



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 19 JANUARY 2010
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

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

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah
Mr Terry Munyard
Mr Silas Chekera

1 Tuesday, 19 January 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:31:23 5 PRESIDING JUDGE: Good morning. We'll take appearances,
6 please.

7 MS HOLLIS: Good morning, Madam President, your Honours
8 opposing counsel. This morning for the Prosecution, Brenda J
9 Hollis, Mohamed A Bangura, Christopher Santora and our case
09:32:00 10 manager, Maja Dimitrova.

11 MR GRIFFITHS: Good morning, Madam President, your Honours
12 counsel opposite. For the Defence today, myself Courtenay
13 Griffiths, with me Mr Morris Anyah and Mr Terry Munyard of
14 counsel.

09:32:15 15 Madam President, whilst I am on my feet can I make this
16 inquiry? Obviously we need to sort out the logistics of whatever
17 witnesses we will be calling once the evidence of Mr Taylor is
18 concluded, and it's difficult to estimate that time factor
19 without having some idea of how long the cross-examination of the
09:32:38 20 defendant will last. So I don't know whether my learned friend
21 is in a position to give us an indication as to how much longer
22 she is likely to be which would then assist us in timetabling our
23 witness requirements.

24 PRESIDING JUDGE: Ms Hollis, I think that's a reasonable
09:33:01 25 inquiry, if you are able to respond.

26 MS HOLLIS: Indeed, Madam President, we have been reviewing
27 the areas that we wish to cross-examine. I am not in a position
28 this morning to give an estimate and I would emphasise it would
29 be an estimate just as the Defence estimate was an estimate, but

1 I should be able to do that, give a more informed estimate to the
2 Court and the Defence, Thursday morning, if I would be allowed to
3 do that.

09:33:35 4 PRESIDING JUDGE: Thank you, Ms Hollis. I think that may
5 help the Defence hopefully.

6 MR GRIFFITHS: That would be most helpful.

7 PRESIDING JUDGE: Before I remind Mr Taylor, I have a
8 preliminary announcement to make regarding the sitting hours
9 tomorrow. As you might have learnt, the ICC is swearing in two
09:33:53 10 new judges tomorrow and the judges of the Special Court have been
11 requested kindly to attend the ceremony tomorrow morning and so
12 we've decided we are going to take an early morning break at
13 twenty minutes past 10 in the morning in order to be downstairs
14 in the courtroom where the ceremony will take place in time. We
09:34:16 15 will then resume our normal sitting at 12 noon. So those will be
16 our sitting hours tomorrow. We will break at 20 past 10 in the
17 morning and resume at 12.

18 Now, Mr Taylor, I remind you, as we normally do, that you
19 have taken a declaration to tell the truth.

09:34:42 20 DANKPANNAH DR CHARLES GHANKAY TAYLOR:

21 [On former affirmation]

22 MS HOLLIS: Thank you, Madam President. Madam President,
23 your Honours, the Prosecution also has an issue it would wish to
24 address to the Court and indeed Defence counsel before resuming
09:34:54 25 questioning. As your Honours know, yesterday the Prosecution
26 filed a motion for leave to appeal decisions from last week
27 relating to the Prosecution's ability to use certain materials in
28 its cross-examination of the accused. In that motion we
29 indicated that it was likely to be a recurring issue in this

1 cross-examination, if not also in other cross-examinations to be
2 conducted.

3 We noticed of course yesterday that there were additional
4 decisions on this topic that we would also seek leave to appeal
09:35:37 5 and the procedural question that arises is this: In the normal
6 course of events, these subsequent decisions would also be the
7 subject of motions for leave to appeal. This would give rise to
8 a rolling submission of motions for leave to appeal on the part
9 of the Prosecution, responses from the Defence and indeed

09:36:09 10 decisions by your Honours all relating to this same issue. The
11 Prosecution is not sure that encumbering the process with this
12 type of rolling motions and decisions would be the most efficient
13 way to proceed on what will basically be an appeal relating to
14 the issue of our ability to use these materials in

09:36:37 15 cross-examination.

16 So what the Prosecution would like to raise as a question
17 is if there is a more efficient way to ensure the proceedings
18 will move forward efficiently yet enable the Prosecution to have
19 the right to raise these matters on appeal, including subsequent
09:37:05 20 decisions. We would suggest that perhaps one way to do that

21 would be to rely on the motion filed yesterday but for
22 your Honours to indicate in your decision, should you grant leave
23 to appeal, that it would also cover subsequent decisions that
24 have been handed down between our filing - well, actually between
09:37:39 25 the decisions last week and the decision of this Court. That

26 would enable both parties to address those subsequent decisions
27 in the appeal, so it would not prevent a party from being able to
28 address the issues, but it would make unnecessary all of these
29 subsequent filings.

1 So we think this is a significant procedural problem or
2 question and so we raise it with your Honours and with the
3 Defence in the hope that we can find a procedure that everyone
4 would be in agreement on that would both be efficient but also
09:38:20 5 would allow these matters that have been subsequently decided to
6 also be dealt with in any appeal that your Honours would allow.

7 So I did want to raise that point. We may very well today
8 have additional decisions of a similar nature and as we move
9 forward we anticipate we will have others and we think it would
09:38:45 10 be very helpful to have a very efficient way to deal with those.

11 PRESIDING JUDGE: Ms Hollis, that sounds to me like a very
12 odd procedure that you are proposing, but I will hear from the
13 Defence on this issue.

14 MR GRIFFITHS: First of all, the issues raised in the most
09:39:07 15 filed yesterday by the Prosecution are complex and raise very
16 difficult issues of admissibility and evidence which will require
17 some time on our part to research and respond to properly. So
18 our first submission would be that there should be no departure
19 from the normal filing regime in terms of timetabling.

09:39:36 20 Secondly, so far as the suggested procedure to be adopted,
21 that in effect there should be one blanket decision which covers
22 all decisions so far made, or to be made, seems somewhat
23 speculative to us and it's difficult to see how such a procedure
24 could properly be adopted. And for that reason we would oppose
09:40:10 25 that and we would submit that it's for the Prosecution, if they
26 take exception to decisions made by this Court, to deal with each
27 such decision on a case-by-case basis because each such decision
28 raises different issues, complex issues, and consequently to lump
29 them all together wouldn't do justice to the considerations which

1 need to be borne in mind necessarily in relation to each. So we
2 would oppose that.

3 PRESIDING JUDGE: I think all I can say at this stage is we
4 have taken note of the submissions on both sides. The matter is
09:40:57 5 sub judice. I would not want to pre-empt any comments that would
6 be interpreted as a decision on a pending motion, but I am sure
7 my colleagues and I will look into the issue and see the most
8 efficient way forward. So now we can proceed with
9 cross-examination, please.

09:41:18 10 MS HOLLIS: Thank you, Madam President.

11 CROSS-EXAMINATION BY MS HOLLIS: [Continued]

12 Q. Good morning, Mr Taylor.

13 A. Good morning.

14 Q. Mr Taylor, in January of 1999 the President of Sierra

09:41:35 15 Leone, President Kabbah, expressed negative views about the
16 quality and the character of your involvement in Sierra Leone,
17 did he not?

18 A. In January of 1999. I don't know, really, in January. I
19 know at some point he did state that there was some questions. I
09:42:13 20 am not sure if it was in January. I don't have any direct - it
21 slipped my recollection.

22 Q. Mr Taylor, in a letter that was dated 5 January 1999 from
23 President Kabbah to the Secretary-General, he expressed very
24 negative views about the quality of your conduct toward Sierra
09:42:37 25 Leone. Do you recall that, Mr Taylor?

26 A. I don't recall the date. I know there is - there were
27 concerns raised by the Government of Sierra Leone in I think it
28 was the Secretary-General's report attached to it. I am not - I
29 don't recall the date. If you have such a letter, I wouldn't

1 doubt it.

2 Q. And, Mr Taylor, this letter from the President of Sierra
3 Leone was then forwarded and requested that it would be an annex
4 circulated to the Security Council, and that letter asking that
09:43:26 5 President Kabbah's letter be forwarded was dated 19 January 1999
6 from the charge d'affaires of the permanent mission of Sierra
7 Leone. Do you recall that, Mr Taylor?

8 A. Did you say the letter was dated 19 January?

9 Q. The letter from the charge d'affaires forwarding
09:43:42 10 President Kabbah's letter was dated 19 January. Do you recall
11 that, Mr Taylor?

12 A. If you have it. I don't know Sierra Leone's business. I
13 don't dispute - if you have a document and it's available I
14 wouldn't dispute it. I don't know what date his charge wrote a
09:44:01 15 letter, I don't know that.

16 Q. And eventually the letter was published in a publication of
17 the Security Council on 25 January 1999. Do you remember seeing
18 that, Mr Taylor? That was S/1999/73?

19 A. If it's a letter, it exists. I don't remember seeing or
09:44:24 20 the specific dates, but that's a routine matter in the
21 Security Council. Governments write and ask for letters to be
22 published as a Security Council document and it is attached as a
23 thing. So if it's there, I don't question you on that, counsel.

24 Q. And you would have read that?

09:44:40 25 A. Not necessarily.

26 Q. Would you not, Mr Taylor?

27 A. Not necessarily.

28 Q. This is in January 1999, it is a document that was issued
29 from the Security Council attaching the letter from the President

1 of Sierra Leone. You would have read that, would you not,
2 Mr Taylor?

3 A. I said not necessarily. I have answered you three times.
4 Not necessarily.

09:45:01 5 Q. That would have been important to you, would it not,
6 Mr Taylor?

7 A. Not necessarily.

8 Q. So, as the point President for peace, a letter from the
9 President of Sierra Leone making comments about your conduct
09:45:16 10 towards Sierra Leone, that would have been important to you,
11 would it not, Mr Taylor?

12 A. Well, not necessarily. Don't forget, from 1998 we have
13 been having conflict with the Security Council president inviting
14 my chief of mission in June 1998. So the ongoing problems
09:45:32 15 between Sierra Leone and Liberia start from 1998, so I would not
16 be surprised by a letter in January of 1999. It's an ongoing
17 discussion, so I don't challenge you on the fact that there is a
18 such a letter.

19 Q. And Mr Taylor, in this letter the President of Sierra Leone
09:45:54 20 indicated, did he not, that the current security developments
21 obliged him to return once again to a matter that had been the
22 subject of his communications in October 1998?

23 A. Well, I don't know that. I do not know and cannot tell
24 these judges I can sit here and quote verbatim what Kabbah said,
09:46:17 25 but I am saying to you - I am sure you would not mislead this
26 Court - If that document exists in the form you say, I have no
27 problems with it. I don't know verbatim what he said.

28 Q. Perhaps we could look at tab 33 in annex 2B, S/1999/73, 25
29 January 1999. So, Mr Taylor, we see this document S/1999/73,

1 letter dated 19 January 1999 from the charge de fair AI of the
2 permanent mission of Sierra Leone to the United Nations addressed
3 to Secretary-General and you see in the body of that, Mr Taylor,
4 indicating:

09:47:47 5 "Upon instruction from my government, I have the honour to
6 forward herewith a letter dated 5 January 1999 from
7 His Excellency President Ahmad Tejan Kabbah, concerning the
8 current situation in Sierra Leone (see annex)..."

9 and asking if the present letter and its annex would be
09:48:10 10 circulated as a document of the Security Council. And you see
11 that it is signed "Ambassador, Deputy Permanent Representative
12 Charge d'Affaires"; yes, Mr Taylor?

13 A. I see the document.

14 Q. And then if we look at the next page, the annex, we see the
09:48:27 15 letter itself from President of Sierra Leone addressed to the
16 Secretary-General. And, Mr Taylor, if we look at the first
17 paragraph, we see:

18 "Current security developments oblige me to revert to a
19 matter which was the subject of my communications to you dated 13
09:48:45 20 October 1998. You may recall that, upon receipt of my letter,
21 you strongly urged that my government adopt a conciliatory
22 approach in dealing with the situation. I immediately acted in
23 accordance with your suggestion, and my spokesman even made a
24 public statement to the effect that President Charles Taylor and
09:49:09 25 I were doing everything possible to ameliorate the situation."

26 And then if we look at the next paragraph, the first
27 sentence:

28 "Regrettably, it would appear that my conciliatory approach
29 and persistent efforts to maintain friendly and cordial relations

1 with President Charles Taylor are being interpreted by him as a
2 sign of weakness and a lack of resolve on my part."

3 So, Mr Taylor, it would have been very important to you to
4 know about these comments by the President of Sierra Leone in
09:49:46 5 January 1999, would it not?

6 A. Yes, it was very important. I am aware now of these
7 comments, and I responded also with a Security Council document
8 at about the same period. So these are ongoing discussions
9 between states.

09:50:00 10 Q. So you were aware of this and in fact responded?

11 A. As you have read it I recall, and we responded by January
12 5, 6. As soon as we got this we responded to the
13 Security Council also, and I think we have published that
14 Security Council document here also. So these are ongoing
09:50:17 15 discussions.

16 Q. Now, Mr Taylor, if we could look at the bottom of the page
17 beginning with the fourth paragraph down, please.

18 "My government is gratified that the deepening involvement
19 of the Government of Liberia in the rebel activities in my
09:50:38 20 country is at the present time is being fully appreciated by the
21 wider international community.

22 For some time, we have been warning about this, but is only
23 now when the involvement has greatly increased, with greater and
24 destructive damages, that alarm is being expressed by many
09:50:57 25 governments.

26 As you are aware, I personally have done everything humanly
27 possible to reach an understanding with President Charles Taylor
28 so that he can leave my country and people in peace. Your own
29 efforts, as Secretary-General at Abuja, and those of the

1 Reverend Jesse Jackson, the envoy of the President of the
2 United States of America, are glaring examples. However, we
3 cannot allow ourselves to be swayed, by denials and unworkable
4 proposals about border surveillance and joint patrols, from
09:51:37 5 realising the enormous dangers ahead for all of us. There is
6 grave risk that, should my government respond in kind to
7 President Taylor's continued activities, resulting escalated
8 conflict would certainly destabilise the region. That is why my
9 government urgently expects the Security Council, through you, to
09:52:04 10 take urgent action to arrest this deteriorating security
11 situation. The Security Council has shown determination to deal
12 firmly with the rogue states in other regions of the world. Our
13 sub-region deserves no less.

14 Please be informed that my government is prepared to leave
09:52:27 15 no stone unturned to avoid a cataclysmic development in our
16 sub-region. That is why my government has responded most
17 favourably to all initiatives aimed at a speedy resolution of the
18 situation in Sierra Leone. The recently concluded emergency
19 meeting of the Committee of Six of the Economic Community of West
09:52:54 20 African States made further suggestions about contacts between
21 President Charles Taylor and myself.

22 Despite my great disappointment over President
23 Charles Taylor's behaviour, I will not hesitate to give serious
24 consideration to suggestions emanating from the Committee of Six
09:53:10 25 of the ECOWAS countries."

26 Mr Taylor, in this letter of 5 January 1999, the President
27 of Sierra Leone makes no comment about you being the point
28 President for peace, does he?

29 A. Did he have to? He doesn't. He didn't have to.

1 Q. Mr Taylor, he doesn't, does he?

2 A. I have answered. I said he didn't. He didn't have to.

3 Q. And indeed, his comments about your involvement in Sierra
4 Leone are very negative in nature, are they not, Mr Taylor?

09:53:40 5 A. That is consistent with what has happened between Kabbah
6 and myself. July 1999 Kabbah is my guest in Monrovia.

7 Q. Mr Taylor --

8 A. These letters - excuse me, your Honour, let me just address
9 the Bench then. Because these letters are consistent with
09:53:56 10 problems between Liberia and Sierra Leone.

11 Q. Mr Taylor, you have answered the question. It is not
12 necessary for you --

13 A. You do not know --

14 Q. -- to make a speech to this panel --

09:54:03 15 A. -- what part of my question is an answer, counsel. You
16 cannot say that.

17 PRESIDING JUDGE: Can we please maintain some kind of order
18 and not speak over each other.

19 MS HOLLIS:

09:54:14 20 Q. Now, Mr Taylor, I believe you did say --

21 A. No.

22 Q. -- that the comments in this letter were very negative,
23 correct?

24 A. Let me say what I said.

09:54:25 25 Q. Mr Taylor, the question is President Kabbah's comments in
26 this letter were very negative, were they not?

27 A. That is consistent with what happened between he and
28 myself. They were negative, but that is consistent.

29 Q. Mr Taylor, President Kabbah was certainly not giving an

1 endorsement of your conduct towards Sierra Leone, was he?

2 A. I didn't need his endorsement.

3 Q. Mr Taylor, President Kabbah was not giving an endorsement
4 towards your conduct towards Sierra Leone, was he?

09:54:58 5 A. I did not need his endorsement.

6 Q. Mr Taylor, would you please answer the question --

7 A. I have answered you.

8 Q. -- I have asked?

9 A. I have answered your question.

09:55:04 10 Q. Mr Taylor, these comments were certainly not an endorsement
11 towards your conduct in Sierra Leone, were they?

12 A. I did not need Mr Kabbah's endorsement.

13 Q. So, Mr Taylor, you refuse to answer that question?

14 A. I have answered you.

09:55:18 15 Q. Well, in fact you have not --

16 PRESIDING JUDGE: Can we move forward, please. Can we move
17 forward. The record does speak for itself.

18 MS HOLLIS: Thank you, Madam President:

19 Q. Now, Mr Taylor, again in 2001 we have the Government of
09:55:37 20 Sierra Leone making negative comments about the character of your
21 conduct toward Sierra Leone, isn't that correct?

22 A. In 2001?

23 Q. That's correct, Mr Taylor.

24 A. I am trying to recall. 2001. That's possible. I
09:56:01 25 don't - it's possible. I don't have any recollection, but it's
26 possible.

27 Q. And, Mr Taylor, at that time there was a Government of
28 Sierra Leone statement on UN sanctions against Liberia, and that
29 was dated 24 February 2001. You recall that statement, do you

1 not, Mr Taylor?

2 A. I don't doubt it, but I don't recall the statement.

3 Q. Now, you recall that statement, don't you, Mr Taylor,
4 because it would be very important for you to know of such a
09:56:28 5 statement emanating from the Government of Sierra Leone in
6 February 2001, would it not?

7 A. I have just said to you I don't doubt the statement, but I
8 don't recall the statement. It's possible. I don't recall the
9 specific statement.

09:56:46 10 Q. And, Mr Taylor, in this statement the Government of Sierra
11 Leone talks about a private meeting with the council and an
12 ECOWAS ministerial delegation who met privately in New York to
13 consider the question of imposing a series of sanctions against
14 Liberia, and that meaning the Security Council. You remember
09:57:19 15 that, don't you, Mr Taylor?

16 A. I have answered you. I said I don't doubt it, but I don't
17 recall the specific situation.

18 JUDGE DOHERTY: Ms Hollis, I note the LiveNote record has
19 council as legal counsel. Did you actually mean the
09:57:36 20 Security Council, the body? I am looking here at page 17, line
21 8.

22 MS HOLLIS: That is correct, your Honour. It should be
23 C-O-U-N-C-I-L.

24 JUDGE DOHERTY: No doubt that will be picked up.

09:57:49 25 MS HOLLIS:

26 Q. Now, Mr President - I should say Mr Former President - as
27 the President of Liberia at this time with all of these
28 accusations that were being directed toward you and your
29 government, you certainly paid very close attention to this

1 statement of the Government of Sierra Leone on 24 February 2001,
2 did you not?

3 A. I don't recall paying - but all such statements I would pay
4 attention to. I don't recall the exact one, but it would be
09:58:35 5 something of interest to me.

6 Q. And certainly because this statement also addresses that in
7 this private meeting in New York, ECOWAS is said to have felt
8 that such measures, meaning the sanctions, should be delayed for
9 at least two months to allow the Government of Liberia to comply
09:59:03 10 with a number of commitments it had made to ECOWAS to address the
11 problems. You would have been aware of that - first of all,
12 ECOWAS's position that the sanctions should be delayed, correct?

13 A. Yes, I was aware of - I am not sure if that is the
14 document. I was aware of ECOWAS, which did not have control over
09:59:30 15 this matter, asking the Security Council to, Listen, wait. Delay
16 this thing. Because they were trying to convince the
17 Security Council that ECOWAS could still handle this matter. I
18 don't know if this is the document, but I recall the incident of
19 ECOWAS asking for the delay.

09:59:45 20 Q. Well, perhaps again to assist you, if we could actually
21 look at the document. If we could look at tab 35 in annex 2B.
22 We see here, "Government of Sierra Leone, 24 February 2001.
23 Government of Sierra Leone statement on UN sanctions against
24 Liberia, 24 February 2001." The document begins, talking about
10:00:57 25 the United Nations Security Council discussions of a report and
26 recommendations of a panel of experts.

27 Then the second paragraph indicates that Sierra Leone
28 participated in that discussion, concurred with the findings of
29 the panel, and endorsed its recommendation that the

1 Security Council impose sanctions against Liberia for actively
2 supporting the RUF at all levels in providing military training,
3 weapons, logistical support, staging ground for attacks and a
4 safe haven for RUF retreat and recuperation?

10:01:34 5 So, Mr Taylor, the Government of Sierra Leone is putting
6 forward in there a very negative view of your involvement in
7 Sierra Leone, is it not?

8 A. They put in a negative view of my alleged involvement in
9 Sierra Leone.

10:01:48 10 Q. And indeed they say they endorsed - they concurred with the
11 findings of panel and endorsed its recommendations.

12 "It is almost two weeks since the council and an ECOWAS
13 ministerial delegation met privately in New York to consider the
14 question of imposing a series of sanctions against Liberia.

10:02:09 15 While there was overwhelming support for sanctions, ECOWAS felt
16 that such measures should be delayed for at least two months to
17 allow the Government of Liberia to comply with a number of
18 commitments it had made to ECOWAS to address the problems."

19 And then if we skip the next paragraph.

10:02:30 20 "Conscience of the need to muster the widest possible
21 support among members of the UN Security Council for the proposed
22 sanctions, the Government of Sierra Leone was even prepared to
23 consider a compromise. Namely, that should the council decide to
24 adopt a draft resolution on sanctions against Liberia

10:02:51 25 immediately, but to have it take effect two months thereafter,
26 Sierra Leone would go along with such a course of action.

27 However, the Government of Sierra Leone has since come to
28 the conclusion that the basis on which ECOWAS had advocated a
29 two-month delay in the imposition of sanctions is gradually being

1 eroded by the Liberian government itself. First of all, the
2 least that the Government of Liberia could have done to
3 strengthen the credibility of ECOWAS, and to justify the proposed
4 two-month delay, was to have taken immediate and verifiable
10:03:35 5 action within these two weeks, to fulfil some of those basic
6 commitments that did not require technical or financial
7 assistance from any international organisation."

8 Then it goes on to list your failures in several areas that
9 it says - the Government of Sierra Leone says you could have
10:04:02 10 taken action:

11 "It has failed, for instance, to show proof and independent
12 verification of the steps it claims it has taken to disengage
13 itself from the RUF. It continues to harbour senior members of
14 the RUF and their families. It continues to violate the arms
10:04:20 15 embargo imposed by resolution 788 (1992), the provisions
16 concerning the sale or supply of arms and related material
17 imposed by resolution 1171 (1998), as well as its obligations
18 under the ECOWAS agreement on a moratorium on the importation,
19 exportation and manufacture of small arms and light weapons in
10:04:47 20 West Africa.

21 The Government of Liberia is also gradually eroding the
22 credibility of ECOWAS by demonstrating a lack of understanding of
23 the seriousness of the situation and its implications for peace
24 and stability in the West African sub-region, including Liberia
10:05:07 25 itself.

26 Thirdly, the most disturbing aspect of the situation is
27 that the Liberian government continues to demonstrate, through
28 complacency and delaying tactics, its belief that the
29 Security Council is incapable of taking any action against that

1 government without the concurrence of ECOWAS. This belief is at
2 the core of the whole question of whether or not the imposition
3 of sanctions should be delayed."

4 And then if we skip the next paragraph.

10:05:47 5 "The Sierra Leone government is convinced now, more than
6 ever, that at the end of any two-month delay in the
7 Security Council's consideration of sanctions, Liberia plans to
8 request the council, through ECOWAS, to allow it more time to
9 comply with the ECOWAS commitments. It would also argue that it
10:06:05 10 lacks the financial and technical resources required to comply
11 with those commitments.

12 While the Government of Sierra Leone is fully aware of the
13 emerging international consensus that in imposing sanctions the
14 Security Council should ensure, among other things, that such
10:06:34 15 measures do not create unbearable humanitarian consequences for
16 innocent people. It is of the view that this is no longer a
17 convincing argument in terms of the scope of sanctions now under
18 consideration for Liberia."

19 And then in the next paragraph the Government of Sierra
10:06:57 20 Leone asks the council to consider various things in deciding on
21 the nature and scope of timing of sanctions and those include
22 that all member states of ECOWAS support the imposition of
23 sanctions against Liberia.

24 "As the current chairman of ECOWAS, President Alpha Konare
10:07:16 25 of Mali told the millennium summit meeting of the Security
26 Council, 'Sanctions form part of the means by which the
27 organisation can take action. They must be adapted to their
28 specific goals. The recent sanctions relating to the illicit
29 exploitation of natural resources demonstrate how much more

1 effective targeted sanctions can be.'

2 No member of ECOWAS has argued that the proposed sanctions
3 against Liberia would create serious humanitarian consequences
4 for the people of Liberia. On the contrary, the people of
10:07:53 5 Liberia have openly supported the adoption of sanctions
6 resolution on their country. They cite the fact that only a
7 handful of people who had been identified in the UN expert
8 panel's report, and who benefit directly from privileges, would
9 have their privileges suspended if sanctions were imposed on
10:08:13 10 Liberia."

11 So, Mr Taylor, in this letter, President Kabbah, the
12 Government of Sierra Leone makes no mention at all of your role
13 as the point President for peace. Isn't that correct?

14 A. Well, your Honours, let me just say this is the opinion of
10:08:37 15 the Government of Sierra Leone and so I disagree with Kabbah's
16 own opinion and --

17 Q. Mr Taylor --

18 A. -- there is no reason why he should mention here that I am
19 the point man and he doesn't, but this is opinion of the
10:08:51 20 Government of Sierra Leone and so I just consider it as their
21 opinion.

22 Q. And, Mr Taylor, this opinion is very negative towards your
23 conduct, is it not?

24 A. Oh, as alleged it is. It is. It is negative. This is not
10:09:03 25 what is evident of a brother who is visiting me all of the time
26 and calling me every day. It is negative, unfortunately. It
27 doesn't make it right.

28 Q. His contacts with you were at the urging of other parties.
29 Isn't that correct, Mr Taylor?

1 A. I can't speak to that. I know Kabbah came voluntarily -
2 came to Liberia at least twice.

3 Q. And his contacts with you were a somewhat desperate effort
4 to get you to change the kind of conduct you were engaged in
10:09:36 5 towards Sierra Leone. Isn't that correct, Mr Taylor?

6 A. No, I would disagree. The way that things work, things
7 don't work that way. At the United Nations if these judges see
8 what's going on is that ECOWAS is saying, "Wait." Once the
9 United States and Britain were pushing through a resolution it
10:09:53 10 would just go and ECOWAS couldn't stop it. They did
11 everything to say, "Look, you've got it wrong. Give us two
12 months." Nobody listened.

13 Q. Mr Taylor, in fact the Government of Sierra Leone was
14 urging that these sanctions go into effect and was explaining
10:10:07 15 that a two month delay would be of no assistance. The Government
16 of Sierra Leone was doing that in this statement, correct,
17 Mr Taylor?

18 A. That's what appears, but the Government of Sierra Leone is
19 not on the council.

10:10:18 20 Q. So, Mr Taylor, in the letter from President Kabbah and the
21 statement from the Government of Sierra Leone we have an African
22 President and an African country making very negative comments
23 about your conduct towards Sierra Leone. Isn't that right,
24 Mr Taylor?

10:10:40 25 A. Well, if you put it that way, an African country, the two
26 countries are practically at conflict. So if you put it that
27 way, I have to say he is an African President, yes, Sierra Leone
28 is an African country, but these are two countries that have
29 varying opinions and disagreements on certain issues.

1 MS HOLLIS: Now, Madam President, I would ask that the
2 document at tab 33 in annex 2B which is S/1999/73, dated 25
3 January 1999, involving the letter of 19 January 1999 from the
4 charge d'affaires of the permanent mission of Sierra Leone to the
10:11:35 5 UN forwarding President Kabbah's letter of 5 January 1999, I
6 would ask that that document be marked for identification.

7 PRESIDING JUDGE: The document mentioned, along with the
8 annex, are marked MFI-343.

9 MS HOLLIS: And the document at tab 35 in annex 2B, the
10:12:06 10 statement of the Government of Sierra Leone on UN sanctions
11 against Liberia, 24 February 2001, I would ask that that document
12 also be marked for identification.

13 PRESIDING JUDGE: The document is marked MFI-344.

14 MS HOLLIS: Thank you, Madam President:

10:12:42 15 Q. Now, Mr Taylor, you are also aware that in late 2002 the
16 Government of Sierra Leone once again directed very negative
17 comments toward you and your involvement in Sierra Leone,
18 correct?

19 A. I don't recall, but this is - during this period there is
10:13:14 20 tension between the two countries, so it's possible. I don't
21 recall the specifics.

22 Q. And this once again was incorporated into a United Nations
23 document, S/2002/1304, dated 29 November 2002. You would have
24 seen that United Nations document, would you not, Mr Taylor?

10:13:34 25 A. Well, not necessarily. Is that a letter from the
26 Government of Sierra Leone?

27 Q. Well, Mr Taylor, you would have been aware of these
28 negative comments, would you not?

29 A. It depends. There are hundreds of comments. There is

1 conflict between these two countries. I mean I wouldn't be able
2 to recall before the Court every specific negative statement. I
3 am making statements, Kabbah is making statements. There is
4 conflict between these two countries. So if you --

10:14:04 5 Q. Mr Taylor, perhaps you would recall that it was --

6 A. I am not finished with my answer.

7 Q. Sorry, Mr Taylor. Perhaps you would recall that it was a
8 letter dated 22 November 2002 from the Vice-President of the
9 Republic of Sierra Leone, Solomon Berewa, that was forwarded to
10 the United Nations. Do you recall that, Mr Taylor?

10:14:32

11 A. As I was saying, I would not recall the - what would help,
12 maybe the content of the letter, maybe something in that letter,
13 it may flash back. But the Vice-President of Sierra Leone
14 writing a letter to the Security Council, I wouldn't know the

10:14:54

15 date or the time or when he did it. So I just need to - if the
16 subject matter is important, I will respond and I will be able to
17 recall for the Court, but I don't know the dates.

18 Q. Mr Taylor, you had told this Court previously that you kept
19 yourself aware of Security Council documents. Isn't that right?

10:15:14

20 A. Yes, important documents. There are thousands of
21 Security Council documents, counsel. I would be lying to this
22 Court if I said I was aware of every one of them. What I'm
23 trying to tell the judges, of course if there's a very important
24 document I would come up to speed with it.

10:15:29

25 Q. And a document emanating from the United Nations
26 Security Council that included a letter that was critical of your
27 conduct in regard to Sierra Leone, that would have been very
28 important for you, would it not, Mr Taylor?

29 A. Well, it depends. It's good for the Court to know:

1 Letters from governments, your Honours, going to the
2 Security Council are only published for the information of the
3 rest of the people and attached to a Security Council document.
4 It has nothing to do with the acquiescence of the council or a
10:16:07 5 decision of the council; it is only a display of the document --

6 Q. Mr Taylor --

7 A. I'm addressing the judges, please.

8 Q. -- that wasn't the question.

9 A. I've answered you.

10:16:13 10 Q. Such a letter emanating in a document from the
11 Security Council which was critical of you, that would have been
12 very important for you to know at this time, would it not,
13 Mr Taylor.

14 A. It depends. Subjectively it would have been important,
10:16:27 15 yes.

16 Q. Now perhaps we could look at tab 37 in annex 2B,
17 S/2002/1304, 29 November 2002. We see the cover of this
18 document, Mr Taylor, and it says:

19 "Letter dated 28 November 2002 from the chairman of the
10:17:37 20 Security Council Committee established pursuant to resolution
21 1343 (2001) concerning Liberia addressed to the President of the
22 Security Council.

23 On behalf of the Security Council Committee established
24 pursuant to resolution 1343 (2001) concerning Liberia, I have the
10:17:57 25 honour to transmit herewith a copy of a letter dated 25 November
26 2002 from the permanent representative of Sierra Leone to the
27 United Nations.

28 I would appreciate it if this letter were issued as a
29 document of the Security Council."

1 And you see, Mr Taylor, an indication that this was signed
2 by the chairman of the Security Council Committee established
3 pursuant to resolution 1343, correct, Mr Taylor?

4 A. Correct what? What is your question?

10:18:29 5 Q. You see that that was indicated signed by the chairman of
6 the Security Council Committee?

7 A. I see that it is indicated as signed by the chairman of the
8 committee.

9 Q. Then if we look at the next page, we have a letter from the
10:18:47 10 Ambassador Permanent Representative, Ibrahim M Kamara, indicating
11 that upon instructions from his government, he is transmitting a
12 letter dated 22 November 2002 addressed to the chairman of the
13 Security Council Committee from Solomon Berewa, Vice-President of
14 the Republic of Sierra Leone; yes, Mr Taylor?

10:19:12 15 A. What is your question now, counsel?

16 Q. That is the content of that page, correct, Mr Taylor, this
17 letter being forwarded from Solomon Berewa?

18 A. I have seen the paragraph that reads thus.

19 Q. Now if we could look at the next page, please, which
10:19:30 20 indicates "enclosure", indicating in the second paragraph that
21 the Government of Sierra Leone has taken note of the report and
22 is making the following observations on the parts of the report
23 that relate directly to the situation in Sierra Leone. And we
24 see the next paragraph, Mr Taylor, begins:

10:20:02 25 "As far as Sierra Leone is concerned, the Liberian
26 government has offered no credible and convincing evidence that
27 it has taken action, including legislative action, to expel all
28 Revolutionary United Front members and prohibit all RUF
29 activities on its territory, as demanded by the Security Council

1 in paragraph 2(A) of its resolution 1343 (2001)."

2 And, Mr Taylor, you note at the bottom of this page is an
3 indication of the panel report that Sam Bockarie is thought not
4 to be staying in Liberia and that his wife claims she has not
10:20:52 5 seen him for at least six - I believe this is a typo. It should
6 be "months".

7 "This in no way implies the Government of Liberia has
8 excelled Sam Bockarie from Liberia or that he no longer has any
9 direct links, including military and financial ones, with the
10:21:10 10 remnants of RUF presently in Liberia and with the Government of
11 Liberia. Furthermore, lack of information on his whereabouts
12 does not imply that Sam Bockarie no longer enjoys the patronage
13 of the Liberian government."

14 And then the first sentence of the next paragraph:

10:21:28 15 "In this connection, the Government of Sierra Leone notes
16 that the Minister For Foreign Affairs of Liberia was, until
17 recently, reluctant to allow the panel to talk to Mrs Bockarie."

18 Now, Mr Taylor, those portions that I have just read,
19 nowhere in those portions does the Government of Sierra Leone
10:21:53 20 note your positive contributions as the point President for
21 peace, does it?

22 A. No. Among the portions that you read, no, it didn't.
23 Sadly.

24 Q. And in fact you can take a moment, if you wish, to review
10:22:08 25 the entire document, but in the entire document at no point does
26 the Government of Sierra Leone make note of your positive
27 contributions as the point President for peace, Mr Taylor?

28 A. Well, I haven't gone through the entire document. But if
29 you are saying to the Court that through the entire document it

1 does not state that, I will take your word for it.

2 MS HOLLIS: Madam President, we would ask that this
3 document be marked for identification.

4 PRESIDING JUDGE: The Security Council document

10:22:50 5 S/2002/1304, dated 29 November 2002, along with its annex and
6 enclosure, are marked MFI-345.

7 MS HOLLIS: Thank you, Madam President:

8 Q. Indeed, Mr Taylor, in August 2003 President Kabbah
9 expressed a very negative view of your involvement in Sierra

10:23:20 10 Leone in the statement that he made before the Sierra Leone Truth
11 and Reconciliation Commission, isn't that correct, Mr Taylor?

12 A. I don't - I don't know what Kabbah said.

13 Q. But you were aware of that statement, weren't you,
14 Mr Taylor --

10:23:37 15 A. No, I am aware that --

16 Q. -- relating to your involvement in Sierra Leone?

17 A. No, I am aware that Mr Kabbah appeared before the Sierra
18 Leonean Truth Commission. I don't know the exact details of what
19 he said during his testimony on Liberia.

10:23:54 20 Q. And if we could look at tab 1 in annex 5 - it has also been
21 marked as DCT-127 by the Defence - President Kabbah's testimony
22 before the TRC. Tab 1 in annex 5. DCT-127 should be
23 President Kabbah's testimony before the Sierra Leone TRC, Truth
24 and Reconciliation Commission.

10:25:54 25 PRESIDING JUDGE: Testimony or statement? It says
26 "Statement".

27 MS HOLLIS: This is a statement before the Truth and
28 Reconciliation Commission on Tuesday, 5 August 2003.

29 JUDGE DOHERTY: Ms Hollis, I notice in handwriting on my

1 copy is "exhibit" - it appears to be "066". Would that be a TRC
2 exhibit number rather than an exhibit number of this Court?

3 MS HOLLIS: That would be a number that was put on by the
4 TRC, not this Court. We would note, for your Honours'

10:26:37 5 assistance, that there is an exhibit D-26 that contains part of
6 this testimony, but not these references, and the DCT-127 that
7 was distributed is the full statement.

8 PRESIDING JUDGE: Please proceed, Ms Hollis.

9 MS HOLLIS: Thank you, Madam President:

10:27:32 10 Q. And we see, Mr Taylor, a statement by His Excellency, the
11 President Alhaji Dr Ahmad Tejan Kabbah made before the Truth and
12 Reconciliation Commission on Tuesday, 5 August 2003. And you
13 recall, Mr Taylor, do you not, that on direct examination your
14 Defence counsel directed your attention to certain portions of
10:27:52 15 this statement?

16 A. Yes.

17 Q. And if we could look at paragraph 6, which is on page 2.
18 It's listed at the top as 2 of 25. If you could move that so we
19 see paragraph 6. Mr Taylor, this indicates the war in
10:28:27 20 neighbouring Liberia commencing in 1989 with the objective of
21 removing President Samuel Doe and talks about you coming to
22 Sierra Leone with the view of using Sierra Leone as a springboard
23 for staging the rebellion against Doe. It indicates that you
24 were first received by the APC and were even encouraged to do
10:28:52 25 this and then indicates that:

26 "We are told this initial encouragement for Charles Taylor
27 was as a result of some financial consideration paid by him to
28 the higher echelons by the APC regime."

29 Then it talks about the change of heart and after that your

1 being arrested and incarcerated at Pademba Road for awhile and
2 then expelled from the country and then goes on:

3 "This conduct by the APC regime is a factor that might have
4 provoked the hostility of Charles Taylor and his active
10:29:36 5 participation in the rebel war in Sierra Leone. He is known to
6 have organised and responded the initial invasion into Sierra
7 Leone by arming and directing the invaders, and his support for
8 them remained active all throughout the rebel war.

9 There is no attempt here to justify the attitude of
10:29:52 10 Charles Taylor and the stance he took against the people of this
11 country."

12 So very negative comments about your role regarding Sierra
13 Leone; correct, Mr Taylor?

14 A. And a bunch of lies too.

10:30:05 15 Q. Very negative in nature though, yes, Mr Taylor?

16 A. They are all lies and negative, but they are blatant,
17 blatant lies that Kabbah told here in that paragraph.

18 Q. And then Mr Taylor, in looking at President Kabbah's
19 statements about your involvement at paragraph 13 where the topic
10:30:29 20 is the prevailing precarious security position in the country at
21 the time President Kabbah first assumed office as President.

22 Subpart A:

23 "Before I became President in March 1996, the RUF had
24 already entrenched themselves in the war for close to five years
10:30:51 25 both in combat and in their international contacts. They then
26 continued to have active support principally from Liberia,
27 Burkina Faso, and had haven in Ivory Coast."

28 So again, Mr Taylor, President Kabbah is portraying your
29 involvement in a very negative light. Isn't that correct?

1 A. In a libelous way. But he is telling a lie. It's
2 negative, yes, but it's a lie.

3 MS HOLLIS: We would ask that this document, at least these
4 portions of the document, be marked for identification. That
10:31:29 5 would be, Madam President: The first page of the document, page
6 1 of 25 showing what the document is; page 2 of 25, containing
7 paragraphs 6; the portion of paragraph 7 which was read; and page
8 4 of 25 containing the portion of paragraph 13 which was read.

9 PRESIDING JUDGE: The document entitled "A statement by His
10 Excellency Alhaji Dr Ahmad Tejan Kabbah to the Truth and
11 Reconciliation Commission on 5 August 2003", that is pages 1 of
12 25, 2 of 25, and 4 of 25 are together marked MFI-346.

13 MS HOLLIS: Thank you:

14 Q. Now, Mr Taylor, just this last year President Kabbah has
10:32:55 15 continued to negatively characterise your conduct towards Sierra
16 Leone. Isn't that correct, Mr Taylor?

17 A. You said just this year?

18 Q. No, just last year, 2009.

19 A. I have not been on - I have been incarcerated since 2006.
10:33:14 20 I don't know, but if I am confronted with a document I would
21 acknowledge if he has. I don't know what Kabbah is doing out
22 there, but I would not be surprised by anything that he has to
23 say negative.

24 Q. And, Mr Taylor, are you aware of a 9 August 2009 article,
10:33:39 25 "Sierra Leone: Kabbah - It's difficult to forgive
26 Charles Taylor", allAfrica.com? You were aware of this article,
27 Mr Taylor?

28 A. I don't know the date. I am aware of - I think I am not
29 sure if it was a document that said that, "I will find it

1 difficult to forgive Charles Taylor", I am not sure if the date
2 is 9 August, but that brings a recollection to me about Kabbah
3 saying he would find it difficult to forgive me. I don't know if
4 the date is correct. I don't know.

10:34:17 5 Q. If we could look at tab 38 in annex 2B, allAfrica.com,
6 "Sierra Leone: Kabbah - It's difficult to forgive
7 Charles Taylor", 9 August 2009. Mr Taylor, you see that the
8 document is from allAfrica.com, "Sierra Leone: Kabbah - It's
9 difficult to forgive Charles Taylor", 9 August 2009, and we see
10:36:06 10 the first paragraph:

11 "Former President of Sierra Leone, Alhaji Tejan Kabbah,
12 yesterday said forgiving former Liberian leader,
13 Mr Charles Taylor, over his atrocities against the people of
14 Sierra Leone was a difficult thing for him to do."

10:36:23 15 And then if we look at the fourth paragraph, simply
16 reiterating:

17 "It would be difficult for President Kabbah to forgive
18 Taylor if he continues to be unrepentant as he exhibited in
19 recent interviews."

10:36:45 20 Then the next paragraph:

21 "Speaking further at the Oriental Hotel in Lekki-Lagos,
22 Kabbah said, 'It is difficult to ask if I can forgive
23 Charles Taylor because I spoke to him many times. I said what is
24 going on in your name and with your knowledge and connivance is
10:37:05 25 bad, not only for Sierra Leone, but for West Africa and African
26 children.' I spoke to him, then I followed that up with a
27 letter. I sent my Vice-President with a letter to him, pleading
28 with him along those lines.

29 Narrating how he engaged the empathy of other African

1 Leaders to prevail on Taylor to desist from his alleged
2 plundering of Sierra Leone, Kabbah recalled: 'In fact, there was
3 a meeting with the African Union in Accra and all the others
4 (Presidents) were there - all the leaders - yes, all the West
10:37:49 5 African Presidents were there but then we had Thabo Mbeki with
6 us, somebody from outside the region, I tried hard. I spoke to
7 him. I asked people to prevail on him.'

8 According to Kabbah, trying to extract a promise from
9 Taylor was very frustrating. 'He would say this to me and he
10:38:09 10 would be doing something else without my knowing. I will phone
11 him. We got to the stage where I think we had to go to court on
12 this. Well, myself, I decided that perhaps it will be a good
13 idea for us to have the Special Court in Sierra Leone so that if
14 people see and know that even if a President does something which
10:38:29 15 is not right there is some facility for the President to be
16 questioned about that and for him to explain his own side of the
17 story and that's how we went about setting up that court.'

18 Kabbah, who was in the company of his wife, also said
19 nemesis has caught up with Taylor. 'It's so interesting when I
10:38:52 20 remember all these things in retrospect. We were attending a
21 meeting - ECOWAS meeting in Ghana and that morning there was an
22 agreement by my government and the UN that we would not interfere
23 in the running of the Special Court. They didn't tell me they
24 were going to make him appear in court and so on; but when I got
10:39:12 25 to Ghana, I was told that this had happened and that they were
26 going to try and see how best they could accelerate the process.'

27 Stating the harrowing experience of war that his country
28 went through can be traced to Taylor, the former Sierra Leonean
29 President revealed his last ditch effort to make Taylor stop the

1 war. 'I, in the presence of other Presidents, spoke to
2 Charles Taylor. I said try and do something to end this thing
3 (war) and finish it up. That's how it happened. How my people
4 suffered. Whatever problems we may be having still is borne
10:39:53 5 through Taylor's machination and his supporters. To ask me if I
6 can forgive him, yes, we should try to forgive each other.'"

7 So, Mr Taylor, very, very negative comments by the, at this
8 time, former President of Sierra Leone about your conduct toward
9 Sierra Leone, correct?

10:40:10 10 A. About my alleged conduct, just as he said. About my
11 alleged conduct. And I am very surprised that Kabbah still feels
12 this way. And that's why we are in this Court; that the evidence
13 will be presented.

14 Q. Mr Taylor, in this article no mention at all about your
10:40:27 15 supposed role as the point President for peace, is there?

16 A. I don't see it in this article. You don't expect for
17 Kabbah to say that in this - in fact this is not - this is a
18 report of what Kabbah said, we don't even know if he said all
19 these things, but I would expect that from Kabbah.

10:40:47 20 MS HOLLIS: Madam President, if we could have this marked
21 for identification.

22 PRESIDING JUDGE: The document entitled, "Sierra Leone:
23 Kabbah - It's Difficult to Forgive Charles Taylor", dated 9
24 August 2009, is MFI-347.

10:41:07 25 MS HOLLIS: Thank you, Madam President:

26 Q. And, Mr Taylor, in January 1999 the President of the
27 Security Council issued a statement that was also negative about
28 the involvement of Liberia in the affairs of Sierra Leone. Isn't
29 that correct?

1 A. The alleged involvement of Liberia.

2 Q. You remember that statement --

3 A. I don't remember.

4 Q. -- from the Security Council President?

10:41:44 5 A. I don't remember that statement specifically, no.

6 Q. You would have seen that statement, would you not,
7 Mr Taylor, a statement from the President of the Security Council
8 in January 1999?

9 A. I could have, but I don't recall seeing that specific
10:41:59 10 statement. We had met with the President before, I don't recall
11 that statement.

12 Q. That would have been important for you to know what the
13 President of the Security Council was saying at that particular
14 time, would it not, Mr Taylor?

10:42:09 15 A. It would be important, yes.

16 Q. And perhaps to assist your memory, if we could look at tab
17 39 in annex 2B, United Nations Security Council, S/PRST/1999/1,
18 dated 7 January 1999. Now, Mr Taylor, we see the document as I
19 have just described it, statement by the President of the
10:43:07 20 Security Council, and the context of the statement is indicated
21 in the first paragraph that:

22 "At the 3963rd meeting of the Security Council, held 7
23 January 1999, in connection with consideration of the item
24 entitled 'The situation in Sierra Leone', the President of the
10:43:31 25 Security Council made the following statement on behalf of the
26 council."

27 The first paragraph deals with its grave concern about
28 attacks by the armed rebels of the former junta and the
29 Revolutionary United Front in the capital. And then the second

1 paragraph:

2 "The Security Council strongly condemns all those who have
3 afforded support, including through the supply of arms and
4 mercenaries, to the rebels in Sierra Leone. In this context, it
10:44:04 5 expresses its grave concern at reports that such support to the
6 rebels is being afforded in particular from the territory of
7 Liberia. It reaffirms the obligation on all member states to
8 comply strictly with existing arms embargoes."

9 So, Mr Taylor, it's expressing its grave concern about
10:44:27 10 support being afforded the rebels from the territory of Liberia.

11 Correct, Mr Taylor?

12 A. Well, no, I would not put it that way, no, because from my
13 understanding of diplomatic notes, as this is, I would disagree
14 with your proposition as you're putting it.

10:44:46 15 Q. Well, let's look at the plain language again, not an
16 interpretation:

17 "In this context it expresses its grave concern at reports
18 that such support to the rebels is being afforded in particular
19 from the territory of Liberia."

10:45:02 20 Yes, Mr Taylor?

21 A. No. My understanding of this --

22 Q. Mr Taylor --

23 A. Well, no.

24 Q. Mr Taylor, I am going to interrupt you.

10:45:10 25 A. Well, go ahead.

26 Q. That is the exact language contained in this paragraph, is
27 it not, Mr Taylor?

28 A. Well, my interpretation of this language is --

29 Q. Mr Taylor --

1 A. No.

2 Q. Mr Taylor, I am not asking your interpretation.

3 PRESIDING JUDGE: Ms Hollis, please let the witness answer.
4 We want to hear [overlapping speakers].

10:45:24 5 THE WITNESS: You are trying to stop me and shut me down.

6 PRESIDING JUDGE: Mr Taylor, please answer as directly as
7 possible.

8 THE WITNESS: Yes. In this context it expresses its grave
9 concern at reports. In - my understanding is that this is
10 information - he is expressing concern about information that
11 this is going on. This is how I understand it.

12 MS HOLLIS:

13 Q. And the information is that the support to the rebels is
14 being afforded in particular from the territory of Liberia?

10:45:56 15 A. The information, yes. That's just information. It's not
16 factual. But it's information, yes. That's how I understand it.

17 Q. And then based on that, the Security Council urges the
18 committee created pursuant to resolution 985 (1995) and the
19 committee created pursuant to resolution 1132 (1997) to pursue
20 active measures to investigate violations of the embargoes and to
21 report to the council, with recommendations as appropriate.

22 Yes, Mr Taylor? That is what the Security Council is
23 urging based on these reports?

24 A. Urging an investigation, yes.

10:46:46 25 MS HOLLIS: Madam President, I would ask that this be
26 marked for identification.

27 PRESIDING JUDGE: The Security Council document reference
28 S/PRST/1999/1 dated 7 January 1999 is marked MFI-348.

29 MS HOLLIS:

1 Q. Now, Mr Taylor, we have looked at statements made about
2 your involvement in Sierra Leone by President Rawlings of Ghana.
3 You recall yesterday we looked at that? Do you recall that,
4 Mr Taylor?

10:47:53 5 A. I recall us looking at a statement of - an alleged
6 statement by President Rawlings.

7 Q. Indeed, Mr Taylor, in October 2000, even your friend
8 President Obasanjo expressed his concern that Liberia was behind
9 the destabilisation of the sub-region; that's true, is it not,
10:48:12 10 Mr Taylor?

11 A. I am not aware of Obasanjo telling me that. I am not aware
12 of Obasanjo. He could have maybe in a conversation with someone,
13 but this was not official. I am not aware of it.

14 Q. And indeed, Mr Taylor, this was contained in a United
10:48:27 15 Nations document; isn't that correct?

16 A. I haven't seen the document, no.

17 Q. Perhaps to assist you it, if we could look at tab 33 in
18 annex 4, S/2000/992. We see "United Nations Security Council,
19 S/2000/992, 16 October 2000, report of the Security Council
10:49:59 20 mission to Sierra Leone", and then the introduction. It talks
21 about sending a mission to Sierra Leone from 7 to 14 October, and
22 then paragraph 2 sets out the composition of the mission,
23 countries represented on the mission. And then if we look at
24 page 2 of the document, paragraphs 4, 5 and 6 relate to the
10:50:41 25 itinerary, the meetings - various meetings that were held.

26 Including, at paragraph 6 in Nigeria, the mission met with
27 President Olusegun Obasanjo and senior members of his government
28 and indicates other personnel with whom they met, also indicating
29 that they met in Monrovia with you and received a briefing from

1 the representative of the Secretary-General in Liberia, Felix
2 Downes-Thomas. You remember that meeting with them in Monrovia,
3 Mr Taylor?

4 A. Yes, I do.

10:51:21 5 Q. And then if we turn to page 8 at the bottom of the
6 document, it is at the top with the large numbers ending in
7 "2117". We are looking at paragraph 33. Paragraph 33 begins
8 indicating the impact of the conflict in Sierra Leone on the
9 situation in the region was increasing alarmingly. The mission
10:52:07 10 heard from the Presidents. By unanimous message they were deeply
11 disturbed by the deterioration and keenly aware of risk posed by
12 a further spillover of the conflict in Sierra Leone, in
13 particular to Guinea. And then they talk about their meetings
14 with the President and Government of Guinea, and then we go to
10:52:36 15 the sentence:

16 "In the view of President Conte, echoed subsequently by
17 President Obasanjo, the destabilisation of the sub-region was
18 being caused by Liberia, with the complicity of others in the
19 region."

10:52:55 20 So, Mr Taylor, at this point in time President Obasanjo is
21 attributing the destabilisation in the sub-region to Liberia with
22 the complicity of others in the region. Now, Mr Taylor, nothing
23 in this paragraph indicates that President Obasanjo spoke about
24 your role as the point President for peace, correct, Mr Taylor?

10:53:23 25 A. There is nothing in that paragraph that states that, that's
26 correct.

27 Q. So in 2000 the President of Nigeria is characterising your
28 role in the sub-region itself in a very negative light, isn't
29 that correct, Mr Taylor?

1 A. Well, that's what it appears in this document. That's what
2 it appears here. This is very strange to me, really, from
3 Obasanjo.

10:54:02

4 MS HOLLIS: Madam President, I would ask this document be
5 marked for identification.

6 PRESIDING JUDGE: The report of the Security Council
7 mission to Sierra Leone, reference S/2000/992 of 16 October 2000,
8 is marked MFI-349.

9 MS HOLLIS:

10:54:33

10 Q. Now, Mr Taylor, if we also again look back to the time
11 period of the attack on Freetown - the ongoing attack on
12 Freetown. At that time, in 1999, Nigeria also made very negative
13 comments about your conduct, your role in relation to Sierra
14 Leone. Isn't that correct, Mr Taylor?

10:55:10

15 A. When you say "Nigeria", are you referring to the Nigerian
16 government?

17 Q. The Government of Liberia through the embassy of Nigeria,
18 Mr Taylor?

19 A. The Government of Nigeria, you mean?

10:55:20

20 Q. That is correct, through the embassy of Nigeria in
21 Monrovia, Liberia?

22 A. You say 1999?

23 Q. That's correct, Mr Taylor.

10:55:43

24 A. I am not sure, but the embassy of Nigeria - late 19 - I
25 think it was late 1998, 19 - that could be in January - there was
26 a statement after the conflict with ECOMOG, yes.

27 Q. And, Mr Taylor, the statement that was issued on the
28 situation in Sierra Leone expressed the serious concern for the
29 military and security situation in Sierra Leone following the

1 renewed rebel activities in the countryside and their
2 infiltration of Freetown on 5 January 1999; do you remember that,
3 Mr Taylor, this statement?

4 A. Not the details, but if it's in the statement. I remember
10:56:21 5 - like I say, I remember a statement issued by the embassy. I
6 don't know the details.

7 Q. And, Mr Taylor, in that statement, they indicated that it
8 was regrettable that the rebels were receiving active support
9 from a number of countries, some of which were members of ECOWAS
10:56:40 10 and the OAU, and indicated the actions and policies of those
11 countries not only subvert the principles and collective
12 decisions of our organisations, but jeopardise bilateral
13 relations among states. And in that context, Mr Taylor, in that
14 statement, issued by the Federal Government of Nigeria, the
10:57:10 15 Federal Government of Nigeria indicated it views with grave
16 concern the nefarious role being played by Liberia and some other
17 countries in and outside the sub-region in Sierra Leone.

18 "It cannot be business as usual with countries which
19 provide the bullets that kill and maim our sons and daughters."

10:57:30 20 So, Mr Taylor, that is a statement which very negatively
21 characterises the role being played by Liberia in Sierra Leone,
22 isn't that right?

23 A. The alleged role of Liberia being played in Sierra Leone.

24 Q. Well, let's look at --

10:57:46 25 A. This is a period of conflict, and that's not unusual.
26 There is a period of conflict between us and Nigeria. I am
27 trying to throw Nigerian troops out the country, so there is a
28 conflict. There's - you know, this is why in these political
29 matters - you know, I am sure in further examination my lawyer

1 will deal with this, but we are - these are conflicts and
2 accusations. There is nothing factual about these things.
3 People speak, but that's it. But that's what he says.

4 MS HOLLIS: Let's look at tab 43 in annex 2B.

10:59:09 5 Madam President, we have a copy which is not marked, but it is a
6 copy that can be compared. And the reason that you may want to
7 look at it is that in our copy it's very easy to see the caption
8 at the very top above "Embassy of Nigeria" that is blurred here,
9 and in ours it makes it clear that that language above there is
10:59:35 10 "The News, Tuesday 19 January 1999, Monrovia, Liberia".

11 PRESIDING JUDGE: Could we have a clean copy at least for
12 Mr Taylor and probably for the public?

13 MS HOLLIS: Yes. Now, this copy is not marked, but it can
14 be compared to the other copy. It is the same article. If we
11:00:02 15 could just show the very top of that. So show it to Mr Taylor so
16 he could look at the document, and perhaps you could show it to
17 the Defence and the Bench.

18 Q. Mr Taylor, if you look at the very top, it's small language
19 but it indicates "The News". Do you see that, Mr Taylor?

11:00:27 20 A. Yes, I see that.

21 Q. And the day of the week. I believe it is Tuesday?

22 A. It appears to be Tuesday.

23 Q. And 19 January 1999, Monrovia, Liberia. Is that correct,
24 Mr Taylor?

11:00:57 25 A. That is correct.

26 PRESIDING JUDGE: Right, if we could display that on the
27 overhead, please. Continue, Ms Hollis.

28 MS HOLLIS: Your Honours and Defence counsel, if you look
29 at the copy that was distributed, you would note that it is the

1 second indented paragraph, the third paragraph from the top, that
2 is marked, the paragraph beginning, "It is regrettable that the
3 rebels":

4 Q. Now, Mr Taylor, if we look at the caption we have seen the
11:02:17 5 news, the date, Monrovia, and we see, "Embassy of Nigeria,
6 Monrovia, Liberia, full text of the statement issued by the
7 Federal Government of Nigeria on the situation in Sierra Leone".
8 Then if we can go down:

9 "It is regrettable that the rebels in their misadventure
11:02:40 10 are receiving active support from a number of countries, some of
11 which are members of ECOWAS and the OAU. The actions and
12 policies of these countries not only subvert the principles and
13 collective decisions of our organisations, but also jeopardise
14 bilateral relations among states. In this regard, government
11:03:00 15 views with grave concern the nefarious role being played by
16 Liberia, and some other countries in and outside the sub-region,
17 in Sierra Leone. It cannot be business as usual with countries
18 which provide the bullets that kill and maim our sons and
19 daughters."

11:03:21 20 So in the language there, the language does not read
21 "alleged nefarious role", does it, Mr Taylor?

22 A. The language does not say "alleged nefarious role".

23 MS HOLLIS: Madam President, we would ask that this
24 document be marked for identification.

11:03:45 25 PRESIDING JUDGE: The document entitled "Embassy of
26 Nigeria, statement on the situation in Sierra Leone", dated
27 Tuesday 19 January 1999, is marked for identification MFI-350.

28 MS HOLLIS: Thank you, Madam President:

29 Q. Mr Taylor, in January 1999 had you met the

1 Secretary-General of the Commonwealth, and I may be

2 mispronouncing this, Chief Emeka Anyaoku, A-N-Y-A-O-K-U?

3 A. Yes, you pronounced it right. I am trying to reflect. You
4 say in January of 1999?

11:04:45 5 Q. By that time had you met this gentleman?

6 A. I have no recollection of me meeting. That name - that's
7 the Secretary-General - is that the Secretary-General of the
8 Commonwealth?

9 Q. That's correct, Mr Taylor?

11:05:05 10 A. I know of him, but I don't remember meeting him in January
11 1999. I could have, but I don't --

12 Q. But you do know of him, Mr Taylor?

13 A. I know of him, yes.

14 Q. And, Mr Taylor, you were aware, were you not, that in
11:05:19 15 January 1999 the Secretary-General himself made negative comments
16 about the role of Liberia in the events in Sierra Leone?

17 A. I am not aware, but I wouldn't be taken aback. Sierra
18 Leone is a member of the Commonwealth and these accusations, you
19 would expect that. Just as I disagree with the publication of

11:05:48 20 the Nigerian embassy document you just read, I don't agree with
21 it but these documents come out.

22 Q. Mr Taylor, do you know what was the nationality of the
23 Secretary-General Emeka Anyaoku?

24 A. I think he is Nigerian. He is Nigerian if I am not
11:06:04 25 mistaken. I could be wrong about that but I think he's Nigerian.

26 Q. Mr Taylor, actually in an article in the BBC news on 8
27 January 1999 the Secretary-General indicated and in fact called
28 on international pressure to be put on Liberia to cease
29 supporting the rebels. You recall him making that request on 8

1 January 1999, do you not, Mr Taylor?

2 A. No, I don't. I don't. He could have very well done that.
3 Like I said, Sierra Leone is a member of the Commonwealth, so
4 Emeka would say that. I mean, it doesn't make it right but I
11:06:46 5 don't dispute that he said that.

6 Q. So again, Mr Taylor, another leader, and this a Nigerian
7 who was Secretary-General of the Commonwealth, making a comment
8 putting in a negative light your involvement in Sierra Leone,
9 yes?

11:07:01 10 A. If he said that, that's normal. I mean, when these things
11 are happening everybody is putting in his little bit whether they
12 have the facts or not. It wouldn't be surprising to me.

13 Q. We would ask that you look at tab 27 in annex 2B, BBC News,
14 8 January 1999.

15 MR GRIFFITHS: Do we have the correct reference, because my
16 tab 27 in 2B has been referred to already?

17 MS HOLLIS: It is tab 26 which has the BBC article. Tab 26
18 of annex 2B:

19 Q. We see this is BBC News, Friday, January 8, 1999. Then if
11:08:53 20 we look at the first paragraph under the photograph indicating:

21 "The Secretary-General of the Commonwealth, Chief Emeka
22 Anyaoku, says he has met representatives of the rebels in Sierra
23 Leone and encouraged them to support the ceasefire."

24 Then on the next page under the caption "Pressure on
11:09:20 25 Liberia": "Mr Anyaoku also called for international pressure to
26 be put on Liberia to cease supporting the rebels."

27 So at this point in time, Mr Taylor, he is asking that
28 pressure be put on Liberia so that Liberia would stop supporting
29 the rebels. So a negative comment about Liberia's involvement in

1 Sierra Leone, yes, Mr Taylor?

2 A. And a very foolish comment for someone like Emeka who did
3 not have the facts. He is just making a political statement.

4 Q. Then in tab 17 at annex 2B, the Sierra Leone News Archive,
11:10:10 5 8 January 1999, we have that same information echoed. Tab 17 at
6 annex 2B which is Sierra Leone Web - Sierra Leone News - January
7 1999 for 8 January 1999. If we could first show the top of that
8 first page, Sierra Leone Web, showing January 1999 and then 8
9 January. Then if we could turn to page 2 at the very bottom of

11:11:47 10 that page giving this statement report, "Commonwealth
11 Secretary-General Chief Emeka Anyaoku told the BBC from Nigeria
12 Friday", and then if we move over it talks about his meeting with
13 the RUF representatives and also talks about his hope that the
14 international community will come in support of that as well as
11:12:22 15 in support of shoring up democracy in Sierra Leone. Do you see
16 that, Mr Taylor?

17 A. Yes, I see what you are reading there.

18 Q. And reiterating his request or statement that international
19 pressure should be brought to bear on Liberia, while at the same
11:12:44 20 time supporting peace talks?

21 A. So he doesn't meet me, right?

22 Q. He did not say he met you, Mr Taylor.

23 A. Okay, but your question started off earlier with my meeting
24 with him and I said I did not meet him.

11:12:58 25 Q. That was to ascertain if indeed you had met him by that
26 time, Mr Taylor.

27 A. Okay.

28 Q. Now, Mr Taylor, do you recall on 10 July 2000 the OAU
29 summit being held in Lome?

1 A. July 10, 2000? I don't remember. It's possible. I don't
2 quite remember.

3 Q. It was a three-day OAU summit in Lome, Togo?

11:13:49

4 A. I don't quite remember. It's a long time ago. I don't
5 quite remember. It's possible.

6 Q. Well, would you have sent a representative to that meeting,
7 Mr Taylor?

8 A. If there was an OAU meeting, definitely. If I didn't go, I
9 would have sent a representative.

11:13:59

10 Q. And it was held at Lome's Hotel Deux Fevrier. Does that
11 strike a chord for you, Mr Taylor?

12 A. 2000, you said, right?

13 Q. Yes.

11:14:16

14 A. It doesn't strike a chord, but it's possible. I don't
15 dispute that. I mean, I don't quite remember.

16 Q. If you did not attend yourself, Mr Taylor, you would have
17 received a report if you sent a representative, would you not?

18 A. Definitely. If I sent a representative, they would have
19 brought me a report.

11:14:32

20 Q. And, Mr Taylor, then they would have reported back to you
21 that the OAU Council of Ministers meeting in advance of that
22 summit urged leaders to take appropriate measures to try RUF
23 leaders from crimes against humanity and human rights violations,
24 they would have reported such back to you, would they not?

11:14:57

25 A. If I sent a delegation there they would have reported to
26 me, yes.

27 Q. Or if you yourself had attended?

28 A. Yes, I would have known of it. I'm not sure - is this a
29 ministerial meeting or a Heads of State meeting?

1 Q. Well, let's take a look at the report of this meeting and
2 see what it says. Tab 44 in annex 2B?

3 PRESIDING JUDGE: Ms Hollis, do you want any of the earlier
4 documents marked?

11:15:33 5 MS HOLLIS: The 8 January I do not, but thank you for the
6 reminder. The BBC report at tab 26 in annex 2B, the BBC news
7 article, 8 January 1999, I would ask that you mark for
8 identification.

9 PRESIDING JUDGE: Not the Sierra Leone Web article?

11:15:58 10 MS HOLLIS: No.

11 PRESIDING JUDGE: Right. The BBC report of January 8,
12 1999, entitled "Commonwealth Supports Ceasefire" is marked
13 MFI-351.

14 MS HOLLIS: Thank you, Madam President, and thank you for
11:16:19 15 calling my attention to that:

16 Q. And if we could look now at tab 44 in annex 2B. If we
17 could look at the top "Sierra Leone Web - Sierra Leone News -
18 July 2000". The date given there is 10 July. Then if we could
19 look at the second paragraph:

11:16:51 20 "African leaders opened their three-day OAU summit in Lome,
21 Togo, on Monday, with the conflict in Sierra Leone expected to
22 rank high on the agenda. Organisers said 24 Heads of State and
23 foreign ministers were attending the summit, which is being held
24 at Lome's Hotel Deux Fevrier - the same venue where the Lome
11:17:20 25 Peace Accord was negotiated last year. According to the
26 Pan-African News Agency (PANA), the OAU Council of Ministers,
27 which met in advance of the summit, has urged the leaders to take
28 appropriate measures to try RUF leaders for crimes against
29 humanity and human rights violation. They also expressed support

1 for ECOWAS's appeal to the United Nations Security Council that
2 UNAMSIL's mandate be changed from peacekeeping to peace
3 enforcement."

4 And then, Mr Taylor, the article notes that the ministers
11:17:54 5 call on the rebels to immediately stop all atrocities, including
6 summary executions, rapes, and the abduction of civilians and
7 called on them to free all hostages, including those abducted
8 before the signing of the peace agreement.

9 "The ministers also welcomed a decision by ECOWAS to
11:18:15 10 conduct an investigation into the illicit trade in Sierra Leone
11 diamonds, and expressed support for the Security Council's
12 decision to impose a global embargo on the sale of diamonds
13 originating in Sierra Leone."

14 So, Mr Taylor, the Council of Ministers in fact expressed
11:18:37 15 support for the Security Council's decision on this global
16 embargo. Do you remember that, Mr Taylor?

17 A. As I am seeing it, I don't quite remember. But this is -
18 it looks factual to me. It looks factual.

19 Q. Mr Taylor, are you able to remember at this time if you
11:18:54 20 yourself attended this summit?

21 A. Quite frankly, I can't recall. July 2000. I really can't
22 recall, but I am almost sure that we had a representative there.
23 I am not sure if I personally attended, I can't recall. But I am
24 sure we had a representative if I was not there.

11:19:23 25 Q. And that representative would have reported back to you?

26 A. Definitely, definitely.

27 Q. Thank you, Mr Taylor.

28 We would ask that this be marked for identification, and I
29 believe this is part of the cumulative MFI for 334.

1 PRESIDING JUDGE: That's correct, the Sierra Leone Web -
2 Sierra Leone News of 10 July 2000 is marked MFI-334L, as Lome.

3 MS HOLLIS: Thank you, Madam President:

4 Q. So, Mr Taylor, numerous act African governments and African
11:20:05 5 Leaders were commenting on your role in Sierra Leone in a
6 negative way from early on in your presidency, isn't that
7 correct?

8 A. No, that's - I don't know what you - are you referring to
9 the document we just went through? Because that's not what that
11:20:26 10 document says, so --

11 Q. I am referring to all of the documents we've talked about,
12 Mr Taylor.

13 A. Well then if you are referring to all of them, I would have
14 problems with the way you put the proposition. I would agree
11:20:36 15 that Sierra Leone did from time to time make negative statements.
16 But if you globalise it as you did, then I would have some
17 problems with it.

18 Q. And African leaders throughout the time 1998, 1999, onward,
19 in fact were condemnatory of your conduct toward the situation in
11:21:09 20 Sierra Leone; isn't that correct, Mr Taylor?

21 A. I would disagree with your proposition as it's put.

22 Q. And ECOMOG commanders were also condemnatory of your
23 conduct towards Sierra Leone; isn't that correct, Mr Taylor?

24 A. Well, two generals in ECOMOG made some negative statements
11:21:29 25 about me on allegations that were not true.

26 Q. And in these pronouncements that we have gone through,
27 there has been no reference to your supposed role as the point
28 President for peace or the point guard for peace in Sierra Leone,
29 has there, Mr Taylor?

1 A. I haven't seen, and I don't see the necessity for them to
2 point it out.

3 Q. And, Mr Taylor, in relation to this supposed role as point
4 President for peace, you tell this Court that you were unaware of
11:22:07 5 many pronouncements by Sam Bockarie about intended and impending
6 attacks that his group was going to carry out in Sierra Leone?

7 A. That's exactly what I said to this Court, that so many
8 statements that Sam Bockarie made that I was not aware of, yes,
9 that's exactly what --

11:22:27 10 Q. And you indicated that apparently your briefers would not
11 have considered such statements important to brief you on?

12 A. Well, that's not the way I have put it. That's not the way
13 I have put it. Based on the conversation and questions from you,
14 I have responded from time to time as to the decision on the part
11:22:49 15 of the National Security Council of Liberia to decide what was
16 important. That's the way I put it.

17 Q. And you had said that they decided not to brief you on
18 those various pronouncements?

19 A. No. Well, that's not exactly what the content of my answer
11:23:05 20 has been. That presupposes that they knew and did not decide to
21 brief me. I don't know if they knew or had reason to know. I am
22 just saying, I get briefings from the council and there's so many
23 of the things that you mentioned that I was not aware of because
24 I was not briefed on it.

11:23:29 25 Q. And yet, Mr Taylor, those matters would have been critical
26 to your role as point President for peace, isn't that correct?

27 A. Well, I mean, that's - again, that's another subjective
28 whatchamacallit. Some of the issues that have been raised, if
29 they - if I had been briefed about some of the bellicose remarks,

1 that would have been critical for peace. And I regret that I did
2 not know about those, but they would have been important.

3 Q. But the truth of it is, Mr Taylor, that you were well aware
4 of those remarks because of your support for the rebels in Sierra
11:24:09 5 Leone, isn't that correct?

6 A. Totally incorrect.

7 Q. And the truth of it, Mr Taylor, is that when you joined the
8 committee that was dealing with Sierra Leone, that was so
9 publicly you would appear to be promoting peace, isn't that
11:24:29 10 right?

11 A. The rest of the West African leaders were all silly people.
12 They didn't know what they were doing. That is totally
13 incorrect. They were stupid. Just put me on and didn't know
14 what they were doing. That's not correct.

11:24:42 15 Q. But in fact, Mr Taylor, you were using that committee as
16 the ability to advance your interest and the interest of the
17 rebels in Sierra Leone; isn't that correct?

18 A. That's twisted, twisted logic. Incorrect.

19 Q. And your public denials about involvement in Sierra Leone
11:24:57 20 were simply to protect yourself from the consequences of such
21 involvement, isn't that correct, Mr Taylor?

22 A. That is incorrect. That's why I am in this Court now, for
23 you to prove all of these accusations. That's why we are here.

24 Q. Indeed, Mr Taylor, you were not a point President for
11:25:17 25 peace. You were the man behind the ongoing criminal conduct in
26 Sierra Leone. That's the truth of it, isn't it, Mr Taylor?

27 A. I was the President for peace. I was very helpful with
28 Lome. When Sam Bockarie gave trouble, he was removed to Liberia.
29 I was helpful in getting Issa Sesay to bring peace. I convened

1 meetings in Monrovia with African heads of state on Sierra Leone.
2 I was the point man for peace.

3 JUDGE LUSSICK: You were actually asked two questions,
4 Mr Taylor. The second question was, "You were the man behind the
11:25:55 5 ongoing criminal conduct in Sierra Leone." I think you should
6 answer that as well.

7 THE WITNESS: Totally, totally, no. I was never, never
8 ever behind any criminal contact in Sierra Leone and would have
9 never supported it, acquiesced in any way. Never.

11:26:14 10 MS HOLLIS:

11 Q. Mr Taylor, do you remember on 2 December 2009 being asked
12 questions about how you got the title Dankpannah?

13 A. That is correct.

14 Q. And you indicated that you had received that title after
11:26:30 15 you became President; isn't that correct, Mr Taylor?

16 A. Yes. The official title, yes. But sometime before, but I
17 got the official title after I became President.

18 Q. And if we look --

19 PRESIDING JUDGE: I don't understand that answer. He says,
11:26:47 20 "But sometime before, but I received the official title after I
21 became President."

22 THE WITNESS: Yes.

23 PRESIDING JUDGE: So which is it? Was it after or before
24 you became President?

11:26:57 25 THE WITNESS: Well, I would say both. I would say both,
26 your Honour. There is a traditional programme that you go
27 through and get the title. When you win and become President, it
28 becomes official.

29 PRESIDING JUDGE: And if you don't win?

1 THE WITNESS: Then you do not become Dankpannah.

2 MS HOLLIS:

3 Q. Now, Mr Taylor, let's look at what you said about that on 2
4 December 2009 at page 32927. Mr Taylor, if we look at this page
11:28:08 5 starting with the question at line 23. Let's start with this:

6 "Q. How did you get the title Dankpannah?

7 A. Okay. I was granted that title in 1997 after I took
8 over the leadership of all traditional brotherhoods and
9 sisterhoods within the Republic. That is a title that is
11:28:33 10 given to the President, but not just the President, but the
11 man who takes over that chieftaincy. It was given to me."

12 And then if we could look at the next page, please. The
13 question then continues:

14 "Q. Are you saying that you obtained this after you became
11:28:58 15 President of Liberia?

16 A. That is correct.

17 Q. So sometime after August 1997?

18 A. That is correct.

19 Q. Do you recall when, what month?

11:29:11 20 A. It would be immediately because I had to get it - I
21 would put it to August. Because that particular position,
22 you must take it because it comes with - the control of
23 country is something like a kingship, so you have to - it's
24 given to you almost immediately. So August."

11:29:30 25 So on 2 December you said that you had received that title
26 almost immediately after becoming President?

27 A. Yes.

28 Q. Because it is a - that particular position comes with
29 control of the country. It is something like a kingship, so you

1 have to - it's given to you almost immediately.

2 A. Yes.

3 Q. Now, Mr Taylor, now this morning you have said something
4 slightly different. You have said that you had it before the

11:30:03 5 presidency, but then it became official after you became
6 President. Is that what you are telling the Court now?

7 A. There is no difference.

8 Q. Now, when did you first get this title, Mr Taylor?

9 A. I am not sure if we have time, your Honour. I will start.

11:30:20 10 PRESIDING JUDGE: If your answer is going to take longer
11 than a minute, then we will have to adjourn.

12 THE WITNESS: It will take longer than a minute.

13 PRESIDING JUDGE: Okay. In that case, we will adjourn now
14 for the mid-morning break and resume at 12 o'clock.

12:00:12 15 [Break taken at 11.30 a.m.]

16 [Upon resuming at 12.00 p.m.]

17 PRESIDING JUDGE: Ms Hollis, please proceed.

18 MS HOLLIS:

19 Q. Mr Taylor, before the break we were talking about the title
12:03:20 20 of Dankpannah and you had indicated that you received the

21 official title after you became President, but that sometime
22 before you had received the title but it was not yet official.

23 Do you remember telling the judges that?

24 A. Yes.

12:03:45 25 Q. Now, Mr Taylor, my question to you is this: When did you
26 first receive this title Dankpannah, not the official title, but
27 when did you first receive the title Dankpannah?

28 A. Thinking back, I would put it to - the elections were
29 scheduled for April. I would put it to probably January or

1 February of 1997. The elections were originally planned for
2 April. Somewhere between January and February of 1997.

3 Q. Mr Taylor, you're qualifying your answer about when you
4 became Dankpannah because you've had the opportunity to review
12:04:31 5 material disclosed by the Prosecution. Isn't that correct?

6 A. That is not correct. In fact --

7 Q. Including, Mr Taylor, an Inquirer article in January 1997
8 that says you added a new name on your wedding day.

9 A. No, that is not the correct. And I haven't even answered
12:04:51 10 the question posed by the President of the Court, but we can
11 continue because I think that would be important.

12 Q. Actually, Mr Taylor, it was the question I had posed that
13 said when and you were going to give a long answer, but I think
14 you had not understood my question. My question was when, not

12:05:07 15 how or why.

16 A. But that is incorrectly stated. You don't know what I was
17 about to say.

18 Q. Now, Mr Taylor, you have reviewed the article that is
19 contained at tab 17, annex 2A of the materials that were provided
12:05:26 20 to your Defence and subsequently given to you, haven't you,
21 Mr Taylor?

22 A. Are you referring to --

23 Q. There is an Inquirer article dated Friday, 31 January 1997,
24 "Taylor adds new name on wedding day".

12:05:42 25 A. So what's your question?

26 Q. You have reviewed that article, haven't you, Mr Taylor?

27 A. No, I have not reviewed that article. I have the whole
28 bundle of documents. I haven't reviewed that specific article.

29 Q. Mr Taylor, that article has been discussed before in this

1 courtroom and you're telling the Court that even though it has
2 been discussed you haven't reviewed it?

3 A. No. The way you've made your proposition - your
4 proposition was that I'm trying to channel my answers only
12:06:07 5 because I have seen a document, so I'm trying to say to you that
6 - and your question came up, did I review it, and I'm saying
7 that, no, I cannot recall the specific review because I have no
8 way of determining what your questions are going to be. But I
9 think if I had answered the question posed by the President of
12:06:24 10 the Court of what did I mean by I had before but it did not
11 become official, maybe some of these questions would not suffice.

12 Q. Now, Mr Taylor, perhaps we can look at this article at tab
13 17 of annex 2A. If we could bring that all the way down so we
14 can see the date at the top, please. We see volume 6, number 7,
12:07:14 15 Friday, January 31, 1997. On the side we see The Inquirer. Then
16 if we could bring that down, please, so that we can see the
17 bottom of the page. "Taylor adds new name on wedding day.
18 Promises no more war." Then if we see the first paragraph:

19 "Councilman Charles Ghankay Taylor brought laughter into
12:07:42 20 the St John Methodist Church when during the exchange of marital
21 vows Tuesday he added a new traditional name Jakpama to his name.
22 He is now Charles Jakpama Ghankay Taylor."

23 Mr Taylor, it is after your review of this article that you
24 have now indicated to the Court that in fact you had this title
12:08:05 25 before you became President in 1997. Isn't that correct,
26 Mr Taylor?

27 A. That is not correct. In fact, the newspaper is wrong. It
28 is not Jakpama. It is Dankpannah.

29 Q. They're talking about the same position, aren't they,

1 Mr Taylor?

2 A. No. I don't know what they mean by Jakpama. I have no
3 idea what they mean by Jakpama.

4 Q. Well, Mr Taylor, on your wedding day did you add this new
12:08:27 5 title, Dankpannah, to your name?

6 A. I had been conferred - it had been conferred upon me as
7 owner of the land. It's a whole traditional process.

8 PRESIDING JUDGE: Mr Taylor, that is not the question
9 asked.

12:08:39 10 THE WITNESS: Yes, it was - I did make that announcement,
11 but it was out before then. But I did say that at my wedding,
12 Dankpannah.

13 MS HOLLIS:

14 Q. So now you're saying that even before January or February
12:08:52 15 of 1997 you had this title. Is that right?

16 A. I did not say before. I never said before January. I did
17 not say that.

18 Q. Mr Taylor, you are taking the opportunity afforded you of
19 reviewing the documents disclosed by the Prosecution to fashion
12:09:13 20 your evidence to meet the questions of the Prosecution, aren't
21 you, Mr Taylor?

22 A. That's twisted logic because I have no way of knowing what
23 your questions are going to be, except now your logic is that I
24 have access to your questions. I have no access to your
12:09:29 25 questions, so it is wild to even suggest that someone would
26 fashion an answer as though I have access. Maybe I'm spying on
27 your records, which is not the case.

28 Q. In fact, Mr Taylor, you had notice because that issue was
29 raised specifically concerning that article earlier in this

1 Court. Isn't that right?

2 A. That is not correct. And at some point I'm sure, maybe
3 through re-examination, the Court will get to understand what
4 happened in this traditional setting that I wanted to explain and
12:10:01 5 why I had it and why I still have it, but I will wait for
6 re-examination. But I disagree with your proposition. That's
7 totally wrong.

8 Q. Now, Mr Taylor, while you were in Nigeria it was a fact,
9 was it not, that you were receiving large sums of money?

12:10:25 10 A. That's not a fact.

11 Q. And, in fact, Mr Taylor, while you were in Nigeria you were
12 receiving millions of dollars from individuals, were you not?

13 A. That's total fallacy. Totally. I received funds in
14 Nigeria from the Government of Nigeria and that's accounted for.

12:10:46 15 No one sent me any money from outside.

16 Q. Mr Taylor, among those who were sending you these large
17 sums of money was the leader of Libya, Gaddafi. Isn't that
18 correct?

19 A. Gaddafi, on my oath, never sent me a dime in Libya. Not
12:11:05 20 one dime. All monies I received in Nigeria came from the
21 Government of the Federal Republic of Nigeria. Gaddafi never -
22 if he had done it, I would be proud to say he did, and it would
23 be not even your business.

24 Q. If we could please look at tab 15 in annex 2A. We see the
12:12:14 25 New York Times. We have a heading and then in lighter print we
26 have a date, published Thursday, September, and I can't make out
27 if it's 18 or 13. I believe it's 18, 2003. Now, let's look at
28 the last page of this article, please. Remember, Mr Taylor, we
29 talked about Cyril Allen and his association with you. You

1 remember we have talked about him?

2 A. Yes, we have talked about him.

3 Q. And if we could look at the bottom of that page, please.

4 About midway down, the fifth full paragraph on that page:

12:13:14 5 "Though in exile, Mr Taylor is in daily telephone contact
6 with his allies in Monrovia.

7 Recently, Cyril Allen, chairman of Mr Taylor's national
8 patriotic party, sat on his balcony, overlooking his swimming
9 pool and tennis court, next to his living room, decorated with
12:13:37 10 leopard skins and a portrait of Colonel Muammar al-Gaddafi, the
11 Libyan leader.

12 He said Mr Taylor would make out fine.

13 'Charles Taylor has good friends who will give him four or
14 five million dollars, good friends like Colonel Gaddafi,'
12:13:57 15 Mr Allen said. 'He's living in style in Calabar. His state of
16 mind is all right' - with one exception. 'He likes power, he is
17 missing it.'"

18 So, Mr Taylor, indeed you were receiving large sums of
19 money while you were in Nigeria from individuals, isn't that
12:14:17 20 right.

21 A. In fact that's not right, and that's not even what this
22 statement - I don't know - we went to different schools. But
23 Mr Allen doesn't even say here in this paragraph that Gaddafi has
24 given me money while I'm in exile. That's not what this
12:14:35 25 paragraph says. So you would be mis - you would be misleading
26 this Court if you were to even assert that, but I will answer
27 your question. I did - listen, what under this sun would stop me
28 from being happy if Gaddafi had given me money in exile? I would
29 - I needed money, I was broke, and the Nigerian government was

1 helping me, then I would lie to this Court that I received money?
2 I would be happy. In fact, I'm upset he didn't.

3 Q. Well, in fact he did, Mr Taylor. That's the truth, isn't
4 it?

12:15:02 5 A. That's a blatant, blatant lie and I have no reason to
6 whatchamacallit.

7 MS HOLLIS: If we could have this marked for
8 identification, Madam President.

9 PRESIDING JUDGE: Do you want the whole article?

12:15:23 10 MS HOLLIS: Yes.

11 JUDGE LUSSICK: Ms Hollis, just so I know where we're going
12 on this, the Prosecution has alleged that Mr Taylor has millions
13 salted away somewhere in an unknown account or accounts. Is it
14 the Prosecution case that this money came from Gaddafi?

12:15:40 15 MS HOLLIS: It's our Prosecution case that while he was in
16 Nigeria, he was receiving large sums of money from - including
17 other - including - from several individuals, including Colonel
18 Gaddafi, according to Cyril Allen. The large sums of money that
19 the Prosecution and the UN in its asset freeze is dealing with
12:16:06 20 are large sums of money that this accused received as a result of
21 his conduct in Liberia and also in Sierra Leone. So those large
22 sums of money that are the subject of the freeze and the United
23 Nations's efforts to locate those monies are the result of his
24 conduct in those two countries.

12:16:32 25 This is based on the questions about what assets he had
26 after he left the presidency and went to Nigeria, and he
27 indicated at that time that basically he had no assets except for
28 the support he was getting from the Nigerian government. I hope
29 that answers your question, your Honour.

1 PRESIDING JUDGE: The New York Times article of 18
2 September 2003 entitled "Ex-leader stole \$100 million from
3 Liberia, records show" is marked for identification MFI-352.

4 MS HOLLIS: Thank you, Madam President.

12:17:28 5 Q. Mr Taylor, you recall on 19 November we talked about the
6 incident involving the looting of the property of Mobil Oil, the
7 1996 incident. Do you recall that?

8 A. Yes, I recall us talking about Mobil Oil. The date that
9 the transcript reveals I don't know. I have to rely on you for
12:17:50 10 the date.

11 Q. And Mr Taylor, do you recall when we were talking about
12 that saying it was totally, totally wrong that it was your good
13 friend Cyril Allen who looted Mobil Oil. Do you recall saying
14 that, Mr Taylor?

12:18:06 15 A. Yes, I recall saying that he did not.

16 Q. And that you had no knowledge that he had looted 600,000
17 gallons of fuel from the Mobil facility during the 1996 fighting?

18 A. That is correct.

19 Q. And you certainly had no knowledge that he was acting on
12:18:24 20 your behalf?

21 A. I don't understand the question.

22 Q. At that time you said that you had no knowledge that he had
23 looted 600,000 gallons of fuel from the Mobil facility during the
24 1996 fighting or that indeed he was acting on your behalf. Do
12:18:42 25 you remember saying that, Mr Taylor?

26 A. On the two I had no knowledge, neither was he acting on my
27 behalf.

28 Q. Now if we could turn to tab number 81 in annex 1.

29 PRESIDING JUDGE: Ms Hollis, if you could give us a moment

1 to get a hold of our own files, please.

2 MS HOLLIS: That is binder 2 of 3 for that annex.

3 PRESIDING JUDGE: What is the tab number?

12:21:06

4 MS HOLLIS: It is tab 81 and it should be an article, 28

5 September 1998.

6 PRESIDING JUDGE: Yes, I think we all have that reference,

7 thank you.

8 MR GRIFFITHS: Before we look at this document, I note from

9 the title page that it states that this was posted on 28

12:21:37

10 September 1998. What does that mean? Does it mean that this is

11 written by some anonymous author and posted on a website, for

12 example? If so, then it's opinion evidence, and how is this

13 admissible in any shape or form in the cross-examination of

14 Mr Taylor?

12:22:00

15 And it also says this a commentary; that is, it's an

16 opinion. So in effect, the Prosecution is seeking to bring in

17 expert evidence - because our understanding is only experts are

18 allowed to provide opinion evidence - through the back door, and

19 we submit that it shouldn't be allowed.

12:22:32

20 PRESIDING JUDGE: Ms Hollis, what in fact is this document?

21 MS HOLLIS: Madam President, this is a commentary "In

22 Taylor's Liberia, thieves are thriving and so is corruption" by

23 the Liberian Democratic Future, The Perspective, and it gives a

24 date posted 28 September 1998. And if we look at the second page

12:22:53

25 at the bottom you see, "The Liberian Democratic Future, LDF,

26 publisher of The Perspective, is a think tank and research

27 organisation", and then you have subscription information for The

28 Perspective.

29 PRESIDING JUDGE: So then what is your response to the

1 objection by the Defence?

12:23:36 2 MS HOLLIS: The response is very simple: That first of
3 all, we are not in any way trying to advance the opinions of
4 experts. Even when people who have been offered and accepted as
5 experts testify, not all of their testimony need be expert
6 opinion or conclusions. Indeed, statements - factual statements
7 may be contained therein, and if your Honours look at the second
8 page which is marked, the first full paragraph on the second
9 page, then that is the reference we are going to make for this
10 document. In particular:

11 "Other observers say they're not surprised as it was Allen,
12 acting on behalf of warlord Charles Taylor, who commandeered
13 600,000 gallons of fuel from Mobil Corporation during the last
14 round of fighting in Monrovia in 1996."

12:24:30 15 One may agree or disagree with that, but it is a statement
16 of purported fact, not a statement purporting to be an opinion,
17 and that is the portion that we intend to refer to.

18 PRESIDING JUDGE: I can see that this is a like a quotation
19 - in quotation marks - but that's as far as it goes. The
12:24:52 20 question is it's a quotation by who exactly?

21 MS HOLLIS: Well, it says "observers".

22 PRESIDING JUDGE: And who are those?

23 MS HOLLIS: Well, that isn't identified. In there they
24 talk about observers in the - observers watching events in
12:25:08 25 Liberia, observers there. And again, this objection goes to the
26 weight to be given to the information; it does not go to whether
27 it can be used. We're not offering this as expert opinion. It
28 is not expert opinion. It is a statement of purported fact, and
29 that is what we're offering it for. So there is no preliminary

1 objection that would preclude our use of it, in our submission,
2 and that any issues about who it is making these statements is
3 really in the form of a hearsay issue, and that goes to the
4 weight to be given its ultimate consideration should your Honours
12:25:50 5 allow us to use it and then admit it into evidence.

6 PRESIDING JUDGE: Please pause while I consult.

7 [Trial Chamber conferred]

8 PRESIDING JUDGE: We would uphold the Defence objection to
9 this extent, Ms Hollis: That you may ask Mr Taylor's opinion as
12:26:45 10 to what he thinks of this quotation, but you cannot put it to him
11 as though it were an established fact, because it's not an
12 established fact by virtue of this document.

13 MS HOLLIS: Madam President --

14 PRESIDING JUDGE: You can put the question to him relating
12:27:02 15 to the information highlighted in the margin and solicit his
16 evidence thereon, but you cannot put it to him as though it were
17 an established fact, which is what you're saying; that you think
18 that this is a purported fact. It's not a purported fact. Not
19 by virtue of this document.

12:27:24 20 MS HOLLIS: We accept, of course, your Honours' ruling. We
21 would point out that very often purported facts are not
22 established because they're open to disagreement; nonetheless,
23 that doesn't deprive them of being factual in nature. But we
24 will follow --

12:27:38 25 PRESIDING JUDGE: Ms Hollis, I don't know what is the
26 difficulty with the ruling I have given.

27 MS HOLLIS: We are simply noting it for the record, Madam
28 President.

29 PRESIDING JUDGE: It's not necessary. It's not necessary.

1 We've made an observation unanimously, and we're looking at a
2 particular passage that you want to address to the witness. Now
3 we've said you may address this passage to the witness within the
4 limited context that I've ruled upon. Put the passage to the
12:28:03 5 witness, but not as though it were an established fact.

6 MS HOLLIS:

7 Q. Mr Taylor, it is correct, is it not, that it was Cyril
8 Allen, acting on behalf of yourself, who took the 600,000 gallons
9 of fuel from the Mobil Corporation during the last round of
12:28:28 10 fighting in Monrovia in 1996?

11 A. That is incorrect.

12 Q. And, Mr Taylor, do you see in this article:

13 "Observers say they're not surprised, as it was Allen,
14 acting on behalf of warlord Charles Taylor, commandeered 600,000
12:28:48 15 gallons of fuel from Mobil Corporation during the last round of
16 fighting in Monrovia in 1996."

17 That is correct, is it not, Mr Taylor?

18 A. If what is correct, Ms Hollis?

19 Q. "... as it was Allen, acting on behalf of warlord
12:29:08 20 Charles Taylor, commandeered 600,000 gallons of fuel from Mobil
21 Corporation during the last round of fighting in Monrovia in
22 1996."

23 A. That is incorrect.

24 Q. Mr Taylor, when that is alleged in this article it is
12:29:22 25 correctly alleged, is it not?

26 A. It is incorrectly alleged.

27 Q. And, Mr Taylor, in actuality, rather than, as you have told
28 the Court, dismissing Varmuyan Sheriff for his supposed
29 involvement in this looting, you should have taken action against

1 Cyril Allen, shouldn't you?

2 A. So which question do you want me to answer now? I don't
3 understand your question, counsel.

12:29:55

4 Q. You should not have, as you have told the Court, dismissed
5 Varmuyan Sheriff because of his alleged involvement in this
6 looting, should you, Mr Taylor?

7 A. That was an action --

8 Q. It was an incorrect action on your part, was it not,
9 Mr Taylor?

12:30:09

10 A. I should have a right to question my decision at that
11 particular time, but I took those actions because it was Varmuyan
12 Sheriff that was involved in that and so I took the action.

13 Q. And, in fact, Mr Taylor, that is simply a fabrication to
14 try to discredit the evidence of Varmuyan Sheriff. Isn't that
15 right?

12:30:27

16 A. That is not correct.

17 Q. And the person against whom you should have taken action at
18 that time was Cyril Allen who was actually the one who took this
19 fuel from Mobil Oil. Isn't that correct?

12:30:37

20 A. That is incorrect. I would have taken action against an
21 innocent man, just as you are trying to take action against me,
22 then I'm innocent.

23 Q. And, Mr Taylor, you took no action against Cyril Allen as a
24 result of his actions during the April '96 incidents in Monrovia,
25 did you?

12:30:53

26 A. Well, I was not in the habit of punishing innocent people,
27 so I didn't take any action against him because he was innocent.

28 Q. And, indeed, the action you say you took against Varmuyan
29 Sheriff was not in 1996, was it?

1 A. I'm trying to say that the issue of the dismissal of --

2 Q. Mr Taylor, the action you say you took against Varmuyan
3 Sheriff was not in 1996, was it?

12:31:27

4 A. I did not take action against Varmuyan Sheriff in - I was
5 not President at the time. So your question --

6 Q. In fact, it was sometime afterward that Varmuyan Sheriff was
7 moved to a new assignment based on the reason you now tell the
8 Court of his supposed involvement in this looting?

12:31:47

9 A. You see, that is totally - what you've done, and it's
10 regrettable, Ms Hollis, you've carefully misled everybody here.
11 Your question was to the effect of the dismissal of Varmuyan
12 Sheriff versus Cyril Allen based on a particular issue, and I
13 answered.

14 Q. Mr Taylor --

12:32:05

15 A. Well, Varmuyan Sheriff, the incident I'm talking about
16 involving Sheriff is in 1998, which is a different time.

17 Q. So two years later?

18 A. Your question was as to me - my punishment of Mr Allen, I
19 say I don't punish innocent people.

12:32:19

20 Q. Mr Taylor, perhaps you should listen to each question as
21 you're given it.

22 A. I am.

23 Q. So it was two years later that you took this action against
24 Mr Sheriff for what you tell the Court was his involvement in this
25 looting?

12:32:32

26 A. No. There was also looting in 1998. There was a war.

27 Q. So, Mr Taylor, it's not the Mobil Oil looting you're
28 talking about?

29 A. Mobil was - again, Mobil was destroyed in 1998 also.

1 Q. Actually, Mr Taylor, it was destroyed in 1996.

2 A. And 1998 Mobil Oil was looted.

3 Q. And they were still trying to recover the money from you
4 for that destruction in later years. Isn't that right?

12:33:00 5 A. That is totally incorrect, because Mobil could have never
6 asked me, who was not the President of Liberia, to account for
7 something that I was not the President for. In 1998, after the
8 fracas with Roosevelt Johnson, there was looting at Mobil and
9 that's the Mobil issue that I dealt with.

12:33:20 10 Q. Mr Taylor, the Mobil issue you dealt with was the looting
11 in 1996. That's correct, is it not?

12 PRESIDING JUDGE: What is the answer?

13 THE WITNESS: Well, I dealt with Mobil - in 1996, that
14 issue came up. I also dealt with Mobil in 1998.

12:33:47 15 MS HOLLIS:

16 Q. Now, Mr Taylor, you have told this Court on many different
17 occasions that there is a conspiracy against you by major western
18 countries. Do you recall that, Mr Taylor?

19 A. Specifically, yes, the United States and Great Britain I
12:34:03 20 said.

21 Q. And you have told this Court that one manifestation of this
22 conspiracy was the failure of the international community to
23 provide financial support to your government. Isn't that right,
24 Mr Taylor?

12:34:16 25 A. One reason, yes.

26 Q. Now, the truth is, Mr Taylor, that there were several
27 reasons you were not directly entrusted with international funds.
28 Nothing to do with conspiracy. That's the truth of it, isn't it,
29 Mr Taylor?

1 A. That is definitely not the truth. No, that's not the
2 truth.

3 Q. In fact, Mr Taylor, one of the reasons that your government
4 was not directly entrusted with international funds was your
12:34:45 5 failure to protect fundamental human rights of Liberians. Isn't
6 that correct?

7 A. Totally incorrect. That's real nonsense. No.

8 Q. And that was one of the many governance issues that was a
9 basis for not providing your government directly with
12:35:04 10 international funds. Isn't that correct?

11 A. Totally, totally crazy. Incorrect.

12 Q. And the corruption of yourself and the persons in your
13 government was another reason that your government was not
14 directly provided with international funds. Isn't that correct?

12:35:23 15 A. Twisted, twisted, twisted logic. Totally incorrect,
16 because I never received any money from day one. If it was a
17 matter that you suggest in your proposition that it was because
18 of corruption, then the international community would have said,
19 "But, listen, we gave you X, Y and Z over this period and there's
12:35:45 20 corruption and we're going to stop it." I took the oath of
21 office in August 1997. They never gave me any money from that
22 day until I left office. So your proposition is incorrect and
23 twisted.

24 Q. Mr Taylor, when you took over, your reputation, your
12:36:00 25 practice of corruption and bad governance was already well known.
26 Isn't that right?

27 A. By whom?

28 Q. By the international community.

29 A. By that, who are you referring to?

1 Q. Mr Taylor, I'm asking you the questions.

2 A. No, but I don't know what you mean --

3 Q. The international community was well aware of that by then.
4 Isn't that correct?

12:36:16 5 A. I do not know what you mean by "international community".
6 Please, would you help me?

7 Q. Mr Taylor, it was already well known, was it not, that your
8 conduct of affairs as the leader of the NPFL and as the head of
9 the NPRAG was corrupt and involved bad governance. Isn't that
10 correct?

12:36:36

11 A. That is totally, totally incorrect. If that was the case,
12 it was never revealed to me.

13 Q. Well, it didn't have to be --

14 A. I saw it as a way of trying to destroy my presidency from
15 day one. Incorrect.

12:36:47

16 Q. And, in fact, it was revealed to you on many occasions, was
17 it not, Mr Taylor?

18 A. Well, that is not true, but if you suggest that, I would
19 like to see where the suggestion is coming from. That is totally
20 - no country told me, "We're not going to give you money because
21 you're corrupt." That's a lie.

12:37:02

22 Q. Now, Mr Taylor, would you agree that a key factor in good
23 governance is protecting the human rights of your citizens?

24 A. Of course.

25 Q. And, Mr Taylor, you failed to protect those human rights
26 when you were President. Isn't that correct?

12:37:15

27 A. That is totally incorrect.

28 Q. And, indeed, you actively undermined and violated those
29 human rights, yes, Mr Taylor?

1 A. That is totally incorrect.

2 Q. Now, you will recall in July of last year your Defence
3 counsel reading from a 1997 interview in the New African magazine
4 and that was an interview you gave to the journalist Baffour
12:37:51 5 Ankomah and that was read on 23 July 2009. Do you recall that,
6 Mr Taylor?

7 A. Not the date. I recall the document in question. I don't
8 recall the date. It was read to me.

9 Q. That document became MFI-13. It was DCT-171.

12:38:22 10 "Charles Taylor, Liberians always knew who they wanted" from the
11 New African magazine and it was the December 1997 issue. You
12 recall that document, do you not, Mr Taylor?

13 A. Yes.

14 Q. And then, Mr Taylor, you indicated to the Court on 23 July
12:38:46 15 that you immediately passed an Act of the Legislature
16 establishing a National Human Rights Commission. Do you recall
17 telling the judges that on 23 July?

18 A. Yes, that I passed an Act, yes.

19 Q. And you said you passed an Act of the Legislature, correct?

12:39:06 20 A. My government. I'm not in the Legislature. By that I mean
21 my government sought an Act, yeah.

22 Q. And you said the commission was established because you
23 wanted to make sure that those who abused the rights of the
24 people were held accountable. Do you remember telling the judges
12:39:22 25 that on 5 August, Mr Taylor?

26 A. That is correct.

27 Q. Now, Mr Taylor, that wasn't truthful testimony to these
28 judges, was it?

29 A. Very truthful. It was truthful to these judges.

1 Q. You were projecting one image to these judges while in fact
2 your actions had been very different. Isn't that correct?

3 A. Totally incorrect.

12:39:48

4 Q. Now, on 5 August you told the judges that a retired judge
5 who sat on the Supreme Court had headed this commission, correct?
6 I believe that was Hall Badio.

7 A. That is correct.

12:40:16

8 Q. Mr Taylor, when you were talking to the judges about
9 passing or moving rapidly through the national legislature to
10 make human rights the bedrock of our overall economic and
11 political policy, it was pointed out to you by your counsel, page
12 25180:

12:40:41

13 "Q. But, Mr Taylor, you are said to be a tyrant, a
14 dictator, and that you were abusing the rights of people
15 like Hassan Bility. So were you lying to this journalist
16 in this interview when you were claiming to be a respecter
17 of human rights?

18 A. Well, no, I was not lying to him and, you know, the
19 proof is really in the pudding."

12:40:56

20 Do you remember telling the judges that, Mr Taylor?

21 A. Yes.

22 Q. Now, Mr Taylor, in reality, almost two years after you were
23 elected President your Human Rights Commission had done nothing
24 at all. That's correct, isn't it?

12:41:20

25 A. Well, ask them. I was President. They had - they were -
26 they were not attached to my administration. As far as I'm
27 concerned, they were doing their work.

28 Q. Mr Taylor, you kept abreast of what this very important
29 commission was doing or not doing, didn't you?

1 A. Listen, I was President of Liberia. I was not a director.
2 I mean, the Human Rights Commission was passed under the law and
3 given all mandates to carry out their work. And as far as I'm
4 concerned, they were doing their work.

12:41:49 5 Q. And, indeed, Mr Taylor, it was such a nonentity that it's
6 very existent was in doubt some two years after you became
7 President. Isn't that correct?

8 A. I think that's your opinion. That's incorrect.

9 Q. In fact, near the end of April 1999, the legal counsel of
12:42:09 10 the Catholic Church of Liberia was questioning the very existence
11 of the Human Rights Commission. Isn't that correct?

12 A. I don't know. When you say legal counsel, I don't know who
13 you're referring to as the legal counsel, but I don't recall
14 anything of that sort coming from there. It would not be a
12:42:29 15 surprise if it was - I recall - I'm not sure if it was the
16 counsel or the Catholic Justice and Peace Commission under a lady
17 called Morris who was a strong critic of the government, but
18 that's the extent of my recollection. I'm not sure if she's the
19 one.

12:42:54 20 Q. And, in fact, the legal counsel of the Catholic Church of
21 Liberia was questioning the existence of the Human Rights
22 Commission because it hadn't done anything. That's the reason
23 the existence was being questioned. Isn't that correct,
24 Mr Taylor?

12:43:08 25 A. I'm not sure as a lawyer she - that particular person as
26 legal counsel had to be a lawyer - to question the existence of
27 something that is law I think is silly, then that person is not a
28 lawyer. I mean, you may question as to whether they are working
29 according to your own objective belief of what they should be

1 doing. But to question the existence of a law I think was a very
2 stupid thing for a lawyer.

3 Q. And if we could please look at tab 58 in annex 3. This
4 would be binder 2 of 3.

12:45:06 5 PRESIDING JUDGE: Would you please let Mr Taylor see the
6 article.

7 MS HOLLIS:

8 Q. You see, Mr Taylor, volume 8, number 66, Wednesday, April
9 28, 1999. "Human rights" - this is abbreviated, but I believe
12:45:34 10 it's "commission's existence questioned. Counsellor Korkpor
11 addresses JPC workshop", and, Mr Taylor --

12 PRESIDING JUDGE: Sorry, Ms Hollis, this is volume 8 of
13 what?

14 MS HOLLIS: This is an article from The Inquirer magazine -
12:45:58 15 newspaper:

16 Q. Mr Taylor, Counsellor Korkpor, you knew him, did you not?

17 A. No, I don't know Korkpor.

18 Q. He was the legal counsel of the Catholic Church of Liberia?

19 A. No, I didn't know him.

12:46:19 20 Q. You didn't know him, Mr Taylor?

21 A. No.

22 Q. "... has queried the existence of the National Human Rights
23 Commission. Counsellor Korkpor says nothing substantive has been
24 heard of the commission since its establishment by the Government
12:46:35 25 of Liberia about a year ago."

26 Indeed, Mr Taylor, it's true that this commission was not
27 established until sometime in 1998. That's correct, isn't it,
28 Mr Taylor?

29 A. Well, the commission was established - I'm not sure, I

1 can't tell. I'm sure that it was done immediately following my
2 presidency. It could have been done late 1997 or early 1998. I
3 don't have any recollection of the time, but I did move quickly
4 to get it into place.

12:47:06 5 Q. "The Catholic Church's legal counsel observed that the
6 commission, since its establishment, is yet to investigate a
7 single case of human rights violation, report findings and/or
8 take" - and if we'll look at the second page where it says "Human
9 Rights Commission's", continued from the front page - "appropriate
10 action in the premises."

11 And the legal counsel is giving this statement when he is
12 addressing the ongoing paralegal training workshop organised by
13 the Catholic Justice and Peace Commission at the St Theresa's
14 Retreat Centre on Randall Street. Now, Mr Taylor, by this time,
12:48:08 15 late April 1998, indeed your Human Rights Commission had not yet
16 investigated a single case. That is correct, is it not?

17 A. That is totally incorrect. This opinion on the part of
18 Korkpor, which I would only call it his opinion - I do not even
19 know the circumstances. This is a paper being presented; this is
12:48:31 20 his opinion that he's giving. I disagree 1,000 per cent with his
21 opinion and Korkpor, you know - as a lawyer, it is his right to
22 question the work of the commission or whatnot. But I disagree
23 with this own proposition that he's giving here that they've done
24 nothing, they are receiving taxpayers' money to work, and they
12:48:59 25 haven't done anything. I don't think he's aware of the laws.

26 Because when he suggests here they have not done anything in the
27 premise, the Human Rights Commission in Liberia did not have
28 judicial powers. So I do not know what he expected from them, so
29 as a lawyer - I really don't know Korkpor but --

1 Q. Mr Taylor, in fact that was one of the great weaknesses of
2 the commission. Isn't that correct?

3 A. It was a human rights commission like Amnesty International
4 and Human Rights Watch. They did not have judicial functions.

12:49:30 5 Q. In fact, Mr Taylor, you ensured it did not even have the
6 administrative ability to summon people before it. Isn't that
7 correct, Mr Taylor?

8 A. That's total nonsense. That's total nonsense. That's
9 incorrect.

12:49:43 10 Q. Indeed, it is correct that as of late April 1999 the
11 commission had not reported any findings or taken any appropriate
12 action. That is correct, isn't it, Mr Taylor?

13 A. That's incorrect. I cannot say that as a fact, and you are
14 misleading this Court as regards the function of that commission.

12:50:02 15 The commission did not have powers of subpoena. The powers of
16 subpoena under the constitution of Liberia rests with the Court
17 and the legislature. The executive branch of government and
18 commissions do not have subpoena power, but they can go to a
19 judge and obtain a subpoena. That's what they did not have.

12:50:28 20 Q. Mr Taylor, you ensured that you would be able to publicly
21 state that you had this National Human Rights Commission, but
22 that in effect it would have no ability to truly function. Isn't
23 that right, Mr Taylor?

24 A. I tell you, that - you know, you're - that is incorrect.

12:50:51 25 It is so twisted that - you know, I don't know where these
26 twisted ideas are coming from. We put a Human Rights Commission
27 into place for the protection of our people coming from a
28 devastating seven-year national war. We did it in good faith,
29 and they were given not all, but means to operate.

1 Q. And indeed, Mr Taylor, as Counsellor Korkpor points out on
2 the second page, the third paragraph from the bottom of the
3 second column from the right, it is marked on your copy: "The
4 National Human Rights Commission has not been made to function
12:51:35 5 effectively." And that was a correct statement of the condition
6 of that Human Rights Commission even at this late date in 1999.
7 Isn't that correct, Mr Taylor?

8 A. Incorrect, Ms Hollis. That's a blatant, blatant
9 fabrication and a lie. That's Korkpor's opinion, and I didn't
12:51:58 10 even know the Catholic Church had a lawyer. That's my - I didn't
11 even know they had a lawyer. I would even have to work - I don't
12 know that the church had a lawyer. I didn't even know if
13 Korkpor --

14 Q. Mr Taylor, you were well aware it had a lawyer, isn't that
12:52:11 15 right?

16 A. No, no, no, Ms Hollis. Churches in Liberia that I know of
17 don't hire lawyers.

18 Q. That's just another of your inaccurate statements to this
19 Court, isn't that correct?

12:52:23 20 A. Well, if you find any church in Liberia with a lawyer
21 hired, then I would be lying to this Court.

22 Q. Well, we've got one right here, Mr Taylor?

23 A. But he's not. I'm trying to say. This is strange to me,
24 that he is claiming to be the lawyer - if he is the lawyer for
12:52:37 25 the Catholic Justice and Peace Commission, I would say yes.
26 Because what I can see are CJ - this document is coming from the
27 archives of the Catholic Justice and Peace Commission. He may be
28 a lawyer for that commission. But a lawyer for the Catholic
29 Church, I have total disagreement with that. That's my evidence

1 to this Court.

2 Q. So you were aware of the staff of the Catholic Church of
3 Liberia?

12:53:07

4 A. I'm not aware of all of the staff, but I'm saying - if you
5 read the text, I'm saying it is strange to me that a church in
6 Liberia would hire a lawyer. It's very strange. I've never
7 heard of that before. So I said if you can find one, then that
8 means that I would be learning something.

12:53:26

9 MS HOLLIS: Madam President, can I ask that this be marked
10 for identification.

11 PRESIDING JUDGE: The article in The Inquirer of Wednesday,
12 28 April 1999 entitled "Human Rights Commission's existence
13 questioned" is marked for identification MFI-353.

14 MS HOLLIS: Thank you, Madam President:

12:53:50

15 Q. Indeed, Mr Taylor, it was not until late 1999 that the five
16 commissioners were actually approved by the Parliament. Isn't
17 that correct?

12:54:16

18 A. I cannot recall. Late 1999? I cannot recall, really, the
19 time that they were approved by the legislature. I cannot really
20 recall.

21 Q. Indeed, it was not until late 1999, more than two years
22 after you took office. That's correct, is it not?

12:54:33

23 A. Well, I don't - no, no. I don't - I don't really recall
24 when they took office. I know - it depends on the legislative
25 programme. They were interviewing people for many months, just
26 like right now. Just for the benefit of the Court, even
27 two-thirds of President Obama's people have not even been seen by
28 Congress. It takes a long time. I don't know their schedule.
29 Because when they were approved has nothing to do with when they

1 were nominated. So I don't recall.

2 Q. We're talking about two years, not some months?

3 A. That's why I'm saying I don't recall. It could have
4 happened --

12:55:05 5 Q. If we could please look at tab 16 in annex 1.

6 PRESIDING JUDGE: If you could give us a moment while we
7 try to locate our files, please.

8 MS HOLLIS: It would be in binder 1 for that annex. That
9 is tab number 16.

12:56:58 10 PRESIDING JUDGE: Ms Hollis, please continue.

11 MS HOLLIS: Thank you, Madam President:

12 Q. If we look at the first page we see this is Amnesty
13 International report 2000, Liberia. Publication date 1 June
14 2000. Then below that we see "Amnesty International, Amnesty

12:57:18 15 International Report 2000, Republic of Liberia". If we could
16 turn to the second page giving background, and then if we could
17 look at the third page, please. If we look at the paragraph just
18 above the caption "Treason trial":

19 "The National Human Rights Commission, set up by law in
12:58:15 20 1998, remained inactive. Its five commissioners were not
21 approved by Parliament until late 1999 and its powers were
22 limited. The commission could not order witnesses to appear nor
23 initiate investigations."

24 So, Mr Taylor, the five commissioners were not approved by
12:58:35 25 Parliament until late 1999. That is correct, is it not,
26 Mr Taylor?

27 A. Where are we reading from?

28 Q. I'm sorry, Mr Taylor. If you would look at the paragraph
29 just above "Treason trial".

1 A. Okay. I can't --

2 Q. And look at the second line. "Its five commissioners were
3 not approved by Parliament until late 1999"?

12:59:07

4 A. I can't be certain about this report. I cannot be certain
5 that this is - it's accurate, because I say the Human Rights
6 Commission set up the law in 1998, so there's a law in 1998.
7 Then it goes on to say that the commissioners were not approved.
8 I have no recollection of when they were. This is a mighty long
9 time before the commissioners are approved if this is accurate, I
10 agree. But the law is passed in 1998, as I've said.

12:59:28

11 Q. And, Mr Taylor, not only could the commission not order
12 witnesses to appear. The commission could not even initiate
13 investigations on its own, could it?

12:59:47

14 A. That's a lie. That's incorrect. The first part that it
15 says it could not order witnesses, like I say, it did not have
16 subpoena power, but it could obtain that from a judge. This
17 whole nonsense about it could not initiate an investigation,
18 well, if a commission under the law cannot initiate an
19 investigation, then it's not a commission, then it is not
20 functional, then there is nothing about it. But the national
21 human rights laws of Liberia gave it the right to investigate.
22 So Amnesty International is wrong about this.

13:00:08

23 Now, the right to the subpoena under our constitution --

13:00:27

24 Q. Mr Taylor, I'm not asking you to give a speech. I asked
25 you a question.

26 A. I'm not making a speech.

27 Q. The question is related to initiate investigations. You
28 have answered that question.

29 Madam President, if I could ask this be marked for

1 i d e n t i f i c a t i o n .

2 PRESIDING JUDGE: The Amnesty International report 2000 of
3 Liberia, published on 1 January 2000, is marked MFI-354.

4 THE WITNESS: Excuse me, your Honour.

5 PRESIDING JUDGE: Yes, Mr Taylor.

6 THE WITNESS: May I solicit some assistance from the Bench?
7 I'm not sure if this - it's in a way of a question for assistance
8 to me. Over the past several days documents have been read to
9 me, I have been asked questions like "do I see the document" or
10 "do I agree with the correct reading of it" and I have not been
11 asked to comment whether I agree or disagree. Now, I'm the
12 accused and my rights - I mean, I do not know where I'm running
13 afoul here because a lot of documents are being read. I'm not
14 being asked whether I agree or disagree. "Do you see this? Yes,
15 I see it." And it passes. So are there some obligations that
16 maybe I'm neglecting because it's about my life. So I don't know
17 if I can be advised by the Court or it just stays this way.

18 PRESIDING JUDGE: Mr Taylor, I think you should rest
19 assured, if there was anything amiss, the Bench would intervene.

13:02:06 20 THE WITNESS: Okay.

21 PRESIDING JUDGE: As it is, counsel for the Prosecution has
22 the prerogative to conduct her cross-examination in the best way
23 she sees fit. Your own Defence counsel is sitting by and if he
24 thinks anything is remiss, he stands up in a timely manner,
25 raises the objections when he needs to and we rule upon them. So
26 I think you can rest assured that there is nothing for you to
27 worry about in the manner in which these proceedings are taking
28 place.

29 THE WITNESS: Thank you, your Honour.

1 PRESIDING JUDGE: Ms Hollis, please continue.

2 MS HOLLIS: Thank you, Madam President:

3 Q. Mr Taylor, when you signed the bill creating the Human
4 Rights Commission you gave assurances that the Human Rights
13:03:05 5 Commission would be unfettered from any interference by any
6 administration, didn't you, Mr Taylor?

7 A. I don't understand what you mean it would be unfettered by
8 any administration.

9 Q. Well, that's actually the language you used, isn't that
13:03:19 10 right, Mr Taylor, that it would be unfettered from any
11 interference from any administration?

12 A. I can't recall, but it sounds a little incomplete to say -
13 maybe it's a mistake where I would say from my administration.
14 When I say for any administration, it's a --

13:03:38 15 Q. Well, I wonder --

16 A. No, I'm not disputing you, counsel. Trust me. I'm not. I
17 believe you, but I'm just saying that that would have been a
18 misspeaking at the time to say from any administration. It would
19 have been better to say by my administration. But I believe what
13:03:52 20 you say. I don't think you are misleading the Court.

21 Q. And, indeed, that statement was found in MFI-28 of the
22 presidential papers at page 210. Mr Taylor, you also indicated
23 at that time that it would serve as a free and independent
24 watchdog. Isn't that right?

13:04:12 25 A. That's what the Bill says, yes.

26 Q. And, indeed, perhaps it would be helpful to look at MFI-28,
27 the presidential papers, page 210. We will put this in context
28 in a moment, Mr Taylor, but you see here:

29 "We can assure you that the National Commission on Human

1 Rights will remain unfettered from any interference from any
2 administration. It will serve as a free and independent
3 watchdog."

13:05:21 4 Now, if we could look at page 208 to indicate the context
5 in which these statements were made. If we could slide that
6 down, please:

7 "Statements delivered by His Excellency Dankpannah
8 Dr Charles Ghankay Taylor, President of the Republic of Liberia,
9 on the occasion of the signing of the Bill establishing the
13:05:44 10 National Human Rights Commission and the declaration on the
11 rights and security of Liberia returnees at the parlours of the
12 Executive Mansion, Monrovia, Liberia, Monday, October 27, 1998."

13 So that was the occasion that you made these remarks. Do
14 you recall that now, Mr Taylor?

13:06:12 15 A. Yes. But I'm just trying to say that either it's a
16 typographical mistake by saying "any" or just bad English, but it
17 should have been "my administration", really. I think there's an
18 error in the typing.

19 Q. You were talking about interference from your
20 administration?

21 A. From "my" I mean, I'm sure. There's a typographical error.

22 Q. And if we look at page 208 we see that the Human Rights
23 Commission, the Bill establishing the Human Rights Commission was
24 not signed until 27 October 1998, well over a year after you
13:06:47 25 became President. Correct, Mr Taylor?

26 A. That's when it's signed, yes.

27 Q. Now, Mr Taylor, these assurances that you gave about this
28 commission being unfettered from any interference by your
29 administration, those were empty assurances, weren't they?

1 A. No, they were not, Ms Hollis.

2 Q. Because, in fact, the commission had to get the approval
3 from your branch of government before it could conduct any
4 investigation. Isn't that correct, Mr Taylor?

13:07:21 5 A. What do you mean by "your branch of government"?

6 Q. Mr Taylor, you were the President, correct?

7 A. I was the President.

8 Q. And your branch of government was the Executive. Isn't
9 that right?

13:07:32 10 A. My branch is the Executive branch.

11 Q. And the commission had to get approval from your branch of
12 government before it could conduct any investigation. That's
13 correct, is it not?

14 A. Totally, totally incorrect. Totally incorrect.

13:07:45 15 Q. And, Mr Taylor, this limitation on the power of the Human
16 Rights Commission was intentional on your part. Isn't that
17 correct?

18 A. That's not correct. Maybe it would be of some help if we -
19 you know, you are talking about a Bill that was passed and you're
13:08:05 20 quoting from this Bill incorrectly. If the Bill probably was
21 before these judges we would know what the powers were under the
22 laws of Liberia. So what you're saying is totally incorrect.

23 Q. Mr Taylor, something can be written and yet if it is not
24 given practical enforcement then it doesn't matter what's
13:08:25 25 written. That's correct, isn't it, Mr Taylor?

26 A. If you have experience in that, that's incorrect for me.
27 Maybe it's your experience.

28 Q. And perhaps we could look at tab 12 in annex 3.

29 A. New York Times.

1 MS HOLLIS: Do your Honours have the document?

2 PRESIDING JUDGE: Yes, please proceed.

3 MS HOLLIS:

4 Q. We see this is a New York Times article dated 4 February
13:10:21 5 1998 by Howard W French. And if we look at page 2, the second
6 full paragraph from the bottom:

7 "Mr Taylor announced the creation of a Human Rights
8 Commission with great fanfare after his inauguration last August,
9 but the body still has no offices or budget. More important, its
13:11:08 10 statutes do not provide for subpoena power, and allow
11 investigations only when they are approved by the Government."

12 So, Mr Taylor, only with government approval could
13 investigations be allowed. Isn't that right?

14 A. That is totally incorrect. And if you look at that
13:11:33 15 paragraph, French - it mixes up the whole thing. Here's French
16 putting me to August 1997 when you just showed documents here to
17 say that the Bill was formed in 1998, so French doesn't know what
18 he's talking about here. Howard French, he doesn't know what
19 he's talking about.

13:11:49 20 Q. Mr Taylor, he's talking about your announcement of the
21 creation of a Human Rights Commission. Your announcement was
22 very different than the time it actually came into being.

23 Mr Taylor --

24 A. He's talking about my inaugural address, right? He said
13:12:04 25 "after his inauguration". And there is no such thing at that
26 particular time. So French doesn't know what he's talking about
27 here.

28 Q. Mr Taylor, the Human Rights Commission could only undertake
29 investigations after it got approval from the government. That's

1 the truth of it, isn't it?

2 A. That's not the truth of it, Ms Hollis.

3 MS HOLLIS: We would ask that this article be marked for
4 identification.

13:12:33 5 PRESIDING JUDGE: The New York Times article dated 4
6 February 1998 entitled "Liberian slayings begun brutal trend in
7 Africa" is marked MFI-355.

8 MS HOLLIS:

9 Q. So, Mr Taylor, the reality in Liberia after you became
13:12:58 10 President was that persons who were the victims of human rights
11 abuses could not look to your Human Rights Commission for any
12 type of relief. Isn't that correct?

13 A. Ms Hollis, you shock me. That is incorrect. That is
14 totally, totally incorrect.

13:13:16 15 Q. And the other recourse that these victims of abuse might
16 have had was also not available, that is, the judicial system.
17 That was not available for them either, was it, Mr Taylor?

18 A. I don't understand your question. You are saying that the
19 Liberian judiciary did not exist at this time?

13:13:39 20 Q. It did not exist independently of you, did it, Mr Taylor?

21 A. Total nonsense. Total nonsense. It existed independent of
22 me.

23 Q. In fact, the Liberian judiciary during your presidency was
24 very much under your control. Isn't that right?

13:13:55 25 A. That is totally, totally incorrect.

26 Q. Certainly subject to your interference. Isn't that
27 correct?

28 A. Total nonsense. Totally incorrect. Officials of
29 government that served in my government went to jail for

1 different acts. That's total nonsense.

2 Q. Mr Taylor, in fact, the budgets that you ensured were
3 passed provided very little funds for the judiciary. Isn't that
4 correct?

13:14:24 5 A. Ms Hollis, I don't know what - it depends on what was
6 available for - in the country the Republic of Liberia. But, I
7 mean, these questions are really, really off the wall, but that's
8 incorrect. It depends on what was available.

9 Q. Mr Taylor, your budgets gave the great majority of the
10 money to your Executive branch. Isn't that correct?

11 A. That is not correct. That is not correct. With the United
12 States arming rebels, most of the budget of Liberia unfortunately
13 went to fighting the war with your country.

14 Q. Mr Taylor, the judiciary, during your time as president,
13:15:09 15 suffered from a serious problem of influence of your Executive
16 branch on its decision making. Isn't that correct?

17 A. Totally incorrect.

18 Q. Indeed, even the Chief Justice complained about
19 interference in the judiciary by your Executive. Isn't that
13:15:25 20 correct?

21 A. Well, I don't know what she's talking about. By "my
22 Executive" do you mean me or members of my Executive branch? I
23 don't know what she said precisely. There were some difficulties
24 maybe with security agencies, officials coming out of that chaos,
13:15:44 25 and the Chief Justice did complain that there were some problems,
26 not from the President. I think she was probably referring to
27 the Executive branch of government. That would be right, because
28 we looked into that too. So she did not tell a lie.

29 Q. The people in the Executive worked for you, didn't they,

1 Mr Taylor?

2 A. I cannot account for every lunatic in my government, no. I
3 mean, I take account - but when we found out, we acted against
4 them. And my objective as President was to make the judiciary -
13:16:15 5 we had very good judges. I supported that process. And when the
6 Chief Justice raised an issue, we moved quickly to bring it under
7 control and that's the [indiscernible]. But I can't account here
8 for every lunatic that understood the law in a different way
9 coming out of a seven-year civil war. No.

13:16:33 10 Q. In fact, Mr Taylor, she also complained about interference
11 in the judiciary by the Legislative branch. Correct?

12 A. Well, for the Chief Justice to complain about the
13 Legislative branch, I'll leave that to her own - to the Chief
14 Justice's own - because I don't know what the issues were. But
13:16:57 15 sometimes in government you do have these infractions, and the
16 fact that the Chief Justice is speaking out so strongly I think
17 is an indication that it's an independent and co-equal branch of
18 government.

19 Q. Indeed, Mr Taylor, you had appointed the majority of the
13:17:16 20 members of the Legislative branch. Isn't that correct?

21 A. Well, I would not agree with the proposition as it is put.

22 Q. Indeed, Mr Taylor, even members of the Liberian legal
23 profession spoke out about the problems in the judiciary, isn't
24 that correct, in 1998?

13:17:38 25 A. Oh, by 1998 - it's possible. I don't - I wouldn't deny.
26 That shows how free people are to speak about it. Liberia has a
27 National Bar Association and they are free to speak, and in fact
28 I'm glad that they did speak out.

29 Q. And, Mr Taylor, they also complained about the strong

1 influence of your Executive on the judiciary, isn't that correct?

2 A. I don't know what is quoted; my influence, or again the
3 Executive branch of government?

13:18:15

4 Q. Mr Taylor, the people in the Executive branch worked for
5 you, didn't they?

6 A. Well, I don't accept the proposition as it - yes, the
7 people in the Executive branch worked for me. We're talking
8 about the largest branch in government. Every little person down
9 there I cannot account for.

13:18:26

10 Q. Now, if we could please look at tab number 59 in annex 3.
11 Mr Taylor, you see on the screen - may I proceed, Madam
12 President? This should be tab number 59 in annex 3.

13 PRESIDING JUDGE: Yes, proceed.

14 MS HOLLIS: Thank you:

13:20:57

15 Q. Mr Taylor, this is allAfrica.com, Pan-African News Agency,
16 Liberia: "Attorney rates Liberian judiciary as rotten", dated 31
17 July 1998.

18 A. Yes.

13:21:19

19 Q. "Monrovia, Liberia. A prominent Liberian lawyer, Varney
20 Sherman, has described the judiciary and the criminal justice and
21 legal system in the country as rotten.

22 'The judiciary is rotten and ineffective, my people, and no
23 one trusts us - lawyers and judges', he told delegates attending
24 the ongoing national conference on the future of Liberia Thursday
13:21:43 25 night. "

26 Then if we move down a few paragraphs:

27 "Blaming the government for doing nothing to strengthen
28 the judiciary, Sherman said, 'The Courts lack logistics. No
29 stationery. You get frustrated seeing an outdated typewriter.'

1 Another lawyer, Taiwon Gongloe, said the crucial and major
2 problem of the judiciary is the strong influence of the Executive
3 on the judiciary.

13:22:21 4 Chief Justice Gloria Scott, in an earlier address to
5 delegates, complained about interferences in judiciary matters by
6 the Executive and Legislative branches of the government.

7 She also said little support was given to the judicial
8 branch of government, although it was one of the three equal
9 branches of the State.

13:22:36 10 Scott cited that only 7 per cent of the 1998 fiscal budget
11 was allocated to the judiciary, while the Executive carries the
12 lion's share of 89 per cent."

13 So, Mr Taylor, you set up a Human Rights Commission that
14 would have to go to the judiciary for subpoena power, and then
13:22:57 15 you controlled the judiciary to ensure whether subpoenas were
16 issued or not. Isn't that correct, Mr Taylor?

17 A. That is totally incorrect, and your characterisation of
18 this entire document is ludicrous. I mean, if the Court looks at
19 the date of this document, July 1998 - and this is at a national
13:23:18 20 conference - what I'm trying to do coming out of a seven-year
21 civil war is bring the country up to where it ought to be, and I
22 appreciate the fact that her honour the Chief Justice made these
23 remarks. She addressed that conference. And what we're trying
24 to do is - I agree with Varney Sherman that the judiciary is
13:23:37 25 rotten, but I meet this judiciary in place. I did not destroy
26 the judiciary. What I met in place was what I kept in place, so
27 I cannot be held responsible. I agree with the comments. It is
28 rotten, and my job is to try to fix it.

29 Q. Mr Taylor, in July 1998 it was your Executive that was

1 interfering with the judiciary?

2 A. No, I'm not sure --

3 Q. Mr Taylor --

13:24:08

4 A. No, I think - this is at a conference, and I think you are
5 being unfair to me in this Court. This is a conference where
6 Liberians are trying to solve historical problems. There's a
7 historical problem, I agree, with all influence on the part of
8 the Executive because of the way that things are, and in most
9 western countries most executives have a lot of influence.

13:24:26

10 Q. Mr Taylor, have you finished with your speech?

11 A. I'm not making a speech --

12 Q. Mr Taylor, you've looked at --

13 A. -- except you are my audience, so stop referring to my
14 statement - my evidence as a speech, please.

13:24:36

15 Q. Mr Taylor, you have looked at what we've read. It says
16 nothing about history. It says, "The crucial and major problem
17 of the judiciary is the strong influence of the Executive on the
18 judiciary", and in July of 1998 that's your Executive, Mr Taylor?

13:24:55

19 A. Well, I would disagree with your proposition and your
20 suggestion.

13:25:16

21 Q. And, Mr Taylor, Chief Justice Gloria Scott does not mention
22 history. She talks about interference in judiciary matters by
23 the Executive and Legislative branches of the government, and
24 she's speaking in July 1998. And she indicates little support
25 was given to the judicial branch, and she indicated the 1998
26 fiscal budget gave only 7 per cent to the judiciary, while your
27 Executive carried 89 per cent. So, Mr Taylor, these comments are
28 directed to your Executive as of July 1998. That is correct, is
29 it not, Mr Taylor?

1 A. You've asked me ten different - you've made ten
2 propositions in there. Now, I don't know which one you want me
3 to respond to. I have no - I mean, you may as well break them
4 down for me, please.

13:25:52 5 PRESIDING JUDGE: Ms Hollis, what would be helpful is if
6 the comments were not compounded to include several questions.
7 Because this cross-examination should be in the form of a
8 question and answer, so I think the witness is correct. If you
9 could break that down for him, please.

13:26:11 10 MS HOLLIS: Yes, Madam President. We had previously gone
11 over each of these with questions to this witness:

12 Q. Mr Taylor, you do agree that this article is dated 31 July
13 1998, do you not?

14 A. I do agree.

13:26:25 15 Q. And you do agree that in the first paragraph Varney Sherman
16 has described the criminal justice and legal system in the
17 country as rotten. You agree with that, do you not, Mr Taylor?

18 A. I agree with Varney's assessment yes.

19 Q. And Mr Taylor, in that sentence there is nothing that says
13:26:49 20 "historically rotten" is there?

21 A. Well, he doesn't --

22 Q. Mr Taylor?

23 A. Will you give me an opportunity, or are trying to shut me
24 down? Would you please -

13:26:57 25 Q. I'm trying to get you to answer my questions.

26 PRESIDING JUDGE: You see, Ms Hollis, this is exactly what
27 I was talking about in the morning. There's no combat here. A
28 question is asked, time is given for the question to be answered
29 because when you don't do that there is no answer recorded on the

1 record, what we have is an overlap. So I will call on the both
2 of you again, a question is asked and an answer must be given -
3 as directly as possible, Mr Taylor, please.

4 THE WITNESS: Yes, your Honour.

13:27:25

5 MS HOLLIS:

6 Q. Now, Mr Taylor, Varney Sherman in this first sentence does
7 not say that historically the judiciary and the criminal justice
8 and legal system in the country is rotten, does he, Mr Taylor?

13:27:43

9 A. In Varney's statement he does not use the word
10 "historically".

11 Q. And, Mr Taylor, Taiwon Gongloe said, "The crucial and major
12 problem of the judiciary is the strong influence of the Executive
13 on the judiciary." Mr Gongloe does not say, "Was historically
14 the strong influence of the Executive on the judiciary", does he,

13:28:09

15 Mr Taylor?

16 A. He doesn't say that and I disagree with him.

17 Q. In fact, Mr Taylor, he uses "is" which is the present
18 tense, yes, Mr Taylor?

13:28:26

19 A. Well, it depends on - "is" can be used in the present tense
20 and depending on the context "is" can also be used in a
21 historical perspective, if you ask that question.

22 Q. In this statement he does not say "historically", does he?

23 A. He doesn't use the word "historically", no.

24 Q. Nor does he say "is" and "was", does he, Mr Taylor?

13:28:44

25 A. Well, he doesn't say "is" and "was". I answered your first
26 question. No, he doesn't say that.

27 Q. And Chief Justice Gloria Scott complained about
28 interference in judiciary matters by the Executive and
29 Legislative branches of the government. She does not say

1 "historically", does she, Mr Taylor?

2 A. She does not use the word "historically", no.

3 Q. And she cites that only 7 per cent of the 1998 fiscal
4 budget was allocated to the judiciary while the Executive carries
13:29:16 5 the lion's share of 89 per cent. Mr Taylor, her reference is to
6 the 1998 fiscal budget, isn't that correct?

7 A. Well, she makes reference here. I have no quarrel with the
8 Chief Justice about - I don't remember the percentage, so I just
9 have to accept. I have no quarrel with the Chief Justice.

13:29:36 10 MS HOLLIS: Madam President, we would ask that this be
11 marked for identification.

12 PRESIDING JUDGE: The allAfrica.com article entitled
13 "Liberia: Attorney rates Liberian judiciary as rotten", the
14 article is dated 31 July 1998, is marked MFI-356.

13:29:58 15 MS HOLLIS: Thank you, Madam Justice. Perhaps this is an
16 appropriate time?

17 PRESIDING JUDGE: Yes, Ms Hollis, there's just a minute or
18 so left. We will adjourn for the luncheon break until 2.30.

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

14:27:42 20 [Upon resuming at 2.30 p.m.]

21 PRESIDING JUDGE: Good afternoon.

22 MR GRIFFITHS: Can I just announce a change in
23 representation, Madam President, that we've now been joined by
24 Mr Silas Chekera of counsel.

14:31:55 25 PRESIDING JUDGE: Thank you, Mr Griffiths. Ms Hollis, you
26 may proceed, please.

27 MS HOLLIS: Thank you, Madam President:

28 Q. Mr Taylor, the interference with the judiciary on the part
29 of the Executive branch of government continued throughout your

1 presidency, didn't it?

2 A. No, it didn't.

3 Q. Indeed --

4 A. The alleged interference didn't.

14:32:17 5 Q. And, indeed, Mr Taylor, you took no steps to stop that
6 interference with the judiciary, did you?

7 A. That's incorrect.

8 Q. Indeed, Mr Taylor, it was your wish that your Executive
9 continue to interfere with the judiciary. Isn't that correct?

14:32:36 10 A. That is not correct.

11 Q. Problems of corruption within the Judicial branch of
12 government in Liberia continued throughout your presidency as
13 well. Isn't that correct, Mr Taylor?

14 A. If I understand your question, problems in the Judicial
14:32:56 15 branch of government?

16 Q. Related to corruption. Problems of corruption in the
17 Judicial branch of government in Liberia continued throughout
18 your presidency. Isn't that correct?

19 A. I don't - I don't know what you mean by corruption. In
14:33:11 20 terms of what?

21 Q. Mr Taylor, you understand the meaning of corruption, don't
22 you?

23 A. You can have financial corruption. You can have different
24 types of corruption. That's what I'm saying, in terms of what?

14:33:23 25 Q. You don't understand the question, Mr Taylor?

26 A. I think I've asked you what I wanted to - understanding
27 you. I'm waiting for you now.

28 PRESIDING JUDGE: Ms Hollis, if you can clarify this
29 question as requested by the witness, please do so.

1 MS HOLLIS: That's what I'm going to do, Madam President:

2 Q. I'm talking about buying them off, Mr Taylor. You
3 understand that, don't you?

4 A. Yes, if you mention that, I understand your language. I
14:33:48 5 don't know of any case where I'm aware that somebody bought off
6 the judiciary. If a judge is crooked, that Judge shouldn't sit.
7 I mean - and I wouldn't - I would not hesitate, but I'm not aware
8 of any known case where judges are paid off and what not and
9 would still be sitting on the Bench. I'm not aware of that.

14:34:12 10 Q. Mr Taylor, your Executive branch engaged in that kind of
11 corruption in order to get what you wanted. Is that right?

12 A. You may have some experience in that, but I don't.

13 Q. Your failure to pay salaries to members of the judiciary
14 contributed to this type of corruption. Isn't that correct,
14:34:32 15 Mr Taylor?

16 A. That is not correct.

17 Q. Indeed, Mr Taylor, for some two and a half years you failed
18 to pay salaries to members of the judiciary. Isn't that correct?

19 A. Well, the way you put the question, that would be - it
14:34:47 20 would be unfair to even the judges. We had problems for some
21 time that government in general, Legislative, judiciary and
22 Executive did not get paid. There was nothing that was sinister
23 and say, well, we're going to single out the judiciary. To that
24 extent I would say no.

14:35:08 25 Q. Mr Taylor, your government failed to pay salaries of
26 members of the judiciary for some two and a half years. Isn't
27 that correct?

28 A. I'm not sure if - no, no, no. The Government of Liberia,
29 no. I cannot be precise, but there was an extended period of

1 time that things were hard on the government and nobody got paid.

2 Q. And who paid the salaries of the judiciary, Mr Taylor?

3 A. The Government of Liberia, Ms Hollis.

4 Q. So for whatever reason, for some two and a half years, your
14:35:38 5 government failed to pay the salaries of the judiciary members.
6 Isn't that correct?

7 A. There was no money for anybody to get paid.

8 Q. And, Mr Taylor, in practice, in Liberia, during your
9 presidency, there was no effective separation of powers within
14:35:56 10 the government, was there?

11 A. Well, if you are suggesting that there was no country -
12 there was a country. There was separation of powers. I admit
13 that there were difficulties coming out of a civil war, but there
14 was separation of powers. The fact that the Chief Justice could
14:36:13 15 speak out boldly means that there is separation and I would
16 disagree with your proposition.

17 Q. And this lack of separation of powers, Mr Taylor, enabled
18 you to carry out your wishes throughout your presidency. Isn't
19 that correct?

14:36:27 20 A. That is incorrect.

21 Q. If we could please look at tab 60 in annex 3.

22 May I proceed, Madam President?

23 PRESIDING JUDGE: Yes, please proceed.

24 MS HOLLIS:

14:37:41 25 Q. We are looking at the cover page of the document at this
26 tab, International Legal Assistance Consortium (ILAC), report
27 Liberia, December 2003, and on the cover page it indicates what
28 ILAC is. "A global organisation established and based in Sweden.
29 A consortium of NGOs throughout the world with experience in

1 providing technical legal assistance in post-conflict
2 situations." And it indicates how many member organisations and
3 who those member organisations represent.

14:38:50 4 Now, if we could please turn to (vii) of this report and we
5 note, of course, that this report is dated December 2003. That
6 is on the cover page as well. At (vii), the marked paragraph:

7 "There is an almost unanimous distrust of Liberia's courts
8 and a corresponding collapse of the rule of law. Liberia's
9 constitution provides for an Anglo-American legal system, but in
14:39:21 10 reality, there is no effective separation of powers, a limited
11 understanding of the principles of transparency and
12 accountability, little knowledge of contemporary notions of human
13 rights, limited access to legal advice and defence counsel, and
14 unconscionable delays. Taylor's government withheld salaries
14:39:44 15 from judges, prosecutors, court staff, police, and prison
16 officers for 2.5 years. Judgment, freedom, and even life itself,
17 were often sold to the highest bidder."

18 Mr Taylor, that was the situation during your presidency,
19 was it not, judgment, freedom and even life itself were often
14:40:11 20 sold to the highest bidder?

21 A. I was not President in December 2003.

22 Q. Mr Taylor, did you hear the question?

23 A. I heard your question --

24 Q. Mr Taylor --

14:40:19 25 A. -- and I know what it alludes to. I was not President in
26 2003. I disagree with this assessment.

27 Q. Mr Taylor, that was the situation during your presidency,
28 was it not?

29 A. It's asked and answered. I said I disagree, so what else

1 do you want?

2 Q. And if we can also look at page 4 of the document under
3 "corruption" where it mentions again that the government - your
4 government - withheld salaries. "Corruption is rife. The team
14:41:09 5 was told that judges were often paid by means other than regular
6 salaries and that judgment was often given to the highest bidder
7 or was based on secret instructions from the Executive."

8 Mr Taylor, that was correct during your period as
9 President. Isn't that correct?

14:41:27 10 A. Totally incorrect.

11 Q. That judgments were based at times on secret instructions
12 from your Executive?

13 A. Totally incorrect. If that is correct now, those same
14 judges are still sitting now. This is a blatant, blatant
14:41:45 15 incorrect statement. Totally wrong. The judges are still the
16 same judges sitting on the Benches. I don't see the difference.
17 It's a lie.

18 Q. And if we could look at page 20, "Reversal of Court
19 decision":

14:42:01 20 "On paper, with the exception of a pardon by the President,
21 judicial decisions cannot be reversed outside of the judicial
22 appellate system.

23 The Executive has advised us that in practice there was a
24 great deal of interference in the judicial system, in addition to
14:42:24 25 interference in the execution of judgments."

26 Mr Taylor, during your presidency your Executive interfered
27 in both judgments and executions of judgments. Isn't that
28 correct, Mr Taylor?

29 A. You see, you know, Ms Hollis, this is totally inappropriate

1 and unfair to me. That language that I see there in the report
2 prepared December 2003 when I'm not there and that - the way it's
3 - "the Executive has advised us" must be referring to another
4 administration and not mine and at the time of December 2003. So
14:43:00 5 to mislead us in this way is improper. "The Executive has
6 advised us", they must be talking to the Executive in office as
7 of December in 2003. So I disagree with you.

8 Q. [Overlapping speakers] with that language, Mr Taylor?

9 A. Beg your pardon?

14:43:15 10 Q. Mr Taylor, let's look again at that language:

11 "The Executive has advised us that in practice there was a
12 great deal of interference in the judicial system in addition to
13 interference in the execution of judgments."

14 Mr Taylor, during the time you were President in fact your
14:43:36 15 Executive interfered in both the judicial system and the
16 execution of judgments. Isn't that correct?

17 A. Totally incorrect.

18 Q. And, Mr Taylor, members of the judiciary were often paid
19 for certain judgments to be pronounced. Isn't that correct?

14:43:57 20 A. No. That is not correct. I mean, if I was in such control
21 all I had to do was to order them. Why pay for something you can
22 get free? So you must know it's a lie.

23 Q. Indeed, Mr Taylor, you did often order them to give such
24 judgments as you wished. Isn't that correct?

14:44:13 25 A. Total nonsense. Total nonsense. There was no such thing.
26 Total, total nonsense.

27 MS HOLLIS: Madam President, if I could ask that this be
28 marked for identification.

29 PRESIDING JUDGE: The entire document?

1 MS HOLLIS: Yes, Madam President.

2 PRESIDING JUDGE: Right. This is the International Legal
3 Assistance Consortium report on Liberia dated December 2003.
4 That is marked MFI-357.

14:44:41 5 MS HOLLIS: Madam President, I do not believe that we
6 included in the package the entire document, but certain pages
7 from that document. But I would ask that all those pages
8 included be part of that MFI. Thank you, Madam President.

9 PRESIDING JUDGE: You mean the pages included in the annex?

14:45:04 10 MS HOLLIS: In the annex, yes, Madam President.

11 PRESIDING JUDGE: Okay, the pages included in the annex are
12 so marked.

13 MS HOLLIS: Thank you:

14 Q. Mr Taylor, during your direct examination you referred to
14:45:18 15 the work that former United States President Jimmy Carter and his
16 Carter Center engaged in in Liberia. Do you remember talking
17 about that?

18 A. What kind of work? He did different types now. You mean
19 the elections? Are you referring to the elections?

14:45:39 20 Q. Mr Taylor, do you remember talking about the different kind
21 of work that he did?

22 A. It's up to you. I don't know what work you are talking -
23 President Carter, if you are speaking about election, yes.

24 Q. And you talked about that work in the elections on 23 July
14:45:59 25 at page 25158 where you talked about the largest unit of
26 observers coming from the United States from the Carter Center.
27 Do you recall that, Mr Taylor?

28 A. Yes, I remember that, yes.

29 Q. And you indicated that indeed these personnel from the

1 Carter Center monitored those 1997 elections, yes?

2 A. They did.

3 Q. Mr Taylor, on 23 November certain submissions were put to
4 you regarding the voting in that particular election. Do you
14:46:52 5 remember that?

6 A. Which proposition, Ms Hollis?

7 Q. Do you not remember that on 23 November, Mr Taylor?

8 A. What don't I remember?

9 Q. That certain submissions were put to you regarding the
14:47:04 10 voting in that election?

11 PRESIDING JUDGE: Ms Hollis, could you be specific, exactly
12 what submissions are you referring to, please?

13 MS HOLLIS:

14 Q. Mr Taylor, let's look at 23 November, page 32271, as it
14:47:24 15 appears you do not remember the submissions being put to you?

16 A. I did not say that, for the record, that I did not
17 remember. I simply asked which submission.

18 Q. Well, Mr Taylor, I'm not going to argue with you about
19 this. I will simply let the record speak for itself as to the
14:47:45 20 question you were asked and the answer you were given. Now, 23
21 November, 32271, and if we look at the question beginning on line
22 20:

23 "Q. Mr Taylor, in a very odd sort of way it did translate
24 into votes, didn't it, because the people who voted for you
14:48:14 25 certainly voted voluntarily. They chose you voluntarily
26 and they chose you because they knew if you didn't win you
27 would return to the same sort of conduct you had engaged in
28 throughout the war. That's correct, isn't it, Mr Taylor?

29 A. That's totally incorrect."

1 You go on to say that notion is without foundation. Then
2 if we move to the next page, 32272, at line 6, this is a
3 continuation of your answer:

14:48:58 4 "No one can make a valid argument that people in Liberia
5 were scared that oh, Taylor would return to this so we must
6 vote for him. That's total nonsense. You know that and
7 that's been the notion used by individuals that lost. But
8 that is totally incorrect, counsel. Total incorrect.

9 Q. And indeed those people who voted for you were
14:49:18 10 basically voting a peace referendum, were they not,
11 Mr Taylor?

12 A. I would disagree. I would disagree.

13 Q. Knowing that if you lost you would throw Liberia back
14 into this vicious civil conflict. That's the reality of
14:49:33 15 it, Mr Taylor?

16 A. I would disagree."

17 Now, Mr Taylor, if we could please look at tab 62 in annex
18 3 and we see at page 1 of this document, "The Carter Center,
19 waging peace, fighting disease, building hope." Then we see
14:51:12 20 "News and publications." Then we see, "Liberia elections.

21 Carter Center plays key role in historic presidential and
22 legislative October 11 vote." And we see this is dated 4 October
23 2005. Now, if we can turn to page 2 of 3 of this document. The
24 paragraph just above the year 1991, the paragraph that is marked:

14:51:55 25 "Following the 1996 Abuja II Peace Accords, the centre
26 observed the July 1997 special elections. Many Liberians told
27 observers they saw the election as a choice between Charles
28 Taylor and war and it is one of Liberia's tragedies that this
29 fragile hope for peace was betrayed."

1 Now, Mr Taylor, it is correct, is it not, that indeed these
2 people voted voluntarily but many of them saw it as a choice
3 between Charles Taylor and war? Isn't that right, Mr Taylor?

14:52:43 4 A. Well, I don't have a crystal ball to see what was in
5 people's minds, but that's incorrect. I do not know whose
6 opinion this is. In fact, if the Carter Center is saying that
7 this is based on a survey that they did, the way this document
8 comes forward, I don't have a crystal ball to know what was in
9 people's minds. Those elections were not conducted by me. They
14:53:03 10 were conducted by the international community. I participated as
11 everyone else.

12 Q. Now, Mr Taylor, you recall the 1996 Abuja II Peace Accords,
13 isn't that right?

14 A. Yes, I recall the accord. I don't know the - I can't quote
14:53:22 15 verbatim the details of the accord, but I remember the accord.

16 Q. And this is sometimes called Abuja II?

17 A. Yes.

18 Q. And Abuja I was in what year?

19 A. I don't recall, but that could have been probably in '95,
14:53:44 20 but it had to be before this. I don't recall the year.

21 MS HOLLIS: Madam President, if I could ask this be marked
22 for identification.

23 PRESIDING JUDGE: The news article entitled "The Carter
24 Center. Liberian elections. Carter Center plays key role in
14:53:57 25 historic presidential and legislative" dated 4 October 2005 is
26 marked MFI -358.

27 MS HOLLIS: Thank you:

28 Q. Now, Mr Taylor, on direct examination you and your counsel
29 reviewed portions of the Carter Center report on the elections in

1 Liberia in July 1997. You recall that, do you not?

2 A. Yes, I do.

3 Q. And that report was then marked for identification as
4 MFI-12. It was DCT-92 which was tab 10 in the binder of

14:54:37 5 additional documents for week 30. If we could look at that
6 document. In particular, I am interested in initially page 6 of
7 that document, foreword by Jimmy Carter. If we look at the
8 right-hand column, the second full paragraph beginning:

9 "The July 1997 special elections represent a landmark for
14:55:57 10 Liberia. Although they had some important problems, the
11 elections provided a mechanism to return the country to a
12 legitimate constitutional order and created the foundation for
13 more genuine democratisation."

14 Then if we look at the next paragraph:

14:56:18 15 "Liberia has come a long way but much remains to be done.
16 Scars of the war are deep and will hard to repair. To meet the
17 formidable challenges of peace building and democratisation, the
18 new government must build confidence that a new political order
19 has replaced the old one of violence, human rights abuses, and
14:56:41 20 war. The ruling party should reach out to opposition parties to
21 show that it is responsive and willing to listen, and the
22 opposition must show good faith in working with the new
23 government."

24 Now, Mr Taylor, you did not act in a way to show the people
14:57:04 25 of Liberia that your new order had replaced the old one of
26 violence, did you, Mr Taylor.

27 A. I acted in every way to show there was a new order.

28 Q. And, indeed, Mr Taylor --

29 A. Every possible way.

1 Q. Indeed, Mr Taylor, under your leadership, violence was very
2 much the order of the day in Liberia. Isn't that correct?

3 A. That is total incorrect.

4 Q. Nor did you act in a way to build confidence in the people
14:57:32 5 in Liberia that your new political order replaced the old one of
6 human rights abuses, did you, Mr Taylor?

7 A. You are totally, totally incorrect.

8 Q. And, indeed, human rights abuses on behalf of your
9 subordinates were rife during your presidency. Isn't that
14:57:55 10 correct?

11 A. That is not correct.

12 Q. Indeed, Mr Taylor, you did not reach out to the opposition
13 party to show them that you were responsive and willing to
14 listen, did you?

14:58:06 15 A. Well, it shows. That is totally incorrect. 60 per cent of
16 my government were based on the opposition and I can list to show
17 how incorrect you are. I can go through before this Court - I'm
18 not permitted to do that - a whole list of senior officials,
19 ministers in my government that are from the opposition. You are
14:58:25 20 totally wrong.

21 Q. And, in fact, Mr Taylor, during your presidency many
22 opposition leaders fled the country in fear of what would happen
23 to them if they stayed. Isn't that correct?

24 A. I cannot say that is correct. I do not know what - some
14:58:37 25 individuals left. A lot of - even the warring factional members
26 remained, took positions in government, so I disagree with you.
27 Some left, but not for the reason that you suggest.

28 Q. Mr Taylor, the forward by Jimmy Carter goes on:

29 "All Liberians need to work together to strengthen the rule

1 of law and public accountability. The country should consider
2 steps to increase checks and balances within the central
3 government and to devolve more authority to local government as
4 checks against a concentration of power. Courts must be rebuilt
14:59:14 5 and judges and other judicial officials trained. Development of
6 civil society must be encouraged, particularly an independent
7 media and strong human rights organisations. Finally, Liberia
8 must build a military and police force appropriate for a
9 democratic state."

14:59:39 10 Mr Taylor, your government did not increase checks and
11 balances within the central government, did it?

12 A. It did.

13 Q. And, Mr Taylor, your government did not develop a civil
14 society, particularly an independent media, did it?

14:59:58 15 A. It did.

16 Q. Nor did it build strong human rights organisations. Isn't
17 that correct, Mr Taylor?

18 A. That's incorrect.

19 Q. And, finally, Mr Taylor, your government under your
15:00:10 20 leadership in fact created a series of groups that were loyal to
21 you in terms of providing security for Liberia. Isn't that
22 correct?

23 A. That is incorrect.

24 Q. And you did not build a military and police force
15:00:28 25 appropriate for a democratic state, did you, Mr Taylor?

26 A. We did not build a military. We were about to build it.
27 Now, even the military is not built today. So we're dealing with
28 a situation - what we had we used.

29 Q. And, Mr Taylor, your conduct and your choice not to do any

1 of these things were important factors in the international
2 community refusing to provide your government directly with
3 international funding. Isn't that correct?

15:01:09 4 A. That is total nonsense. Totally incorrect. Totally
5 incorrect. Totally incorrect.

6 Q. Mr Taylor, even during the course of the election and the
7 monitoring, you refused to even discuss post-election governance
8 issues. Isn't that right?

9 A. What's the question again?

15:01:34 10 Q. Even during the - let me make sure I give it to you just
11 exactly right. Even during the course of the election and the
12 monitoring, you refused to even discuss post-election governance
13 issues. Isn't that right?

14 A. Now, when you say "during the course of the elections", I'm
15:01:54 15 not even - are you referring to on elections day? Or - when you
16 said during the course of the election, please help me here.

17 Q. Let's include campaigning as well, Mr Taylor.

18 A. Well, a matter of strategy. When people are campaigning -
19 what did you want me to say when I was campaigning? That "when I
15:02:11 20 win, I'm going to do this and that"? I demonstrated it. I don't
21 know how to respond to what someone says or doesn't say during a
22 campaign.

23 Q. Mr Taylor, in fact, when Carter Center representatives
24 wanted to discuss post-election governance issues, you refused to
15:02:30 25 do that. Isn't that correct?

26 A. I don't recall that. It could be right, but, in fact, if I
27 did, I would be very correct. It's none of the Carter Centre's
28 business to discuss the politics of my government, whether I won
29 and lost. If I did, I was very right for doing so. I don't

1 recall, but I hope I did.

2 Q. If we could look at page 10, executive summary of this
3 report.

4 PRESIDING JUDGE: This is still MFI-12?

15:03:09 5 MS HOLLIS: That is correct. And if we could look at the
6 columns on the right.

7 Q. And the first full paragraph in the column on the right,
8 "In the pre-election period, the centre sent three missions in
9 March, April and June 1997."

15:03:31 10 Then if we could look down at the next paragraph:

11 "The centre's April delegation noted that progress had been
12 made, including the work of the newly established Independent
13 Elections Commission (IECOM) but remained concerned about
14 problems with the elections' preparations and timetable."

15:03:56 15 Then it talks about a recommendation to postpone the
16 elections that they made and reports of serious problems
17 regarding access by political parties to the countryside and
18 media and fears related to security.

19 Then it goes on to say, "The mission raised the issue of
15:04:14 20 post-election governance with various leaders but some, most
21 notably Charles Taylor, resisted even considering the
22 suggestion."

23 So now, Mr Taylor, do you recall that being raised with
24 you --

15:04:32 25 A. I said before --

26 Q. -- by the Carter --

27 A. -- that I didn't recall. As it is read now, I can recall.
28 And I hope - I'm glad that I said it's none of the Carter
29 Centre's business as to what will happen post-election. They

1 were there to monitor and I'm glad that I told them - I hope I
2 told them it was none of their business.

3 Q. Now, Mr Taylor, after the elections, the Carter Center
4 continued to work in Liberia. Isn't that correct?

15:05:05 5 A. Yes, the Carter Center worked in Liberia.

6 Q. And you have told this Court that Jimmy Carter made human
7 rights the cornerstone of his administration. You remember
8 telling the Court that?

9 A. That is correct.

15:05:22 10 Q. And, indeed, the work of the Carter Center also focused on
11 trying to advance human rights as well as other issues, correct,
12 Mr Taylor?

13 A. Where? In Liberia?

14 Q. In Liberia.

15:05:32 15 A. Yes, I would say so.

16 Q. Now, Mr Taylor, you - when you were elected President, you
17 had the opportunity to make human rights the cornerstone of your
18 administration as well, did you not?

19 A. Yes, we had the opportunity and we did.

15:05:56 20 Q. And you had the opportunity to enact good governance
21 procedures for the conduct of your operations as the Executive
22 branch of Liberia, correct?

23 A. We had and we did on good governance.

24 Q. In fact, Mr Taylor, you failed to do those things. Isn't
15:06:15 25 that right?

26 A. I failed to do what things?

27 Q. You failed to make human rights a cornerstone and you
28 failed to enact good governance procedures for the conduct of
29 your operations?

1 A. That's totally incorrect. If I had failed I would not have
2 passed a law on both ends. Both for good governance and human
3 rights. I disagree.

4 Q. And, in fact, Mr Taylor, because of your failures the
15:06:48 5 Carter Center pulled out of Liberia in 2000. Isn't that correct?

6 A. Well, I don't know why the Carter Center pulled out. If
7 they say that they pulled out because of my failures, I was not
8 answerable to the Carter Center. So I don't know why they pulled
9 out. I have great regard for President Carter and he didn't tell
15:07:01 10 me specifically that he pulled out because of good governance and
11 all that thing in Liberia. I have a lot of respect for President
12 Carter.

13 Q. Mr Taylor, Jimmy Carter sent you a letter in which he
14 explained why the Carter Center was pulling out of Liberia, did
15:07:17 15 he not?

16 A. He didn't have it his way. I can recall the letter. I
17 don't know - forgot the details where President Carter said that
18 the Carter Center had to leave, but I'm not sure it was because
19 of good governance.

15:07:27 20 Q. It was a letter dated November 6, 2000. Isn't that
21 correct?

22 A. I don't remember the date. I recall a letter from
23 President Carter.

24 Q. And perhaps we could look at tab 61 in annex 3.

15:08:32 25 PRESIDING JUDGE: Ms Hollis, the judges have a very poor
26 and illegible copy of a letter that's just not very useful, but I
27 don't know what is on the overhead.

28 MS HOLLIS: The overhead appears to be a clearer copy, I
29 would say, your Honours.

1 PRESIDING JUDGE: Please proceed.

2 MS HOLLIS:

3 Q. Mr Taylor, do you see at the top of this document "the
4 Carter Center"?

15:09:12 5 A. Yes, I do.

6 Q. And then a figure, looks like the head of an eagle, and
7 then November 6, 2000, to President Charles Ghankay Taylor. And
8 then at the bottom you see "sincerely" and in handwritten form
9 "Jimmy Carter" - or cursive, I should say.

15:09:34 10 A. I see that.

11 Q. "I write to inform you that the Carter Center has decided
12 to end our work in Liberia because prevailing conditions and the
13 actions of your government have made it increasingly difficult
14 for the centre and others to be effective in supporting
15 democracy, human rights, and the rule of law.

15:09:51

16 I am very disappointed about the course of events in
17 Liberia over the last three years, especially given the hopeful
18 opportunities that were present after your election in 1997
19 following a terrible seven-year civil war. Since then, and in
20 consultation with your government, the centre has tried to work
21 with civil society groups, the media, government officials, and
22 others to strengthen respect for human rights and the rule of
23 law, in the hope that this would help consolidate peace and
24 reconciliation in Liberia. This work, of course, could only
25 succeed if the Government of Liberia supported these goals in
26 word and deed, and created an environment in which fundamental
27 rights were upheld, and in which individuals and institutions
28 could work freely and openly.

15:10:15

15:10:37

29 For a period following your election, you and I maintained

1 a dialogue in which I repeatedly offered to assist you in efforts
2 to demonstrate your commitment to building a genuine democracy in
3 Liberia. On several occasions I raised serious concerns about
4 developments in Liberia and unsuccessfully suggested specific
15:11:19 5 actions your government could take to address problems.

6 Unfortunately, however, the dialogue seems to have broken down,
7 and it has become clear that your government does not share the
8 same goals.

9 Much to our dismay, Liberia is a country where reports of
15:11:43 10 serious human rights abuses are common, where journalists, human
11 rights organisations, and political activists work in an
12 atmosphere of fear and intimidation and where there is little
13 political space for meaningful democratic debate. Instead of
14 being used to improve education, infrastructure, and development,
15:12:07 15 Liberia's resources have been diverted toward extra-budgetary
16 uses. In addition, it is increasingly evident that Liberia's
17 role in the conflicts of the sub-region has been a destructive
18 one.

19 Over the years, I have committed a great deal of personal
15:12:27 20 resources, in addition to the resources of the Carter Center, to
21 promoting a just and stable peace and democratic government in
22 Liberia. I am therefore deeply saddened by the situation that
23 has led to this decision. Nonetheless, we remain committed to
24 assisting Liberia and hope there may be more fruitful avenues to
15:12:52 25 support her in the future."

26 So, Mr Taylor, indeed former President Jimmy Carter made it
27 known to you why he was closing his Carter Center in Liberia.

28 A. Yes. On reflection I see this, yes.

29 Q. And indeed not just in generalities, but in some detail for

1 you, Mr Taylor?

2 A. Well, I will still say there is a lot of generalities here.
3 I don't see - there are some details I will agree, but there are
4 some just vague and general statements. The fact that President
15:13:32 5 Carter made suggestions of which he did and I was running a
6 country and a lot of times people gave you suggestions that don't
7 work in the political establishment. President Carter and I
8 continued to discuss even following his pull out. It was just
9 unfortunate that he pulled out.

15:13:54 10 Q. Mr Taylor, it is because under your government there was a
11 failure to respect human rights and the rule of law. That was a
12 factor for the international community to refuse to provide your
13 government directly with international aid. Isn't that correct?

14 A. That's totally incorrect. Totally incorrect. If that
15:14:15 15 proposition was correct, they would have provided it at some
16 time. Even at the beginning. It never happened.

17 Q. And indeed, Mr Taylor, it was also because of this
18 atmosphere of fear and intimidation in your country. That was
19 another factor that led the international community to refuse to
15:14:37 20 provide you directly with funds?

21 A. Well, it depends --

22 Q. Isn't that right, Mr Taylor?

23 A. That is not correct because some countries did it, did
24 assist. There were some countries - the major countries wanted
15:14:49 25 to bring down the government so they did not support it, but I
26 did receive some assistance from friendly governments. So when
27 we talk about the international community except we want to
28 exclude some and bring in some, I received assistance from some
29 members of the international community. So your proposition is

1 wrong.

2 Q. Indeed, Mr Taylor, it is also because under your leadership
3 Liberia's resources were diverted toward extra-budgetary uses.

4 That was also another factor that led the international community
15:15:21 5 to refuse to provide assistance directly to your government.

6 Isn't that correct, Mr Taylor?

7 A. Well, that would be vague to you, don't you think? That's
8 very vague. So that's incorrect. That's even vague to anybody.

9 Q. Mr Taylor, instead of this supposed international
15:15:39 10 conspiracy against you, it was your own failures in governance
11 and the rule of law that led to the international community's
12 actions towards you. Isn't that right, Mr Taylor?

13 A. That is totally, totally incorrect. Your proposition is
14 wrong in nature, in sense, and I want to repeat: The
15:16:04 15 international community as of my election in July of 1997 never
16 gave any aid to Liberia. There was a plan then to strangulate
17 the government and bring it down. I will only agree with that
18 proposition if it had started and then cut off at some point I
19 would say yes. Other than that, zero. No.

15:16:25 20 Q. And in fact, Mr Taylor, this international conspiracy
21 theory that you have told these judges about is simply a way to
22 try to divert attention from what you actually did while you were
23 President of Liberia. Isn't that correct?

24 A. That is totally, totally incorrect. I don't think these
15:16:43 25 judges are looking at what I did when I was President in Liberia.
26 I'm here to account for your indictment. But that is totally
27 incorrect.

28 Q. Well, Mr Taylor, you are the one who told the judges about
29 this international conspiracy?

1 A. It is. I said it and I think I've demonstrated it.

2 MS HOLLIS: Madam President, if I could ask that this be
3 marked for identification.

4 PRESIDING JUDGE: The letter from Mr Jimmy Carter to the
15:17:13 5 then President Charles Taylor dated 6 November 2000 is marked
6 MFI-359.

7 MS HOLLIS: Thank you, Madam President:

8 Q. Mr Taylor, during your direct examination you have also
9 talked about events in Ivory Coast. Do you recall that?

15:18:06 10 A. What in specific are you referring - I talked about many
11 things in Ivory Coast.

12 Q. Mr Taylor, I'm asking you to recall what you told these
13 judges about events in Ivory Coast. You remember talking about
14 events in Ivory Coast, don't you?

15:18:19 15 A. Any events? I don't know what you are referring to now.
16 We talked about Ivory Coast. What specific event are you
17 referring to?

18 Q. Mr Taylor, you talked about your relationship with leaders
19 in Ivory Coast, did you not?

15:18:33 20 A. Well, I don't know which leaders you are referring to. I
21 was close to - if you are referring to President
22 Houphouet-Boigny, yes.

23 Q. You also talked about your relationship with other leaders
24 in Ivory Coast, did you not, Mr Taylor?

15:18:51 25 A. Which leaders are you talking about?

26 Q. Mr Taylor, don't you remember your testimony? This is a
27 question: Do you not remember your testimony?

28 A. There are about 17,000 pages of my testimony. If you want
29 to be fair to me, Mr Taylor, and you refer to the transcript and

1 you say, "Mr Taylor, this transcript." You are telling me - I
2 spoke about many issues in La Cote d'Ivoire during my testimony
3 ranging from my relationship with President Houphouet-Boigny,
4 raising to the issues of Sam Bockarie being or coming to La Cote
15:19:20 5 d'Ivoire, so I don't know which one.

6 PRESIDING JUDGE: [Microphone not activated] I beg your
7 pardon, let me repeat that. The microphone was not on. What
8 would really expedite matters is if when you are asking a
9 question of the witness you would be specific as to what it is
15:19:53 10 you are referring to, especially when the witness indicates that
11 they don't understand what you are talking about or are not aware
12 specifically, instead of engaging in on-running argument between
13 the two of you as to what it is you are talking about.

14 MS HOLLIS: Madam President, we will do that. We do
15:20:13 15 believe that again we have the right to explore this witness's
16 supposed recollection of evidence going back to January 2008 when
17 indeed he's telling us he can't remember what he said in his
18 direct examination. That was the purpose of that.

19 PRESIDING JUDGE: Ms Hollis, you are perfectly right to
15:20:35 20 examine his memory of what it is that he said concerning a
21 specific matter, but not what he generally said concerning 1,000
22 things. This is what I mean. There's a difference.

23 MS HOLLIS:

24 Q. Mr Taylor, you said that you do recall talking about your
15:20:52 25 relationship with President Houphouet-Boigny?

26 A. That is correct.

27 Q. You also talked about your relationship with Robert Guei.
28 Isn't that correct?

29 A. Robert Guei, yes.

1 Q. And you also talked about your relationship with President
2 Gbagbo, correct?

3 A. That is correct.

4 Q. Now, Mr Taylor, when you were talking to these judges about
15:21:14 5 your and your government's relationship toward events in the
6 Ivory Coast, you told these judges that you were working
7 throughout as a peacemaker in the Ivory Coast. Isn't that
8 correct?

9 A. That is totally correct.

15:21:33 10 Q. And you remember that, Mr Taylor?

11 A. I remember that specific issue, yes.

12 Q. Now, Mr Taylor, in relation to Robert Guei, Robert Guei in
13 fact took over power in the Ivory Coast through a coup. Isn't
14 that correct, Mr Taylor?

15:21:55 15 A. That is correct.

16 Q. And indeed that coup was ten years after you began your
17 attack on Liberia. Isn't that correct?

18 A. I don't remember the exact date that the coup occurred, but
19 it's very clear here that I started my revolt in 1989, so if - if
15:22:22 20 the correct date that you are referring to is ten years as of
21 '89, then I would agree.

22 Q. Indeed, Mr Taylor, it was around 24 December of 1999 that
23 he staged that coup in Ivory Coast. Isn't that correct?

24 A. Okay. Well, like I said, I don't remember the exact date,
15:22:38 25 but if the records are correct, then I will go along. I know
26 there was a coup.

27 Q. And if we could look at tab 52 in annex 3, page 55.

28 PRESIDING JUDGE: Ms Hollis, for the record could you
29 please state what this document is.

1 MS HOLLIS: Yes, Madam President. Do you all have it
2 before you? This is a document of the ICG, the International
3 Crisis Group, entitled "Cote d'Ivoire: The war is not yet over".
4 It is dated 28 November 2003. We are looking at page 55 of that
15:24:23 5 document. If we could move that down just a little bit more so
6 we can see the very top of the page, please. And we see the
7 caption that I have given, "Cote d'Ivoire: The war is not yet
8 over. ICG Africa report number 72, 28 November 2003", page 55:
9 Q. Then, Mr Taylor, we see "23/24 December 1999.
15:25:02 10 Noncommissioned officers, led by Staff Sergeant Ibrahim (IB)
11 Coulibaly oust Bedie in a bloodless coup d'etat. General Guei is
12 asked to lead the junta."
13 Mr Taylor, when they say they oust Bedie, who was that that
14 they're referring to?
15:25:28 15 A. Who is that who's referring to?
16 Q. Bedie?
17 A. Bedie is the then President of the Cote d'Ivoire.
18 Q. And his first name, is that Henri?
19 A. Henri Konan Bedie is his full name.
15:25:45 20 Q. Thank you. So, Mr Taylor, there is this coup that is
21 virtually ten years after you began your attack on Liberia and
22 Robert Guei comes to power. Correct, Mr Taylor?
23 A. Well, if this date is correct Guei Robert comes to power at
24 this time. I don't recall the date of the coup, but I would just
15:26:10 25 accept this - this version here.
26 Q. You recall that it was in December 1999, yes, Mr Taylor?
27 A. I don't have any recollection of it and I'm not disputing
28 it. I'm just trying to say that I don't know for certain that
29 this is the date the coup occurred on. I admit that there was a

1 coup, but I don't recall the exact date.

2 Q. And, Mr Taylor, after Robert Guei comes into power, then
3 you took a position that the beginning of the democratisation and
4 election process in Cote d'Ivoire should be delayed until around
15:26:59 5 October 2000. Isn't that correct?

6 A. Now, say that again?

7 Q. After this coup when Robert Guei is in power, you took the
8 position that the beginning of the democratisation and election
9 process in Cote d'Ivoire should be delayed until around October
15:27:17 10 2000. Isn't that right?

11 A. That's possible. That's possible. I don't recall. It's
12 possible.

13 Q. And if we could look at 17 August 2009, page 26936.

14 Mr Taylor, in this excerpt - and we can go back several pages if
15:28:17 15 you would like, but in this excerpt your Defence counsel is
16 reading to you from a document which becomes MFI-123. It is
17 another document from Felix Downes-Thomas indicating that in your
18 conversation with Felix Downes-Thomas you repeated your already
19 publicly expressed position that "Guei should be allowed a
15:28:50 20 sufficiently reasonable period of time to put things in order.
21 On this, as he informed me, he and President Konare agree on the
22 notional period for around October 2000 for the beginning of the
23 democratisation/election process."

24 Do you remember, Mr Taylor, that you and President Konare
15:29:11 25 agreed on that notional period?

26 A. Yes. And, again, you see, these are some of the problems.
27 Your original question, you pin it down as though - and they are
28 talking about around the period, this notional period. Around.
29 Your original question did not quote the records. You stated

1 that I had said that it should be this. Now you're saying now
2 the record's showing around that period. Yes.

3 Q. Mr Taylor, I'm not going to argue with you, but you do need
4 to listen to my questions. And if I can go back to what is on my
15:29:48 5 screen as page 136, beginning on my screen at line 24 and my
6 question to you: "After of this coup, when Robert Guei is in
7 power, you took the position that the beginning of the
8 democratisation and election process in Cote d'Ivoire should be
9 delayed until around October 2000." So you see, Mr Taylor, my
15:30:20 10 question did include "around October 2000".

11 A. Well, I'm sorry. I'm sorry about the - uh-huh.

12 Q. So, Mr Taylor, the position that you took - and just so
13 that you do not think that I am misleading you as to the
14 document, let's look at MFI-123, which was DCT-38. We see that
15:31:39 15 this is a code cable from Downes-Thomas, RSG, UNOL, Monrovia. It
16 is marked "Confidential and only". It is dated 27 January 2000
17 and the subject is "Conversation with President Taylor, 26
18 January 2000". If we could look at page 4 of that document. We
19 see here, beginning with paragraph 11, that he is relating the
15:32:27 20 conversation that he had with you in relation to Cote d'Ivoire.
21 You see that, Mr Taylor?

22 A. Yes. I don't know - I never disagreed with the fact. I
23 fully agree. Yes.

24 Q. And if we look at paragraph 12, about midway:
15:32:48 25 "For these reasons he further explained, he would enjoin
26 Liberia to any move that would ensure stability in Cote d'Ivoire.
27 This meant that he would support Robert Guei. However, he went
28 on to say that such support would not be for an indefinite period
29 of 'military' or non-elected government in Cote d'Ivoire. In

1 this connection, he again repeated his already publicly expressed
2 position that Guei should be allowed a sufficiently reasonable
3 period to 'put things in order'. On this, as he informed me, he
4 and President Konare agreed on the notional period of around
15:33:30 5 October 2000 for the beginning of the 'democratisation/election'
6 process."

7 So, Mr Taylor, you were in favour of putting off this
8 democratisation and election process for some ten months after
9 Robert Guei took power. Is that correct?

15:33:56 10 A. That is correct. Very smart thing to do. Very much so.
11 Yes.

12 Q. And, Mr Taylor, you wanted during this time period to give
13 your friend to - time to build his power base in la Cote
14 d'Ivoire. Isn't that correct?

15:34:07 15 A. That is not correct. I just said in that statement that I
16 would not support a military situation in la Cote d'Ivoire.
17 That's totally erroneous.

18 Q. I believe the language was indefinitely, Mr Taylor.

19 A. Yes, and that they had to have it - give a period of time
15:34:27 20 of ten months. Let them go for election, but I would not support
21 a military rule in la Cote d'Ivoire indefinitely. I think it was
22 very smart. I would do it again.

23 Q. Now, Mr Taylor, the elections indeed were set for that
24 October 2000 framework. Isn't that correct?

15:34:45 25 A. Around that time, yeah.

26 Q. Indeed, it was towards the end of October that those
27 elections were set for. Isn't that correct?

28 A. I don't recall specifically because I'm going to be asked
29 about it later, but if you have the record of it - I know the

1 elections occurred. I'm not sure if it's October or November. I
2 don't quite remember. But it was close to the time that ECOWAS
3 had agreed because the name introduced here for the judges, Alpha
4 Konare, is now the chairman of ECOWAS. So it's a West African
15:35:18 5 decision, yes.

6 Q. If we could look back at tab 52 in annex 3. This ICG
7 report, "Cote d'Ivoire, the war is not yet over". And if we
8 could look again at page 55. If we could look at the bottom of
9 that page, please. And the very last entry on that page, 22-25
15:36:04 10 October 2000. It describes that on Sunday, October 22, the first
11 round of presidential elections take place. And it indicates
12 "the PDCI and the RDR have called for a boycott and participation
13 is only 34 per cent." Mr Taylor, do you know what PDCI stands
14 for?

15:36:29 15 A. No, I'm sorry, counsel, I don't know, really. It could be
16 one of the political parties.

17 Q. Would you happen to know what RDR stands for?

18 A. No, counsel, no, I don't.

19 Q. So, Mr Taylor, do you now remember that those elections
15:36:42 20 commenced on 22 October 2000?

21 A. Well, no. I think the question is not do I not remember.
22 I don't think I disputed it. I said I could not recall the exact
23 date, but I'm not fighting with the dates here.

24 Q. And, Mr Taylor, that's why I'm asking you if you now
15:36:59 25 recall --

26 A. Vaguely, yes.

27 Q. -- that they began on 22 October 2000. Mr Taylor, do you
28 recall that indeed there was a call for a boycott?

29 A. Some of the parties during that time were saying they were

1 not prepared. I don't know the specific details. I was not
2 charged with any specific responsibility. I do remember some
3 individuals or parties threatening not to participate because
4 they wanted more time.

15:37:37 5 Q. Mr Taylor, do you recall that there was a call for a
6 boycott because several candidates were excluded from running in
7 that election, including Alhassane Ouattara?

8 A. Yes, I must say I recall that some of the candidates were
9 concerned and were not prepared. I know the specific case of
15:38:15 10 Alhassane Ouattara. Yes, I do remember his case.

11 Q. In fact, he was actually excluded from running in that
12 election. Do you recall that, Mr Taylor?

13 A. In 2000, Alhassane? Alhassane was excluded, yes.
14 Alhassane was excluded.

15:38:16 15 Q. And because of these exclusions in that election there were
16 really only two candidates and that was Robert Guei and Robert
17 Gbagbo?

18 A. You mean Laurent Gbagbo.

19 Q. Laurent Gbagbo, yes.

15:38:29 20 A. I cannot say that were certainty, counsel. I can only say
21 with certainty that Alhassane, because of the nationality
22 question, did not participate, but I cannot say with any accuracy
23 to these judges that I know for a fact that only two persons
24 participated. I really don't - I don't - I don't recall that
15:38:52 25 only two participated.

26 Q. And, Mr Taylor, it indicates here that participation was
27 only 34 per cent. Do you recall that there was this low amount
28 of participation?

29 A. No, I didn't follow it to that level, counsel, no. I'm

1 sorry.

2 Q. And it indicates here that Gbagbo announced victory based
3 on partial results. Do you remember that happening?

15:39:19

4 A. No. This is - no, I don't - I don't remember this
5 particular detail. I know Gbagbo declared his victory. Now, as
6 to whether it was - he declared it based on partial results, I
7 cannot say that with any certainty.

15:39:40

8 Q. Do you remember, Mr Taylor, in this election that before
9 the candidate Gbagbo declared his victory, actually, Robert Guei
10 had declared a victory?

11 A. Yes, I think he did. He did declare - he declared and then
12 Gbagbo declared, and I'm not sure, I'm saying, if it was during
13 the partial time, but I know both of them declared victory. That
14 is true.

15:39:55

15 Q. After Robert Guei had declared, then Gbagbo's supporters
16 took to the streets and there was violence in the streets after
17 this?

18 A. That is correct. That is correct.

19 Q. And then Gbagbo declared that he won the elections?

15:40:09

20 A. That is correct.

21 Q. And do you recall that at that point in time then
22 Robert Guei fled the country?

23 A. No. I don't - I don't think - Guei didn't flee the
24 country. Guei was killed, from my recollection. I don't think
25 he fled.

15:40:30

26 Q. Mr Taylor, at one point, didn't he flee to Benin?

27 A. Well, I'm not sure if it was during this particular time
28 after the election. I don't recall Guei fleeing during this
29 election period, no.

1 Q. This is after the - Gbagbo declares and after the violence.

2 A. No, counsel.

3 Q. Do you recall? And if you don't recall that --

15:40:55

4 A. No. To the best of my recollection, Guei was killed during
5 the violence, to my recollection. I don't recall him running
6 away or anything.

7 Q. Actually, Mr Taylor, it's correct, is it not, that Robert
8 Guei was not killed until September 2002, almost two years after
9 that election?

15:41:11

10 A. I'm not - I know Guei was killed in there during something.
11 I'm not sure if it's after this election, but I know that Guei
12 was killed. He could have fled. I'm not sure.

13 Q. If we could look at that same annex which is tab 52 in
14 annex 3, the same report of the ICG, and at this time if we could
15 look at page 57. At the very top of that page:

15:41:39

16 "19 September 2002. Heavy shooting breaks out in Abidjan.
17 The government says a coup attempt was quelled and accuses Guei
18 who, with his wife and entourage, is killed. At least 400 people
19 die including Minister of the Interior Boga Doudou. Having
20 failed to take the commercial capital Abidjan, rebelling soldiers
21 retreat to Bouake and later announce formation of an insurgent
22 group, Mouvement Patriotique de Cote d'Ivoire (MPCI), Cote
23 d'Ivoire Patriotic Movement."

15:42:18

24 So, Mr Taylor, it is in September 2002 that Robert Guei is
25 killed?

15:42:42

26 A. Well, that appears to be what the case is. Like I say, I'm
27 not following la Cote d'Ivoire in details like that, so.

28 Q. But you do continue to be involved in Cote d'Ivoire and
29 peace efforts there, according to your testimony. Isn't that

1 correct, Mr Taylor?

2 A. Well, yes, to an extent I am involved. I'm invited to
3 Paris on the Ivorian peace talks. I'm invited also to Togo on
4 Ivorian peace talks, yes.

15:43:12 5 Q. Mr Taylor, it's a fact, is it not, that after Robert Guei
6 flees he eventually takes refuge back in the western part of
7 Ivory Coast before he is later killed?

8 A. I really don't know, counsel. I really --

9 PRESIDING JUDGE: Ms Hollis, I hesitate to interrupt, all
15:43:34 10 this is very interesting history, but I'm trying to figure out
11 what is the relevance of this aspect of your cross-examination.

12 MS HOLLIS: We're trying to set up --

13 PRESIDING JUDGE: To the case.

14 MS HOLLIS: -- firstly, Madam President, a time frame, a
15:43:52 15 structure in which to challenge this accused's testimony that
16 indeed he was supporting peace efforts in Ivory Coast. But in
17 order to have a time reference we felt it better to set out a
18 time frame before we went into those particular questions.

19 PRESIDING JUDGE: I think we're going off on a tangent
15:44:10 20 here. If you could find a way to zero in on what is relevant to
21 the trial and to his cross-examination, I would appreciate that.

22 MS HOLLIS: We will, Madam President. It is our view that
23 these events are relevant and will be shown to be so when we go
24 back to the challenge to his testimony.

15:44:33 25 PRESIDING JUDGE: Please proceed.

26 MS HOLLIS: Thank you:

27 Q. Mr Taylor, you have indicated that you don't really know
28 where he may have taken refuge before his death and after he
29 fled, so let's move to your testimony about your peace efforts,

1 your alleged peace efforts, in La Cote d'Ivoire. Mr Taylor, it's
2 actually the case that from very early on you were involved, in
3 fact, in perpetuating the conflicts and the unrest in the Ivory
4 Coast, isn't that correct?

15:45:23 5 A. Totally, totally incorrect. That's nonsense. Totally
6 incorrect.

7 Q. In fact, Mr Taylor, you sent your personnel into Ivory
8 Coast, did you not?

9 A. Never sent any personnel of mine into La Cote d'Ivoire.

15:45:36 10 Q. Indeed, Mr Taylor, you were seeking to destabilise that
11 country or to ensure that you had a leadership that would benefit
12 your interest. Isn't that correct?

13 A. Totally incorrect.

14 Q. And you also wanted to use connections in that country to

15:45:55 15 be able to secure arms. Isn't that correct?

16 A. Totally incorrect.

17 Q. In addition, Mr Taylor, you wanted to secure an area in
18 Ivory Coast to use as a safe haven. Isn't that right?

19 A. Totally incorrect. That's not right.

15:46:11 20 Q. This would be a safe haven for you in case you needed to
21 leave Liberia, correct?

22 A. Totally incorrect.

23 Q. And you also wanted to secure ports in the Ivory Coast from
24 which you could ship timber. Isn't that correct?

15:46:23 25 A. Totally incorrect.

26 Q. And you wanted to use positions in the Ivory Coast against
27 opposition forces that may attack you. Isn't that correct,
28 Mr Taylor?

29 A. Totally incorrect.

1 Q. Now, if we could please look at tab 6 in annex 3. This is
2 the Liberian Truth and Reconciliation Commission report, volume
3 2. At this time I'm interested in page 249.

4 Do your Honours have that at this time?

15:48:27 5 PRESIDING JUDGE: Yes, please proceed. We do.

6 MS HOLLIS: Thank you:

7 Q. And if we look at the first full paragraph on this page --

8 MR GRIFFITHS: Madam President, an issue arises here in
9 this way, and it's two matters really. The first is this: We
10 would submit that the material being referred to here is relevant
11 to guilt. It will be noted that in that paragraph subheaded
12 "External actors", inter alia it is said that Taylor's forces
13 secured experts from Libya and Burkina Faso to embed land mines
14 in Liberia.

15:49:24 15 Now, we need to bear in mind, of course, the way in which
16 this Prosecution is put, that the joint criminal enterprise at
17 the heart of the indictment was fashioned in Libya. As we
18 continue through this passage, we will see further references to
19 that Libyan connection and other such aspects. For example, in
15:49:51 20 that same paragraph, "Gaddafi loaned Taylor planes for use by the
21 arms dealers with whom Taylor dealt." That's the last paragraph.
22 And then we go on to the following page and again we see
23 references to Burkina Faso and furthermore on page 250 a lengthy
24 passage about Libya.

15:50:27 25 Now, question number one is this: To what extent is this
26 passage relevant to the matters on the indictment? So issue
27 number one is relevance. In our submission - and I have listened
28 patiently to much of this cross-examination, which to date has
29 concentrated for the most part - I would estimate at least 80

1 per cent of the questions asked to date have been related solely
2 to events in Liberia. In our submission, such events and the
3 detailed examination of those issues upon which this Prosecution
4 has been engaged since this cross-examination began can only be
15:51:26 5 of relevance to the issues on the indictment if those issues can
6 be brought within the parameters of Rule 93; that is, that such
7 evidence demonstrates evidence of a consistent pattern of conduct
8 relevant to the violations of international humanitarian law
9 under the Statute. In our submission, this evidence can only be
15:51:53 10 relevant to that.

11 Now, if that be right, question number two is this: Where
12 such evidence is sought to be adduced by a Prosecution, we are
13 enjoined by Rule 93(B), or the Prosecution are enjoined, to
14 disclose that material pursuant to Rule 66. That is, it is
15:52:24 15 anticipated by Rule 93 that where a Prosecution seeks to rely
16 upon evidence of what some of us understand as system, then such
17 material has to be disclosed in the normal way as part of their
18 case. Of course in this instance much of the material upon which
19 they are relying was disclosed for the first time when the
15:52:49 20 cross-examination of the defendant began.

21 So we would submit to allow this prolonged and continued
22 examination of events in Liberia, one has to bear in mind and
23 have uppermost in our minds the provisions of Rule 93 and also
24 the fact that the Prosecution have failed to fulfil their
15:53:12 25 obligations under the second half of that rule. So for that
26 reason in our submission they should not be allowed to use this
27 passage.

28 PRESIDING JUDGE: Ms Hollis, do you have a response to the
29 objection?

1 MS HOLLIS: First of all, your Honours ruled this morning
2 that decisions are made on a case-by-case basis on the materials
3 that are currently before you. It doesn't seem that this Defence
4 counsel was talking about page 249 materials at all. 249, the
15:53:51 5 two paragraphs that we are talking about, are in relation to
6 Ivory Coast and the Ivorian government. So it doesn't talk about
7 Libya.

8 And there are certainly, as your Honours will know, if you
9 have looked at all of this tab in this annex - there are portions
15:54:16 10 of the Liberian TRC which have been marked by the Prosecution
11 wherein it has indicated that our request to your Honours would
12 be to use them as impeachment but also as guilt, and those relate
13 to crimes in Liberia, and that would be pursuant to the rule that
14 relates to pattern.

15 But we here are talking about Ivory Coast. This was a
16 matter that was raised by Defence counsel and this accused on
17 direct examination and the emphasis about his peace role in Ivory
18 Coast and that he worked diligently for peace in Ivory Coast is
19 something that was brought up in direct examination. The Defence
15:54:36 20 counsel would seem to be arguing that the Prosecution has no
21 right to impeach this witness on what they chose to raise in his
22 direct examination. That is incorrect. That is absolutely
23 incorrect and it would be a violation of our right to test the
24 evidence of this witness and to have a fair and effective
15:54:59 25 cross-examination.

26 So the basis upon which this objection is laid is simply
27 not applicable to this passage. It doesn't talk about Libya. We
28 are not using it as pattern. We've never indicated we're using
29 it as pattern. It relates to a subject matter that the Defence

1 chose to delve into extensively with this witness on direct
2 examination and we have a right to impeach the witness on that
3 matter and it is relevant to that impeachment. We would suggest
4 that we have every right to use this material.

15:55:59 5 PRESIDING JUDGE: Mr Griffiths, before we confer, could you
6 address me on the submission by Ms Hollis that they are using
7 this in order to impeach prior testimony of Mr Taylor.

8 MR GRIFFITHS: Well, the fact of the matter is, in order
9 that we have the record of events firmly in mind, it will be
10 recalled that it was this very Prosecution who brought witnesses
11 to speak to Bockarie's involvement in La Cote d'Ivoire and, in
12 particular, to the alleged involvement of members of the
13 Anti-Terrorist Unit established by this defendant to participate
14 in that conflict. So we had every right as a consequence to
15 address the issue of Cote d'Ivoire because it had been made a
16 live issue by the manner in which the Prosecution had been
17 conducted.

18 Now, bearing that firstly in mind, it seems to us that my
19 learned friend is suggesting that the only passage - and can I
15:57:14 20 confirm that this is right - to which she seeks to rely are the
21 two paragraphs on paragraph 249 - page 249. Is that correct? I
22 inquire.

23 PRESIDING JUDGE: Yes, that is how I understand, Ms Hollis,
24 correct?

15:57:34 25 MS HOLLIS: At this point in time in this questioning I am
26 directing the attention of the Court and the witness to page 249.
27 That is correct.

28 PRESIDING JUDGE: That is the first full paragraph and the
29 one after it?

1 MS HOLLIS: That is correct.

2 PRESIDING JUDGE: The two paragraphs.

3 MS HOLLIS: And in particular the one after, the one just
4 above Burkina Faso.

15:57:54 5 PRESIDING JUDGE: So then your submissions, counsel, should
6 be restricted to these two passages only.

7 MR GRIFFITHS: To the two paragraphs on that page.

8 MS HOLLIS: Or this question that I'm putting to this
9 witness now, that is correct.

15:58:06 10 MR GRIFFITHS: Well, if it is limited to just those two
11 paragraphs, then I withdraw the objection at this stage. But I
12 do want to note for the record my general observation regarding
13 this overconcentration, in our submission, on events in Liberia.
14 This man is not on trial for crimes committed in Liberia. Yet
15:58:29 15 one would think so, given the extent to which my learned friend
16 has laboured the situation in Liberia since the beginning of this
17 cross-examination.

18 PRESIDING JUDGE: Mr Griffiths, I do note your objections,
19 but you must appreciate, when Mr Taylor was making his defence,
15:58:49 20 he did speak a lot about his office as former President of
21 Liberia for the time - the years that he was there and so you
22 can't divorce that from the line of cross-examination that is now
23 on the floor. If Prosecution counsel takes time to examine or
24 cross-examine him on that area of his evidence, she is perfectly
15:59:13 25 entitled to do that. Although this may not be central to the
26 indictment. But his defence - she's entitled to cross-examine
27 him on his defence.

28 MR GRIFFITHS: I merely make the observation, Madam
29 President, because I am hopeful that at some time in the very

1 near future we'll come to the crust of this indictment and this
2 defendant will have an opportunity of dealing with the issues
3 raised by it.

15:59:46 4 PRESIDING JUDGE: Thank you. Mr Griffiths, your points are
5 well taken. And, Ms Hollis, in view of the withdrawal of the
6 objection off of the record, you may proceed to put questions
7 based on these two paragraphs on page 249.

8 MS HOLLIS: Thank you. Thank you, Madam President. We
9 also would like to raise a concern. Throughout this trial the
16:00:07 10 Defence has taken the opportunity to stand up and put down
11 markers or make observations. In most trials I have been
12 involved with, opposing counsel stands up to make an objection,
13 not some improper opportunity to argue a point on the record.
14 And we would ask --

16:00:24 15 PRESIDING JUDGE: Ms Hollis, I will stop you right there.
16 There was nothing improper in what Mr Griffiths raised. He is
17 just doing his job, as well as you are doing yours. Now, if you
18 don't mind, please proceed with the questions to Mr Taylor.

19 MS HOLLIS:
16:00:40 20 Q. Mr Taylor, let's look again at page 249. And the Liberian
21 Truth and Reconciliation report volume 2 is addressing the Ivory
22 Coast. And on this page, 249, "The Ivorian government provided
23 Taylor and his rebels with other material goods and services
24 including cantonment, military intelligence, transportation
16:01:12 25 facilities, safe haven for retreating rebels, and medical
26 assistance for wounded rebels."

27 If we go down to the next paragraph, this report picks up
28 again on the use of Cote d'Ivoire as a safe haven. If we look,
29 it says, "After Houphouet-Boigny's death in 1993 Taylor

1 maintained close relationships with both his successors, Henri
2 Konan Bedie and Robert Guei, which enabled him to continue the
3 arms transfers and other activities. When Guei was ousted from
4 the presidency after the 2000 elections, the alliance shifted
16:02:00 5 toward plotting a coup against Ivorian President Laurent Gbagbo."

6 And, indeed, that's correct, is it not, Mr Taylor?

7 A. Total nonsense. Totally incorrect.

8 Q. You weren't working for peace. You were working with
9 Robert Guei to try to have another successful coup. Isn't that
16:02:16 10 right?

11 A. Totally, totally incorrect. Totally incorrect.

12 Q. And --

13 A. Totally.

14 Q. -- Mr Taylor, also, "Taylor purportedly wanted to establish
16:02:28 15 a base in Cote d'Ivoire should he need to leave Liberia, gain
16 control over Ivorian seaports that were vital to Liberia's timber
17 exports and establish an armed line of defence to stop LURD and
18 MODEL incursions into Liberia."

19 And that is correct, is it not, Mr Taylor? Those were the
16:02:52 20 motivations for your actions in Cote d'Ivoire?

21 A. This is just somebody's twisted opinion, which is really an
22 opinion from somebody writing here because this is not from a
23 witness. If not, his name would be mentioned. This is a twisted
24 opinion. It's pure nonsense. La Cote d'Ivoire shares a border
16:03:12 25 with Liberia. It would be in my interest to maintain a very good
26 relationship with - this is total nonsense. Total.

27 Q. Mr Taylor, it goes on thus:

28 "Taylor supported two rebel groups, the popular movement of
29 the Ivorian Great West (MPIGO) and the Movement for Justice and

1 Peace (MJP), which I launched an offensive on Danane from Liberia
2 on November 28, 2002. While the Liberian government denied any
3 involvement, Danane residents reported that Liberian security,
4 ATU, or former NPFL fighters, constituted 90 per cent of the
16:03:57 5 rebels."

6 So, Mr Taylor, your interest in La Cote d'Ivoire were far
7 from advancing peace in that country. Isn't that correct?

8 A. Total, total nonsense. I'm under attack by LURD in 2000.

9 I can't even fight LURD and I'm support two rebel groups in -

16:04:09 10 this is madness. Total madness. That's all it is, for somebody
11 to make such a conclusion. I can't even fight a war in my own
12 country, LURD is practically defeating me, but I'm capable of
13 supporting two rebels? This is total madness. Twisted logic.

14 MS HOLLIS: Madam President, could I ask that this page and
16:04:32 15 the cover page "Republic of Liberia Truth and Reconciliation
16 Commission final report" be marked for identification.

17 PRESIDING JUDGE: Page 249, as well as page 1, of the
18 Liberian Truth and Reconciliation Commission report is marked
19 MFI-360.

16:05:00 20 MS HOLLIS: Thank you, Madam President:

21 Q. Now, Mr Taylor, in relation to Robert Guei, your
22 relationship with Robert Guei went all the way back to the time
23 that he was the chief of staff for President Houphouet-Boigny,
24 correct?

16:05:35 25 A. I would say yes. Chief of staff of the armed forces of
26 Sierra Leone, yes - I mean, excuse me, Sierra Leone? Of Ivory
27 Coast, excuse me.

28 Q. And at that time he was a colonel in that military. Is
29 that right, Mr Taylor?

1 A. Well, to be fair to you, counsel, at the time he's colonel
2 he is not chief of staff. He becomes chief of staff after he
3 becomes general. Okay? So the chief of staff of the Ivorian
4 armed forces, this is when he's elevated to the point of general.

16:06:12 5 Q. And, Mr Taylor, in fact, while he was operating in this
6 role as chief of staff to the Ivorian President Houphouet-Boigny,
7 one of the ways that he was assisting you was to provide you with
8 weapons for the NPFL. Isn't that correct?

9 A. No, no, no, that's not correct. No, that's not true. No.

16:06:34 10 Q. And, Mr Taylor, in early 2000, after Robert Guei had taken
11 over power in the Ivory Coast, then your relationship with him
12 was rekindled. Isn't that correct?

13 A. Well, I wouldn't say rekindled. It never stopped. He was
14 there as chief of staff. I knew him. After he became Head of
16:07:00 15 State, we contacted each other, yes. He came to Liberia to see
16 me.

17 Q. So this had been an ongoing relationship --

18 A. Yeah.

19 Q. -- between the two of you?

16:07:12 20 A. Yes.

21 Q. And, indeed, after he took over, you were the first Head of
22 State that he visited, isn't that correct, in early 2000?

23 A. I don't - I don't know that to be true, counsel. I can say
24 he visited me. I don't know if I was the first Head of State
16:07:32 25 that he visited. I can't speak to that. I don't know.

26 Q. Fair enough. And he visited Liberia immediately after he
27 took power. Isn't that correct?

28 A. I wouldn't say immediately. But he visited Liberia. I
29 don't say - it was not immediate, no. I think it was after a

1 short time.

2 Q. Could we look at 17 August 2009, page 26936, please. And
3 if we could look at line 15, "And when Robert Guei came to power,
4 he visited Liberia immediately." Mr Taylor, on 17 August, that's
16:08:39 5 what you told these judges?

6 A. I said a short time. I mean, immediately a short time. I
7 said he came in a short time. Immediately, yes. He came in a
8 short time. Immediate could be the next day, the next week. I
9 said he came in a short time, yes.

16:08:51 10 Q. And back on the 17th you used the word "immediately", we
11 can agree to that, yes, Mr Taylor?

12 A. Yes, we can agree to that, yes.

13 Q. Mr Taylor, again, contrary to what you have told the judges
14 today, your intentions in Ivory Coast were far from peaceful. In
16:09:10 15 fact, you sent your subordinates to the Ivory Coast to work
16 there, did you not?

17 A. That is totally incorrect.

18 Q. And, in fact --

19 PRESIDING JUDGE: Those are two questions in one, really.
16:09:24 20 One relating to his intentions, and the other perfectly benign,
21 whether he sent his subordinates to work there.

22 MS HOLLIS: And the witness didn't seem to have a
23 difficulty with that, Madam President.

24 PRESIDING JUDGE: Well, I have a difficulty with that and I
16:09:41 25 don't know to what he answered.

26 MS HOLLIS:

27 Q. Mr Taylor, let me go back. Your intentions in Ivory Coast
28 were far from peaceful. Isn't that correct?

29 A. That is not correct.

1 Q. In fact, you sent your subordinates to the Ivory Coast to
2 work there, didn't you?

3 A. That is not correct.

16:10:03

4 Q. And, Mr Taylor, they were involved in training in Ivory
5 Coast. Isn't that correct?

6 A. That is not correct.

7 MS HOLLIS: Now, if we could, first of all, look at - if I
8 could have a moment to find it, Madam President. If we could
9 look at "Tackling Liberia, the eye of the regional storm", which
10 is an ICG Africa report. That is in - that is tab 3 in annex 3.

16:10:49

11 And we're looking at page --

12 PRESIDING JUDGE: Mr Griffiths is on his feet. Yes?

13 MR GRIFFITHS: [Microphone not activated].

16:11:24

14 PRESIDING JUDGE: I beg your pardon. Yes, I think we all
15 have the - except Mr Taylor doesn't have it yet.

16 MS HOLLIS: And perhaps also with this one we could look
17 initially at the first page which shows us what report we are
18 looking at. And that is "Tackling Liberia: The eye of the
19 regional storm, 30 April 2003, ICG, International Crisis Group".

16:12:13

20 THE WITNESS: Did you say 2003?

21 MS HOLLIS: Come back down, please. That's the wrong
22 report. "Tackling Liberia: The eye of the regional storm". That
23 should be in tab 3 in annex 3. Do your Honours and Defence
24 counsel have at that tab, "Tackling Liberia: The eye of the
25 regional storm"?

16:13:10

26 PRESIDING JUDGE: Yes, please proceed.

27 MS HOLLIS: Thank you:

28 Q. We see, "Tackling Liberia: The eye of the regional storm,
29 30 April 2003". If we could go to the bottom of that page,

1 please. We see "ICG, International Crisis Group. Africa report
2 number 62, Freetown/Brussels". Then if we could go, please, to
3 page 15 of that report. If we could move that down so we can see
4 the very bottom of the page, please. Up just a bit where we can
16:13:58 5 see "Taylor's Ivorian war". Thank you.

6 Mr Taylor, if we look at the last paragraph in the
7 left-hand column, we see about five lines down:

8 "The Taylor-Guei link was strengthened by the close
9 affinities between Taylor's fighters and those from General
16:14:38 10 Guei's home in Gouessesso, north of the western city of Man and
11 surrounding areas in western La Cote d'Ivoire. Many of Taylor's
12 fighters, including key commanders such as Benjamin Yeaten and
13 Roland Duo were from the Gio ethnic group in Nimba County,
14 Liberia, where Taylor began his insurgency. The Gios are closely
16:15:07 15 linked to the Yacouba in western Cote d'Ivoire. Guei was a
16 Yacouba and many from his ethnic group supported Taylor's war.
17 The Gio fighters in Taylor's rebel movement have remained
18 grateful for the support Guei gave during Liberia's war."

19 So, Mr Taylor, this ethnic affinity between your commanders
16:15:33 20 such as Benjamin Yeaten and Roland Duo was part of the close
21 affinity between your fighters and those from General Guei's
22 home, isn't that correct?

23 A. That's a load - I don't understand that question. Are you
24 saying that a Yacouba in La Cote d'Ivoire and a Gio in Liberia -
16:15:52 25 that's the same tribe. I don't understand your question. Would
26 you --

27 Q. What I just read, Mr Taylor, and let's go back over that:
28 "The Gios are closely linked to the Yacouba in western Cote
29 d'Ivoire." That's correct, is it not, Mr Taylor?

1 A. I don't know what they mean by closely related. Yacouba is
2 Gio. It's just they call it so closely related, I don't know. A
3 Yacouba is the same as Gio. It's just a different word. It's
4 the same tribe.

16:16:17 5 Q. They are from different sides of the border?

6 A. That is correct. On one side it's called Yacouba, on the
7 other side it's called Gio. It's the same tribe.

8 Q. And it's correct, is it not, that your link with Guei was
9 strengthened by the close ethnic affinities between your fighters
10 and those from General Guei's home?

11 A. No, that is not correct.

12 Q. Now, if we could move on to the left column, and if we
13 could look at the first full paragraph. Now, the right column
14 beginning with "Cote d'Ivoire" and we see, Mr Taylor, four lines
15 down, "And the relationship with Guei was rekindled when the
16 general became head of the military junta that toppled Bedie in
17 December 1999." Now you have told us that indeed it wasn't
18 rekindled but it had been an ongoing relationship, correct,
19 Mr Taylor?

16:17:29 20 A. I knew Robert Guei, yes. Also very close to Konan Bedie.

21 Q. And indicates case here, "Taylor was the first Head of
22 State who Guei visited in early 2000." Now, Mr Taylor, if we go
23 down --

24 A. I think I've answered that. Excuse me, counsel. I have
16:17:49 25 answered that that I don't know for sure, you've just glided over
26 this. I don't know for sure if I was the first. I admit that he
27 visited me in 2000.

28 Q. If we go down to the next paragraph:

29 "A pact was reportedly agreed whereby Taylor would support

1 a Guei coup if he lost the October 2000 Ivorian presidential
2 elections."

3 That is correct, is it not, Mr Taylor?

16:18:19

4 A. That is so warped. Then the person who alleged this should
5 have the pact. Total nonsense. No.

6 Q. Mr Taylor, if we go on:

16:18:41

7 "Reports emerged in the latter half of 2000 that soldiers
8 loyal to Guei and supervised by a top Taylor commander Kuku
9 Dennis were training at least 500 fighters from Liberia, the
10 Sierra Leone RUF, and Burkina Faso near River Gbeh in River Gee
11 County, eastern Liberia."

12 That is correct, is it not, Mr Taylor?

13 A. Totally, totally a black lie. Totally incorrect.

14 Q. And this training was being done upon your direction.

16:18:58

15 Isn't that correct, Mr Taylor?

16 A. Total, total lie. Incorrect.

16:19:18

17 Q. And this training that was being done in River Gee County
18 in Liberia, the key training commandant was reportedly the
19 long-time regional diamond dealer and gun-runner, Ibrahim Bah,
20 who was assisted by Bockarie. And that is correct, is it not,
21 Mr Taylor?

22 A. Totally, totally incorrect.

23 Q. Then, Mr Taylor, it goes on:

16:19:36

24 "Guei's soldiers were said to be 'waiting on the ground'" -
25 if we move to page 16 - "in his home town for the Liberian group
26 to finish training. Part of the agreement was that Guei's troops
27 would commute between River Gee and Man to provide information on
28 the Ivorian terrain. The operation to support Guei also enabled
29 President Taylor to pay soldiers who had been harassing

1 government ministers for money."

2 So indeed, Mr Taylor, you had in Liberia a group of Guei's
3 men that were being trained to go back into Ivory Coast. Isn't
4 that correct, Mr Taylor?

16:20:16 5 A. Totally, total - I don't know how to - how big - this is
6 like a python trying to swallow an elephant. Guei Robert, a
7 general in Cote d'Ivoire, ten times bigger than Liberia. Here I
8 am with my own problems in Liberia in 2000, fighting LURD, I'm
9 supposed to be training. This is total nonsense. Total.

16:20:37 10 Q. Mr Taylor, if we look at page 16, the left-hand column, the
11 next paragraph goes on to say that: "On 24 October 2000, General
12 Guei stopped the vote count when early indications were that
13 Gbagbo was in the lead." Then it talks about other actions that
14 he took and violent confrontations as gendarmes loyal to Guei
16:21:08 15 fired on demonstrators.

16 Now, Mr Taylor, if we look at the last part of that
17 paragraph, the last sentence of that paragraph:

18 "Additional training took place in early 2001 in Grand
19 Gedeh County, close to River Cavally on the Ivorian border. Once
16:21:31 20 again, this was supervised by commander Kuku Dennis, who was
21 based in that country."

22 So, Mr Taylor, it's true, is it not, that also in 2000 your
23 subordinates were engaged in training with Guei's troops? 2001.
24 That is correct, is it not, Mr Taylor?

16:21:53 25 A. Totally incorrect. I'm busy fighting LURD. That's total -
26 this is so mad, I tell you, I can't even - I don't know what
27 language to use.

28 Q. Mr Taylor, it is true, is it not, that was your commander
29 Kuku Denis who was supervising that training in early 2001?

1 A. Totally incorrect.

2 Q. And it goes on:

3 "President Gbagbo and a number of western military
4 officials knew of the movement of Guei loyalists and the presence
16:22:25 5 of Liberian military officials inside Cote d'Ivoire from late
6 2000 through 2001."

7 There is a quote from a western military official:

8 "We knew that Guei was training in 2000. It was an
9 official fact and not a secret. Guei did not only rely on
16:22:46 10 Ivorians. We knew that he had a number of Liberians with him.
11 Gbagbo might have decided not to react publicly to the military
12 preparations in what was increasingly dubbed Gueiland because he
13 had already developed links with several LURD personalities based
14 in Cote d'Ivoire."

15 Now, Mr Taylor, I believe you have testified to this Court,
16 have you not, that Gbagbo indeed had links with LURD
17 personalities based in Cote d'Ivoire?

18 A. I'm not sure if I said LURD or MODEL. I know later on he
19 did have some connection in - later on in 2002.

16:23:32 20 Q. Then, Mr Taylor, if we can look down where they talk about
21 Guei's murder on the morning of the attempted coup. And
22 Mr Taylor, this was the attempted coup that was the subject of
23 the pact between yourself and Robert Guei, isn't that correct?

24 A. If what is correct now?

16:24:03 25 Q. This attempted coup was the coup which was the subject of
26 the pact between yourself and Robert Guei, isn't that correct?

27 A. That is not correct. In fact, I don't know what - you know
28 we've disagreed on the pact - that there was supposed to be a
29 pact between us, but that's totally - the whole question is

1 erroneous.

2 MS HOLLIS: Now if we could ask that this document be
3 marked for identification.

4 PRESIDING JUDGE: The entire document?

16:24:43 5 MS HOLLIS: That is correct, Madam President.

6 PRESIDING JUDGE: This is the ICG report number 62 entitled
7 "Tackling Liberia: The Eye of the Regional Storm", dated 30
8 April 2003, is marked MFI-361.

9 MS HOLLIS: Thank you, Madam President.

16:25:17 10 Q. So, Mr Taylor, indeed you were involved in the events in
11 Ivory Coast in the sense that you were aligned with one of the
12 warring factions, isn't that correct?

13 A. That is not correct. I was friendly with Konan Bedie. I
14 was friendly with Guei Robert. I was friendly with Laurent
16:25:39 15 Gbagbo. Even 2002 before I left office, I was in Togo with
16 Laurent Gbagbo discussing Ivorian peace. I was in Paris invited
17 by the French government later on in - I think around 2002. So
18 this - I was not aligned with any individual. It was in the
19 national security interest of Liberia to be close to whoever led
16:26:01 20 that country.

21 Q. In fact, Mr Taylor, even your Minister of Defence was aware
22 of your involvement in the Cote d'Ivoire; isn't that correct,
23 Mr Taylor?

24 A. What kind of involvement?

16:26:25 25 Q. Aware that you in fact had sent your militias into the Cote
26 d'Ivoire; isn't that correct, Mr Taylor?

27 A. I'm not aware that my minister - if I would send anybody,
28 my Minister of Defence would be the one to do it. I'm not aware
29 that he was aware of something. I don't know that as a fact.

1 Q. Well, Mr Taylor, in fact he talked about that with you, did
2 he not?

3 A. My Minister of Defence never, to my recollection, had any
4 such discussions about me sending men to La Cote d'Ivoire, no.

16:26:59 5 Q. And in fact when he talked to you about it, you basically
6 dismissed his questions, saying he did not understand certain
7 things; isn't that correct?

8 A. I have no recollection of that.

9 Q. If we could look please at tab 55 in annex 3.

16:27:39 10 PRESIDING JUDGE: I think we have just about 3 minutes
11 left. If we could expedite the document being put on the
12 overhead, please.

13 MS HOLLIS: Madam President, if we only have 3 minutes,
14 perhaps it would be best to begin with this tomorrow.

16:27:58 15 PRESIDING JUDGE: I think that would be best in the
16 circumstances. We don't really have enough time to examine this
17 document. So I will conclude the proceedings for today, and I
18 will remind Mr Taylor of the usual caveat not to discuss your
19 evidence. The Court is adjourned to tomorrow, 9.30.

16:28:22 20 [Whereupon the hearing adjourned at 4.27 p.m.
21 to be reconvened on Wednesday, 20 January 2010
22 at 9.30 a.m.]
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I N D E X

WITNESSES FOR THE DEFENCE:

DANKPANNAH DR CHARLES GHANKAY TAYLOR	33548
CROSS-EXAMINATION BY MS HOLLIS	33551