



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 2 DECEMBER 2009
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Sidney Thompson

For the Registry:

Ms Rachel Irura
Mr Benedict Williams

For the Prosecution:

Mr Nicholas Koumjian
Mr Christopher Santora
Ms Kathryn Howarth
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah
Mr Terry Munday

1 Wednesday, 2 December 2009

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:31:41 5 PRESIDING JUDGE: Good morning. We will take appearances,
6 please.

7 MR KOUMJIAN: Good morning, your Honours. For the
8 Prosecution - good morning, counsel opposite. For the
9 Prosecution this morning, Kathryn Howarth, Maja Dimitrova,
09:32:30 10 Christopher Santora and myself, Nicolas Koumjian.

11 Your Honours, if I could just convey Ms Hollis's regrets
12 and explain why she is absent today. I realise she was in the
13 middle of a document. Given your Honours' order of yesterday,
14 and the order partially being that certain documents that could
09:32:54 15 be used to go to guilt would be disclosed forthwith, in order to
16 comply efficiently with that order she believed it was necessary
17 for her to be in the office today helping with that rather
18 complex logistical and legal exercise, so she asked for your -
19 excuses herself for her absence and asks for your understanding.
09:33:20 20 Thank you.

21 PRESIDING JUDGE: Thank you, Mr Koumjian. Yes,
22 Mr Griffiths.

23 MR GRIFFITHS: Good morning, Mr President, your Honours,
24 counsel opposite. For the Defence today myself, Courtenay
09:33:33 25 Griffiths, with me Mr Morris Anyah and Mr Terry Munyard of
26 counsel, and we are also joined again by Mr Michael Herz.

27 PRESIDING JUDGE: Thank you, Mr Griffiths.

28 MR GRIFFITHS: Mr President, whilst I am on my feet, can I
29 register this complaint. In our submission, it's somewhat

1 unsatisfactory that the cross-examination of Mr Taylor should be
2 conducted in a sense by relay, whereby he is cross-examined by
3 one counsel for a couple of days and then by somebody else on
4 another day, and points being made by one counsel are left
09:34:11 5 hanging in the air for until whenever the other counsel returns
6 to pick up the point. In our submission, it's unfair to
7 Mr Taylor, and this is a totally unsatisfactory way of conducting
8 the cross-examination of a defendant in a case as grave as this.

9 PRESIDING JUDGE: Yes. Well, Mr Koumjian, I will certainly
09:34:35 10 give you an opportunity to reply to that, but I do note that you
11 were in the middle of a point on Friday, and then Monday
12 Ms Hollis comes without you having developed that point, and now
13 here you are on Tuesday. But do you wish to reply to
14 Mr Griffiths's observations?

09:34:56 15 MR KOUMJIAN: Your Honour, I would just point out that we
16 prosecutors are quite fungible human beings. In our view, we are
17 doing - at times we have switched the prosecuting attorney in the
18 interest of the efficiency of the trial. When Ms Hollis was ill,
19 this allowed us to go forward when I took her place when I was
09:35:20 20 notified, rather late, that she was not feeling well enough to
21 come. In the present case, in order to comply efficiently with
22 your Honours' order to disclose information to the Defence, she
23 believed that this is the most efficient use of the Prosecution
24 resources.

09:35:37 25 It seems to us that which Prosecutor is doing which task is
26 completely an internal matter for the Prosecution. If a question
27 has been asked and is asked again, that is a legitimate
28 objection. If counsel is saying that points are not followed up
29 on, it would seem to me that that benefits only the accused.

1 So I would also point out that there is precedent. For
2 example, in the Krajisnik case he testified for a long time, not
3 nearly as long as Mr Taylor, and the Prosecution counsel did
4 switch off and on on the cross-examination. That was Mr Tieger
09:36:15 5 and Mr Harmon at the ICTY. Thank you.

6 [Trial Chamber conferred]

7 PRESIDING JUDGE: Well, Mr Griffiths, we will note your
8 comments and I can see your concern there. But nevertheless,
9 Ms Hollis was ill last week, and today she thinks that the best
09:37:22 10 way to comply with our order that those documents be disclosed
11 forthwith is if she applies herself to that task today. So while
12 it is ideal that the one counsel cross-examining keep at that
13 task until that particular area of cross-examination has been
14 finished, it's not always possible; but nevertheless, we will see
09:37:52 15 how things progress from here. We have taken a note of your
16 objection.

17 MR GRIFFITHS: I am grateful.

18 PRESIDING JUDGE: Now, Mr Taylor, you are going to be asked
19 some more questions, and I remind you you are still bound by your
09:38:05 20 oath. Yes, Mr Koumjian.

21 DANKPANNAH DR CHARLES GHANKAY TAYLOR:

22 [On former affirmation]

23 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

24 Q. Mr Taylor, I want to pick up where Ms Hollis left off, and
09:38:17 25 at that time we were examining MFI-192. So if that could be
26 given to Mr Taylor?

27 If it may be helpful, this document was in the binder for
28 week 33, binder 2 of 4, tab 102.

29 Mr Taylor, just before we go to specifics on this document,

1 can you remind the Court what Mr Cohen's - remind the Court what
2 your relationship with Mr Cohen was.

3 A. Mr Cohen and I had no personal relationship. He was
4 Assistant Secretary of State at the time and we dealt - but we
09:40:04 5 had no personal relationship.

6 Q. Thank you. He was Assistant Secretary of State for African
7 Affairs, just to be complete; correct?

8 A. That is correct.

9 Q. And sir, when you say you had no personal relationship, did
09:40:16 10 you subsequently have a business relationship with Mr Cohen?

11 A. No.

12 Q. Did you employ Mr Cohen?

13 A. No. Did the Government of Liberia employ: Yes. I didn't
14 personally employ him. The government.

09:40:37 15 Q. When the Government of Liberia employed Mr Cohen, what was
16 your position?

17 A. I was President of the Republic.

18 Q. Did you approve that employment?

19 A. Yes.

09:40:46 20 Q. And approximately how much was paid to Mr Cohen?

21 A. I have said to this Court I do not quite remember the
22 amount. It was a very miniscule amount, and then I was
23 subsequently reminded by counsel that I think it was about
24 \$100,000. But I have said to this Court I don't recall the
09:41:08 25 amount, and if the records that counsel - I mean, Prosecution has
26 shows 100,000, I wouldn't fight about that. I just don't
27 remember the amount.

28 Q. Thank you. Do you recall the periods of time - first of
29 all, what was Mr Cohen employed to do?

1 A. For a very short time, what we would call a form of public
2 relations. Some lobbying of which I think under US laws he is
3 required to report it, and I think he did. It was very short. I
4 think three months, very briefly, a trial period, to do some
09:41:49 5 public relations for the Government of Liberia.

6 Q. Approximately when was this trial period of three months,
7 sir - approximately three months?

8 A. Oh, I would put that - I could be wrong about this now.
9 It's a mere - I am just trying to help with this. I could put it
09:42:12 10 to around '98, early '99, but it was somewhere in '98, I would
11 strongly believe. I can't be too certain about that. I don't
12 quite recall, but I will help - I think it's about '98.

13 Q. So your recollection is early in your presidency; would
14 that be fair?

09:42:31 15 A. Yes.

16 Q. And at the time he was employed by you, had Mr Cohen left,
17 of course, his US government position?

18 A. Yes, yes, yes, yes. He had long, long left the State
19 Department, yes.

09:42:47 20 Q. So you had no personal problems with Mr Cohen; would that
21 be accurate?

22 A. Personal, no; professional, yes. Later on, professional,
23 yes, but not personal.

24 Q. When you say "later on professional", explain what you
09:43:09 25 mean?

26 A. I mean after he wrote this book, professionally it became a
27 problem because there were disagreement on a lot of issues
28 regarding the Liberian problem. That's what I mean by
29 professionally and later on.

1 Q. Well, do you have any correspondence with him concerning
2 this problem?

3 A. No, not with me here.

4 Q. Did you sue him for libel?

09:43:35 5 A. No, no. Mr Cohen, libel, I understand, from a layman's
6 point of view - books are written and people have information
7 wrong, some of it is injurious to an individual's character like
8 the case of Dr Stephen - what they call them? The British man
9 that testified here. I forgot his last name. Of which he was
09:44:04 10 sued and he later changed the book - or at least substantial
11 parts of it. Dr Ellis - Stephen Ellis sued in a British court.
12 But in the case of Mr Cohen, what he said was not at that time
13 considered injurious to my own character or standing. It was
14 just a matter of his accounting or recollection of the facts that
09:44:30 15 we had problems with, so I didn't sue him.

16 Q. So just to follow up on your last answer, in the lawsuit
17 against Dr Ellis, your lawsuit was dismissed with costs against
18 you, correct?

19 A. Incorrect.

09:44:46 20 Q. And, sir, that was because you did not appear for a
21 deposition as required by the Court; is that correct?

22 A. To the best of my recollection, incorrect.

23 Q. So, sir, do you have a judgement against Dr Ellis?

24 A. No. At the time I had lawyers hired in London. We had
09:45:08 25 claimed damages against Mr Ellis. I didn't know the procedure in
26 British courts, that the amount of the damage claimed must be put
27 up. And I said: "Well, I don't have that kind of cash", and I
28 just dropped the case. But subsequently what Dr Ellis did, he
29 rewrote the book, and those sections that were incorrect he

1 removed from his second book, and that was fine for me.

2 Q. Mr Taylor, when you worked with Mr Cohen or employed him,
3 did he ask you to introduce him to other potential employers?

4 A. No.

09:45:44 5 Q. Was Mr Cohen working at the same time for Blaise Compaore?

6 A. Yes.

7 Q. Do you know - do you have any information whether Mr Cohen
8 approached Muammar Gaddafi about possible employment?

9 A. No, I have no knowledge of that.

09:46:00 10 Q. You said that Mr Cohen's work was public relations. Does
11 that mean that part of his job was to work to improve your image
12 with certain segments of the public?

13 A. No. No.

14 Q. Sir, I want to go back to this document that Ms Hollis was
09:46:38 15 questioning you about and perhaps take you to page 151. I am
16 going to read the third paragraph, or perhaps it's the second
17 full paragraph, to you:

18 "By 31 August ECOMOG had expanded its perimeter and
19 captured the in-town Spriggs Payne airport, with only token
09:47:19 20 resistance from the NPFL. It also freed the hostages. But
21 ECOMOG had been required to use lethal force and had taken
22 casualties. The emergency humanitarian situation in Monrovia had
23 been alleviated, for which we were thankful, yet the outlook for
24 a peaceful transition was not bright. Worse, the continued arms
09:47:45 25 flow to Taylor from Burkina Faso and Cote d'Ivoire further
26 widened the ECOWAS split."

27 Sir, in this period that Mr Cohen is speaking about, and
28 that is late August, September 1991, were you receiving arms from
29 Burkina Faso and through Cote d'Ivoire?

1 A. No.

2 Q. Let's go to the next page. First let me just ask you again
3 this is a document from your personal archive, is that correct?

4 A. This is a document that had been put together by the team.

09:48:38 5 It's a book published by Cohen. I had a copy of the book that I
6 made available, yes.

7 Q. Well, is it from the archive that you put together before
8 leaving Liberia?

9 A. Yes. I had a copy of Cohen's book.

09:48:52 10 Q. And you were the one, your team, that presented this
11 document to the Court during your direct examination, correct?

12 A. Now let me understand that question. What was the question
13 again?

14 Q. The reason we have this document before the judges is it
09:49:08 15 was presented during your direct examination, correct?

16 A. That is correct, yes.

17 Q. Because it would be too lengthy to read it all I am going
18 to read portions. Let's go to page 152 and I am reading from the
19 third full paragraph:

09:49:29 20 "Having saved their nationals, the ECOMOG governments could
21 reasonably start thinking about pulling out to avoid additional
22 expense. Taylor knew this and probably thought he could wait
23 ECOMOG out."

24 First of all, Mr Taylor, from your understanding, what did
09:49:50 25 Mr Cohen mean when he said "having saved their nationals"?

26 A. Well, I really - I have to - in fact we have to refer to
27 the paragraph before this where Mr Cohen speaks about ECOMOG
28 coming to Spriggs Payne airport and freeing hostages. This could
29 be a reference to that, and this is one of my contentions. The

1 NPFL was not in charge of Spriggs Payne airport, the INPFL was,
2 because in previous paragraphs he did mention that we did not
3 enter Monrovia. Spriggs Payne is in Monrovia. So that's one of
4 the difficulties. But based on this line, this line we can only
09:50:35 5 refer to what he said in the previous paragraph and he is talking
6 about freeing hostages, I would suppose.

7 Q. Well, Mr Taylor, in 1990 your forces were within the city
8 limits of Monrovia, correct?

9 A. 1990, no. We were on the outskirts of Monrovia in 1990.

09:50:56 10 Q. How far, according to you, did your forces advance?

11 A. In the area of Monrovia, that is where it had been referred
12 to in this Court as Coca-Cola factory, that is I would say
13 approximating I would say approximately from the centre of
14 Monrovia I would put that to about 5 or more kilometres outside
09:51:26 15 of Monrovia.

16 Q. Sir, I am going to read to you from the second paragraph.
17 Excuse me, how close were you to the campus of the university?

18 A. Later on in '91 we reached to the university, yeah. But
19 the university is in town, but what he is talking about, when he
09:51:47 20 talks about ECOMOG coming in, let's not forget when ECOMOG comes
21 in, in August 1990.

22 Q. When was it that your forces reached the university?

23 A. We reached the University of Liberia I would say around - I
24 would put it to about the last half of 1990, after we - after
09:52:22 25 combat with ECOMOG. I would put it to the last quarter of 1990,
26 but we reached there after they arrived.

27 Q. Sir, just to be complete, let me read the sentence before
28 the paragraph I just read. So this is the sentence in the middle
29 of the second full paragraph. It says:

1 "As noted in a document I prepared" - that's Mr Cohen -
2 "for the PCC meeting of 4 September 1990, 'The arrival of
3 military supplies for Taylor's force seems to have improved its
4 fighting ability. Burkina Faso shows no sign of withholding
09:52:59 5 support for Taylor, quite the contrary.'"

6 Was Burkina Faso supplying your forces at this time?

7 A. No.

8 Q. At the time that Mr Cohen wrote this, do you know when he
9 wrote this book?

09:53:14 10 A. I have to - I have forgot the year now. It's probably
11 mentioned there someplace.

12 Q. Well, let's go to the beginning of the book. I think if we
13 all look at the third - what I have as the second page after the
14 cover, I have just a photocopy, just above "Macmillan Press

09:53:40 15 Limited" it says, "First published in Great Britain in 2000."
16 Then below that, "St Martin's Press, first published in the
17 United States of America 2000." Does that refresh your
18 recollection that this book was published in 2000?

19 A. Yes.

09:53:55 20 Q. So this was published after you had hired Mr Cohen for PR
21 purposes, correct?

22 A. Yes.

23 Q. Let me continue reading the paragraph that I began, the
24 third full paragraph:

09:54:16 25 "He also knew from the national conference held in Banjul
26 on 27 August and all parties negotiations in Freetown on 12 June
27 that he would be in a minority position in any normal political
28 process. All the unarmed political factions were terrified of
29 Taylor."

1 Mr Taylor, why does Mr Cohen say that all of the unarmed
2 political factions would be terrified of you?

3 A. I really don't know why Mr Cohen said that but I proved him
4 wrong. The elections proved him wrong. So I mean again I
09:54:55 5 disagree with his analogy here. I disagree with that.

6 Q. Sir, I want to jump to page 153 and I am going to the
7 second to last sentence:

8 "As for alleged Ivorian help to the NPFL, Houphouet brushed
9 aside the accusation, saying, 'I have never met Charles Taylor.'
09:55:40 10 His Defence Minister, however, acknowledged that supplies for the
11 NPFL transited Cote d'Ivoire because the Ivorians did not have
12 the capability of stopping the flow, not because of complicity."

13 Is that true?

14 A. Yes, that's fairly accurate.

09:55:57 15 Q. So which arms - where were the arms coming from that were
16 being transferred through Cote d'Ivoire?

17 A. I mentioned in 1990 when I returned to Burkina Faso, before
18 coming to Liberia, we used certain officers and paid them to
19 sneak some things across to Liberia. I have testified on that,
09:56:20 20 yes, from Burkina Faso.

21 Q. The arms originated in Burkina Faso?

22 A. That is correct.

23 Q. Do you know where they came from to get to Burkina Faso?

24 A. I have no idea, no.

09:56:34 25 Q. Just to be clear, Burkina Faso does not have any arms
26 manufacturing capability to your knowledge, correct?

27 A. I have no knowledge of that.

28 Q. Well, who did you deal with in the Government of Burkina
29 Faso to get these arms?

1 A. I dealt with the President and I think he has written about
2 it too. There has been no dispute about at the initial stage of
3 the situation in 1990 that there were some assistance, small
4 assistance, from Burkina Faso. I have talked about it.

09:57:10 5 President Compaore has written about it and he has talked about
6 it in many interviews.

7 Q. And he has also stated that he sent several hundred troops
8 to assist you, correct?

9 A. I haven't seen that part. I know about the arms and
09:57:24 10 ammunition.

11 Q. Now these officials that you used to get the arms through
12 Cote d'Ivoire, who was responsible for getting the cooperation
13 for paying these officials to sneak things across?

14 A. Some of the very Special Forces that - in fact the
09:57:46 15 officials on the Ivorian side were members of the Gio ethnic
16 group Ivorians and some of their relatives were involved in the
17 war in Liberia, so contacts were made. And I want to be specific
18 about the type of officials. They were mostly what they call the
19 gendarmerie. I don't know how to spell it, gendarme. You know,
09:58:11 20 these were not like ministers and things. These were individuals
21 from the gendarme who had relatives in Liberia and contacts were
22 made to sneak things through. In fact my understanding is that
23 some of these gendarmes even escorted them to the border.

24 Q. Sir, I am reading from page 154, the first full paragraph:

09:58:34 25 "Presidents Ibrahim Babangida and Jerry Rawlings of Nigeria
26 and Ghana respectively told us that they had increased ECOMOG's
27 troop strength and believed the NPFL would soon be under control.
28 Taylor would have no choice but to negotiate. They both asked us
29 to put pressure on Cote d'Ivoire and Burkina Faso to stop arming

1 the NPFL. The bottom line for these two major troop contributors
2 to ECOMOG was their determination to stay as long as necessary to
3 bring about a negotiated political solution. At an overnight
4 stop in Ouagadougou, Burkina Faso, we actually saw Libyan cargo
09:59:22 5 aircraft on the airport runway. The embassy confirmed that the
6 arms for the NPFL had arrived in those planes."

7 Is that correct that arms were coming through Burkina Faso
8 for you from Libya?

9 A. Definitely not. Slam dunk, there are weapons of mass
09:59:42 10 destruction in Iraq. The same disinformation and just coming out
11 with nonsense and saying that it is factual. You see a plane on
12 the runway and you say on that plane on within it are arms from
13 Libya for Liberia. Totally, totally wrong.

14 Q. Where did the arms that obtained from Burkina Faso
10:00:01 15 originate from?

16 A. I have no idea. I have said that. I got it from the
17 government. Where they got it from, how they got it, I do not
18 know.

19 Q. So what you're testifying to is you cannot say that they
10:00:13 20 did not come from Libya, correct?

21 A. Well, I am saying that my testimony before these judges is
22 that I got arms from Burkina Faso. I do not know where they came
23 from.

24 Q. Let me repeat the question. You cannot say that they did
10:00:29 25 not originate in Libya, correct?

26 A. Well, I cannot say anything. I have said what I have said
27 in my answer. I do not know where they came from.

28 Q. Let's continue:

29 "On 20 September, in the most interesting experience of the

1 mission, we flew to the northern Cote d'Ivoire airport at Man.
2 There, joined by our ambassador to Abidjan, Kenneth Brown, we
3 boarded four-wheel-drive vehicles and crossed ten miles into
4 Liberia to meet with Charles Taylor. The most striking, and
10:00:59 5 frightening, aspect of Taylor's forest hideaway was the
6 overwhelming presence of heavily armed 14 to 16-year-old boys."

7 Now, that's true, isn't it, Mr Taylor? You have had
8 teenaged very young boys armed in your forces, correct?

9 A. That is not correct. That is the very reason why I
10 suggested that this document be brought forward. These are some
11 of the difficulties that we have out there in the international
12 community. In fact, Mr Cohen came into the town of Loguato.

13 Loguato is within a half kilometre of the border - not even a
14 half kilometre. It's on the border. He talks about it. And
10:01:43 15 what struck me to bring - to ask my counsel to bring this
16 document is that here is Mr Cohen meeting me, and he is saying
17 individuals around, and he comes up specifically with two age
18 groups. Never asked, Why aren't they 19 and 20 or 14 and 15?

19 Mr Cohen has the audacity to specifically state ages of
10:02:14 20 individuals that he's just seen, has never asked a question. I
21 just thought it was stupid. And this is why I said - we brought
22 this to demonstrate the way in which we get hurt out there by
23 people making assumptions, repeating it over and again, and then
24 eventually people begin to accept it. It is very foolish for

10:02:35 25 Mr Cohen to have made such determination without asking a single
26 question and not even knowing who he was meeting to just come up
27 with two ages. Why didn't he call ages below or above? That's
28 why we brought it; to show the folly involved in some of these
29 statements that people make. Totally I disagree with him.

1 Q. Mr Taylor, first, you understand 14 to 16 is an age range?

2 A. Of course I do, Mr Koumjian, I do. But why weren't they 12
3 to 14? Why weren't they 16 to 19? That's the question. So when
4 you come up with just 14 to 16, he knew exactly what he was

10:03:13 5 doing. And this was a part of the whole - everybody knows that
6 the ages 14 to 16 are what? Underaged individuals and these are
7 people that would be considered child soldiers. So what is
8 Herman Cohen doing? He is playing politics. That's why we asked
9 the question: Why aren't they above or below that particular
10:03:34 10 sequence that he gave? It's very foolish for someone - if he had
11 said: Well, I saw individuals that appeared to be at a
12 particular - you can't just come up with a number and you have
13 never asked a question. That's the point I am making.

14 Q. I will come back to this later. Mr Taylor, before I come
10:04:05 15 back to this - now in addition to Mr Cohen's, we have also seen a
16 document that you presented to the Court through a person that's
17 listed as your expert witness, an article about his time with
18 you, {redacted} - and I have forgotten his last name for the
19 moment. Do you recall that?

10:04:28 20 A. Well, I don't know what you are talking about, Mr Koumjian.

21 Q. Okay. Perhaps MFI-4 could be shown again to Mr Taylor.
22 Mr Taylor, I don't want to spend much time on this because it has
23 been covered already, but perhaps I will try to remind you.
24 {Redacted}.

10:05:08 25

26 A. Well, I am not sure, your Honours, whether --

27 PRESIDING JUDGE: Yes, just a minute, Mr Taylor. Yes,
28 Mr Griffiths?

29 MR GRIFFITHS: I am told that this particular individual

1 has been filed confidentially.

2 MR KOUJIAN: That's not correct, your Honour. The expert
3 witnesses were never protected and, your Honour, they were filed
4 openly. Those are the only witnesses whose names we have, are
10:05:32 5 the three experts.

6 PRESIDING JUDGE: We are going to obviously have to check
7 the records to see what the situation is.

8 Madam Court Manager, can you assist us on the status of the
9 filing of that document, please.

10:05:48 10 MS IRURA: Your Honour, the MFI was not tendered before the
11 Court confidentially.

12 MR KOUJIAN: Just to clarify for the Court Officer, what
13 we need is the filing of the Defence witness list. There are
14 some names not given, they are pseudonyms, and then the experts
10:06:07 15 are listed at the back, and I am saying that they are named.
16 Because according to the Court order, they are not covered by any
17 protective measure.

18 MS IRURA: Your Honour, if counsel could indicate the CMS
19 filing number.

10:06:22 20 MR GRIFFITHS: CMS 809 dated 10 July of this year.

21 PRESIDING JUDGE: Madam Court Manager, I did not catch what
22 you said before. Could you repeat it, please?

23 MS IRURA: Your Honour, I was enquiring about the CMS
24 filing number which counsel has now availed, so I will be able to
10:06:46 25 look and see if the document is filed confidentially.

26 MR KOUJIAN: Your Honour, my case manager indicates it was
27 confidential, and I am worried about the tape. I would like to
28 argue about this, but first I want to make sure that your Honours
29 make an order in the meantime. I do have a concern about whether

1 it should be confidential, but it is. Apparently, it was filed
2 confidentially.

3 PRESIDING JUDGE: All right.

10:07:33

4 MS IRURA: Your Honour, it appears to be a confidential
5 filing.

6 PRESIDING JUDGE: We are going to --

7 Mr Griffiths, we are going to obviously have to redact part
8 of that previous testimony. Just bear with us and we will see
9 what must come out.

10:07:46

10 MR GRIFFITHS: I am grateful.

11 PRESIDING JUDGE: We are going to order that the reference
12 on page 20 - and I won't mention a line, because I know we all
13 have different lines on our LiveNote - but the reference on page
14 20 to a name in relation to a document marked for identification
15 is to be redacted.

10:08:55

16 For any member of the public who happens to have taken a
17 note of that, I will order that name not be repeated outside this
18 Court.

19 MR GRIFFITHS: I am grateful.

10:09:12

20 PRESIDING JUDGE: Now, Madam Court Manager, have I given
21 you enough details for you to redact? All right. Thank you.

22 Yes, you can go on, Mr Koumjian.

23 MR KOUMJIAN: Thank you, your Honours. I don't want
24 to - this is probably not the time to debate it, but I would just
25 like to state the Prosecution position that these witnesses are
26 not covered under the protective measures order of this Court of
27 27 May 2009. I'll just move on.

10:09:31

28 PRESIDING JUDGE: All right. We are dealing with a
29 standing order at the moment, Mr Koumjian.

1 MR KOU MJIAN:

2 Q. Sir, one of the documents in evidence is MFI-4 from a man
3 who spent some time with you. Do you recall this document and
4 this individual?

10:10:04 5 PRESIDING JUDGE: I don't like to interrupt, Mr Koumjian,
6 but let's get this straight. That document's not in evidence; is
7 that correct? That's just been marked for identification at this
8 stage?

9 MR KOU MJIAN: I apologise if I used the word "in evidence".
10:10:21 10 I meant in the Court, sorry. Thank you.

11 Q. To clarify - I apologise, Mr Taylor - a document marked for
12 identification that was written by a man - and this has been
13 testified to by you before - Baffour Ankomah, who spent some time
14 with you. He spent about a month with you, correct?

10:10:40 15 A. Incorrect.

16 JUDGE DOHERTY: Has the name been repeated?

17 MR KOU MJIAN: The name has not - the name was - this was
18 all mentioned in the direct examination.

19 JUDGE DOHERTY: I see.

10:10:52 20 MR KOU MJIAN:

21 Q. Let me read to you, Mr Taylor, just to remind you, that
22 this article begins in a little summary in bold at the top and
23 says: "Baffour Ankomah spent a month behind the lines with
24 Charles Taylor and his forces in Liberia." Are you saying that
10:11:09 25 this article begins, the first sentence, with a lie?

26 A. Could you ask the question again? If it begins with a lie?

27 Q. Yes, sir.

28 A. No, I am responding, Mr Koumjian, to your question. Your
29 question was did this individual spend a month with me, and I

1 said no.

2 Q. Did this man spend a month with Charles Taylor and his
3 forces as stated in the first sentence?

4 A. That is correct, yes. I draw a distinction, yes.

10:11:43 5 Q. So I understood your argument about your former employee,
6 Mr Cohen, the difficulty of recognising 14 to 16 year olds.

7 Let's see what Mr Ankomah says. If we look at the bottom of the
8 first column, the paragraph that is incomplete at the bottom:

9 "Small boy soldiers, some as young as nine and ten years
10:12:09 10 old, would put a knife to the throat of some elderly Krahn man
11 and tell him, 'Papa, don't worry, it won't hurt you.' In another
12 minute his head would not be his."

13 Is Mr Baffour Ankomah telling the truth when he talks about
14 ten to twelve years old being with your forces - excuse me, nine
10:12:33 15 and ten year olds being with your forces?

16 A. Well, I have a disagreement with Baffour. But if we look
17 at the entire statement, you will see where Mr - where Baffour
18 talks about I was told and where he says he is - there is nowhere
19 I am reading this where this man is saying, "I saw small boys
10:12:56 20 soldiers", and he is a writer. This man is recounting

21 information that he received through hearsay and whatever. I
22 would - I disagree with him, and in fact he does not say that he
23 physically sees them. If you look at the paragraph before, I was
24 told that this, I was told that. So that's all hearsay. So I
10:13:18 25 disagree with what he has been told.

26 Q. Mr Taylor, would you agree that responsible journalists
27 only print what they have a good basis to print - a good factual
28 basis to print?

29 A. You are asking me, Mr Koumjian - Excuse me, your Honour - a

1 subjective question. Who is a - you know, that's subjective
2 really.

3 Q. Isn't it quite fundamental?

4 A. That's - I am just saying that - you are asking me if I
10:13:48 5 want to take a wild guess as to whether journalists in general -
6 there are some good journalists; there are some terrible
7 journalist; there are some sneaky journalists; there are all
8 kinds of journalists. So that's why I am saying it is
9 subjective. I do agree that are some very good ones that publish
10:14:07 10 the facts; that some people that rely on information that is not
11 true, later they withdrew it. There is recanting. So there is a
12 lot. So that's why I am saying your question is so subjective, I
13 don't know how to answer it. I can't help you with that.

14 Q. Were you providing any type of support to Mr Ankomah when
10:14:25 15 he was with your forces?

16 A. By "support", Mr Koumjian, what do you mean?

17 Q. I mean money, I mean housing, I mean food.

18 A. Well, let's take it one by one. Money, no. Housing, yes,
19 we would assist any journalist that came in the area. But we did
10:14:42 20 nothing that would interfere in their work.

21 Q. Let's go on, based on what you said about not having any
22 direct contact with these soldiers, and read the next sentence:

23 "Some teenage soldiers, both boys and girls, told me in
24 separate interviews that they just wanted to seek revenge for the
10:15:04 25 atrocities committed against their parents, whose dismembered
26 bodies were left to rot in the open by Doe's soldiers. One boy,
27 who is now 14 years old" --

28 PRESIDING JUDGE: Just one moment, Mr Koumjian.

29 Yes, Mr Griffiths.

1 MR GRIFFITHS: Mr President, I hesitate to interrupt my
2 learned friend, but if one goes to page 32303, transcript of 23
3 November 2009, we will see that the - precisely these questions
4 were asked by Ms Hollis. Quoting from the same thing:

10:15:41 5 "Question: Small boy soldiers, some as young as nine and
6 ten years old, would put a knife to the throat of some elderly
7 Krahn man and tell him, 'Papa, don't worry, it won't hurt you.'
8 In another minute his head would not be his."

9 Further question and he goes on: "Some teenage soldiers
10:16:02 10 both boys and girls told me in separate interviews that they just
11 wanted to seek revenge."

12 The exact same line of cross-examination gone through on 23
13 November of this year, we are now in December and we are
14 repeating the same cross-examination. My question is quite
10:16:22 15 simple: Why?

16 PRESIDING JUDGE: Yes, Mr Koumjian.

17 MR KOUMJIAN: Your Honour, the accused in his testimony
18 regarding Mr Cohen gave an explicit explanation or rebuttal
19 regarding why he thought Mr Cohen couldn't talk about the ages of
10:16:42 20 children. It then became relevant to point out that this other
21 witness who had spent a month with his forces gave the ages even
22 younger of soldiers he had directly talked to. So it's directly
23 in response to what Mr Taylor said about Mr Cohen, which we
24 didn't have before. I tried to cover this quickly, as I said
10:17:03 25 when I began with MFI-4.

26 PRESIDING JUDGE: Mr Koumjian, there is no need to go over
27 the same evidence again. You can frame your questions so that
28 you don't have to repeat what has already been asked. And in the
29 interest of saving time, I would ask you to either ask some

1 questions on today's evidence on that point or move on.

2 MR KOUMJIAN:

3 Q. Mr Taylor, do you understand that Mr Baffour Ankomah
4 actually had talked individually with children and gave their
10:17:49 5 exact ages?

6 A. Your question is do I understand?

7 Q. Yes.

8 A. I understand.

9 PRESIDING JUDGE: Well, just in case there is some
10:18:01 10 confusion there, Mr Koumjian, you are asking does he understand
11 that situation or does he know?

12 MR KOUMJIAN: I am saying understand based on the written
13 article that was presented, MFI-4. I am not asking him if he was
14 present, no.

10:18:23 15 THE WITNESS: Well, as far as I understand the question,
16 your Honours, I understand his question to mean as do I
17 understand the language here and I do understand it. Now I think
18 your question is relevant as to whether I agree or disagree with
19 this, I disagree with him, but I thought your question referred
10:18:41 20 to my comprehension of the paragraph.

21 MR KOUMJIAN:

22 Q. Let me go on in this article to another area very quickly.
23 Let's turn to page 155. This morning, Mr Taylor, you were
24 talking about what areas you controlled in the fall of 1990.

10:19:07 25 Excuse me, perhaps "fall" is not a good word to use when we are
26 talking about West Africa. In approximately September of 1990.
27 In the first full paragraph, starting with the second sentence:

28 "Trying to take advantage of the informal ceasefire, ECOWAS
29 called for political negotiations in Freetown on 27 September,

1 but Taylor refused to attend. Apparently because of the US
2 absence. With no peace talks, ECOMOG had to undertake a limited
3 military offensive, because NPFL lines were too close to the
4 port. Their guns could hit any part of the ECOMOG contingent."

10:19:49 5 Is that true, Mr Taylor, that at that time in September
6 1990 your weapons could hit any part of the ECOMOG contingent in
7 Monrovia?

8 A. I would say that's true. I do not know what weapons
9 Mr Cohen is speaking about, but so we can move on, to help these
10:20:10 10 judges, if he is speaking about long range artillery, yes, but
11 when he just says weapons could whatchamacall, long range
12 weapons, yes. Just so we can move on, yes.

13 Q. Let's move on to page 157. I am going to the second full
14 paragraph and the third sentence:

10:20:49 15 "Taylor and his NPFL developed economic interests in
16 territories they controlled. International firms made deals with
17 him for the illicit export of timber and minerals. As more time
18 went by without a government, and with many young boys becoming
19 brutalised by living with guns, negotiating a settlement became
10:21:13 20 all the more difficult."

21 Sir, I am interested in the first sentence I read: "Taylor
22 and his NPFL developed economic interests in territories they
23 controlled." Is that true?

24 A. Well, to an extent, even though I don't know what he means
10:21:29 25 by developed interest, if by developing interests he means that
26 we collected taxes and sold items that I have mentioned to this
27 Court, yes. Beyond that, I don't know what he is talking about
28 but I have testified that we sold timber left at the port and
29 individuals that sold timber and rubber, you know, we sold and in

1 some cases received taxes. To that extent I would agree with
2 what he says.

3 Q. So you controlled the resources in areas controlled by the
4 NPFL of timber and rubber. I believe you told us also about the
10:22:08 5 rubber that was sold, correct?

6 A. Yes, when you say - yes, we had access to the resources, we
7 didn't control them because the business people were still doing
8 their work, but we had access. Control to the extent that we -
9 you know, they are in the territory, yes.

10:22:29 10 Q. Well, did you receive revenue from timber and from rubber?

11 A. Yes, we did.

12 Q. Did you receive revenue from any other resources and
13 territories you controlled?

14 A. No, no. Those were the two principal ones.

10:22:42 15 Q. Throughout your time as leader of the NPFL prior to
16 becoming President, what sources of - I don't want to repeat some
17 areas, so let me requalify this. You talked yesterday about some
18 sources of revenue for the government, the NPRG?

19 A. That is correct.

10:23:08 20 Q. One area I want to ask you about is telecommunications. In
21 the NPRG area did you control any telecommunications capability?

22 A. No, none whatsoever.

23 Q. Was there any fixed landlines company that you controlled?

24 A. No. There were no fixed landlines in the entire area, no.

10:23:30 25 Q. When you became President of Liberia was there a telephone
26 company operating in Liberia?

27 A. Yes.

28 Q. And what was the name of that telephone company?

29 A. We had the Liberian Telecommunications Company, LTC. It is

1 one of the autonomous agencies of government in Liberia. The
2 landline company in Liberia was controlled by an autonomous
3 agency of the Liberian government. There was no external company
4 operating landlines.

10:24:04 5 Q. Was there any private company operating?

6 A. Landlines? No.

7 Q. Was there any private company operating, or government
8 company, satellite phone service?

9 A. Immediately upon my election, no. Somewhere I think in
10 '98, '99, we started pushing forward for satellite. Well, not
11 satellite. What you call mobile telephone services.

12 Q. My question right now is specifically with satellite phone
13 service.

14 A. No.

10:24:46 15 Q. Sir, did you ever have any relationship, or your
16 government, or any entity you controlled, with Inmarsat?

17 A. Inmarsat? Yes, yes. I think Inmarsat worked with the
18 maritime services, yes.

19 Q. In fact Inmarsat continues - there continues to be a
10:25:09 20 relationship with LISCR, isn't that correct?

21 A. Well, I don't know. I'm in jail now. But Inmarsat did
22 some work but not as a - not stationed in Liberia. What Inmarsat
23 did not have something like a fixed operation in Liberia.
24 Because of the maritime programme, they managed Inmarsat
10:25:31 25 activities around the world but it was not internal to Liberia.

26 I remember Inmarsat, yes.

27 Q. Did you or any entity that you know of in Liberia have an
28 ownership interest in Inmarsat?

29 A. Not to my knowledge, no. Me, no. No, Inmarsat was I think

1 managed by interest the maritime programme. I would say LISCR to
2 that extent, yes. But to an individual, no, not that I know of.

3 Q. So you are saying that - for those who don't know it, can
4 you explain what Inmarsat is?

10:26:06 5 A. Inmarsat is a satellite organisation that launches or buys
6 space on orbiting satellites in space where they give, I
7 understand, uplinks and downlinks for telecommunication. Now,
8 they operate around the world and they operate handheld satellite
9 telephones. So anyone who buys it from anywhere can operate a
10:26:39 10 satellite phone. That's as much as I know about it.

11 Now, under the maritime programme of Liberia, Inmarsat is
12 one of those shell companies that is operated under our maritime
13 programme, to the best of my understanding of it.

14 Q. Sir, what is the Liberian Communication Corporation?

10:27:03 15 A. Liberian Communication Corporation is LTC. I don't know.
16 I know Liberian Telecommunication, I don't know about Liberian
17 Communication Corporation. I don't know that

18 JUDGE SEBUTINDE: Could we have the spelling of that
19 Inmarsat, please?

10:27:25 20 MR KOUJIAN: I-N-M-A-R-S-A-T:

21 Q. Just talking about your attacks on Monrovia, there was
22 another attack that was called Octopus in 1992, correct?

23 A. That is correct.

24 MR KOUJIAN: I would like to distribute another document
10:28:32 25 to your Honours and the accused. It's just entitled "John T
26 Richardson". It is two pages from a book which is called "Long
27 Story Bit By Bit Liberia" and I would also like to distribute the
28 cover page of the book so we know where it came from, so everyone
29 knows where it came from.

1 PRESIDING JUDGE: Yes, Mr Griffiths.

2 MR GRIFFITHS: Mr President, may I inquire whether this is
3 a document which was exhibited during the course of the
4 Prosecution case?

10:29:06 5 PRESIDING JUDGE: It's a new document?

6 MR KOUMJIAN: Yes, this is a new document.

7 PRESIDING JUDGE: What's the purpose of using it,
8 Mr Koumjian.

9 MR KOUMJIAN: Specifically to rebut, to impeach Mr Taylor's
10:29:20 10 testimony regarding- well, I am going to tip it off, but
11 regarding specifically intestines and the display of intestines
12 at checkpoints.

13 PRESIDING JUDGE: It's to impeach the witness's
14 credibility?

10:29:35 15 MR KOUMJIAN: Yes.

16 PRESIDING JUDGE: You should be supplied with a copy,
17 Mr Griffiths.

18 MR GRIFFITHS: I would like to see a copy of it, please.
19 Mr President, whilst somebody else on the team looks at this
10:30:24 20 document, can I request that if, as suggested by Mr Koumjian, the
21 purpose of admitting this document is to impeach prior testimony
22 given by this witness, as I understand the procedure to be
23 adopted in such a situation, counsel must first identify the
24 testimony given by the witness and then and only then can we
10:30:48 25 judge whether or not this material truly is capable of impeaching
26 that prior testimony. That is the normal procedure since
27 Denman's Act in the mid 19th century.

28 PRESIDING JUDGE: Well, that's what we anticipated,
29 Mr Griffiths. Mr Koumjian has already said that the document is

1 going to be used to impeach the witness's credit, and the normal
2 meaning of that is impeach something the witness has said.

3 MR GRIFFITHS: Mr President, yes. But it seems to us that
4 he should identify particularly when and where it was.

10:31:26 5 PRESIDING JUDGE: Well, I am not arguing with you there. I
6 am agreeing with you.

7 MR GRIFFITHS: I am grateful.

8 MR KOUMJIAN: Your Honour, our position is that not - that
9 when your Honours obviously have a doubt about what was said, we
10:31:44 10 would have to refer to the transcript. But given that we now
11 have 32,000 pages of transcript and over 8,000 pages of
12 Mr Taylor's testimony, I don't think it would be efficient in
13 every case to have to refer to an exact quote from the transcript
14 if it's obvious. But I do have one in this case, so perhaps I
10:32:06 15 can move on.

16 JUDGE SEBUTINDE: Mr Koumjian, I, for one, don't understand
17 how you can challenge a witness on what he said from your memory
18 and from everybody's memory or even from his memory. We always
19 listen to challenges of witness testimony based on what is
10:32:22 20 written. And so I, for one, would expect you to say on this day
21 you say thus and thus with the transcript in front of us, but now
22 I put it to you that the situation is different, and then you
23 give him the document. But it seems one [microphone not
24 activated].

10:32:45 25 MR KOUMJIAN: Well, your Honour, no. In fact, in this case
26 I am prepared to give the exact transcript. But I do think in
27 some cases it would be very time consuming in every single case
28 to refer back and read the transcript. It would delay the
29 proceedings. But in this particular case I would refer and ask

1 the witness to be shown the transcript from 16 July, page 24623.
2 Again, that's 16 July, page 24623 and beginning on line 26.

3 JUDGE SEBUTINDE: Mr Koumjian, to save time, exactly what
4 is Mr Taylor supposed to have said in that part that you have
10:33:46 5 cited?

6 MR KOUMJIAN: Thank you. I could read it. May I proceed
7 then? Yes.

8 Q. Mr Taylor, I am reading from the transcript, page 24623
9 beginning at line 26, your testimony. You said:

10:34:00 10 "I saw nothing wrong with using skulls. It's a blatant,
11 diabolic lie that I, Charles Ghankay Taylor, or anyone, because
12 of the discipline we had, would drive by a human head and
13 intestine. But let's think about it for a minute. How long
14 would an animal intestine last? How long? If you even took an
10:34:23 15 animal, say a sheep or a goat intestine, and tied it up in the
16 sun, within a few hours it would probably be disintegrated. It
17 is total nonsense just to try to advertise and make this big
18 publicity as though people are brutes and savages."

19 Sir, do you recall giving that testimony?

10:34:46 20 A. Excuse me, your Honours --

21 MS IRURA: Your Honour, the page quoted is not the one in
22 the transcript. If counsel could please repeat the page number?

23 MR KOUMJIAN: What I have is 24623 - excuse me, it begins
24 on 24622, the last three lines, and the rest is 24623. So it
10:35:15 25 begins the last lines of 24622 from 16 July. I apologise.

26 Q. Do you remember giving this testimony, Mr Taylor?

27 A. Yes, I do.

28 Q. Do you remember whose testimony you were commenting on at
29 the time?

1 A. No, I do not.

2 Q. Do you recall Zigzag Marzah talking about intestines at
3 checkpoints?

4 A. That is correct.

10:35:44 5 Q. Sir, you have talked about John T Richardson, correct?

6 A. Yes, I talked about him.

7 Q. He is someone very close to you?

8 A. Yes.

9 Q. How long was he with your forces?

10:35:57 10 A. Not with my forces. John Richardson was with the
11 organisation from about, I would say, '93.

12 Q. Okay. From 1993 until you left the presidency, correct?

13 A. That is correct.

14 Q. What was he doing before 1993?

10:36:24 15 A. Mr Richardson is an architect.

16 Q. In fact, Mr Richardson was with you at the time of - let me
17 take that back.

18 Let us look at this document that has been distributed.

19 And I don't know if your Honours want to give it an MFI --

10:36:47 20 JUDGE SEBUTINDE: There is an outstanding objection. Did
21 the Defence not ask to study this?

22 MR GRIFFITHS: [Microphone not activated].

23 PRESIDING JUDGE: You read it, Mr Griffiths. We have to be
24 satisfied that the document does not contain evidence that goes
10:37:03 25 to proof of guilt of the accused. If it does, then it hasn't
26 complied with our order.

27 MR GRIFFITHS: Precisely.

28 MR KOUMJIAN: Your Honour --

29 PRESIDING JUDGE: I am sorry, Mr Koumjian. I might add

1 this: That thus far the Trial Chamber has refrained from looking
2 at the document at all in case it does contain such material.

3 Yes, Mr Koumjian.

10:37:29

4 MR KOUMJIAN: Your Honours, specifically the only portion
5 that I am going to read is in italics on the second page. It
6 consists of six lines and it's the insert.

7 PRESIDING JUDGE: We don't have the document, so we will
8 wait to hear from Mr Griffiths. Mr Griffiths?

10:38:50

9 MR GRIFFITHS: Mr President, the difficulty we have is
10 this: This is supposed to be an extract from a book, we are
11 told, but these pages appear unpaginated, and the particular
12 quote that my learned friend seeks to rely upon appears in such a
13 way that without looking at the original, it's difficult for us
14 to agree to the authenticity of this document. I am sorry.

10:39:14

15 PRESIDING JUDGE: Well, that's not what we are asking you.
16 We are not asking about authenticity. We are concerned as to
17 whether there is information in there that goes beyond a mere
18 impeachment of the witness's credit and goes on to proof of
19 guilt.

10:39:31

20 MR GRIFFITHS: Well, Mr President, if my learned friend is
21 seeking to rely upon merely the passage in italics on the second
22 page, I could see its relevance in terms of impeaching - or
23 supposedly impeaching prior testimony by the witness. And it may
24 be that whatever arguments we have will go, in due course, to
10:39:54 25 whether or not the document should be admitted. Because I
26 anticipate from what was said by Mr Koumjian that that's the
27 preferred course to be adopted by the Prosecution. So perhaps I
28 ought to shut up at this point and wait and see what he intends
29 to do in due course.

1 PRESIDING JUDGE: Well, I think we may - we will have a
2 look at the document now.

3 MR KOUMJIAN: Again directing your Honours: The quote
4 appears on the left page in italics to the left of the main
10:40:30 5 column of text.

6 PRESIDING JUDGE: Mr Koumjian, we have been given two
7 documents here; is that correct? Should we have two? We have
8 got one of John T Richardson and another document called Long
9 Story Bit By Bit.

10:40:57 10 MR KOUMJIAN: Your Honour, the Long Story Bit By Bit is
11 simply the cover page and, I think the inside page of the book,
12 just to help everyone identify where it came from. Perhaps that
13 would be one document so we can identify where this came from.

14 JUDGE SEBUTINDE: Mr Koumjian, the bit that you want to
10:41:38 15 refer to is where exactly in these five pages?

16 MR KOUMJIAN: Your Honour, there's two pages: It says
17 "John T Richardson", and it's on the second page. Just to the
18 left is a small italic quotation that ends with "John T
19 Richardson".

10:42:13 20 PRESIDING JUDGE: That's what you are going to question on.

21 MR KOUMJIAN: Yes.

22 PRESIDING JUDGE: Yes, ask your question, Mr Koumjian.

23 MR KOUMJIAN:

24 Q. Mr Taylor, I am putting to you a quotation that is
10:42:25 25 reportedly, according to the footnote, taken from an interview
26 with Mr Richardson - and this is not before the Court, but I can
27 provide it to counsel. April 1996 is the date:

28 "What journalists have failed to point out is that this
29 time, unlike previous fighting in Monrovia" --

1 MR GRIFFITHS: I am sorry, Mr President. You know, it's
2 not for counsel to be providing the Court with evidence.

3 PRESIDING JUDGE: That's right.

4 MR GRIFFITHS: If there is material which dates this - and
10:42:57 5 one of the issues there is when is Mr Richardson referring to -
6 it would be helpful if we had been provided with copies which
7 supplied us with all the surrounding circumstances to be able to
8 make this evaluation. But then counsel adds through his own
9 mouth that evidence. That cannot be right.

10 PRESIDING JUDGE: Yes, you will have to rephrase that
11 question, Mr Koumjian.

12 MR KOUJIAN: And I do have the book for counsel's
13 inspection today, but of course, I agree, we should have provided
14 a photocopy of that footnote.

10:43:33 15 Q. Sir, Mr Richardson is quoted as saying the following:

16 "What journalist have failed to point out is that this
17 time, unlike previous fighting in Monrovia, the civilians have
18 not really suffered ... In the past, fighters would rip out
19 people's intestines and put them up to string up roadblocks or
10:43:53 20 cut off people's heads. This time there has been none of that."

21 So, Mr Taylor, wouldn't John T Richardson, who you say was
22 with your forces after 1993, be in a position to talk about
23 checkpoints in Liberia?

24 A. Well, I don't know. I have difficulty. I haven't even
10:44:19 25 seen the document myself of what is referred to. But your
26 question is would he have been in a position. I do not know what
27 period Mr Richardson is talking about or where he saw this
28 happen. Your question assumes that he is seeing this behind
29 rebel lines when he is with me, so I don't know. Where is he

1 talking about in this document? I can't comment on it.

2 PRESIDING JUDGE: Mr Taylor, we were not aware that you had
3 not the document in front of you.

4 THE WITNESS: No, I don't.

10:44:47 5 PRESIDING JUDGE: You should be given that, and please read
6 it so that you understand the questions being asked. Now,
7 Mr Koumjian is referring to that brief quotation on the left
8 there.

9 THE WITNESS: Okay. Okay. I have read it, your Honour.

10:45:27 10 MR KOUMJIAN:

11 Q. Mr Taylor, is it still your position that it is total
12 nonsense for anyone to talk about seeing intestines strung up at
13 roadblocks?

14 A. Well, you know, I don't know. This looks like it's going
10:45:42 15 to be a long day, because my - the reference being made here, if
16 I am looking at it, I am saying that it is total nonsense that
17 somebody would say that I would drive by these things.

18 Now what Mr Richardson here is referring to, again he is
19 referring to Monrovia. Okay. He is in Monrovia or thereabouts
10:46:04 20 before. Mr Richardson is saying that what journalists are afraid
21 to point out is that this time, unlike previous fighting in
22 Monrovia. Mr Richardson is in Monrovia before he joins me. I
23 cannot comment on what Mr Richard has said about what happened in
24 Monrovia because Krahn and other people in Monrovia were killing
10:46:24 25 other tribes. I do not, in my understanding, understand this as
26 Mr Richardson's account or what is alleged to be his account of
27 happening while he is with the NPFL.

28 Q. Sir, my question is about intestines at checkpoints. You
29 said it was nonsense that they would dry up. They couldn't do

1 it. Mr Richardson talks about that having occurred in previous
2 fighting.

3 JUDGE SEBUTINDE: But, Mr Koumjian, sorry to interrupt.
4 The prior testimony that you seek to impeach was within a given
10:46:59 5 time frame, namely during Mr Taylor's tenure as leader of the
6 NPFL. This particular text, for my own part I cannot place it in
7 time. In fact, if I were to read it in the ordinary sense and
8 meaning, it would tend to exonerate Mr Taylor to appear to say
9 that in the past, before Mr Richardson was with Mr Taylor and his
10:47:28 10 forces, these things used to happen, but now that he is with
11 Mr Taylor, this time there has been none of that. And that to me
12 would seem to corroborate the earlier testimony that you seek to
13 impeach.

14 MR KOUMJIAN: Your Honour, respectfully I --

10:47:46 15 JUDGE SEBUTINDE: Because there are no time frames attached
16 to these things. I know there is a time frame attached to the
17 prior testimony that Mr Taylor gave and that Mr Zigzag Marzah
18 gave, but there is no time attached to this quote.

19 MR KOUMJIAN: Your Honour, just to explain myself. There
10:48:08 20 wasn't a time frame in my view with Mr Taylor's testimony. He
21 was talking about the physical impossibility of using intestines
22 at roadblocks and that was what --

23 JUDGE SEBUTINDE: During his time. This is how I
24 understood the prior testimony.

10:48:22 25 MR KOUMJIAN: I understood that if it's physically
26 impossible during his time because of disintegration --

27 JUDGE SEBUTINDE: That was not the testimony.

28 MR KOUMJIAN: I will move on, your Honour:

29 Q. Mr Taylor, let me just ask one other question. Is it still

1 your point of view that it's physically impossible, because
2 intestines dry up, to stretch them across a roadblock?

3 A. Well, that was not - you know, again it's subjective. I
4 really would need more help to know what you mean by is it
10:48:59 5 physically impossible.

6 Q. Well, what you said is that, "Even you took an animal, say
7 a sheep or goat intestine and you tied it up in the sun within a
8 few hours it would probably disintegrated"?

9 A. Well, based on the testimony that had been given by Marzah
10:49:18 10 and the length of time involved, what I was going through a
11 conversation in explaining, then you get into science and
12 medicine and all that kind of stuff. But I do not think I was
13 discussing the impossibility of a string, I mean an intestine. I
14 was describing the impossibility of time.

10:49:44 15 Q. Sir, I am going to move on to another area. You talked
16 about your presidential boat being brought to Nigeria, correct?

17 A. Yes, that is correct.

18 Q. And you said it was given to you. Who gave it to you? Do
19 you remember today who it was?

10:49:58 20 A. I have said a Greek shipping magnate, I don't quite recall
21 his name, gave me that boat as I told the Court as a birthday
22 present.

23 Q. What was your relationship with this Greek shipping
24 magnate?

10:50:12 25 A. I had no personal relationship. This was one of the
26 individuals that were doing - that had I think the largest or one
27 of the largest number of ships registered under the Liberian
28 flag.

29 Q. You said it was brought to Nigeria. Who paid for bringing

1 the boat to Nigeria?

2 A. I don't - it was sent by someone, I don't know, from my
3 office. One of the individuals. I think it may have been Kai or
4 someone else that paid for it. My whole family was in Nigeria.

10:51:00 5 Q. How many times had you met the man that gave you the boat?

6 A. I had never met him in my life.

7 Q. Sir, you told us testified previously, correct me if I am
8 wrong, that basically you had nothing to do with the operation of
9 the ship registry. Is that correct?

10:51:17 10 A. By did you, you mean me personally or the Government of
11 Liberia? You could be --

12 Q. I mean you personally.

13 A. I had nothing personally to do with it, none.

14 Q. In fact you have testified that the registry was managed by
10:51:30 15 a firm in the US and the Liberian government would receive a
16 portion of revenue, correct?

17 A. It is still that way. From the beginning until now. Yes,
18 I testified to that, yes.

19 Q. Can you help us, is there any particular reason you would
10:51:43 20 see why this man who had never met you would give you a boat
21 simply because you are the President of Liberia, or for what
22 reason can you imagine that he would give you the boat?

23 A. For the very reason you just mentioned, I was President of
24 Liberia. That's the reason. If you look at the situation,
10:52:00 25 Mr Koumjian, in a western prism, like P-R-I-S-M, you would you
26 would be looking at it wrong. You would be looking at it - in
27 our neck of the woods, large corporations, big business people on
28 special days do give gifts to leaders. So it is not unlawful in
29 our part of the world. I have never met this man before, my

1 birthday came and he gave me a boat.

2 Q. Which year was that, Mr Taylor?

3 A. I think that boat came, what, probably in '99, 2000. I
4 think in '99. This is not a ship, ow. I am not talking about
10:52:44 5 some luxury ship. This was - I think it was a 40, 45-footer boat
6 that was given to me.

7 Q. Who paid for the boat to be kept, to be stored?

8 A. That's the very problem right now. That's why I say I
9 don't know when I told the judges. The boat was sent to me from
10:53:10 10 Monrovia at the port of Lagos. I was having serious financial
11 problems in Nigeria. I did not have - in fact they were charging
12 like 1, 2 million naira to clear the boat. I did not have the
13 money. I was trying to get my friend Obasanjo to clear the boat
14 or the governor of Cross River State. They never cleared it. It
10:53:34 15 stayed there I think for almost two years and they - from what I
16 understand, the costs went up and went up and went up until by
17 the time of my arrest out of Nigeria the boat was still where I
18 think it was. So right now the best people that could account
19 would probably be the state of what they call it Lagos State.
10:53:59 20 But I really don't know. The boat should still be there and,
21 like I said to this Court, I will still claim ownership to the
22 boat but I do not know what has happened to it. It should still
23 be there.

24 PRESIDING JUDGE: Just a minute, Mr Koumjian. Just so that
10:54:13 25 I can understand the point you are making, what type of boat was
26 it?

27 THE WITNESS: It's one of these small luxury, something
28 like a small yacht, 40, 45-footer, that you sail in. It's
29 enclosed. It has a place you can sleep, eat and everything. But

1 it's not like a big ship. It's about a 40, 45-footer.

2 PRESIDING JUDGE: With sails, did you say?

3 THE WITNESS: No, not with sails. It has twin motors. Two
4 twin horsepower motors.

10:54:53

5 MR KOUMJIAN:

6 Q. Sir, did anyone else give you any boats?

7 A. No, no, that's the only boat.

8 Q. Did you own any other boats in your life?

9 A. No, none.

10:55:04

10 MR KOUMJIAN: Could I have a document distributed, please,
11 two-page document. And it again is from the same book, "Long
12 Story Bit By Bit". We will not redistribute the front page.

13 Your Honour, in the meantime the last document that was
14 distributed, perhaps we should mark it with an MFI number. We
10:55:34 15 actually distributed the John T Richardson, the second page has
16 the quote. The first page is only included to identify him. We
17 also gave you the front page, an inside page from the book.
18 Perhaps all of that could be marked with one number for
19 identification?

10:55:58

20 PRESIDING JUDGE: Do you have an MFI number, Madam Court
21 Manager?

22 MS IRURA: Your Honour, it would be MFI-302.

23 PRESIDING JUDGE: Obviously from time to time in view of
24 our order on Monday there are going to be documents used by the
10:56:25 25 Prosecution, but we will adopt the same format in each case. The
26 Bench will not see the documents until they have been shown to
27 the accused and to the Defence and until we have heard from the
28 Defence we are not going to look at the document.

29 Mr Koumjian, when you produce the document, please say the

1 purpose for which you intend to use it.

2 MR KOUMJIAN: Could I been heard on that, your Honour?

3 PRESIDING JUDGE: Yes, I am asking you now, actually.

4 MR KOUMJIAN: This particular document is for impeachment
10:56:59 5 but it's the Prosecution's position that the issue of whether the
6 document will be used to go to guilt in addition is something to
7 be decided at the time of admission after consideration of all
8 testimony regarding the document. Your Honours being
9 professional judges can always separate the purpose for which
10:57:24 10 evidence is admitted. Even in lay juries they are sometimes
11 given instructions that they can only consider evidence for
12 specific purposes.

13 So our position is that the purpose in which we will ask
14 the Court - if we will ask the Court to admit it for any other
10:57:43 15 purpose other than impeachment, that they will identify that at
16 the time of admission when we argue whether the document should
17 be admitted at all and, if so, for what purpose.

18 PRESIDING JUDGE: That's not in accordance with our order,
19 Mr Koumjian. If this document contains evidence that goes to
10:57:59 20 proof of the guilt of the accused it should have been served.

21 MR KOUMJIAN: I understand that. That's correct.

22 JUDGE SEBUTINDE: Regardless of your intention.

23 MR KOUMJIAN: Correct. I understand that's the order.

24 JUDGE SEBUTINDE: So what is your answer to the previous
10:58:14 25 query by the Presiding Judge, what it is that you intend to use
26 this second document for? And in accordance with the prior
27 practice, what testimony are you impeaching?

28 MR KOUMJIAN: Impeaching the testimony the witness gave
29 yesterday and today regarding where he got the boat.

1 PRESIDING JUDGE: Just before we leave the point, you have
2 asked for the previous document to be marked. That is now marked
3 MFI-302. It's a document by the Prosecution and entitled "Long
4 Story Bit By Bit". I understand you want that as one document,
10:59:03 5 Mr Koumjian, or do you want it to be A and B?

6 MR KOUJIAN: Whatever your Honours believe would be most
7 efficient. I really don't have a preference.

8 PRESIDING JUDGE: All right. The publication details, the
9 title part, will be MFI-302A and the part about John Richardson
10:59:34 10 will be MFI-302B. Yes, Mr Griffiths.

11 MR GRIFFITHS: Having now had an opportunity, your Honours,
12 of looking at this document, I can understand why Mr Koumjian
13 alerted us to the fact that it might also be introduced as being
14 probative of guilt because there is material contained in the
11:00:02 15 document which places it within the second category identified by
16 your Honours in your Honours' decision handed down yesterday.

17 It seems to us that in compliance with your Honours' orders
18 this document should have been disclosed immediately as suggested
19 in the decision so that issues such as whether there are
11:00:29 20 exceptional circumstances justifying its late admission could be
21 addressed and argued in due course. So it seems to us that it is
22 premature for the Prosecution to be relying on this document and
23 rather this document should form part of those documents to be
24 disclosed to us pursuant to your Honours' order.

11:00:50 25 And Mr President, whilst I'm on my feet can I make this
26 observation. During the course of the Prosecution case, when we
27 sought to deploy material in cross-examination of a Prosecution
28 Witness, we did provide the courtesy to the Prosecution of
29 providing them with a bundle of such documents at the outset of

1 our cross-examination.

2 What we have now is a situation where piecemeal documents
3 are being produced and we are having to look at them on this ad
4 hoc basis. It seems to us that if my learned friend does intend
11:01:30 5 to produce other documents during the currency of his
6 cross-examination of the witness, then perhaps we ought to be
7 given copies so that we can be addressing these issues well in
8 advance.

9 PRESIDING JUDGE: We did say we would deal with it on a
11:01:47 10 case-by-case basis. If the Prosecution wishes to provide you
11 with bundles, no doubt they will. It certainly would save time.

12 But in relation to the objection, Mr Koumjian, do you wish
13 to reply to that? And the objection is that the document does
14 contain material going to proof of guilt of the accused and
11:02:07 15 therefore should have been served on the defence before any
16 attempt was made to use it.

17 MR KOUMJIAN: Your Honour, our position is the document
18 does not contain evidence that goes to the guilt of the accused
19 of the charges with which he is facing. It is - it does contain
11:02:23 20 evidence which impeaches his testimony, and therefore it's not in
21 violation of the order given by the Court the other day for us to
22 use this now, not having previously been disclosed.

23 In particular, just so everyone - counsel's directed, what
24 I intend to put it the witness - I am not going to read it all of
11:02:45 25 it right now. I am certainly not going to read all of it. It's
26 the last seven lines that begins with "one of the". It's in the
27 middle of the seventh line after - all that begins after it says,
28 "And they were quite right". That's what I propose to read.

29 PRESIDING JUDGE: I didn't mean to interrupt.

1 MR KOUMJIAN: This is just a bit of an aside. As far as
2 counsel's observations and memory of what the Defence practice
3 was, our memory is different. While the Defence handed out often
4 bundles of previous witness statements, our witness statements to
11:03:25 5 the Prosecution, they did not give us documents that they were
6 putting to the accused. We did have that agreement, and at one
7 time we brought it up to your Honours, and your Honours said this
8 is between - that we felt it was being violated. Your Honours
9 said it's a matter of courtesy between counsel to be worked out.
11:03:42 10 Specifically, I think we all remember the playing of a video
11 regarding ECOMOG atrocities early in the trial - I don't want to
12 say more because it was a protected witness - where the
13 Prosecution had no copy or knowledge of that until the "play"
14 button was pushed. So given that practice of the Defence, we are
11:04:03 15 going to use the same practice that they applied in our case.

16 JUDGE SEBUTINDE: Mr Koumjian, if I may say this: The
17 different - and we tried to say this in our decision yesterday.
18 There is a difference between the accused testifying as a witness
19 and other witnesses, whether they be Prosecution or Defence
11:04:25 20 witnesses; namely, that he enjoys fair trial rights, unlike any
21 other witness, who doesn't enjoy fair trial rights. So the way
22 you approach evidence that is put to him will be different
23 because of the fair trial rights that he enjoys. And I think
24 there is nothing wrong in the suggestion that at the beginning of
11:04:47 25 the day, if you have these documents sorted out that you intend
26 to use, we know you don't have an obligation to disclose them
27 prior, but it would be courteous and it would save time if you
28 would then just pass them over to the other side. Because look
29 how much time we are spending in this kind of acrobatics with

1 these - piecemeal examination of these documents.

2 MR KOUMJIAN: Well, we would like to do anything to avoid
3 the arguments each moment over each use of document, but I don't
4 know if handing these copies to the Defense beforehand would
11:05:25 5 avoid those arguments. Sometimes your Honour, for example, in
6 this document, the testimony was just given, the direct - some
7 was given yesterday, but it was clarified today based on his
8 answers. Otherwise I wouldn't have used this, depending on what
9 he answered today.

11:05:41 10 PRESIDING JUDGE: Look, I would like to get on with the
11 case. The current dissension is that the Defence says that the
12 document contains evidence going to the guilt of the accused; the
13 Prosecution says it does not. I would now like to see the
14 document to make a decision myself. Can I have a look at that
11:06:01 15 document?

16 MR GRIFFITHS: And to assist, Mr President, can I indicate
17 that our concerns relate to the matters dealt with in the first
18 paragraph on the second page of this document.

19 PRESIDING JUDGE: First paragraph of the second page?

11:06:23 20 MR GRIFFITHS: Of the second page.

21 PRESIDING JUDGE: We don't have any question at all about
22 the fact that that is probative of the guilt of the accused and
23 it should have been served, Mr Koumjian, in accordance with our
24 order. So you can't use it until the order is complied with.

11:07:32 25 MR KOUMJIAN: Your Honour, I don't know if your Honour has
26 ruled or wishes to hear further argument.

27 PRESIDING JUDGE: I just said you can't use it until the
28 order is complied with. So now you can move on.

29 MR KOUMJIAN: Thank you.

1 Q. Mr Taylor, let's talk about your granting citizenship to
2 Sam Bockarie and other members - former members of the RUF.
3 Under what authority did you do that?

11:08:17

4 A. The authority of the constitution of Liberia and
5 long-standing practice.

6 Q. So the constitution of Liberia allows you to do that - may
7 the witness be shown P-128.

11:09:02

8 Mr Taylor, I am going to have you shown a copy of the
9 constitution so you can point out to us where the constitution
10 gives you that authority.

11 A. I hope you remember my answer was: The constitution and
12 long-standing practices. That was my response. Bring the
13 constitution.

14 MS IRURA: Your Honour, I would require a bit of time to
15 locate that document, as it wasn't indicated earlier that it
16 would be used. A few moments to locate the document.

17 PRESIDING JUDGE: Well, while that document - has that
18 document been given to Mr Taylor now?

19 THE WITNESS: Yes.

11:12:02

20 PRESIDING JUDGE: Well, just before you are questioned on
21 it, Mr Taylor, it's become obvious to us that the present system
22 is going to waste a lot of time, and we are going to have to make
23 a direction in the interests of an expeditious trial, and that
24 direction will be as follows: That if the Prosecution intends to
25 use documents to cross-examine the accused, those documents that
26 are going to be used that day should be served on the Defence
27 before Court on the same day.

11:12:23

28 Is that clear, Mr Koumjian?

29 MR KOUMJIAN: Thank you, your Honour. That's clear. I

1 would ask for one clarification - or I think I know the answer,
2 but just so the record is absolutely clear. Is it clear that
3 these documents, when served on counsel, will not be shared with
4 the accused unless they have been identified as documents the
11:13:04 5 Prosecution wishes to use for guilt?

6 PRESIDING JUDGE: I said served on the Defence, didn't I?
7 Yes, served on the Defence counsel.

8 MR KOUMJIAN: Okay. I just wanted to make it clear - I
9 think it is - but that the Defence counsel cannot share the
11:13:28 10 documents with the accused.

11 PRESIDING JUDGE: Unless we give him access to the accused,
12 he can't do that, no. We haven't given him any such access at
13 this stage until we ascertain the nature of the documents.

14 MR KOUMJIAN: My understanding is the defence team had
11:13:46 15 access; simply they were not allowed to discuss evidence. I just
16 want to make --

17 PRESIDING JUDGE: We haven't established the status of the
18 documents, whether they are in category 1 or category 2, and all
19 I am saying is it saves time if the documents could be given to
11:14:00 20 the Defence at the start of the day so that they can prepare
21 either an objection or a consent to the use of the documents.
22 And we wouldn't know until we actually see the documents or hear
23 from the defence what category they are in.

24 MR KOUMJIAN: Well, your Honours will obviously make that
11:14:22 25 final determination, but the Prosecution will identify - that's
26 the exercise Ms Hollis is in the office working on now -
27 documents that we wish to ask the Court to admit for the purpose
28 - also for the purpose of guilt. So what we are saying is if we
29 have a document, for example, the one I was just unsuccessful in

1 using, we do not want that document to be shared with the accused
2 so that he could tailor his testimony to documents --

3 PRESIDING JUDGE: Mr Koumjian, you are confusing the
4 issues. The documents that we want served first thing in the
11:15:00 5 morning on the defence are documents you intend to use in
6 cross-examination that day. Now, category 2 documents, you
7 cannot say you are going to use them in cross-examination that
8 day because the Court may never give you permission to use them
9 at all. Are we clear on what documents we are referring to?

11:15:23 10 MR KOUMJIAN: Yes, and I am sorry that I am not clear. My
11 understanding is that the Defence has access to the accused
12 during the breaks and overnight for various reasons. I just want
13 the record to be clear that they cannot share documents which are
14 being used for impeachment with the accused.

11:15:40 15 PRESIDING JUDGE: Mr Koumjian, you are confusing things
16 here. Our order is very clear. We deal with this on a
17 case-by-case basis. We are not going to make any blanket orders.
18 We made it quite clear we will deal with on a case-by-case basis.
19 If a document falls within category 2 we will make the
11:16:02 20 appropriate orders, but all we want for you to do each morning is
21 serve the documents on the Defence that you intend to use in
22 cross-examination that day. Leave the rest to us, please.

23 THE WITNESS: I have seen the documents, your Honours.

24 JUDGE SEBUTINDE: Mr Koumjian, if I understand the concern
11:16:31 25 of the Prosecution, it is that these documents that you are going
26 to circulate at the beginning of every morning, you are afraid or
27 concerned that they may inadvertently or otherwise be shared with
28 the accused thereby perhaps coaching him on them.

29 Now I would like to allay your fears in this way: One,

1 there is an order of the Court and a standing order for the
2 accused not to discuss his evidence with counsel. With anybody,
3 including counsel. That is an ongoing order.

4 Now the only departure from that order is found in our
11:17:11 5 decision of yesterday which is that the documents that contain
6 material that goes to proof of the guilt of the accused, there
7 counsel has been given leave to access his client in order to
8 take instructions. So I don't see counsel on the opposite side
9 flouting those two rules. For me I think that covers your fears.

11:17:37 10 MR KOU MJIAN: Thank you. You have covered - that is
11 exactly my concern and I just wanted the record to be clear. I
12 think now it is clear enough for me. Perhaps it was already, but
13 it's even clear enough for me to understand it now.

14 PRESIDING JUDGE: The thing is that any documents you are
11:17:52 15 worried about wouldn't be used in cross-examination that day.
16 They would have been served on the Defence. If you have got
17 documents that you fear go to the guilt of the accused, how can
18 you say you are going to cross-examine on them that day when they
19 haven't been served on the Defence?

11:18:17 20 MR KOU MJIAN: I was not referring to the
21 documents - absolutely, documents that go to guilt would already
22 be served as soon as possible. I am not talking about the ones
23 that go to guilt. I understand that, your Honour. Sorry if I
24 wasn't clear.

11:18:30 25 PRESIDING JUDGE: All right. Well, go ahead, Mr Koumjian.
26 I think we all have the exhibit P-128 now.

27 MR KOU MJIAN:
28 Q. Mr Taylor, as President of Liberia it's your job to uphold
29 the constitution of Liberia, correct?

1 A. That is correct.

2 Q. So do you know the constitution of Liberia?

3 A. Well, not verbatim, but I follow the constitution because I
4 have legal advisers at all times to refer to it, yes.

11:19:01 5 Q. When you gave citizenship, you said, to Sam Bockarie and
6 RUF fighters, people that you knew had been involved in a force
7 committing atrocities against the civilians of Sierra Leone, what
8 provision of the constitution were you relying upon?

9 A. I will tell you right now. If you go back to my response,
11:19:22 10 my answer to you was not just the constitution and I want to be
11 that for the record. The answer was, the constitution and
12 other - but I will go right to it. If you look at Chapter 4,
13 Article 27 on pages 7 and 8, alphabet (b) and (c), you will see,
14 and especially (c), yes, there is the constitution, the

11:19:47 15 constitution does not spell out individually. There are statutes
16 and laws that are enacted by the legislature. Those statutes
17 exists in Liberia. Following the publication of this
18 constitution, those statutes are there that provide the President
19 of Liberia, the authority under executive order to, if you look
11:20:08 20 at (b), "In order to preserve, foster and maintain the positive
21 Liberian culture, values and character, only persons who are
22 Negroes or of Negro descent shall qualify by birth or by
23 naturalisation to be citizens of Liberia."

24 I have mentioned here that makes - people have said this is
11:20:29 25 a racist constitution. (c) says, "The legislature shall,
26 adhering to the above standard, prescribe such other
27 qualification criteria for the procedures by which naturalisation
28 may occur." Under those statutes of the Republic of Liberia and
29 my legal advice that has been followed from President Tubman

1 throughout the Liberian history, they have provided citizenship
2 issuing executive orders by statute. That's what I mean by the
3 constitution gives me that authority under letters (b) and (c) as
4 I have mentioned. That's my authority.

11:21:03 5 Q. Sir, in fact, Article 27(c), which you just read, I won't
6 repeat it, clearly says it's for the legislature to prescribe the
7 qualification criteria for the procedure by which naturalisation
8 may be obtained?

9 A. Exactly and that has been --

11:21:21 10 Q. It does not say the President, correct?

11 A. I did not say the President. But that's what (c) says.
12 The legislature did pass - the President does not pass statutes,
13 counsel. You know that. The legislature promulgated statutes
14 that qualify (b).

11:21:37 15 Q. So what you are saying is it wasn't the constitution that
16 gave you the authority, it was the legislation enacted by the
17 legislature of Liberia?

18 A. Well, it's the constitution in my understanding because the
19 constitution provided the power to the legislature to enact
11:21:54 20 statutes and once the legislature gave me those powers, those
21 powers are inherent in the constitution. That's my
22 understanding. If I am wrong, then I stand guilty of it. But
23 that's my understanding.

24 Q. Sir, luckily we have the law regarding nationality and
11:22:14 25 naturalisation passed by the legislature so let's take a look at
26 those and what powers and procedures are prescribed. Could these
27 be distributed, please. For the record, your Honour, what is
28 being distributed is a document entitled "An Act adopting A New
29 Aliens and Nationality Law". It bears the ERN number of

1 00102782.

2 I would also, your Honour, ask at this time that the
3 document that the Court ruled was not admissible be marked for
4 identification. I am not asking for it to go into the - but I
11:23:47 5 think the record of what has happened needs to be clear. To
6 preserve an appellate record there has to be a document that the
7 appellate court could look at?

8 PRESIDING JUDGE: We have ruled that no use can be made of
9 it at all until it's served on the Defence. We are not letting
11:24:10 10 it be part of the record. It should have been served in
11 accordance with the Court order. It wasn't served, Mr Koumjian,
12 so we are not giving it any use at the moment.

13 MR KOUMJIAN: I understand that. My only concern is the
14 Prosecution does have a different view and --

11:24:27 15 PRESIDING JUDGE: All right. Well, the Prosecution is
16 stuck with our order. We are not marking it.

17 JUDGE SEBUTINDE: Mr Koumjian, this new document that you
18 are passing around, what is the year of this Act? Does it have a
19 year?

11:24:44 20 MR KOUMJIAN: Yes. Your Honour, I can answer your question
21 but it is not contained in the document. The date does not
22 appear on the face of the document that is being distributed.

23 THE WITNESS: Then how would I know?

24 MR KOUMJIAN: It is taken from the code of Liberia.

11:25:43 25 JUDGE SEBUTINDE: The reason I am asking is because laws
26 change from time to time and we need to be dealing with a statute
27 that was in force at the time that Sam Bockarie was granted
28 citizenship. That's why I am asking.

29 PRESIDING JUDGE: The other consideration is this: That

1 it's a document that hitherto has not been served on the Defence
2 and it's a document that is not before the Court at this stage.
3 So there is no evidence as to exactly what it is at all. There
4 is no evidence - all we know about the document comes from the
11:26:20 5 Prosecution and that's not sworn evidence. So that's something
6 you would have to also establish, Mr Koumjian. In any event, did
7 you have an objection, you were on your feet?

8 MR GRIFFITHS: I have nothing to add, Mr President. I
9 think the point has been made.

11:26:41 10 MR KOUMJIAN: Well, your Honour --

11 JUDGE SEBUTINDE: We can look at the document, it hasn't
12 been given to us, but I still need to know the year.

13 MR KOUMJIAN: The Prosecution's position is that this is
14 legislation passed in 1973 with some amendment in 1974 that is
11:27:00 15 effective even as of today.

16 PRESIDING JUDGE: My point is that that's your evidence,
17 Mr Koumjian. That's something you will have to take further.

18 MR KOUMJIAN: Your Honour, there is a larger document which
19 we could distribute but we don't have the copies here with us
11:27:32 20 which does have the date.

21 PRESIDING JUDGE: Mr Taylor, do you have that first
22 document?

23 THE WITNESS: No, I don't, your Honour. By the first
24 document are you referring to the constitution?

11:27:50 25 PRESIDING JUDGE: No, there is a document, an Act adopting
26 a new aliens or nationality law. That's the one you are being
27 given now?

28 THE WITNESS: Yes.

29 PRESIDING JUDGE: What are your questions, Mr Koumjian.

1 MR KOUMJIAN: Thank you, your Honour:

2 Q. Mr Taylor, the issue of naturalisation, if you turn to
3 Article 21 --

11:28:20

4 PRESIDING JUDGE: Well, just a minute. Mr Taylor, do you
5 know what that document is?

11:28:38

6 THE WITNESS: Yes, your Honour. This seemed - but this
7 document - yes, I know what it is, but as I am looking at it I
8 will wait for the question because I would have some problem with
9 this. Laws are amended and - but I don't see - I would be
10 looking for the Title 3 of the Liberian Code of 1956 because I
11 can see amendments, but I understand this document. I see what
12 it is.

13 PRESIDING JUDGE: You have seen it before?

11:28:52

14 THE WITNESS: No, no, I have not seen specifically this
15 document before. No, this is my first time seeing it.

16 MR KOUMJIAN:

11:29:13

17 Q. Mr Taylor, I am putting it to you that this is the current
18 law and was the law in effect at the time that you were President
19 regarding naturalisation of citizens. Do you have any comment on
20 that?

11:29:36

21 A. Well, I would - yes, I do have a comment. The first thing
22 is, you know, I see this document. I don't know when this
23 document was published. I don't know whether this is something
24 that happened following my tenure in office. I don't know the
25 year of the publication. Laws are amended at times, but at the
26 time I was President of Liberia and the legal advice that had
27 been given to me based on what had happened over I would almost
28 say a century has been this particular practice. So I would
29 really - in my former comment made to the Chamber, I would want

1 to look at Title 3 of the code of 1956.

2 PRESIDING JUDGE: Let's stick to this document for the
3 first - Mr Taylor, do you know if it ever was published?

4 THE WITNESS: This, no, I don't know, your Honour.

11:30:16 5 MR KOUMJIAN:

6 Q. Well, Mr Taylor --

7 JUDGE SEBUTINDE: Mr Koumjian, if you look at the second
8 page of the document under I think it will be section or
9 paragraph 1, this is what it reads:

11:30:28 10 "Title 3" -- which is what Mr Taylor's referring to - "of
11 the Liberian Code of Laws of 1956, known as the Aliens and
12 Nationality Law, as amended through the Fourth Regular Session of
13 the Forty-Fifth Legislature, is hereby repealed, and there is
14 enacted in lieu thereof a new Aliens and Nationality Law, to be
11:30:54 15 Title 4 of the Liberian Code of Laws Revised."

16 Title 4 is what we have on the pages continuing.

17 MR KOUMJIAN: Yes.

18 JUDGE SEBUTINDE: So that should be put in perspective the
19 questions that you are asking. If Mr Taylor's testimony is that
11:31:10 20 what he knows is Title 3, well, then Title 3 is gone. We are
21 looking at Title 4.

22 PRESIDING JUDGE: We are going to have to leave it there.
23 We are just about out of tape. So we are going to take a short
24 adjournment. We will resume at 12 o'clock.

11:31:28 25 [Break taken at 11.30 a.m.]

26 [Upon resuming at 12.00 p.m.]

27 PRESIDING JUDGE: Yes, Mr Koumjian.

28 MR KOUMJIAN: Thank you, your Honours:

29 Q. Mr Taylor, we're going to go over some provisions -

1 MR KOUMJIAN: Excuse me. Before I begin, we just had
2 distributed to your Honours and to counsel a complete version of
3 this Act and that begins with the ERN number 00102782 and ends in
4 the ERN number 00102872.

12:03:24 5 MR GRIFFITHS: Mr President, I'm sorry but what are we
6 supposed to do with this? Mr Taylor is about to be
7 cross-examined on what looks at first blush to be in excess of 50
8 pages of legislation. We've just been given it now with no time
9 whatsoever to consider it. The question is: Is this fair?

12:03:53 10 PRESIDING JUDGE: How much of this Act are you going to
11 use, Mr Koumjian?

12 MR KOUMJIAN: I'm going to refer to about - portions of
13 five pages, I believe, which is the obtaining naturalisation
14 section, Article 21, through to 21.7. I'm not going to read it
12:04:26 15 all. I'm going to just use portions. These sections that I'm
16 going to refer to were in the earlier document I passed out. The
17 larger document was passed out because it provides on the last
18 page the date the legislation was approved.

19 PRESIDING JUDGE: I see. So apart from that you are not
12:05:08 20 going to depart from anything that was in the smaller document?

21 MR KOUMJIAN: Correct.

22 PRESIDING JUDGE: In light of that, Mr Griffiths,
23 [Microphone not activated].

24 MR GRIFFITHS: Well, I'm not asking for time in light of
12:05:27 25 that observation, Mr President, but it would be helpful if we had
26 these documents in good time that we could consider them.

27 PRESIDING JUDGE: Just to expand on that point, we've
28 already given a direction that documents used in
29 cross-examination should be served - given in the form of a

1 bundle earlier that day before court. But, obviously, there will
2 be exceptions. For instance, if you - if one of the bundles is a
3 document of this magnitude and it's going to be used to a fairly
4 substantial degree, then we'll make appropriate orders to give
12:06:10 5 you time, Mr Griffiths.

6 MR GRIFFITHS: I'm grateful. Mr President, can I just ask
7 through you that in future it would be helpful if we had more
8 than one copy on this side of the courtroom so that at least one
9 other member of the team could be reading if and when an
12:06:26 10 objection has to be made at the same time.

11 PRESIDING JUDGE: All right. I'm sure you'll note that,
12 Mr Koumjian, that they will need more than one copy.
13 Mr Koumjian, I'm speaking to you.

14 MR KOUMJIAN: Yes, your Honour.

12:06:42 15 PRESIDING JUDGE: Did you note what Mr Griffiths asked
16 [Microphone not activated].

17 MR KOUMJIAN: Thank you. I may have just been wondering
18 whether that same was applied to the Prosecution. We'll be happy
19 to do that, your Honour. Thank you.

12:07:17 20 PRESIDING JUDGE: Go ahead, Mr Koumjian.

21 MR KOUMJIAN:

22 Q. Mr Taylor, I want to take you through as quickly as we can
23 but as completely as necessary through some provisions of the
24 Naturalisation Act and those that give certain powers to the
12:07:35 25 President to provide for an expedited naturalisation and exactly
26 what the naturalisation procedures are. So let us start with
27 page - it begins with ERN 85 - ends 85621.1 eligibility for
28 naturalisation.

29 First, let's look at residence, paragraph 2. It states

1 that: "No person except as otherwise provided in this chapter
2 shall be naturalised unless such person: A, immediately
3 preceding the date of filing his petition for naturalisation has
4 maintained a continuous and lawful residence in Liberia for at
12:08:44 5 least two years and, B, has resided continuously within Liberia
6 from the date of the petition up to the admission to
7 citizenship." I don't propose to read the rest of that paragraph
8 unless requested.

9 Sir, first, let me ask you some questions about how that
12:09:08 10 may apply in this case. How soon after Sam Bockarie and the
11 other RUF fighters who accompanied him came to Liberia were they
12 given citizenship?

13 A. Well, your Honour, I really want to - I really want to
14 cooperate, but, listen, I'm not a lawyer. I was President of the
12:09:26 15 Republic of Liberia. The legal advice that I got I followed.
16 And I think it's unfair to me to be asking me about legal
17 legislation, then I will have to invite my Attorney-General and
18 other people that were present at the time. I'm not a lawyer. I
19 told this Court what I did based on what I was told as President.
12:09:43 20 So I can't help. I really can't.

21 PRESIDING JUDGE: Just a minute. Mr Taylor, the question -
22 put aside the Act. The question you were asked was: How soon
23 after Sam Bockarie and the other RUF fighters who accompanied him
24 came to Liberia were they given citizenship? That's the question
12:10:07 25 you have to answer.

26 THE WITNESS: Yes, but, your Honour, with all due respect,
27 that question goes back into the law because it comes back to the
28 issue --

29 PRESIDING JUDGE: Mr Taylor, we won't allow it to go back

1 into the law. We know you're not a lawyer. Just answer that
2 question.

3 THE WITNESS: Sam Bockarie and his individuals by, I would
4 say, February. They were granted citizenship by February 2000 by
12:10:35 5 my government.

6 MR KOUJIAN:

7 Q. Mr Taylor, you said it was on advice of someone that you
8 did that. Whose advice were you following?

9 A. The lawyers that were advising the Government of Liberia.
12:10:45 10 I had lawyers too that advised the government.

11 Q. My question is --

12 JUDGE SEBUTINDE: Mr Koumjian, by saying February, that
13 doesn't give us an idea, short of us going - digging back into
14 the testimony, of how long, was it months, was it years, was it
12:11:03 15 weeks, days.

16 THE WITNESS: I said February 2000. That's about a month -
17 that's about 30 days after they arrived, because they arrived --

18 JUDGE SEBUTINDE: That is the answer I'm looking for.

19 THE WITNESS: Okay, your Honour.

12:11:14 20 JUDGE SEBUTINDE: After 30 days after their arrival; is
21 that correct?

22 THE WITNESS: Yes, your Honour.

23 MR KOUJIAN:

24 Q. Sir, my question is: Who were the people that were giving
12:11:25 25 you this legal advice?

26 A. The lawyers of the Justice Department in Liberia.

27 Q. Can you tell us their names.

28 A. I don't know the names of the lawyers. I can tell you the
29 name of the Attorney-General at the time. Who he consulted, I

1 don't know, but that was the advice that came to me.

2 Q. Who was the Attorney-General at the time?

3 A. The Attorney-General at the time was Eddington Varmah.

4 Q. Can you spell that, please.

12:11:43 5 A. E-D-D-I-N-G-T-O-N. Varmah, V-A-R-M-A-H.

6 Q. Sir, who was given citizenship among the people that came
7 to Liberia with Sam Bockarie? Was it only the fighters or were
8 family members also given citizenship?

9 A. Every individual that came had that opportunity were given
12:12:13 10 citizenship. Every Sierra Leonean this crossed in his - with the
11 entourage that came in December 1999.

12 Q. How about those who did not cross with Sam Bockarie, were
13 they given citizenship?

14 A. I said those that were in his entourage. Those were the
12:12:29 15 people that he identified.

16 Q. I want - my question wasn't so clear, so let me make it
17 clear. Besides Sam Bockarie's entourage and those he identified,
18 were other Sierra Leoneans given citizenship by you?

19 A. During this period? No. Only those that were concerned
12:12:46 20 with Sam Bockarie that he identified.

21 Q. During your presidency, who else, of whatever nationality
22 originally, did you give citizenship to?

23 A. Under those circumstances, none. But others, I'm sure,
24 received citizenship going through the normal process that they
12:13:07 25 would go through without these exceptional circumstances that the
26 President over time have done.

27 Q. During your presidency, approximately, and I realise it's
28 an estimate, approximately how many Sierra Leonean refugees were
29 in Liberia?

1 A. During that particular - I would put it to about 250,000 or
2 more.

3 Q. And none of those received citizenship from you?

4 A. I cannot say that.

12:13:35 5 Q. From you?

6 A. No, from me. No, none of them from me. The Bockarie
7 situation was exceptional, and let's remind the Court, it was
8 within the context of peace and security in Sierra Leone that
9 these exceptional circumstances arose.

12:13:51 10 Q. Mr Taylor, I'm going to continue with some of the
11 requirements and I do promise to be fair to you to go through a
12 certain procedure that gives certain powers to the President to
13 expedite some of these. But let's go to paragraph 3, Lawful
14 Admission: "Except as otherwise provided in this chapter, no
12:14:18 15 person shall be naturalised unless he has been lawfully admit to
16 Liberia in accordance with all applicable provisions of this
17 title." I'm not very concerned with that.

18 Let's go to paragraph 4, Character and Belief in
19 Constitution: "No person shall be naturalised unless, during the
12:14:35 20 period of residence required under paragraph 2 of this section,
21 he has been, and still is, of good moral character and attached
22 to the principles of the constitution of Liberia."

23 Let's deal, Mr Taylor, with Sam Bockarie. Did you consider
24 him a person of good moral character?

12:14:56 25 A. Again, you are talking this issue of law. Because, again,
26 because of the exceptional circumstances, I can't help you with
27 an answer as to what I consider. That's a value judgment. I'm
28 not prepared to do that.

29 Q. I'm going to ask you again and I'm not asking you for any

1 legal definitions or legal analysis. Using the plain language,
2 English language, the meaning of the words, was Sam Bockarie, in
3 your eyes, a person of good moral character?

4 A. That's what I say, I cannot pass that judgment because
12:15:31 5 under normal circumstances I would say no. The exceptional
6 circumstances, I would say - I would say that he was given under
7 the law because the law as it is set up, and I'm not a lawyer,
8 but I'm not in a position to give that value judgment.

9 PRESIDING JUDGE: Mr Taylor, Mr Koumjian is not asking you
12:15:52 10 whether you think Sam Bockarie is a person of good moral
11 character on criteria provided by the law. He's asking for your
12 own personal opinion. I think you can answer that.

13 THE WITNESS: I have no information not to have - look at -
14 I look at everybody the same. So for me, I would say he was
12:16:16 15 somebody of good moral background, yes.

16 MR KOUMJIAN:

17 Q. Mr Taylor, despite all the information you told us you had
18 about atrocities committed in Sierra Leone, you believed Sam
19 Bockarie was a person of good moral character?

12:16:28 20 A. You see, again, now we come back to it because it's a value
21 judgment and depending on the circumstances, okay, it's very hard
22 to answer these. You asked me --

23 Q. Mr Taylor, I'm trying to understand --

24 A. Despite that I did not look at that, I did not evaluate him
12:16:44 25 on that criteria. The criteria upon which he entered is the
26 criteria that I'm answering to, that I look at him as somebody
27 with good moral background based on the exceptional
28 circumstances.

29 Q. Mr Taylor, I am trying to ask you about your values. Did

1 you consider, given the information you had about the atrocities
2 committed in Sierra Leone, that Sam Bockarie was a person of good
3 moral character?

12:17:11 4 A. Listen, I mean, again I have told you that based on my
5 evaluation and looking at the circumstances - in fact I'm asked
6 to look at something that was never on my mind. You are asking
7 me an afterthought, so I don't know how to deal with these
8 afterthought questions.

12:17:32 9 Q. I'm going to move on. Paragraph 21.2 talks about the
10 requirement of a declaration of intention and this we'll see is
11 where the President can alter the procedure. It reads:

12 "Any alien eligible for naturalisation who desires to
13 become a citizen of Liberia shall as a prerequisite appear in
14 person before the clerk of the circuit court in the county in
12:17:55 15 which such alien resides and sign a declaration of his intention
16 to become a citizen of the Republic of Liberia and to renounce
17 his former nationality when the oath of allegiance is
18 administered. The declarant shall give his name, place and date
19 of birth, present and former nationalities, if any, occupation,
12:18:19 20 marital status, present address, last foreign residence and all
21 information pertaining to his entrance to Liberia. A person who
22 has filed a declaration of intention may, in the discretion of
23 the President, be given three months free lodging at the expense
24 of the government."

12:18:41 25 Your discretion on procedure comes a little later and we'll
26 get to that:

27 "The petition for naturalisation. An applicant for
28 naturalisation within not less than two nor more than three years
29 after he has made his declaration of intention shall make and

1 file with the clerk of the circuit court of the county in which
2 he resides a petition signed in his own handwriting and duly
3 verified in which he shall give information similar to that in
4 the declaration of intention and state that he does not believe
12:19:15 5 in anarchy."

6 So to summarise a bit what I just read, it says that the
7 application for naturalisation can't be filed before two years
8 and it has to be filed within three years of when the declaration
9 of intention was filed. Then we'll see later you have a power to
12:19:39 10 change that:

11 "The petitioner shall also aver that he intends to reside
12 permanently within the Republic of Liberia and shall state
13 whether he has heretofore been refused naturalisation and, if so,
14 on what grounds. It shall also contain the names of witnesses
12:20:03 15 whom the applicant expects to summon on his behalf at the
16 hearing. The petition shall be verified by two witnesses who
17 shall not be those to be summoned at the hearing. The witnesses
18 verifying the petitions shall be citizens of Liberia who
19 personally know the applicant has been a resident of Liberia for
12:20:22 20 at least two years and know him to be of good moral character."

21 Then there's an age requirement. Then it states: "Waiver
22 of requirement for time interval after filing declaration of
23 intention." This refers to the powers of the President.

24 PRESIDING JUDGE: Mr Koumjian, is a question coming here at
12:20:41 25 some stage?

26 MR KOUMJIAN: Yes, your Honour, but I'm not trying to ask
27 Mr Taylor to comment on all the legal requirements but I think I
28 need to put the law before I ask the question.

29 PRESIDING JUDGE: Go on. Go ahead. Actually what you are

1 doing is reading the constitution on to the record rather than
2 asking Mr Taylor questions. Surely you can formulate a question
3 that directs him to one particular part of the constitution.

4 MR KOUMJIAN:

12:21:24 5 Q. Mr Taylor, I'm just going to read a few more sections of
6 this code, the aliens and nationality law, this legislation to
7 you. Actually I think in fairness to you I wanted to read this
8 waiver requirement for the time interval after filing declaration
9 of intention. That says that:

12:21:45 10 "The two-year minimum time period may be waived by the
11 President of Liberia and the person to whom such waiver has been
12 granted may become a citizen immediately after filing his
13 declaration of intention upon taking the oath of allegiance."

14 Did Sam Bockarie file a declaration of intention?

12:22:07 15 A. Mr Koumjian, I swear to this Court I don't - the process -
16 I instructed the lawyers to find out for me what was possible
17 before these people even arrived. I got an advice from the
18 Ministry of Justice that I had the authority to shorten this
19 process.

12:22:27 20 Q. Sir, that's not my question.

21 A. No but I don't know - I would assume that they follow all
22 the procedures down there because all I got was what I could do
23 as President. So I would assume before these judges that they
24 followed the procedure.

12:22:41 25 Q. And is your assumption that all of the fighters that came
26 with Sam Bockarie that you granted citizenship to filed
27 declarations of intention?

28 A. I have to assume that. Except my officials misled me. I
29 was not down there with them, I have to assume that they did.

1 Q. Mr Taylor, do you have any of these declarations of
2 intention that were filed by Sam Bockarie and his entourage as
3 we've referred to them?

4 A. No, Mr Koumjian, I don't have them here.

12:23:09 5 Q. It says the person then may become a citizen after taking
6 the oath of allegiance. Did Sam Bockarie take an oath of
7 allegiance?

8 A. I would assume, like I said, that he did with the
9 appropriate agencies of government.

12:23:24 10 Q. If we look at section 21.6, it discusses what the oath of
11 allegiance is and where it shall be made. 21.6 says:

12 "A person who has petitioned for naturalisation shall in
13 order to be admitted to citizenship, take in open court an oath
14 to be administered by the judge that (a) he will support and
12:23:47 15 defend the constitution and the laws of the Republic of Liberia
16 against all enemies, foreign and domestic; (b) that he renounces
17 and abjures absolutely and entirely all allegiance and fidelity
18 to every foreign prince, potentate, state or sovereignty whatever
19 and particularly to the one of which he was previously a citizen
12:24:11 20 or subject; (c) that he will observe full faith and allegiance to
21 the Republic of Liberia; and (d) that he will bear arms on behalf
22 of the Republic of Liberia when required by law."

23 Is your testimony that you do not know if Sam Bockarie and
24 his entourage took this oath?

12:24:29 25 A. No, my testimony is that I - because of the law I must
26 assume that they did.

27 Q. Do you have any records from the court where this is to be
28 made showing that Sam Bockarie or his entourage took the oath?

29 A. No, I don't have any records.

1 Q. Do you have any records showing that any certification of
2 naturalisation was given to them?

3 A. No, I don't have any records. I'm sure if they are there,
4 they are in Liberia but I don't have any records personally.

12:24:59 5 MR KOUMJIAN: Just to refer the Court and counsel, the next
6 section, 21.7, talks about the certification of naturalisation.
7 I believe I'm finished. Just one moment, your Honour. I'm
8 finished with this section and I would ask for some other
9 documents to be distributed. May this document - I've actually
12:25:39 10 distributed two. I distributed the small bundle and the larger.
11 I think for the sake of completeness, although we're only seeking
12 the date at the end of the larger bundle, that both be marked for
13 identification A and B.

14 PRESIDING JUDGE: Do you want the full Act as the A one, Mr
12:26:22 15 Koumjian, and the small one as the B or the other way around?

16 MR KOUMJIAN: Either is fine with me, your Honour.

17 PRESIDING JUDGE: The full Act is marked for identification
18 MFI-303A. The excerpt from it is marked for identification
19 MFI-303B.

12:27:50 20 I see Mr Taylor doesn't have a copy.

21 MR KOUMJIAN: I don't think we've distributed anything yet.

22 PRESIDING JUDGE: I thought you said you were going to
23 distribute another document.

24 MR KOUMJIAN: Let me first refer to prior testimony so it's
12:28:04 25 clear before I do that. Thank you, your Honour. I did say that.
26 I apologise. I will in just a moment:

27 Q. Mr Taylor, I want to refer to testimony that you gave on 3
28 August this year at page 25847 beginning at line 20.

29 Your Honour, I'm just waiting for a signal that everyone is

1 ready on that. I believe everyone is ready.

2 JUDGE SEBUTINDE: Mr Taylor, do you have the page in front
3 of you?

4 THE WITNESS: Yes, I do, your Honour. I'm sorry, I do.

12:29:34

5 MR KOUMJIAN:

6 Q. Sir, beginning on line 20 you said:

7 "I went on the national radio and I announced to the
8 Liberian people. I said to them if any human on this planet
9 earth goes to any bank anywhere in the world and brings one bank
10 account of \$100,000 belonging to Charles Taylor I said I will
11 resign the office of the President. It's been ten years. I've
12 heard the United Nations has passed asset freeze, all these
13 things, all these assets freeze. What bank accounts have the
14 United Nations ever come up and said, 'Oh, guess what. Here is a
15 former bank account of Charles Taylor.'"

12:29:53

12:30:17

16 Do you recall giving that testimony?

17 A. Yes, I do.

18 Q. When you said \$100,000 what currency were you talking
19 about?

12:30:26

20 A. United States dollars.

21 Q. Sir, you've told us about an account at Tradevco Bank,
22 correct?

23 A. That is correct.

24 Q. During your presidency did you have any other accounts?

12:30:38

25 A. I have told this Court I don't recall - besides the - and
26 I've said I don't know if the account in Burkina Faso under this
27 Jean Some had been closed, I'm not sure, but during my
28 presidency, no, I didn't have any other bank account.

29 Q. What is the Liberian Bank for Development and Investment?

1 A. It's called LBDI, Liberian Bank For Development and
2 Investment.

3 MR KOU MJIAN: Now I would like a series of documents to be
4 distributed. I'll go through them one by one.

12:31:59 5 JUDGE SEBUTINDE: Mr Koum jian, in keeping with the practice
6 we have adopted this morning, if you could tell the judges what
7 is this document, case-by-case basis, what is this document that
8 you are now distributing and for what purpose are you
9 distributing it.

12:32:19 10 MR KOU MJIAN: Your Honour, I have a series of documents
11 related to an account in the name - a personal account in the
12 name of the accused, Charles Taylor, at the LBDI bank and these
13 documents will refute what Mr Taylor testified to on 3 August and
14 what he has testified to over the last few days that he didn't
15 have another account and the fact that he said that there was no
16 account with over \$100,000 US.

17 PRESIDING JUDGE: Yes, Mr Gri ffi ths.

18 MR GRI FFITHS: We say, Mr President, that this is a hybrid
19 document because whereas at first blush its admission may appear
12:33:01 20 to be merely relevant to the issue of credibility in refuting an
21 earlier statement, at the same time it must be recalled that the
22 heart of the indictment against this accused is the suggestion
23 that he profited personally from the exploitation of the mineral
24 wealth of adjoining Sierra Leone and, indeed, Liberia. So,
12:33:24 25 consequently, any material going to his finances is equally
26 relevant to that issue and, consequently, in our submission,
27 should have been disclosed as part of the Prosecution case.

28 PRESIDING JUDGE: Do you wish to answer that objection,
29 Mr Koum jian?

1 MR KOUMJIAN: The Defence would basically expand the
2 definition of evidence going to guilt to be - to cover all
3 documents. The fact that Mr Taylor had money, the fact that
4 Mr Taylor was corrupt or had stolen money, unless it is tied to
12:34:01 5 the charges in this case, which I don't propose to do, and these
6 documents, frankly, do not go and show the source - actually,
7 sometimes they do show the source of the money and it is not from
8 Sierra Leone, this does not go to prove the charges of the
9 indictment. In fact, had the Prosecution attempted to introduce
12:34:18 10 this during its case in chief, it would have been ruled
11 irrelevant. He is not charged with corruption in Liberia and it
12 could have been prejudicial. This basically is the same
13 reasoning that your Honours applied in your decision of 6
14 February of this year on a Defence motion for disclosure of
12:34:37 15 evidence underlying statements of the Prosecutor. This goes
16 directly to rebut what Mr Taylor has been saying. He's been
17 saying it repeatedly in his evidence, he has been challenging
18 that any document be found showing he had any bank account with
19 significant money and it is being offered by the Prosecution
12:34:59 20 solely for this purpose, too show Mr Taylor has lied to the Court
21 when he said that.

22 [Trial Chamber conferred]

23 MR KOUMJIAN: Your Honour, could I add one other reference?

24 PRESIDING JUDGE: Yes.

12:36:31 25 MR KOUMJIAN: My colleague, Ms Howard, has pointed out to
26 me that in your Honours's decision that I cited from 6 February
27 2009, in paragraph 22, your Honours, in reciting the Defence
28 position, stated that the Defence position at that time was that
29 the issue of Mr Taylor's assets is irrelevant to the indictment.

1 So, again, I think that that is correct. In and of itself,
2 Mr Taylor's wealth does not prove any of the charges. He is not
3 charged with corruption in Liberia. He is not charged with being
4 wealthy. None of the evidence I'm presenting here goes directly
12:37:07 5 to any of the charges, any of the evidence. I do not have before
6 the Court evidence that the funds came from Sierra Leone or the
7 sale of resources stolen from Sierra Leone. I'm simply rebutting
8 his position that he had no money and no bank accounts with
9 significant money.

12:37:25 10 PRESIDING JUDGE: I don't have that decision of 6 February.
11 Do you have it there? I don't know what context the Court said
12 that. Do you say that? Did we say that or you're saying the
13 Defence said that?

14 MR KOUMJIAN: Just to be clear, your Honours were in the
12:37:40 15 motion as commonly outlining the positions of the parties. In
16 paragraph 22, you outlined the Defence position. You said the
17 Defence in their motion argued that the assets were irrelevant to
18 the indictment; Mr Taylor's assets.

19 JUDGE SEBUTINDE: That's not a ruling. We were probably
12:38:00 20 just quoting what the Defence had said. Was that a ruling?

21 MR KOUMJIAN: Exactly. You were just stating the Defence
22 position of what their position. I'm pointing out the Defence
23 has previously made it clear that they viewed Mr Taylor's assets
24 as irrelevant to the indictment.

12:38:15 25 JUDGE SEBUTINDE: The question is do you? Does the
26 Prosecution view it that way?

27 MR KOUMJIAN: The mere fact that Mr Taylor has money is
28 irrelevant, unless we can tie that money directly to Sierra
29 Leone. So, yes, we are only offering this for credibility. We

1 are not asking the Court, and this is a Bench of professional
2 judges, to consider it on the issue of guilt. It goes to
3 Mr Taylor's credibility and what he's stated repeatedly to your
4 Honours regarding his wealth and assets.

12:38:45 5 PRESIDING JUDGE: We're of the view it can also go not only
6 to credibility but it can also go to his guilt and it's a
7 document, in our opinion, that should have been served and we're
8 directing that you can't use it, Mr Koumjian. It should have
9 been served in accordance with our order.

12:39:48 10 Yes, Mr Koumjian.

11 MR KOUMJIAN: Your Honour, in our view, we certainly saw
12 your Honours' order and we accept it completely, the decision of
13 your Honours. We do have a problem or disagreement with your
14 Honours, to be frank, in now it's being applied as to what is
12:40:08 15 defined as evidence that goes to guilt. We want everyone to have
16 an opportunity to reflect. If your Honours would like that
17 decision, we can provide it to you. But we also - I can go on
18 with other questions, but this was going to take up substantially
19 most of the day, if not the rest of the day, in my examination.

12:40:33 20 But, more importantly, we think the precedent is critical because
21 we believe it does affect the fair trial rights of the
22 Prosecution and our ability to cross-examine an accused wherein
23 it's fundamental that we don't have to tip off the accused
24 beforehand to every direction --

12:40:53 25 PRESIDING JUDGE: Mr Koumjian, you're off on the wrong
26 track here. We've directed your attention to our order. If you
27 look at the order, we'll entertain submissions from the parties
28 in relation to the use and/or admission of such documents, but
29 that comes after disclosure. And we don't need to tell the

1 Prosecution what evidence is capable of not only impeaching the
2 credit of the accused but of going to proof of his guilt. You're
3 all lawyers and you can see that without being told and we simply
4 say that documents falling in that category should have been
12:41:29 5 served. That's our order. Now, I'm not going to argue about our
6 decision now. We've told you you can't use it because it hasn't
7 been served and you can move on.

8 MR KOUJIAN:

9 Q. Mr Taylor, you told us last week about bribing officials in
12:42:25 10 foreign governments in order to allow arms to transport those
11 countries; do you recall that?

12 A. Yes.

13 Q. Who were the people that you used to bribe the foreign
14 officials you used to convey the money to them?

12:42:42 15 A. I've said I gave the money to the defence officials at the
16 time and I don't know who they used specifically. In terms of
17 names, I don't know the names.

18 Q. My question, if I wasn't clear, was: Who did you use to
19 carry out to convey the money or to arrange the bribe from your
12:43:07 20 government? You didn't do it yourself. You didn't hand money
21 yourself?

22 A. No.

23 Q. Who did you use?

24 A. Well, I gave the money - the money went through my chief
12:43:26 25 protocol to the Defence Department, you know, to pay for whatever
26 they wanted to do.

27 Q. That is Musa Cisse?

28 A. Yes.

29 Q. What years did Musa Cisse carry out this task for you?

1 A. In 2001.

2 Q. So Musa Cisse, who you used to arrange these arms
3 transshipments, is the same man, correct me if I am wrong, that
4 you sent with Sam Bockarie to go to Burkina Faso in late November
12:43:58 5 1999?

6 A. I've sent - Musa Cisse went to Sam Bockarie in December
7 1999.

8 Q. Mr Taylor, did you send Musa Cisse on that trip because of
9 his expertise and experience in arranging arms deals for you?

12:44:16 10 A. No. You remember now, we're talking 1999. We're talking
11 2001. No. I sent him simply because he was fluent in French and
12 English and he would serve as an interpreter.

13 Q. Mr Taylor, you previously - had Musa Cisse been sent on
14 missions or assignments by you in other countries before 1999?

12:44:47 15 A. Yes, Musa Cisse had gone to Burkina Faso before. Yes, I
16 would say yes.

17 Q. How about the Ivory Coast?

18 A. Yes.

19 Q. Was Musa Cisse based in the Ivory Coast at some times?

12:45:01 20 A. Yes, he was.

21 Q. What periods of times was he based in the Ivory Coast?
22 Which periods of time?

23 A. I would just - I would start from the time - I would put it
24 to - Musa left - we meet him in la Cote d'Ivoire late - I would
12:45:25 25 put it to about '83, '84. Around that time, because he was in
26 exile. He had problems with the Doe government. I think about
27 '84, I would put it to that. I didn't even know him at that
28 time. I first got to meet him later on around '85, '86 when we
29 started putting our men together. I would put it to about '84.

1 Q. Mr Taylor, in 1996, was Musa Cisse carrying out assignments
2 for you in Ivory Coast?

3 A. '96, I can't recall. I can't recall. Because most of our
4 movements were - no, Ivory Coast, no, I can't recall that.
12:46:10 5 Burkina Faso, I would say it's probable.

6 Q. Sir, was Musa Cisse, to your knowledge, in contact with
7 Foday Sankoh in 1996 during the Abidjan negotiations?

8 A. No, I would - no. If that had been so, all of the people
9 that came here would - I would say no because he had no
12:46:39 10 instructions. I would say point blank no.

11 Q. Was Musa Cisse in the Ivory Coast in 1996?

12 A. Yes, Musa Cisse was in - in 1996 in and out. He was living
13 in Liberia but he still had the residence in - let's, you know,
14 not like generalising when you say Ivory Coast, I would say
12:47:01 15 generally Ivory Coast, yes.

16 Q. Approximately what percentage of the time was he in the
17 Ivory Coast?

18 A. I would say maybe 10 per cent. Musa Cisse, '96 I'm on the
19 Council of State and he is protocol officer at the mansion. I
12:47:18 20 would say maybe on weekends he would run over to maybe visit a
21 family member. I would say about 10 per cent of his time.

22 Q. What assignments did he carry out for you in the Ivory
23 Coast in 1996?

24 A. I just said that I don't really - I just said I couldn't
12:47:34 25 recollect if he carried out any assignment in 1996 in Ivory
26 Coast. Just about a minute ago I said that.

27 Q. Mr Taylor, of course 1996 is before your presidency,
28 correct?

29 A. That is correct.

1 Q. But it is during the time, correct me if I am wrong, of the
2 NPRAG government?

3 A. No, no, no. No, counsellor. By 1996 I'm on the Council of
4 State in the transitional government.

12:48:02 5 Q. During the time that you had the NPRAG government and
6 during the - well, let's take it one at a time. During the time
7 of your government based in Gbarnga, did you send subordinates in
8 order to carry out various functions in foreign capitals or
9 foreign countries?

12:48:23 10 A. I would say yes. I would say yes.

11 Q. In particular which countries was it important for you to
12 have some normal dealings with - regular dealings with?

13 A. I would say about four countries. About four countries.

14 Q. Please name those countries.

12:48:41 15 A. The United States, Libya, Burkina Faso, and La Cote
16 d'Ivoire. Those are the four.

17 Q. What about Guinea, sir?

18 A. No, I didn't - I didn't have any - the ULIMO were operating
19 out of Guinea. No, I didn't have any contacts in Guinea.

12:48:58 20 Q. During the time of your NPRAG government - am I saying that
21 right?

22 A. Well, yes, NPRAG is correct, yes. And I hope we know the
23 time that we're talking about now.

24 Q. Yes, but perhaps just to make the record clear why don't
12:49:14 25 you give us the time that you consider that government to have
26 existed?

27 A. Well, I would say from '91 to the end of '93. That's the
28 NPRAG government. Because '94 it ends and the Council of State
29 is first established, so '91 to '93.

1 Q. During that time did you have a Foreign Minister in your
2 government?

3 A. Yes.

12:49:40

4 Q. The function of the Foreign Minister was to handle
5 relations with foreign states, correct?

6 A. That is correct.

7 Q. Did you also then have individuals that were used similar
8 to the function of diplomats that represented your government in
9 foreign countries?

12:49:55

10 A. No, we didn't have - I think you may be referring to
11 ambassadors there. No, we did not have any in major western
12 capitals but we always - we had representation. You know during
13 the crisis we didn't have ambassadors, no.

12:50:19

14 Q. You couldn't have ambassadors because your government was
15 not recognised by any country, correct?

12:50:40

16 A. Not necessarily. That would be correct to an extent I
17 would say, yes. But I mean that was not necessarily the
18 situation. Our own situation was unique during the conflict that
19 even though ECOWAS has recognised the two governments, none of
20 our officials that were sent to any ECOWAS country was turned
21 down. So while we didn't have stationary diplomats, our
22 officials that travelled to those countries including my then
23 Foreign Minister would be received in that light. So
24 ambassadors, no.

12:50:57

25 Q. What persons represented you in Libya for example during
26 this period of time? Do you have anyone stationed there, based
27 there?

28 A. No, we did not station anyone in Libya.

29 Q. Did anyone come and go on a regular basis?

- 1 A. Well, yes. No, I wouldn't say regular, counsellor.
2 Whenever there is a need we will send someone. So, no, not on a
3 regular basis. My principal spokesman Mr Woveiyu would go and
4 come. Another individual that was present in Libya at the time
12:51:38 5 from my delegation, a gentleman that was the leader from Togo
6 would go. But we had no one stationed there.
- 7 Q. Who would represent you in the Ivory Coast?
- 8 A. We didn't have any representative on the ground in la Cote
9 d'Ivoire. Anything that we had to do, we'd probably send the
12:52:04 10 Foreign Minister or I would go myself.
- 11 Q. Who represented you or carried out any functions
12 representing you in Burkina Faso?
- 13 A. No one. I would go or I would send Musa Cisse.
- 14 Q. Who represented you or carried out any functions
12:52:20 15 representing your organisation in the United States?
- 16 A. I would not go, but during that particular time Tom Woveiyu
17 was spokesman and he would go to Washington and try to make
18 contacts.
- 19 Q. Sir, in your government you carried the title of President,
12:52:49 20 correct, in the NPRAG government?
- 21 A. That is correct.
- 22 Q. You first declared yourself President shortly after the
23 death of Samuel K Doe, correct?
- 24 A. Well, to the best of my recollection, the declaration of
12:53:05 25 one as President was not formally done by me but I made a claim.
26 I made a claim that I had the country with the death of Doe, that
27 I was entitled to the presidency.
- 28 Q. Did those that supported you refer to you as President?
- 29 A. Yes.

1 Q. Mr Taylor, in your NPRAG government did you have your own
2 currency?

3 A. That came up on yesterday or the day before. We had the
4 Liberian currency, yes.

12:53:43 5 Q. When you say the Liberian currency was that the currency -
6 it's possible it was covered yesterday and I haven't read that.

7 A. Yes, I think it's covered.

8 Q. Then I'll move on. I see my colleague tells me it was
9 covered. One moment to consult with my colleagues.

12:55:23 10 Mr Taylor, I want to ask you some questions about what
11 occurred in the civil war in Liberia among your forces. Did your
12 forces ever wear masks to your knowledge, M-A-S-K-S?

13 A. During the entire civil war? Are we talking about a
14 particular time?

12:55:48 15 Q. I'm talking about the entire civil war now, yes.

16 A. I did not - I cannot recall seeing anyone with a mask. If
17 they wore it, not when I was - not maybe when I was touring or
18 anything. I personally did not see anyone in a mask.

19 Q. What about any other type of bizarre costume?

12:56:16 20 A. Oh, yes. They would wear - some guys wore dresses. And,
21 yes, bizarre costume, African costume. They would dress like
22 what we call African devil, devil like D-E-V-I-L. What we call
23 devil, you know some of our traditional people still put straw
24 things they put together. Yes, bizarre costume, yes.

12:56:45 25 Q. Did men sometimes wear women's wigs, male fighters?

26 A. Bizarre, yes. Yes, I saw people with wigs on, yes.

27 Q. Did men sometimes dress in women's clothing?

28 A. I just said that, yes. I saw boys wear dresses. Yes, I
29 saw that.

1 Q. Mr Taylor, were any of your fighters to your knowledge
2 marked on their bodies?

3 A. It depends. I don't know. I'm a traditional person, I
4 have marks on my body I can show to these judges. There's
12:57:21 5 certain tribes in Liberia that carry marks, period. So if those
6 tribes were involved in the fighting, some of them had marks on
7 them.

8 Q. Were any of your fighters marked specifically for purposes
9 of fighting, to your knowledge?

12:57:37 10 A. Not to my knowledge, no. Not to my knowledge.

11 Q. Did fighters on your side or on any other side that you are
12 aware of sometimes go to battle naked?

13 A. No, not - not on our side. That was on the Doe side. I
14 heard of that. Not on our side. What they used to call them
12:57:55 15 butt naked. But that was not on the NPFL side. That's a Krahn
16 tradition. That's a Krahn - yes, I'm aware of that.

17 Q. Sir, from what you knew then at that time, why did you
18 think that your men would go into battle dressed in these bizarre
19 costumes that you described?

12:58:14 20 A. Quite frankly, I really never asked why they dressed that
21 way because what happened was guerilla warfare is so difficult.
22 Some of these guys dressed that way - in fact we have cases -
23 these are stories that I was told - where some of our fighters
24 went amongst the enemies, spent a day or two and came back,
12:58:44 25 brought information. I have no - I think some of it was for fun.
26 Some of it was trying to maybe hide their identity. These are my
27 guess and propositions I'm making. But quite frankly I never
28 inquired as to why they did it. But I think it was fun or, you
29 know, identity changes or something like that. That's my guess.

1 Q. Why do you think they would want to hide their identity?

2 A. I don't know. Depending on who was on the other side they
3 did not want - some people maybe did not want others to - I mean
4 on the enemy side to identify them because we had some cases

12:59:31 5 where if some of the Armed Forces of Liberia soldiers saw someone
6 fighting on the NPFL side and recognised him, his family in
7 Monrovia would be killed. This was the basis of a lot of murders
8 in Monrovia. If you were detected as fighting on the side of the
9 rebels, your family in Monrovia got slaughtered. That's how my
12:59:54 10 father got killed. And a lot of people when they are approaching
11 the Armed Forces of Liberia would try to hide their identity that
12 no one on the other side would detect them to affect their family
13 that was still in Monrovia and trapped and could not get out to
14 come to us.

13:00:10 15 Q. Mr Taylor, were you aware that some of your fighters
16 believed that these costumes gave them protection during battle?

17 A. Quite frankly, yes, I used to hear it. I used to hear that
18 people felt - I discouraged it but I'm not going to lie to these
19 judges and say I never heard it. I did hear it and I told them
13:00:28 20 that was total nonsense, that nothing would protect them. Even
21 the bulletproof vests, bullets pass through them depending on the
22 velocity. I heard of it, yes, I did.

23 Q. Do you believe, Mr Taylor, that seeing a young man or young
24 person dressed in these bizarre outfits while carrying an AK-47
13:00:47 25 would have the effect of frightening the civilians who saw that,
26 who encountered these people?

27 A. You've asked me a whole bundle of questions there now,
28 counsel. Help me. First young man. What do you mean by young
29 man because I want to distinguish because yes or no, I don't

1 know, could you help me, please?

2 Q. So you think the age of the person would affect how
3 frightening it is?

13:01:16

4 A. I would say under some conditions yes, but - yes, it would
5 frighten people.

6 Q. First of all let me say those 14 and under. Would that be
7 frightening?

8 A. Well, I would not tolerate any - I have said to this Court
9 that I didn't have any NPFL soldiers 14 or under.

13:01:33

10 Q. You've said that repeatedly. So just to move on, let me
11 say, those 18 and over that you claim were in your forces, do you
12 think it would be frightening for civilians who encountered them
13 carrying AK-47s to see them dressed in these bizarre costumes?

13:01:54

14 A. Yes. I've said to the Court, yes. Under some conditions,
15 it would frighten people, but it depends on the situation, again.
16 But to answer your question, yes, it could frighten them.

17 Q. What effect did the civil war have on the school systems in
18 Liberia?

13:02:13

19 A. In my area, Mr Koumjian, to a great extent, we kept - as we
20 liberated areas, we kept schools open. In some of the other
21 areas, in the Monrovia area, I do understand that schools went on
22 for some time. But it did have some negative effect on the
23 calendar of school. I think it did, yes.

13:02:43

24 Q. Sir, what was the educational level - and I realise it's
25 going to differ, but give us the perspective of percentages - of
26 those fighting in your forces. How many were - first of all,
27 what percentage were illiterates?

28 A. To really help, we have to look at the national literacy
29 rate in Liberia, which is - I would say - I would say about 70

1 per cent were literate that fought during the war. And, again,
2 maybe I'll wait until you ask me, you know, we'll get into
3 literacy and what not. For us, I mean, I'm looking at literacy
4 in terms of being able to read and write. Not the level of
13:03:32 5 education in that sense because we had some people that were -
6 you know, our people sometimes they are older but in low grades
7 because they start school very late. So I would say about 70
8 per cent of the people that were with us could read and write at
9 least.

13:03:49 10 Q. So you're saying 30 per cent were illiterate, according to
11 you?

12 A. I would put it to about that.

13 Q. Mr Taylor, do you recall earlier in your examination you
14 bringing up the eating of human flesh?

13:04:07 15 A. I can recall us talking about that in - during the trial
16 with Marzah and coming on. Yes, I can recall some aspect of it.

17 Q. No, I'm talking about you bringing up the practice of
18 eating human flesh in Liberia.

19 A. Yes, I discussed that during my examination-in-chief.

13:04:28 20 Q. You've seen that happen or you know of that happening?

21 A. No, I have not seen it happen. What we have known or heard
22 in Liberia, that certain bush tribes located on the
23 Liberian-Ivorian border are cannibals. There's a bush tribe that
24 we understand is - they call them the bush Krahn. They are not
13:04:59 25 the actual Krahn. They call them the bush Krahn that we've heard
26 that they are - or a lot of them are cannibals.

27 Q. And this is the only cannibalism that you have heard of in
28 the - in Liberia during the civil war?

29 A. No. We heard about cannibalism during the death of the

1 Late General Thomas Quiwonkpa where Krahn's - it was all on the
2 news - killed him and ate him. I heard about it during that
3 time.

13:05:38 4 Q. Yes. In fact, on 14 July, at page 24326 - I don't know if
5 this needs to be brought up or not - you stated -

6 MR KOUMJIAN: If counsel wants to wait for Mr Taylor to
7 have it, we can wait for that.

8 JUDGE SEBUTINDE: The page again, please.

9 MR KOUMJIAN: 14 July, 24326, beginning at line 1:

13:06:14 10 Q. So reading this to you, Mr Taylor, what you said was, just
11 beginning from the top of the page: "Against citizens of the
12 country, and I have no direct quarrels with him because maybe he
13 may have had his own reasons, but citizens of Nimba were killed.
14 The general that led the rising during that particular time,
13:06:31 15 General Thomas Quiwonkpa, was captured, killed in Monrovia and
16 cannibalised by then members of the Armed Forces of Liberia."

17 A. Yes.

18 Q. Then again on the next day, 15 July, page 24528, I believe
19 it's the top line. I didn't note that. You said - actually,
13:07:18 20 let's go, just to shorten things, to the fourth line. You were
21 asked: "And when you say wait, what are we talking about?" You
22 answered: "Oh, killings, burnings, lootings, raping. There was
23 a terrible situation that followed. Don't let's forget now,
24 Quiwonkpa had come to Monrovia. He has failed. It's believed
13:07:32 25 that his Man and Dan fellows in the army are supporting him and
26 that the Gios from Nimba County are supporting him. He has been
27 captured. He has been cut into little pieces. It is on
28 television. His flesh was eaten by the military people at the
29 time and Doe is now in control."

1 Mr Taylor, what did you understand to be the reasons that
2 soldiers would eat the flesh of Thomas Quiwonkpa?

3 A. Well, at the time, let's - we're talking about, what, 1985?
4 This is - I think this uprising, or thereabout.

13:08:19 5 Q. Correct.

6 A. My understanding at the time - and I'm not even in Liberia
7 at the time, but my understanding is that members of this bush
8 tribe that I'm talking about had said that by eating him they
9 would be strong like him. This is what's reported on the
10 international media. And by this time, mind you, I'm still in
11 the United States. I'm not - I haven't come into Africa yet.
12 I'm still trying to get over. This is what we are hearing. It's
13 reported widely on the news media. I don't really understand the
14 question though, but that's what I know.

13:08:58 15 Q. Thank you. So your understanding is that there are certain
16 fighters, I'm not saying you, Mr Taylor, certain fighters in
17 Liberia who would believe that a person that ate certain body
18 parts of a very strong man would themselves get stronger because
19 of that?

13:09:17 20 A. No, that was not my evidence, Mr Koumjian. I did not use -
21 I did not say fighters. I did not say - I said certain members
22 of that bush tribe of the Armed Forces of Liberia said that.
23 That was reported. I did not say certain fighters.

24 Q. Mr Taylor, you said these were members of the Armed Forces
13:09:40 25 of Liberia; is that correct?

26 A. That is correct.

27 Q. Were they fighters?

28 A. No. I want to distinguish for these judges, when fighters
29 - my understanding of fighters referred to the combatants of the

1 war. I would refer to the Armed Forces of Liberia as saying
2 armed forces personnel. So I wouldn't say fighters, because they
3 were armed forces personnel that we heard that made the
4 statement.

13:10:01 5 Q. Those that ate Thomas Quiwonkpa or parts of his body were
6 soldiers, correct?

7 A. They were soldiers, correct.

8 Q. And, sir, isn't that belief widespread among certain groups
9 - different groups in Liberia?

13:10:16 10 A. Not to my knowledge.

11 Q. I'm not saying by any means the majority of people, but by
12 certain groups and individuals that one can inherit part of the
13 strength or part of the spiritual strength of a great man by
14 eating parts of his body.

13:10:28 15 A. Not to my knowledge, Mr Koumjian, no. Only what I have
16 told this Court truthfully is what I've heard about this bush
17 tribe. But if it's widespread, I really don't know.

18 Q. Mr Taylor, did you ever hear of any reports of NPFL
19 fighters engaging in cannibalism?

13:10:48 20 A. Those reports did not get to me because if they had reached
21 to me - no, they never gotten to me. I would have known what to
22 do. No.

23 Q. Mr Taylor, did you ever get any reports specifically of the
24 SSS engaging in cannibalism?

13:11:03 25 A. SSS? No. The SSS? No.

26 Q. Mr Taylor, what effect do you think it would have on the
27 civilian population, by the way, to know that cannibalism had
28 taken place? Would that frighten people?

29 A. Yes, I'm sure. Definitely it would. It would - well, it

1 depend. You asked me about frightening. Yes, for some people it
2 would be frightening. For others it would just be bizarre.
3 Because, again, for the sake of the judges, frightening would be
4 a word that - most Liberians have heard the information of
13:11:50 5 certain distant bush tribes being cannibals. So I'm not sure if
6 hearing about it at that time would frighten them. I know there
7 would be concerned, but it's knowledge in Liberia about this very
8 remote bush tribe that we've heard about. Most Liberians know
9 that.

13:12:10 10 Q. Sir, did you ever learn of any ceremonies or rituals
11 carried out by your fighters?

12 A. What kind of rituals, Mr Koumjian?

13 Q. Any kinds of rituals.

14 A. Yes.

13:12:26 15 Q. What kind of rituals?

16 A. We would - they would kill cows. There are sheep rituals.
17 There are chicken rituals. There are kola nut rituals. I'm
18 aware of those.

19 Q. When you are talking about killing cows, sheep rituals,
13:12:50 20 chicken rituals, you are talking about sacrifices of these
21 animals in some kind of ceremony?

22 A. What would happen is, you know, cows would be for, let's
23 say when we - when - it's a type of - it's a type of offering,
24 but you can look at it as a ritual. When we took a big city like
13:13:12 25 Buchanan, we killed I think three cows and we divided the meat to
26 the poor, the needed. You know, you just divide it, okay. It's
27 what we do. That's a form of ritual that happens.

28 Q. That certainly is not a ritual, is it, eating a meal with
29 people, distributing food?

1 A. But the way it is done by us, you can look at it, because
2 there are prayers that are done. It's a sacrifice, but that's
3 the only - I would call that - it's a - some people look at it as
4 a ritual.

13:13:49 5 Q. Sir, did you yourself or the NPFL - let me just strike
6 that. Did the NPFL bring ritual specialists to perform acts,
7 rituals?

8 A. Mr Koumjian, I don't want to give you a hard time. When
9 you say ritual specialists, now, I don't know, you see, because I
13:14:10 10 think one of the things that I've probably not dealt with
11 adequately is my understanding of ritual as described by me now
12 and what you have alluded me to as being different. I'm looking
13 at chicken sacrifices and different things as a type of ritual,
14 but apparently you disagree. So would you help now. What do you
13:14:31 15 mean by ritual?

16 Q. It would depend upon what the sacrifice is for. Sir, did
17 you perform or did the NPFL bring individuals to perform
18 ceremonies in which those participating would believe that they
19 were spiritually protected?

13:14:46 20 A. No, no, no. Not at all, no.

21 Q. Did new recruits or new fighters in the NPFL ever receive
22 tattoos or small marks, cuts of their skin to protect them from
23 bullets?

24 A. No.

13:15:27 25 MR KOUMJIAN: May I just have a moment, your Honour? There
26 are logistical issues about how we've put the documents together.
27 I think we need some time for that, so I'll try to move on to
28 another area. It's not ready for distribution yet:

29 Q. Sir, do you believe in any of the traditional religions of

1 Liberia?

2 A. Yes, I do.

3 Q. And --

4 A. Excuse me, I got you wrong. You said traditional
13:16:34 5 religions, no, no.

6 Q. The traditional societies, do they have certain beliefs in
7 - certain spiritual beliefs?

8 A. No. They believe basically in the basic general beliefs.

9 Q. I don't quite get what general beliefs are?

13:16:46 10 A. That is --

11 Q. I would really appreciate you explaining to us what are the
12 beliefs in traditional societies?

13 A. In fact if I may just answer that, counsel. You asked me
14 about tattoos just now and I don't want later on to be told you
13:17:03 15 said there were no tattoos. Your question was specifically if
16 those tattoos were for bullet protection; I am saying no. That
17 is not to say that people didn't have tattoos. That's what I
18 want to get. But now going back to your specific question, these
19 traditional grouping societies in Liberia are a form of
13:17:26 20 brotherhood and sisterhood. African brotherhood and African
21 sisterhood.

22 Q. So, other than fraternity, there are no beliefs associated
23 with these societies?

24 A. Not to my knowledge, no.

13:17:37 25 Q. You talked about tattoos. In the societies are some
26 individuals tattooed or marked in some way on their skin?

27 A. Yes.

28 Q. And what is the purpose?

29 A. Some of them they identify the tribes. I'm Gola, I'm

1 marked. I have a tattoo here of a mark. Some of these are -
2 some people are marked on the cheek. It depends. It would tell
3 you - just by looking at them it may tell you the tribal area
4 that they are coming from. They may have a few marks on their
13:18:08 5 cheeks. Some people have - I don't know how they do it but it's
6 strange, they will cut their - you know, a tooth or two. They
7 would - you see a little sharp point. Some people mark their
8 forehead. So these are all - some of them they use for tribal
9 identification mostly.

13:18:27 10 Q. Sir, my question was the purpose. You are saying that the
11 marks are only for the purpose of tribal identification?

12 A. Mostly.

13 Q. What else?

14 A. I wouldn't say only. Mostly for tribal identification.

13:18:37 15 Q. What else?

16 A. Some people just to - if it's a different kind of tattoo,
17 maybe just to sport a tattoo. But most of it is for tribal
18 identification.

19 Q. Sir, you claim the title of Dankpannah, correct?

13:18:55 20 A. That is correct.

21 Q. And when did you obtain or declare yourself Dankpannah?

22 A. That's two questions now.

23 Q. Let's start with this: How did you get the title
24 Dankpannah?

13:19:08 25 A. Okay. I was granted that title in 1997 after I took over
26 the leadership of all traditional brotherhoods and sisterhoods
27 within the republic. That is a title that is given to the
28 President, but not just the President, but the man who takes over
29 that chieftaincy. It was given to me.

1 Q. Are you saying that you obtained this after you became
2 President of Liberia?

3 A. That is correct.

4 Q. So sometime after August 1997?

13:19:48 5 A. That is correct.

6 Q. Do you recall when, what month?

7 A. It would be immediately because I had to get it - I would
8 put it to August. Because that particular position, you must
9 take it because it comes with - the control of country is

13:20:15 10 something like a kingship so you have to - it's given to you
11 almost immediately. So August.

12 Q. Mr Taylor, you claim to still be for life the Dankpannah.
13 Is that correct?

14 A. That is correct.

13:20:25 15 Q. So you just told us it comes with control of the country,
16 something like a kingship. Are you saying you stay in control of
17 the country and you're something like a king in Liberia?

18 A. Well, I'm saying like a kingship but the thing - Dankpannah
19 means chief. I assumed it because the last person that had that
20 position was the late President Samuel Doe. Now if Samuel Doe

13:20:45 21 had not died I would not have been given the Dankpannah position,
22 but because he was killed. So as long - that position comes and
23 it is held by the individual no matter who is in power. It is
24 held by you because the person in power may not be a member of
13:21:11 25 the traditional sisterhood and brotherhood within the country.

26 Q. Well, is the current President the Dankpannah?

27 A. No.

28 Q. Why not?

29 A. She cannot be. She cannot be because she is not a member

1 of either of the traditional societies in Liberia. So even when
2 those societies are meeting she cannot go. She cannot attend
3 them.

4 Q. Who was the Dankpannah before you, directly before you?

13:21:36

5 A. Samuel Doe was Dankpannah. In fact he carried- because he
6 was from a different region he was called Tarnue. Any Liberian
7 and his brother will tell you it was called - he was called
8 Tarnue which was the same as Dankpannah. And after he died there
9 was an individual that was - his deputy in the tradition was
10 holding that position until a new Dankpannah was appointed and
11 the deputy was the late Senator Keikura Kpoto was the deputy. So
12 he held that and as soon as I was made President was taken into
13 the traditional areas and he had to turn it over immediately.

13:22:03

14 Q. I don't believe that that name is on the record. The
15 senator?

13:22:29

16 A. Keikura Kpoto is on the record.

17 JUDGE SEBUTINDE: What about that other name or title?

18 THE WITNESS: The title Tarnue is T-A-R-N-U-E. It's spelled
19 just like John Tarnue.

13:22:46

20 MR KOUMJIAN:

21 Q. Sir, I'm still confused with how you became Dankpannah.
22 You said appointed. Appointed by who?

23 A. Well, not just appointed. I am a member of the Poro
24 society of Liberia. I am a full member of the Poro society and I
25 am the leader of the Poro society.

13:23:04

26 Q. Is that because you declared yourself the leader?

27 A. No, no, no, no.

28 Q. There are millions of people that are members of Poro
29 societies?

1 A. That is correct.

2 Q. Why do you claim that you are the Dankpannah?

3 A. Because that's what the millions you talk about - that's
4 what they place upon me. The same millions you are talking
13:23:30 5 about.

6 Q. How did you determine that the millions of members of the
7 society decided that you would be Dankpannah? Tell us the
8 process.

9 A. Well, I can't get into all the details of the process, but
13:23:42 10 you have chiefs, elders, Zos throughout the country would
11 assemble and come up with that conclusion.

12 Q. When did this happen?

13 A. In August 1997.

14 Q. Where? Just a general area?

13:24:01 15 A. Gbarnga. We all met in Gbarnga. Every important Poro man
16 from Zo and everything were present.

17 Q. Did you claim the title before that time - before you
18 were --

19 A. No, I did not claim anything. You don't claim these. They
13:24:19 20 are given to you. They are conferred upon you. And, mind you,
21 if I was not a member of the Poro society I could never become
22 Dankpannah and every other President of Liberia has always been a
23 member of the Poro society and they have carried the name
24 Dankpannah.

13:24:55 25 MR KOUMJIAN: Your Honour, perhaps I have time just before
26 the break - we'll just distribute one document if there's time.

27 JUDGE SEBUTINDE: Mr Koumjian, what is the document and
28 what is it being distributed for?

29 MR KOUMJIAN: There is a document being distributed. I

1 intend to use - to present to the witness, it's page 119, the
2 last paragraph, the bottom paragraph ending at footnote 26 on the
3 second last line. It's being used to impeach what the accused
4 has stated today here in Court to your Honours about the practice
13:25:52 5 of tattooing and the purpose of tattooing, about the practice of
6 whether the NPFL used ritual specialists.

7 PRESIDING JUDGE: Mr Griffiths?

8 MR GRIFFITHS: Mr President, there is a difficulty here. I
9 haven't read the document completely and Mr Anyah is engaged on
13:26:19 10 that task as we speak but I note this is an excerpt from a book
11 written by a individual called as an expert by the Prosecution
12 during the currency of their case. It seems to us, given the
13 link with that particular witness who was called to give evidence
14 as to the guilt of the accused - it seems to us that thereafter
13:26:41 15 to be introducing for the first time a document part of a book
16 written by that individual means that this document should quite
17 properly fall into the second category delineated by your Honours
18 in your decision handed down earlier this week. It's the
19 association that I am pointing to at this stage, not yet having
13:27:07 20 had occasion to look at the particular content of the passage.

21 PRESIDING JUDGE: Before I hear from you, Mr Koumjian, you
22 haven't read the whole document. I will give you a chance to do
23 that. We've only got about four minutes of tape left anyway so
24 we will take the lunch hour now and resume at 2.30.

13:27:31 25 MR GRIFFITHS: I'm grateful.

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

27 [Upon resuming at 2.30 p.m.]

28 PRESIDING JUDGE: Mr Griffiths?

29 MR GRIFFITHS: Mr President, first of all to announce a

1 change in representation on this side of the Court. Mr Munyard
2 is no longer with us.

3 Secondly, having now had an opportunity of looking at this
4 document, we submit that this document falls into the second
14:32:45 5 category of material; that is, it is probative of the guilt of
6 the accused and, consequently, is not purely impeachment
7 material.

8 I say that for this reason: There is reference in the few
9 pages copied first of all to teenage fighters laying siege to the
14:33:13 10 capital - that's on the fourth page of those pages copied -

11 relevant, we say, to the allegation of use of child soldiers. It
12 also goes on to make reference to the fact that the book from
13 which this is extracted focuses on the role, religion and rituals
14 at play in shaping and intensifying the brutal civil war, and

14:33:41 15 then it goes on to deal with the use of voodoo dress and the like
16 and the fact that the NPFL made the organisation of appropriate
17 spiritual protection one of the central elements of its military
18 preparation and how the NPFL recruited ritual specialists, some
19 of whom were recruited from abroad, for example, from Cote
14:34:11 20 d'Ivoire, and that ritual experts from one part of Liberia were
21 employed to initiate people from distant areas where they were
22 unknown.

23 We say this is directly relevant to the testimony given by
24 TF1-584 to the effect that this defendant was supposed to have
14:34:30 25 sent herbalists to Sierra Leone prior to the Fitti-Fatta mission
26 to conduct rituals with those to be sent on that mission with a
27 view to protect them from bullets. So in our submission, it's
28 directly relevant to that and, consequently, should not be
29 admitted in the way suggested by my learned friend.

1 Mr President, whilst on my feet can I mention in passing
2 our concern, based on our experience this morning, of the way in
3 which the Prosecution in this case appear to be making their
4 decisions as regard to what material they consider to be
14:35:18 5 impeachment material alone. In the short space of half a day we
6 have already come across a number of examples where, quite
7 clearly, had a diligent eye been focused on the content of the
8 document, the fact that it fell into a different category to that
9 alleged should have been apparent. So consequently, we would
14:35:41 10 like to address and place on record that particular concern.

11 PRESIDING JUDGE: Yes, thank you, Mr Griffiths.
12 Mr Koumjian?

13 MR KOUMJIAN: Thank you, your Honours. First, I'd like to
14 address the last remark where counsel referred to prior documents
14:35:59 15 and how the Prosecution had determined whether they go to guilt
16 or intended to use them only for attacking the credibility - the
17 credit of the accused's testimony.

18 It is our position that the Prosecution can limit what it
19 is offering into evidence to evidence that only goes to credit.
14:36:23 20 This is a professional Bench and your Honours certainly have the
21 capacity, both legally and in every other way, to limit your
22 consideration of evidence for a specific purpose, even in, as I
23 mentioned before, before lay juries, they are sometimes
24 instructed to limit their consideration for a specific purpose.

14:36:49 25 What Defence counsel seems to be saying is that the
26 Prosecution cannot use any document if the Defence can think of
27 any way that this supports the Prosecution case, and that's
28 simply inconsistent with all of the jurisprudence that is cited
29 in the Prosecution motions.

1 One of the fundamental rights of both sides is to test the
2 credibility of witnesses of the other and certainly, as your
3 Honours have pointed out, as important or more important than any
4 other witness, is the accused. The Prosecution has to have the
14:37:24 5 right to put to the accused evidence that contradicts his
6 testimony. One of the things we should be able to do is if,
7 within a larger document there is a portion that goes to
8 contradict his testimony, simply offer that portion. Your
9 Honours are professional judges and do not - will not consider
14:37:46 10 evidence that was not offered.

11 Since counsel raised the prior documents - and he said the
12 Prosecution should have been well aware - I would like to go back
13 to the assets, the documents regarding the bank accounts. This
14 is something I think quite clearly the Prosecution would have
14:38:06 15 been precluded from using in its case because it goes to the
16 accused's wealth, to his corruption. It would arguably be
17 prejudicial. But in numerous occasions during his testimony the
18 accused has not only denied having any money, he's challenged the
19 integrity of the Prosecution and: Please come forward if there's
14:38:29 20 any bank account anywhere in the world. Our right to test his
21 credibility must be ensured by allowing us to use appropriate
22 documents that respond to what he has asserted in his testimony.

23 Now any document, your Honours have the ultimate
24 determination, not the Prosecution, has to what it will be used
14:38:50 25 for and, I mean, you can decide that when we ask for a document
26 to be used for guilt, that you will not. But if we only ask for
27 a document to be used to go to attack the credibility of the
28 witness, then that's the only thing it's offered for. And as
29 professional judges, you can simply restrict yourselves. Unless

1 the Defence is saying we want this document considered for
2 another purpose, it's only being offered for one purpose. The
3 case law that we cited in our motion, and I think it's consistent
4 with your decision also, is that for these documents no
14:39:25 5 disclosure is required. When the Prosecution is going to impeach
6 an accused with documents, it's not required that he be alerted
7 beforehand and prepare a response to those documents.

8 In this specific document this directly contradicts his
9 testimony, which he went into in some detail in something I
14:39:47 10 believe I cited earlier, but also I recall the words - I'm sorry,
11 I don't have a citation - he doesn't believe in juju, but he has
12 repeatedly said today there was no use of ceremonies and rituals
13 to make fighters believe that they were protected. This
14 contradicts it, and in the interests of the main function of a
14:40:06 15 trial, to find the truth, we should be allowed to use it.

16 PRESIDING JUDGE: Yes, Mr Koumjian, we'll have to
17 deliberate. But if you look at our order again, which I say is
18 in crystal clear language, the order we made in our decision of
19 30 November, you will not see any qualification on documents
14:40:30 20 containing fresh evidence that is probative of the guilt of the
21 accused. It does not qualify that by saying that if the
22 Prosecution only wishes to attack credibility, the document can
23 be used. It doesn't say that.

24 The other thing that you should bear in mind is that
14:40:53 25 Ms Hollis said that at this stage the documents are tendered for
26 impeachment of credibility, but at a latter stage they will be
27 making some - the Prosecution, that is - will be making some
28 application that they also be admitted as proof of guilt.

29 Now, very helpfully, the Prosecution in its motion, did not

1 point out what documents are going to be used for what. But in
2 any event, just let me deliberate.

3 [Trial Chamber conferred]

4 PRESIDING JUDGE: I will emphasise, the Bench hasn't seen
14:43:14 5 the document, but there does not appear to be any argument
6 between the parties that the document does indeed include the
7 passages mentioned by Mr Griffiths in his objection. That being
8 so, the document, apart from going to the credibility of the
9 accused, goes obviously to proof of his guilt as well and we
14:43:40 10 order, Mr Koumjian, that at this stage you cannot use the
11 document because it has not complied with our order.

12 MR KOUMJIAN: Your Honour, before the matter is lost and
13 also in the - I believe it is timely now, the Prosecution does
14 have a motion related to the redaction this morning, and I think
14:44:06 15 in order to be careful, because I don't know how the Court will
16 rule, it would be better to do that in private session. For the
17 benefit of the audience, I think it is a short matter. I think
18 we can deal with it in a few minutes, I hope.

19 PRESIDING JUDGE: It's about the passage we ordered
14:44:27 20 redacted this morning, Mr Koumjian?

21 MR KOUMJIAN: Yes, your Honour.

22 PRESIDING JUDGE: Just before we go to the trouble of
23 ordering a private session, are you going to say that more should
24 have been redacted or that we redacted the wrong passage?

14:44:45 25 MR KOUMJIAN: Actually, I'm making a motion to lift the
26 confidentiality of a document that was referred to and then to
27 restore into the public record the transcript, because I believe
28 that that will comply with your Honours' previous orders.

29 PRESIDING JUDGE: All right. We will, members of the

1 public, need to go into private session for a few minutes. What
2 that means is that you can still watch the proceedings for those
3 few minutes, but you won't be able to hear what's going on. Now,
4 the reason we have to do that is that what is going to be put
14:45:30 5 before the Trial Chamber might expose the identity of a witness
6 who has been granted protective measures orders by this Court.

7 Madam Court Manager, could you please put the Court into
8 private session?

9 [At this point in the proceedings, a portion of
10 the transcript, pages 32938 to 32941, was
11 extracted and sealed under separate cover, as
12 the proceeding was heard in private session.]

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1 [Open session]

2 MS IRURA: Your Honour, we are in open session.

3 PRESIDING JUDGE: Yes, Mr Koumjian.

4 MR KOUMJIAN:

14:54:26 5 Q. Mr Taylor, were you ever aware of a practice in the NPFL -
6 did the NPFL ever use, to your knowledge, the practice of rubbing
7 gunpowder into the skin of soldiers?

8 A. No.

9 Q. Did the NPFL, to your knowledge, use any rituals or
14:54:47 10 ceremonies that would give fighters the belief that they were
11 protected from bullets?

12 A. No, no. Not that I know of. That would be foolish. Not
13 that I know of, no.

14 MR KOUMJIAN: I would ask that another document be
14:55:04 15 distributed. After it's distributed, I will explain that only a
16 small portion do I intend to use and I will identify that to
17 counsel and the Court.

18 JUDGE SEBUTINDE: Mr Koumjian, I keep coming back to you on
19 this hoping that somehow the practice will click. Before you go
14:55:26 20 distributing a document, we need to hear from you why you are
21 doing so and what is the document and why you are distributing
22 it.

23 MR KOUMJIAN: Thank you. This document will attack the
24 credibility of the accused on two points, in two areas. First,
14:55:46 25 his statement that there were no rituals or at least that he was
26 aware of in the NPFL or ceremonies to give fighters protection
27 against bullets and, secondly, the other assertion that came up
28 today and many other days, which is that there were no child
29 soldiers or soldiers under 18 in the NPFL. We believe, contrary

1 to what counsel said earlier, and these are two separate areas of
2 the document, that child soldiers in Liberia does not go to the
3 proof of the charges. The accused is charged with crimes in
4 Sierra Leone and he's charged with child soldiers in Sierra
14:56:29 5 Leone, not in Liberia.

6 MR GRIFFITHS: Mr President, I've just been handed an
7 excerpt from a Human Rights Watch report, volume 16, dated
8 February 2004. The index, which is the first page of the
9 document, makes references to inter alia recruitment of children,
14:57:02 10 roles and responsibilities of child soldiers, current status of
11 child soldiers, the future for child soldiers in Liberia, and
12 that's just the index. In our submission, it is not sufficient
13 to say: Well, this deals with child soldiers in Liberia.

14 The whole reason why we've spent so much time during these
14:57:30 15 proceedings traversing events in Liberia is because the
16 Prosecution put their case on the basis that the RUF learnt
17 certain practices from the NPFL. That's why we spent so much
18 time dealing with what prima facie is irrelevant evidence. So to
19 say that by introducing this it contradicts, but is unrelated to,
14:57:57 20 the indictment, in our submission is a complete misstatement of
21 the situation. Let me put it that way.

22 PRESIDING JUDGE: Do you want to reply, Mr Koumjian?

23 MR KOUMJIAN: Thank you, your Honour. Your Honour, the
24 very first sentence - well, I know your Honours don't want to
14:58:15 25 consider the whole document, but this is based on research
26 conducted in 2003, so we could hardly be saying - the Prosecution
27 be saying that because of child soldiers used in 2003 or in years
28 close to that, that that's where the RUF learned the practice.

29 Furthermore, the Prosecution, when we put on a case, have

1 an obligation to streamline it, to put on evidence that is most
2 directly relatable to the crimes and to the liability of the
3 accused. So some evidence - some areas that were tangential to
4 the Prosecution case may still become very, very relevant to the
14:58:59 5 credibility of the accused or the witness. When Charles Taylor
6 testifies that there was no one under 18 in the NPFL under oath,
7 we think that's something that we need to explore and fully
8 develop, and it's not something we needed to fully develop in our
9 case, because it's very tangentially related to Sierra Leone;
14:59:25 10 certainly child soldiers as in methodology, this research, that
11 were interviewed in August 2003.

12 PRESIDING JUDGE: Mr Koumjian, while you're on your feet,
13 we don't have the document before us - as yet, anyway - but it
14 seems incredible to me that a Human Rights Watch report would not
14:59:46 15 have evidence in it that goes to the guilt of the accused. Is
16 that what's happened in this case? There's nothing that goes to
17 - is that what you're saying; nothing in the document goes to the
18 guilt of the accused?

19 MR KOUMJIAN: Yes, your Honour, because this is a report
15:00:04 20 directed to Liberia, and what we understand is going to the guilt
21 of the accused is evidence that proves the charges in the
22 indictment. He is not charged with crimes with in Liberia.

23 PRESIDING JUDGE: What about evidence of a consistent
24 pattern of conduct?

15:00:19 25 MR KOUMJIAN: Well, as I mentioned, this particular
26 evidence relates to 2003, so it relates to the end of the
27 accused's time. If your Honours say it goes to a consistent
28 pattern of conduct, I guess I'm back to --

29 PRESIDING JUDGE: I'm not saying that. I haven't seen the

1 document.

2 MR KOUMJIAN: I know. I don't mean to put the words into
3 your mouth. If that could be argued, again I come back to the
4 other argument. The Prosecution, our belief - and we think it's
15:00:52 5 based on all the case law - that if documents are only offered to
6 attack the credibility of the accused, they can be admitted for
7 that limited purpose. We're not offering it to prove a
8 consistent pattern of conduct. We're only offering it to show
9 when Charles Taylor says there was nobody under 18 in the NPFL,
15:01:11 10 that was a blatant lie and your Honours should be made aware of
11 it. He testified to that other oath.

12 PRESIDING JUDGE: I blame myself, Mr Koumjian. I obviously
13 haven't made this clear, but our order that we issued on Monday -
14 I beg your pardon, it wasn't issued until Tuesday morning - but
15:01:31 15 that order was that documents containing fresh evidence that is
16 probative of the guilt of the accused must be disclosed by the
17 Prosecution forthwith. Now, it's not subject to the
18 Prosecution's use of the document. If it contains information
19 going to the guilt of the accused, it has to go through the
15:01:56 20 process that we have mentioned in category 2 of our decision.
21 But in any event, I'll just consult with my colleagues.

22 [Trial Chamber conferred]

23 PRESIDING JUDGE: Yes. The Defence objection is sustained
24 and at this stage, Mr Koumjian, you cannot use that document.

15:02:31 25 MR KOUMJIAN: Your Honour, I understand the ruling and will
26 move to the next document:

27 Q. Mr Taylor, when did you marry Jewel Howard?

28 A. 1997.

29 Q. When in 1997, sir?

1 A. Before I was elected. The first half of 1997.

2 Q. And you don't remember your anniversary date, or do you?

3 A. Yes.

4 Q. When was it, sir?

15:03:08 5 A. You asked me if I don't remember. I said I don't remember.

6 Q. I see. You do not remember. Was it January 1997?

7 A. I do not remember really, Mr Koumjian.

8 Q. Would it refresh your recollection to see a document - a
9 newspaper article about your wedding with Jewel Howard-Taylor?

15:03:22 10 A. Well, if it's important to you that we get the date, fine.

11 I just said I don't remember, so maybe if the date is important
12 to you that you want to refresh my memory, I wouldn't question a
13 document that states the date. I don't have to be shown. I will
14 take your word for it. I don't think you would mislead the

15:03:42 15 Court.

16 Q. What I'm just asking is you've told us - I just - correct
17 me if I'm wrong - your memory as to the date is exhausted, you
18 don't know the date, correct?

19 A. I don't know the date but I trust your word, Mr Koumjian.

15:03:49 20 Q. I'm not asking you to trust my word. I'm not testifying.

21 Is it possible that it would refresh your recollection to see a
22 newspaper article about your wedding --

23 A. No.

24 Q. -- as to the date?

15:03:59 25 A. No.

26 MR KOUMJIAN: Okay. Your Honour, I'd like a document
27 distributed.

28 PRESIDING JUDGE: What was the reason though?

29 MR KOUMJIAN: Your Honours, while it's being distributed, I

1 will explain according to the procedure that's been outlined this
2 morning.

3 This goes to the accused's testimony today that the name
4 Dankpannah was something he did not give himself and that it was
15:04:31 5 something that he received after becoming President of Liberia on
6 or after August 1997:

7 Q. Mr Taylor, before you finish reading that, I want to ask
8 you a question outside of the document. The title "Dankpannah"
9 comes from what language or languages?

15:06:34 10 A. I would say about nine different languages in Liberia.

11 Q. Does it mean anything? Aside from the meaning of the
12 title - from being a title, does it have a meaning in any
13 language?

14 A. Yes, about the same meaning in all of the languages. These
15:06:57 15 are two different words. Two different words.

16 Q. I think everyone's aware, but just to be clear for the
17 record, the article that I'm referring --

18 PRESIDING JUDGE: I'm sorry, Mr Koumjian, we were just
19 going to ask Mr Taylor a question.

15:07:39 20 MR KOUMJIAN: Please.

21 PRESIDING JUDGE: You mentioned two different words. What
22 are those two different words, Mr Taylor?

23 THE WITNESS: The first word is Dah, D-A-H, and the second
24 word is Kpannah, K-P-A-N-N-A-H. So that expression has two
15:07:55 25 different words, but it means the same thing in all the nine
26 tribes that constitute the Poro society. Kpannah is first, Dah
27 is the first among first. So these are the two different. -
28 these are two different words, Dah and Kpannah, D-A-H.

29 PRESIDING JUDGE: I interrupted you, Mr Koumjian.

1 MR KOU MJIAN:

2 Q. Sir, the article I'm referring to, I believe we all are
3 aware, is the one towards the bottom of --

15:08:26

4 PRESIDING JUDGE: Sorry, is this a question on the document
5 or --

6 MR KOU MJIAN: Yes.

7 PRESIDING JUDGE: We're still waiting to hear from the
8 Defence on this.

15:09:17

9 MR GRIFFITHS: I'm sorry, Mr President, but again we have a
10 difficulty with this document for this reason: In the last
11 paragraph of the document we find this:

12 "Though serving as groomsmen were Mr Robert Taylor,
13 Adolphus Taylor, Benoni Urey, Beauford Taylor, Joseph Tate and
14 Talal El-Ndine, while junior groomsmen was Charles Phillip
15 Taylor, the best man was Vivian Cook."

15:09:47

16 Those names have all featured as being individuals who, the
17 Prosecution say, were involved in some criminal way with
18 Mr Taylor. You will recall cross-examination about Talal
19 El-Ndine already conducted in the cross-examination of Ms Hollis
20 and also what references - questions were asked about the
21 relationship between Mr Taylor and Robert Taylor and Benoni Urey,
22 who was in charge of the Maritime Bureau.

15:10:07

23 The fact that these individuals, the Prosecution say, were
24 involved in some criminal conspiracy with this man were acting as
25 groomsmen at his wedding shows a closeness between them which in
26 due course the Prosecution might well exploit to suggest in
27 showing or demonstrating the guilt of the accused, and for that
28 reason we do object.

15:10:29

29 PRESIDING JUDGE: Yes, Mr Koumjian.

1 MR KOU MJIAN: Your Honour, I'm impressed with their
2 creativity, but I don't believe that there is any link between
3 those individuals and the Prosecution case. None of their names
4 came up in the Prosecution case in chief, to my memory, and
15:11:04 5 simply the fact that these individuals attended a wedding,
6 they're not named as members of the joint criminal enterprise,
7 there's nothing in here about Sierra Leone. This is clearly a
8 document that does not go to guilt, if there ever was one.

9 PRESIDING JUDGE: Just one thing about that article,
15:11:26 10 Mr Koumjian. You originally asked the accused about the date of
11 his wedding and he said he didn't know and then you asked:

12 "Q. I'm not asking you to trust my word. I'm not
13 testifying. Is it possible that it would refresh your
14 recollection to see a newspaper article about your wedding?

15:12:01 15 A. No.

16 Q. As to the date?

17 A. No."

18 So is the reason you're now distributing this newspaper
19 item to establish the date of the wedding?

15:12:25 20 MR KOU MJIAN: Your Honour, I believe the date of the
21 wedding is established in the article, but also, if I recollect,
22 Mr Taylor said he was - let me just check his testimony.

23 JUDGE SEBUTINDE: I think you wanted to challenge the
24 testimony to the effect that the Dankpannahship was acquired
15:12:52 25 after he became President and not before.

26 MR KOU MJIAN: Yes, that's correct.

27 JUDGE SEBUTINDE: Through this wedding article.

28 MR KOU MJIAN: Correct. And, of course, we know that he
29 testified today, this morning, that the Dankpannah title was

1 given to him after he became President.

2 [Trial Chamber conferred]

3 MR GRIFFITHS: Mr President, I apologise. It has been
4 helpfully brought to my attention that the reference that I made
15:14:51 5 to Talal El-Ndine, which Mr Koumjian asserted did not form part
6 of the Prosecution case, if one looks at Prosecution exhibit 18
7 at paragraph 23 we find this and this is part of a Security
8 Council report:

9 "President Charles Taylor is actively involved in fuelling
15:15:15 10 the violence in Sierra Leone and many businessmen close to his
11 inner circle operate on an international scale. One key
12 individual is a wealthy Lebanese businessman named Talal
13 El-Ndine."

14 Prosecution exhibit P-18.

15:15:51 15 PRESIDING JUDGE: Yes. It looks as though the document
16 goes to, amongst other things, proof of the guilt of the accused
17 and at this stage, Mr Koumjian, we rule that you cannot use it.
18 But can we just say this because a lot of time is being wasted
19 here, we have to listen to the parties on the nature of the
15:16:17 20 document and then make a decision, and if we decide that the
21 document does go to the guilt of the accused, we then will need
22 to entertain submissions from the parties as to whether it can be
23 used or tendered.

24 So what I would say to the Prosecution is this: That if
15:16:39 25 there is any doubt at all in your mind about whether the document
26 affects the guilt of the accused, then serve it and we will hear
27 your submissions at the appropriate time.

28 Yes, Mr Koumjian.

29 MR KOUMJIAN: Your Honour, I would like another document

1 distributed.

2 JUDGE SEBUTINDE: Mr Koumjian?

3 MR KOUMJIAN: Yes, I was waiting for counsel to get the
4 document before I explain --

15:17:43 5 JUDGE SEBUTINDE: Well, we're not counsel.

6 MR KOUMJIAN: Okay.

7 JUSTICE SEBUTINDE: We are waiting for the appropriate
8 submissions that you know by now.

9 MR KOUMJIAN: Okay. I'm learning. Mr Taylor today
15:17:51 10 testified that he remains Dankpannah, that it remains his title
11 and this contradicts him in that it shows that the title was
12 taken from him in 2006. It further goes to whether or not
13 Mr Taylor's assertion that he was elected and that it states that
14 he unilaterally took the title.

15:18:42 15 JUDGE SEBUTINDE: So exactly what is the document,
16 Mr Koumjian? Did I miss it?

17 MR KOUMJIAN: This is a document in which a traditional -
18 it's a radio report. It's printed. A news article from Star
19 Radio that indicates that former President Taylor loses his
15:19:05 20 title. So it's a media report.

21 MR GRIFFITHS: Mr President, can I say, we've had a look at
22 the document and the concerns we have about it, it seems to us,
23 more properly go to the weight as opposed to the admissibility of
24 the document and those matters can be argued in due course.

15:19:46 25 PRESIDING JUDGE: We're talking about admissibility now,
26 but what we're concerned with at present is its use of the
27 document and we'll allow it to be used if it simply attacks the
28 credibility of the accused and there's nothing in it that goes to
29 his guilt.

1 MR GRIFFITHS: Well, it seems to us, on the face of this
2 document, it does support the suggestion earlier made by the
3 Prosecution to Mr Taylor in terms of his credibility. To my
4 mind, there is nothing on the face of this document which would
15:20:22 5 appear to pertain to the guilt of the accused.

6 PRESIDING JUDGE: Thank you. We'll have a look at the
7 document ourselves.

8 Mr Koumjian, you have some questions?

9 MR KOUMJIAN: Thank you, your Honour:

10 Q. Mr Taylor, have you seen the document?
15:21:00

11 A. Yes. I'm looking at it right now.

12 Q. Mr Taylor, you're aware, aren't you, that you - that Chief
13 Jallah Lone announced in 2006 that he had taken back, a retrieval
14 of the title of Dankpannah from you, correct?

15 A. Yes, I'm aware, yes.
15:21:30

16 Q. And Chief Jallah Lone, who is he? You've mentioned him
17 before.

18 A. Yes. Chief Jallah Lone remains until today my deputy. In
19 fact, he's very sick right now. He remains my deputy, Jallah
15:21:53 20 Lone. I know this incident very well, yes.

21 Q. Let's read it because it's rather short. It's dated
22 28 August --

23 JUDGE DOHERTY: Can I clarify, deputy Dankpannah or --

24 THE WITNESS: He's the deputy. He's the number two to me
15:22:05 25 until today. He's not well right now. He's a very old man.

26 Actually, it's Jallah Lone. That should be L-0-N --

27 JUDGE SEBUTINDE: The question is deputy what?

28 THE WITNESS: Dankpannah.

29 MR KOUMJIAN:

1 Q. It's entitled Former President Taylor Loses Title. It
2 states:

3 "Veteran traditional politician Chief Jallah Lone has
4 announced the retrieval of the title of Dankpannah from former
15:22:35 5 President Charles Taylor. Chief Jallah Lone told Star Radio he
6 is now the new Dankpannah of the Republic of Liberia. He made
7 the pronouncement two days to the celebration of his 101st birth
8 anniversary on August 26?

9 Chief Jallah Lone alleged former President Taylor
15:22:57 10 unilaterally took the title.

11 He said, 'One must go through eight categories of
12 traditional societies in order to accede to the position of
13 Dankpannah.

14 As head of all traditional societies in Liberia, the
15:23:13 15 Dankpannah is immured from arrest and is an untouchable figure."

16 First I want to ask you, is it correct, Mr Taylor, that to
17 be the Dankpannah one must go through eight categories of
18 traditional societies?

19 A. Yes. Not eight, but most of them, yes.

15:23:40 20 Q. How many have you gone through?

21 A. All of them.

22 Q. Is it correct, as Chief Jallah Lone alleges, that you
23 unilaterally took this title?

24 A. This is not correct. And I tell you, it's good for this
15:23:54 25 Court to know, there's a subsequent document published after this
26 because when the traditional chiefs met - Jallah Lone did make
27 this pronouncement. This document is true. But what Jallah Lone
28 failed to do at that particular time, he failed to follow the
29 traditional - what he was talking here is logic; you're an

1 untouchable sine you're under arrest. Not quite - a short time
2 thereafter, Chief Jallah Lone had to withdraw this statement.
3 I'm fully aware of the whole process. Fully aware of the whole
4 process, because if I did not go through the eight levels, I
15:24:30 5 would not have become Dankpannah. So I'm Dankpannah. So if he
6 says he's the new one of which he was really brought under severe
7 whatchamacallit for being persuaded to do this, but he's still my
8 deputy.

9 Q. Is Chief Jallah Lone a credible person in your view?

15:24:55 10 A. I think Chief Jallah Lone is extraordinarily credible. I
11 would say yes.

12 Q. And just briefly to complete this issue, I'm not going to
13 read the bottom because it's the same. But I ask that the
14 witness be shown DP-79. It's in week 33 binder. It's MFI-179A,
15:25:15 15 I believe. This is in the binder for week 33, 10 to 14 August,
16 binder 4, tab 159. Sir, do you have the photograph in front of
17 you?

18 A. Yes, I do.

19 Q. Is Chief Jallah Lone in that photograph?

15:26:19 20 A. Yes, he is.

21 Q. Would you please tell us which person is him?

22 A. I may have to point it there.

23 Q. Sure. That would be fine with me.

24 A. I'm sorry, your Honours, you can't see his face, but you
15:26:35 25 can see the back. This is Jallah Lone right here.

26 Q. You're identifying, for the record, the gentleman with the
27 red cap?

28 A. Yes.

29 Q. At the front of the photograph?

1 A. Yes.

2 MR KOUMJIAN: This is already in evidence - it's not in
3 evidence. I don't know if it's okay for him to mark with an
4 arrow the name?

15:27:06 5 PRESIDING JUDGE: Who had it marked for identification?

6 MR KOUMJIAN: The Defence.

7 PRESIDING JUDGE: I wouldn't allow a Defence document to be
8 marked.

9 MR KOUMJIAN: You may return to your seat, Mr Taylor. I
15:27:28 10 would ask if the witness could please be shown MFI-28. I will be
11 directing his attention to page 266 to 268. This is at tab 31,
12 binder 3, week 31.

13 Mr Taylor, this appears to be an address that begins on
14 page 266. Do you recognise this? Take a look. I'll just read
15:28:36 15 the first few paragraphs to see if it refreshes your
16 recollection:

17 "Reconciliation and inclusion, restoration, expansion,
18 reconstruction and progress. If an acronym could be formed to
19 reflect this vision appropriately it would be R-I-P-E.

15:28:59 20 The time is ripe, my fellow citizens, for Liberians to turn
21 the energies of war into the vitalities and peace and unity".

22 Do you recognise this speech?

23 A. I can see part of it. Yes, I recognise the speech. I have
24 forgotten the time but I recognise the speech, yeah.

15:29:14 25 Q. You do not recall when it was that you gave this speech?

26 A. Not really. Reconciliation, no. I don't see the time
27 there. I don't recall. This could be have been - this had to be
28 - I would put it '97, '98.

29 Q. We see at the bottom of the page - on each page it states

1 "Presidential Papers, August 2, 1997 to December 31, 1998".

2 Would it be correct to presume that all of the documents in this
3 book were - speeches were delivered during that time period?

4 A. I think that's a fair assumption.

15:29:58 5 Q. Now I'd like to turn your attention to page 267. There is
6 a discussion in the first column and the top of the second column
7 of various orders. I don't want to read all of this because I
8 don't think it's terribly relevant: The Order of the Star of
9 Africa with four ranks; the Most Venerable Order of the Pioneers;
15:30:35 10 are you familiar with these terms?

11 A. Yes, I am.

12 Q. Then it states - and I'm going now to the second column on
13 page 267 in the first full paragraph, the middle sentence:

14 "The rank of Grand Cordon is the highest decoration that
15:30:54 15 Liberia can bestow. The President serves as Grand Master of all
16 three of these orders and the Foreign Minister serves as
17 Chancellor."

18 Is that correct?

19 A. That's correct.

15:31:04 20 Q. So is this an order that you had - a title or order that
21 you had, the Grand Cordon?

22 A. No, counsel. Let me - I'm not sure if this - you will have
23 to explain what these orders are. All states - these - in fact,
24 this pin that I wear is the - these are called orders. These are
15:31:28 25 the orders where you have a sash and a lapel pin. These are the
26 orders. All states have them as recognition for individuals.
27 Now, before you get that, you are nominated through an extensive
28 process and you are given, you know, a rank, okay, in the order.
29 So the President of Liberia is the Grand Master of all of the

1 orders and there are three. These are on the western side, three
2 distinguished orders. In other countries - every nation has
3 these orders and they call them different things. So to
4 understand, this is one of these western style orders and I

15:32:13

5 demonstrate this pin as - this pin is from one of the orders,
6 these little lapel things, these are the orders mentioned here.

7 Q. Thank you. Now I'm going to read a bit - a few paragraphs
8 of the remainder of this document, beginning on the second full
9 paragraph on the second column in page 267:

15:32:41

10 "These orders are respected and prestigious icons of our
11 cultural heritage, and provide a critical and vital continuum in
12 terms of our tradition and history. They will continue to serve
13 as indications of recognition and honour now and in the future.
14 However, time moves on, and the evolution of society is as

15:33:10

15 inexorable as it is dynamic and inevitable. As we activate and
16 implement the mandate you have given us to lead Liberia into the
17 new millennium, we find a compelling need at this time of
18 national reconciliation and reconstruction to establish a new
19 order that will be based on our traditional culture and values,
20 and order that will take precedence and seniority over all of the
21 others. I therefore have the honour and privilege today to
22 announce to you my intention to create the order of the Zoes and
23 Bodi os."

15:33:37

24 Is that a correct pronunciation?

25 A. That is correct.

26 Q. "The new order will highlight, celebrate and elevate our
27 traditional culture. It will be based upon the values and
28 principles of our traditional societies, the Poro and the Sande,
29 and will incorporate rituals, regalia and dress codes which are

1 traditionally Liberian. All true and recognised leaders, Zoes
2 and Bodios, will be automatically admitted to the order and only
3 those persons who are or become members of the Poro and the Sande
4 will be subsequently admitted to the order. The Grand Master of
15:34:40 5 the order will be Dankpannah, and membership will be very limited
6 and very restricted.

7 We hope and trust that this will assist in giving our
8 beautiful traditional culture pride of place in our national life
9 and in the international arena. After all, a people who do not
15:35:03 10 respect their culture and traditions is a people without a
11 future."

12 So, Mr Taylor, was this order something that you created
13 after you became President?

14 A. The order of Zoes and Bodios, yes.

15:35:23 15 Q. And this Grand Master of the order will be Dankpannah, is
16 this something you created after you were President?

17 A. No. Dankpannah again, Mr Koumjian, is a title. It's not a
18 name. Dankpannah refers to a title. So if there is any other
19 order that comes into the country, it will have to fall under
15:35:44 20 that title.

21 Q. This order, it was based on the Poro society, correct?

22 A. Yeah, the Poro, Sande and Bodio.

23 Q. Just to be clear, Sande is for females. It's the
24 equivalent of the male Poro, is that correct?

15:36:02 25 A. That is correct.

26 Q. And the Bodios is based upon a different set of tribal
27 groups; is that the difference between Poro and Bodios?

28 A. That is correct. The southeastern part of Liberia, the
29 Grebos, the Krahns, the Sapos and part of the Krus, that part of

1 the border, they are the Bodios.

2 Q. And those from Nimba County are Poros?

3 A. You have some from Nimba Poro, but you have others from
4 Nimba that have another traditional society, they're called the
15:36:39 5 Gbon, G-B-O-N, Gbon, which Blah failed to tell you people he is a
6 senior member of the Gbon society in Nimba.

7 Q. Sir, did you create this order in fact?

8 A. Well, we announced the order. The process of creating this
9 order, we - would have called for going to the legislature. This
15:37:00 10 is more like an announcement. Then we had planned to go to the
11 legislature to have it enacted, because to put it over - I'm sure
12 you didn't ask me this, but it's good to have an idea and it
13 would still have been - maybe not interested in knowing what
14 these - what's the background to this, but anyway I'll answer
15:37:26 15 your question directly. We have to go to the legislature, you
16 have to get approval, and then put the order and design, get the
17 acceptable regalia that will be used for the order.

18 Q. Sir, was there ever a membership - were persons ever
19 admitted into this order?

15:37:47 20 A. No, no, no, no. We did not put to the legislation for this
21 order. We did not.

22 Q. Sir, were you ever a member of a society called Top 20?

23 A. I know of no society called Top 20. Never, no.

24 Q. Do you know of any group that you were a member of called
15:38:10 25 Top 20?

26 A. Never, no. There was never a group that I - I have heard
27 of Top 20, but not as a group that people - I've heard of it in
28 connection with another situation, but not as something that
29 somebody joined.

1 MR KOUMJIAN: Thank you. I'm finished with the document.
2 Your Honours, I believe I had neglected to ask that the one
3 document that I used, which was, I believe, just one, the Star
4 Radio interview, be marked for identification.

15:38:57 5 PRESIDING JUDGE: Yes, that Star Radio interview - well,
6 it's not an interview.

7 MR KOUMJIAN: It's a report, sorry. A news report.

8 PRESIDING JUDGE: Star Radio report dated 28 August 2006
9 will be marked for identification MFI-304.

15:39:25 10 MR KOUMJIAN: Now, I do want to raise one concern I have
11 again with your Honours, just so I can explain myself and take
12 your ruling.

13 It's our belief that documents that we attempt to use - and
14 I know that nothing has been precluded at this point and your
15:39:42 15 Honours have simply said we have to disclose it and then we'll
16 deal with it later - but that any record of these proceedings
17 will be incomplete and unclear if these documents are not marked
18 for identification so that the record of what was offered exists.
19 So what I'm asking is that other documents should be given an MFI
15:40:06 20 number. I'd ask if you'd consider that.

21 PRESIDING JUDGE: I'm just querying whether that's
22 necessary. Because if you tender them, we then entertain
23 submissions as to their use and admissibility. That's the time
24 that they are before the Court; whereas technically that should
15:40:30 25 not have been before the Court if our order had have been
26 complied with. In any event, it's a matter for the Trial
27 Chamber, so I'll consult my colleagues.

28 [Trial Chamber conferred]

29 PRESIDING JUDGE: Yes, Mr Koumjian, we don't think it's

1 appropriate to mark them for identification at this stage, but I
2 can't see why you would be concerned that you won't be able to
3 locate the relevant document or part of the transcript if it
4 comes to that. But, in any event, we're not marking those
15:41:41 5 documents at this stage.

6 MR KOUMJIAN: Thank you:

7 Q. Mr Taylor, I want to move on to another area. Sir, you
8 talked about an organisation you called Black Kadaffa. Can you
9 tell us, first of all, when did you first learn of Black Kadaffa?

15:42:13 10 A. I first learned of - the time period. I would put it back
11 to about I would say around '91, '92 that I first heard of Black
12 Kadaffa.

13 Q. Can you be any more precise than that?

14 A. No, because this involved the - and this went on for some
15:42:51 15 time. I would put it to late '91, early '92, somewhere in there
16 because this is the whole incident regarding the Degbon and that
17 group. I can't be more precise than that.

18 Q. Can you tell me exactly how it was that you learned of
19 Black Kadaffa?

15:43:10 20 A. During the arrest of - we had heard of this group.
21 Intelligence had been reporting about Degbon's activities and
22 Oliver Varney's activities and that came up, but it was after -
23 and during their arrest and different things that the name really
24 became prominent as this group that were mostly Sierra Leoneans
15:43:40 25 that were being run by Degbon and these other individuals.

26 Q. Sir, if I understand your answer, what you're telling me is
27 that you learned about this group before the arrest, and it's not
28 clear from your answer which arrest you're talking about. Which
29 arrest are you talking about?

1 A. The arrest of General Degbon, that name is on the records
2 here, and the rest of them, Oliver Varney.

3 Q. Who was arrested first?

15:44:14

4 A. In terms of the two, who was arrested first? I don't
5 remember who was arrested first. I didn't conduct the arrest.

6 Q. Now, you told us that you had heard about the group. You
7 said during the arrest of - we had heard of this group.

15:44:39

8 Intelligence had been reporting about Degbon's activities and
9 Oliver Varney's activities. My question is: When did you first
10 learn, through intelligence or otherwise, about this group?

11 A. Well, if we put the time that I have said somewhere between
12 '91 and '92, it was during that particular period.

13 Q. How long after you had received these intelligence reports
14 did the arrest of any of these individuals take place?

15:44:58

15 A. I would say shortly. I'll put that very shortly. About
16 two - I would put it to a maximum of two to four weeks.

17 Q. Who was it that first gave you an intelligence report
18 concerning this group?

15:45:23

19 A. I can't even remember the - but I know this report came to
20 the Defence intelligence and I got it through my Defence
21 Minister. So as to who, the Defence Minister.

22 Q. At that time was Tom Woveiyu the Defence Minister?

23 A. That is correct.

24 Q. Who was it defence intelligence head?

15:45:39

25 A. I'm sorry, I really don't know. I didn't know who was the
26 chief of defence intelligence. I didn't know him.

27 Q. Aside from Tom Woveiyu, did you receive information about
28 Black Kadaffa from anyone else?

29 A. Well, all of these reports came. During that particular

1 time, the defence - the biggest intelligence agency we had at
2 that particular time, were very new, mostly military, so I don't
3 recall any other agency. We had not set up agencies by this time
4 like the NSA and all of that, no. So mostly from defence. I got
15:46:21 5 it through the minister. But I'm sure they had a wide, wide
6 network of intelligence people.

7 Q. So, Mr Taylor, tell us in these very first reports, if you
8 can recall, that you received, what was it that you learned?

9 A. The first report that reached me was that there was
15:46:49 10 suspicious movement of arms, ammunition, the people have been
11 tracking Degbon, arms and ammunition picked up from one area to
12 deliver to another, all never get there. It became suspicious as
13 to why Degbon in delivering arms and ammunition at certain places
14 was never getting there. When the commanders were asked, they
15:47:13 15 would report one figure, but he had another. So in the basic -
16 the typical way that intelligence go on collecting that
17 information, we finally got information that came to me that
18 Degbon was associating or had put together a group called Black
19 Kadaffa and that some of the arms and ammunition were suspected
15:47:33 20 of being stored by Degbon for some special operation by this
21 group. That was about the first report that I got.

22 Q. What did you do when you received this first report?

23 A. The Defence Minister to make sure that they countercheck
24 and re-check and double their efforts to find out, because Degbon
15:47:54 25 was a senior member of the organisation and we did not want
26 anyone to just come accusing him if there was not anything
27 substantive, to double their efforts, put more undercover people
28 to see if there were any truth to it.

29 Q. You say more undercover people. Can you explain what you

1 mean by undercover people?

2 A. More agents out there to make sure.

3 Q. Prior to receiving this report, were you suspicious of
4 Degbon?

15:48:22 5 A. No. Degbon was very close, a senior member of the
6 organisation. To an extent, Degbon had been involved with these
7 boys in Libya, but he had denied it and denied any real, you
8 know, involvement, and so we took his word for it. Like I said,
9 he was an educated man and we took his word for it. But we
10 always had an eye out to watch to see what would be his moves.

11 Q. We did or you in particular had an eye out on Degbon?

12 A. If I was - no, more than me. If I was alone I would not
13 have gotten the information. I think most of the individuals
14 that did not support what they had done in Libya always were
15 suspicious of their activities.

16 Q. So before you received this report, was Degbon somebody you
17 didn't trust, or how would you describe your relationship?

18 A. Iffy.

19 Q. Iffy? Did you trust him or no?

15:49:25 20 A. No, not really, but I was prepared to give him the benefit
21 of the doubt. No, I didn't really trust him.

22 Q. What was his ethnicity?

23 A. Gio. Gio from Nimba County.

24 Q. And he was highly educated, you told us, correct?

15:49:39 25 A. That is correct.

26 Q. He was a - would you say he was an articulate man?

27 A. Well, I wouldn't say very articulate, no. Degbon was a
28 technical person. He didn't talk very much, no.

29 Q. Did he have leadership qualities?

1 A. Of course. I would say - well, he had a master's degree,
2 so with that I would say yeah. He was not the only person from
3 Nimba with us that had a master's degree, so for me --

4 Q. Did you see him as a potential rival for power in the NPFL?

15:50:15 5 A. No, no, I didn't see him that way. There were other senior
6 people from Nimba. No, I didn't see him that way.

7 Q. Who were the other senior people from Nimba that you saw as
8 rivals?

9 A. Not rivals. Having the capacity for power.

15:50:31 10 Q. Okay. Who else did you see from Nimba who had the capacity
11 for power?

12 A. There was another geologist, Zhee Deckie. Zhee, Z-H-E-E,
13 Zhee. Deckie is D-E-C-K-I-E. You had - at that particular time
14 with us you had Samuel Dokie from Nimba and there were other
15:50:56 15 officials, politicians and different things, that were still
16 resident in Nimba County that were of prominence.

17 Q. Sir, after you received the first reports about Degbon,
18 what was the next information you received?

19 A. The next set of information, if I recall properly, was that
15:51:32 20 some of the agents that had been apparently volunteered to join
21 the Black Kadaffa I think gave the second set of reports that
22 Black Kadaffa did have a secret mission, but that - and that they
23 had arms and ammunition that were being stored in the forest area
24 around Bong Mines, but that they had not gone to the area and
15:52:04 25 that, you know, we needed them to give them some time, that they
26 would verify some more. This is as much as I can recall.

27 Q. When did you first hear the name Black Kadaffa? Was that
28 with the first report?

29 A. Well, I would say that - yes, when I got the first report,

1 the name Black Kadaffa came out as the group, yes.

2 Q. Can you explain that? The first report told you Degbon you
3 said was - there were strange things going on about ammunition.
4 What did it say about Black Kadaffa?

15:52:44 5 A. That Degbon was associating - there was a group - that
6 ammunition was disappearing and that there was a group that
7 Degbon was working with called Black Kadaffa for a special
8 operation. That was the report.

9 Q. So you understood at that time that there were some agents
15:53:04 10 who were within the organisation reporting on it?

11 A. Mr Koumjian, I have said that defence intelligence - look,
12 my Minister of Defence brought me this report. I do not know the
13 mechanism of the defence intelligence, but it came from defence
14 intelligence. Now, you asked me subsequently and I'm trying to
15:53:27 15 say that - of course, you if want to call it agents, intelligent
16 officers, I do not know what word we can attach to it, but there
17 were a lot of intelligence people that were circulating at that
18 particular time.

19 Q. Mr Taylor, let's look at your answer, page 146, line 18 on
15:53:43 20 my font. It says: "The next set of information, if I recall
21 properly, was that some of the agents that had been apparently
22 volunteered to join the Black Kadaffa." So it was your use of
23 the word agents. What did you mean when you said agents there?

24 A. What I'm saying, intelligence - defence intelligence people
15:54:06 25 were sent undercover. I think this started with what did I mean
26 by undercover. What apparently they did was to take some of the
27 intelligence officers and let them volunteer to join in order to
28 infiltrate the organisation. This is my understanding of it.

29 Q. So approximately when was it that you received the next set

1 of information?

2 A. Things were coming out. Maybe it could have been about a
3 week later or two weeks later or maybe less than two weeks.
4 Reports now starting coming whenever it was important.

15:54:43 5 Q. And tell us how the investigation evolved. What happened?
6 What information did you receive next after some of your agents
7 had volunteered to join Black Kadaffa?

8 A. We're talking about a series of things now. They verified
9 that there were arms and they verified what they - the special
15:55:05 10 operation was, that the special operation was to attack the
11 leadership of the NPFL. So we're talking about a series of
12 reports that came in.

13 Q. I'm a bit confused when you say they verified that there
14 were arms because these are Degbon, Oliver Varney, Anthony
15:55:23 15 Mekunagbe, these are NPFL commanders, correct?

16 A. That is correct.

17 Q. They have arms as part of their job as NPFL commanders,
18 correct?

19 A. Yes. But, Mr Koumjian, I just told you before this Court
15:55:35 20 that we had information. If you go further back in the text you
21 will see that arms were being stored in a forest area around Bong
22 Mines, not that the commanders had arms. Because I had said
23 before Degbon used to deliver arms to them, but the quantity in
24 question when commanders received their materials brought the
15:55:58 25 initial suspicion. So the arms I'm referring to are those that I
26 told the Court, may be a few pages back, that were supposed to be
27 stored in the forest around the Bong Mines area.

28 Q. After your agents had penetrated, volunteered and joined
29 Black Kadaffa, what happened next, and they reported to you that

1 there was - you told us that they reported that there was a plot
2 against the leadership. What happened next?

3 A. I'm going to answer that, but I'm hearing you saying "and
4 they reported to you". I'm saying that one man brought me
15:56:33 5 reports. My Defence Minister reported to me. Not "they". I'm
6 not saying that the agents in the field came to me. So, having
7 said that, the next step was, after it was verified through
8 reports, okay, and discussions between senior commanders that in
9 fact these agents or intelligence officers had found a cache of
10 weapons in the forest, an order was given to arrest those that
11 were responsible.

12 Q. Well, how did you determine who was responsible?

13 A. I already mentioned it. Some of the boys - some of the men
14 that were top in the organisation, we arrested Degbon, we
15:57:13 15 arrested Oliver Varney, and they - as you arrest, you know,
16 individuals will call all - and in fact, Oliver Varney mentioned
17 the senior Special Forces that were involved. There were a lot
18 of junior people, but they named them. After they were picked
19 up, they admitted to it.

15:57:34 20 Q. Sir, you've mentioned two names right now. Can you
21 remember more names of individuals that were arrested for Black
22 Kadaffa. You've mentioned Degbon and Oliver Varney?

23 A. Well, Black Kadaffa, now we're talking about the movement
24 to overthrow - to kill the leadership of the NPFL. Also involved
15:57:53 25 in that arrest was Anthony Mekunagbe. Involved in that arrest
26 was Timothy Mulibah.

27 Q. Any other individuals, or are there more people whose names
28 you don't recall?

29 A. No, I don't recall the names. I was more concerned about

1 the leadership. That was the leadership. Like I said, there
2 were junior people I don't recall, because there were a lot of
3 people that went to court-martial. Not everybody was killed.
4 Some people were punished and different things. But those were
15:58:25 5 the principal four that we wanted to deal with.

6 Q. How many people were arrested for Black Kadaffa?

7 A. I don't recall, Mr Koumjian. I really don't.

8 Q. You understood this to be a plot against your life?

9 A. I understood this to be a plot against the leadership of
15:58:45 10 the NPFL, as I have told this Court.

11 Q. Well, explain - well, what does that mean? A plot to
12 change the leadership?

13 A. No, a plot to destroy the leadership.

14 Q. What do you mean by "destroy"?

15:59:00 15 A. Kill the leadership.

16 Q. Okay. And what information did you have that lead you to
17 that conclusion?

18 A. That the arms and ammunition were designed to stage a
19 military operation to attack me and other senior individuals that
15:59:14 20 had been identified.

21 Q. How did you determine that? All your information came from
22 Tom Woveiyu, is that right?

23 A. Yes, that's my defence minister.

24 Q. And what was the information he gave you that made you
15:59:26 25 determine that these individuals planned to attack you?

26 A. I just told you. Based on the information and based on the
27 confession of Oliver Varney and others, the plot was to stage a
28 military operation to attack and kill us and take over the
29 leadership, including the Woveiyu himself. In fact, even some of

1 the colleagues.

2 Q. You talked about a confession just now from Oliver Varney.

3 Did that information come to you before he was arrested?

4 A. No. How would it come before he - no.

15:59:59 5 Q. My question was what information did you have before they
6 were arrested?

7 A. I've told you.

8 Q. Just a conclusory statement that these people planned to
9 overthrow the leadership or destroy the leadership. Is that all
16:00:11 10 that the report stated?

11 A. The report stated that. It stated that there was a cache
12 of arms that had been picked up. During the arrest we recovered
13 the arms cache and they were investigated, and during the
14 interrogation they admitted.

16:00:23 15 Q. Sir, who ordered the arrest of Degbon?

16 A. I did.

17 Q. Who ordered the arrest of Varney?

18 A. All those individuals in order - I was commander-in-chief.
19 In order - these were military people. Once the defence minister
16:00:36 20 - I gave the order to the defence minister to conduct the arrest.

21 Q. What happened after they were arrested?

22 A. They were taken to a defence intelligence. They were
23 properly investigated, and all the evidence that we needed was
24 put together and they were sent to the military tribunal.

16:00:56 25 Q. Now, sir, these agents that disclosed this plot, can you
26 tell me any of their names?

27 A. Mr Koumjian, I've told you: I don't know who these defence
28 intelligence people were. I received reports from my defence
29 minister. I don't know the agents in the field.

1 Q. Sir, this was a plot to kill you, but you didn't bother to
2 speak directly to those that had information?

3 A. This was a plot to kill me and the leadership of the NPFL.

4 Q. That would be even more reason, wouldn't it, to find out
16:01:33 5 exactly what the basis is of the information?

6 A. No, that's the investigation and the tribunal. That's what
7 the tribunal was set up to find out.

8 Q. Sir, where was Oliver Varney arrested?

9 A. Oliver Varney was sent for. He was arrested - I think
16:01:57 10 Oliver Varney, if I'm not mistaken, he was arrested in Kakata.
11 He was ordered to come to Kakata.

12 Q. How about Anthony Mekunagbe?

13 A. Lofa. He was arrested in Lofa, I believe. Either Lofa or
14 Bong County, Gbarnga. One of the two, I'm not sure.

16:02:24 15 Q. When you say Varney was arrested in Kakata, he was ordered
16 to come to Kakata, where was he when he was ordered to go to
17 Kakata?

18 A. He was in the Bong Mines area between Bong Mines and Bomi.

19 Q. And he obeyed that order?

16:02:42 20 A. He was not told to come to be arrested. That's not the way
21 you do it.

22 Q. I understand.

23 A. To my understanding, it was done very tactically. Oliver
24 Varney, upon the picking up the information, was called to report
16:03:00 25 to headquarters, and he came.

26 Q. And what about Degbon? Where was he arrested?

27 A. I think Degbon was arrested in Kakata.

28 Q. Sir, were there any documents discovered to prove this
29 attempt against the leadership?

1 A. Mr Koumjian, I swear, this is a very difficult situation.

2 It's just --

3 Q. Mr Taylor --

4 A. I'm not complaining.

16:03:24 5 Q. Is there any reason why you're looking to your defence side
6 on this?

7 A. Oh my God, no. What am I going to look to them for? No.
8 What I'm saying, it's a very difficult situation. I'm answering
9 your question but, you know, they're becoming so simplistic. If

16:03:39 10 documents came or didn't come, there was two prerogatives; the
11 investigators and the tribunal that we set up. As leader of the
12 NPFL would I [indiscernible]. They were arrested, they were
13 investigated, and the matter was sent over to a tribunal.

14 Q. Sir, as leader of the NPFL you have a responsibility to
16:03:59 15 protect the leadership, correct?

16 A. Yes, I do.

17 Q. And what did you have to do that was more important at that
18 time than to discover first whether this plot was true?

19 A. So now I'm an investigator?

16:04:12 20 Q. Sir, you're the commander-in-chief, correct?

21 A. I am the commander-in-chief.

22 Q. And ultimately you ordered the executions of these men,
23 correct?

24 A. After due process.

16:04:22 25 Q. Sir, did you make sure that these men were guilty before
26 you ordered them executed?

27 A. That's not my prerogative. Mr Koumjian, you're a lawyer.
28 How can you ask the President, "Did you make sure they were
29 innocent or guilty"? That's the process of the Court.

1 Q. Actually, Mr Taylor, you had absolute discretion, didn't
2 you, whether they would be executed or not?

3 A. No, no. No. Well, in a way. At the end of the line I
4 would have that particular prerogative. But that is only the end
16:04:53 5 process.

6 Q. Well, at the end of the line did you receive full
7 information about this plot against the leadership?

8 A. At the end of the line, Mr Koumjian, realising that the
9 tribunal was set up in a way like many other tribunals where
16:05:05 10 there were lawyers - actual lawyers of the bar representing the
11 sides, the decision came. But mind you, Mr Koumjian, again, the
12 tribunal - these were all military individuals. The tribunal
13 that was set up dealt with military individuals and we went
14 through - the Colonel tried to help me the other day. The trial
16:05:33 15 was done under the Uniform Code of Military Justice, and these
16 were people that had an operational order and had mutinied. And
17 so once that full process had taken place with the soldiers, I
18 approved the recommendation from the tribunal, yes.

19 Q. How many people did you order executed?

16:05:55 20 A. During that particular time there were about three - three
21 that were executed. The fourth one, Anthony Mekunagbe, died in
22 prison before the time. But the number of people that were
23 executed were three.

24 Q. How old was Anthony Mekunagbe when he died in detention?

16:06:15 25 A. Mekunagbe could have been early 40s.

26 Q. Mr Taylor, where was he detained where he died?

27 A. He was detained in Gbarnga.

28 Q. That was after you had ordered his arrest, correct?

29 A. That's correct.

1 Q. What caused his death?

2 A. Mekunagbe was not a well individual. He was taking
3 treatment. I think it may have been pneumonia, if I recall
4 properly.

16:06:47 5 Q. Now, you said Oliver Varney confessed, is that right?

6 A. To the best of my - yes.

7 Q. Before he died in detention did Anthony Mekunagbe confess?

8 A. Not to my knowledge. Only Oliver Varney confessed upon his
9 arrest that this was the case.

16:07:02 10 Q. And what did this confession say?

11 A. That they had planned to attack and kill the leadership and
12 take over, and this was a continuation of the plan from Libya.

13 Q. So explain in more detail. There was a plan in Libya and
14 it continued until - I believe you said this was, in the

16:07:22 15 beginning of your testimony - late '91, early '92, at the
16 beginning of this area. Did you get my question, sir?

17 A. No, I didn't.

18 Q. Explain to us in detail what the confession of Oliver
19 Varney was about the plot to destroy the leadership, including
16:07:54 20 you, of the NPFL?

21 A. I have just explained it. What Oliver Varney said, that it
22 was true that - what had happened in Libya, and their plan in
23 Libya was the plan that was being put into place: To attack and
24 take over the leadership of the NPFL.

16:08:10 25 Q. So earlier when we were discussing the time in Libya you
26 told us it happened during the American bombing of Tripoli, which
27 was in April - I put to you April 1986. So it was sometime in
28 the 1980s, '86, '87, that this plot originated?

29 A. Yes, Mr Koumjian. I'm not - when we talked about that the

1 other day, I told you people if it was '86, the bombing, or
2 whatever, but I know that we still had people - we had people in
3 Libya. That plan occurred, I would say, about '88, that plan.
4 We arrested some people and brought them forward, because we left
16:09:00 5 Libya in '89. So I would put that plan and those that were
6 arrested - some of them were punished. Some of them were removed
7 from Libya. That had been testified here. I would put it to
8 about '88.

9 Q. About how long was the confession of Oliver Varney? How
16:09:21 10 many pages was it?

11 A. I don't remember. I didn't see the confession.

12 Q. You executed the man without reading the confession?

13 A. You are asking me about number of pages and different
14 things. The investigation went through the tribunal. I did not
16:09:36 15 go and review the work of the tribunal. I'm not a lawyer.

16 Q. Mr Taylor, you may not be a lawyer but you're a man very,
17 very conscious of his own security, aren't you?

18 A. Very.

19 Q. And that's why, for example, you brought the Gambians;
16:09:50 20 because you thought they were not a threat to do a coup against
21 you. Correct?

22 A. That is correct. One of the reasons, yes.

23 Q. Mr Taylor, I put to you that's another reason why you used
24 children for protection, because they were not a threat to
16:10:04 25 organise a coup, correct?

26 A. That is totally incorrect.

27 Q. So, sir, being a person very, very conscious of his own
28 security, what did you do to find out if you had discovered all
29 of the persons involved in Black Kadaffa?

1 A. Mr Koumjian, the leadership and other people were arrested.
2 You've asked me as to whether I can - if I knew some of the other
3 people. I said no, I can't recall the lower people. The four
4 top individuals were picked up.

16:10:41 5 Q. What about Timothy Mulibah?

6 A. Yeah, Timothy Mulibah was also picked up.

7 Q. What happened to him?

8 A. He was executed too.

9 Q. You forgot about him?

16:10:52 10 A. Maybe I slipped him, yes, but I mentioned him as one of
11 those. He was executed.

12 Q. How many people again - since now we know another - how
13 many people do you think you ordered executed?

14 A. No, Mr Koumjian, that little quip I take exception. Not
16:11:04 15 that we know another. I mentioned to this Court initially the
16 number of people that were arrested. I also mentioned one died
17 in jail, okay? But you've asked me now, and I've said he was
18 arrested so --

19 Q. How many people do you think you ordered executed --

20 A. Not "think."

21 Q. -- for Black Kadaffa? Okay, how many people; do you know?

22 A. Four individuals. One died in jail.

23 Q. Can you name the people that you executed?

24 A. Timothy Mulibah, Anthony Mekunagbe, Yegbeh Degbon, Oliver
16:11:37 25 Varney. Anthony Mekunagbe died in jail.

26 Q. You're forgetting somebody else, aren't you?

27 A. Remind me. If you remind me, if it's so, I will not
28 mislead the Court. I will tell you.

29 Q. Sir, these court proceedings, how long did the trial -

1 Let's just take Degbon. How long did the trial of Degbon take?

2 A. That whole trial lasted maybe about three months I would
3 say.

4 Q. Where was the trial held?

16:12:31 5 A. The trial was held in Gbarnga.

6 Q. Was it open to the public?

7 A. Yes.

8 Q. Was it common public knowledge that this trial was going
9 on?

16:12:39 10 A. Very common.

11 Q. Were records kept? I'm sure there wasn't a simultaneous
12 transcript, but were records kept of the proceedings?

13 A. I would say yes.

14 Q. Did the judges give a written decision?

16:12:59 15 A. Yes, they wrote a decision.

16 Q. Who were the judges?

17 A. I don't remember all of them. The chairman of the tribunal
18 was - we talked about McDonald Boam.

19 Q. Sir, this was a major event in the history of the NPFL,
20 correct?

16:13:18

21 A. Yes.

22 Q. It's a major event in your life, correct?

23 A. Yes.

24 Q. Do you have records of this Black Kadaffa plot, this trial?

16:13:27 25 A. Even if I had records, they would have been destroyed.

26 When Gbarnga was attacked, most of Gbarnga was burnt to the
27 ground.

28 Q. Mr Taylor, the order to execute them, was that a written
29 document?

1 A. It was written.

2 Q. Did you sign it?

3 A. I did.

4 Q. Who testified against Oliver Varney?

16:13:58 5 A. I was not in the court, Mr Koumjian. I have no idea. I
6 was not in the court. I do not know the witnesses. I don't
7 know.

8 Q. How many witnesses testified against him?

9 A. I do not know.

16:14:12 10 Q. What was the evidence against him?

11 A. His confession and other things, from what I would say. I
12 was not in the court, Mr Koumjian.

13 Q. Sir, who took the confession from Oliver Varney?

14 A. I have no idea, Mr Koumjian.

16:14:27 15 Q. Was that Benjamin Yeaten, for example?

16 A. No, Benjamin Yeaten was not the one.

17 Q. Was it Cassius Jacobs?

18 A. No, it was not Cassius. I don't know who.

19 Q. Well, who did you send in to do this - who was in charge of
16:14:39 20 the investigation?

21 A. Mr Koumjian, all I know is that the investigation was being
22 conducted very properly under the Defence Minister who was very
23 sound in mind and body and that's the best I can tell you. I did
24 not go into the personnel or know their names or who. That was
16:14:59 25 not my concern. My concern was that it was properly investigated
26 and the minister and all the other officials, the chief of staff,
27 General Musa, all of those, because these are consultations and
28 these are their brothers. These are their brothers. These were
29 all Nimba people. And so everybody had an interest and there

1 were consultations at the defence headquarters, and whenever the
2 report came to me, I would read the report and that's it.

3 Q. Given that there was - everyone had an interest, who was
4 the person in charge of investigating this plot against you and
16:15:38 5 the rest of the leadership?

6 A. I don't know the individual, Mr Koumjian, who was directly
7 placed in charge, but whoever was I would believe head of defence
8 intelligence would have been the individual and that would have
9 been an individual of a very high rank and probably, you know,
16:16:00 10 because I understand what they did at that particular time, those
11 were - if you are - I mean, how they did it in Liberia, I don't
12 know how it is done in other places, the rank of those
13 individuals, all of the people that were involved in
14 investigating them, had to be a least of an equivalent rank or
16:16:22 15 equal rank I would say. So I would say there were some senior
16 people involved, but I don't know who was used in the
17 investigation.

18 Q. How did you determine whether or not the plot had been
19 fully discovered?

16:16:36 20 A. I didn't determine that. I left that to the investigators.

21 Q. You just left that to chance?

22 A. No, Mr Koumjian. I left that to the defence and to make
23 sure that there was some - at least some recourse, we sent it to
24 a tribunal with trained lawyers and people to go through the time
16:16:56 25 that it took to investigate it.

26 Q. Were any individuals investigated and exonerated for Black
27 Kadaffa?

28 A. To my knowledge, there were several people that were set
29 free, to the best of my knowledge.

1 Q. Do you recall their names?

2 A. No, I don't know. These were all junior people,
3 Mr Koumjian. I probably knew maybe one-tenth of 1 per cent of
4 names of individuals in the NPFL. Except people that work around
16:17:30 5 you very closely, it's very difficult to remember peoples names
6 like that in such a large organisation, no.

7 Q. Sir, another person that you had executed due to Black
8 Kadaffa was Sam Larto. Isn't that true?

9 A. That is totally untrue.

16:17:53 10 Q. Was Sam Larto involved in Black Kadaffa?

11 A. On the peripheral, I would say these were people close to
12 him, but Sam Larto was executed for a massacre in Maryland
13 County. That's what he was executed - tried and executed for and
14 the killing of a civilian that he accused of stealing a
16:18:16 15 television, he shot him in the head and that came out later. But
16 Sam was very close to those individuals, but he was not executed
17 for Black Kadaffa.

18 Q. When did the massacre occur?

19 A. I think Blah talked about it. That was - I don't know.

16:18:38 20 That could have occurred I think about '92, if I'm not mistaken.
21 '91, '92, around about the same time.

22 Q. When was it that he allegedly killed the civilian accused
23 of stealing a television?

24 A. Around the same time. I don't know the dates, Mr Koumjian.

16:19:04 25 Q. All those that were under investigation, they were detained
26 and investigated. Is that correct?

27 A. Yes, most of these individuals. If they were not - if they
28 were not sent to the tribunal, they were investigated and some of
29 them were punished militarily. They have different ways. Some

1 of the little fellows were put into one week, two weeks
2 confinement. Some of them did push-ups. All kinds of stuff.

3 MR KOUMJIAN: Your Honour, I'd like the witness to be shown
4 the transcript for 23 September, page 29460:

16:20:03 5 Q. Sir, do you have that? Tell me when you have that.

6 A. Okay, I will.

7 Q. Sir, I'm going to refer to you beginning at line 23 of that
8 page:

9 "Sam Larto could have visited Naama at the particular time.

16:20:36 10 I would not dispute that. Sam Larto could have been there
11 because at the end of the day when these people - Sam Larto was
12 under investigation at the time of his arrest for - may I just
13 say he murdered some civilians and he killed another guy that he
14 says stole a TV. But Sam Larto was under investigation for the
16:20:59 15 same Black Kadaffa situation."

16 Mr Taylor, the real reason you murdered Sam Larto was not
17 because of your concern --

18 MR GRIFFITHS: Mr President, I wonder if my learned friend
19 could assist with the page reference because we've found page
16:21:18 20 29460. The reference isn't there. I don't know whether there
21 has been some error.

22 PRESIDING JUDGE: I've got that same page and I can't see
23 that part of the transcript there. There's obviously some
24 mistake there, Mr Koumjian.

16:22:13 25 MR KOUMJIAN: While my colleague is looking for it, I'll
26 try to move on a little bit.

27 JUDGE SEBUTINDE: This may or may not be important, but
28 Black Kadaffa, is that spelt with a K or with a G? I've seen it
29 variously spelt in the records.

1 THE WITNESS: It could go either way, your Honour, but K
2 would be preferable.

3 MR KOUMJIAN: The correct page reference is 29476. I would
4 note that this was testimony from private session, but the areas
16:22:52 5 that I plan to read do not reveal the identity of any witness
6 being discussed and that would be - I'm reading from lines 23 to
7 29.

8 PRESIDING JUDGE: I can't see how that would reveal the
9 identity of any protected witness.

16:23:23 10 MR KOUMJIAN:
11 Q. "Sam Larto could have visited Naama at the particular time.
12 I would not dispute that. Sam Larto could have been there
13 because at the end of the day when these people - Sam Larto was
14 under investigation at the time of his arrest for - and may I
16:23:41 15 say, yes, he murdered some civilians and he killed another guy
16 that he says stole a TV. But Sam Larto was under investigation
17 for the same Black Kadaffa situation."

18 So, Mr Taylor, isn't it the truth, Sam Larto, you did not
19 order his execution because of your concern for crimes against
16:24:02 20 civilians? You ordered his execution because you believed he was
21 part of a plot to destroy you, correct?

22 A. That is totally incorrect. If I had tried Sam Larto, if we
23 had had him tried for Black Kadaffa, I would have said to this
24 Court. Sam Larto was under investigation. At the time that Sam
16:24:22 25 Larto killed the civilians in Maryland, he was not - it was an
26 allegation. He was not arrested immediately. He came - in fact,
27 the civilian that Sam Larto killed, he killed him I think on the
28 Kakata-Gbarnga Highway. So we're talking about miles apart. But
29 he was under investigation.

1 Look, Sam Larto was one of those that were initially
2 arrested and investigated in Libya. So by - there was always an
3 eye out for Larto, but Sam Larto's real cause of execution and
4 his trial before the tribunal had nothing to do with Black
16:25:03 5 Kaddafi. It had to do with the killing of those civilians. Even
6 though we had suspected that Sam would be involved with those
7 boys, but his trial was strictly on this issue of the civilians,
8 so I disagree with you.

9 Q. Well, given that he was from Nimba country, correct, Sam
16:25:22 10 Larto?

11 A. Definitely.

12 Q. Was he Gio or Mano?

13 A. Gio.

14 Q. And he was close to some of the others that you executed,
16:25:29 15 correct?

16 A. That is correct.

17 Q. So it was a convenient excuse to get rid of him to say you
18 were trying him for crimes against civilians, wasn't it?

19 A. No, Mr Koumjian. I disagree with you. Mr Koumjian, I
16:25:41 20 don't operate that way. I will tell these judges, you know, I
21 have said that I ordered executions after investigations. So the
22 reason, no, this and that no. I don't operate that way. I will
23 tell these judges precisely. In fact, we have evidence to back
24 my claim. So I'm telling them exactly what happened.

16:26:05 25 Q. Mr Taylor, give the judges more details about what you
26 learned about the Black Kaddafi plot. What was the plot?

27 A. I've explained this plot.

28 Q. That's it. Just that it was to kill you. You had no
29 details of how it would be carried out?

1 A. What these people were arrested for, they were arrested for
2 holding arms and ammunition in the forest and putting men
3 together, including Sierra Leoneans, to attack the leadership of
4 the NPFL and take over the leadership. Now, military plans vary.
16:26:39 5 I must these tell these judges that what they planned to - of
6 course - how does a military plan - ambush and kill. This is
7 what we were told, that we were going to ambushed and killed,
8 okay? And they had planned it to do a simultaneous operation,
9 identify the officials, where they were, and out a particular
16:26:57 10 time carry them out simultaneously. So that was sufficient to
11 lead to their arrest. They were arrested. Oliver Varney
12 confessed, from what I was told, that this was true. And after
13 he did a confession and named the rest, they were picked up and I
14 said in order that there would be due process, they should go to
16:27:15 15 the tribunal.

16 Q. Did Anthony Mekunagbe die under torture?

17 A. No, let me just allay your fears. Your Honours, I think
18 it's on the record. Anthony Mekunagbe at the time was --

19 Q. He was married to your half sister?

16:27:29 20 A. No, not married. They were living together. So he was not
21 an enemy of mine. He was only an enemy with the plot. He was
22 living with my sister. In fact, I misspoke. One mother, one
23 father, and it was a very tough decision for me. One mother, one
24 father. I misspoke when I said my sister, you understand me?

16:27:52 25 Q. But your security overrides; that's your top priority,
26 correct?

27 A. Well, the incident was that it didn't really matter for me.
28 Once the facts were true, I could not have executed others
29 [overlapping speakers].

1 Q. Sam Dokie was once very close to you also, correct?

2 A. Oh, very close, yes. Very close.

3 Q. We'll get into that later. Let's go back to Black Kadaffa.
4 Tell us, Mr Taylor, how many Sierra Leoneans were arrested in
16:28:20 5 this plot?

6 A. I don't know. But from what I'm told, a lot of the Sierra
7 Leoneans fled. Once - we didn't go after the little people. You
8 see a snake, you cut the head, the body will fall. We went after
9 the leaders. By the time the news broke that Degbon and Varney
16:28:43 10 were arrested and others, most of these guys fled. Black Kadaffa
11 - they may have picked up some, but a lot of them fled the
12 country and went back across the border.

13 Q. And what was the involvement of the Sierra Leoneans? Can
14 you explain it?

16:28:57 15 A. That was going to be the main force. There were not - the
16 Sierra Leoneans outnumbered the Liberians in Black Kadaffa.

17 Q. So you're saying these were just basically hired guns
18 brought in by the plotters to use against you?

19 A. The Sierra Leoneans outnumbered the Liberians, and I think
16:29:21 20 the plan was to use them to carry out the operation. Because I
21 think they were trying to safeguard the secrecy a lot, but it
22 managed to leak.

23 Q. Now, was it a plan to ambush? Something like an ambush of
24 your convoy, or was it a major military movement to start a new
16:29:39 25 group?

26 A. No, no, no, no. No, not that. I understand that it was
27 supposed to be a simultaneous operation, depending on where I was
28 and the other officials, to launch a full operation
29 simultaneously in an ambush. Not like a fight to the finish, no.

1 Q. Was Foday Sankoh involved?

2 A. In what?

3 Q. Black Kadaffa?

4 A. I don't know, but I want to believe - I really want to
16:30:27 5 believe that he was aware of these Sierra Leoneans that were
6 working with Oliver Varney and the rest. I think it was
7 something like maybe trying to cash in on some old favours, I
8 would put it to.

9 MR KOU MJIAN: Just one more question, if I have time?

16:30:52 10 PRESIDING JUDGE: I think just one more.

11 MR KOU MJIAN:

12 Q. At page 142, line 25 this morning, you said that this plot
13 - you first received information late '91, early 1992. I'd like
14 to put to you evidence you gave on 16 July, page 24703. As soon
16:31:16 15 as everyone is ready, because of time, I'm ready to go,

16 PRESIDING JUDGE: We're just about out of time, I might
17 say, Mr Koumjian.

18 MR KOU MJIAN: I would take me a minute to --

19 PRESIDING JUDGE: I don't even think we've got a minute.

16:31:30 20 MR KOU MJIAN: Thank you then, your Honour. I don't believe
21 I have a minute.

22 PRESIDING JUDGE: Yes, I think we're at the end of the
23 tape, but it's something you can continue on with tomorrow.

24 We're going to have to adjourn, Mr Taylor, and I'll issue
16:31:47 25 that same warning that you're not to discuss your evidence with
26 any other person. We'll adjourn now until 9.30 tomorrow morning.

27 [Whereupon the hearing adjourned at 4.31 p.m. to
28 be reconvened on Thursday, 3 December 2009 at
29 9.30 a.m.]

I N D E X

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