Taylor
10:47:23 10 had billions of dollars. Everybody knows now if we take Sierra
11 Leone - everybody in Sierra Leone knows that Charles Taylor was
12 the one that sponsored the war.

13 MS HOLLIS:

14 Q. Mr Taylor, your point here is to answer questions, not to
10:47:36 15 make speeches. Now let's go to the next question.

16 A. I'm answering the judge's inquiry, please.

17 Q. Mr Taylor, in fact you had known Foday Sankoh before your
18 revolution and you had met him in Libya. That's the truth, isn't
19 it?

10:47:50 20 A. I never met Foday Sankoh in Libya ever. Never knew him,
21 never met him in Libya and we will prove it to this Court.
22 Never.

23 Q. While you were in Libya, Mr Taylor, you've talked about Ali
24 Kabbah and being in charge of the Sierra Leoneans there. Do you
10:48:07 25 recall talking about that?

26 A. Oh, yes.

27 Q. In fact in Libya a dispute arose that resulted in
28 Foday Sankoh taking over leadership of that group. Isn't that
29 correct?

1 A. I have no knowledge of that. The only leader that I know
2 of the Sierra Leonean group was Ali Kabbah. That is totally,
3 totally - well, I wouldn't say incorrect, but I'm answering to
4 the fact that I did not know this information. Neither did I
10:48:34 5 contact Foday Sankoh or was ever in contact with him. No.

6 Q. Mr Taylor, in fact the group split because Ali Kabbah and
7 his part of the group wanted more time to plan the revolution.
8 Isn't that correct?

9 A. I have no idea if it's correct or wrong. I am not aware of
10:48:49 10 that. I have no idea.

11 Q. And also Ali Kabbah and those loyal to him wanted a
12 well-structured revolution that would be restricted to Sierra
13 Leone. That was another point of difference. Isn't that
14 correct, Mr Taylor?

10:49:01 15 A. I have no idea of that, but that's not - Ali Kabbah that I
16 met was a Pan-Africanist and my discussions with him did not go
17 beyond what he was doing in Sierra Leone.

18 Q. He told you about what he wanted for his revolution, didn't
19 he, that he wanted a well-structured revolution?

10:49:20 20 A. He didn't tell me in those exact words. Listen, Ali Kabbah
21 had men there who were being trained to fight. I didn't get into
22 how you're going to fight and how is it going to be structured.
23 We talked basically about general African problems but we didn't
24 go into that kind of detail. But there were men there trained to
10:49:44 25 fight.

26 Q. Mr Taylor, the authorities in Libya wanted the Sierra Leone
27 group to join your NPFL to fight against Doe, isn't that right,
28 and then move on to Sierra Leone?

29 A. Totally, totally black lie. That's a Prosecution lie.

1 That is incorrect.

2 Q. That was another basis for disagreement within the Sierra
3 Leone group. Isn't that correct, Mr Taylor?

4 A. That's a Prosecution lie. Totally incorrect.

10:50:04 5 Q. And you aligned yourself with the Sierra Leone group headed
6 by Foday Sankoh. Isn't that correct, Mr Taylor?

7 A. Totally, totally, totally incorrect.

8 Q. And prior to this split in the group Foday Sankoh had no
9 prominence really in this movement in Libya but he was willing to

10:50:25 10 go with you to Liberia, correct?

11 A. That is totally incorrect. But even if we assume that you
12 are correct, why wouldn't the Libyans have asked the Gambians to
13 come and fight with me? They would have asked the Sierra

14 Leoneans. The Gambians were there, they had nothing to do. Why
10:50:42 15 didn't they ask them? So the whole theory has no basis. It's
16 totally incorrect.

17 Q. The Gambians did go fight with you in Liberia, didn't they,
18 Mr Taylor?

19 A. Not by the Libyans asking them. I requested for security
10:50:53 20 reasons that they come after they were in West Africa. Your
21 question was to the participation of the Libyans in trying to
22 bring people together.

23 Q. The Libyan authorities made that position known because of
24 this split within the Sierra Leone group. Isn't that correct?

10:51:08 25 A. Total nonsense.

26 Q. That's why Libya made its position known.

27 A. Total nonsense. The Libyans were not involved in any
28 discussions with them.

29 Q. No such split within the Gambian group, was there; they

1 were all willing to go to Liberia and fight with you?

2 A. That is totally - I don't know where these fallacies come
3 from. Totally incorrect. Totally, totally incorrect.

4 Q. And after this split Foday Sankoh became the leader of the
10:51:31 5 Sierra Leoneans. Isn't that correct?

6 A. I have no idea about that. I have no idea.

7 Q. And he travelled via Burkina Faso to join you in the Ivory
8 Coast, did he not?

9 A. Totally incorrect.

10:51:43 10 Q. And he participated with your fighters in military
11 operations in Liberia. That's the truth, is it not?

12 A. Totally incorrect. Totally, totally, totally incorrect.
13 Foday Sankoh, as far as I know, never entered Burkina Faso ever.

14 Q. Mr Taylor, it's your version here today that's incorrect.
10:52:02 15 Isn't that right?

16 A. Well, I tell you if my version is incorrect those that were
17 a part of it, including the Gambians - but if that was correct we
18 will see from all of the different witnesses that will come here.
19 They were never in Burkina Faso ever.

10:52:20 20 Q. Mr Taylor, what's important for the Court right now is what
21 you have to say, not what you want the Court to understand other
22 people will say.

23 A. I have said to the Court that Foday Sankoh and I had no
24 contacts in Libya. I have said to this Court Foday Sankoh and I
10:52:34 25 had no contacts in Burkina Faso, in fact he was never there.

26 I've said to this Court that Foday Sankoh and I had no contacts
27 at the beginning of my revolution in Liberia. I have said to
28 this Court that the first contact I had with Foday Sankoh was in
29 August 1991. That's my evidence before this Court.

1 Q. And that testimony has all been false, hasn't it?

2 A. Never false. It is 100 per cent true.

3 Q. Let's take a look at some portions of the Sierra Leone
4 truth and reconciliation final report and in particular let's

10:53:12 5 look at number 93 in annex 3 which is the Sierra Leone truth and
6 reconciliation report, volume 3B, chapter 2, page 60, paragraph
7 14.

8 MR GRIFFITHS: Mr President.

9 PRESIDING JUDGE: Yes, Mr Griffiths.

10:53:38 10 MR GRIFFITHS: I object to the deployment of this document
11 and I do so for the following reasons: First of all, the
12 Prosecution's case is that this accused was party to a joint
13 criminal enterprise founded in Libya with Foday Sankoh which
14 continued through to the invasion of Sierra Leone in March 1991.

10:54:12 15 My first point then is this: The particular passage to which my
16 learned friend wishes to bring the Court's attention deals
17 specifically with that issue. Consequently, it's a matter going
18 to guilt.

19 If that be right, point number one is this: My learned
10:54:34 20 friend first has to establish why it's in the interests of
21 justice for this passage to be introduced at this stage;
22 secondly, what are the exceptional circumstances which give rise
23 to its possible introduction at this stage, and you will note
24 that I'm referring to the test enunciated by your Honours in your
10:55:03 25 decision on the disclosure obligations of the Prosecution in
26 relation to this cross-examination material.

27 Now, apart from that general observation, it also needs to
28 be borne in mind that the testimony which was heard by the TRC in
29 Sierra Leone which gave rise to this report was not evidence

1 tested in cross-examination in the context of a courtroom.
2 Neither was the defendant present and available at the time to
3 dispute assertions being made by witnesses giving evidence before
4 that truth commission. And the principle is long established
10:55:54 5 that where, for example, two individuals are arrested in relation
6 to a particular offence and both are interviewed and one gives in
7 the course of that interview evidence or an account which
8 implicates the other, that is not evidence against that other
9 defendant because the defendant was not present to dispute the
10:56:18 10 assertion being made.

11 Applying the same logic to the manner in which evidence was
12 collated by the Truth and Reconciliation Commission in Sierra
13 Leone, for Mr Taylor now to be asked to account for assertions
14 made by witnesses before that tribunal is tantamount to
10:56:41 15 confronting him with the evidence of a co-defendant or the
16 account given by a co-defendant in interview, and in our
17 submission that is not permissible in cross-examination.

18 It's a point that I was intending to make in due course
19 about the TRC report for Liberia but I make it now as being a
10:57:05 20 point of general application that in our submission it cannot be
21 right for this man who was not in a position to appear before the
22 TRC in Sierra Leone to assert that these things being said are a
23 pack of lies, cannot now in this tribunal be confronted with the
24 findings of that commission. In our submission, it's totally
10:57:31 25 unfair. That's after we've dealt with the question of whether or
26 not the Prosecution have shown that there are exceptional
27 circumstances why this material ought to be brought in at this
28 stage.

29 PRESIDING JUDGE: Yes, you wish to reply to that objection.

1 MS HOLLIS: Thank you, Mr President. First of all, who is
2 asking that you consider this for his guilt? We are using this
3 to impeach him. Now is the Defence going to ask you to consider
4 this for his guilt? We don't think so. Are your Honours
10:58:09 5 independently going to consider this as to his guilt? Maybe
6 within your discretion, we doubt it if we are asking specifically
7 that you limit it to impeachment which is what we are using it
8 for. We are not asking you to use it to consider his guilt, so
9 the test does not apply.

10:58:27 10 Secondly, as to the test itself, the Defence counsel
11 misstates the test. In your decision on that, if we were to look
12 at paragraph 27, you indicate at page 12 of that decision "a
13 document containing fresh evidence probative of guilt is subject
14 to disclosure and its use will not be permitted during
10:58:51 15 cross-examination unless it is in the interest of justice and it
16 does not violate the fair trial rights of the accused." The
17 exceptional circumstances relates to admission.

18 Now, you used the language there "probative of guilt".
19 However, that envisions hypothetical possibilities. As the
10:59:12 20 Prosecution made clear when it provided your Honours and the
21 Defence with the materials we intend to use in cross-examination
22 of this accused, we are not asking you to consider this material
23 for the guilt of this accused. So your decision to use it for
24 guilt would have to arise independently from your Honours or the
10:59:33 25 Defence would have to ask you to consider it to use to prove his
26 guilt. We don't think that will happen.

27 We are using it as impeachment. A witness should not be
28 allowed to come into this Court, say whatever he wants, secure in
29 the knowledge that his lies will be protected because material

1 which the party using the material is not asking you to consider
2 for guilt cannot be used.

3 Now, as to this material being that of a co-defendant, we
4 suggest that that is not a proper analogy and also that those
11:00:09 5 arguments go to the weight to be given to this material if after
6 it is used you allow it to be marked and if you allow it to be
7 admitted. But we suggest that simply the test does not apply
8 because we are not asking you to use it to consider his guilt.
9 We are asking you to use it to consider the truthfulness of the
11:00:35 10 testimony he has given to your Honours during direct and
11 cross-examination.

12 PRESIDING JUDGE: Well, I haven't actually heard - yes, I
13 will hear you on that, Mr Griffiths. I was just going to pass a
14 comment, Ms Hollis, that we haven't actually heard a question
11:00:55 15 yet. You've simply mentioned the material.

16 MS HOLLIS: I would be relying on the material,
17 Mr President, to make it easy.

18 PRESIDING JUDGE: Can we take it that you are going to use
19 that TRC report to contradict something that Mr Taylor has
11:01:11 20 already said in evidence?

21 MS HOLLIS: That's correct.

22 PRESIDING JUDGE: All right, Mr Griffiths, this is an
23 important point. I don't normally allow replies in situations
24 like this, but what did you wish to say?

11:01:27 25 MR GRIFFITHS: Well, our position is this, Mr President:
26 That the argument being put forward by my learned friend that
27 this - that the party deploying the material seeks to do so
28 purely for impeachment purposes, in our submission, that is a
29 spurious argument and is disingenuous in the extreme. In our

1 submission, the proper approach is to look objectively at the
2 evidence sought to be deployed and then to consider whether or
3 not potentially that material goes to guilt. And if it does so,
4 in our submission, the test enunciated in your Honours' decision
11:02:15 5 should be applied. One has to look at it objectively. Because
6 my learned friend concedes that it may be open to your Honours to
7 rely upon that material for guilt. That is conceded. Hidden
8 within that concession is the acceptance that it does go to
9 guilt. And in our submission, if it does go to guilt in that
11:02:41 10 way, then my learned friend has to justify why it is being
11 deployed at this stage.

12 Bearing in mind, of course, that it goes to a key and core
13 element of the Prosecution case, which is the joint criminal
14 enterprise said to have been fashioned in Libya years before the
11:03:04 15 advent of the invasion of Sierra Leone. And in our submission,
16 our second submission with regard - using the analogy of the
17 interview of co-defendants, that issue doesn't go purely to
18 weight. It goes to admissibility. Whether or not in the first
19 instance such material can be deployed where a defendant had not
11:03:33 20 had an opportunity at the time of the utterance to dispute its
21 authenticity, we submit that is a rule which goes to
22 admissibility and not weight.

23 PRESIDING JUDGE: Ms Hollis, this is departing from our
24 normal procedure, but since it was your question that was
11:04:02 25 objected to, we've now heard Mr Griffiths twice on his objection,
26 so I will give you a chance to reply, but from here on in we will
27 stick to the normal procedure.

28 MS HOLLIS: Thank you for the opportunity, Mr President.
29 Mr President, this trial is being conducted not before a jury

1 that might misuse evidence even though instructed as to use by
2 the judges but it's being heard by a panel of professional
3 judges. Your Honours are perfectly capable of determining that
4 this evidence will be used only as the party offering it has
11:04:47 5 asked you it be used and that is for impeachment. That happens
6 all the time. In fact, even in jury trials, the use of material
7 is limited to certain purposes even though theoretically in
8 someone's mind somewhere it might be relevant for another
9 purpose. So it is not spurious.

11:05:04 10 We were specifically asked when we disclosed materials on
11 11 December to indicate which materials we would seek for
12 your Honours to use in determining guilt as well as for
13 impeachment. We indicated all the materials are for impeachment
14 and we indicated the very small number of materials we would also
11:05:25 15 ask your Honours to consider for guilt. These materials are not
16 among them. Your Honours are perfectly capable of limiting it to
17 impeachment, which is what we are asking you to do.

18 PRESIDING JUDGE: All right. Thank you. We will just
19 confer for one moment.

11:06:01 20 [Trial Chamber conferred]

21 PRESIDING JUDGE: We have an earlier matter to deal with as
22 well and that is the filing by the Defence of CMS 870, which we
23 haven't seen yet and which we're going to take a break and
24 consider, and we'll also consider this current objection.

11:08:57 25 Just before we do take a break though, Ms Hollis, what part
26 of the TRC report were you thinking of using?

27 MS HOLLIS: [Microphone not activated]. I apologise.
28 Number 93 I mentioned. Number 94 in annex 3 which is page 94,
29 paragraph 28. Number 95 in annex 3, which is page 100, paragraph

1 50.

2 PRESIDING JUDGE: All right, thank you. We'll take a break
3 now. That will no doubt run into the normal time for the morning
4 recess. Yes, Mr Griffiths.

11:10:38 5 MR GRIFFITHS: No, I am just standing up.

6 PRESIDING JUDGE: I understand. As I said, the break we're
7 going to take now will run into the morning recess, so we'll take
8 the morning recess at the normal time and resume at 12 o'clock.

9 [Break taken at 11.10 a.m.]

12:00:23 10 [Upon resuming at 12.44 p.m.]

11 PRESIDING JUDGE: We will deal first with the matter raised
12 earlier this morning by the Prosecution in that the - it claims
13 that the Defence has not complied with the Court's order for the
14 Prosecution to be provided with a list of the next batch of
12:45:04 15 witnesses that will be called.

16 Now, the Court did indeed order the Defence to provide that
17 list of witnesses prior to the recess, but that was bearing in
18 mind what the Prosecution had said on 11 November at page 31583
19 that, "We would hope to be able to conduct this examination in
12:46:14 20 four to five weeks". That has not happened, and it must be borne
21 in mind that the obligation on the Defence is to provide the
22 Prosecution with a list of the witnesses it intends to call two
23 weeks prior to calling those witnesses.

24 The Defence, in reply to that order, has filed a document
12:46:55 25 CMS 870, which gives the order of the witnesses to be called in
26 two weeks' time and in fact, because of the progress of the
27 cross-examination, there is only one witness involved, and that
28 is Charles Ghankay Taylor. So we hold that the Defence has
29 complied with the Court order.

1 I will mention that that is a majority decision.

2 The next matter is an objection by the Defence to the
3 Prosecutor using certain truth and reconciliation material. We
4 have looked at the material intended to be used by the
12:48:05 5 Prosecution and we find that paragraph 14 in annex 3, number 93,
6 and paragraph 50 in annex 3, number 95, do indeed go to proof of
7 the guilt of the accused, but that paragraph 28 in number 94 does
8 not appear to do so.

9 In respect of paragraphs 14 and 50, we refer to our
12:49:02 10 decision on 30 November 2009, "Decision on Prosecution motion in
11 relation to the applicable legal standards governing the use and
12 admission of documents by the Prosecution during
13 cross-examination". In that decision we held that a document
14 containing fresh evidence probative of the guilt of the accused
12:49:32 15 will not be permitted to be used during cross-examination unless:
16 (a), it is in the interests of justice; and (b), it does not
17 violate the fair trial rights of the accused.

18 Now, as has been indicated before, that decision refers to
19 the content of such documents, not to the intended use by the
12:50:04 20 Prosecution. The Trial Chamber again emphasises this
21 distinction, since the Court has a discretion to use such
22 material as proof of guilt no matter what was the intended use
23 declared by the Prosecution. Having said that, the Trial Chamber
24 is not satisfied that the Prosecution has demonstrated either
12:50:28 25 that it is in the interests of justice, or that it does not
26 violate the fair trial rights of the accused to use that material
27 in cross-examination, and the Trial Chamber accordingly upholds
28 the Defence objection in relation to paragraphs 14 and 50
29 previously mentioned.

1 Paragraph 28 appears not to go to the guilt of the accused,
2 but if the Defence holds different views, we will be prepared to
3 hear it on that.

4 Yes, Ms Hollis.

12:51:14 5 MS HOLLIS: Mr President, is it the decision of the
6 Trial Chamber that the arguments which were raised before both
7 went to the substantive proof which was required or showing which
8 was required, as well as to the issue of whether such a showing
9 was required at all?

12:51:37 10 PRESIDING JUDGE: I'm sorry [microphone not activated].

11 MS HOLLIS: Your decision about the showing was
12 unsatisfactory to establish that it would be in the interests of
13 justice and not violative of the fair trial rights of the accused
14 to use these documents, is that decision based on a determination
12:51:54 15 by your Honours that the arguments that you heard prior to taking
16 your break went both to whether that test should even be applied
17 to this material, as well as to the test itself?

18 PRESIDING JUDGE: Well, we have held that the test should
19 be applied to the first - to two of those materials that we have
12:52:17 20 mentioned, and we have also decided that we are not satisfied
21 that the Prosecution has met those tests.

22 MS HOLLIS: Thank you for that clarification.

23 Now if we could please look at number 94 in annex 3, which
24 is page 94, paragraph 28, of the Sierra Leone Truth and
12:52:48 25 Reconciliation Commission volume 3A, chapter 3 - chapter 3A, to
26 be more specific - and paragraph 28. That's in binder 3 of 3
27 from annex 3.

28 PRESIDING JUDGE: I have got it, Ms Hollis. I am just
29 checking if my colleagues have got it. We have all got that in

1 front of us, Ms Hollis.

2 MS HOLLIS:

3 Q. Mr Taylor, we see at paragraph 28 that the Sierra Leone
4 Truth and Reconciliation found that while in Libya, the budding
12:54:25 5 revolutionaries were said to have fallen out among themselves.
6 Among the issues were opposition by those in the Ali Kabbah group
7 to the idea of launching a revolutionary war without a composite
8 political education. And then if we skip to the next sentence
9 after the one beginning "Ali Kabbah was also accused":

12:54:45 10 "This was to cause the first split in the movement, as Ali
11 Kabbah and those loyal to him left the training camps and
12 returned to Sierra Leone."

13 Now, Mr Taylor, during those discussions you say you had
14 with Ali Kabbah, he must have made it clear to you that he
12:55:01 15 believed there had to be a composite political education for the
16 revolutionary war in Sierra Leone, correct?

17 A. Incorrect.

18 Q. You're saying he never mentioned that to you?

19 A. That's just what I'm saying. Exactly.

12:55:14 20 Q. And you must have known that there was a split in the
21 Sierra Leone group and that Ali Kabbah and his followers left
22 following that split. You must have known that, Mr Taylor?

23 A. I did not know that.

24 Q. Mr Taylor, that's just not true, is it?

12:55:28 25 A. That is very, very, very true. I did not know that. But
26 if you read that - if you read that - you see, again, not - you
27 know, I don't want us to get into what happened this morning, and
28 I apologise if I went too far. But if you look at the - if you
29 look at that paragraph, when it said - when you said in your

1 question that the truth and reconciliation established that, they
2 should have established that based on documentary evidence.

3 There is nobody that was in that camp that has shown up: Ali
4 Kabbah is not available; Mohamed Tarawalli is not available;

12:56:02 5 Rashid Mansaray is not available --

6 Q. Mr Taylor --

7 A. So this is totally erroneous.

8 Q. Mr Taylor, your counsel will make arguments about evidence.

9 It's your job to answer the questions.

12:56:14 10 A. But I've answered the question.

11 Q. And, Mr Taylor, in fact you were aware of this split and
12 you were aware that Foday Sankoh then became leader and you
13 associated with him in Libya. Isn't that correct?

14 A. That is totally incorrect. I was not aware of the split.

12:56:29 15 I was not aware of what was going on in their movement, and that
16 is totally incorrect.

17 Q. Mr Taylor, did you ever make statements in 1992 that as of
18 April 1992 you did not know who Foday Sankoh was?

19 A. If I have ever made statements - could you ask that

12:56:54 20 question again?

21 Q. Yes. Did you ever make statements or a statement that as
22 of April 1992 you did not know who Foday Sankoh was?

23 A. I don't recall. But if I made that statement, that could
24 have been misspoken. Sometimes we get the dates mixed up. But I

12:57:16 25 got to know Foday Sankoh in August '91. By '92, May, he and I
26 broke up. So if I made such a statement, that could have been

27 totally misspoken on my part. I don't recall making such a
28 statement. I don't deny it could have been made, but that would
29 have been totally out of - I mean, that would not have been

1 correct. So I don't recall making such a statement.

2 Q. And if we could look at annex - or number 92 in annex 3,
3 which is excerpts from a BBC interview with NPFL leader
4 Charles Taylor from West Africa magazine. It is for the dates 20
12:58:08 5 to 26 April 1992. If we look at what is noted on the bottom of
6 the interview itself at page 674. Do you have that before you,
7 Mr Taylor?

8 A. Yes.

9 Q. Excerpts from a BBC interview with NPFL leader
12:58:44 10 Charles Taylor in Gbarnga. "Liberia - 2" is above that. "Taylor
11 explains", is the name of the interview - or the article.

12 MR GRIFFITHS: I apologise once again, Mr President, but I
13 must object to the manner in which this document is being used.
14 In our submission, in order to be fair to a witness in this
12:59:11 15 situation the party asking the question should identify in
16 sufficient detail to the witness the particular time and place
17 when this interview took place. Now it would be noted there is
18 no date as to when this interview took place, there is no mention
19 as to who conducted the interview and the witness is being asked
12:59:35 20 to say yea or nay to whether or not he responded as this magazine
21 article states.

22 Now it seems to us the proper way to approach the topic is
23 to identify, if possible, when the interview took place, who
24 conducted it, in order that the witness may know whether or not
12:59:58 25 he did in fact have such an interview or whether this report is
26 erroneous. In our submission, that is the fair way to proceed.

27 PRESIDING JUDGE: Yes, do you want to reply to that,
28 Ms Hollis?

29 MS HOLLIS: We have the document for the witness to look

1 at. He has indicated he doesn't recall if he made such
2 statements, if he did they would have been in error. So he has
3 the opportunity to review this and to explain to you whether he
4 made these statements, whether he did not make them or whether it
13:00:30 5 was an error. There is nothing unfair about this.

6 PRESIDING JUDGE: Well, it seems to me you should direct
7 the witness's memory to the time and circumstances of the
8 interview. Perhaps he might remember it then, Ms Hollis.

9 MS HOLLIS: I had indicated that it was a BBC interview and
13:00:51 10 these were excerpts. That is all that is set forth in this
11 article. The witness is perfectly free to say that he doesn't
12 remember the interview, he does remember the interview, he did
13 say it, he didn't say it.

14 PRESIDING JUDGE: He can say that. Put the questions to
13:01:06 15 him.

16 MS HOLLIS: Thank you:

17 Q. Now, Mr Taylor, if you look at the centre column of this
18 article, the top of that centre column in bold is a question:

19 "Why did the NPFL invade Sierra Leone and what is your
13:01:27 20 relationship with Foday Sankoh and the Revolutionary United Front
21 of Sierra Leone (RUF)?"

22 And then there is an answer that is attributed to you and
23 that is:

24 "We have always denied involvement in the invasion of
13:01:45 25 Sierra Leone and will continue to do so. But we have concrete
26 evidence that President Joseph Momoh of Sierra Leone is behind
27 the invasion of Liberia by the forces of the United Liberation
28 Movement For Democracy in Liberia (ULIMO). Some of the captured
29 prisoners of war have confessed that to us. As soon as President

1 Momoh and myself could sit down and talk the better things will
2 be for all of us. I don't know Foday Sankoh and the RUFs."

3 Now, Mr Taylor, do you recall making that statement in a
4 BBC interview in 1992?

13:02:33

5 A. I think I need an opportunity to even look at the full
6 document. I am seeing what's here, but I need to take a look,
7 your Honours, at the full document to see, I don't - 1992, I
8 don't - I don't quite remember this, this interview in 1992.
9 Really, I don't remember the interview. Some of the information

13:03:04

10 sounds familiar about me accusing Joseph Momoh, but I don't
11 remember this specific interview. I don't really recall giving
12 this particular interview. But I think I need, your Honour, to
13 look at the full document. Not just the paragraph, I want to
14 look at the document to see if I will recall some of the other
15 issues in there.

13:03:27

16 PRESIDING JUDGE: Well, the question was only about that
17 particular segment of the statement. The question was do you
18 remember making that statement?

19 THE WITNESS: I don't recall even the full interview. I
20 could have very well made it, but I don't recall at this
21 particular time the interview in 1992. I don't recall it.

13:03:41

22 MS HOLLIS:

23 Q. Mr Taylor, you were given a copy of this material, these
24 excerpts - you were given a copy of that along with copies of
25 other material to be addressed today last Friday, were you not?

13:03:58

26 A. I have been having these documents since November - I mean
27 December.

28 Q. And last Friday you were given another copy, weren't you?

29 A. No, no, I was not given another copy of the documents; I

1 already had the documents.

2 Q. So, Mr Taylor, if the Prosecution was told last Friday that
3 you were going to be given a copy of this document and the other
4 documents that could be referred to today, that you were going to
13:04:29 5 be given a copy of these last Friday, that information would be
6 incorrect, is that right?

7 A. No. Maybe I am misunderstanding you. I was not given an
8 additional copy because I had already been given a copy in your
9 bundle in December. So they did not send a separate set of
13:04:49 10 documents on Friday, no.

11 Q. Were you given notice that this document would possibly be
12 used today?

13 A. Yes.

14 Q. You were given that notice on Friday?

13:04:56 15 A. That is correct, but not an additional copy.

16 Q. So you had the opportunity to review the document over the
17 weekend?

18 A. Yes and I still could not get through it. Excerpts from
19 BBC, I still - a lot of these happened a long time ago. I don't
13:05:09 20 - you know, I am in a position where I do not recall quite
21 frankly this particular interview. It could have very well been
22 made, but I do not recall it.

23 Q. Now, Mr Taylor, in light of the way you have explained the
24 language you used in the Mary Harper interview, it would be of
13:05:32 25 assistance if we actually heard the excerpt of that portion of
26 the interview dealing with your comment about leaders using
27 ethnic conflicts and also your comments about President Kabbah
28 and Foday Sankoh so that we can appreciate the questions that
29 were asked and the answers that were given.

1 So in that regard I would ask that we turn our attention to
2 tab 54 in annex 3 and 54B is an unofficial transcript of an
3 excerpt of this Mary Harper interview and 54A, which CMS has, is
4 the excerpt of the audio of that interview itself. So we are
13:06:35 5 looking at tab 54 in annex 3. That's binder 2 of 3.

6 Perhaps Madam Court Officer could assist us as to how we
7 will hear the audio version. Should we push a certain button,
8 should we use our headphones or how will that happen?

9 MS IRURA: One is just required to put on the earphones
13:09:06 10 because it's an audio file - to wear your earphones because it's
11 an audio file.

12 MS HOLLIS: But we can stay on just the channel we are on
13 now for transcript?

14 MS IRURA: That's correct.

13:09:22 15 MS HOLLIS: So if we could please listen to that excerpt
16 which is 54A in annex 3. Is anyone hearing anything, because I'm
17 not?

18 MS IRURA: Your Honour, we tested this during the break and
19 it was functional. I'm checking with the AV booth to find out
17:01:03 20 why there's no sound.

21 Your Honours, the problem has been rectified. We can now
22 listen to the audio.

23 Your Honour, the AV technicians inform us that the quality
24 of the clip, the sound is so distorted that unless they crank it
13:15:35 25 up all the way, and in that case the sound becomes distorted. So
26 they say that the quality of the clip - the clip is quite poor
27 quality.

28 PRESIDING JUDGE: Well, I am not quite sure what the
29 technician is saying, but if they crank it up, at least we can

1 hear something. It's better than not playing anything, so let's
2 hear what they can play.

3 [Audiotape played to the Court]

4 PRESIDING JUDGE: Well, Ms Hollis, I realise that's not
13:17:41 5 very satisfactory for the purposes of your cross-examination, so
6 perhaps the technicians can look further into it and we can come
7 back to this.

8 MS HOLLIS: Yes, we would pursue that with them, because
9 what we listened to in our office was much clearer; you could
13:18:00 10 hear what was being said. So I am not quite sure what the nature
11 of the problem is, but we can pursue that.

12 PRESIDING JUDGE: Well, I am puzzled. Because we were told
13 that it was tested during the break and it was working okay, and
14 now we are told that it's a tape of poor quality and that's about
13:18:18 15 the best we can do, what we are hearing now. So I would ask
16 Madam Court Manager if you can speak to the technicians and see
17 if we can get a good quality tape to listen to. But can you move
18 on to some other area?

19 MS HOLLIS: Perhaps what I could do now, Mr President, is
13:18:39 20 to ask for certain other documents to be marked for
21 identification and then withhold the request on that one until we
22 see what we can do with this.

23 Mr President, we would ask that the document at tab 92 in
24 annex 3, "Taylor explains West Africa", number 3892 with the
13:19:12 25 dates of 20 to 26 April 1992, be marked for identification.

26 PRESIDING JUDGE: That document will be marked MFI-318.

27 MS HOLLIS: And we would ask that the document at tab 94 in
28 annex 3, which is page 94 of the Sierra Leone TRC report, volume
29 3A, chapter 3, that the page itself be marked as well as the

1 cover page to show that it is a part of volume 3A of the Sierra
2 Leone Truth and Reconciliation Commission. So that would be two
3 pages.

4 PRESIDING JUDGE: Yes, the page itself --

13:20:01 5 MS HOLLIS: And in fact, if we look perhaps at a third
6 page, volume 3A, Report of the Sierra Leone Truth and
7 Reconciliation Commission.

8 MR GRIFFITHS: Mr President, perhaps I should have risen to
9 my feet earlier, but the document at tab 92 of annex 3 is that
13:20:28 10 excerpt from an undated, non-titled excerpt from an interview
11 conducted with Mr Taylor in Gbarnga at sometime on or about 20 or
12 26 of April 1992, which, I observe, is the date of the
13 publication and not the interview.

14 Now, the objection is this: We are told that this passage
13:21:07 15 is being deployed purely for the purposes of impeachment, and the
16 rule is that answers as to issues of credibility are final in
17 order to prevent lateral proceedings. Consequently, if that be
18 right and the witness has answered, "I do not recall this
19 interview", what is the status then of the document sought to be
13:21:41 20 used to impeach him?

21 In our submission, if the answer is final, that is the end
22 of the matter and that marking this document for identification
23 is a nonstarter in the circumstances, because it's the answer to
24 the question which is important, not the substance of the
13:22:03 25 question which includes this document. I hope I made myself
26 clear on that.

27 PRESIDING JUDGE: Well, my first reaction is that it's
28 merely being marked for identification, it's not being tendered
29 at this point and that the argument you are putting forth,

1 Mr Griffiths, will be more appropriate at that stage when the
2 Prosecution actually tries to tender the document.

3 MR GRIFFITHS: Very well.

4 PRESIDING JUDGE: Ms Hollis, if you could just go back to
13:22:39 5 that. You mentioned three documents, and they will be marked for
6 identification MFI-319A, B and C.

7 MS HOLLIS: That's correct, Mr President.

8 PRESIDING JUDGE: But if you could just please read onto
9 the record what those documents are in that order, 319A, B and C.

13:22:59 10 MS HOLLIS: Yes. Mr President, A would be page 94, in
11 particular with the marked paragraph 28 of the Sierra Leone Truth
12 and Reconciliation Commission report, that is, page 94 would be
13 A; and then page B would be the page with the pictures on the
14 front, Witness to Truth report of the Sierra Leone Truth and
13:23:28 15 Reconciliation Commission, volume 3A; and then the third page is
16 volume 3A, Report of the Sierra Leone Truth and Reconciliation
17 Commission, which would be C.

18 PRESIDING JUDGE: Thank you, Ms Hollis. Those documents
19 are marked according.

13:23:44 20 Did you want to move to a different topic, or we will see
21 what happens with that tape over the lunch break?

22 MS HOLLIS: I think we can move to a different topic and
23 then over lunch we can pursue this issue with that tape, if
24 that's all right.

13:24:00 25 PRESIDING JUDGE: Please go ahead.

26 MS HOLLIS:

27 Q. Mr Taylor, in your testimony on direct examination you
28 talked about establishing Gbarnga as your headquarters and
29 indicated that you yourself did not move to Gbarnga until what

1 point in time?

2 A. I remember telling this Court mid 1991. I will put it to
3 around July or thereabouts.

4 Q. And you testified, did you not, that Gbarnga had been
13:24:49 5 selected as your headquarters in early 1991?

6 A. That is correct.

7 Q. By February 1991 you had already identified Gbarnga as the
8 headquarters of your government. That's what you testified to
9 earlier, correct?

13:25:05 10 A. Well, you know, I don't know if I got specific as to
11 February, but I know very early. January, February, very early,
12 yes, 1991.

13 Q. Now, actually by July 1990 you controlled virtually all of
14 Liberia, correct, except for Monrovia?

13:25:26 15 A. That is incorrect.

16 Q. That is incorrect?

17 A. That is incorrect.

18 Q. And you actually captured Gbarnga in June or July 1990,
19 isn't that correct?

13:25:44 20 A. Oh, I can't say precisely. Because I explained to this
21 Court the way the attack went on, we came, as I have said to this
22 Court, via Buchanan, Harbel, Kakata and then went back, so I
23 can't be precise. But I can say that somewhere between there - I
24 would say about the third quarter, or thereabouts, of 1990,

13:26:22 25 forces moved back into Gbarnga. Let me just explain for the
26 judges. When I said that we had not captured all of Liberia,
27 Grand Gedeh - President Doe's home region - by the period you
28 mentioned had not been captured. It had been cut off, but it had
29 not been captured. That's what I mean by "we had captured".

1 When you said only - except for Monrovia, and I said no. We had
2 also not capture Grand Gedeh as an area. It had been cut off
3 from Tappita, but we had not fully occupied Grand Gedeh.

13:27:03 4 Q. Mr Taylor, are you saying that you did not testify during
5 your direct examination that by about July 1990 you controlled
6 virtually all of Liberia except for Monrovia?

7 A. No, that's not what I am saying. I said that. But
8 virtually all of Liberia except for Monrovia - that's virtually -
9 that's what I am saying now. Virtually the town of Doe had not
13:27:22 10 been captured, because I am sure we were going to be confronted
11 with that in the future. We had captured virtually all of
12 Liberia except for Monrovia. Virtually all, yes.

13 Q. Virtually all of Liberia?

14 A. Yes.

13:27:33 15 Q. Except for Monrovia?

16 A. Yes.

17 Q. But your testimony is that you had not captured Gbarnga by
18 that time?

19 A. Well, you know, I will have to be very, very, very
13:27:49 20 straightforward, as I want to be with this Court. The way the
21 war proceeded, I have explained in testimony the way we came.
22 There were areas of Liberia that were cut off that we claimed to
23 be captured, but they were cut off, they were not occupied, and I
24 have explained this. We came through Buchanan and went back. So
13:28:15 25 by July, August 1990 we had virtually occupied, you know, the
26 country in a way, but in some of these areas we had not
27 physically put men in. But there were no way that Doe had
28 control of it, but we had not put soldiers in. For example, like
29 in Ganta --

1 Q. Well, Mr Taylor, let's be clear. Gbarnga - by June or July
2 1990 you had captured Gbarnga; isn't that correct?

3 A. Well, I can't say captured, but I can say we had control of
4 the area. We had control of the area.

13:28:53 5 Q. Mr Taylor, let's take a look at your testimony of 16 July
6 2009 at pages 24662 and then later at page 24666. That is 16
7 July 2009, 24662 and then 24666. Do we have that?

8 Mr Taylor, let's look starting at line 13 where you are
9 basically running through a summary of the events that occurred
13:29:42 10 after you moved into Liberia and you say, "By this time", that's
11 in May, "we moved to Kakata and pushed further into Monrovia. We
12 go on down to the town of - where is Careysburg?" You are
13 looking at a map. "We come all the way here to Careysburg and
14 then come near Monrovia and then we stop." And you indicate at
13:30:06 15 that time you don't attack Camp Schefflein. "By this time in
16 1990" - starting there at page 19 - "we get to Gbarnga. From
17 Gbarnga we then start moving our troops toward the Lofa angle,
18 cross the Saint Paul River, come into the Belle Yella area and
19 attack this Bomi, Cape Mount. So by July we have encircled
13:30:34 20 Monrovia."

21 Now, Mr Taylor, if we look at page 24666 where we return-
22 your counsel returns to this question of when you captured
23 Gbarnga. Now, if we look at line 2, your counsel asked you:

24 "Q. Roughly, when was Gbarnga captured? Just a month will
13:30:59 25 do.

26 A. I would put Gbarnga to about - roughly about the same
27 time that we were progressing towards Monrovia, so we are
28 talking about roughly between June, July."

29 And then you give some further explanation and then you end

1 up saying at line 12:

2 "So I would really put this to, if I really wanted to be
3 pushed on this, to not later than maybe June because it was
4 captured a little earlier than getting the circle around
13:31:33 5 Monrovia."

6 So, Mr Taylor, according to your earlier testimony you
7 captured Gbarnga around June or July 1990, correct?

8 A. Well, again, again, no. You see, if you see me fighting
9 here with time, according to my evidence here, I am fighting with
13:31:51 10 time, counsel, and I am trying to be truthful to this Court. I
11 am fighting because of the way of the war is progressing --

12 Q. Mr Taylor, you are fighting in trying to remember months
13 but you are not fighting about the word "captured", are you? You
14 are answering the question when did you capture Gbarnga and you
13:32:10 15 say June or July and then you say, "If I am really pushed I would
16 have to say June." That's what you said before, isn't that
17 correct, Mr Taylor? You are looking at it. That's what said,
18 yes?

19 A. Ms Hollis, yes, and I am saying to this Court, if you read
13:32:26 20 the language here, there is uncertainty and I am saying - and I
21 tell my counsel, if I am pushed on this, I am saying about June,
22 July. I don't think we have a dispute here.

23 Q. And that's, Mr Taylor, what you said, correct?

24 A. This is what I said.

13:32:39 25 Q. That's the question to you.

26 A. But there is a context that you are trying to cut off.

27 Q. Mr Taylor, you had 13 weeks of context. I am asking you a
28 simple question, you have answered that question. Thank you.

29 PRESIDING JUDGE: Let's leave it there, Ms Hollis. We will

1 take the lunch break now and resume at 2.30.

2 [Lunch break taken at 1.32 p.m.]

3 [Upon resuming at 2.30 p.m.]

4 PRESIDING JUDGE: Yes, go ahead, Ms Hollis.

14:32:37 5 MS HOLLIS: Thank you, Mr President. Firstly,
6 Mr President, let me note that the Prosecution has been joined by
7 Mr Christopher Santora and in fact he joined the Prosecution
8 after the morning adjournment. Secondly, I believe that a
9 solution to the problem with the extract of the BBC interview has
14:33:00 10 been reached and that now we're able to play that so that people
11 can hear it. Perhaps Madam Court Officer could explain that for
12 us.

13 MS IRURA: Your Honour, a solution has been reached. Tests
14 were conducted during the lunchtime break and we've reached - the
14:33:20 15 AV booth has been able to find a way to play the clip.

16 PRESIDING JUDGE: Thank you. Did you want to proceed with
17 that line of questioning now, Ms Hollis?

18 MS HOLLIS: That's correct. We would ask that we play that
19 clip now.

14:33:35 20 PRESIDING JUDGE: Madam Court Manager.

21 JUDGE SEBUTINDE: Can you please remind us again of the tab
22 number where the transcript is.

23 MS HOLLIS: It's tab 54, annex 3. 54B is the unofficial
24 transcript and A is the recording.

14:34:18 25 [Audiotape played to the Court]

26 THE WITNESS: What is this all about?

27 MR GRIFFITHS: Mr President, I don't know if it's possible
28 but I for one would welcome an opportunity of hearing the
29 remainder of that answer so we can put the matter in context.

1 PRESIDING JUDGE: Also Justice Sebutinde and myself would
2 like to hear the tape - what was played, we'd like to hear that
3 again. There are some things we didn't pick up. So the rest -
4 it's all on tape, isn't it, the whole interview?

14:36:02 5 MS HOLLIS: That's correct and the Defence has a copy of
6 the whole interview.

7 MR GRIFFITHS: Can I just make their observation whilst I'm
8 on my feet: If we're looking at the transcript, and I know not
9 who was the compiler of this transcript, if we look at the last
14:36:19 10 paragraph, which is headed "time 36:27 Taylor", it reads, "He let
11 this war." My hearing was, "He met his war." That's what I
12 heard.

13 PRESIDING JUDGE: That's quite a significant difference.
14 Well, Mr Griffiths, just to make this clear, you wanted to hear -
14:36:45 15 in answer to the question, "No, no" - I beg your pardon. After
16 that statement, "No, no, that's what I'm saying" and then there's
17 another paragraph, you wanted to hear the continuation of that,
18 is that correct?

19 MR GRIFFITHS: I'd like us to all hear that so that we
14:37:02 20 could put that particular sentence upon which the Prosecution
21 attaches so much weight in context.

22 PRESIDING JUDGE: Madam Court Manager, is that possible?

23 MS IRURA: Your Honour, I'm not aware whether I have the
24 continuation of the clip. Perhaps Prosecution counsel could
14:37:24 25 indicate.

26 PRESIDING JUDGE: That part that was played, was that the
27 entire clip that you had?

28 MS IRURA: Your Honour, there are many clips on the CD, but
29 this is actually 54A, so unless the Prosecution counsel can

1 indicate if there's another clip on the same CD which is a
2 continuation.

3 JUDGE SEBUTINDE: Ms Hollis, are we to assume that clip 54A
4 begins at page 2 of 8 where you've drawn a margin, a line in the
14:38:13 5 margin?

6 MS HOLLIS: That is correct. "This is also true of the
7 Sierra Leonean situation. Look when the war started in Sierra
8 Leone" down to "before the revolution".

9 JUDGE SEBUTINDE: Perhaps, could we play that again,
14:38:42 10 please?

11 [Audiotape played to the Court]

12 PRESIDING JUDGE: Well, Ms Hollis, I think the Defence was
13 asking for the tape that follows on from the "before the
14 revolution". Is there one that follows on from that?

14:40:04 15 MS HOLLIS: The entire tape was given to the Defence. It
16 does follow on from there. We have extracted the portion we wish
17 to use in cross-examination, but they indeed do have that entire
18 tape including the follow-on portion, Mr President.

19 PRESIDING JUDGE: I think, Mr Griffiths, what you're saying
14:40:24 20 is that what does follow on might very well put a certain colour
21 on what Mr Taylor meant when he said "before the revolution".

22 MR GRIFFITHS: Precisely. Because you will see the next
23 sentence commences, "That is true in the case of Britain." What
24 is true in the case of Britain? Is it that "Everyone says I've
14:40:53 25 been friendly with Sankoh"? It's difficult to put that in
26 context unless we have the rest of the sentence, and to have cut
27 it off at that point is somewhat unfortunate, in our submission.

28 PRESIDING JUDGE: Perhaps that's a matter you can explore
29 in re-examination, Mr Griffiths.

1 MR GRIFFITHS: Your Honour, yes.

2 PRESIDING JUDGE: Yes, Ms Hollis.

3 MS HOLLIS: Mr President, we would ask that that tape
4 itself be marked for identification as well as the unofficial
14:41:34 5 transcript, and we would ask that they be marked next in line; A
6 being the extract of the audiotape itself, and B being the
7 extract - the unofficial transcript of the extract.

8 JUDGE DOHERTY: Ms Hollis, I was going to ask in the light
9 of Mr Griffiths's and the learned Presiding Judge's comment that
14:41:58 10 "he let this war" should read "he met this war", do you intend to
11 put this in - mark it for identification as transcribed
12 unofficially, or with that amendment?

13 MS HOLLIS: I think it's best to leave it unofficially,
14 because I think you can also listen and hear him say he left that
14:42:17 15 war. So I don't know, it depends on your hearing, and that's why
16 we had marked it as an unofficial transcript.

17 PRESIDING JUDGE: I might say on the record that to me it
18 sounded as though he said "he met this war".

19 The extract from the tape will be marked for identification
14:42:52 20 320A and the transcript will be marked 320B.

21 MS HOLLIS: Thank you, Mr President:

22 Q. Mr Taylor, before the luncheon break we were talking about
23 Gbarnga, and in your testimony before the Court I believe you
24 indicated that you eventually moved into Gbarnga around mid-1991.
14:43:31 25 Is that correct?

26 A. That is correct.

27 Q. Now, you had actually relocated your headquarters to
28 Gbarnga in 1990. Isn't that correct?

29 A. That is not correct.

1 Q. And you had set up your National Patriotic Reconstruction
2 Assembly on 22 October 1990. Is that correct?

3 A. That is totally incorrect.

14:44:03 4 Q. You had set that up in Gbarnga as well. Isn't that
5 correct?

6 A. That is not correct.

7 Q. Now, Mr Taylor, in relation to moving your headquarters to
8 Gbarnga in 1990, a person identified as Defence witness DCT-218,
9 according to the information the Defence has given us, will
14:44:19 10 testify that your headquarters moved from Harbel to Gbarnga in
11 1990. Now, that witness would be telling the truth about that,
12 isn't that correct, Mr Taylor?

13 MR GRIFFITHS: Mr President, I have to object to that. I
14 object to that for this reason: We were required to provide to
14:44:43 15 the Court and the Prosecution, by reason of Rule 73 ter for trial
16 management considerations, summaries of potential witnesses who
17 might be called on behalf of the Defence, and one has to consider
18 first of all what is the status of those summaries.

19 The status of those summaries is that it sets out the
14:45:14 20 anticipated - and I emphasise and underline that word - the
21 anticipated evidence of the witness, bearing in mind also that
22 even though such summaries have been served, we're under no duty
23 to call that individual as a witness. The consequence is that
24 the content of those summaries cannot have any weight or
14:45:41 25 probative value in these proceedings.

26 But more importantly, the use of those summaries to impeach
27 the testimony of the accused highlights a tension between, on the
28 one hand, the duty to comply with orders issued by the Court
29 pursuant to Rule 73 ter, and, on the other hand, Article 174(g),

1 the right against self incrimination, that provision. Because
2 if, in serving such summaries, a defendant puts himself at risk
3 of those summaries being used against him, in effect he is
4 providing evidence to incriminate himself, and that is a real and
14:46:39 5 latent tension in the proposed use of those summaries by the
6 Prosecution to cross-examine him.

7 Because we submit that the misuse of material provided
8 under Rule 73 ter could have a chilling effect on the rights
9 guaranteed to the accused under Article 17, the practical
14:47:01 10 consequence being had we been aware that the summaries could have
11 been deployed against the defendant in that way, frankly, I would
12 have advised him not to provide them because it may in due course
13 be used against him bearing in mind also that those summaries set
14 out not evidence given under oath; rather, as I earlier
14:47:30 15 indicated, the anticipated evidence of the witness.

16 For these reasons, we submit that the use of those
17 summaries for purposes of cross-examination is illegitimate and
18 should not be allowed.

19 PRESIDING JUDGE: What's your response to that, Ms Hollis?

14:47:55 20 MS HOLLIS: First of all, there is nothing that precludes
21 the use of information that is given under oath. Interview notes
22 are used to cross-examine. They're not given under oath, so that
23 is not a basis for rejecting it. These summaries are provided so
24 that we will have an understanding of what the Defence
14:48:16 25 anticipates their witnesses will say. The summaries are supposed
26 to be factually accurate, or of what use are they? So the
27 witness is not here and under oath, but the information has been
28 provided and supposedly in good faith, based on what they
29 actually believe the witness will say. Why is there a

1 prohibition against putting this to this accused? He has the
2 opportunity to respond to it, and if you will remember, on direct
3 examination, as well as very frequently on cross-examination, he
4 has been very happy and anxious to tell your Honours about what
14:48:54 5 witnesses will say who will be called by the Defence when he
6 thought it would benefit him. And now when it appears maybe it
7 doesn't benefit him, then this should be ignored and should not
8 be used.

9 We would suggest that it is proper to use it. It's a
14:49:10 10 matter of weight to be given. Again, these are professional
11 judges who are hearing this, not a jury that may be somehow
12 swayed by such a thing. But we suggest there's no prohibition
13 against using it and why should he not be confronted, when the
14 information we receive about the other evidence they intend to
14:49:32 15 provide is contrary to what he has said, and again it is being
16 used for impeachment purposes. We suggest that we have the
17 opportunity to use that, and it is beneficial to your Honours in
18 your assessment of this witness's evidence to have the benefit of
19 that information.

14:49:55 20 [Trial Chamber conferred]

21 PRESIDING JUDGE: Yes, Ms Hollis, we uphold the objection.
22 We will not allow the question in that form.

23 MS HOLLIS:

24 Q. Mr Taylor, it's true, isn't it, that in 1990 you moved your
14:53:39 25 headquarters from Harbel to Gbarnga?

26 A. That is not true.

27 Q. And it's also true, is it not, Mr Taylor, that by 1990
28 Gbarnga was actually your functional headquarters?

29 A. That is not true.

1 Q. And if anyone were to say something contrary to that, in
2 your opinion they'd be lying; is that right, Mr Taylor?

3 A. Yes, if anyone were to say that in evidence before this
4 Court - in evidence before this Court, they would be lying.

14:54:10 5 Q. And in fact, you had indeed set up your assembly in Gbarnga
6 by 22 October 1990. That is correct, is it not?

7 A. Totally incorrect.

8 Q. If we could please look at tab 97 in annex 3. Do your
9 Honours have that before you? Mr Taylor, do you see hear a BBC
14:55:37 10 monitoring report dated 23 October 1990? Do you see that,
11 Mr Taylor? It's number 89?

12 A. Yes I do.

13 Q. "Report: Taylor sets up interim national assembly, 22
14 October 1990. According to AFP on 22 October, Liberian rebel
14:55:53 15 leader Charles Taylor set up on 21 October the interim National
16 Patriotic Reconstructi on Assembly in Gbarnga, 95 miles north of
17 Monrovi a, swearing in 24 members, five from the NPFL, one
18 representative from each of the 13 Liberian counties and a
19 designate from each of six political parties. Three seats were
14:56:17 20 left open for members of Prince Johnson's facti on."

21 Now, that's an accurate report, isn't it, Mr Taylor?

22 A. Totally inaccurate. Totally inaccurate.

23 Q. Prince Johnson's facti on, what was the reference there?

24 A. INPFL.

14:56:34 25 Q. And at that time in October 1990, do you know where the
26 INPFL were headquartered?

27 A. The INPFL headquarters were somewhere around Monrovi a. I
28 don't know. I don't know. They eventually ended up in Caldwell.
29 I don't know exactly where they were in Monrovi a.

1 Q. Now, Mr Taylor, it's true, is it not, that by January 1991
2 you were sending new recruits from Gbarnga for advanced training
3 in Burkina Faso? Isn't that correct?

4 A. That is not correct. What do you mean by new recruits?
14:57:13 5 For what?

6 Q. New recruits from the NPFL, Mr Taylor.

7 A. Well, I think I need some clarification on that.

8 Q. In January 1991 you were sending new recruits from the NPFL
9 out of Gbarnga to Burkina Faso for advanced training. That's
14:57:32 10 true, isn't it, Mr Taylor?

11 A. In that way I would say no. I would say no. As the
12 question is posed, I will say no.

13 Q. You were sending recruits to Burkina Faso for advanced
14 training by January 1991, weren't you, Mr Taylor?

14:57:47 15 A. Well, I'm dealing more with words. We did send individuals
16 to train, that's why I'm saying the way you put the question as
17 new recruits, they were not new recruits. We sent military
18 individuals there for specific artillery training, that's what
19 I'm saying.

14:58:09 20 Q. To Burkina Faso?

21 A. To Burkina Faso, yes.

22 Q. And you were doing that as early as January 1991, correct?

23 A. I can't recall the exact time, but we did send recruits.

24 Let me say recruits. I'm using your words now. We did send
14:58:23 25 military people there to train on artillery.

26 Q. And their training there on artillery lasted a matter of
27 weeks. Is that correct?

28 A. I wouldn't say weeks. It could have lasted more than - by
29 weeks, what do you mean by weeks, again, counsel? Because four

1 weeks make a month, so when you say weeks --

2 Q. Training lasted for three weeks, three weeks, Mr Taylor.

3 A. I would say a little more. A little more than three weeks.

4 Q. And these recruits that you had stationed in Gbarnga, you
14:58:58 5 sent them from Gbarnga to Burkina Faso for this training, isn't
6 that correct?

7 A. That is not correct. These were not recruits. These were
8 professional people.

9 Q. And then after this three weeks of training in January 1991
14:59:10 10 they returned to Gbarnga, didn't they, Mr Taylor?

11 A. No, well, again, the way the question is posed, yes or no
12 will mislead the judges.

13 Q. Let's just stick with the question as it's posed,
14 Mr Taylor. These recruits were sent - that were stationed in
14:59:26 15 Gbarnga were sent from Gbarnga for this advanced training in
16 Burkina Faso, correct?

17 A. Well, no, incorrect. They were not recruits and they were
18 not stationed in Gbarnga, no.

19 Q. And after three weeks of training, they returned to
14:59:38 20 Gbarnga, isn't that correct, Mr Taylor?

21 A. That is not correct, as the question is posed, no.

22 Q. Because at that time Gbarnga was already your functional
23 headquarters. Isn't that right, Mr Taylor?

24 A. That is totally incorrect.

14:59:49 25 Q. So if someone were to say that, that person would be lying,
26 Mr Taylor?

27 A. That person would have the facts wrong.

28 Q. Now, by March 1991 you had a commercial radio station in
29 Gbarnga, isn't that correct?

1 A. That is not correct.

2 Q. ELBC in fact. Isn't that correct, Mr Taylor?

3 A. ELBC was - at that particular time we did have a radio
4 station. It was not a commercial station and we did have one in
15:00:17 5 Harbel. So, again, I would have to disagree with you because of
6 the way the question is put.

7 Q. If we could please look at tab number 98 in annex 3,
8 please. This is BBC monitoring report, 14 March 1991, number
9 125. Do you see that, Mr Taylor?

15:01:05 10 A. Yes, I do.

11 Q. "Report: Liberian rebel leaders visit West African
12 countries; Mali troops join ECOMOG, 11 March 1991.

13 NPFL leader Charles Taylor returned to Liberia on 11 March
14 following visits to Senegal and Guinea Bissau, radio ELBC
15:01:30 15 (Gbarnga) said on the 12th, in a report which referred to Taylor
16 throughout as President Taylor."

17 So this monitoring report shows radio ELBC in Gbarnga,
18 isn't that correct, Mr Taylor?

19 A. We don't have any disagreement about ELBC being in Gbarnga.

15:01:48 20 Q. You just said it was in Harbel.

21 A. I said we had a radio station in Gbarnga and there was also
22 one in Harbel. Let's go back to the records.

23 Q. And, Mr Taylor, you said this station in Gbarnga was not a
24 commercial station. What kind of station was it?

15:02:00 25 A. Well, this station was owned by the Government of Liberia
26 and was still being operated by a group that - it was being
27 operated by Bong County. We had a rural radio network. We met
28 that station. The individuals that were operating it were from
29 Bong County and claimed that they would continue to retain it.

1 And so we did not bother them.

2 Q. And so they were working under the auspices of the NPFL or
3 at that time the NPRAG, correct?

4 A. I won't say under the auspices, because whatever we had to
15:02:41 5 do at that station, we paid for it.

6 Q. But if you had not wanted them to operate it, you would
7 have closed them down, wouldn't you?

8 A. I agree, yes.

9 Q. So in that regard it was under the auspices of the - what
15:02:51 10 would it be, NPRAG or NPFL?

11 A. I would not agree that it was under the auspices.

12 Q. But it was under your control to allow it to operate or not
13 operate, correct?

14 A. Yes, I would agree.

15:03:01 15 Q. And that was under your control?

16 A. No, it was within our purview to permit, according to your
17 question, to operate or not, but we did not have control of the
18 station. We could have stopped it, but we didn't. So it was not
19 operating under our auspices.

15:03:16 20 Q. Now, Mr Taylor, by March 1991 you in fact were ensconced in
21 a palace in Gbarnga, isn't that correct?

22 A. Totally, totally incorrect.

23 Q. Well, Mr Taylor, if your former wife was photographed in
24 what was described as your presidential palace in Gbarnga in
15:03:41 25 March 1991, that would be accurate, would it not, Mr Taylor?

26 A. When you say my former wife --

27 Q. Agnes.

28 A. If she would say what again?

29 Q. Agnes Taylor.

1 A. Yeah, what would she say?

2 Q. If she was photographed at your presidential palace in
3 Gbarnga in March 1991, that would be accurate, yes, Mr Taylor?

4 A. That would be accurate, if she was photographed there. It
15:04:09 5 depends, because I said we moved in July, but a lot of work was
6 being done in Gbarnga between January and July as we moved. And
7 so if she was photographed in March, she could have been working
8 because it was a wreck and we had to fix it. So this is what
9 took me a long time to move. So if she was photographed there,
15:04:28 10 sure, that would be true.

11 Q. So she was photographed in a wreck, is that what you're
12 saying?

13 A. No, no, no. I said that the building was a wreck and work
14 had been done on it between January and July. I moved lastly.
15:04:42 15 The assembly was there, as I have told this Court, because they
16 used Cuttington University college. That's where they used their
17 auditorium. For the residence, the presidency, what we call the
18 presidency, the fighting in Gbarnga destroyed it to a level and
19 it was redone, that's why it took me longer to move. So if she
15:05:06 20 was that photographed there, that would be true.

21 MS HOLLIS: May I have a moment, Mr President:

22 Q. If you could please look at tab number 99 in annex 3. This
23 is an article from The Inquirer, Tuesday, March 19, 1991. On the
24 front page of the paper is shown a picture of Mrs Agnes Taylor.
15:06:15 25 The heading of the article is "My husband must head the
26 government. Mrs Agnes Taylor wife of Charles Taylor at her
27 Gbarnga presidential palace."

28 A. I'm not sure --

29 Q. Are you seeing that, Mr Taylor?

1 A. Not yet. Yeah, where is the picture? I don't see the
2 picture. Where is the picture?

3 Q. Can you see the picture now, Mr Taylor?

4 JUDGE SEBUTINDE: Ms Hollis, is there a better picture than
15:06:54 5 this what looks like a sketch?

6 MS HOLLIS: Looks like a what?

7 JUDGE SEBUTINDE: Sketch.

8 MS HOLLIS: That's the picture that was in the paper.

9 JUDGE SEBUTINDE: Yes, but do we have an original or a
15:07:08 10 better copy for the purposes of displaying on the overhead.

11 MS HOLLIS: We do not have the original of the paper. I
12 don't think my copy is any better. My case manager has corrected
13 me, your Honour, and indicates that we do have the original.

14 Let's see if that picture is better. If I could provide that to
15:07:40 15 the Court Management officer. This is The Inquirer, Tuesday,
16 March 19, 1991 and on the front page, "Mrs Agnes Taylor, wife of
17 Charles Taylor, at her Gbarnga presidential palace". Can you
18 show that to the Defence, please.

19 PRESIDING JUDGE: Madam Court Manager, if you show that to
15:09:55 20 Mr Taylor and then it can be put on the overhead.

21 MS HOLLIS:

22 Q. Do you see that, Mr Taylor?

23 A. I see the picture, yes.

24 Q. And do you see the date: March 19, 1991?

15:10:25 25 A. Yes.

26 Q. And that she is at her Gbarnga presidential palace?

27 A. I see where it's written there.

28 Q. And then if we look at page 3 of the paper. That is the
29 information about which the article is - upon which the article

1 is based, correct: "My husband must head the government"?

2 A. Yes.

3 Q. And it indicates remarks by Agnes Taylor, your wife of that
4 time, and it indicates she was speaking in an interview with the
15:11:27 5 BBC recently.

6 A. Yes, I see that.

7 Q. So, Mr Taylor, were you conducting BBC interviews in
8 Gbarnga by March 1991?

9 A. I want to just clear one thing up to help you here,
15:11:43 10 counsel. I don't know where my wife did this interview, and I
11 want to believe she probably made this interview. But what is
12 very important about this newspaper and this question that you're
13 asking is that The Inquirer is situated in Monrovia. It has no
14 idea - March 1991 there is not any contact --

15:12:06 15 Q. Mr Taylor, that's not the question.

16 A. But that's the question.

17 Q. No, it's not, Mr Taylor. The question is: By March 1991
18 you're conducting BBC interviews --

19 A. If I was conducting --

15:12:14 20 Q. -- in Gbarnga?

21 A. No, I don't recall making any BBC interview out of Gbarnga
22 in 1991.

23 Q. And were any members of your government --

24 A. I don't recall.

15:12:24 25 Q. -- giving interviews - let me finish my question, please -
26 giving interviews in Gbarnga to the BBC in March 1991?

27 A. Not that I recall, no.

28 Q. And do you know where your wife was when she gave this
29 interview?

1 A. You come to the issue now, because it never said Gbarnga.

2 Q. Mr Taylor, do you know where were your wife was when she
3 gave this interview?

4 A. No, I do not know where she was when she gave the
15:12:51 5 interview.

6 Q. Now, if we could also take a look at an exhibit that you
7 used - or a document you used during your direct examination. It
8 was marked as MFI-9E, as in echo. It was DP-5, tab 17 in binder
9 of photos for week 30. Do you remember this photograph,

15:13:33 10 Mr Taylor?

11 A. Yes, I do.

12 Q. And this is a photograph of you and an ECOMOG officer,
13 correct?

14 A. That is correct.

15:13:39 15 Q. And it is a photograph that was taken on 13 March 1991,
16 correct?

17 A. 13 March 1991?

18 Q. It's stamped, do you see that? And you talked about that
19 when you discussed this photograph on direct examination. See
15:14:05 20 the stamp?

21 A. I can't see the --

22 Q. "91/3/13", and you indicated on direct that it was a photo
23 taken on 13 March 1991. Do you see that, Mr Taylor?

24 A. Are we looking at the same photograph?

15:14:24 25 Q. Yes.

26 PRESIDING JUDGE: This photograph has got "22 July".

27 MS HOLLIS: DP-5. No, 22 July is when Mr Taylor signed it.
28 But the stamp on the photograph, if you see, is "91/3/13". It's
29 a digital date stamp. If you see where the ECOMOG officer is and

1 you see his legs at the bottom of the sofa, "91/3/13".

2 THE WITNESS: Yes, I see that now, okay. I see that.

3 MS HOLLIS:

4 Q. Do you see that, Mr Taylor?

15:15:13 5 A. Yes.

6 Q. Mr Taylor, this was taken in Gbarnga, according to your
7 testimony. Do you recall that?

8 A. That is correct, yes.

9 Q. Now, this room looks very well furnished, at least the part
15:15:30 10 of it we can see, Mr Taylor?

11 A. That is correct.

12 Q. You've got a white sofa; you've got rugs. It looks like
13 the panelling is up on the back wall at least. This is not a
14 room that is being constructed, is it, Mr Taylor?

15:15:46 15 A. It is a well decorated room, yes.

16 Q. The truth of it is, Mr Taylor, that by 1990 you were using
17 Gbarnga as your headquarters, isn't that right?

18 A. That is not correct.

19 Q. You were holding meetings there by, at the latest, March of
15:16:09 20 1991. You had a radio station there. That's correct, isn't it?

21 A. That is not correct.

22 Q. And whether you officially - you yourself officially moved
23 there in mid-1991 or not, you were using that as your
24 headquarters long before that. That's correct, isn't it,

15:16:27 25 Mr Taylor?

26 A. Gbarnga as a headquarter, that is correct. Gbarnga as a
27 headquarter was established as of January, February 1991.

28 Q. It was actually before that, wasn't it, Mr Taylor? It was
29 in 1990 --

1 A. It was not before that. It was not before that. So going
2 in and coming, where the Head of State - where the President
3 lives is the official headquarters. If you look at this room,
4 you see this fresh wood. A lot of work had to be done at that
15:16:53 5 presidential place because there was war, it was destroyed. We
6 did a lot of work, and to make the area good when we had
7 important meetings, I would drive guests up there. But I moved
8 to Gbarnga in July as an official headquarters.

9 Q. There's a difference between an official residence and an
15:17:12 10 official headquarters, isn't there, Mr Taylor?

11 A. Yes. Yes, and I can - yes, of course. Of course.

12 Q. Now, the timing of your use of Gbarnga that you have told
13 this Court has basically been another attempt to fashion your
14 testimony to rebut the Prosecution evidence in this case. Isn't
15:17:39 15 that true?

16 A. Ms Hollis, then you may as well shut me up. You may as
17 well shut me up. Because if I am asked to give testimony before
18 this Court, and my evidence's being given and you construe it
19 that it's being fashioned when I don't know your questions, I
15:17:55 20 have no idea of what - I don't have access to your records and
21 you're going to deem it as that, then I see you're trying to get
22 a conviction through the back door. The fact of the matter is I
23 have told this Court - and we will prove it - I moved to Gbarnga
24 in July. In January, February we move - we establish officially
15:18:16 25 Gbarnga, we named it as a headquarters. The Assembly moved to
26 Gbarnga during Cuttington, and we began renovation on this
27 building and many other buildings that were destroyed in the
28 fighting in Gbarnga. Now, whatever way - that's the best I can
29 tell these judges. I finally moved to Gbarnga in July 1991, so

1 you are totally incorrect with your assertion.

2 MS HOLLIS: Well, we have your story on that, Mr Taylor.

3 Before moving to another topic I would ask that certain
4 documents be marked for identification. Mr President, I would
15:19:09 5 ask that the document at tab 97 in annex 3 be marked for
6 identification. That is the 23 October 1990 --

7 PRESIDING JUDGE: That's marked for identification MFI-321.

8 MS HOLLIS: I would ask that the document in tab 98 in
9 annex 3 be marked for identification. That is the BBC monitoring
15:19:54 10 report, 14 March 1991.

11 PRESIDING JUDGE: That's MFI-322.

12 MS HOLLIS: I would ask that The Inquirer newspaper
13 containing the photograph captioned "Mrs Agnes Taylor, wife of
14 Charles Taylor, at her Gbarnga presidential palace" and dated
15:20:19 15 Tuesday, March 19, 1991, be marked for identification.

16 PRESIDING JUDGE: That document is marked MFI-323.

17 MS HOLLIS: Thank you, Mr President. Now if I may turn to
18 another topic:

19 Q. Mr Taylor, you recall on 16 November we talked about your
15:21:11 20 attendance at the Accra peace meeting and we also talked about
21 the timing of attacks on Monrovia by the LURD. Do you recall
22 that, Mr Taylor?

23 A. 16 November, I don't recall the exact date. I recall
24 discussing that.

15:21:29 25 Q. And on 16 November at page 31659 we talked about the Accra
26 Peace Conference convened on 4 June in Accra by President Kufour,
27 and you indicated that is correct. Do we have that page
28 reference? 16 November, 31659. Do you see that, Mr Taylor?

29 A. Yes.

1 Q. And we also, on 16 November, talked about the timing of the
2 LURD attacks on Monrovia. Do you recall talking about that?

3 A. Yeah, I can remember talking about the LURD attacks on
4 Monrovia, yes.

15:22:30 5 Q. And you indicated that LURD had been attacking Monrovia
6 since about March 2003, is that correct?

7 A. If you have the evidence before you, yes.

8 Q. And that reference was 31660 starting at line 24. And you
9 indicated those attacks were continuous, it continued, and while
10 you were in Accra in June, attacks were going on. They continued
11 on until July. Do you remember saying that, Mr Taylor?

12 A. Yes.

13 Q. And then at page 31661, Mr Taylor, you said that the
14 attacks on Monrovia started from March; they continued April.
15 "When I was on my way to Accra, the attacks were continuing."
16 And then starting at line 11 you said the most serious of those
17 could have occurred in July, and here we're talking about mortar
18 shells falling in Monrovia and Greystone.

19 "The most serious of those could have occurred in July, but
15:23:49 20 Greystone was not attacked once. Greystone was not attacked
21 once."

22 Then you go on to say:

23 "It may be true that Greystone in July had a major attack
24 where a lot of people died. People died at Greystone before
15:24:00 25 that, and we will produce evidence (sic) that were present at
26 Greystone to prove that it occurred yes, in July, but even before
27 then."

28 Do you recall that, Mr Taylor.

29 A. Yes, I do.

1 Q. Mr Taylor, you also told the Court that despite daily
2 briefings you received, you had not received any official
3 statement from the United States government relating to attacks
4 on Greystone. Do you remember telling the Court that?

15:24:29 5 A. That is correct.

6 Q. In fact you asked that evidence be brought forward to
7 impeach your recollection of this attack and US condemnation of
8 that. Do you recall that?

9 A. That is correct.

15:24:44 10 Q. Now, all of this was in relation to your supposed statement
11 to the African leaders at Accra on 4 June that you had decided to
12 step down because you had realised that they would do anything to
13 get you out of the presidency, including attacking Liberian
14 citizens in Monrovia and that in fact they had attacked Greystone
15 and had killed civilians there and the United States had not
16 condemned that and all that you say happened before you went to
17 the 4 June Accra conference. You remember telling the Court
18 that, Mr Taylor?

19 A. Well, that's a combination of things that you have said.
15:25:33 20 But what I can remember of the conversation, I'll have to read
21 the transcript, is that those attacks - I did say that the
22 attacks occurred, people were killed, and the United States did
23 not officially condemn it. That is exactly what I said.

24 Q. Now, Mr Taylor, to test your recollection of those events,
15:25:53 25 because we suggest that by 4 June none of these events had
26 occurred, so if in fact you told this story to the leaders at
27 Accra, it was not a truthful story. But let's look at your own
28 exhibit to look at the sequence of events for the attacks on
29 Monrovia by the LURD in 2003. That is Defence exhibit D-45,

1 which is a Human Rights Watch report. November 3, 2003, weapons
2 sanctions, military supplies and human suffering, illegal arms
3 flows to Liberia and the June/July 2003 shelling of Monrovia, a
4 Human Rights Watch briefing paper. If we could just put the
15:26:56 5 front page of that showing the index, the introduction. Do you
6 see that, Mr Taylor?

7 A. Yes, I do.

8 Q. That is D-45. Now, Mr Taylor, if we could look at the
9 handwritten page 24 of this document. It's down in the bottom
15:27:27 10 right-hand corner. It's handwritten page 24. Do you see that,
11 Mr Taylor?

12 A. That is correct, yes.

13 Q. "The rebel push on Monrovia." And underneath that it
14 explains about your travelling to Ghana for the 4 June
15:27:51 15 negotiations aimed at producing a ceasefire and peace agreement
16 for Liberia. And that on the morning of 4 June, according to
17 this report, the Prosecutor of the Special Court for Sierra Leone
18 unsealed an indictment against you and that you were able to
19 return to Monrovia that evening of the 4th and upon your return
15:28:19 20 you announced that there had been a coup attempt and
21 Vice-President Moses Blah and at least two other senior officials
22 in the government were arrested. Do you see that explanation?

23 A. Yes, I see that.

24 Q. And then it indicates, "The following day, June 5, either
15:28:38 25 seeking to gain territory and influence the peace the
26 negotiations or heartened by Taylor's indictment, the LURD rebel
27 group launched the first of three offences on Monrovia."

28 Do you see that, Mr Taylor?

29 A. Yes, I do.

1 Q. So the first offensive on Monrovia was in fact the day
2 after you returned from Accra?

3 A. Total, total nonsense. In fact in your paragraph that you
4 read, the indictment was not opened on the morning of June 4, if
15:29:07 5 we're look at the factual nature of this document. This
6 indictment was opened, if we really want to get technical, the
7 afternoon of the meeting in Accra. If it was opened in the
8 morning, I would have never travelled to Accra, so how do we look
9 at the first paragraph?

15:29:23 10 Q. Was it on 4 June, Mr Taylor?

11 A. Well, I am talking about the morning as being technical.

12 Q. Mr Taylor, was it on 4 June?

13 A. Excuse me, you see - excuse me, counsel, would you
14 kindly --

15:29:30 15 Q. Mr Taylor, you made your comment. I ask you a question:
16 Was it on 4 June?

17 A. Your Honours, this doesn't help the process. I want to
18 answer your question. I was talking when you interrupted.

19 PRESIDING JUDGE: Mr Taylor, we've already heard you say it
15:29:43 20 was in the afternoon, so the question is not whether it was the
21 morning or the afternoon. The question is simply was it 4 June.
22 Now, that's a simple answer, surely.

23 THE WITNESS: Would you go ahead and ask the question.

24 MS HOLLIS:

15:29:58 25 Q. Was it on 4 June, Mr Taylor?

26 A. It was on 4 June.

27 Q. Now, in this last paragraph on this page, the report goes
28 on to say: "In the early June offensive, which lasted three
29 days" - and it talks about the LURD troops approaching Monrovia,

1 and that thousands of civilians fled south into Monrovia town and
2 many of them remained there after LURD withdrew in the face of
3 some government resistance. And now we have moved over to page
4 25.

15:30:31 5 And then we go to the second line on the top of page 25:
6 "LURD returned to the outskirts of Monrovia. Approximately two
7 weeks later penetrating deep into the Bushrod Island suburbs
8 across a short bridge from central Monrovia. Their second
9 advance, which began on about Monday, June 23, again prompted
15:30:59 10 heavy numbers of civilians to move towards central Monrovia,
11 including into to the Mamba Point area across the bridge from
12 Bushrod Island."

13 So according to this report, the first attack on Monrovia
14 is not until 5 June and then the second attack on Monrovia is
15:31:14 15 approximately two weeks later. Do you see that, Mr Taylor?

16 A. But I disagree. I see that. I disagree totally. Monrovia
17 was attacked long before I went to Accra. Long before.

18 Q. And then, Mr Taylor, if we look at the middle paragraph, it
19 talks about fighting raging across the bridges linking Bushrod
15:31:31 20 Island and Mamba Point for several days with your government
21 forces seeking to hold central Monrovia, namely, the paramilitary
22 Anti-Terrorist Unit, ATU, the Special Security Service (SSS) and
23 the Special Operations Division (SOD).

24 Now, Mr Taylor, do you remember telling the Court that you
15:31:55 25 weren't aware of a unit called SOD?

26 A. Of course.

27 Q. So Human Rights Watch was aware of this Special Operations
28 Division of yours which was a police unit but you were not, is
29 that what you are telling the Court?

1 A. But we have disagreement with Human Rights - I was not - in
2 fact, this Human Rights Watch report, the fact that it said
3 before June, I have a difficulty with that. Monrovia came under
4 attack before June even in this instance.

15:32:21 5 Q. So, Mr Taylor, you're still telling the Court you had no
6 knowledge of a Special Operations Division, a police unit of your
7 police?

8 A. I don't even think one existed.

9 Q. And now according to this report, this second attack
15:32:34 10 retreated, the LURD retreated by Friday, 27 June. Do you see
11 that, Mr Taylor? That's still that middle paragraph.

12 A. I see it there. Yes, I see.

13 Q. And then it talks about LURD's third offensive on Monrovia
14 and it indicates that it began three weeks later on or about July
15:32:54 15 18 after the rebels, meaning the LURD, had re-armed. And that
16 during this phase in the fighting which lasted, according to the
17 report, until July 30, there were near constant firefights
18 between rebel and government forces using small arms and light
19 weapons including mortars. Do you see that, Mr Taylor?

15:33:16 20 A. I see the report, yes. I disagree.

21 Q. And then it said small arms fire continued well into
22 August. Mr Taylor, do you see that?

23 A. I see it.

24 Q. And if we talk about the Greystone compound and when that
15:33:31 25 compound was attacked, if we look at page 26 under the Human Toll
26 of Indiscriminate Shelling in Monrovia, do you see that,
27 Mr Taylor?

28 A. Yes, I do.

29 Q. Where it explains that this third offensive that we just

1 talked about, the one in July, beginning about the 18th, was the
2 worst for civilians and it was marked by intense fighting for
3 over two weeks in areas densely populated by civilians.

4 Mr Taylor, if we turn over to page 27 it talks about Mamba
15:34:13 5 Point and it says:

6 "Mamba Point appealed to many civilians as a potentially
7 secure area because the US embassy and its Greystone annex across
8 the street used by the embassy to house staff are located on the
9 western shore of the peninsula and the United Nations offices and
10 many diplomatic missions are in the vicinity. The US embassy
11 resisted providing temporary shelter to displaced people at
12 first. After over a dozen people were crushed to death against
13 the Greystone gate by a panicked mob seeking to avoid mortar
14 shelling in late June, the embassy finally relented. By late
15:34:54 15 July, humanitarian agencies estimated there were close to 20,000
16 displaced people living in the Greystone compound?"

17 So, Mr Taylor, prior to these people being crushed, the
18 Greystone compound wasn't even used by refugees, isn't that
19 correct, and by displaced persons?

15:35:15 20 A. That is totally, totally incorrect. Greystone was used by
21 displaced people before I went to Accra. I disagree.

22 Q. Now, these people wouldn't have flocked to this area if it
23 was being constantly shelled, would they?

24 A. They were going because there was a United States embassy
15:35:34 25 area. They would have still gone in there. They felt that the
26 United States would have given them protection.

27 Q. And, Mr Taylor, if we look at the next paragraph, it talks
28 about shelling of Greystone:

29 "Displaced people in the Greystone compound had already

1 endured great hardship before the third offensive, including at
2 the hands of government forces. The single worst incident
3 attributed to government forces was an attack on the Greystone
4 compound in late June, in which at least a dozen people were
15:36:11 5 killed by two rockets which may have been RPGs shot into the
6 compound. The incident occurred around the time of an
7 anti-Taylor demonstration and many observers suspect it
8 constituted a deliberate attack against civilians in retaliation
9 for their perceived anti-government stance, although this
15:36:30 10 motivation remains unconfirmed."

11 So, Mr Taylor, the first instance of people being harmed at
12 Greystone was actually when your forces harmed them. Isn't that
13 correct?

14 A. Totally incorrect and I think the State Department
15:36:46 15 spokesman corrects that.

16 MR GRIFFITHS: Mr President, in our submission, the form of
17 that question is totally unfair bearing in mind the use of the
18 two words "suspect" and "unconfirmed" in the particular passage
19 to which my learned friend refers.

15:37:01 20 MS HOLLIS: That dealt with motivation, not the attack
21 itself, Mr President. The motivation, that's what they're
22 talking about there when they talk about that.

23 PRESIDING JUDGE: The objection is noted. I think
24 Mr Taylor had already answered the question. Is that correct?

15:37:18 25 MS HOLLIS:

26 Q. So, Mr Taylor, if the United States was remiss in making
27 any sort of formal statement about attacks against civilians in
28 the Greystone compound, they should have started making those
29 comments in June when your forces caused harm to civilians in

1 Greystone compound. Isn't that correct?

2 A. Well, that could be correct, but they never made any
3 statement even thereafter.

4 Q. And we'll see about that, Mr Taylor.

15:37:44 5 A. We will.

6 Q. Now, if we look at the next paragraph: "Once the third
7 offensive started on or about July 18, bullets, RPGs and mortar
8 rounds rained down on the civilians in central Monrovia,
9 including those in the Greystone compound. Of the civilians who
10 received bullet wounds, a significant number are believed to be
11 victims of sniper fire into the Greystone compound from
12 government positions at the Ducor Hotel."

13 And then if we go down, and it says, "The Ducor Hotel is
14 strategically located on top of a hill that stands between the
15 Mamba Point area on one side and the bridges to Bushrod Island on
16 the other. LURD was positioned on the opposite side of those
17 bridges in Vai and Clara towns on Bushrod Island. The mortar
18 shelling on central Monrovia was intense, especially from LURD
19 positions across the river, and because the mortar fire was so
20 poorly aimed, it was especially terrifying and difficult for
21 civilians to avoid."

22 Would you agree with those comments about the LURD mortar
23 shelling at that time, Mr Taylor?

24 A. I have serious disagreement with this report. So, you
25 know, there are several issues you raise in here, so generally I
26 have to disagree.

27 Q. So you don't even agree as to the comment about the LURD
28 mortar shelling?

29 A. No, but you asked me several questions. I said generally.

1 If you ask me a specific question, I will answer.

2 Q. Mr Taylor, I asked you if agreed about the comments about
3 the LURD mortar shelling, the comment I just read.

4 A. But you read many things, Ms Hollis. Which one do you want
15:39:33 5 me to answer?

6 Q. Let's try it again, Mr Taylor.

7 A. Yes.

8 Q. "The mortar shelling on central Monrovia was intense,
9 especially from LURD positions across the river and because the
15:39:43 10 mortar fire was so poorly aimed, it was especially terrifying and
11 difficult for civilians to avoid."

12 So Mr Taylor, do you agree to that part --

13 A. I agree.

14 Q. -- where it talks about the LURD mortar shellings?

15:39:57 15 A. I agree with that.

16 Q. You just don't agree to the things that show your
17 government to be involved in harming civilians?

18 A. Well, you see, when you be sarcastic like that, that's not
19 a question. So what's your question?

15:40:05 20 Q. That was your question.

21 A. Well, I disagree with --

22 Q. Do you disagree with that?

23 A. I disagree with the content of your question.

24 Q. Let's look at page 28, Mr Taylor, the middle paragraph:

15:40:17 25 "Liberian government forces, by locating themselves at the
26 Ducor Hotel and other positions in densely populated areas of
27 central Monrovia, put civilians at risk. They did not appear to
28 have taken the necessary precautions to protect civilians from
29 the dangers resulting from military operations. Moreover,

1 eyewitnesses told Human Rights Watch that government forces aimed
2 RPG and sniper fire into the Greystone compound. Human Rights
3 Watch is not aware of any military target in the vicinity, as
4 LURD forces were positioned in the opposite direction."

15:40:53

5 So, Mr Taylor, according to this report, indeed your
6 government forces fired into the Greystone compound.

7 A. According to this report. That's what this report is
8 saying. This report is wrong, and the United States government
9 in their press - in their discussions have never accused the

15:41:13

10 Government of Liberia, and I'm sure you will bring that up as we
11 follow.

12 Q. Now, Mr Taylor, let's look at the last paragraph here:

13 "LURD, for its part, is responsible for violating IHL in
14 its shelling of central Monrovia. Human Rights Watch has

15:41:27

15 identified at least three possible military targets of LURD
16 mortar strikes that hit the Greystone compound: Government
17 positions at the Ducor Hotel; government troops positioned atop
18 the EJ Roye building and around Waterside, an area of downtown
19 Monrovia along the waterfront; and a government position at the

15:41:47

20 end of Randall Street, approximately a millimetre away from the
21 Greystone compound. Any of these three may have constituted a
22 military target. However, IHL prohibits indiscriminate attacks,
23 that is, attacks that do not distinguish between military targets
24 and civilians or civilian objects. LURD troops, sometimes
15:42:10 25 children, who fired the mortars were generally untrained in
26 mortar use and were seen to fire without making any effort to
27 distinguish targets."

28 So the report points to the indiscriminate firing by LURD.
29 Correct, Mr Taylor?

1 A. Yes, it does.

2 Q. And you agree with that?

3 A. I cannot comment whether it was - I was not on the LURD
4 side, so I don't know. I can only comment on the firing.

15:42:37 5 Whether it was indiscriminate or poorly aimed, I can't comment on
6 that. I was not on that side.

7 Q. So, Mr Taylor, it would appear from this report that indeed
8 the LURD did hit Greystone compound but that was late in July,
9 that was not in June, and that there were injuries earlier than
10 the July attack by the LURD, but that they were not attributed to
11 the LURD. So, Mr Taylor, that story that you told to the -
12 supposedly told to the leaders on 4 June about these attacks on
13 Monrovia and Greystone and how that is the reason that you had to
14 step down from the presidency, that was just not true, was it?

15:43:13 10 the LURD. So, Mr Taylor, that story that you told to the -
12 supposedly told to the leaders on 4 June about these attacks on
13 Monrovia and Greystone and how that is the reason that you had to
14 step down from the presidency, that was just not true, was it?
15:43:41 15 A. That was true. There was no other reason for me to step
16 down at that particular time. I told them exactly why I stepped
17 down, and that's the truth.

18 Q. Now, Mr Taylor, you remember talking about the citizens of
19 Monrovia at one point taking the bodies of people who had been
20 killed in the Greystone compound to the doors of the embassy. Do
21 you remember telling the Court about that?

22 A. That is correct.

23 Q. And you told the Court that they took them there and
24 basically they indicated, Now look what you have done. Remember
25 telling the Court that?

15:44:06 20 killed in the Greystone compound to the doors of the embassy. Do
21 you remember telling the Court about that?
22 A. That is correct.
23 Q. And you told the Court that they took them there and
24 basically they indicated, Now look what you have done. Remember
15:44:20 25 telling the Court that?
26 A. Well, I'm not sure in the exact words. I remember telling
27 the Court that they had taken the bodies. Whether I said in your
28 words, Look what you have done, I would have to refresh on that,
29 but they did take them. I said that, yes.

1 PRESIDING JUDGE: If I can just interrupt you briefly. My
2 Lotus Notes seems to have collapsed. Perhaps go ahead in the
3 meantime while we're arranging something?

4 MS HOLLIS: Thank you, Mr President:

15:45:46 5 Q. Mr Taylor, perhaps it would be helpful to take a look at
6 tab 50 in annex 3, which is an IRIN report. "Liberia: More than
7 100 killed in Monrovia fighting", and it's dated Monrovia, 22
8 July 2003.

9 PRESIDING JUDGE: We'll need to pause there. The Court
15:46:18 10 Manager is arranging something for my Lotus Notes, so she won't
11 be able to display that tab.

12 I'll get you to repeat the reference to that document so
13 that it can be put on the overhead, Ms Hollis.

14 MS HOLLIS: Mr President, that is tab 50 in annex 3. It is
15:49:25 15 binder 2 of 3:

16 Q. Do you have that before you, Mr Taylor?

17 A. Yes, I do.

18 Q. And do you see that the caption of the article is "Liberia:
19 More than 100 killed in Monrovia fighting"? Do you see that,
15:50:28 20 Mr Taylor?

21 A. Yes, I do.

22 Q. And it says:

23 "Monrovia, 22 July 2003 (IRIN) - at least 100 people have
24 been killed and 300 injured in the Liberian capital Monrovia
15:51:01 25 since rebels launched their latest attack on the city five days
26 ago, hospital officials and relief workers said on Tuesday."

27 Do you see that, Mr Taylor?

28 A. Yes, I do.

29 Q. And then if we look about a little over halfway down the

1 page starting with the words "On Monday", do you see that,
2 Mr Taylor?

3 A. Just a minute. Let me - yes, I do.

4 Q. "On Monday angry demonstrators had carried the bodies of 18
15:51:40 5 people killed by mortar fire to the gates of the US embassy,
6 demanding US military intervention to restore peace to the
7 country. The dead were among 25 people killed when mortar shells
8 fell on the nearby Greystone compound, a residential annex to the
9 embassy, where thousands of displaced people have sought refuge".

10 So, Mr Taylor, this incident where the citizens of Monrovia
11 carried these dead bodies to the American embassy, that occurred
12 during this third attack in late July of 2003. Is that correct,
13 Mr Taylor?

14 A. Well, I have to disagree, I would say so, because you're
15:52:19 15 using the word "third". My testimony to this Court is that there
16 were several attacks before June of 19 - of 2003, so now you have
17 introduced third. Because of that, I have to say no. I'm not
18 disagreeing to the fact that people actually got killed, but you
19 are saying "third". For me it was not the third, so I have to
15:52:42 20 disagree.

21 Q. Let's try it a different way. To your recollection, how
22 many times did citizens of Monrovia carry dead bodies to the
23 American embassy?

24 A. To my recollection, one time.

15:52:59 25 Q. One time?

26 A. Yes.

27 Q. And according to this article, that one time was after the
28 attacks that began, according to this article, some five days
29 ago, and the article is dated 22 July?

1 A. Yes.

2 Q. So this occurred around 17 or 18 July, according to this
3 article?

4 A. Yes.

15:53:19 5 Q. It did not occur before you went to Accra on 4 June 2003?

6 A. Yes.

7 Q. So your story that this shelling of Greystone, resulting in
8 these killings and the citizens of Monrovia carrying these bodies
9 to the American embassy, your story that all this occurred before
10 you went to Accra, that's not correct, is it, Mr Taylor?

15:53:42

11 A. I think you have to refresh my memory on that. You have to
12 refresh my memory in the testimony when I said that the Greystone
13 killing occurred - the carrying of these bodies occurred before I
14 went to Accra.

15:53:58

15 Q. Mr Taylor, you have told your Defence counsel in direct
16 examination that you had independent recollection of Prosecution
17 evidence as far back as January 2008. Now you're saying you
18 don't remember what you told the Court in your own testimony?

19 A. Well, you - if I have given the evidence before this Court
15:54:16 20 and - we're in the Court of law - you are quoting specific
21 incidents and dates attributed to what I say, I would have to be
22 - I would have to recollect because of the nature of the words
23 you're using. So I need to see the record, please.

24 Q. Mr Taylor, do you remember telling this Court that when you
15:54:37 25 went to Accra you told the African leaders there that you had
26 decided to step down as President in the interest of peace and
27 for the love of your people?

28 A. That is correct. I told this Court that.

29 Q. And do you remember telling this Court that that was

1 precipitated by this attack on Monrovia by the LURD where they
2 had killed civilians in the Greystone compound and in fact those
3 dead bodies had been carried to the gates of the American embassy
4 and the American government had not issued any sort of
15:55:23 5 condemnation of this attack and so you realised that they would
6 do anything to get rid of you as President, including victimising
7 your Liberian civilians, and so you decided to step down as
8 President. Do you remember telling the Court that, Mr Taylor?

9 A. I remember telling the Court that and most other things
15:55:47 10 that are associated with that, yes, I remember telling them that.

11 Q. And so according to what you told this Court before, all of
12 this occurred before you went to Accra because that is how you
13 explained to the leaders in Accra on 4 June that you had decided
14 to step down as President?

15:56:04 15 A. Well, that's why again I'm saying, we have to look at my
16 full statement because my full statement would give this Court
17 again as a reminder a full context of what I said during a
18 particular time.

19 Q. And, Mr Taylor, now we see that this attack where the
15:56:23 20 civilians in Greystone were killed and the citizens of Liberia
21 carried those bodies to the American embassy, that occurred in
22 July, not before 4 June, correct?

23 A. It happened after - it happened in July, yes, but I will
24 still like to my statement what I made and the context of that
15:56:49 25 statement at the time.

26 Q. And if we look at this article, "The demonstrators carried
27 the bodies to the gates of the embassy, demanding the United
28 States militarily intervene to restore peace in the country,"
29 correct?

1 A. They did carry those bodies, yes.

2 Q. And they demanded that the United States militarily
3 intervene to restore peace, correct?

4 A. I'm not sure if this is what they said. I know they took
15:57:26 5 the bodies there from reports that each reached to me and said
6 that the United States should try to stop the war. I'm not sure
7 if they said they should intervene militarily. I don't recall
8 that.

9 Q. And they didn't take the bodies there and place the blame
15:57:39 10 for those death on the United States, did they?

11 A. Well, you said that. I didn't say - you said that I said
12 that I said, "Look at what you have done," and I asked you to
13 produce the records. You haven't asked for it to be produced or
14 brought up, but they wanted for the United States - they held the
15:57:57 15 United States responsible because they felt that the United
16 States as the Big Brother was doing nothing, so that
17 responsibility fell on the United States. So they did hold them
18 responsible, yes.

19 Q. Now, Mr Taylor, in relation to the United States not making
15:58:11 20 any comment condemning these shellings, if we could look at the
21 second page of this article beginning with the first full
22 sentence or the sentence beginning "State Department spokesman".
23 Do you see that, Mr Taylor?

24 A. Just a minute.

15:58:34 25 Q. It's the first line on the second page.

26 A. Yes.

27 Q. "State Department spokesman Philip Reeker said, 'We have
28 seen this reckless and indiscriminate shelling by the LURD group
29 and we think that has got to stop. There is a ceasefire that

1 needs to be upheld and all the parties in Liberia have
2 responsibilities to see that that happens.' "

3 So, Mr Taylor, you never saw that article where Mr Reeker
4 made that statement about the reckless and indiscriminate
15:59:11 5 shelling by the LURD?

6 A. That's not a condemnation. My testimony before this Court
7 is that the United States government did not condemn it. I stand
8 by that. This is not a condemnation.

9 Q. Did you see this article?

15:59:23 10 A. This article here, what is said here, I have seen it. This
11 is not a condemnation, I'm saying.

12 Q. Did you see it at the time that it was published in July
13 2003?

14 A. I don't recall seeing it.

15:59:37 15 Q. Was it briefed to you by the people who gave you your daily
16 briefings?

17 A. I don't recall. Even if they had briefed me on this, this
18 is not a condemnation.

19 Q. Mr Taylor, if we could also in that same context, if we
16:00:00 20 could look at tab number 49 in annex 3. That is binder 2 of 3.
21 Do you have that before you, Mr Taylor?

22 A. Yes, I do.

23 Q. State Department noon briefing for July 21, 2003?

24 A. Yes.

16:00:52 25 Q. And then underneath that it gives the areas that it talks
26 about and it says, "Deputy State Department spokesman Phil Reeker
27 conducted the July 21 briefing. Following is the State
28 Department transcript." Do you see that, Mr Taylor?

29 A. Yes, I do.

1 Q. And then under the subpart for Liberia it gives bullet
2 points about what topics are covered. Do you see that?

3 A. Yes, I do.

4 Q. Including civilian injuries as a result of the shelling.

16:01:23 5 A. Yes.

6 Q. That's the second bullet point?

7 A. Yes.

8 Q. And, Mr Taylor, if we could look at - it actually begins at
9 the very bottom of page 2 of this briefing where it says,

16:01:45 10 "There's probably a lot of questions about Liberia." Do you see
11 that, Mr Taylor? It's the very last line on page 2.

12 A. Now I see it.

13 Q. "Question: There's probably a lot of questions about
14 Liberia?"

16:02:00 15 A. Yes.

16 Q. And then if we look at page 3 where Mr Reeker says, "Sure,"
17 and then they have some questions about what's going on at the
18 embassy compound, whether Americans are leaving. Then if we look
19 after the question when Mr Reeker begins to give his answer, if

16:02:26 20 we look at the second paragraph of that answer. "Obviously we
21 are keeping in close touch with our embassy there and monitoring
22 very carefully the situation. There were no injuries reported
23 from the strike on the main compound, but we do understand there
24 are several dead and wounded at the Greystone compound, among the
16:02:51 25 internally displaced people who have been residing there."

26 Then the next paragraph:

27 "There was a separate incident some of you have seen
28 reported in which an embassy local guard was injured in front of
29 the main compound, and one private American citizen who was

1 running to enter the compound also received some minor shrapnel
2 wounds in the arm.

3 We are strongly condemning the rebel group, Liberians
4 United For Reconciliation and Democracy, for their continued
16:03:24 5 reckless and indiscriminate shelling of Monrovia. They need to
6 think about the plight of the civilian population, the
7 humanitarian workers, who are there to alleviate suffering and
8 this breaking of the ceasefire is something we call on them to
9 end."

16:03:44 10 So you see there, Mr Taylor, where Mr Reeker on behalf of
11 the United States government says, "We are strongly condemning
12 the rebel group for their continued reckless and indiscriminate
13 shelling of Monrovia"? Do you see that, Mr Taylor?

14 A. I see that. It see that, but --

16:03:59 15 Q. Now, you were never briefed about that condemnation,
16 Mr Taylor?

17 A. I was briefed about this, but this is not an official
18 condemnation. Look --

19 Q. Mr Taylor, this a State Department noon briefing by a
16:04:10 20 member of the State Department of the United States.

21 A. Let me explain to this Court and there's ample reference to
22 it. A condemnation from the United States government is
23 official, it is a statement, it is not just a noon briefing from
24 a State Department spokesperson. That's not the way
16:04:28 25 diplomatically I know it. The United States, on a serious
26 incident where people are killed on the embassy compound, you
27 understand me, would not just say in passing, "Well, we are
28 condemning rebel group and they should think about the people."
29 It would be a very firm statement. "The United States government

1 strongly condemns X, Y, Z for this act. We warn that this, this,
2 this is inappropriate." There is a formal type of diplomatic
3 condemnation. This is not one.

16:05:02 4 Q. Mr Taylor, let's look at the language again. "We are
5 strongly condemning the rebel group Liberians United For
6 Reconciliation and Democracy for their continued reckless and
7 indiscriminate shelling of Monrovia." Now, Mr Taylor, let's also
8 look at page 6 of the noon briefing and they are still talking
9 about Liberia and the shelling.

16:05:23 10 A. Yes.

11 Q. And if we look just below half the way down, starting with
12 "but I don't want to forget". Do you see that, Mr Taylor?

13 A. Yes.

16:05:35 14 Q. "But I don't want to forget about those that were killed
15 and wounded among the internally displaced persons, the Liberians
16 who are - have taken up residence at the Greystone compound near
17 the embassy, where mortar rounds went in and there are reportedly
18 several dead and wounded there."

16:05:54 19 So again he's reminding the people asking questions about
20 the Liberians in the Greystone compound who were killed and
21 wounded. Correct, Mr Taylor?

22 A. That's what it says there, yes. What's the question?

23 Q. Now, Mr Taylor, just to be clear, were you briefed about
24 this State Department briefing and the comments made by the State
16:06:13 25 Department representative --

26 A. We were briefed --

27 Q. -- on 21 July?

28 A. I was briefed and we complained and we made verbal
29 complaints to the State Department that this did not constitute a

1 strong official statement from the United States government. We
2 protested even at that particular time that diplomatically this
3 did not constitute an official condemnation and they chose not to
4 go further.

16:06:39 5 Q. So your complaint was that it wasn't strong enough or it
6 wasn't in the form you wanted it to be?

7 A. No, no, no. You have a legal background. Diplomatically
8 there are statements that are made and if the United States had
9 made an official condemnation, LURD, that they had armed, would
16:06:58 10 have stopped. We complained that this is just a briefing coming
11 out from a second class person at the State Department.

12 In fact, counsel, you may know, and for this Court, it
13 depends on whose making the statement at the time. This is not
14 even the official spokesperson. This is somebody even lower.

16:07:20 15 The category of persons speaking on behalf of the United States
16 government makes countries recognise the weight of what is coming
17 out. And at that particular time my government dealt with it
18 that at a mere press briefing by a deputy or somebody at the
19 State Department or wherever speaking, that was not sufficient.

16:07:39 20 Normally when the White House speaks or it's coming from the
21 official personnel from the State Department, they read out maybe
22 one, two paragraphs. That's the way it is done. But every
23 diplomat will look at this as a very weak statement that was not
24 intended to have any serious consequences diplomatically.

16:07:59 25 Q. So, Mr Taylor, when you told these judges that the United
26 States never condemned this attack, what you were really telling
27 them was that it did not condemn it in the way that you
28 wanted them to condemn it?

29 A. That is not correct. My statement to this Court that there

1 was no official condemnation and I stand by that. This is not an
2 official condemnation. It's got nothing to do with style. This
3 is not an official condemnation as is known in diplomatic
4 circles.

16:08:30 5 Q. Mr Taylor, your story to these judges about what you
6 related to the African leaders on 4 June 2003 about why you were
7 stepping down, that was just incorrect in several ways, wasn't
8 it?

9 A. That is not incorrect. I told them --

16:08:43 10 Q. First of all, the attacks you say convinced you to step
11 down hadn't even occurred on 4 June. Isn't that right?

12 A. Well, there were many attacks. Excuse me, your Honours, I
13 need some help from the Court, because it depends on which
14 attacks. There were attacks before. I would have to look at the
16:09:01 15 record. As counsel keeps repeating that my specific reason for
16 leaving government was because of the bodies that were - the
17 attack at Greystone and because - but there are other attacks as
18 a cumulative effect. So we may have to look at the transcript or
19 probably we'll do that at re-examination. Okay, go ahead.

16:09:23 20 Q. Now, another way that your statement was in error was that
21 when the LURD attack on Greystone compound did occur, the LURD
22 attack which resulted in deaths, in fact the United States did
23 condemn the LURD attack?

24 A. [Overlapping speakers].

16:09:40 25 Q. So you were incorrect, yes, Mr Taylor?

26 A. I was not the correct. The United States did not
27 officially condemn LURD, and I stand by that from the records
28 here, yes. They did not.

29 Q. And, Mr Taylor, the other way in which your account to

1 these judges was incorrect is that according to what you told the
2 judges it was your decision to step down, when in fact it was
3 your fellow African leaders who convinced you to step down.
4 That's the truth of it, isn't it, Mr Taylor?

16:10:09 5 A. There was not one Head of State in that room that ever
6 asked me to step down. On my honour, no President ever asked me
7 to step down. I, Charles Taylor, just as I told these judges,
8 volunteered. No one - if anyone in that room had asked me to
9 step down, one, it would have been very much undiplomatic.

16:10:37 10 Presidents don't just say, "Please step down." I, Charles
11 Ghankay Taylor, volunteered to step down from office. No one
12 pressured me in that room. No one asked me to at all.

13 Q. Mr Taylor, you may have volunteered to step down, but it
14 was after your fellow leaders from Africa had convinced you to
16:11:07 15 step down. Isn't that correct?

16 A. No. No. They respected me in that office. They never -
17 that is a flat "no". Never.

18 MS HOLLIS: Mr President, I have two documents I would ask
19 to have marked for identification. The first is the document at
16:11:36 20 tab 49 in annex 3, United States State Department's noon briefing
21 on July 21, 2003.

22 PRESIDING JUDGE: That document is marked for
23 identification MFI-324.

24 MS HOLLIS: Mr President, the document at tab 50 in annex
16:12:12 25 3, the IRIN article "Liberia: More than 100 killed in Monrovia
26 fighting", Monrovia, 22 July 2003.

27 PRESIDING JUDGE: That document is marked for
28 identification MFI-325.

29 All three judges are operating without LiveNote at the

1 moment. None of the judges have LiveNote. We'll go ahead
2 without the LiveNote.

3 MS HOLLIS:

4 Q. Now, Mr Taylor, let's turn to another topic. You recall
16:14:26 5 again on 16 November when we talked about the negotiations at the
6 Lome Conference in 1999 and that the RUF benefitted in several
7 respects from the culmination of the Lome peace process. Do you
8 remember us talking about that?

9 A. Yes.

16:14:43 10 Q. And throughout the questions, quite fairly you said that
11 you did not recall the details of the agreement and you needed to
12 look at the provisions of the Lome Agreement to be able to
13 ascertain the details. Do you recall telling the Court that?

14 A. Yes.

16:14:57 15 Q. Now, at page 31641 when we were talking about the Lome
16 Agreement and how it benefitted the RUF, I asked you:

17 "Q. One of the ways it benefitted was the Government of
18 Sierra Leone was required to assist the RUF in transforming
19 into a political party. That's correct, isn't it?

16:15:27 20 A. Well, I would not be giving the Court the proper - what
21 I would call wisdom of the circumstances because I do not
22 recall the agreement verbatim as you are requiring me to
23 answer. I would need some assistance."

24 So, Mr Taylor, now that we are able to look at the
16:15:47 25 provisions of the Lome Peace Agreement, let's do that, please.
26 Let's look at tab 10 in annex 4. Mr Taylor, we see the front
27 page indicates the peace agreement between the Government of
28 Sierra Leone and the Revolutionary United Front of Sierra Leone.

29 A. Yes.

1 Q. And then underneath that "The Government of the Republic of
2 Sierra Leone and the Revolutionary United Front of Sierra Leone"
3 and then "(RUF/SL)". See that, Mr Taylor?

4 A. Yes.

16:17:28 5 Q. "Having met in Lome, Togo, from 25 May 1999 to 7 July 1999
6 under the auspices of the current chairman of ECOWAS, President
7 Gnassingbe Eyadema". See that, Mr Taylor?

8 A. Yes, I do.

9 Q. Now, in relation to this issue of the Government of Sierra
16:17:49 10 Leone being required to assist the RUF in transforming into a
11 political party, if we could look at page 2 of that agreement
12 under Part Two, Article III. Do you see that, Mr Taylor?

13 A. Yes.

14 Q. And under Article III it talks about - the heading for
16:18:26 15 Article III is "Transformation of the RUF/SL into a political
16 party". Then under number 1:

17 "The Government of Sierra Leone shall accord every facility
18 to the RUF/SL to transform itself into a political party and
19 enter the mainstream of the democratic process. To that end:

16:18:51 20 2. Immediately upon the signing of the present agreement,
21 the RUF/SL shall commence to organise itself to function as a
22 political movement with the rights, privileges and duties
23 accorded to all political parties in Sierra Leone. These include
24 the freedom to publish, unhindered access to the media, freedom
16:19:15 25 of association, freedom of expression, freedom of assembly, and
26 the right to mobilise and associate freely."

27 Do you see that, Mr Taylor?

28 A. Yes.

29 Q. Then under number 3:

1 "Within a period of thirty days following the signing of
2 the present agreement, the necessary legal steps shall be taken
3 by the Government of Sierra Leone to enable the RUF/SL to
4 register as a political party.

16:19:44 5 4. The parties shall approach the international community
6 with a view to mobilising resources for the purposes of enabling
7 the RUF/SL to function as a political party. These resources may
8 include, but shall not be limited to," and then it gives a list
9 of actions, including setting up a trust fund, training, and
16:20:15 10 providing any other assistance necessary.

11 So, Mr Taylor, under Article III the Government of Sierra
12 Leone was indeed required to assist the RUF in transforming into
13 a political party. Isn't that correct?

14 A. That is correct. I hope, Counsel, we are very careful with
16:20:58 15 that word, that the Sierra Leone government is enable the RUF.
16 The words you used in your question, there could be some little
17 nuances in enabling them to register, as opposed to assisting
18 them to set up. There could be some nuances in there.

19 Q. Well, Mr Taylor, let's look at number 1 again, which is the
16:21:19 20 overall language for all of the subparts. "The Government of
21 Sierra Leone shall" - "shall" --

22 A. Yes.

23 Q. -- "accord every facility to the RUF/SL to transform itself
24 into a political party and enter the mainstream of the democratic
16:21:43 25 process. To that end..." and then the others are manifestations
26 of this mandate to the government of Sierra Leone to accord every
27 facility to the RUF to transform itself into a political party.

28 Do you see that, Mr Taylor?

29 A. I see that, but I have a question. Well, I'll wait for

1 your question, because "facilitate" could be buildings and
2 whatnot. But anyway, I'll wait for you. I just drew your
3 attention to enabling to register is what the government is being
4 asked to do here in number 3. Enabling the party to register.

16:22:13 5 Q. Yes, that's correct. Now, Mr Taylor, we also talked about
6 the requirement that was put on the Government of Sierra Leone to
7 enable the RUF members to hold public office, and we talked about
8 that at page 31642. Remember that, Mr Taylor?

9 A. Yes.

16:23:05 10 Q. Then we have some discussion about what is meant, and we
11 move to page 31644 and the question:

12 "Q. Mr Taylor, the RUF also benefitted in that the
13 Government of Sierra Leone was required to enable the RUF
14 members to hold public office?

16:23:24 15 A. Well, the RUF members, under the agreement, were
16 permitted to hold public office. I remember that
17 aspect."

18 Do you see that, Mr Taylor, at page 31644?

19 MS IRURA: Can counsel kindly indicate the date of the
16:23:40 20 transcript?

21 MS HOLLIS: That is 16 November. All of these references
22 are 16 November:

23 Q. Do you see that, Mr Taylor?

24 A. Just a minute, counsel. It's coming up, I guess.

16:24:10 25 Q. Okay. 31644, 16 November.

26 Are your Honours not seeing that?

27 THE WITNESS: I have it now.

28 PRESIDING JUDGE: You can go ahead.

29 MS HOLLIS:

1 Q. And that's at line 5. The question is:
2 "Q. The RUF also benefitted in that the Government of
3 Sierra Leone was required to enable the RUF members to hold
4 public office. That's correct, isn't it, Mr Taylor?"

16:24:48 5 A. Well, the RUF members, under the agreement, were
6 permitted to hold public office. I remember that aspect,
7 yes."

8 Now, Mr Taylor, if we were to take a look at Article IV of
9 the peace agreement which is on page 3 and that article is
10 entitled "Enabling members of the RUF/SL to hold public office."
11 Do you see that, Mr Taylor?

12 A. Yes, I do.

13 Q. And then under number 1:

14 "The Government of Sierra Leone shall take the necessary
15 steps to enable those RUF/SL members nominated by the RUF/SL to
16 hold public office, within the time frames agreed and contained
17 in the present agreement for the integration of the various
18 bodies named herein.

19 2. Accordingly, necessary legal steps shall be taken by
16:25:43 20 the Government of Sierra Leone" - then there is some language
21 about the time period - "to amend relevant laws and regulations
22 that may constitute an impediment or bar to RUF/SL and AFRC
23 personnel holding public office."

24 Do you see those two provisions, Mr Taylor? So indeed the
16:26:12 25 Government of Sierra Leone was mandated to enable members of the
26 RUF/SL to hold public office, correct?

27 A. Under the agreement, yes.

28 Q. And then, Mr Taylor, we also talked about at page 31644,
29 "The RUF benefitted in that the Government of Sierra Leone was

1 required to give the RUF high level posts in government. That's
2 correct, is it not?" Your answer was, well, you weren't sure if
3 that's a benefit. "The agreement was of such that it was agreed
4 that both parties would hold high positions in government." Do
16:26:56 5 you see that, Mr Taylor, on page 31644?

6 A. Yes.

7 Q. Now, Mr Taylor, if we can look at Article V, "Enabling the
8 RUF/SL to join a broad based Government of National Unity through
9 cabinet appointments." Do you see that, Mr Taylor? Then under
16:27:24 10 number 1:

11 "The Government of Sierra Leone shall accord every
12 opportunity to the RUF/SL to join a broad based Government of
13 National Unity through cabinet appointments. To that end the
14 chairmanship of the board of the commission for the management of
16:27:41 15 strategic resources, national reconstruction and development
16 (CMRRD) as provided for in Article VII of the present agreement
17 shall be offered to the leader of the RUF/SL, Corporal Foday
18 Sankoh.

19 3. The Government of Sierra Leone shall give ministerial
16:28:00 20 positions to the RUF/SL in a moderately expanded cabinet of 18,
21 bearing in mind that the interest of other political parties and
22 civil society organisations shall also be taken into account as
23 follows."

24 So this is talking about the ministerial positions to be
16:28:20 25 given to the RUF/SL and under (i) "One of the senior cabinet
26 appointments such as finance, foreign affairs and justice; three
27 other cabinet positions." Then number 4:

28 "In addition the Government of Sierra Leone shall, in the
29 same spirit, make available to the RUF/SL the following senior

1 government positions: Four posts of deputy minister."

2 So indeed, Mr Taylor, under this agreement the Government
3 of Sierra Leone was mandated to at least offer to the RUF high
4 level posts in the government. Isn't that correct?

16:29:02 5 A. That's what the agreement says.

6 Q. Now, Mr Taylor, also if we look at page 31644 you were
7 asked:

8 "Q. The RUF and Foday Sankoh also benefitted in that Foday
9 Sankoh was given a position answerable only to the
10 President of Sierra Leone. That is correct, is it not?

16:29:22 11 A. I don't know how to answer. I need some help because
12 the Vice-President of a country does not just answer alone
13 to the President. He answers to the constitution."

14 Now, Mr Taylor, if we look at the language of Lome about
15 that and if we look at - again looking at Article V under subpart
16 2, the last sentence of that subpart indicates, and this is the
17 subpart talking about giving the chairmanship of the CMRRD to
18 Foday Sankoh and then it says:

19 "For this purpose he shall enjoy the status of
16:30:12 20 Vice-President and shall therefore be answerable only to the
21 President of Sierra Leone."

22 Do you see that language, Mr Taylor?

23 A. Yeah, I have answered the question. Yes, I see the
24 language.

16:30:30 25 PRESIDING JUDGE: We're getting close to the end of the
26 tape now, so if that's a convenient place to cease for the day.

27 MS HOLLIS: That would be convenient, Mr President.

28 PRESIDING JUDGE: We're going to adjourn until tomorrow,
29 Mr Taylor. I remind you you're not permitted to discuss your

1 evi dence.

2 [Whereupon the hearing adjourned at 4.30 p.m.
3 to be reconvened on Tuesday, 12 January 2010 at
4 9.30 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DANKPANNAH DR CHARLES GHANKAY TAYLOR	33126
CROSS-EXAMINATION BY MS HOLLIS	33126