



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 17 JANUARY 2008
2.30 P.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Carolyn Buff

For the Registry:

Ms Rosette Muzigo-Morrison
Ms Rachel Irura
Mr Vincent Tishakwa

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Ms Shyamala Alagendra
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Andrew Cayley
Mr Morris Anyah

For the Office of the Principal
Defender:

Mr Silas Chekera

1 Thursday 17 January 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 2.30 p.m.]

14:28:47 5 PRESIDING JUDGE: Good afternoon. Is there any change in
6 the appearances from yesterday?

7 MR BANGURA: Good afternoon, your Honour. There is a
8 change in the Prosecution composition today. Myself, Mohamed A
9 Bangura, Brenda Hollis, Shyamala Alagendra, and I spell, Shyamala
14:29:15 10 is S-H-Y-A-M-A-L-A, Alagendra is A-L-A-G-E-N-D-R-A, and Maja
11 Dimitrova for the Prosecution.

12 PRESIDING JUDGE: Thank you, Mr Bangura. I note the
13 Defence composition has not changed. It has changed, hasn't it.
14 Please let's have the appearances from the Defence.

14:29:43 15 MR MUNYARD: Good afternoon, Madam President. The Defence
16 are represented as follows: Courtenay Griffiths QC, myself Terry
17 Munyard, Morris Anyah and Andrew Cayley. While I am on my feet
18 I should introduce Silas whose last name I'm afraid I can't spell
19 for you so I will let him introduce himself from the office of
14:30:08 20 the Principal Defender.

21 MR CHEKERA: Good afternoon, your Honours. Silas Chekera
22 for duty counsel.

23 PRESIDING JUDGE: Thank you. Good afternoon, Dr Ellis.

24 THE WITNESS: Good afternoon.

14:30:22 25 PRESIDING JUDGE: We are going to continue with your
26 testimony today and I am required to remind you that you are
27 still under oath.

28 Mr Bangura, please proceed.

29 MR BANGURA: Thank you, your Honour.

1 WITNESS: DR STEPHEN ELLIS [On former oath]

2 EXAMINATION-IN-CHIEF BY MR BANGURA: [Continued]

3 Q. Good afternoon, Dr Ellis.

4 A. Good afternoon, sir.

14:30:38 5 Q. We will continue from where we left off yesterday and
6 I believe it was at a point where you were commenting on some
7 remarks that were made by the ECOMOG commander in Sierra Leone at
8 the time, Felix Mujakperou. I believe I had shown you a page of
9 your report where certain comments were made by this commander.

14:31:04 10 Is that correct?

11 A. To tell you the truth I can't exactly remember where we
12 broke off yesterday, but I recall the page in my report where
13 I quote the ECOMOG commander making a statement regarding supply
14 of weapons to the Revolutionary United Front of Sierra Leone.

14:31:26 15 Q. Just for your recollection may I ask that the witness be
16 assisted and that document MFI-1 be shown to him, please, at
17 page 10 please.

18 A. Yes, I've found page 10, yes.

19 Q. I am just waiting for the document to be put up. Now you
14:32:30 20 do recall - I refer you to the fifth line of that - sixth, line
21 but from the end of the fifth line running there is a sentence
22 which reads:

23 "The ECOMOG commander in Sierra Leone General Felix
24 Mujakperou publicly accused President Taylor of supplying arms to
14:32:56 25 the RUF by means of Ukrainian registered aircraft and crews."

26 Do you note that statement?

27 A. Yes.

28 Q. Now this was - could you tell from your research what
29 period, about what period this statement was made?

1 A. Well, this would be, I think, in 2000 - sorry, I see it's
2 1999 so that's the period just after the attack on Freetown, the
3 January 1999 attack on Freetown, which I briefly alluded to
4 yesterday and I described as the most serious and most costly in
14:33:43 5 human lives of all the incidents of the Sierra Leonean war.

6 MR BANGURA: Can the witness be assisted by showing him
7 document tab 3, please. If just the front page of that could be
8 put up.

9 Q. Dr Ellis, do you see the document shown to you now?

14:34:36 10 A. Yes, I do see it, yes.

11 Q. You recognise it as a news report that reflects the views
12 that are expressed in your report as stated by the ECOMOG
13 commander?

14 A. Yes, I see that and I note that it's a report by IRIN which
14:34:55 15 is an organisation I know rather well which is a news arm of the
16 United Nations.

17 Q. I believe in the first paragraph of that report the name of
18 the commander himself is mentioned and the statements quoted are
19 attributed to him; is that correct?

14:35:23 20 A. That's correct.

21 MR BANGURA: Your Honours, I would move that this document
22 be marked for identification.

23 PRESIDING JUDGE: Madam Court Manager, what number are we
24 at?

14:35:39 25 MS IRURA: Your Honour, the document would be MFI-5.

26 PRESIDING JUDGE: It is so marked.

27 MR BANGURA: Thank you your Honour.

28 Q. Dr Ellis, if I just read a portion of that, just the first
29 two paragraphs of that, it says:

1 "ECOMOG new first commander in Sierra Leone Major General
2 Felix Mujakperou has issued a strong warning to the presidents of
3 Liberia and Burkina Faso according to press statement IRIN
4 received on Thursday. In the statement entitled 'Warning to
14:36:21 5 Warmonger Presidents' Mujakperou described events leading to an
6 alleged delivery of arms to the Revolutionary United Front RUF
7 rebels fighting the Sierra Leonean Government. He said, 'ECOMOG
8 has now confirmed the activities of two countries and their
9 leaders involved in the shipment and delivery of arms to the
14:36:48 10 rebels through the government of a neighbouring country'."

11 Now that statement reflects events that followed the
12 removal of the junta from power in Freetown in 1998, correct?

13 A. That's correct.

14 Q. Let me just take you back to the role of ECOMOG in Freetown
14:37:20 15 during the period of the junta rule. I believe you've made the
16 point that, amongst other things, they were supposed to be
17 assisting in reinstating legitimate government in the country at
18 the time. Is that correct?

19 A. Yes, sir, that's correct. The coup of 25 May 1997
14:37:46 20 overthrew a democratically elected government led by President
21 Tejan Kabbah and it was not - the new government, the military
22 junta calling itself the Armed Forces Revolutionary Council, was
23 not internationally recognised. It was not recognised by the
24 United Nations. Therefore in the course of time ECOWAS countries
14:38:14 25 formed a plan to restore Sierra Leone to democratic rule.

26 In fact this plan was not implemented in the way it had
27 been foreseen in as much as in February 1998 the junta was
28 overthrown by military means and the democratic government was
29 restored as a consequence of that. So by the time we are talking

1 about, which is then here we're in April 1999, this is after the
2 democratic government had been restored and there had been some
3 renewed fighting which we were discussing yesterday.

14:39:00 4 Q. Now you just mentioned that there had been a plan - ECOWAS
5 had a role to play and that there had been a plan for the return
6 of legitimate government but in fact that plan was not to be
7 fulfilled?

8 A. It wasn't fulfilled in the terms of the plan itself but of
9 course, as I just said, the democratic government was restored
14:39:20 10 but not in the way that had been foreseen in this diplomatic
11 approach.

12 MR BANGURA: Could the witness be assisted, please,
13 document tab 13. It is the ECOWAS peace plan. Can you put it
14 up, the first page please. Thank you.

14:40:35 15 Q. The document before you, Dr Ellis, is titled "ECOWAS
16 Six-Month Peace Plan for Sierra Leone, 23 October 1997 - 22 April
17 1999." Is that the plan that was agreed, that was put forward by
18 ECOWAS?

19 A. That's correct and, as the top of this page indicates, it
14:40:59 20 is commonly known as the Conakry Accord or the Conakry Plan.

21 Q. Because this agreement was reached in Conakry?

22 A. That's correct.

23 Q. What's the reason for the failure of the full
24 implementation of the plan?

14:41:18 25 A. Because the AFRC government in Sierra Leone - or maybe we
26 should say the AFRC/RUF government, since the RUF was also
27 associated with it, did not actually observe the provisions of
28 this peace plan.

29 Q. And the fact is that the government was removed before the

1 six month period that had been given them. Is that correct?

2 A. Yes because in February 1998 there was an assault by ECOMOG
3 forces on Monrovia which expelled the AFRC government from - I'm
4 sorry, excuse me, I am misspeaking. There was an assault on
14:42:02 5 Freetown which expelled the AFRC government from Freetown.

6 Q. Now we have been discussing further events after the
7 removal of the junta, the AFRC/RUF junta from power and the fact
8 that there was fighting, the government forces were no longer - a
9 government army was not in existence. ECOMOG had the

14:42:33 10 responsibility for performing that role for Sierra Leone. Is
11 that correct?

12 A. Sorry, could you repeat that question?

13 Q. After the removal of the junta from power there came a time
14 when the government armed force was no longer in existence?

14:42:51 15 A. That's correct because the military rule from May 1997 to
16 February 1998 had been indeed by sections of the Sierra Leonean
17 armed forces and therefore when the democratic government was
18 restored initially with a military attack in February 1998 and
19 then with the return from - of President Tejan Kabbah from exile
14:43:23 20 in Conakry the Sierra Leone armed forces were in complete
21 disarray and were in effect temporarily liquidated.

22 So when I visited Sierra Leone in May 1998 and spoke with a
23 number of officials including General Khobe who at that stage was
24 the commander of ECOMOG, he also had the title of chief - chief
14:43:55 25 of staff of the Sierra Leonean armed forces, so he was wearing -
26 in fact he was wearing you could say three hats, because he was
27 the commander of ECOMOG which in principle was an international
28 multilateral intervention force, he was a general of the Nigerian
29 army and he was also chief of staff of the Sierra Leonean armed

1 forces and I do recall asking him which of - how he prioritised
2 these three lines of command, or lines of reporting and he gave
3 an answer which I personally thought was not satisfactory in the
4 sense he said, no, he just - he reconciled all three.

14:44:37 5 But it was clear that in effect the Sierra Leonean army had
6 temporarily ceased to exist and that the position of - the
7 titular position of head of the Sierra Leone armed forces - well,
8 the commander in chief of course is the President of the Republic
9 but the chief of staff was in fact a Nigerian general.

14:45:00 10 Q. Thank you. Now we did discuss yesterday the increase in
11 attacks or the capacity of the RUF to mount attacks on ECOMOG
12 attacking in this role as the main armed force for Sierra Leone
13 and the fact that RUF had increased capacity about 1998 - about
14 1999 to attack ECOMOG positions. We did discuss this yesterday,
14:45:33 15 is that correct?

16 A. We discussed it briefly, but I recall yesterday what I was
17 alluding to principally in the period of let's say mid-1998 was
18 not so much attacks by the AFRC/RUF on ECOMOG forces as attacks
19 on civilians. At that point it appeared that the AFRC/RUF tactic
14:46:00 20 was to attack civilians as a military tactic and there was
21 I think a noticeable increase in the number of amputations of
22 hands and it was only towards the end of the year that there was
23 evidence of real re-organisation of the RUF and AFRC which is
24 what led to the January 1999 attack on Freetown.

14:46:31 25 Q. Now in 1999, July 1999, there was a peace agreement signed
26 by the warring factions in Sierra Leone. Is that correct?

27 A. That's correct.

28 Q. And that agreement is the Lome Peace Accord. Is that
29 correct?

1 A. That's correct.

2 Q. But prior to the agreement being signed there had to be
3 arrangements for a ceasefire. Is that right?

4 A. That's correct.

14:46:56 5 MR BANGURA: Could the witness be shown the document at tab
6 number 17, please.

7 PRESIDING JUDGE: Mr Bangura, sorry to interrupt but did
8 you wish to mark for identification the peace plan, the ECOWAS
9 peace plan?

14:47:13 10 MR BANGURA: Yes, sorry if I did not --

11 PRESIDING JUDGE: In which case before we go on to 17 could
12 we mark that MFI-6.

13 MR BANGURA: I so move, your Honour, thank you.

14 Q. Dr Ellis, do you recognise the document in front of you?

14:48:18 15 A. Yes I do.

16 Q. What document do you recognise it as?

17 A. This is the text of the ceasefire between the government of
18 Sierra Leone and the Revolutionary United Front of Sierra Leone
19 and this was - we had been talking about the attack on Freetown
14:48:42 20 in January 1999 which was a very bloody affair and received very
21 great international publicity, as a result of which there was
22 enormous pressure on the various parties in Sierra Leone to reach
23 some sort or ceasefire and one of the consequences was this
24 document that we have in front of us.

14:49:08 25 MR BANGURA: Your Honour, I move that - I respectfully move
26 that the document be marked for identification.

27 PRESIDING JUDGE: The document is marked as MFI-7.

28 MR BANGURA:

29 Q. Dr Ellis, in your report, that is MFI-1, you did discuss

1 the role and influence which the accused had over - with the RUF
2 and the connection that had also with the war in Sierra Leone.
3 Now there are two specific instances where you have identified
4 the demonstration of that role. One of them is in the signing of
14:50:24 5 the Lome Peace Accord which followed the signing of the ceasefire
6 agreement that I showed you a short while ago. Could you comment
7 on the influencing role that he played, I mean the accused, in
8 the signing of that agreement?

9 A. The 1999 attack on Freetown, as I mentioned, received
14:50:52 10 really worldwide publicity and was the occasion in particular for
11 a really disturbing film made by the Sierra Leonean film maker
12 Sorious Samura called "Cry Freetown" which was very widely seen -
13 distributed through the world. There was - I would almost say it
14 was the first time that the war in Sierra Leone had really been
14:51:23 15 brought fully to the attention of the entire world for a
16 sustained period as a result of that attack. So there was great
17 pressure for some sort of peace accord.

18 The President of Liberia who at that time was the defendant
19 here, and other international authorities, notably the Reverend
14:51:51 20 Jesse Jackson who at that time had a title of special advisor to
21 the President of the United States, I think the correct title was
22 special advisor for democracy in Africa, but he had authority
23 from the President of the United States to operate in Africa and
24 he also joined with putting pressure on Foday Sankoh, head of the
14:52:21 25 RUF, and President Tejan Kabbah, the President of Sierra Leone,
26 to agree a ceasefire and then ultimately to sign a peace accord
27 which became known as the Lome accord. That was in July 1999.

28 Q. If you would like to comment on what role, if any, the
29 accused played in the preparation and up to the signing of that

1 agreement?

2 A. I don't know precisely what role he played, but I think he
3 clearly encouraged Foday Sankoh and used whatever influence he
4 had over Foday Sankoh to go to that peace conference and to sign
14:53:04 5 the peace accord.

6 Q. The other instance which is mentioned in your report where
7 the accused's influence with the RUF is demonstrated is in the
8 role he played over the release of peacekeepers who had been
9 abducted by the RUF in the year 2000. Could you comment on his
14:53:27 10 role?

11 A. That was in a later stage in May 2000 when a very large
12 number of UN - I think several hundred UN peacekeepers had been
13 taken hostage by the RUF and President Taylor, the defendant
14 here, proposed himself as an intermediary to negotiate a release
14:53:52 15 of those hostages.

16 Q. Do you recall from your research is there any indication of
17 where these peacekeepers were eventually handed over to the UN?

18 A. Where they were handed --

19 Q. Where they were.

14:54:08 20 A. I don't recall the place, no.

21 Q. Thank you. Now there is evidence, is there not, that the
22 relationship between the accused continued through 2001 long
23 after the signing of the peace accord, the Lome Peace Accord. Is
24 that correct?

14:54:28 25 A. Sorry, the influence of the accused?

26 Q. The relationship.

27 A. The relationship between the accused and the RUF?

28 Q. Yes, correct.

29 A. That's correct. I have to say by that time the RUF was a

1 very splintered movement and as we discussed I think yesterday
2 the primary relationship of the defendant with leaders of the RUF
3 was in particular with Sam Bockarie. There were several
4 prominent leaders at that time. And as a result of the Lome
14:55:09 5 Peace Accord Foday Sankoh had a formal position for the first
6 time in the Sierra Leonean government as chair of a commission on
7 natural resources which in effect gave him official access to
8 some of the country's diamond wealth.

9 Q. Yesterday, if you recall, we did discuss the fact that
14:55:32 10 after the split within the RUF General Mosquito moved over to
11 Liberia and was stationed there. Is that not so?

12 A. That's correct. That was in December 1999.

13 Q. And that he did not move alone - perhaps it was not
14 discussed, but he did not go alone --

14:55:52 15 A. He went with several hundred fighters at the very least.

16 Q. And I think we were trying to get at to what extent did the
17 accused benefit from the presence of Bockarie in Liberia at the
18 time. In later events that occurred in Liberia, how would you
19 say that the accused benefitted from the presence of Mosquito in
14:56:20 20 his country along with a large body of fighters?

21 A. Well, I think the situation changed rather rapidly. If
22 I look back at the entire period from the start of the war in
23 Liberia in December 1989 up to - well, let's say the end of the
24 war in Liberia in 2003, and if we look at the affairs of Liberia
14:56:48 25 and its neighbours including notably Sierra Leone but also Guinea
26 and Cote d'Ivoire and even other regional powers like Nigeria, if
27 we really try and take a strategic view of the whole situation
28 I would say that the defendant showed a very keen strategic sense
29 and that by 1999 he'd reached the peak of his influence and power

1 in the region and I would put that - I would say that the Lome
2 accord is a sign of that and that the May 2000 hostage taking was
3 the sign that something had changed, because I remember very well
4 the - internationally the overwhelming reaction to the hostage
14:57:43 5 taking or to President Taylor's proposal to mediate given all
6 that had happened previously was not so much to say, "Here is
7 somebody we can deal with who might be able to secure the release
8 of the hostages and solve the crisis." The overwhelming reaction
9 was rather to say, "This appears to be the person who can turn
14:58:08 10 the violence on and off" and I think together with, of course,
11 the intervention of British troops in Sierra Leone at the same
12 time these were events which really changed the situation and
13 from May 2000 onwards I would say that President Taylor's
14 influence in the region was hence forth declining.

14:58:30 15 Now in direct response to your question, I think therefore
16 his alliance with Sam Bockarie of the RUF changed in function.
17 It changed from being primarily an instrument for his
18 intervention in Sierra Leone into a form of self-defence because
19 increasingly the government of Liberia was coming under attack
14:58:54 20 itself from forces based outside the country, notably the
21 movement called LURD, Liberians United for - sorry, I have
22 forgotten the name now. Liberians United for Reconciliation and
23 Democracy, that's it.

24 Q. Despite the UN Security Council resolution that came out
14:59:23 25 from about 1999, a series of resolutions came out condemning the
26 fact that diamonds were being traded for the purchase of arms
27 which then fuelled more fighting in Sierra Leone, the
28 relationship of the accused with the RUF continued beyond that
29 point and that is well documented. Am I right?

1 A. That's correct and later it's in particular documented not
2 only by various journalists but most particularly by subsequent
3 UN panels, which by this time were investigating not so much the
4 breach of sanctions in respect of Sierra Leone, but the breach of
15:00:11 5 sanctions in respect of Liberia because there had been new
6 resolutions adopted by the UN Security Council.

7 MR BANGURA: Can the witness be assisted please and be
8 shown the document in tab 11.

9 MR MUNYARD: Madam President, I rise at this stage. If
15:01:20 10 I've got the right document here under tab 11 it is a report
11 headed "Taylor-made." I am referring, I see, to the right
12 document. I question the relevance of this document and I would
13 like my learned friend to indicate, at least in outline form, how
14 he says it's relevant to the issues under discussion.

15:01:40 15 MR BANGURA: Your Honours, I may need to speak on the
16 contents of the document, but we have heard the witness, in
17 response to questions, indicate that the relationship between the
18 accused and the RUF, notwithstanding the various United Nations
19 Security Council resolutions condemning the fact that that
15:02:06 20 relationship bordered on practices which were frowned upon,
21 continued after these resolutions after the panel of experts
22 report had been presented and the witness has said that this fact
23 is documented. This is one such document that clearly indicates
24 - this is a report of Global Witness. I would rather have the
15:02:35 25 witness speak to the credibility of the organisation that
26 produced this report, but it documents clearly the fact that this
27 relationship continued notwithstanding the UN Security Council
28 resolutions condemning this.

29 PRESIDING JUDGE: Thank you, Mr Bangura. I think the

1 objection will be overruled on the grounds that we need to hear
2 what the witness says about this document. We haven't read the
3 document, but listening to Mr Bangura's submission, and he knows
4 best his case and the questions he is going to put before the
15:03:15 5 witness, I think we should give him an opportunity to do that and
6 so the objection is overruled.

7 MR MUNYARD: Madam President, normally I would expect to be
8 able to respond to my learned friend's reply to my objection.

9 PRESIDING JUDGE: Not necessarily, Mr Munyard. This was an
15:03:32 10 objection and I have listened to you. Your objection is simple;
11 relevance.

12 MR MUNYARD: Yes and I would invite my learned friend to
13 indicate where in the report there is material bearing on the
14 question that the witness is dealing with at the moment. That
15:03:47 15 I think can be done very quickly.

16 PRESIDING JUDGE: Mr Munyard, I never go back on my
17 rulings. I have ruled that the objection is overruled and let us
18 proceed.

19 MR BANGURA: Thank you, your Honour.

15:04:06 20 Q. Dr Ellis, you see the document before you?

21 A. Yes.

22 Q. What is that document, can you just --

23 A. I recognise it as one of a series of reports produced by an
24 organisation called Global Witness which I have known reasonably
15:04:26 25 well since its inception. Global Witness is a non-governmental
26 organisation based in the United Kingdom. I can't say precisely
27 what its mandate is but it does research and it campaigns on the
28 role of armed conflict on environmental issues. I first came
29 across Global Witness in the mid-1990s, I think, or the late

1 1990s when they began campaigning on Angola and at a certain
2 point Global Witness became interested in the case of Liberia and
3 produced reports including this one.

4 Q. In fact, Dr Ellis, this report is sourced in your report?

15:05:23 5 A. Yes, that's correct.

6 Q. For reference purposes it's on page 6 of your report, is
7 that not so?

8 A. That's correct.

9 PRESIDING JUDGE: Is there a footnote? Perhaps you can
15:05:40 10 cite that.

11 MR BANGURA: Yes, your Honour. It is footnote 23.

12 Q. Coming to the content of the report, could the witness be -
13 could we go to the first page, page 1 as paginated by the author
14 and the first paragraph there under "Recommendations"?

15:06:13 15 A. Yes.

16 Q. I would just read that. My learned friend wanted to be
17 clear about what the relevance is. I think I have made enough
18 arguments but I need to point out the particular reasons why we
19 think this report is important. I just read the first paragraph,
15:06:36 20 first bullet point says - these are recommendations of the
21 report. It says:

22 "The UN Security Council should immediately impose a total
23 embargo on the exportation and transportation of Liberian timber
24 and its importation into other countries. Such an embargo should
15:06:55 25 remain in place until it can be demonstrated that the trade does
26 not contribute to the Revolutionary United Front in Sierra Leone
27 and armed militias in Liberia and that it is carried out in a
28 transparent manner as referred to in paragraph 49 of the report
29 of the panel of experts appointed pursuant to UN Security Council

1 resolution 1306 of 2000, paragraph 19 in relation to Sierra
2 Leone."

3 Now that is some indication, isn't it, that in fact as at
4 that time there was some contact, some links, by the accused with
15:07:35 5 the RUF?

6 A. I think there certainly were contacts between the accused
7 and the RUF. Global Witness, as I mentioned, is a
8 non-governmental organisation. I think by this time it had
9 established a reputation in diplomatic circles as an organisation
15:07:59 10 which did pretty thorough research and was therefore taken fairly
11 seriously. As you've indicated, it was campaigning on this issue
12 of imposing sanctions on Liberia. I am sure that the UN felt
13 some pressure on that because in the end the UN did move towards
14 imposing timber sanctions on Liberia but at a much later date.

15:08:30 15 Q. Can we turn to page 2, "Contents". Content number 6, item
16 6 in the contents, I read. It says: "Liberia and the RUF - past
17 and present links." Does that not suggest that there is in fact
18 a whole chapter that deals with links between Liberia and the
19 RUF --

15:08:59 20 A. That's correct.

21 Q. -- up until this time?

22 A. That's correct.

23 Q. "Executive summary", that's on page 3, please. First
24 paragraph, I read:

15:09:24 25 "This report documents the increasingly important role
26 played by the Liberian timber industry and shipping register in
27 fuelling regional insecurity. The timber industry is used, by
28 the Liberia government, to traffic arms while also being Sierra
29 Leone's Revolutionary United Front's (RUF) main source of

1 income."

2 Does that not suggest that there were links up until this
3 time between the Liberian government and the RUF?

4 A. Well, it certainly suggests that there were such links.

15:10:01 5 I must say, however, that I find that sentence rather baffling
6 because it seems to me that it's saying that the timber industry
7 is used by the Liberian government to traffic arms, I believe
8 that is correct, while also being the RUF's main source of
9 income; implying that the timber industry was the main source of
15:10:28 10 income which I don't believe to be the case. I believe the RUF's
11 principal source of income was diamonds.

12 Q. Leaving aside the whole complexity about whether in fact
13 timber was used to fund RUF wars or buying arms for the RUF, does
14 it simply suggest that there was in fact - there were in fact
15:10:51 15 links at that stage?

16 A. It does indeed. I think that sentence is badly drafted,
17 but the point is taken that it does suggest that there were
18 continuing close links between the Liberian Government and the
19 RUF.

15:11:05 20 Q. Should I take you next to page 4, the first bullet point on
21 page 4, but it is a way down the text. It reads:

22 "Charles Taylor is still using RUF forces in Lofa County
23 and is forcibly recruiting men and boys over the age of 14.
24 Liberia continues to provide refuge to the notorious Sam Mosquito
15:11:45 25 Sam Bockarie who as of June 2001 divides his time between Liberia
26 and Normo Farma, Golahun Tonkia in Sierra Leone. This report
27 also provides proof that named RUF personnel were trained in
28 Libya before being returned to Liberia as refugees."

29 Isn't this clear enough proof that there was some link at

1 that stage between the accused who is specifically named here and
2 the RUF?

3 A. It is certainly evidence of that. As I mentioned earlier,
4 by this stage, particularly after May 2000, and then there was an
15:12:22 5 attack from Liberia and Sierra Leone into the neighbouring
6 Republic of Guinea at the end of 2000 which failed in the sense
7 that the Guinean armed forces were able to repulse the attack,
8 the Liberian government was increasingly on the defensive. So
9 the paragraph which you just read out to the Court from page 4 of
15:12:54 10 this report indeed suggests that Sam Bockarie and his RUF
11 fighters were based in Liberia itself and were increasingly being
12 used to defend the Liberian Government against attacks from
13 outside rather than to do what they had done previously which is
14 to act as, in effect, an instrument of the Liberian government
15:13:22 15 inside Sierra Leone.

16 Q. Lastly, I just ask that you turn to page 12, which is the
17 beginning of the chapter that focuses entirely on the
18 relationship or the links between Liberia and the RUF. I will
19 not actually ask you to go into any detail in any part of that
15:13:49 20 chapter but just to point out that there is a whole chapter. Do
21 you recognise this fact?

22 A. Yes, I do, sir.

23 MR BANGURA: Thank you. Your Honours, may I move that the
24 document be marked for identification as MFI-8.

15:14:10 25 PRESIDING JUDGE: Mr Munyard, do you have any objection?

26 MR MUNYARD: Not to it being marked for identification,
27 Madam President, no.

28 PRESIDING JUDGE: Thank you. The document will be MFI-8.

29 MS IRURA: That is correct, your Honour.

1 PRESIDING JUDGE: Thank you.

2 MR BANGURA:

3 Q. Dr Ellis, I would just like to go over quite a few things
4 that we discussed yesterday, just mop up on a few things and
15:14:38 5 probably that will be it for your evidence.

6 You did mention yesterday that during one of your visits to
7 Sierra Leone, and I believe this was in 1998, you met with boys
8 who had been fighting with the RUF, correct?

9 A. That's correct.

15:15:00 10 Q. Now you did not indicate exactly where you met these boys,
11 even though you mentioned that you travelled in quite a few
12 places within the country. Could you inform this Court where you
13 met these boys?

14 A. I met some former RUF fighters and as I recall there were
15:15:23 15 two or three young boys somewhere around 10, 11, 12 years of age
16 and a girl who was slightly older, maybe 14. I met them in
17 Freetown and they were in the custody of a catholic priest with
18 whom I was in contact and he told me that these were - these
19 children or adolescents had been with the RUF and after the
15:15:49 20 events of February 1998 when ECOMOG forces had attacked Freetown
21 and driven out the AFRC/RUF junta, the AFRC junta and its RUF
22 allies, I should say, these children had stayed behind and they
23 were in danger because at that point the popular feeling in
24 Freetown was such that if somebody were suspected of being a
15:16:18 25 member or sympathiser of the RUF of the AFRC they were in danger
26 of being lynched, or being killed.

27 Later on when I went to Kenema I didn't see this with my
28 own eyes but it was described to me how some people who were
29 suspected members of the RUF had been set on fire and killed and

1 I was shown the scorch marks on the pavement where they'd died
2 just few days previously. So clearly there was - at least in
3 Freetown and Kenema there was a lot of ill feeling against
4 members of the RUF and the AFRC to the extent that people
15:16:56 5 suspected of being members of those organisations were at risk of
6 this sort. That was why this catholic priest was sheltering
7 these boys who were trying to sever their links with the
8 movement and the girl as well.

9 Q. Yesterday in discussing the links between the NPFL and the
15:17:21 10 RUF, this was in the early days of the war in Liberia and perhaps
11 running right through until the end of 1997 or 1998 when you made
12 a visit, you in your report have mentioned that the name which is
13 given to boys underage who fight or who are recruited with the
14 NPFL is SBU and for girls it is SGU. Is that correct?

15:17:55 15 A. I'm familiar with SBU. I must say I am not familiar with
16 the acronym SGU.

17 Q. All right, let's leave it as SBU and that is documented in
18 your report, is that not so?

19 A. That's correct.

15:18:08 20 Q. As well in the RUF as you just mentioned you met with boys
21 who were underage who fought with the RUF, they were also
22 referred to as SBUs, is that not so?

23 A. I don't think those boys that I met in Freetown in 1998
24 told me that they were members of an SBU unit. They were clearly
15:18:31 25 young boys and one girl who by their own admission had been with
26 the RUF. I had read in some of the subsequent literature that
27 the RUF had a unit called SBU, the small boy unit.

28 Q. It is also the fact that in your report the RUF - I'm
29 sorry, was it the RUF that you said had a unit?

1 A. I said the RUF had a unit called the - or so I've read in
2 some of the documentation, had a unit called the SBU, the small
3 boy unit.

15:19:12

4 Q. Which is the same name that the NPFL used for small boys
5 about that age?

6 A. The NPFL also had units called SBU.

7 Q. Now could you comment on the commonality in names of these
8 units?

15:19:25

9 A. Well, clearly the fact that - it's well established that
10 the NPFL and the RUF were extremely close from the beginning.
11 The report of the Truth and Reconciliation Commission on Sierra
12 Leone makes it clear that the start of the Sierra Leonean war,
13 normally dated at 23 March 1991, was actually largely the result
14 of a attack by NPFL forces. And according to the same source,

15:19:53

15 that is to say the TRC report, the Truth and Reconciliation
16 Commission, at least for the first three years of the war in
17 Sierra Leone what were often described to the outside world as
18 RUF activities were to a substantial extent in fact the
19 activities of Liberian fighters of the NPFL operating inside
20 Sierra Leone in alliance with a rather smaller number of fighters
21 from the RUF.

15:20:14

22 The fact that both organisations had units called SBU,
23 small boy unit, does suggest that the one was formed in imitation
24 of the other and since the NPFL had a prior existence the
25 implication would be that the RUF's own unit was modelled on the
26 organisation it had found in the NPFL.

15:20:38

27 Q. Thank you. Now yesterday also discussing the - I think
28 I showed you a document, a press report from Le Monde in which
29 the accused had granted an interview and in which he had said -

1 he had said that - he had demonstrated knowledge of the fact that
2 the RUF had committed atrocities in Sierra Leone. Do you recall?

3 A. I do recall, yes.

4 Q. Apart from that document could there be other sources, or
15:21:25 5 are there other sources which indicate that the accused had
6 knowledge, or would have had knowledge of events in Sierra Leone
7 specifically - generally about the atrocities that were committed
8 by the RUF?

9 A. Well, I think after the period - particularly after the
15:21:49 10 period of junta rule in 1997, 1998 and especially after the
11 attack on Freetown in January 1999, as I've mentioned there was
12 really worldwide publicity given to atrocities perpetrated by the
13 RUF although I have to say that I think quite a number of these
14 atrocities were probably actually carried out by fighters of the
15:22:19 15 AFRC which to some extent had become confused with the RUF. It
16 was extremely difficult to distinguish between them in the period
17 after February 1998. But this had become worldwide knowledge
18 such that mainstream newspapers and magazines in the United
19 States and elsewhere were reporting on these events and
15:22:40 20 therefore, given the interview in Le Monde to which you refer, I
21 mean that is merely confirmation of what seems to me absolutely
22 evident which is that if the rest of the world knew about this
23 I'm sure the President of Liberia must have done.

24 Q. Thank you. Yesterday also we discussed the relationship
15:23:01 25 between the accused and ECOMOG who were based in Liberia - at the
26 time they were based in Liberia - over the period they were based
27 in Liberia. Correct?

28 A. We did refer to that yesterday.

29 Q. And there was a particular incident that we discussed where

1 AFRC senior - fleeing members of the former junta AFRC from
2 Freetown had arrived, had flown into Monrovia and had been
3 detained by ECOMOG. Is that correct?

4 A. That's correct.

15:23:34 5 Q. Now I would like you to comment on the relationship which
6 flowed, as it were, between the accused and ECOMOG from that
7 incident which I think you were not very clear - you did not
8 clearly characterise yesterday.

9 A. Well, the relationship between the accused and ECOMOG
15:24:01 10 changed over time. We said yesterday that ECOMOG was created in
11 1990, entered Liberia in August 1990 and generally speaking,
12 although there was a change from time to time, but generally
13 speaking there was a hostile relationship between the accused and
14 ECOMOG for the first - throughout the early 1990s. There were
15:24:36 15 moments of relative tranquility and there were also some moments
16 of aggression and fighting. I think there was a really major
17 change in 1995 and that was - the real - there were several
18 reasons for that.

19 One of the main reasons was a change of government that had
15:25:03 20 taken place in Nigeria, as a result of which General Babangida
21 had left power and his ultimate replacement - there was a brief
22 interregnum but his ultimate replacement who was General Abacha
23 seemed to have had a far less hostile attitude towards the
24 defendant and towards the movement he led than his predecessor
15:25:36 25 General Babangida had had. Therefore that facilitated things to
26 some extent.

27 To put it simply I would say that by 1995 the Nigerian
28 government had understood that the defendant was a powerful force
29 in Liberia, that he wasn't going to go away, that he was the most

1 powerful of the contending parties inside the country and
2 therefore if they wanted eventual peace in Liberia it would be
3 necessary to compromise. I think - I have the impression that
4 the defendant, who in the early stage of the war in 1990 had been
15:26:24 5 ferociously opposed to Nigeria and to its government and had made
6 some - had taken hundreds of Nigerian hostages, had killed
7 Nigerian civilians, or his movement had killed Nigerian civilians
8 inside Liberia, that he had accepted that he would never become
9 President of Liberia unless he did a deal, unless he compromised
15:26:49 10 with the Nigerians.

11 Therefore there was a peace accord in Abuja and that really
12 was what - that changed things. It meant that ECOMOG and the
13 defendant and his movement were really for the first time working
14 a little bit in the same direction which is towards normalisation
15:27:11 15 and peace in Liberia and that's what eventually led to the
16 elections in July 1997 which the defendant won pretty
17 overwhelmingly and became president of the country.

18 The problem was that ECOWAS had understood that having
19 reached a historic compromise that ECOMOG forces would help to
15:27:41 20 rebuild Liberian security forces and a Liberian police force and
21 would have, as it were, a privileged role in doing that. Whereas
22 the defendant, as soon as he became head of state of Liberia,
23 made it plain that he wanted to exercise full sovereign powers
24 and that he wanted to see ECOMOG leave the country in fairly
15:28:08 25 short order. So there was clearly a disagreement at that point
26 about how ECOMOG, or more broadly ECOWAS, saw its role in regard
27 to rebuilding the security sector in Liberia and how the
28 defendant saw that role.

29 Q. In the particular situation that occurred which I referred

1 to earlier do your sources point to any reaction, any immediate
2 reaction from the accused at that time; the fact that ECOMOG had
3 detained these fleeing members of the ousted junta in Freetown?

4 A. There were press reports that President Taylor was angered
15:28:58 5 by the action taken by ECOMOG which still had elements inside
6 Liberia at that stage, in February 1998, in detaining people
7 fleeing from Freetown.

8 MR BANGURA: Thank you. Your Honours, I have no further
9 questions for the witness. Your Honours, the witness is
15:29:22 10 tendered. Thank you, Dr Ellis.

11 PRESIDING JUDGE: Thank you. Mr Griffiths, could you let
12 me know who is going to handle the cross-examination. Is it
13 Mr Munyard?

14 MR GRIFFITHS: It is Mr Munyard, Madam President.

15:29:39 15 PRESIDING JUDGE: Thank you. Mr Munyard, please commence
16 your cross-examination.

17 MR MUNYARD: Thank you, Madam President.

18 CROSS-EXAMINATION BY MR MUNYARD:

19 Q. Can I just clarify, before we move on to more general
15:29:49 20 matters, your last answer there, Dr Ellis. You talked about
21 elements fleeing Freetown in 1998. Are we talking about an
22 ECOMOG - an incident involving ECOMOG in Monrovia in 1998 or was
23 it later?

24 A. No, I'm referring to senior officials of the AFRC junta in
15:30:19 25 Freetown who left Freetown by helicopter in February 1998. They
26 went to Monrovia and there they were intercepted by an ECOMOG
27 contingent in Monrovia. The name that I remember was a certain
28 Mr King. I'm afraid that's the only name I can remember of that
29 group of AFRC officials.

1 Q. All right. It may be that I misunderstood a date that you
2 referred to yesterday. I will come back to that if I need to but
3 I would like to deal with rather more general matters at the
4 moment and if you will give me a second to organise myself.

15:31:30 5 I would like to deal in rather more detail than you dealt
6 with yesterday with the history that led up to Mr Taylor being
7 involved in armed conflict in Liberia. Can we go back, please,
8 to an overview of Liberian history. The state was founded in the
9 19th century by freed slaves from the United States and they were
10 based mainly in Monrovia. Is that right?

11 A. That's correct. I would just make a very small point.
12 Most of them were not actually freed slaves, they would be the
13 descendants of freed slaves, but yes, yes.

14 Q. Indeed, I accept that. But there are parallels with the
15 way Liberia was set up and the way it was initially organised
16 with the way that Sierra Leone came into being and was initially
17 organised, are there not? It was essentially a capital city on
18 the one hand and a hinterland on the other hand in both
19 countries?

15:32:42 20 A. That's indeed a striking parallel.

21 Q. In the case of Liberia, the people who ran the country who
22 were based in Monrovia were known as Americo-Liberians, weren't
23 they?

24 A. That's right.

15:32:58 25 Q. And they saw themselves as quite different from the
26 inhabitants of the hinterland, the various tribes of the
27 hinterland?

28 A. That's how it's described in the historical literature,
29 yes.

1 Q. And when I talk about the hinterland I am talking about
2 what is essentially an artificial border, a creation of a state
3 not comprising just one particular ethnic or tribal group but a
4 boundary that was drawn by the powers that be in the 19th century
15:33:27 5 that involved dividing some tribal or ethnic groups, leaving some
6 on one side of a national border and some on the others?

7 A. That's right and for a long time the border was actually
8 not really delineated and the process of delineation took place
9 at the end of the 19th century and the beginning of the 20th
15:33:47 10 century.

11 Q. We have something very similar in the way in which Sierra
12 Leone was created, in this instance by the British, with a colony
13 at Freetown and a protectorate which was the rest of the country,
14 what I have called the hinterland, is that right?

15:34:09 15 A. That is correct.

16 Q. And again in both countries the people in the capital, who
17 controlled the economy and wealth and all aspects of the
18 governance of the two countries, regarded themselves, certainly
19 in the 19th and - or the early years of the 20th century, as
15:34:32 20 superior to those in the hinterland; the non-urban population of
21 the country? Would you agree with that?

22 A. I agree with that. Again, a small proviso. You are
23 clearly referring to the Krio elite, as they are known in
24 Freetown, but of course they - the government was also in the
15:34:55 25 hands of British colonial officials and Liberia on the other hand
26 being a sovereign state didn't have the equivalent.

27 Q. Right. Liberia was an independent state and by no stretch
28 of the imagination could Sierra Leone be called an independent
29 state in the 19th century?

1 A. Correct.

2 Q. And, indeed, it didn't get its actual independence until
3 halfway through the 20th century?

4 A. That is right.

15:35:19 5 Q. Returning to Liberia, it is right also, isn't it, that
6 within many parts of Africa forced labour was very common? The
7 people who had economic power had the right to and indeed
8 practised the use of forced labour?

9 A. That is right and in both countries there were regulations
15:35:45 10 on that subject.

11 Q. Yes. In fact in - I can't now remember whether it was
12 Sierra Leone or Liberia, but certainly in one of the countries
13 the legislation provided for the rights of owners of certain
14 kinds of industry to conscript and use the local population for
15 work in their industry for certain periods of time in the year.

16 Are you aware of that?

17 A. Yes, and I have seen in the Liberian archives a document
18 called something like "Regulations Governing the Interior of the
19 Country", which was I think originally drafted in the 1920s, but
15:36:23 20 was updated periodically. The most recent version I have
21 personally seen I think was 1949 and there are provisions there
22 for government officials to require people to carry things for
23 them.

24 Q. Yes, to carry things for them and also for owners of mines
15:36:37 25 and other industries to use local people to work for them for
26 free in effect.

27 A. I am not sure that that is in those - that document which
28 I have just referred to, but such provisions were in existence.

29 Q. Thank you. So by the time we get to the mid-20th century,

1 in both countries there is still an urban elite based in the
2 capital city who control the economy and control all aspects of
3 the government. Would you agree with that?

15:37:20

4 A. Well I wouldn't say they control all aspects of the
5 government but, yes, they have an overwhelming influence.

6 Q. Right. We will stick with Liberia --

7 A. Yes, okay.

15:37:37

8 Q. -- because Liberia is independent. Sierra Leone is still
9 under the yoke of British colonial rule. Within Liberia in the
10 mid-20th century, power became concentrated in the hands of those
11 in the capital in Monrovia and in particular President Tubman,
12 who ruled as President from 1944 to 1971; a very long period of
13 time?

14 A. He was the longest serving President in Liberia's history.

15:38:01

15 Q. Yes. He developed around him a coterie of people at all
16 levels of society and at all levels of public functioning who
17 were entirely dependent on him for their position?

18 A. There was - as you say, there was an elite of families
19 known in those days as Americo-Liberians. Within that elite

15:38:33

20 there were families - certain families were more prestigious than
21 others. President Tubman in fact wasn't from Monrovia, but from
22 a different county. He was from Harper in Maryland County. To
23 some extent he was not really one of the Monrovia elite, but
24 having become President he became the undisputed - he was
15:38:55 25 President of the Republic, but he also became the undisputed
26 patron of everybody in Liberia in effect.

27 Q. Everybody, obviously government ministers, people in charge
28 of industry, the judiciary for example, were all appointed and
29 dismissed at his whim?

1 A. In effect, and I have seen documents to that effect in the
2 Liberian archives. There was opposition to him from time to time
3 from certain families, or from certain groups, but he was able to
4 overcome that relatively easily.

15:39:28 5 Q. Yes. And he developed a personality cult as father of the
6 nation, didn't he?

7 A. That is correct.

8 Q. And he controlled the economy of the country?

9 A. That is correct.

15:39:39 10 Q. There was very little investment in the infrastructure of
11 Liberia during his rule?

12 A. During President Tubman's rule there was substantial
13 investment in extractive industries in Liberia, which actually
14 led in the 1950s to Liberia at one stage being the world's second
15 fastest growing economy; second only to Japan. However, many
16 critics of the government then - and no doubt now - would say
17 there was insufficient attention paid to infrastructure and human
18 development, in the form of education for example, and that was a
19 criticism that was made particularly in President Tubman's time
15:40:08 20 in the 1960s.

15:40:31 21 Q. Yes. His government and his control of the economy has
22 been described by one writer as "a corrupt and ramshackle economy
23 managed on behalf of the United States government and the
24 Firestone Corporation." I think that is probably a phrase or a
15:40:47 25 quote that you are familiar with?

26 A. Well I am not familiar with that exact quote, but the
27 general sentiment is quite familiar to me.

28 Q. Yes, and would you agree that that does actually
29 characterise - in a perhaps rather crude way it does characterise

1 the way in which Tubman ran the country?

2 A. Well it is a bit crude, but I wouldn't really disagree with
3 it.

15:41:11

4 Q. No, all right. And it is very important in that quote to
5 note the influence and the power of the United States?

6 A. Absolutely.

7 Q. Under Tubman Liberia was very much in the thrall of the
8 United States, was it not?

9 A. That is correct.

15:41:25

10 Q. And the Firestone Corporation, which as everyone will
11 appreciate was a rubber company, had a very significant influence
12 on the economy of Liberia?

13 A. That is right.

15:41:51

14 Q. And President Tubman was at pains to mollify and keep
15 favour with the United States government?

16 A. He was a close ally of the United States.

17 Q. To the extent that the CIA had its largest station in
18 Africa based in Liberia, did it not?

15:42:10

19 A. Certainly at a later period it did. I don't know at what
20 period that station was created, but it was known to have its
21 West African headquarters in Liberia.

22 Q. Yes, and I think that may even still be the case today.

23 A. I wouldn't know.

15:42:28

24 Q. All right. He gave way to President Tolbert, his successor
25 in 1971, and President Tolbert although he had quite a strong
26 hold on the country didn't have anything like the same
27 stabilising influence as Tubman, did he?

28 A. President Tolbert was a very long-standing Vice-President
29 and when he came to power in 1971 he tried to introduce a certain

1 number of changes to the system, but he never had the
2 overwhelming influence that his predecessor had had; also, of
3 course, because times were changing.

4 Q. Yes. Well I am going to come on to what you have referred
15:43:11 5 to as pan-Africanism in your evidence yesterday in due course,
6 but obviously by 1971 a lot of countries in the region had gained
7 their independence from their colonial rulers; in particular the
8 former British colonies thereabouts?

9 A. Well by that stage all the countries in West Africa which
15:43:34 10 had been colonies had become independent, with the exception of
11 Guinea-Bissau which became independent in --

12 Q. In 1974/5.

13 A. 1975, yes.

14 Q. Following the revolution in Portugal.

15:43:44 15 A. Following the Portuguese revolution, yes.

16 Q. Yes, yes. And in the light of what was going on in the
17 wider world and in particular in the region in West Africa,
18 President Tolbert attempted to distance himself to some degree
19 from the United States, didn't he?

15:44:03 20 A. He did.

21 Q. And one of the things he did was he refused the United
22 States permission to use Roberts Airfield in Liberia as the
23 headquarters for their regional rapid strike force?

24 A. That is right. That was following the Iranian I think - I
15:44:22 25 am sorry, it was following some events in the Middle East that
26 America wanted to set up a base there as part of a rapid
27 deployment force and he refused permission.

28 Q. Yes, and he did that mainly because of popular sentiment in
29 Liberia?

1 A. I don't know to what degree there was popular feeling on
2 that issue, but certainly some members of - some intellectuals
3 and political activists felt that it was not an appropriate step
4 to be so close to the United States.

15:44:58 5 Q. Yes. Well, there was quite a lot of growing dissent within
6 Liberia by the time Tolbert came to power, wasn't there?

7 A. Well I would say after he came to power, because from
8 retrospectively we can say that things were already changing in
9 the 1960s. President Tubman died in 1971, but he had such
15:45:27 10 prestige in Liberia that really before his death there was very
11 little open contestation. But once he died and President Tolbert
12 came in, a new person with less prestige, it became more evident
13 that there were movements. There were people who wanted to see
14 changes in society.

15:45:39 15 Q. Yes, and they wanted to see changes in society, they wanted
16 to see more equal distribution of wealth, they wanted to see more
17 development of the infrastructure and education and health
18 facilities, didn't they?

19 A. Those were some of the things that were said at the time,
15:45:55 20 yes.

21 Q. So one of the things that Tolbert did to try to move with
22 the times and to keep people onside was to distance himself, as
23 I said, from the United States?

24 A. That is correct.

15:46:06 25 Q. We then move to the events of 1980. By 1979 and 1980,
26 certainly through their intelligence the Americans knew that
27 there was considerable dissent within the armed forces in
28 Liberia?

29 A. Well in April 1979 there was major confrontations,

1 particularly in Monrovia, that were known as the rice riot. It
2 is known as the rice riot. There were a number of people killed
3 and the scale of protests that were against planned price rises
4 of the price of rice, which of course is a staple food, was such
15:46:55 5 that it became pretty evident I think to all observers really
6 that the government was in deep difficulty.

7 Q. What date do you give for the rice riot?

8 A. April 1979.

9 Q. Was it not November?

15:47:09 10 A. No, it was April 1979.

11 Q. In any event by early 1980 it was very clear, was it not,
12 to the Americans and to the intelligence sources in the west,
13 that Tolbert was very likely to be overthrown?

14 A. I think that was very clear, yes.

15:47:25 15 Q. And the Americans were themselves hoping that when Tolbert
16 went, as appeared inevitable, that they would have someone in
17 power who would revert back to the Tubman position and be more
18 favourably disposed to the United States?

19 A. Well of course I didn't know Liberia at that time, but
15:47:47 20 speaking about events, I have spoken to people who were in
21 government at that time, you know, recalling their time, and of
22 course I have read historical accounts of what was going on and
23 some of the newspapers from the time, and it seems to me that
24 observers, including the US government, knew that the Tolbert
15:48:09 25 government was in serious trouble and they were looking around
26 for possible replacements.

27 Q. Yes.

28 A. Now, there are various versions about exactly what
29 happened. There were rumours of various people who might be

1 preparing coups; different groups of people. I for one wouldn't
2 claim to know exactly who all these groups were, there were so
3 many rumours about it all, but clearly in that sort of feeling of
4 fin de regime there were various groups of people jockeying for
15:48:42 5 position and international governments, of whom of course the
6 United States would be by far the most important, would be
7 looking to assessing those different groups of people.

8 Q. And looking to back the winner?

9 A. Yes.

15:48:57 10 Q. The actual coup leader of the coup that led to President
11 Tolbert's murder, he was Thomas - I am not sure how to pronounce
12 the name, but Quiwonkpa?

13 A. Well I am sure your client will pronounce it better than
14 any of us, but Quiwonkpa is what I would say.

15:49:22 15 Q. Well, at the moment it is me who is trying to pronounce it.
16 Thomas Quiwonkpa, who was a member of the military - oh, yes,
17 I am reminded to spell for the purposes and I will do it from
18 memory. Q-U-I-W-O-N-K-P-A. I am told that is the correct
19 spelling. He was the formal leader of the coup, wasn't he?

15:49:50 20 A. Again, there are different versions of precisely how the
21 coup happened and the degree to which it was planned - this was
22 12 April 1980 - or the degree to which it was sort of improvised
23 in circumstances that we have just been talking about, but as
24 soon as it was known that President Tolbert was dead, that he had
15:50:14 25 been killed by a group of soldiers, none of whom was a senior

26 officer, the highest ranking were non-commissioned officers --

27 Q. Master Sergeant I think was the highest rank?

28 A. Master Sergeant was the highest ranking officer, but then
29 various decisions had to be taken. Now the version of events

1 among several different versions which I find gets the most
2 support from different forces is that the most influential of
3 that group was in fact Thomas Quiwonkpa, but that Samuel Doe
4 became the leader of the group for a variety of reasons but
15:51:00 5 including that he had the most senior rank.

6 Q. His rank being that of Master Sergeant?

7 A. Master Sergeant.

8 Q. And President Tolbert's murder was regarded as one of the
9 bloodiest coups in recent West African history, wasn't it?

15:51:17 10 A. Well, his murder of course was a very unedifying spectacle.
11 We don't know exactly what happened, but the story normally given
12 is that he was killed in his bedroom.

13 Q. Yes.

14 A. But it was particularly the events in the days following.

15:51:31 15 Q. When 13 members of his government were paraded naked
16 through the streets and then executed on the beach?

17 A. That is correct. And I would also --

18 Q. Including the Chief Justice?

19 A. Yes, and a relevant event was also that the son of
15:51:50 20 President Tolbert - I am sorry, maybe I am anticipating?

21 Q. No, no, I was going to ask you that in any event.

22 A. I am sorry. President Tolbert's son, A B Tolbert, sought
23 refuge in the French embassy.

24 Q. He was given a guarantee of safe passage from the French
15:52:14 25 embassy through the auspices of President Houphouet-Boigny - I am
26 sure I have not pronounced that correctly - of Cote d'Ivoire, is
27 that correct?

28 A. Yes, A B Tolbert was married to a Ivorian woman generally
29 described as President Houphouet-Boigny's Goddaughter, but

1 somebody he regarded as one of his family. He felt that he had
2 negotiated with the new military government in Monrovia in 1980,
3 he felt that he had negotiated safe passage for his son out of
4 the French embassy, but the son, A B Tolbert, was nevertheless
15:52:59 5 killed. That added to as you described the reaction in West
6 Africa and elsewhere in the world, but particularly in West
7 Africa; the feeling that this was a very bloody and unacceptable
8 sequence of events.

9 Q. Yes. And the significance of that last feature, the murder
15:53:20 10 of Tolbert's son who had been led to believe that he could safely
11 leave the French embassy, earned the hostility and long-standing
12 opposition then of the government of Cote d'Ivoire to Samuel Doe
13 and his coterie?

14 A. I think it is always said, and I think it is - I have got
15:53:43 15 no reason to disagree, that President Houphouet-Boigny as a
16 result of that event, but probably for other reasons also,
17 disliked the military government in Liberia and had a personal
18 dislike of Samuel Doe.

19 Q. Would you give me just a moment. Yes, thank you. Were you
15:54:22 20 aware that the French embassy was actually stormed by Master
21 Sergeant Doe's troops and Tolbert Jnr forcibly removed from it?

22 A. I was not aware of that, but I have heard different
23 versions of exactly what happened and I have also seen a letter
24 written by President Doe in which he claimed he was deceived by
15:54:45 25 people on his own side. Now I don't know what value to attach to
26 that, but clearly there are different versions of precisely what
27 happened.

28 Q. Yes, President Doe as he became.

29 A. As he became, yes.

1 Q. We will chart - very briefly chart - the course of events
2 as far as he is concerned. He set about - once he had
3 established himself in power, he set about disposing of his
4 former comrades in arms with some speed, didn't he?

15:55:13 5 A. There were a number of intrigues, the details of which -
6 well it would be tedious to recall them all, but also they would
7 all be contested depending on who you talked to precisely. But
8 there were a number of intrigues and the members of the original
9 group of soldiers who had taken power, the junta of I think 17
15:55:35 10 members, quite a few of them they started falling by the wayside
11 as a result of various intrigues quite rapidly.

12 Q. When you say "falling by the wayside", they were killed?

13 A. Well they were being killed, yes.

14 Q. Yes. One of them, a Major Jabo, was even followed abroad
15:55:55 15 into exile and killed there?

16 A. Well I think this is a rather slightly different story,
17 because Major Jabo was a ranger. He was an American trained
18 special forces. One of the stories is - and I believe this is
19 probably true, but I mean in these circumstances there are so
15:56:12 20 many different versions that it would be very hard to say
21 categorically which is the correct version, but it was said that
22 he was planning his own coup and he was preempted by the group
23 who actually took power and he fled in the direction of Sierra
24 Leone and he was killed when he got to the Sierra Leonean border
15:56:32 25 by Liberian troops.

26 Q. By Doe's troops?

27 A. Well I don't know who was commanding them, because it was a
28 pretty confused situation by that stage.

29 Q. In any event, Master Sergeant Doe became the supreme leader

1 of the junta that then ruled in Liberia until elections in 1985?

2 A. Well there was a pretty rapid change, because it became
3 clear that the two most influential figures in the military junta
4 were Samuel Doe and Thomas Quiwonkpa. Of course because you had
15:57:13 5 junior soldiers, lower rank soldiers, taking power, then there
6 was something of an inflation of ranks and so Thomas Quiwonkpa
7 became a General.

8 Q. Yes.

9 A. The way I have understood it is that the American embassy
15:57:28 10 in particular of course looking at these soldiers thought, "Well
11 the man with the real authority is Quiwonkpa, because he is the
12 man in charge of the army and so he is the real power, whereas
13 Samuel Doe was chairman of the junta", but they felt - some
14 analysts felt that was not the key position. But over time

15:57:51 15 Samuel Doe manoeuvred in such a way as to eliminate all his
16 rivals, including Thomas Quiwonkpa. In this case he didn't kill
17 Thomas Quiwonkpa at that point, but Quiwonkpa fled abroad.

18 Q. Can I stop you there just to keep the chronology going.

19 A. Yes, sorry.

15:58:08 20 Q. Quiwonkpa fled abroad in 1983?

21 A. Correct.

22 Q. At the same time several other people fled abroad --

23 A. Correct.

24 Q. -- from the Doe junta who had been working with the
15:58:21 25 government, one of whom was Mr Taylor?

26 A. That is correct.

27 Q. Another of whom was Ellen Johnson-Sirleaf?

28 A. I don't recall if she went at that time, but if you say so
29 then --

1 Q. Well, from the historical documents that I have looked at
2 she also is said to have fled abroad?

3 A. I think she fled abroad, but I couldn't tell you at exactly
4 what date.

15:58:47 5 Q. All right. These people all fearing for their lives if
6 they remained in Liberia --

7 A. That is correct.

8 Q. -- under Master Sergeant Doe, chairman of the - what did he
9 call them?

15:58:57 10 A. It was the People's Redemption Council.

11 Q. The People's Redemption Council, yes. In 1985 the
12 Americans by this time had managed to regain the influence in
13 Liberia that they had previously lost under President Tolbert,
14 hadn't they?

15:59:17 15 A. Well, the Americans had never really lost influence in
16 Liberia because it was an overwhelmingly - they had such
17 extensive influence, but it is true that after the coup of 1980
18 there was a rather confused situation and the - let us say the
19 relationship between the United States and the Liberian
15:59:41 20 Government was not as smooth as it had been because it was a very
21 troubled period.

22 Q. Right.

23 A. The Americans of course wished to stabilise the situation
24 and when it became clear that Samuel Doe was emerging as the
15:59:55 25 leader, which as you said was particularly after 1983, then they
26 put pressure on him to regularise his position by holding
27 elections.

28 Q. And they supported his government financially to a very,
29 very considerable extent, didn't they?

1 A. That is correct, yes.

2 Q. They poured money into Liberia under Mr Doe, didn't they?

3 A. Yes.

16:00:23

4 Q. And I think that in one three year period they poured more
5 money into Liberia than they had done in the whole of the
6 previous century?

7 A. I couldn't confirm that figure, but I believe it was - per
8 capita it was the leading recipient of US aid in Africa, south of
9 the Sahara certainly.

16:00:38

10 Q. Yes, certainly. He was invited to the White House?

11 A. Yes.

12 Q. Where President Reagan famously got his name wrong and
13 called him Chairman Moe. I think that is an incident which is
14 very well known in Liberia, is it not?

16:00:53

15 A. Well I mean I recall that, yes.

16 Q. Yes, well apparently you are not alone. He held elections
17 in 1985, as a result of this American pressure, and became
18 elected President Doe in elections that were castigated
19 throughout the world as patently rigged. Do you agree?

16:01:19

20 A. Yes, and I have spoken to a number of people who were
21 present at the time, including some leading US journalists and
22 people who were in the State Department, and I think it is pretty
23 clear that the elections were heavily rigged.

16:01:40

24 Q. Now by 1985 of course we have monitors from other countries
25 watching elections, either from within the country or certainly
26 outside, able to comment about the validity or otherwise of the
27 elections, and the American government view was that these
28 elections were proper and that their result should be respected.
29 That is right, isn't it?

1 A. Well what I recall was I think Chester Crocker, who at that
2 time was Assistant Secretary of State for African affairs, in
3 other words the leading specialist in the State Department on
4 Africa, saying something to the effect of, "These elections were
16:02:23 5 maybe not perfect, but it is better to have some elections than
6 none at all".

7 Q. "It is better to have bent elections than none at all", he
8 was in effect saying, wasn't he?

9 A. Well, that is not what he said.

16:02:33 10 Q. No, but that is what he was --

11 A. He just said, "Some elections are better than no
12 elections".

13 Q. Yes, "even if they are rigged and dishonest" is what he was
14 effectively saying, wasn't it?

16:02:41 15 A. That is a legitimate interpretation, yes.

16 Q. And, indeed, the following month - the elections were in
17 October 1985 and the following month the United States
18 intelligence services tipped off President Doe, as he had now
19 become, about a coup that was being planned by Thomas Quiwonkpa?

16:03:04 20 A. Thomas Quiwonkpa had been in exile and had clearly been
21 organising, and after the elections he attempted to launch a coup
22 in November 1983.

23 Q. 1985.

24 A. I am sorry, 1985.

16:03:20 25 Q. And the American intelligence services tipped off Doe and
26 the coup was foiled and Quiwonkpa was murdered?

27 A. The coup attempt appeared at one stage to have succeeded,
28 because there were some radio broadcasts saying that the
29 government had been overthrown, and then Samuel Doe, President

1 Doe as he was in the process of becoming, succeeded in rallying
2 his forces and regaining control of the capital, killing Thomas
3 Quiwonkpa and there were very - there was a very considerable
4 number of casualties. I mean, I think hundreds of people killed.

16:04:00

5 Q. Yes. And Quiwonkpa's body, after he was killed, was
6 paraded around Monrovia by soldiers and parts of his body even
7 cut off and eaten publicly by soldiers in the street?

8 A. I have seen eyewitness accounts of that occurring.

16:04:24

9 Q. Yes. After that the United States, and indeed Israel,
10 became much more closely involved in training President Doe's
11 elite forces, didn't they?

12 A. Yes, that is correct.

13 Q. And, as you have already indicated, after that even more
14 United States aid was pumped into Liberia?

16:04:40

15 A. That is right.

16 Q. Did that aid actually give any real benefit to the wider
17 population of Liberia, or did it go, as had been traditionally
18 the case, into the Presidential coffers?

16:05:04

19 A. Well, it is quite clear that the aid given by the United
20 States government was not used for its proper purposes and that
21 the general population saw little or no benefit from it. Exactly
22 what happened to that money I don't think anybody knows, but
23 I mean clearly very large amounts of money - I mean, hundreds of
24 millions of dollars - more or less disappeared.

16:05:25

25 Q. Yes. I mean the economy was run by Doe as a sort of
26 personal fiefdom personal bank, wasn't it?

27 A. It is hard to know the degree to which Samuel Doe would
28 have been in control of all the details, because I think one of
29 Samuel Doe's weaknesses of course was that he was not an educated

1 man and while he clearly had a very astute sense of political
2 manoeuvre he may not have been very skillful in keeping control
3 of where all the money went, but I mean I would not claim to know
4 what happened to all that money.

16:06:05 5 Q. No, but he is generally regarded as having embezzled vast
6 sums of aid?

7 A. He and those around him certainly would have embezzled
8 large amounts of - certainly did embezzle large amounts of money.

9 Q. In the meantime there were widespread reports of human
16:06:28 10 rights abuses within Liberia, were there not?

11 A. That is correct, yes. Really from the beginning, but
12 I would say particularly from 1983.

13 Q. And there was a particular individual, General Julu
14 I think, who became notorious for the way in which he conducted
16:06:50 15 armed campaigns against certain elements of the population in the
16 countryside?

17 A. Yes, Charles Julu indeed gained a very notorious reputation
18 in that period particularly in Nimba County.

19 Q. Yes. And why was it that he was so brutal and killed so
16:07:10 20 many people in Nimba County?

21 A. I think that was to do with the very rapid --

22 Q. Julu spelt J-U-L-U?

23 A. Well, I have seen it spelt that way and I have seen it
24 spelt J-U-L-U-E as well. I don't know which he himself uses. I
16:07:28 25 don't know.

26 Q. Well, I don't think we are going to ask him. He was a
27 brutal leader of the armed forces of Liberia, wasn't he?

28 A. He was certainly a brutal general who was given - in 1983
29 his job was to repress a movement known as the Nimba County Raid

1 and that was really the foundation of his reputation.

2 Q. In very brief terms, what is that he did and what gave his
3 this notoriety in Nimba County?

16:08:10

4 A. Well, I think with General Julu personally it was just that
5 given an instruction - given an instruction to repress what was
6 seen as a military threat - I mean he ordered his troops, or he
7 permitted his troops, to commit a large number of indiscriminate
8 killings, particularly, in this case, in Nimba County.

9 Q. Yes.

16:08:36

10 A. But I think there was a wider problem, which goes beyond
11 General Julu, which is that the competition in the early 1980s,
12 particularly in the period 1980 to 1983, the competition between
13 Samuel Doe and Thomas Quiwonkpa, both of them being
14 non-commissioned officers who had suddenly become in charge of
15 the country, they were both recruiting largely on an ethnic basis
16 so this created ethnic tensions, first of all within the army and
17 then after that spreading out into civilian society more
18 generally, very quickly.

16:09:01

19 Q. Quiwonkpa came from Nimba County?

16:09:19

20 A. Quiwonkpa was from Nimba County, yes.

21 Q. After his attempted coup, Nimba County felt the full force
22 of General Julu's armed forces, didn't they?

23 A. That is right and one thing that I would add is that
24 yesterday I said several times, "If we accept that a war started
25 in Liberia in December 1989", and then I made various points. In
26 fact, I found at one stage in Liberia, in 1997 when I was doing
27 research there, I noticed that people had slightly different
28 accounts of the whole thing and I started asking people fairly
29 systematically, "When do you think the war started?" And several

16:09:42

1 people said to me 1983 and some people said 1985 and some people
2 said 1980, and I remember one person even saying 1979, and
3 I think there is sense - as we just heard, there is sense in all
4 those dates and therefore, in the perception of some people in
16:10:24 5 Liberia, there was a degree of violence which was tantamount to a
6 war which began some time, let us say, in the early 1980s and
7 people would choose various symbolic moments to say when it was.
8 That is a widespread view - I will not say it is widespread, but
9 that is a view one hears in Liberia.

16:10:49 10 Q. I am trying to sketch in, in very brief terms, the events
11 of the 1980s that led to armed insurrection against the, by any
12 standards, extremely brutal government that was in force then.

13 A. Yes.

14 Q. You would agree with that analysis: That there was an
16:11:10 15 extremely brutal government that on several occasions during that
16 decade had put down either actual dissent, or perceived dissent,
17 in a very brutal and gruesome way?

18 A. That is correct.

19 Q. One of the things that General Julu and his forces were
16:11:27 20 known for was beheading people and leaving their heads on stakes
21 to terrorise the local population.

22 A. I have not heard of that particular reproach, but it
23 wouldn't surprise me in the slightest.

24 Q. I can obtain - I will not do it now, but I can obtain
16:11:45 25 historical writings to that effect, modern historical authors,
26 some of whom I am sure you are familiar with.

27 That is, in very broad terms, the picture of what is
28 happening in Liberia during the 1980s. By that time I should
29 also add that the CIA had - if they had been denied what they

1 were looking for by President Tolbert, they had certainly
2 re-established themselves in Monrovia during Doe's rule, hadn't
3 they?

16:12:22 4 A. That is right, yes. I don't know the history of the CIA's
5 presence in Monrovia, but clearly under Samuel Doe it remained
6 for the US Government generally an important operational centre
7 and an important ally in organisations like the Organisation of
8 African Unity, the Group of 77 and so on.

16:12:49 9 Q. And a big satellite tracking station was established by the
10 United States during Doe's rule.

11 A. I don't know exactly when it was established, but there was
12 one there during his time, yes.

13 Q. General Julu, in 1989, came back to prominence, didn't he?

14 A. That is right.

16:13:02 15 Q. Was that in response to the NPFL attack, the first attack
16 by NPFL, or was he already conducting armed campaigns in the
17 east?

18 A. Well, as I recall, the attack by the NPFL was on 24
19 December 1989 and when it became clear that there was some sort
16:13:31 20 of armed movement in the north of Liberia, a succession of
21 officers were sent to the area to try and repress the problem,
22 one of whom was General Julu.

23 Q. It is at that time, in particular, that he is noted to have
24 conducted a campaign of murder that included beheading people and
16:13:55 25 putting their heads on staves. I think that is recorded in
26 Lansana Gberie's book that concerns mainly Sierra Leone, but also
27 touches on Liberia.

28 A. There were certainly a number of atrocities carried out at
29 that time.

1 Q. Lansana Gberie is spelt L-A-N-S-A-N-A and then G-B-E-R-I-E.
2 Finally on General Julu, it is right, I believe, that he
3 came back into Liberia as a member of the LURD?

4 A. I was not aware of that. He certainly played a role at
16:14:39 5 various stages in the 1990s. He was not among the top leadership
6 of LURD. I can't confirm that, but maybe that is the case.

7 Q. By the end of the 1980s the United States had become
8 completely embarrassed by President Doe, hadn't they?

9 A. Yes, I would say so.

16:15:00 10 Q. Just while we are dealing with his titles, he was a Master
11 Sergeant initially, he eventually becomes President as a result
12 of these rigged elections. Did he ever acquire the title, from
13 whatever source, of Doctor?

14 A. He did. I believe he had a doctorate from a Korean
16:15:25 15 university, a South Korean university, an honorary doctorate.

16 Q. An honorary doctorate?

17 A. Yes.

18 Q. Most people who get honorary doctorates don't go around
19 calling themselves Doctor, do they?

16:15:33 20 A. Some do.

21 Q. I hear Mr Griffiths to my right saying that he doesn't. In
22 any event, he would refer to himself, would he, as Dr Doe as well
23 as President Doe?

24 A. I believe so, yes.

16:15:48 25 Q. The Americans really wanted to persuade him to go into
26 exile, didn't they?

27 A. Right at the end, yes.

28 Q. I am talking now at the end of the 1980s. They were trying
29 to persuade him to leave because, just as had happened 10 years

1 before, they recognised that the Doe era was inevitably coming to
2 an end.

3 A. It is clear, as you say, that American diplomats were
4 increasingly frustrated by Samuel Doe. There was an attempt to
16:16:26 5 send in a team of financial experts to run the financial affairs
6 of Liberia, known as the operational experts, that had failed
7 because he was able to just channel the money around them. There
8 were various schemes like that and all of them were unsuccessful.
9 When the war started and when it became clear that Samuel Doe was
16:16:54 10 militarily under threat then certainly - I am talking now about
11 the early and middle months of 1990 - there were attempts made by
12 the US Government, and through various intermediaries, to
13 persuade him to go into exile in order to permit some sort of
14 solution.

16:17:15 15 Q. Doe refused?

16 A. Doe refused, yes.

17 Q. And events became much more traumatic in Liberia during
18 1990. Can I give you one example and ask you to comment on it,
19 please, and that is the massacre at St Peter's Lutheran church,
16:17:34 20 which I think is in Monrovia, in July 1990.

21 A. Throughout 1990 clearly things got very bad in Liberia.
22 For those of us outside the country, and I think even for people
23 in Monrovia, in the first months of the year it was extremely
24 hard to have any idea what was happening because there was no
16:17:53 25 reliable information, but it became increasingly clear that there
26 was - the government forces, President Doe's forces, were unable
27 to contain the rising which, in effect, had started. There was
28 increasing repression in Monrovia itself over the months
29 throughout, let us say, April, May and then June of 1990, as it

1 became known that there were armed people advancing towards the
2 city. In July 1990 there was a massacre of displaced people who
3 had gone into a church in a district of Monrovia, St Peter's
4 Lutheran church, and they were killed there. I think there was
16:18:44 5 about 600 victims.

6 Q. 600 is the generally given figure of the number who were
7 killed then.

8 A. Yes.

9 Q. These were people who, as you say, were seeking sanctuary.
16:18:58 10 Why was it that they were killed by Doe's forces?

11 A. I think by that stage Samuel Doe's forces were in a state
12 of considerable indiscipline, some panic maybe, frustration, but
13 I think their perception was, their belief was, that many of the
14 people in that church would be people from Nimba County.

16:19:27 15 Q. Were they aware that Charles Taylor's father was amongst
16 the people who were seeking sanctuary in that church?

17 A. I don't know whether they were aware of that.

18 Q. He was one of the ones who was murdered in that church,
19 wasn't he?

16:19:43 20 A. I have read that in the press, yes.

21 Q. And, indeed, in other literature.

22 A. I don't recall, but I have read that that was the case,
23 yes.

24 Q. You referred a moment back to the people rising, or an
16:20:00 25 expression like that. There was, by the mid-1990s, a general
26 feeling amongst the population that President Doe had to go,
27 wasn't there?

28 A. You said by the mid-1990s.

29 Q. Sorry, by mid-1990.

1 A. I would say that this is how - it is difficult to
2 reconstruct popular feeling after the event because, you know,
3 people might reinvent how they felt at the time, but people
4 I have met who are themselves from Nimba County say that there
16:20:43 5 was - and there is good reason to believe that it is true because
6 there were foreign journalists and so on saying more or less the
7 same thing at the time: That from 1983 and particularly from
8 1985 there was a feeling that if you were from Nimba County you
9 were not really a Liberian, that you didn't enjoy the same rights
16:21:05 10 as other Liberians. As I have indicated, if we say, "Well, where
11 did that feeling come from?", I think it originated in the
12 rivalry between Thomas Quiwonkpa and Samuel Doe because that
13 created ethnic divisions as a result of both of those two vying
14 for power.

16:21:24 15 Q. Yes and it had created a civil war within the country,
16 hadn't it?

17 A. It had created - I don't know at what point you would call
18 it a civil war, but it created all the elements of a civil war
19 and at a certain date it was clear there was a civil war taking
16:21:40 20 place. That is just Nimba County. That is only one part of
21 Liberia.

22 The elections of 1985, officially President Doe, Samuel
23 Doe, President Doe as he shortly was to become, won them by a
24 very narrow margin. If we take it, which I think is clear from
16:22:03 25 what really all authoritative observers have said, which - as
26 I said, Chester Crocker, the Assistant Secretary of State, more
27 or less explicitly said that the elections were rigged. It
28 implies that the real level of support for Samuel Doe was less
29 than 50 per cent. Clearly he had very little support in Nimba

1 County by that stage and by the late 1980s I think he probably
2 had a very small support base altogether. He was unpopular,
3 I think, clearly by the late 1980s.

4 Q. Yes and the American Government was divided, wasn't it, as
16:22:37 5 to whether or not it should intervene by the - by mid-1990,
6 whether it should intervene and put troops in and try to bring
7 the hostile parties to some sort of peace agreement.

8 A. I think, if I could put it this way: Part of the
9 significance - of course, part of the global significance of what
16:23:03 10 was happening in Liberia from December 1989 onwards was that this
11 was the first serious crisis in Africa after the fall of the
12 Berlin Wall. If we say the Berlin Wall was November 1989, if we
13 take that as being the end of the Cold War, symbolically at
14 least, then this was the first major crisis in Africa. I was
16:23:29 15 told by a senior American State Department official who was
16 involved in events at that time in West Africa, he said the
17 governments of West Africa were sure that the United States
18 Government would intervene to prevent the Liberia situation from
19 getting out of hand because everybody knew that de facto Liberia
16:24:01 20 was an American protectorate, it was an American ally and the
21 Americans would not allow it to get completely in a chaotic
22 situation.

23 However, looking back what we can now say is the end of the
24 Cold War had changed all the calculations, that while the Cold
16:24:21 25 War was going on I think that was probably a correct calculation,
26 that is to say the Americans would intervene in one way or
27 another, but in the new circumstances of 1990, in effect the
28 American Government said, "No, we are not going to intervene
29 because the rules have changed." Looking back, that is the

1 conclusion that I draw and I am not the only person who says
2 that, but that is the conclusion I would draw.

3 Q. Do you agree that there was dissent within the American
4 Government, including dissent between the State Department and
16:24:57 5 the national security advisers, as to whether or not America
6 should intervene?

7 A. I don't know what the positions of the different arms of
8 the US Government would have been, but Herman Cohen, who by that
9 time was the Assistant Secretary of State for African affairs,
16:25:18 10 has written a memoir about it and I have also spoken to him on
11 quite a few occasions about it, and he said that he went to the
12 Secretary of State, who at that stage was James Baker, and
13 outlined various options and Secretary of State Baker replied,
14 "Well, if you can't tell me what is going to happen then I don't
16:25:45 15 want to intervene." In other words, at a high level in the State
16 Department at a certain point, and I think this must have been
17 about June 1990, there was a decision not to intervene.

18 Q. Herman Cohen, known I think as Hank Cohen -

19 A. Hank, yes.

16:26:03 20 Q. Madam President, I see the time. I am just going to
21 conclude with this. He actually went into the jungle and met
22 with Charles Taylor and the NPFL leadership, did he not?

23 A. I don't know.

24 Q. And discussed whether or not the NPFL would invade
16:26:25 25 Monrovia, as it had the capacity to do, or would they abide by
26 the American request not to invade Monrovia?

27 A. At a certain point, and that must have been June or July
28 1990, there was - whether it was Mr Cohen or somebody else,
29 I don't know, but there was an American contact with - I believe

1 with the defendant, saying, "Please do not attack Monrovia
2 because we don't want a bloodbath in Monrovia."

3 Q. And Mr Taylor agreed to that request.

4 A. Well, there was not a general attack on Monrovia.

16:27:09 5 Q. The NPFL had the capacity to engage in such an attack and
6 almost certainly succeed.

7 A. There was another factor, which I think we should draw to
8 the attention of the Court, which is the break away movement from
9 the NPFL known as the Independent National Patriotic Front of
16:27:28 10 Liberia and that -

11 PRESIDING JUDGE: Dr Ellis, I will have to interrupt you
12 there. We are mindful of the length of the audio tape and
13 usually it does wind up every two hours, so this would be a good
14 place to begin tomorrow with your testimony. You will hold that
16:27:44 15 thought until tomorrow hopefully. I am sure counsel will remind
16 you. Thank you for your testimony today. I remind you, as
17 I will always remind you, not to discuss your testimony outside
18 of court.

19 However, before we adjourn the proceedings for today I have
16:28:01 20 a rather important administrative announcement to make. As you
21 know it is that time of year when the Trial Chamber rotates the
22 presidency. Justice Doherty, Teresa Doherty, on my immediate
23 right, will from tomorrow be your new Presiding Judge. She and
24 I will trade places, or chairs. I wish to thank the parties on
16:28:30 25 both sides for your wonderful cooperation throughout my tenure
26 and I have no doubt that you will accord her the same cooperation
27 from tomorrow and so with those words we will adjourn until
28 tomorrow at 9.30. Yes, 9.30 a.m. tomorrow.

29 MR MUNYARD: Madam President, can I thank you for the way

1 in which you have conducted the hearings we have all been
2 involved in and to welcome Justice Doherty into the position
3 tomorrow.

4 PRESIDING JUDGE: Thank you, you are very kind. Court
16:29:05 5 adjourns.

6 [Whereupon the hearing adjourned at 4.30 p.m.
7 to be reconvened on Friday, 18 January 2008 at
8 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

DR STEPHEN ELLIS	1474
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