



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

FRIDAY, 5 FEBRUARY 2010
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Sidney Thompson

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Christopher Santora
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Morris Anyah
Ms Salla Moilanen

1 Friday, 5 February 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:30:38 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first.

7 MS HOLLIS: Good morning, Madam President, your Honours,
8 opposing counsel. Appearing this morning for the Prosecution
9 Brenda J Hollis, Christopher Santora and we are joined by our
09:36:46 10 case manager, Maja Dimitrova.

11 MR ANYAH: Good morning, Madam President. Good morning,
12 your Honours. Good morning, counsel opposite. Appearing for the
13 Defence this morning are myself, Morris Anyah, and our case
14 manager, Ms Salla Moilanen.

09:37:03 15 Madam President, at a time that's convenient for the
16 Chamber, I would like to raise an administrative issue.

17 PRESIDING JUDGE: I think now is as good a time as any.

18 MR ANYAH: Yes. I wanted to make an inquiry with leave of
19 the Chamber of counsel opposite regarding the length of time that
09:37:26 20 the Prosecution expects to continue cross-examining Mr Taylor.

21 Your Honours will recall that on Thursday, 21 January,
22 I learned counsel opposite made representations to the effect that
23 the cross-examination would last perhaps seven to eight more days
24 as of that date, and today would make it eight days and we are
09:37:47 25 just curious, for administrative purposes, for how long the
26 Prosecution intends to continue their cross-examination.

27 That was the nature of my inquiry. Thank you.

28 PRESIDING JUDGE: Ms Hollis, do you wish to respond,
29 please?

1 MS HOLLIS: Simply to say, Madam President, that we will
2 conclude our cross-examination today.

3 PRESIDING JUDGE: Does that help, Mr Anyah?

09:38:18

4 MR ANYAH: Yes, it does, Madam President. Thank you,
5 counsel, thank you, your Honours.

6 PRESIDING JUDGE: Mr Taylor, before we recommence
7 cross-examination, I remind you of your declaration to tell the
8 truth. Ms Hollis, please.

9 MS HOLLIS: Thank you, Madam President.

09:38:33

10 DANKPANNAH DR CHARLES GHANKAY TAYLOR:

11 [On former affirmation]

12 CROSS-EXAMINATION BY MS HOLLIS: [Continued]

13 Q. Good morning, Mr Taylor.

14 A. Morning, counsel.

09:38:37

15 Q. Mr Taylor, you recall yesterday at the close of the day we
16 were talking about a company that had timber - a timber
17 concession in Liberia, a company called ULC. Do you recall,
18 Mr Taylor?

19 A. Yes, I do.

09:38:49

20 Q. And indeed, Mr Taylor ULC was the name for the United
21 Logging Company, correct?

22 A. That is correct.

23 Q. And indeed, this concession was actually granted in January
24 1997, do you recall that, Mr Taylor?

09:39:05

25 A. I don't - I don't know when it was granted.

26 Q. And the ULC concession included the area along the border
27 between Sierra Leone and Liberia in Lofa County; do you recall
28 that, Mr Taylor?

29 A. Yes, it sounds like the area.

1 Q. There was also another logging concession company that was
2 referred to as SLC; do you recall that, Mr Taylor?

3 A. No, I don't. I don't remember SLC.

4 Q. That was the name of a company Selected Logging Company.

09:39:41 5 Does that ring a bell with you, Mr Taylor?

6 A. No, it doesn't.

7 Q. And this logging company also had land along the border
8 with Sierra Leone. Do you recall that?

9 A. No, I don't. I don't know where it was located, no.

09:39:58 10 Q. This was in Grand Cape Mount County.

11 A. Grand Cape Mount? I don't know, but Grand Cape Mount
12 doesn't ring a bell as a place with timber. Could be maybe
13 Gborpolu, but Grand Cape Mount doesn't ring a place as having
14 timber, so it could be - because the Sierra Leonean border with
09:40:26 15 the timber is more to the Gbarpolu/Lofa side.

16 Q. And this company was operational as far back as 1982; do
17 you have any recollection of that, Mr Taylor?

18 A. No. 1982, no, I don't. It was probably during the Doe
19 administration.

09:40:45 20 Q. In fact, Mr Taylor, this SLC concession was referred to by
21 the UN panel of experts in their report S/2001/1015, and that is
22 Prosecution exhibit 32, and if we could please look at that
23 exhibit at paragraph 115. If you could first please put the
24 first page of that exhibit so we know what we are looking at. We
09:41:38 25 see "United Nations Security Council, S/2001/1015, 26 October
26 2001". Now if you could go to page 28, which contains paragraph
27 115. We see in this paragraph:

28 "The RUF-Liberian relationship is important for
29 President Taylor, but it is also strategic for RUF. The Kailahun

1 region in Sierra Leone constitutes RUF's strategic lifeline into
2 Liberia without which its source of resupply is seriously
3 affected. Liberia offers sanctuary and a location to store
4 weapons and keep armed units active and trained. An area of
09:42:38 5 particular concern is the concession of the Liberian logging
6 company SLC, along the border with Sierra Leone. The area
7 comprises a road into Sierra Leone and an old military base of
8 the Liberian armed forces, Camp Alfa."

9 Mr Taylor, you were familiar with Camp Alfa. Isn't that
09:43:01 10 correct?

11 A. Yes, Camp Alfa is Naama. It's just another name for Naama.
12 Camp Alfa and Naama, it's the same.

13 Q. Actually, that's not correct, is it, Mr Taylor? Because
14 Camp Naama is in Bong county; isn't that correct?

09:43:14 15 A. No, Camp - excuse me, you are right about that. Not Naama.
16 What's the - I forgot. I will think about the base in Lofa.
17 Camp Alfa and this base, it's the same name. It's just another
18 name for the base. We've talked about that base. It just
19 slipped me.

09:43:35 20 Q. All right, Mr Taylor. It goes on:

21 "It is, since early 2001, controlled by the son of
22 President Taylor and the Lebanese businessman Abbas Fawaz."

23 And that was correct, was it not, Mr Taylor?

24 A. No, that's not correct.

09:43:48 25 Q. That this area was controlled by your son since early 2001?

26 A. No, that's not correct. In fact, this report is wrong.
27 The logging company that was working in that area was controlled
28 by an individual called Kassem Fawaz, a brother of Abbas. Abbas
29 Fawaz never worked in that areas. The UN report is wrong.

1 Q. Now, Mr Taylor, you recall this company SLC?

2 A. No. I am saying the logging company that I remember that
3 you talked about, the first acronym that you called and I said I
4 knew about it, it was controlled by Kassem Fawaz. So the only
09:44:32 5 Fawaz that worked in that area is Kassem in that company. Abbas
6 never worked in that area.

7 Q. And here we are not talking about ULC; we are talking about
8 SLC. You understand that, Mr Taylor?

9 A. I understand that, but I'm saying no Fawaz called Abbas
09:44:43 10 worked in that area.

11 Q. It goes on:

12 "Several sources indicated to the panel that this is an
13 area where weapons for RUF are stockpiled and where RUF can
14 freely enter Liberian territory."

09:44:55 15 And is that correct?

16 A. That is totally incorrect. No one in their sound mind, and
17 you have military background, would take weapons to hide it in
18 the forest where any guerilla can find it. No, that would be
19 silly.

09:45:09 20 Q. Indeed, Mr Taylor, that's because you controlled that area,
21 you had no concern about that. Isn't that right?

22 A. That is not right, counsel.

23 Q. Indeed, you used these concession areas along the border to
24 move in and out of Sierra Leone and to provide weapons to the
09:45:25 25 rebels in Sierra Leone?

26 A. In 2001, because that's the year - that's when weapons are
27 going to the rebels in Sierra Leone?

28 Q. Let's start with 2001. You did that, yes?

29 A. No, that's what I'm trying to say.

1 Q. And also throughout your presidency. Isn't that right?

2 A. That is not correct. And the reason why I mentioned 2001,
3 you know what's going on in Sierra Leone in 2001. So to suggest
4 that there's a war going on and there's an RUF that is being
09:45:51 5 supplied weapons is ludicrous. That's why I mentioned 2001.

6 Q. Mr Taylor, you know that fighting was continuing in Sierra
7 Leone in 2001?

8 PRESIDING JUDGE: Please pause. Mr Taylor, you said this
9 at line 12 page 8: "In 2001, that's when weapons are going to
09:46:10 10 the rebels in Sierra Leone" and there is a full stop. Now, were
11 you making a statement or were you asking a question?

12 THE WITNESS: I am asking a question.

13 PRESIDING JUDGE: Please do take care how you intonate
14 because it appears like a statement in the text.

09:46:29 15 MS HOLLIS:

16 Q. Indeed, Mr Taylor, in 2001 you were sending weapons into
17 Sierra Leone, yes?

18 A. That is not correct, no.

19 Q. And one of the ways you were doing that was through this
09:46:42 20 SLC timber concession along the border. Isn't that right?

21 A. That is totally incorrect and, counsel, you know that
22 because in 2001 we are fighting LURD, okay, and we are fighting
23 LURD in this particular area of the country. So it's impossible
24 that LURD is fighting us in this very bush area, okay, and then
09:47:07 25 we are shipping weapons through this area to the RUF. LURD is
26 fighting us in 2001.

27 Q. Mr Taylor, you are using the RUF to assist you both in
28 Liberia and in Guinea?

29 A. Well, that's another question. No, that's not correct.

1 Q. Now, Mr Taylor - and you can remove that paragraph and that
2 exhibit. Thank you. Indeed, Mr Taylor, throughout your
3 presidency you used these concessions as a means of supporting
4 the RUF and the AFRC in Sierra Leone. Isn't that correct?

09:47:40 5 A. Now, counsel, I don't know - no, I just have to say no. We
6 are talking about two different times. I know the AFRC is out of
7 existence in 1998, so we have jumped all the way back. I just
8 have to say no, that's totally - I disagree with you.

9 Q. Mr Taylor, do you recall another company that had a timber
09:48:05 10 concession, a company that was referred to as LWMC, Liberia Wood
11 Management Corporation?

12 A. It doesn't ring a bell. It's very well possible. I
13 wouldn't know all of these now. That doesn't ring a bell to me.
14 It's possible it's a timber company. It doesn't ring a bell to
09:48:21 15 me.

16 Q. And this concession was operational as far back as 1988.
17 Do you recall that?

18 A. No, I don't. I don't deny the existence, counsel. It
19 doesn't ring a bell to me.

09:48:32 20 Q. And it had a concession that ran through the Gola forest
21 and indeed ran to the Sierra Leone-Liberia border. Do you recall
22 that, Mr Taylor?

23 A. No, I don't. I don't recall that.

24 Q. And that was another concession through which you were able
09:48:50 25 to channel support to the rebels in Sierra Leone. Isn't that
26 correct, Mr Taylor?

27 A. That is not correct, counsel.

28 Q. Mr Taylor, do you recall on 1 February we were talking
29 about code cables from RSG Felix Downes-Thomas that had been

1 provided to you. Do you recall us talking about those code
2 cables?

3 A. Yes.

09:49:19 4 Q. And you recall we looked at some of those code cable that
5 had stamps on them indicating they had been received by DPKO
6 registry. Do you remember that?

7 A. Yes, I do.

8 Q. And Mr Taylor, DPKO is the United Nations Department of
9 Peacekeeping Operations. You know that, yes, Mr Taylor?

09:49:34 10 A. No. Counsel, I even asked a question in court, and I think
11 one of the justices was trying to get - but it never got on the
12 record. I didn't note meaning of the acronym, and I said I don't
13 even know. I am glad to know now.

14 Q. Now, Mr Taylor, contrary to what you told these judges,
09:49:55 15 your motivation for leaving the presidency and leaving Liberia
16 was not the interest of peace and love for your people, was it?

17 A. Oh, counsel, trust me, it was. It was for the interests of
18 peace and to save the lives of my people. Those are the two
19 reasons why I left. Trust me.

09:50:21 20 Q. Indeed, Mr Taylor, your decision to leave the presidency
21 and leave Liberia was based on very different considerations, was
22 it not?

23 A. None other than what I have told these judges. Trust me.

24 Q. Mr Taylor, first and foremost, your decision to leave the
09:50:40 25 presidency and leave Liberia was based on your failure to receive
26 the arms and war materiel that you were expecting to receive.
27 Isn't that correct?

28 A. No. No. In fact, if this was the case, I could have
29 continued to stay and fight. In fact, the armed forces that were

1 fighting for me did not want me to leave. And - oh, trust me, I
2 would have never left if it had not been for peace and my
3 observation that it would have probably caused the lives of maybe
4 scores of thousands of other people because of the involvement of
09:51:31 5 the United States offshore supplying weapons to LURD. I would
6 have never left for any other reason. Why would I?

7 Q. Indeed, Mr Taylor, we do not trust you on that point.

8 A. Well --

9 Q. Indeed, you had two shipments that you were expecting to
09:51:45 10 receive shortly before you were to depart Liberia. Isn't that
11 correct?

12 A. Oh, that is correct. One of them arrived. I could have
13 taken it, because there was nothing to stop me. Nothing. At the
14 time, few Nigerian peacekeepers had arrived. They could not have
09:52:08 15 stopped the force that I had on the ground. I decided that the
16 weapons would be taken by them. I called Kufuor. I could have
17 stopped them, they were less than a platoon.

18 Q. Mr Taylor, indeed it wasn't your decision at all; those
19 forces seized those weapons and wouldn't turn them over to you.
09:52:29 20 Isn't that correct, Mr Taylor?

21 A. Counsel, I am sorry. I disagree with you. Counsel, I,
22 Charles Taylor, as President of Liberia, in charge of my country,
23 weapons arriving at the airport with about 15, 20 peacekeepers
24 could not have stopped me if I wanted those weapons, ever.

09:52:50 25 Q. Indeed, Mr Taylor, they did stop you. You,
26 Charles Ghankay Taylor, they stopped you from taking those
27 weapons?

28 A. We disagree.

29 Q. And, Mr Taylor, these weapons that we are talking about are

1 the weapons that were brought in the night of 6 to 7 August, yes,
2 weapons and war materials?

3 A. I don't remember the date but it was somewhere - I think I
4 agree with you. I don't remember the date, but it was in August.

09:53:17 5 PRESIDING JUDGE: August of which year?

6 THE WITNESS: 2003, if we are talking the same year.

7 MS HOLLIS:

8 Q. Yes, Mr Taylor.

9 A. That is correct, counsel.

09:53:25 10 Q. Indeed, Mr Taylor, this is the statement that you referred
11 to earlier on 3 November, yes?

12 A. I don't know - I don't understand you, counsel.

13 Q. You were talking about a shipment coming in in August 2003?

14 A. Yes.

09:53:41 15 Q. And again, according to your story to the judges at that
16 time, you indicated that you handed those weapons over to the
17 ECOMIL forces?

18 A. ECOMIL? ECOMOG combined, yes.

09:54:05 19 Q. Mr Taylor, when these weapons came in in the early morning
20 of 7 August, the aircraft that brought these weapons in had
21 stopped in Libya before flying on to Monrovia. Isn't that
22 correct?

23 A. I don't know the routing, counsel. I don't know. I don't
24 know the routing.

09:54:19 25 Q. And you sent your Minister of Defence Daniel Chea to the
26 airport to meet that plane. Isn't that right?

27 A. Well, not that I sent him. He knew they were coming. He
28 went to the airport, yes.

29 Q. And when he went to the airport he did not tell the ECOMIL

1 forces there that he was there to receive arms and war materiel,
2 did he?

3 A. I don't know what he told them, counsel. I was not
4 present.

09:54:47 5 Q. Well, you knew, Mr Taylor, because you worked with him to
6 concoct the story. Isn't that right?

7 A. Which story, counsel?

8 Q. The story that he told them, and the story that your
9 Defence Minister told them was that he was there waiting for an
09:55:02 10 important visitor who was on that plane. That's what he told
11 ECOMIL. Isn't that correct, Mr Taylor?

12 A. I don't know, he very well could have, but I disagree that
13 there was any concoction on my part with the minister, no. I do
14 not know what he told them but he had gone for those weapons,
09:55:21 15 from my knowledge.

16 Q. Indeed, Mr Taylor, your Minister of Defence asked ECOMIL to
17 leave the airport. Isn't that right?

18 A. I don't know what he told them.

19 Q. Now, you had followed this procedure before with ECOMOG
09:55:35 20 forces, had you not: When you brought weapons and war materiel s
21 into RIA, you had told them to clear the airport, isn't that
22 right?

23 A. No, that is not correct. I may have missed something here.
24 By ECOMIL what are you referring to? Because the group that I
09:55:56 25 remember at the airport, there were no United Nations forces,
26 they were ECOMOG.

27 Q. This was the advance contingent, yes, Mr Taylor, from
28 ECOMOG?

29 A. Yes, but --

1 Q. That was to become part of what later was called UNMIL,
2 correct, Mr Taylor?

3 A. Yeah, but at that time, I just want the record to be
4 straight, I don't recollect them to being ECOMIL. I remember
09:56:19 5 them as being ECOMOG. That's my recollection. I could be.

6 PRESIDING JUDGE: Now, Ms Hollis, I'm going to ask you to
7 be careful what you are saying for the record. These acronyms
8 are very confusing. UNMIL, UNOMIL. Just look at the record. If
9 it would be good if you could state in full at least for one time
09:56:38 10 at the beginning before you use an acronym and explain what it
11 is.

12 MS HOLLIS:

13 Q. We are talking, when we speak of UNMIL, Mr Taylor, it's
14 correct, is it not, that we are talking about the force that came
09:56:50 15 in in 2003, yes?

16 A. UNMIL?

17 Q. UNMIL, yes. U-N-M-I-L.

18 A. In 2003, I don't remember an UNMIL in 2003 coming in. It
19 doesn't hit me yet.

09:57:12 20 Q. Mr Taylor, this was the United Nations Mission in Liberia
21 that came in - the advanced group came in before your departure
22 from the presidency and others came in after. Yes, Mr Taylor?

23 A. I don't remember military people being - when I hear MIL,
24 that's military. I don't have any recollection of that acronym
09:57:38 25 at that time before I left

26 PRESIDING JUDGE: And what does the acronym ECOMIL stand
27 for?

28 MS HOLLIS:

29 Q. And this was the ECOMOG contingent of the mission in

1 Liberia, ECOMIL. Are you familiar with that, Mr Taylor?

2 A. I am familiar with ECOMOG. You could very well be right
3 but it doesn't ring a bell to me. What rings a bell to me is
4 ECOMOG sent in a unit that was the advance unit sent in by a West
09:58:14 5 African unit called ECOMOG. Now, my understanding is that that
6 unit was going to be converted to become a United Nations unit.
7 But that happened after I left. But the initial unit was an
8 ECOMOG unit that arrived in the country, to the best of my
9 recollection.

09:58:35 10 Q. And, Mr Taylor, going back to Daniel Chea's requesting
11 these troops to leave the airport, in the past, indeed, that had
12 been a procedure followed by you when you brought arms and war
13 materiel into the airport. Isn't that correct?

14 A. That is not correct.

09:58:55 15 Q. You had instructed ECOMOG to leave the airport while those
16 deliveries were made. Isn't that correct?

17 A. That is not correct and it has to be wrong because ECOMOG
18 would have reported that. Weapons came in and we were asked to
19 leave. That's not correct.

09:59:10 20 Q. And indeed, Mr Taylor, they were told to clear the airport
21 before you off-loaded those weapons and war materiels. Isn't
22 that correct?

23 A. I don't know what the minister told them, quite frankly. I
24 don't know.

09:59:24 25 Q. I am talking about your prior practice with ECOMOG,
26 Mr Taylor?

27 A. No, I disagree because I am saying that if that was the
28 practice, ECOMOG would have reported that faithfully in their
29 reports to ECOWAS; that on X, Y occasion weapons came and the

1 Government of Liberia demanded our departure from the airport.

2 That would be the procedure. So I disagree.

3 Q. And indeed, Mr Taylor, officials you had bribed in ECOMOG
4 obeyed the instruction in the past. Isn't that correct?

09:59:57 5 A. No, no, they - no, the officials we are talking about are
6 lower level officials. No.

7 Q. And other ECOMOG officials submitted to your claim of
8 sovereignty and obeyed that instruction. Isn't that right,
9 Mr Taylor?

10:00:11 10 A. No, that's not correct.

11 Q. Mr Taylor, on this occasion these troops refused to leave
12 the airport. Isn't that right?

13 A. I - that is correct. I got a call from the Defence
14 Minister that there was some confusion at the airport with the
10:00:30 15 ECOMOG unit, and my instructions to him were to not force them to
16 leave the airport.

17 Q. Well, Mr Taylor, that's what you want the judges to
18 believe, yes?

19 A. Oh, yes, I want them - because it's the truth. Because I
10:00:49 20 am telling you, 15, 20 soldiers could have never stopped me if I
21 wanted those weapons. Never.

22 Q. Now, Mr Taylor, when no passenger came off that plane, then
23 your minister told these forces that the visitor was not on
24 board, but there was some cargo that had to be off-loaded. You
10:01:12 25 remember that, don't you, Mr Taylor?

26 A. No, I don't. That's what I am saying; I was not there. I
27 don't - and I am not going to argue with you as to whether that
28 conversation occurred. I'm not aware of the conversation as you
29 are describing it.

1 Q. And indeed, Mr Taylor, at the conclusion of all this, your
2 Defence Minister briefed you fully on what had happened at the
3 airport. Isn't that right?

10:01:38

4 A. Yes, he briefed me, and in that briefing he did not tell me
5 about what you have just stated.

6 Q. Now, Mr Taylor, when this cargo was off-loaded, the forces
7 at the airport recognised that the boxes that were being unloaded
8 were military materials. Isn't that right?

10:01:57

9 A. They were present. I would assume they recognised the
10 boxes.

11 Q. And they recognised the boxes as containing mainly small
12 arms and ammunition. Isn't that right?

10:02:10

13 A. I don't - I haven't seen their reports, but - so I don't
14 know what they recognised. I am sure they recognised material.
15 As to the - they can only say that for themselves in their
16 report.

17 Q. And, Mr Taylor, the forces at the airport refused to allow
18 your subordinates to leave with those boxes. Isn't that right?

10:02:34

19 A. There were some - yes, they did put up - from what my
20 defence minister told me, yes, they did put up some resistance,
21 and my defence minister called - in fact, he actually called from
22 the airport and said that there was some conflict over there and
23 what should he do, as to whether they should take the things by
24 any means? And I said no, it would be a mistake to use force
25 against the peacekeepers at that crucial time; that they should
26 leave the peacekeepers to do what they wanted to do.

10:02:55

27 Q. I daresay, Mr Taylor. Now, the fact is despite the best
28 efforts of your subordinates, they were unable to bring those
29 weapons and war materials to you. Isn't that right?

1 A. Counsel, I just have to tell you I disagree. I disagree
2 with you. Counsel, I so much disagree with you. I can only
3 express it that way. If I wanted those weapons, counsel, with
4 the few people - few peacekeepers - less than a platoon - against
10:03:37 5 the force of my government, I would have taken them. So if you
6 believe nothing else from me, believe that. Your analysis is
7 wrong.

8 Q. Well, Mr Taylor --

9 A. I disagree.

10:03:48 10 Q. -- we do not believe that.

11 Madam President, if we could - I could ask your Honours,
12 consistent with the direction that has been given, if I could ask
13 your Honours to look at tab 29 in annex 3, S/2003/937. I am
14 going to ask to you look at paragraphs 95 and 96 of this
10:04:25 15 document. It has been marked MFI-365, Madam President.

16 PRESIDING JUDGE: Yes, Ms Hollis, we have looked at the
17 paragraphs.

18 MS HOLLIS: Madam President, your Honours, these two
19 paragraphs, 95, 96, contain details relating to this arrival of
10:06:26 20 arms and ammunition, details which this accused has told you he
21 was unaware of. It is used by the Prosecution to impeach the
22 accused's testimony that the reasons he left Liberia had to do
23 with the interest of peace and love for his people, but that,
24 rather, the reasons that he stepped down and left Liberia had to
10:06:53 25 do with his failure to obtain war materials and arms with which
26 he could continue to fight.

27 You will note that this is a shipment in August 2003. Now,
28 we are not asking you to consider it for impeachment, and we do
29 not believe that it is probative of guilt. It is too remote. It

1 does not relate to the charges in the indictment, and pattern of
2 bringing in weapons is only a relevant factor that may preclude
3 the use of this document if it is probative of guilt. If a
4 pattern is not probative of guilt, there is nothing about it
10:07:37 5 being a pattern that would preclude its use. We suggest,
6 your Honours, that this is too remote in time. It is not
7 probative of guilt, so that indeed we do not need to meet the
8 test that your Honours have set forward. We are asking you to
9 consider it for impeachment.

10:07:55 10 In relation to the test itself we suggest to your Honours
11 that we do not have to prove the means by which the accused
12 obtained the materials he provided to the rebels in Sierra Leone.
13 We have to prove he provided them. So this is not an element of
14 any offence that we have to meet or an element of any form of
10:08:19 15 liability.

16 In addition to that, it is in August 2003, and we are not
17 alleging that in August 2003 he is supplying the rebels in Sierra
18 Leone. So for these reasons, we believe it is permissible to use
19 this material in this cross-examination at this time.

10:08:40 20 PRESIDING JUDGE: Mr Anyah, does the Defence wish to
21 respond?

22 MR ANYAH: Yes, Madam President, we wish to respond. With
23 respect to the Prosecution's argument that this incident is too
24 remote in time, we disagree, with respect. The Prosecution has
10:08:55 25 presented evidence of other incidents, for example, the death of
26 Sam Bockarie, supposedly in May 2003, which closely approximates
27 this August 2003 incident.

28 With respect to the explanation given by the Prosecution
29 for the purpose that they intend to use this material for,

1 namely, to impeach prior testimony by Mr Taylor that he left
2 Liberia voluntarily and in the interest of peace, that particular
3 argument is not apparent on the face of these two paragraphs. It
4 calls for inferential reasoning. It calls for your Honours to
10:09:38 5 make a leap, if you will, inferentially that these paragraphs
6 propose or suggest a different explanation for Mr Taylor's
7 departure.

8 I propose that we look at the paragraphs objectively for
9 what they are. They have nothing to do with why and how

10:09:56 10 Mr Taylor left Liberia. The indication that Mr Taylor needs to
11 be reminded about specifics about these incidents does not
12 control either. The witness has agreed that he remembered a
13 shipment arrived on 7 August 2003. There is some dispute as to
14 whether or not Mr Taylor concedes that he colluded with Daniel
10:10:22 15 Chea in the misrepresentation that is alleged that Daniel Chea
16 made to the ECOMIL forces. Mr Taylor does not agree with that
17 part of the Prosecution's questions. That does not mean he needs
18 to be impeached about anything. There is nothing here that
19 necessarily impeaches him when he agrees that the shipment took
10:10:40 20 place. He has a different explanation as to why he left office
21 separate and distinct from this shipment.

22 So we come to the fact of what this paragraph says. This
23 paragraph, if you consider in light of the questions counsel has
24 posed this morning - in particular there was a question where
10:10:57 25 counsel specifically indicated that: Isn't it the case that
26 Mr Taylor had in the past sought to misrepresent - make
27 misrepresentations to ECOMOG, vis-a-vis the receipt of arms at
28 the airport? this is directed towards pattern evidence. It is to
29 show that until the last day or the last week before his leaving

1 of office, Mr Taylor engaged in the systematic conduct of
2 attempting to mislead ECOMOG forces whenever he brought arms to
3 Roberts International Airfield or some other location in Liberia.
4 That's the purpose of this evidence. It goes inferentially to
10:11:35 5 his guilt. It goes to a consist pattern of conduct.

6 It says nothing here about impeaching him regarding the
7 purposes for which he left office. The purpose is clear, and so
8 we object to it because the Prosecution has not met the relevant
9 standard.

10:11:57 10 [Trial Chamber conferred]

11 PRESIDING JUDGE: We have looked at the two paragraphs, 95
12 and 96, and we have listened to the submissions on both sides. I
13 will say two things:

14 Looking at the content of these two paragraphs, there is
10:16:31 15 definitely nothing in them that alludes to the reasons as to why
16 Mr Taylor departed from Liberia and so, in our opinion, the
17 submission by Ms Hollis that the purpose is to impeach that
18 aspect of Mr Taylor's testimony does not seem to add up when you
19 look at the content.

10:16:55 20 What the paragraphs actually do is to actually establish a
21 pattern of conduct more or less in the words of Defence counsel.
22 I think Defence counsel put it very well when he said that these
23 paragraphs establish a pattern of conduct whereby the accused is
24 alleged to have smuggled arms in through the airport against the
10:17:22 25 UN sanctions and was being stopped by ECOMOG or ECOMIL and that
26 this was one such incident. And when we looked at paragraph 97
27 actually, although the Prosecution don't intend to use it, you
28 will notice that this consignment was part of an earlier
29 consignment purchased in 2002. And so you cannot remove this

1 consignment and just look at it as if it happened in 2003 alone.
2 It's part of an earlier consignment that was shipped in 2002.

3 So, having said that, this evidence, in our view, falls in
4 the category of fresh evidence that goes to proof of guilt. And
10:18:10 5 as such, we hold that unless the Prosecution can prove that it is
6 either in the interest of justice and does not violate the fair
7 trial rights of the accused, which they haven't done, then they
8 cannot use the two - you cannot use the two paragraphs in
9 cross-examination and I so hold.

10:18:38 10 MS HOLLIS:

11 Q. Now, Mr Taylor, in addition to this shipment that arrived
12 early morning of 7 August 2003, a shipment which you failed to
13 receive, there was another shipment which you were expecting that
14 you failed to receive. Isn't that correct?

10:18:54 15 A. [Microphone not activated]. No. I left within, what,
16 three or four days of that. I was not expecting another one, to
17 the best of my recollection.

18 Q. And indeed, Mr Taylor, you were expecting another one and
19 this was coming into the port of Buchanan. Isn't that correct?

10:19:19 20 A. That is incorrect.

21 Q. And you were unable to receive this shipment because your
22 own forces deliberately surrendered that port to MODEL. Isn't
23 that right?

24 A. I - that is totally incorrect. There were no arms shipment
10:19:38 25 ever expected in any port. Neither were any arms shipments ever
26 designated for a port, no.

27 Q. And, Mr Taylor, indeed your forces turned the port over to
28 MODEL to prevent these arms from being brought into the port.
29 Isn't that correct?

1 A. No. That's incorrect.

2 MS HOLLIS: Madam President, I would ask that your Honours
3 consider tab 6 in annex 3, which is the Liberian TRC final
4 report, volume 2, and that you look at page 137.

10:20:59 5 PRESIDING JUDGE: Ms Hollis, what part of page 137 do you
6 want us to look at?

7 MS HOLLIS: The portion which is marked, which would be the
8 third paragraph on that page, Madam President.

9 PRESIDING JUDGE: [Microphone not activated].

10:24:14 10 [Due to power failure, break taken at

11 10.23 a.m.]

12 [Upon resuming at 11.00 a.m.]

13 PRESIDING JUDGE: I would just like to note for the record
14 that we rose abruptly at 20 past 10 this morning due to the fact
11:00:33 15 that there was a power - a sudden power cut and the Court was
16 left in darkness - total darkness. The problem has now been
17 rectified and just before we rose, Ms Hollis, you had asked the
18 judges to look at page 137, the third paragraph on that page, out
19 of the Liberian TRC.

11:00:59 20 MS HOLLIS: That is correct, Madam President.

21 PRESIDING JUDGE: And we were about to embark on hearing
22 further submissions from you regarding this passage.

23 MS HOLLIS: Thank you, Madam President. Madam President,
24 this again is information which is relevant to impeaching the
11:01:16 25 accused's testimony to you as to why he left the presidency. It
26 is evidence to show yet another shipment which he was unable to
27 receive, a shipment of arms and materiel s which he was unable to
28 receive, which, if he had received, would have enabled him to
29 continue in place in Liberia and to fight instead of leaving the

1 country.

2 The entry itself need not indicate this is why he left the
3 country, but it is relevant to the point that was made that he
4 left the country because he failed to receive materials he was
11:01:54 5 relying on which would have enabled him to stay in place. It is,
6 again, in the Prosecution's view, not probative of guilt. It is
7 remote from the times alleged in the indictment. It relates to
8 the reasons that he left the presidency in August 2003. It is
9 not related to the charges in this case, and again we suggest
11:02:22 10 that a pattern which is not probative of guilt is not a basis
11 upon which to deny a party the ability to use information.

12 Should your Honours apply the test, we believe that factors
13 you should take into account would be the remoteness in time of
14 this incident; the fact that it is not related to a charged
11:02:48 15 period in the indictment; and also we would suggest to
16 your Honours that you should consider the reasons for which the
17 Prosecution wishes to use this information. We would suggest
18 that should your Honours determine it is probative of guilt in
19 some way, that it is in the interest of justice that your Honours
11:03:06 20 consider it, and it is no violation of fair trial rights of the
21 accused. He has no right to prevent his testimony from being
22 impeached. It is beneficial to your Honours to have such
23 impeachment information so as to be able to adequately judge the
24 credibility to be assigned to his testimony, and we suggest that
11:03:29 25 we believe be allowed to use it.

26 PRESIDING JUDGE: Ms Hollis, before you sit down, you spoke
27 of remoteness of the incident. There doesn't appear to be any
28 indication of time frame in the passage that you have marked.
29 Could you perhaps guide the judges as to the time frame that you

1 are referring to?

2 MS HOLLIS: Yes, Madam President. We would suggest that
3 when we read the paragraph itself, which is the substance of what
4 we wish your Honours to consider, that if your Honours look to
11:04:10 5 the top of the page where it talks about Taylor's sealed
6 indictment at the UN, USA and Great Britain-backed Special Court
7 for Sierra Leone was unsealed on June 4, 2003. And then if you
8 look at the next paragraph: "Back home, word of his imminent
9 arrest in Ghana reverberated in Liberia." And then the last
11:04:37 10 sentence of that second paragraph:

11 "Calm returned to Monrovia when Ghanaian authorities
12 refused to honour the indictment and permitted President Taylor,
13 its guest, to return home to Liberia."

14 And then if that is read in the context of the marked
11:04:54 15 section, it is very clear that this is after he has returned from
16 the peace talks back to Liberia, and that would be our suggestion
17 to your Honours in regard to the time frame.

18 PRESIDING JUDGE: And your assumption is that the reference
19 to the supply of arms and all these other things are subsequent
11:05:16 20 to 4 June 2003 necessarily?

21 MS HOLLIS: That is correct, Madam President. And that is
22 in light of the mention also of the Nigerian contingent at the
23 Roberts International Airport confiscating a cache of
24 Taylor-bound arms - we have talked about that - on 7 August. And
11:05:41 25 then the opposition overrunning Buchanan before a shipment of
26 another consignment could dock at the Buchanan port of entry.
27 That is the context in which we are asking your Honours to
28 consider this information.

29 PRESIDING JUDGE: Thank you, Ms Hollis. Mr Anyah, would

1 you wish to respond?

2 MR ANYAH: Yes, Madam President. In the first instance I
3 would rely on the arguments we made a few minutes ago in respect
4 of paragraphs 95 and 96 in MFI-365 which the Prosecution sought
11:06:14 5 to introduce.

6 Madam President, let's consider for a second what the
7 Prosecution is asking your Honours to do. They suggest they wish
8 to use this third paragraph on this page, but to make sense of
9 it, they ask your Honours, given the question posed by
11:06:30 10 Madam President, to consider information in the earlier
11 paragraphs on the page. Well, if other information in the
12 document is needed to make sense of the paragraph, that begs the
13 question of the utility of the paragraph itself.

14 Without repeating the arguments previously made, I will
11:06:49 15 just highlight the key points. One, this paragraph on its face
16 does not necessarily indicate why Mr Taylor left the presidency
17 as suggested by the Prosecution.

18 Second point: Your Honours will note in the middle of the
19 paragraph is reference to the information your Honours just
11:07:05 20 precluded the Prosecution from eliciting with respect to the arms
21 shipment at Roberts International Airfield. It says - rather, it
22 read:

23 "Two fresh supplies of Taylor's arms were seized. The
24 Nigerian contingent at the Roberts International Airport
11:07:26 25 confiscated a cache of Taylor-bound arms when it arrived at the
26 airport."

27 That's the exact information your Honours a few minutes ago
28 ruled inadmissible in this Court. This paragraph, in sum and
29 substance, goes to a pattern of conduct involving the shipment of

1 arms by Mr Taylor as a way of holding on to power and/or
2 furthering other objectives that we suspect the Prosecution will
3 say implicated Sierra Leone.

11:07:55 4 And so on its face, the paragraph is not relevant to the
5 purposes suggested by the Prosecution. Viewed objectively, the
6 paragraph, in our view, inferentially implicates the guilt of
7 Mr Taylor vis-a-vis a consistent pattern of conduct, and
8 therefore we submit it should be precluded.

9 PRESIDING JUDGE: Thank you.

11:08:16 10 [Trial Chamber conferred]

11 PRESIDING JUDGE: We have considered the submissions on
12 both sides. We have looked at the content of this paragraph, and
13 just in passing, I must say that the lack of time frames or dates
14 makes it difficult to place this paragraph into context, and one
11:09:59 15 must necessarily refer to other paragraphs before it or even
16 surmise about the timing of the incidents named here.

17 That having been said though, we have considered the
18 submission by the Prosecution that the purpose for which they
19 intend to use this context is the - is for impeachment of the
11:10:27 20 testimony of the accused as to why he left Liberia. In our
21 view - we are looking at this paragraph. We do not think that on
22 its face there is anything in this paragraph that would
23 effectively impeach the aspect of why he left Liberia.

11:10:51 24 But more importantly, the paragraph incorporates a
25 reference to the seizure of a cache of arms at Roberts
26 International Airport that was carried out by the Nigerian
27 contingent which seizure we have ruled cannot be used in the
28 previous documents immediately preceding the application - this
29 particular application.

1 And so in consistence with our earlier ruling, we do uphold
2 Mr Anyah's submissions and objections to the use of this document
3 for the reasons that we have earlier given; namely, that it is
4 not in the interest of justice and it is likely to prejudice the
11:11:45 5 fair trial rights of the accused. So you cannot use this
6 paragraph either.

7 MS HOLLIS:

8 Q. So, Mr Taylor, two shipments of arms and war materials you
9 were expecting, you were unable to receive before you left the
11:12:03 10 presidency. That's correct, is it not?

11 A. That is not correct.

12 Q. And it was your inability to get these materials that led
13 to your decision finally to step down as President and to leave
14 Liberia. Isn't that correct?

11:12:16 15 A. That is not correct.

16 Q. And had you received these materials, you would not have
17 left Liberia, would you, Mr Taylor?

18 A. I disagree with your proposition.

19 Q. You would have remained in Liberia, Mr Taylor, and you
11:12:29 20 would have fought to keep the presidency. Isn't that correct?

21 A. That is not correct.

22 Q. Also, Mr Taylor, deprived of these materials, you became
23 vulnerable yourself to attack and capture; isn't that right?

24 A. No. I don't think so, no.

11:12:53 25 Q. And indeed, Mr Taylor, deprived of these materials, your
26 personal security, your very life, became a matter of concern to
27 you. Isn't that right?

28 A. That is not right, no.

29 Q. And you were concerned that the LURD, who were making great

1 advances, would capture you. Isn't that right?

2 A. That is not correct.

3 Q. And you were also afraid that once captured, your fate
4 would be the same as that of President Tolbert and President Doe.

11:13:24 5 Isn't that correct?

6 A. That is not correct.

7 Q. So your inability to get these arms led to your
8 vulnerability, and those were the reasons that you actually left
9 Liberia in August 2003. Isn't that correct, Mr Taylor?

11:13:40 10 A. That is not correct.

11 Q. Throughout your testimony to these judges you have talked
12 about a supposed conspiracy against you, and you have referred to
13 this whole case as being about "let's get Taylor" and referred to
14 it as "a construct", yes, Mr Taylor?

11:14:14 15 A. That is correct.

16 Q. And you have said that there was a British and American
17 conspiracy to take you out of power in Liberia, yes?

18 A. That is correct.

19 Q. Mr Taylor, you of course did acknowledge that there was
11:14:31 20 ongoing assistance to you and your government from the CIA, yes,
21 that the CIA worked with you and even tipped you off to an
22 assassination threat? Isn't that right, Mr Taylor?

23 A. Well, the way you put it, I am not sure if I understand
24 your question, but I have to say that if you are referring to
11:14:54 25 ongoing cooperation between intelligence agencies which included
26 my - the intelligence agency of the Liberian government, yes.

27 Q. So, Mr Taylor, the CIA wasn't part of this conspiracy
28 against you?

29 A. We exchanged information and I don't --

1 Q. So the CIA would have been working against this
2 United States conspiracy against you, Mr Taylor?

3 A. Well, I am not sure I understand the question, but I will
4 answer this way: The way intelligence agencies work --

11:15:32 5 Q. Mr Taylor, I am not asking you how intelligence agencies
6 work. In your opinion, and which you have given this Court on
7 many occasions, was the CIA part of this vast conspiracy against
8 Charles Ghankay Taylor?

9 A. Well, I'm not going to give an opinion now.

11:15:50 10 Q. So you don't want to answer that question, Mr Taylor?

11 A. I am not going to give an opinion because I could be
12 speculating.

13 Q. You speculated about everyone else --

14 PRESIDING JUDGE: Mr Taylor, I think you should honestly
11:16:00 15 answer that question. This was your theory.

16 THE WITNESS: Yes.

17 PRESIDING JUDGE: And I think the question is relevant as
18 put.

19 THE WITNESS: Okay, your Honour. Put the question, please.

11:16:11 20 MS HOLLIS:

21 Q. Was the CIA part of this supposed conspiracy against
22 Charles Ghankay Taylor?

23 A. It could have been.

24 Q. Well, was it or wasn't it?

11:16:20 25 A. It could have been, because sometimes intelligence agencies
26 do one thing on one side and do another thing on the other side.
27 So it could have been.

28 Q. Now, Mr Taylor, of course you extended this supposed
29 conspiracy beyond Britain and American, yes? You included, for

1 example, the World Bank as part of this conspiracy, yes,
2 Mr Taylor?

3 A. Yes.

11:16:51

4 Q. And the European Union was part of this supposed
5 conspiracy?

6 A. That is correct.

7 Q. And the IMF, was it part of the conspiracy against you,
8 Mr Taylor?

9 A. That is correct.

11:16:59

10 Q. And President Kabbah, with his many statements about your
11 destructive role in Sierra Leone, including letters he sent to
12 the Security Council, was he part of this "get Taylor"
13 conspiracy?

11:17:20

14 A. Oh, Kabbah is in a little different boat. Kabbah was doing
15 what he had to do as President of Sierra Leone. I don't know as
16 to whether he was part of a conspiracy. I don't think he had the
17 power to be. But Kabbah was doing what came natural for him as
18 President of Sierra Leone given the situation.

11:17:34

19 Q. So are you saying he was simply doing the bidding of
20 others, Mr Taylor?

21 A. I would say that, yes.

22 Q. And, Mr Taylor, also you said General Khobe - you expressed
23 disappointment at General Khobe, the commander of the ECOMOG
24 forces in Sierra Leone. Do you say he was part of this supposed
25 conspiracy?

11:17:51

26 A. No, Khobe is small potatoes. Khobe was doing what he was
27 told to do. He's a small potato.

28 Q. So he also was basically just being a dupe of these others.
29 Is that what you are saying, Mr Taylor?

1 A. Yes, Khobe had two positions, commander of ECOMOG and then
2 he became commander of Sierra Leonean armed forces. Khobe was
3 just there.

4 Q. And, Mr Taylor, you have also referred to others in ECOMOG
11:18:17 5 who criticised your role in Sierra Leone on several occasions.
6 Were they part of this conspiracy against you?

7 A. Who are you speaking about particularly?

8 Q. Well, let's start out.

9 A. Yes.

11:18:29 10 Q. Victor Malu, for example, when he accused you of supporting
11 the AFRC junta so you would have a friendly regime next to you,
12 was he part of the conspiracy when he said that, Mr Taylor?

13 A. I am not sure. He very well could have been speaking
14 naturally as I know Victor. He was probably just giving an
11:18:49 15 opinion. I see that as an opinion. I disagree with Victor on
16 that.

17 Q. And when he voiced concern about your reported importation
18 of arms in 1997, was he being part of this conspiracy against
19 you, Mr Taylor?

11:19:05 20 A. I can't say that. You know, these statements from
21 commanders on the ground were a part of their general talk and
22 without any evidence. So I wouldn't say he was part of the
23 conspiracy.

24 Q. And his successor, General Shelpidi, whom you accused of
11:19:26 25 mischief for his accusations against you, was he also part of
26 this conspiracy against you, Mr Taylor?

27 A. No, I would say Shelpidi and that group - when it comes to
28 the military people I don't put them in this conspiracy thing.
29 These military people were more concerned about getting their

1 work done or whatever. No, they are not a part.

2 Q. And Major General Mujakperuo who became force commander of
3 ECOMOG in Sierra Leone, when he confirmed to the United Nations
4 Liberia's involvement in the March 1999 shipment of arms to the
11:20:06 5 AFRC and RUF in Sierra Leone, was he part of the conspiracy,
6 Mr Taylor?

7 A. Well, again, I don't think he confirmed when he alleged
8 what - in a way I can say that some of these actions are
9 conspiratorial in nature, depending on what instructions they
11:20:24 10 give. But they have people bigger than they. So I don't want to
11 include the bosses and the under people in the conspiracy because
12 maybe these under people did not know why they were being told to
13 do what they were doing. So they very well could be a part of
14 the conspiracy, but I have blamed it on their bosses that gave
11:20:46 15 them the instructions on what to do.

16 Q. And the force commander for ECOMOG in Sierra Leone, who was
17 the force commander's boss for ECOMOG in Sierra Leone?

18 A. The forces commander's boss in Sierra Leone of ECOMOG is
19 the chairman of ECOWAS at the time, whoever that chairman is. In
11:21:13 20 the case of ECOMOG, the forces commander was always a Nigerian.
21 Except for the very first, every other forces commander was a
22 Nigerian. And so depending on who was in power at the time we
23 can see.

24 Q. So, Mr Taylor, when Victor Malu was making these
11:21:36 25 statements, who was his boss, who was the chairman of ECOWAS?

26 A. At the time that these statements came through from Victor
27 Malu, if I recall it was Abacha and we had differences at that
28 time concerning --

29 Q. So Sani Abacha was part of the conspiracy, Mr Taylor?

1 A. Well, Sani Abacha and I had a very difficult period in
2 dealing with the Kamajors.

3 Q. Mr Taylor, the question is was Sani Abacha a part of this
4 conspiracy you're alleging?

11:22:02 5 A. For that period, probably not a conspiracy, but he had his
6 own dealing with me at the time. So he had a reason to be a part
7 of it.

8 Q. Mr Taylor, you said that it wasn't these generals, it was
9 their bosses?

11:22:15 10 A. Yes.

11 Q. So he would have been part of this conspiracy, right?

12 A. Well, the conspiracy has different levels.

13 Q. And General Shelpidi, who was the chairman of ECOWAS during
14 General Shelpidi's time?

11:22:32 15 A. Abacha. Abacha was still there when Shelpidi came in.

16 Q. And during Major General Mujakperuo's time who was the
17 chairman of ECOWAS?

18 A. I don't - I can't - I don't remember right offhand. After
19 Abacha I don't --

11:22:53 20 Q. Could this have been President Toure of Mali?

21 A. After Abacha, no, Toure didn't come in right away. To the
22 best - Toure comes on I think around 2001, 2002.

23 Q. So thus far we have the European Union, the World Bank,
24 IMF, President Kabbah, perhaps various chairmen of ECOWAS and of
11:23:17 25 course the United States and Britain are all involved in this
26 conspiracy to drive you out, yes?

27 A. Well, if you put it that way it confuses it and so I am not
28 sure - I don't have an opportunity to explain what the conspiracy
29 and how the European Union or the World Bank were involved

1 because you haven't asked me the question. But it has to do with
2 the powers that control the institutions. So when I talk about
3 the World Bank, of course this Court may know that the World Bank
4 is controlled by the United States and the IMF is controlled by
11:23:57 5 the European Union. So once a decision is taken by major
6 governments like these two governments, these two institutions,
7 the United States government and the European Union, the effect
8 comes down through the financial system. So when I say to this
9 Court that for example the World Bank was involved in the
11:24:15 10 conspiracy, I am not saying that the president of the World Bank
11 sat down and said, "Get Taylor out." But those powers that
12 controlled those institutions made it a policy and the World Bank
13 and IMF followed. That's what I mean.

14 Q. So those institutions were just dupes for these world
11:24:35 15 powers. Is that what you're saying, Mr Taylor?

16 A. Oh, we know how the World Bank and the IMF work, counsel.
17 I think you should know.

18 Q. Well, we know how you say they work, Mr Taylor?

19 A. Well, I am sure these judges will know. Those institutions
11:24:47 20 are controlled by powerful entities and they take instructions
21 from them based on the funding of those institutions.

22 Q. Mr Taylor, let's look at some others. The various members
23 of the UN panels of experts whose panel reports linked you to the
24 RUF and AFRC in Sierra Leone and illegal diamonds from Sierra
11:25:10 25 Leone, were these people also part of this supposed conspiracy
26 against you, Mr Taylor?

27 A. Well, you know, to answer that it calls for an explanation.
28 Listen --

29 Q. Yes or no, were they?

1 A. In a way, yes.

2 Q. And, Mr Taylor, the sources who provided information to
3 these various panels of experts about your involvement with the
4 RUF and AFRC in Sierra Leone and your involvement with illegal
11:25:39 5 diamonds from Sierra Leone, were these sources also part of this
6 conspiracy?

7 A. What sources? That's just a word. All through these
8 reports, people have referred to sources and they have not
9 named - come on. Sources? Sources? That's what these people
11:25:56 10 show.

11 Q. Mr Taylor, were these sources part of this conspiracy
12 against you giving this information?

13 A. Whatever these sources are, which I don't even know because
14 they have not been identified, they are a part. Because nobody
11:26:05 15 has identified. They just say "sources" and that's what these
16 reports do.

17 Q. Mr Taylor, the United Nations Security Council itself
18 imposing sanctions against your government, refusing to lift
19 those sanctions, was the United Nations Security Council also
11:26:23 20 part of this supposed conspiracy against you, Mr Taylor?

21 A. Well, counsel, the way you put it, I don't think it's fair
22 because I would have - I can say yes and I would have to explain
23 to these judges what I mean by - listen, you know how the
24 Security Council works. There are five permanent members of the
11:26:44 25 Security Council. Britain and the United States, with due
26 respect to the other three permanent members, dominate in terms
27 of ideas and get through that counsel practically whatever they
28 want. Governments around the world know that very well. I got
29 to know that. It doesn't mean - and I say this with due respect

1 to the other permanent members. These two states --

2 Q. Mr Taylor, I'm only --

3 A. So in a way once they drive through these ideas through the
4 council, most countries don't get into details. For example,
11:27:12 5 permanent member China, permanent member Russia don't go into the
6 details of these things and governments have these problems all
7 the time in dealing with the council.

8 Q. So other than Britain and the United States, these other
9 members of the - the permanent members of the Security Council
11:27:28 10 are simply dupes of the United States and Britain. Is that what
11 you're saying?

12 A. I wouldn't say that. I wouldn't say that. In most cases
13 you would see they abstain, which means hands off.

14 Q. Mr Taylor, you seem to want to indicate you know a great
11:27:40 15 deal about the Security Council. Now, in addition to the
16 permanent members how many other members are on the Security
17 Council now, Mr Taylor?

18 A. There are five, ten others.

19 Q. And they are rotating memberships, yes?

11:27:53 20 A. That is correct.

21 Q. Mr Taylor, you are aware that one of the permanent members
22 may veto any action that is to be taken, yes?

23 A. Of course I know that, yes.

24 Q. But you are also aware that in order for an action to be
11:28:18 25 carried out, nine of the members must vote in favour of it. You
26 know that, don't you, Mr Taylor?

27 A. Yes, I do.

28 Q. So, indeed, the sanctions against your government, it
29 wouldn't be just Britain and the United States voting for that,

1 would it, Mr Taylor?

2 A. No, not just the two. It would take nine, but that's a
3 political organisation. Those that understand the United
4 Nations, it's a matter of give and take, it's a matter of
11:28:49 5 bargaining and most of the little countries that make up the rest
6 of the ten, there are all kinds of pressures that are exerted in
7 the United Nations.

8 Q. So these others are just dupes of these two main countries?

9 A. I would not - respectfully I would not say that of these
11:29:01 10 countries, no.

11 MS HOLLIS: I know you said yesterday the clock is a bit
12 off. Do we --

13 PRESIDING JUDGE: Today it's been corrected. But whilst we
14 are on time matters, we were minded to perhaps take a later break
11:29:30 15 - a later and shorter break - at a quarter to 12, but we thought
16 we would consult. First of all, we do not know what impact this
17 will have on Mr Taylor's break but also on the people in the
18 recording booth. If there is no objection, we could take a later
19 break in view of the time we have lost.

11:29:53 20 Mr Anyah, perhaps you could address us on this.

21 MR ANYAH: Madam President, Mr Taylor has his routines and
22 I don't know whether this will interfere with those routines. I
23 mean, it wouldn't be helpful if we were to continue and perhaps
24 somebody needed to use the washroom or something.

11:30:14 25 PRESIDING JUDGE: No we are proposing a shorter break -
26 that's a 15 minute break. That is all we are proposing. Is this
27 going to interfere with that routine?

28 MR ANYAH: Well, I doubt that it will. The statements I
29 was making is in relation to him being used to having a thirty

1 minute break. But we are in the court's hands. So if
2 your Honours wish to take a break for only 15 minutes, we have no
3 choice but to comply.

4 PRESIDING JUDGE: Madam Court Officer?

11:30:44 5 MS IRURA: Your Honour, the length of the break is not in
6 question it's just the time proposed to take the break. As a
7 result of the power failure it was not possible to monitor how
8 much tape was actually used. So we are advised that it would be
9 better to take the break regardless of the duration of time at
11:31:07 10 the normal time.

11 PRESIDING JUDGE: Okay. Which is now. And so we will take
12 the usual half hour break in view of the submissions we have just
13 heard. We will reconvene at 12 o'clock.

14 [Break taken at 11.31 a.m.]

11:59:14 15 [Upon resuming at 12.00 p.m.]

16 PRESIDING JUDGE: Ms Hollis, before you continue, I have a
17 matter that I would like to raise before the parties. In view of
18 the impending closure of the cross-examination, I would just like
19 to point out that there are three urgent Prosecution motions for
12:02:04 20 leave to appeal that are pending decision in the Trial Chamber,
21 namely motions 882, 889 and 892. Now, the last of the pleadings
22 of these motions was filed late last evening. It would, in our
23 view, assist the parties if at this stage you were aware of the
24 Chamber's decision and so we've decided that I will give an oral
12:02:36 25 decision now and the detailed reasoning will be published early
26 next week. The ruling is as follows:

27 That with regard to each of those three motions, 882, 889
28 and 892, the Chamber is of the opinion that none of the motions
29 fulfil the criteria laid out in Rule 73(B) of the Rules of

1 Procedure and Evidence and that therefore the leave to appeal is
2 denied in respect of each of those motions. The detailed
3 reasoning will be published early next week.

4 Ms Hollis, please continue.

12:03:31 5 MS HOLLIS: Thank you, Madam President:

6 Q. Mr Taylor, we were talking about your conspiracy theory
7 that you have spoken about to these judges. The United Nations
8 Secretary-General Kofi Annan, was he part of this conspiracy,
9 Mr Taylor?

12:03:49 10 A. I wouldn't say so directly, no.

11 Q. Let's look at some other African leaders in addition to
12 President Kabbah - leaders who tried to bring you into their
13 circle after you became President in order, we suggest to you,
14 Mr Taylor, to move you away from your criminal misconduct in

12:04:12 15 regard to Sierra Leone. Mr Taylor, in relation to these other
16 African leaders, in fact you betrayed their trust, did you not?

17 A. No.

18 Q. Indeed, Mr Taylor, you used your position in their circle
19 to advance your criminal interests. Isn't that correct?

12:04:33 20 A. Now that's a long question. To move me away from my
21 criminal behaviour in Sierra Leone or which is the question?

22 Q. The question is you used your position in that circle of
23 these leaders to advance your own criminal interest. Isn't that
24 correct?

12:04:54 25 A. I disagree.

26 Q. And also to advance the criminal interest of the AFRC and
27 RUF in Sierra Leone. Isn't that correct?

28 A. I disagree.

29 Q. And you also used your position within this circle to give

1 you cover for your criminal misconduct. Isn't that right,
2 Mr Taylor?

3 A. I disagree.

4 Q. To give you plausible deniability?

12:05:13 5 A. I disagree.

6 Q. And indeed, Mr Taylor, through your public lies and
7 manipulation of the truth, you used your position to try to
8 distance yourself from your own misconduct. Isn't that right?

9 A. I disagree with your proposition.

12:05:29 10 Q. And, Mr Taylor, your testimony before these judges has been
11 a continuation of those lies and manipulation of the truth.
12 Isn't that right?

13 A. I disagree with your proposition.

14 Q. Mr Taylor, President Jerry Rawlings, when he referred to
12:05:44 15 your actions in Sierra Leone as a stab in the back, was he part
16 of this supposed conspiracy against you?

17 A. I think you misquoted what Rawlings said so I don't know
18 how to answer that question. Rawlings said "if it is true" -
19 that's what he said in the statement before this Court. He said,
12:06:03 20 "If it is true then it is a stab in the back". He did not say
21 definitively, so I disagree with your proposition.

22 Q. Was President Jerry Rawlings part of the conspiracy against
23 you?

24 A. No, Jerry was not.

12:06:15 25 Q. And your friend President Obasanjo - with his comments
26 about your role in destabilising the region - was he part of the
27 conspiracy against you, Mr Taylor?

28 A. Well, he is in a mixed bag. Obasanjo, I would say no.
29 He's in a mixed bag really.

1 Q. And when he turned you over --

2 PRESIDING JUDGE: Ms Hollis, what mixed bag? Please
3 elaborate. What mixed bag?

4 THE WITNESS: Well, I mean, your Honour, I think Obasanjo
12:06:49 5 tried. He did everything to - but he came under so much pressure
6 that he finally folded. So de facto I would say he - by falling
7 finally after he made all the promises and understood everything,
8 so that's what I mean by he is in a little mixed bag. He found
9 himself in a very tough situation so finally he succumbed -
12:07:17 10 because I still thought of him as a friend and I still think that
11 Obasanjo may have a lot to say in the future about this.

12 MS HOLLIS:

13 Q. So, Mr Taylor, when he identified you as having a prominent
14 role in destabilising the sub-region, was he part of the
12:07:34 15 conspiracy?

16 A. No, we all read that document. I can't say for sure that
17 Obasanjo said that it was a fact or he was speaking - I cannot
18 say he was a part of the conspiracy.

19 Q. And when he turned you over to Liberian authorities for
12:07:46 20 transfer to the custody of this Court, was he part of the
21 conspiracy at that time, Mr Taylor?

22 A. De facto. I've just explained that in your previous
23 question. Because he finally succumbed to a particular pressure
24 from the United States of which he had told me before that he had
12:08:03 25 been under tremendous pressure, I would say de facto yes.

26 Q. So he basically became a dupe of the United States as well,
27 Mr Taylor?

28 A. In a way I can say without stupor, yes.

29 Q. And in relation to President Obasanjo, you also betrayed

1 his trust in many ways. Isn't that right, Mr Taylor?

2 A. I would disagree. I would disagree.

3 Q. For example, Mr Taylor, you recall the incident where you
4 met him at RIA to tell him about your supposed proposal that Sam
12:08:33 5 Bockarie come to Liberia. You remember we've talked about that?

6 A. Yes, we did.

7 Q. Indeed, Mr Taylor, when you met with President Obasanjo at
8 RIA, the deed had already been done, hadn't it?

9 A. What deed had already been done?

12:08:47 10 Q. Sam Bockarie had already left the RUF on your order. Isn't
11 that right, Mr Taylor?

12 A. No. Where did you get that from?

13 Q. Indeed, Mr Taylor, when you met with President Obasanjo at
14 RIA, Sam Bockarie and his men were on their way to be with you in
12:09:05 15 accordance with your orders to Sam Bockarie. Isn't that right?

16 A. No, no. You got that wrong. Obasanjo met with me and
17 Sankoh. No, that's totally - I disagree with you.

18 Q. And, Mr Taylor, your former Minister of Defence, Daniel
19 Chea, when he said that the 1995 disarmament was a fiasco, that
12:09:30 20 it did not happen, was he part of the conspiracy, Mr Taylor?

21 A. No, Daniel is really nothing. Daniel is a political
22 survivor as it's said. Speaking ten years after I wouldn't say
23 Daniel was part of the conspiracy.

24 Q. When he said that you had your own militias that you
12:09:50 25 controlled out of your mansion, was he being part of the
26 conspiracy when he said that, Mr Taylor?

27 A. I don't know if Daniel actually said that. It is alleged
28 in some document you brought here that, what do you call,
29 Perspective or something, an interview - I don't even know if

1 Daniel said that, but I can say he was not a part of the
2 conspiracy.

3 Q. Now you've also talked about NGOs that were involved in
4 this conspiracy. Yes, Mr Taylor?

12:10:11 5 A. Yes.

6 Q. And of course Human Rights Watch, Amnesty International,
7 they were involved in the conspiracy according to you. Yes,
8 Mr Taylor?

9 A. No, I wouldn't say directly. They contributed in a way.
12:10:24 10 NGOs receive funding - we know how these things work. Certain
11 reports, if they don't come a particular way you do not get
12 funding. If they come in a particular way your funding
13 continues. So in a way there is arm twisting. It's a war out
14 there. You didn't ask me to explain so I'm not even going to get
12:10:45 15 into it. So in a way they all became somewhat victims also, but
16 I suffered because of the way how you get funding out there for
17 NGOs. It's a fight.

18 Q. So, Mr Taylor, these Human Rights Watch reports, the
19 Amnesty International reports, about your destructive role in
12:11:07 20 Sierra Leone, as well as your abysmal record in Liberia, that was
21 because they were dupes of other powers?

22 A. Not exactly. Hassan Bility said before this Court that he
23 reported for Amnesty International. Amnesty International
24 reporters on the ground are working for money. Sometimes they
12:11:28 25 are misled. These reports are not vetted. The governments don't
26 have a chance to check on the authenticity. So here is a Hassan
27 Bility, who is fighting my government and doing everything,
28 writing a report for Amnesty International, he will be biased.
29 So Amnesty didn't sit down and conspire, but they are getting

1 reports from individuals on the ground that are opposed to you
2 and the reports are always slanted in a way, so they themselves
3 are victims.

12:12:10 4 Q. And the Belgian police report which we have seen which
5 spoke about your involvement in the diamond trafficking from the
6 RUF, was that report part of this conspiracy?

7 A. No. I wouldn't say that, but we agree that the Belgian
8 report is, I think, if you look at it - for a professional
9 organisation, if you read the report I don't know how - I don't
12:12:31 10 know if I can call that a report, but it is an abysmal work that
11 they did because it really said nothing. There was nothing
12 definitive from a legal perspective. No.

13 Q. Mr Taylor, the Belgians who that wrote that report, are
14 they part of the conspiracy against you, Mr Taylor?

12:12:47 15 A. I wouldn't say that.

16 Q. And of course journalists who said anything critical of
17 you, they were all part of the conspiracy against you. Yes
18 Mr Taylor?

19 A. Well, let's speak - you are speaking in general now. Which
12:13:03 20 journalists are you referring to? Liberian journalists?

21 Q. Let's run through some of them, Mr Taylor.

22 A. Yes.

23 Q. Douglas Farah, he was part of the conspiracy, yes?

24 A. Oh definitely. Definitely. Douglas Farah even associated
12:13:15 25 me with Al-Qaeda. Yes, he wrote specifically to destroy me.
26 Yes, he was a part.

27 Q. And of course Mark Doyle from the BBC, he was part of this
28 conspiracy, Mr Taylor?

29 A. No, I wouldn't say Mark was.

1 Q. Even though you had described his writing now constituting
2 the third or fourth document in what I will call the whole
3 conspiratorial move?

4 A. Well, you say Mark Doyle, the 2000 writing on diamonds was
12:13:49 5 very, very, very - you know, his writing, Douglas Farah's
6 writing, and then the Samura, Mark Doyle's report on that period
7 of time, as those reports came out, they had some links, but I
8 don't think Mark Doyle as an individual sat down and conspired.
9 But we know when words come down to some these journalists -
12:14:17 10 there are point journalists in all countries in these
11 organisations that people let certain news leak through for
12 certain reasons. Journalists in some ways are used too in
13 western countries.

14 Q. You say "we know", Mr Taylor. We don't know that.

12:14:36 15 A. Well, by "we" I'm talking about those of us that have had
16 the opportunity of being Presidents and have had to deal with
17 these matters in the international community, not soldiers or
18 lawyers.

19 Q. And wanted to characterise it in a way that got you off the
12:14:49 20 hook for your actions, yes, Mr Taylor?

21 A. I didn't understand that, counsel.

22 Q. You don't understand "got off the hook"? Let me explain
23 it. It allowed you --

24 A. No, no, the question. Not "got off the hook". The
12:14:58 25 question as you asked it, I didn't understand it.

26 Q. You said, "Those of us who are Presidents", and I said,
27 Mr Taylor, "And those that would" - let me do it again.

28 A. Okay.

29 Q. And wanted - those of you who wanted to characterise these

1 reports in a way that got you off the hook for your action.

2 That's right, isn't it, Mr Taylor?

3 A. I disagree with that proposition as put.

4 Q. Mr Taylor, you mentioned Sorious Samura.

5 A. Yes.

6 Q. Sorious Samura and that film crew, they were part of this
7 conspiracy?

8 A. I tell you in a way de facto. As I read the script from
9 Sorious, that was not from Sorious. The script - I'm sure the

12:15:39 10 Court will have an opportunity of seeing the script. He - I
11 don't think that Sorious sat down and conspired with anybody, but
12 I would say he was used in a way that he didn't know.

13 Q. Mr Taylor, this person with the deadly camera, was he part
14 of the conspiracy?

12:16:01 15 A. Again - again, you know, I think you've mischaracterised
16 what the whole essence of that testimony was. But I would say
17 that he could have been used in a way that he didn't use [sic].
18 But I also said we found out that the camera was not what we were
19 led to believing it would be, so I wouldn't say he was a part.

12:16:25 20 Q. Mr Taylor, the New York Times, the Washington Post, CNN,
21 Radio France Internationale, all reported about your destructive
22 role in Sierra Leone and the sub-region. All of these entities
23 were part of the conspiracy against you, Mr Taylor?

24 A. No, not in that way. Not in that way. It doesn't work
12:16:45 25 that way, you know. I see you have lumped the whole conspiracy
26 thing, but that's not the way it works. There are people pulling
27 the puppet.

28 Q. Mr Taylor, you have answered my question.

29 PRESIDING JUDGE: Please complete that answer.

1 THE WITNESS: I'm talking about the puppet and the
2 puppeteer. They didn't sit and conspire, but they work for
3 groups and things that received instructions. So it's like the
4 puppet and the puppeteer. That's what I'm talking about.

12:17:15

5 MS HOLLIS:

6 Q. So they were the puppets?

7 A. In a way, yes.

8 Q. And the local Liberian journalists who reported negatively
9 on your human rights record in Liberia, were they part of the
10 conspiracy?

12:17:27

11 A. Who are we talking about?

12 Q. You know, there were many of them. We've gone over some of
13 them. Were they part of the conspiracy, Mr Taylor?

14 A. Well, I'll tell you what, the few that we talked about
15 here, Hassan Bility, yes. And some of the other individuals, I
16 do not know which names you are referring to, I do not think they
17 were a part. But Hassan Bility was a part. The rest of them, I
18 wouldn't say so. They were used because their papers were
19 directly funded by embassies and there is no money to be made
20 from newspapers in Liberia. They were not, but Hassan Bility
21 was.

12:17:59

22 Q. And those who reported about your connections to the RUF
23 and the AFRC, they were also part of this supposed conspiracy,
24 Mr Taylor?

12:18:09

25 A. I don't know who reported on it, except Hassan Bility.

26 Q. And, Mr Taylor, the Justice and Peace Commission in Liberia
27 which was critical of your governance in the country, was it part
28 of the conspiracy?

29 A. I think they were used. All of the justice and peace

1 people were opposition people to Charles Taylor. Frances
2 Johnson-Morris who --

3 Q. That was the lady that was stripped naked and thrown in a
4 cell with men, yes, Mr Taylor?

12:18:43 5 A. Who allegedly stripped naked. Frances Johnson, as I say,
6 she is more of a friend to me than anyone in Court. Frances, who
7 is a - she is Frances Johnson - is a cousin of Ellen Johnson, who
8 is the present President. She became the first Attorney-General.
9 She is still a member of the Cabinet. These are all a part of an
12:19:03 10 ongoing conflict in Liberia between two groups. So they lied in
11 a lot of the things that they said, but they were on a different
12 side.

13 Q. And they were all part of the conspiracy against you,
14 Mr Taylor?

12:19:14 15 A. I would say Frances had her part to play in it, yes.

16 Q. Archbishop Michael Francis, was he part of the conspiracy
17 against you, Mr Taylor?

18 A. I think Kpakala played a very - a very negative role. I
19 don't think he sat and conspired. We are from the same home
12:19:37 20 town, the same tribe and we always had differences. We're from
21 the same place, Kpakala and myself.

22 Q. So he is part of the conspiracy?

23 A. No. I said he didn't conspire in that way. No.

24 Q. And Jimmy Carter, when he wrote to you in 2000, highly
12:19:52 25 critical of your record, was he part of the conspiracy against
26 you, Mr Taylor?

27 A. No. That's a decent man. No.

28 Q. And of course all of the Prosecution witnesses who were
29 brought to testify here that you have told the Court all lied,

1 West African witnesses, international witnesses, experts, were
2 these people all part of the conspiracy against you, Mr Taylor?

3 A. Well, let's break it down, one, one. You've asked me three
4 questions. Let's deal with your witnesses. Your paid

12:20:26 5 witnesses --

6 Q. Those were all the witnesses I was talking about,
7 Mr Taylor, the Prosecution witnesses. Were these witnesses all
8 part of the conspiracy against you, Mr Taylor?

9 A. Well, if I may be permitted to answer. You asked me about
12:20:38 10 your witnesses. You asked me about experts. And you talk about
11 international. Now, if I am permitted --

12 Q. West African witnesses, Mr Taylor, that was the first
13 category.

14 PRESIDING JUDGE: Please allow the witness to answer
12:20:50 15 regarding each of those categories.

16 MS HOLLIS:

17 Q. Mr Taylor, West African witnesses, that was the first
18 category. Were these people part of the conspiracy against you?

19 A. When you say West African witnesses, who are you referring
12:21:02 20 to?

21 Q. Mr Taylor, I'm referring to all of the West African
22 witnesses who came into this courtroom. The Prosecution
23 witnesses.

24 A. Well, I know of Sierra Leonean witnesses. I would say
12:21:12 25 there's a mixed bag in the witnesses. There were certain
26 questions that were posed to me where I said the witness lied. I
27 never said to this Court that every statement by every witness
28 was a lie. And those that were put to me that were wrong, I said
29 that they were lies, and that's what I'm saying.

1 PRESIDING JUDGE: Mr Taylor, the question, I think, is
2 targeting those witnesses that gave evidence directly implicating
3 you. Those are the witnesses that counsel put to you. The
4 witnesses that came from Sierra Leone or Liberia or wherever in
12:21:50 5 West Africa, those are the witnesses we're talking about.

6 THE WITNESS: Yeah, the 90-some odd witnesses, your Honour,
7 right?

8 PRESIDING JUDGE: So what is your answer? Were they part
9 of the conspiracy?

12:22:01 10 THE WITNESS: No, no. I - maybe we could ask her to put
11 the question again because, you see, that's what happens. With
12 all due respect, your Honour. She prefaced the question with
13 "those witnesses that came here that you say were all liars, were
14 they part of the conspiracy". So that's --

12:22:18 15 PRESIDING JUDGE: No, Mr Taylor. I intervened and I said
16 you were to answer, having broken down the categories, and
17 Ms Hollis very kindly repeated her question, which I will ask her
18 to repeat again.

19 MS HOLLIS:

12:22:34 20 Q. The West African witness whose came into this Court,
21 Mr Taylor, and implicated you, were they part of the conspiracy
22 against you?

23 A. Those that implicated me, they were not part of the
24 conspiracy against me.

12:22:45 25 Q. And, Mr Taylor, the international witnesses, and by that I
26 mean those from places other than West Africa who came into this
27 Court and implicated you, were they part of the conspiracy
28 against you, Mr Taylor?

29 A. Those that implicated me I would say I don't know if they

1 were part of it. I really don't know.

2 Q. And experts who came into this court, Mr Taylor, and
3 implicated you, were they part of the conspiracy?

4 A. Caroline Dufka, very questionable character. Because of
12:23:16 5 her role, I would say - I can say she was part of the conspiracy.
6 With due respect to Dr Ellis, I do not think he was a part of the
7 conspiracy, but I think he got a lot of his facts wrong.

8 Q. Now, Mr Taylor, in fact it is not a conspiracy that brought
9 you here before these judges, is it?

12:23:39 10 A. I disagree with your proposition.

11 Q. This conspiracy theme you have been sounding for a long
12 time is simply a way to try to divert attention from your
13 criminal misconduct. That's the truth of it, isn't it,
14 Mr Taylor?

12:23:53 15 A. I disagree with your proposition totally.

16 Q. Indeed, Mr Taylor, it is your quest for power and your
17 greed that have brought you here today before these witnesses.
18 Isn't that correct?

19 A. You mean before these judges?

12:24:07 20 Q. Before these judges, yes.

21 A. I disagree with that proposition. I think the facts before
22 this Court will prove quite to the contrary that the indictment
23 that brought me that you claim are completely wrong and is the
24 conspiracy.

12:24:26 25 Q. And, Mr Taylor, indeed your quest for power and greed
26 brought you here today both when you were the leader of the NPFL
27 and when you were the President of Liberia. Isn't that right,
28 Mr Taylor?

29 A. I disagree with your proposition. That's not correct.

1 Q. And your quest for power and greed extended beyond Liberia
2 into Sierra Leone. Isn't that right, Mr Taylor?

3 A. That's totally, totally incorrect.

4 Q. And as the leader of the NPFL and the President of Liberia,
12:24:57 5 your actions brought immeasurable suffering to countless victims
6 in Sierra Leone. That's the truth, isn't it, Mr Taylor?

7 A. That's not the truth.

8 Q. To your African brothers and sisters in Sierra Leone.
9 That's the truth of it, isn't it, Mr Taylor?

12:25:12 10 A. That's not the truth. I will care about them more than
11 you.

12 Q. Now, Mr Taylor, you have admitted certain things to this
13 Court and the Prosecution accepts those admissions to some
14 degree. And, Mr Taylor, you have admitted to some truths in the
12:25:30 15 hope that it would make the many lies you have told this Court
16 more believable. Isn't that right?

17 A. I disagree with that proposition.

18 Q. And, Mr Taylor, at the beginning of your testimony, on 14
19 July 2009, your Defence counsel asked you if you were guilty of
12:25:48 20 the charges on the indictment, and you said you were not guilty
21 of all these charges, not even a minute part of these charges.
22 Mr Taylor, the tragic truth is that through your choices and
23 through your actions, Mr Taylor, you indeed are guilty of all the
24 charges in this indictment against you. That's the truth of it,
12:26:15 25 isn't it, Mr Taylor?

26 A. I disagree. That's not the truth of it, and that's what
27 you have to prove beyond reasonable doubt before these
28 professional judges. I disagree.

29 MS HOLLIS: Madam President, the Prosecution has no further

1 questions at this time for this accused, former President Charles
2 Ghankay Taylor. Madam President, I do have two matters I would
3 like to raise with your Honours before I sit down, if I may be
4 permitted to do so.

12:26:44 5 PRESIDING JUDGE: Thank you, Ms Hollis. I think this is a
6 good time for you to raise these matters.

7 MS HOLLIS: Thank you, Madam President. The first matter
8 has to do with the procedure whereby the tendering of the 400
9 plus MFIs and decisions on those MFIs may be carried forward.

12:27:05 10 And the Prosecution would suggest to your Honours the following
11 procedure, and that is, that each party would file in writing a
12 list of those documents which it wishes to tender into evidence
13 and that upon receipt of that list, the parties would file any
14 objections they might have in writing and any responses to those
12:27:35 15 objections in writing so that your Honours and the parties would
16 have the benefit of these written submissions. And we would
17 suggest, given the large number of MFIs, this would be a very
18 efficient and effective way to proceed and we would ask that your
19 Honours consider that.

12:28:02 20 The second matter, if I may go to that, is that the
21 Prosecution would once again ask your Honours to order the
22 Defence to provide to the Prosecution by the middle of next week
23 a list of its next group of witnesses by DCT number. This list
24 of course does not have to be in the order in which they will be
12:28:25 25 called, but simply a list by DCT number of the next group of
26 witnesses the Defence intends to call. And the Prosecution has
27 in mind that the Defence would provide a list of some ten to
28 fifteen witnesses, the next batch it intends to call.

29 The Prosecution has requested this previously. We feel

1 that it is very important that we have this in order for us to
2 effectively manage our work and assign these witnesses based on
3 the summaries. This is also the same procedure that was followed
4 by the Prosecution to assist the Defence during the Prosecution's
12:29:05 5 case in chief and we believe that it is something that could be
6 ordered by this Trial Chamber and we would ask that your Honours
7 do so. Those are the two matters that I have and thank you for
8 allowing me to present them, Madam President.

9 PRESIDING JUDGE: Thank you, Ms Hollis. Mr Anyah, you
12:29:23 10 represent the Defence. Could you address us on these two
11 matters, please.

12 MR ANYAH: Yes, I can and I will. And I do so with the
13 caveat that Mr Griffiths, who is absent, he's at a conference in
14 Chicago, undertook the examination-in-chief from 14 July and he
12:29:43 15 is our lead counsel and my comments would be subject to
16 subsequent modifications to the extent necessary that he deems
17 fit.

18 With respect to the first request by the Prosecution, the
19 procedure for dealing with the MFIs, it does make sense on the
12:29:59 20 face of it, but when you reflect on it there has to be in the
21 first instance an agreement perhaps with the assistance of CMS
22 about the constituent parts of all the MFIs. We have in many
23 instances marked documents for identification that included only
24 certain paragraphs and as I stand before your Honours I do keep
12:30:23 25 diligent notes but I cannot say that I have all of the those
26 properly noted. Meaning that all the relevant paragraphs that
27 make up an MFI and only those paragraphs, there are proper
28 records of what constitutes what. So before we go about
29 submitting pleadings in writing, perhaps we need an official

1 document from the Court indicating what all the MFIs are and what
2 parts of each document was marked for identification.

3 Having said that - and I submit that that would facilitate
4 the process suggested by the Prosecution, there is a certain
12:31:06 5 though that Mr Taylor should be present and the public should
6 have access to this exercise. It doesn't mean we cannot consult
7 with Mr Taylor about what objections if any we may have to
8 certain documents.

9 But these documents, especially those that we felt were
12:31:25 10 brought in as fresh evidence, have been put in the public display
11 in this courtroom in open session. It is the case that documents
12 filed with CMS will still be available to the public, but there
13 is an argument to be made that this exercise should be conducted
14 in court in the presence of the accused and that the attending
12:31:48 15 public can understand what is going on when we discuss these
16 documents and discuss the weight to be attached to some of them.
17 For example, parts of the Liberian TRC report. People should
18 hear what we have to say about that kind of document.

19 So my submission would be that we should undertake the
12:32:08 20 exercise in open court, and I say this subject to what lead
21 counsel might feel. It doesn't mean we may not, prior to that,
22 exercise file submissions suggesting in a broad sense what we
23 agree with and what we are likely to object to, but I propose we
24 undertake the exercise in open court.

12:32:28 25 With respect to the second request by learned counsel
26 opposite for a list of perhaps fifteen Defence witnesses due
27 sometime next week that we intend to call, the Prosecution has
28 made this request several times in the past. We have maintained
29 that we satisfy our responsibility by filing a two-week notice of

1 witnesses that we intend to call three weeks in advance of the
2 date of their testimony.

3 Your Honours will recall that in your protective measures
4 decision from 27 May 2009 you directed us to disclose to the
12:33:09 5 Prosecution the names of our witnesses 21 days before they are
6 due to be called to the stand. We have disclosed our next
7 witness, his name, to the Prosecution I believe on Tuesday, 2
8 February, which means that that witness would be ready to be
9 called to the stand perhaps on 23 February. That is the
12:33:30 10 obligation that your Honours placed on us. We have complied with
11 that obligation. Come Monday next week we intend to file two
12 documents: A document listing the witnesses we intend to call
13 for the week I believe starting on 22 February and a second
14 document indicating what exhibits will be used in conjunction
12:33:53 15 with those witnesses. So I think we have fulfilled our
16 requirements.

17 We have always indicated to the Court that our
18 investigations were ongoing. The issue of determining the order
19 of appearance of witnesses is not as easy as might initially meet
12:34:10 20 the eye, so to speak, because our investigation has been very
21 fluid and we continue to eliminate witnesses even as I stand
22 before your Honours. We continue to reduce the numbers of
23 witnesses we intend to call and in due course there will likely
24 be another pleading from the Defence seeking leave of the Chamber
12:34:30 25 to drop additional witnesses.

26 So to ask us to identify the order at this stage, when your
27 Honours have first of all refused to so order, and when we intend
28 to comply with the two-week notification regime, I think it's a
29 bit cumbersome on us and is not really necessary. The

1 Prosecution, in our view, is not being prejudiced to the extent
2 that two weeks before a witness takes the stand they have the
3 necessary information regarding that witness. The name is
4 actually given three weeks before the witness is called to
12:35:05 5 testify. So that's my response to both requests by learned
6 counsel opposite.

7 PRESIDING JUDGE: Mr Anyah, before you sit, I didn't
8 understand Ms Hollis to request you for a call order, as such,
9 because she does appreciate that the call order may change. All
12:35:24 10 she was simply requesting is a list of ten or fifteen DCT names
11 in order for her administratively to organise her side of the
12 work. In whatever order you will later call them, but so that
13 she knows that for the next three or four months this is the
14 order, this is the list of witnesses likely to be called by
12:35:54 15 yourselves. Now, do you have an objection to this? This is a
16 fresh request as far as I'm concerned and, regardless of what
17 we've ordered before, we're looking at this now because this has
18 now advanced. The cross-examination is over, re-examination is
19 pending and we're getting closer and closer to the end of
12:36:16 20 Mr Taylor's own testimony. So what are your views on a list of
21 ten to fifteen DCTs that you think would next testify?

22 MR ANYAH: That being the case, I see it as a reasonable
23 request but there is a proviso which is if we provide such a list
24 there exists the possibility that there will be three or four out
12:36:45 25 of the ten or so that may not feature as witnesses for us in the
26 coming weeks and the Prosecution will have to accept the list
27 with that understanding.

28 PRESIDING JUDGE: Thank you. Ms Hollis, would you have a
29 problem with that last comment by counsel?

1 MS HOLLIS: Not at all, Madam President. In fact, when we
2 gave our list which we did throughout our case to the Defence it
3 was always with the understanding that it might be that some of
4 those witnesses would not be called. So we would have no problem
12:37:19 5 with that at all.

6 Now, I take heed of your Honour's comments. I do want to
7 point out, to clarify the record, that indeed on 11 November last
8 year your Honours did order that such a list be provided and the
9 Defence at that time, Mr Griffiths, agreed to do so. So it is
12:37:43 10 not correct that no order has ever been provided and the Defence
11 at that time did agree.

12 PRESIDING JUDGE: Ms Hollis, did we not - I don't recall
13 exactly but did we not say we would revisit this request closer
14 to the end of Mr Taylor's testimony?

12:37:57 15 MS HOLLIS: No, Madam President. This was a request on the
16 11th. The Defence said that it was a request with which they
17 could comply. Then it was ordered that on or before 11 December
18 that they provide such a list. They did not do so. When we
19 raised the matter with you in January, then your Honours' feeling
12:38:19 20 was that, since the cross-examination was not complete, it was
21 premature at that time.

22 PRESIDING JUDGE: Okay. Allow me to consult on these two
23 issues.

24 [Trial Chamber conferred].

12:43:08 25 PRESIDING JUDGE: Let me start with the latter of the two
26 requests by the Prosecution, namely, that the Defence should
27 provide to the Prosecution by the middle of next week a list of
28 its next group of witnesses by DCT number, and that this list
29 need not be in the call order, but the list should consist of at

1 least ten to fifteen proposed witnesses. Mr Anyah has indicated
2 that this is not a problem and that the Defence is happy to do
3 this, subject to the caveat that the list may change in view of
4 the way that there are certain uncertainties that the Defence is
12:43:56 5 dealing with, and the Prosecution understands that. So that
6 request is granted, and we trust that the Defence will provide
7 such a list next week.

8 Now, the second request, which is relating to the procedure
9 for tendering the documentary evidence that we have marked for
12:44:15 10 identification, first of all, let me mention in relation to the
11 query raised by Mr Anyah as to exactly what it is we marked for
12 identification. As far as I'm concerned, marking for
13 identification is merely that. We simply marked for
14 identification certain documents containing certain paragraphs
12:44:40 15 sometimes that were referred to, and at other times only pages
16 that we were requested to mark, and at other times we were
17 requested to mark the entire document.

18 Now, that does not detract from the duty of the party
19 seeking to tender the evidence to clarify or to make absolutely
12:45:01 20 clear to the Court what aspects of the document they are seeking
21 to tender and to give arguments in support of tendering the
22 specific passages in the document that they seek to tender. For
23 me to request the Court manager to be authoritative on what it is
24 that you may submit on is beside the point.

12:45:31 25 Yes, indeed it would be helpful for the Court manager to
26 circulate the list of MFIs so far that comprise 407 documents,
27 and if she can, she could indicate the nature of the documents
28 that were marked. But that does not absolve the parties from
29 actually going into the documents and pointing to the passages

1 that you seek to tender as evidence, and then the arguments that
2 will follow will revolve around those passages.

3 Now, if, for instance, a party feels that their colleagues
4 on the other side have exceeded the passages that are acceptable,
12:46:19 5 that will be in your submissions and we're willing to consider
6 that. But I don't think that we should spend undue time in
7 arguing what was marked, what wasn't marked. At the end of the
8 day, what is important is what is admitted in evidence.

9 Now, having said that, we've also considered the time that
12:46:39 10 this kind of exercise is likely to consume if we conduct oral
11 hearings in Court. You will notice that next week the Chamber
12 can only sit mornings because of the fact that we have to share
13 this courtroom, so we're losing a lot of sitting time next week
14 and probably subsequent weeks, and we have to factor this in in
12:47:04 15 deciding how we proceed. Now, we've also considered the fact
16 that even if we received written submissions, these are public
17 written submissions. We've also considered the fact that before
18 the Defence, for instance, write their submissions relating to
19 the exhibits that they would like to tender or would like to
12:47:24 20 oppose, they would have an opportunity to consult the accused on
21 these issues. They are not matters that you are going to decide
22 upon without consulting your client.

23 So we've taken all these factors into account, and we are
24 of the view that the procedure proposed by the Prosecution
12:47:43 25 whereby each party files a list of documents it intends to tender
26 I think is a very reasonable one in the circumstances, and
27 whereby each party then responds to the filed list in writing,
28 and this is the procedure we're going to adopt.

29 As soon as the examination-in-chief is over, we will

1 request the parties to file - sorry, the re-examination is over,
2 we will request each party to file a list of the documents that
3 they intend to tender, and then each party will be requested to
4 file written objections thereto. Of course, we will assume that
12:48:35 5 the documents you do not object to are thereby consented to, and
6 we shall admit those by consent.

7 I think that does take care of the two matters.

8 I would just like to consult both sides. I can make an
9 order now, although I personally think it would be a little
12:49:28 10 premature to do that, but I was minded to give certain time
11 frames: One for the filing of the submissions on both sides as
12 to the documents you wish to tender; and then to give time for
13 the responses on either side; and finally, a time frame for the
14 replies on both sides. Now, I could do that now, or I can do it
12:49:57 15 towards the end of the examination-in-chief - sorry, the
16 re-examination. The whole point is to allow sufficient time to
17 the parties, but also to conserve time in Court. Could I hear
18 perhaps from Mr Anyah.

19 MR ANYAH: Thank you, Madam President. We would prefer a
12:50:20 20 pleading regime that is mandated towards the end of the
21 re-examination of Mr Taylor. And while we are aware that we have
22 to save time and we have to move efficiently, we have to iron out
23 certain modalities. We were given as fresh evidence perhaps nine
24 binders of documents. We would like to re-examine Mr Taylor in
12:50:47 25 relation to several of those. Depending on the answers that come
26 forth we may not have objections to some of them and we may have
27 further objections to make in respect of others. So I agree with
28 Madam President's sentiments that it might be premature now for
29 us to commence that exercise.

1 There are also other modalities to consider. Do we have
2 leave of Court, for example, to go to the CMS and obtain the
3 original copy of a video that was played in Court if we wanted to
4 watch it again to decide whether or not we are going to object to
12:51:20 5 it? All these are modalities that the Court has to consider and
6 frankly, as I stand before your Honours, I don't know exactly how
7 long Mr Griffiths will take to re-examine Mr Taylor. I have some
8 indications, but it may very well be longer than your Honours
9 assume. It could be shorter, but it could also be quite
12:51:38 10 detailed.

11 PRESIDING JUDGE: Mr Anyah, whilst you are on your feet,
12 might I inquire how long you suppose the re-examination might
13 take?

14 MR ANYAH: Well, it would be speculation on my part. I can
12:51:59 15 only give an estimate on the basis of the new documents we have
16 received and on the basis of territory that I suspect
17 Mr Griffiths is inclined to cover in re-examination. I don't see
18 it concluding sooner than all of next week. That is bearing in
19 mind that Mr Griffiths is in Chicago today, and I will probably
12:52:18 20 not get to speak with him until over the weekend.

21 PRESIDING JUDGE: That is appreciated. I think it will be
22 in the interest of justice if definitive time frames for these
23 filings are given closer to the end of the re-examination of the
24 witness. It's more realistic, I think, at that time. But
12:52:44 25 definitely the Trial Chamber will give definitive time frames for
26 filings, and all the filings will be written.

27 Now, in view of the time, Mr Anyah, I do not know how you
28 wish to proceed. Could you advise the Chamber?

29 MR ANYAH: Yes, I have an application to make, Madam

1 President. I see that it is almost 1 o'clock. I've already
2 orally represented to the Chamber that Mr Griffiths is absent.
3 Your Honours are well aware of the fact that he has assumed
4 Mr Taylor's examination-in-chief and been present during
12:53:18 5 cross-examination, and it is our intention that he will
6 re-examine Mr Taylor.

7 Bearing those factors in mind, and considering the time
8 today, I make the application for an adjournment until Monday
9 morning for us to commence the re-examination of Mr Taylor. My
12:53:36 10 application is based on Article 17 of the Statute and your
11 Honours, I propose, have the authority to prescribe the necessary
12 order pursuant to Rule 54. It would be in the interests of
13 Mr Taylor's fair trial rights that they be guaranteed to the
14 extent that his re-examination is commenced and undertaken by the
12:54:01 15 lawyer who led him in chief, and Mr Griffiths is our lead
16 counsel, it is his counsel of choice, and for those reasons, I
17 make this request for an adjournment until Monday next week.
18 Thank you.

19 PRESIDING JUDGE: Thank you. Ms Hollis, do you have a
12:54:16 20 response to the application for continuance?

21 MS HOLLIS: Simply two things, Madam President: First of
22 all, lead Defence counsel has apparently absented himself to go
23 to a conference knowing that cross-examination was likely to
24 conclude this week. We don't know that that justifies an
12:54:36 25 adjournment. Having said that, we do take note of the time, and
26 we are completely in your Honours' hands in terms of how you wish
27 to proceed with this.

28 PRESIDING JUDGE: Thank you, Ms Hollis.

29 [Trial Chamber conferred]

1 PRESIDING JUDGE: The application of the Defence for
2 adjournment until Monday morning is granted in light of the fact
3 that it's only fair for Mr Taylor that counsel of his choosing is
4 present in Court. So we will adjourn this matter to Monday
12:55:59 5 morning at 9.30.

6 Just a moment. We've looked at the sitting schedule, which
7 designates 9 o'clock as the starting time. Do any of the sides
8 have issue with that? We're minded to start at 9.

9 MS HOLLIS: We'll be here whenever your Honours ask us to
12:56:59 10 be.

11 MR ANYAH: We have no difficulty with that time, Madam
12 President.

13 PRESIDING JUDGE: In that case, then the proceedings are
14 adjourned to Monday at 9 o'clock.

12:57:15 15 [Whereupon the hearing adjourned at 12.55 p.m.
16 to be reconvened on Monday, 8 February at
17 9.00 a.m.]

18
19
20
21
22
23
24
25
26
27
28
29

I N D E X

WITNESSES FOR THE DEFENCE:

DANKPANNAH DR CHARLES GHANKAY TAYLOR	34810
CROSS-EXAMINATION BY MS HOLLIS	34810