



Case No. SCSL-2003-01-T

THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
CHARLES GHANKAY TAYLOR

TUESDAY, 2 FEBRUARY 2010  
3.00 P. M.  
TRIAL

TRIAL CHAMBER II

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Before the Judges:

Justice, Julia Sebutinde Presiding  
Justice Teresa Doherty  
Justice Richard Lussick  
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 Mohamed A Bangura  
Ms Maja Dimitrova

For the accused Charles Ghankay  
Taylor:

Mr Morris Anyah  
Mr Terry Munyard

1 Tuesday, 2 February 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 3.00 p.m.]

15:00:32 5 PRESIDING JUDGE: Good afternoon. We'll take appearances,  
6 please.

7 MS HOLLIS: Good afternoon, Madam President, your Honours,  
8 opposing counsel. This afternoon for the Prosecution, Brenda J  
9 Hollis, Mohamed A Bangura and we're joined by our case manager,  
15:01:10 10 Maja Dimitrova, and our intern Nathan Quick.

11 MR ANYAH: Good afternoon, Madam President. Good  
12 afternoon, your Honours. Good afternoon, counsel opposite.  
13 Appearing for the Defence this afternoon are Mr Terry Munyard and  
14 myself, Mr Morris Anyah. Thank you, Madam President.

15:01:33 15 Mr Griffiths is absent. He has a prior engagement, Madam  
16 President, and we are authorised to proceed in his absence.

17 PRESIDING JUDGE: So noted. Mr Taylor, simply to remind  
18 you of your declaration to tell the truth as Ms Hollis continues  
19 with cross-examination.

15:01:49 20 MS HOLLIS: Thank you, Madam President.

21 DANKPANNAH DR CHARLES GHANKAY TAYLOR:

22 [On former affirmation]

23 CROSS-EXAMINATION BY MS HOLLIS: [Continued]

24 Q. Good afternoon, Mr Taylor.

15:02:03 25 A. Good afternoon, counsel.

26 Q. Mr Taylor, yesterday afternoon at the close of the  
27 proceedings we were talking about your relationship with General  
28 Robert Yerks. Do you recall that?

29 A. Yes, I do.

1 Q. And we had talked about General Yerks's association with  
2 ITC and, Mr Taylor, General Yerks was also associated with LISCR,  
3 correct?

4 A. To the best of my knowledge, I would think so, yes.

15:02:27 5 Q. And, indeed, he was a senior official in LISCR. Isn't that  
6 correct?

7 A. That sounds right, yes.

8 Q. And, Mr Taylor, indeed, General Yerks was a business  
9 associate of yours, wasn't he?

15:02:42 10 A. No. No. No, the general, never, no.

11 Q. And you had common business interests, didn't you?

12 A. No. Not at all. No.

13 Q. And General Yerks was working to advance your public  
14 message. Isn't that correct?

15:02:59 15 A. No. What General Yerks did, he did it as a friend of  
16 Liberia. There are many friends of Liberia, but there was no  
17 personal relationship with the general. He did not work for the  
18 Liberian government. He worked for LISCR. No, none whatsoever.  
19 I disagree.

15:03:19 20 Q. Indeed, Mr Taylor, you, through your government, used LISCR  
21 as a way to obtain arms. Isn't that correct?

22 A. Never. Never, ever used LISCR to obtain arms ever.

23 Q. Indeed, you had funds diverted from LISCR that should have  
24 gone to the regular channels, through the banking system in  
15:03:43 25 Liberia. You had those funds diverted as payment for arms,  
26 didn't you?

27 A. But that's a different thing now. I was President of  
28 Liberia, and I wouldn't call that a diversion. The government  
29 used money as it saw fit.

1 Q. And those were proceeds from LISCR, correct?

2 A. Those - no, I wouldn't say proceeds from LISCR. No, I  
3 disagree. Those were revenues that were the property of the  
4 Government of Liberia and its people, not proceeds from LISCR.

15:04:16 5 Q. Through the management of LISCR, correct?

6 A. Well, LISCR worked for the government.

7 Q. Now, Mr Taylor, in terms of General Yerks working on your  
8 behalf, the behalf of the Government of Liberia, he had some  
9 success with that, did he not?

15:04:31 10 A. Well, there are two questions, counsel, and I want to speed  
11 up. First of all, General Yerks did not work for my government  
12 in the true sense of the word because he would have had to  
13 declare legally he was an agent. He did not - he was not  
14 employed by the Government of Liberia, so that's the first part.

15:04:53 15 Q. He worked through your business association?

16 A. No, not through my business. He never worked through my  
17 business association, no.

18 Q. And he had some success in advancing your interests. Isn't  
19 that correct?

15:05:07 20 A. Well, what do you mean by "your", counsel?

21 Q. Well, both yours personally. Let's start with that.

22 A. No, he never worked personally for me.

23 Q. And also the Government of Liberia's interests. Isn't that  
24 correct?

15:05:18 25 A. Yes. The general as a friend of Liberia did secure some  
26 favourable actions on the part of the United States government or  
27 its representatives.

28 Q. And, indeed, if we could look at MFI-105, please. That is  
29 DCT-215. Mr Taylor, we see that this MFI is a letter to

1 General Yerks from Susan Rice. It is headed "United States  
2 Department of State Assistant Secretary of State for African  
3 Affairs" and it is dated September - it looks to me like 8, 1999.  
4 Mr Taylor, it says:

15:07:01 5 "Dear General Yerks, thank you for your fax letter of  
6 August 14 and your observations about Liberia and the  
7 sub-region."

8 Then the second to last paragraph:

9 "We are pleased that Liberia has friends who can help guide  
15:07:19 10 it in the right direction."

11 So General Yerks was having some success working on behalf  
12 of the Government of Liberia, correct?

13 A. That is correct. As a friend of Liberia, yes.

14 Q. And we note of course that this is a September 1999 letter,  
15:07:38 15 and if we look at the third paragraph from the bottom beginning  
16 "the International Monetary Fund", we see part way down that  
17 paragraph, "The IMF recommends action on three key economic  
18 issues." We see two, the rice monopoly, the petroleum monopoly,  
19 and then the third one, "Compensation of Mobil Oil for losses  
15:08:13 20 suffered in 1996." So, Mr Taylor, in this letter there is no  
21 mention of Mobil Oil losses in 1998, is there?

22 A. No, that is not mentioned in this letter.

23 Q. And this letter is dated September 1999, yes?

24 A. That is correct.

15:08:27 25 Q. Thank you. You can remove that MFI. Mr Taylor, in  
26 addition to Lester Hyman and retired General Yerks, during your  
27 presidency you had others working on your behalf to get your  
28 message out. Isn't that correct?

29 A. I can't recall, but there was another firm. I can't recall

1 the name right now, but that's basically correct.

2 Q. And, Mr Taylor, do you recall that late in 1997 you entered  
3 into a contract with a public relations firm in Washington DC by  
4 the name of Hill & Knowlton?

15:09:14 5 A. That rings a bell, yes.

6 Q. And that is K-N-O-W-L-T-O-N. And this firm was to assist  
7 you in lobbying, correct?

8 A. That is correct.

9 Q. As well as projecting the right public image, correct?

15:09:37 10 A. That is correct.

11 Q. And advising you in that capacity as well, yes, Mr Taylor?

12 A. Yes.

13 Q. And during the time that you had the services of this firm,  
14 this firm was paid some \$55,000 US. Do you recall that,

15:09:54 15 Mr Taylor?

16 A. Oh, sorry, counsel, I can't - I wouldn't know the sequence  
17 of payments, but I don't deny that we paid them. But I would not  
18 remember offhand the amounts and the times, but that sounds  
19 pretty right if you have the records, because they were hired and  
20 paid.

15:10:13

21 Q. So, Mr Taylor, this firm plus the Swidler firm would have  
22 been - and I admit I'm not always good at math - but it would  
23 have been some \$680,000 US during your presidency. Is that  
24 right?

15:10:33

25 A. That sounds right. It could have maybe been more, but that  
26 sounds pretty right.

27 Q. Mr Taylor, in addition to these two firms and the  
28 assistance of General Yerks, you also entered into an agreement  
29 with another firm, Cohen & Woods International, yes?

1 A. Yes.

2 Q. And we have talked about that, correct?

3 A. That is correct.

4 Q. That was the firm of Herman Cohen, the former United States  
15:11:06 5 Assistant Secretary of State for Africa?

6 A. That is correct.

7 Q. And, Mr Taylor, you indicated earlier that for three months  
8 or so in 1999, Herman Cohen was involved in public relations  
9 services for the Government of Liberia. Do you recall telling  
15:11:17 10 the judges that?

11 A. Yes, I do.

12 Q. And you indicated that you paid about - you recalled paying  
13 about \$100,000 to Mr Cohen for those services.

14 A. If I remember the evidence, I said I was not too sure of  
15:11:35 15 the amount. It could have been more that we paid Mr Cohen and I  
16 can remember saying that I was not sure, but we did pay him that  
17 or maybe even more.

18 Q. Mr Taylor, do you recall entering into a contract with  
19 Cohen & Woods International about the end of March 1999?

15:11:56 20 A. That sounds - that sounds right, counsel. These times -  
21 you know, because the President is not directly involved - I  
22 don't deny this, but I would not remember the time. I don't  
23 dispute, if the records are there. They were hired, but I don't  
24 remember the exact time, because these are done by lawyers and  
15:12:14 25 the Foreign Ministry, but we did hire him.

26 Q. And do you recall that this contract was actually for a  
27 total amount of \$300,000 to be paid in increments of \$100,000?

28 A. Okay.

29 Q. Do you recall that?

1 A. That sounds like - that sounds reasonable.

2 Q. And, indeed, it was Rachel Diggs --

3 A. The ambassador.

4 Q. -- who signed that agreement. Do you recall that?

15:12:39 5 A. That's the ambassador. She was the ambassador  
6 extraordinary, yes.

7 Q. And ambassador extraordinary to?

8 A. To the United States.

9 Q. Now, you talked about you couldn't remember for sure but  
15:12:51 10 you thought maybe 100,000 had been paid to Mr Cohen and his  
11 associates. Do you recall, was that remaining \$200,000 paid to  
12 them during your presidency?

13 A. I would think so, counsel, yes. I want to - and I'm not  
14 guessing. I want to believe that, based on that contract, the  
15:13:13 15 Government of Liberia fulfilled its end of the contract. So I  
16 would say yes. I could be wrong, but I would say yes.

17 Q. So if that 300,000 had been paid, that would put us up to  
18 about \$710,000 for the services of Swidler, Cohen, and Hill &  
19 Knowlton, correct, Mr Taylor?

15:13:39 20 A. Yes. I think --

21 Q. Roughly 680,000, another 300,000.

22 A. But that would be --

23 Q. Be 900,000 and some thousand.

24 A. Yes, 900 and some, yes, I would agree.

15:13:50 25 Q. I told you I wasn't very good at math.

26 A. Yes.

27 Q. Now, in addition to these firms that were working directly  
28 for you, you also received the benefit of this - another public  
29 relations firm by the name of James Waterman International. Do



1 you remember that firm, Mr Taylor?

2 A. Waterman, yes, that is correct.

3 Q. Now, they weren't actually working for the Government of  
4 Liberia, were they?

15:14:14 5 A. They were not.

6 Q. They were working instead for a company known as AmLib  
7 United. Do you remember that?

8 A. That is correct, yes.

9 Q. And AmLib United was a Liberia-based mining company. Do  
15:14:27 10 you recall that, Mr Taylor?

11 A. That is correct.

12 Q. And it is A-M-L-I-B is the company I'm referring to?

13 A. Yes.

14 Q. And a spokesman for the public relations firm, James  
15:14:53 15 Waterman, a spokesman for that firm indicated that Liberia had an  
16 image problem and that they were working with the government and  
17 they were there to help Liberia in terms of its communications  
18 problems?

19 A. That is correct.

15:15:06 20 Q. That was part of their role, wasn't it, Mr Taylor?

21 A. That is correct.

22 Q. During the course of the contract with this additional  
23 public relations firm, the part of the contract that related to  
24 Liberia, this firm was paid something like \$750,000. Do you  
15:15:29 25 remember that, Mr Taylor?

26 A. No, no, no. Let's - I have to understand you properly,  
27 counsel. Are you saying that there was a contract with AmLib?  
28 Is that the firm you are referring to?

29 Q. Not between your government and JWI. It was between AmLib

1 and AmLib and JWI, this James Waterman firm. Do you recall that,  
2 Mr Taylor? They weren't working directly for your government.

3 A. Right. And I don't know the details of the relationship  
4 between AmLib and what were paid by that firm that hired AmLib.

15:16:01 5 I have no inner working knowledge of the agreement.

6 Q. But we do agree that the spokesman had indicated, "Liberia  
7 has an image problem, we're working - we're helping Liberia in  
8 terms of its communications problems"?

9 A. That is correct.

15:16:15 10 Q. Do you recall that, Mr Taylor?

11 A. That sounds reasonable, yes.

12 Q. Now, near the end of your presidency you also hired another  
13 firm by the name of Valis Associates. Do you recall that,  
14 Mr Taylor?

15:16:27 15 A. Valis, no, I don't --

16 Q. V-A-L-I-S?

17 A. Oh, I don't --

18 Q. This was January 2002. Do you recall that, Mr Taylor?

19 A. No, I would have to think about this. I don't recall

15:16:45 20 Valis. I'm not saying that they could not have been hired by  
21 maybe the Foreign Ministry, but it doesn't run by me right now.

22 Q. Perhaps we can assist your memory. If we could turn to tab  
23 50 in annex 1 and perhaps that would assist you?

24 A. Okay.

15:18:00 25 Q. And if we could put page 1 so we can see the top of that  
26 page. And, Mr Taylor, we see here a form "Exhibit A to  
27 registration statement". It says its pursuant to the Foreign  
28 Agents Registration Act of 1938 as amended. In the left we see  
29 "Department of Justice". Mr Taylor, these lobbying firms had

1 made you aware that under United States law they had to register  
2 with the United States Department of Justice if they were doing  
3 lobbying for foreign entities, yes, Mr Taylor?

4 A. That is correct, yes, as agents --

15:18:41 5 Q. And that would be individuals or firms that had to do that?

6 A. Yes, that's --

7 Q. And this is the type of registration statement that they  
8 were required to file. Here, Mr Taylor, we see "Wayne H Valis,  
9 DRA, Valis Associates" and then under "Name of foreign principal"

15:18:57 10 we see "Republic of Liberia"?

11 A. Yes.

12 Q. "Principal address of foreign principal", we see "Embassy  
13 of Liberia in Washington, DC". And then we see, "Foreign  
14 principal is foreign government". And then if we could move it

15:19:14 15 down so we can see the bottom of the page, please:

16 "Branch or agency represented by the registrant, Executive  
17 Branch. Name and title of official with whom registrant deals,  
18 His Excellency Charles Taylor, President."

19 Yes?

15:19:36 20 A. Yes, this is --

21 Q. And if we could see the next page, please. At the bottom  
22 of that page, please, the very bottom of the page, we see the  
23 signature "Wayne Valis" and a date, "3/1/02". So now, Mr Taylor,  
24 do you recall entering into an agreement with this firm?

15:20:07 25 A. I really - I can't remember Valis. But I'm sure like - I  
26 don't sign these. I'm sure Valis would not use the name of the  
27 Government of Liberia in vain, so I would say that there was an  
28 agreement. I don't deny it. I don't remember this specifically.

29 Q. Then, Mr Taylor, if we could turn to the very back of the

1 package, it would be the last two pages of that package, and it  
2 should be "Supplemental statement". It should show that at the  
3 top of the page, "US Department of Justice". This is for the  
4 six-month period ending April 30, 2002, Valis Associates. And  
15:21:09 5 then if we could look at the next page, please, which should say  
6 "Financial information" and here we have, "Date, 1/31/02,  
7 Republic of Liberia consulting fee, \$500,000". So, Mr Taylor,  
8 its association with you, this firm was paid \$500,000 by the  
9 Government of Liberia, correct, Mr Taylor?

15:21:42 10 A. Yes, I don't have any problem with this. The problem with  
11 these things is that the public relations firm is hired, the  
12 President doesn't sign but they work for us. They would be like  
13 the embassy - I've been trying to see who signed the agreement.  
14 I don't dispute that we had many consulting firms. I just don't  
15:22:03 15 get into the details. I don't have a problem with this document.

16 MS HOLLIS: Madam President, if I could ask that this be  
17 marked for identification.

18 PRESIDING JUDGE: The document entitled "Exhibit A to  
19 registration statement, Department of Justice", is marked  
15:22:28 20 MFI-399.

21 MS HOLLIS: Thank you, Madam President:

22 Q. So, Mr Taylor, here we have approximately \$980,000 if we're  
23 looking at the other three firms and now another \$500,000. So  
24 we're looking at about 1.4, almost 1.5 million during your  
15:22:52 25 presidency, Mr Taylor?

26 A. Yes.

27 Q. And in addition we have the assistance provided, albeit  
28 indirectly, from the firm representing AmLib, correct?

29 A. Well, I don't know as to whether I want to put it that way.

1 Whatever AmLib did for - because of its business interests in  
2 Liberia, I'm not sure I'm prepared to attach it to what the  
3 Liberian government did in terms of its own consultancy. So I  
4 would disagree with adding them together.

15:23:26 5 Q. And indeed if you don't know the amount, it wouldn't be of  
6 assistance, would it, Mr Taylor?

7 A. Even if its of assistance I think my disagreement is not  
8 with whatever they may or may not have paid. My disagreement is  
9 that I don't agree that their private enterprise in supporting  
10 Liberia because of their business interests should be tied to  
11 what the Government of Liberia did to promote its political  
12 interests with the United States. That's my disagreement.

13 Q. Mr Taylor, this 1.48 million or so that was paid to these  
14 firms that worked directly for the Government of Liberia, from  
15:24:09 15 what funds was that money drawn?

16 A. Oh, I would not know directly. I'm sure it's from the  
17 funds approved by the budget of Liberia. So I would say the  
18 budget of Liberia provided for that because even if it came  
19 through the maritime programme, the maritime programme is  
15:24:30 20 incorporated in the budget so I would say it came from the  
21 Liberian government funds.

22 Q. And, Mr Taylor, if we look back at your time as the leader  
23 of the NPFL, you also took advantage of lobbying and public  
24 relations firms at that time. Isn't that correct?

15:24:46 25 A. Yes, we tried at that time.

26 Q. During the time of the NPFL indeed you used the Swidler  
27 firm --

28 A. That is correct.

29 Q. -- as well. Isn't that correct?

1 A. That is correct.

2 Q. And Lester Hyman was part of that firm at that time, yes?

3 A. That is correct.

4 Q. And during the time of the NPFL, this lobbying and public  
15:25:11 5 relations firm actually worked for your NPRAG, didn't it?

6 A. I would say yes.

7 Q. Or did it work for the NPFL itself?

8 A. The NPRAG.

9 Q. And during that time you paid them some \$356,000, isn't  
15:25:33 10 that right, and by that I mean NPRAG?

11 A. I don't know the exact - I can't remember the exact amount  
12 now, counsel, but we did pay them. I don't remember the exact  
13 amount now.

14 Q. Perhaps we can look at tab 49 in annex 1. If we could  
15:26:42 15 first look at the last four pages of that document beginning with  
16 the document that is "Exhibit A to registration statement". If  
17 you are counting --

18 PRESIDING JUDGE: Has Mr Taylor seen page 1?

19 THE WITNESS: Not yet. It's not on the screen yet.

15:27:19 20 PRESIDING JUDGE: He has to see page 1.

21 MS HOLLIS: If you are counting from the front of the  
22 bundle, it would be page 7 of the bundle. Looking at the last  
23 four pages, it would be page 7 of the bundle.

24 PRESIDING JUDGE: Page 1 is now on the screen. I wanted  
15:27:36 25 the witness to see page 1 to understand the document you are  
26 referring to. Now we can go to page 7.

27 MS HOLLIS: Thank you:

28 Q. Now if we could go to the seventh page which would be  
29 "Exhibit A to registration statement" and again we see this says

1 "Exhibit A to registration statement". We've seen a similar  
2 document before, "Swidler & Berlin" showing "The foreign  
3 principal, National Patriotic Reconstruction Assembly  
4 Government". Principal address shown at the bottom is shown as  
15:28:27 5 Monrovia. Then if we turn to the next page, please, which is a  
6 continuation of this form and if we could show the bottom of the  
7 page, please. This is signed by Lester Hyman, yes, Mr Taylor?  
8 A. Yes.  
9 Q. And now we could go back to the beginning of the bundle,  
15:28:58 10 please, and we will look at the supplemental statements with  
11 financial information. So if we look first - if we could look at  
12 the top of this form, supplemental statement, showing a six-month  
13 period ending 7 Jan 1992, Swidler & Berlin. And then if we could  
14 look at the next page, please. We see two entries for payments  
15:29:33 15 from National Patriotic Reconstruction, and the first we see is  
16 for \$30,000 and the second for \$100,000. Yes, Mr Taylor?  
17 A. That is correct.  
18 Q. And then if we look at the next page, please. 7 July 1992,  
19 supplemental statement, Swidler & Berlin. And the following page  
15:30:04 20 please, and here we see again two entries for payments from  
21 National Patriotic Reconstruction, \$79,540, \$47,373.93, yes,  
22 Mr Taylor?  
23 A. That is correct.  
24 Q. And, finally, if we could look at the next page. And we  
15:30:40 25 are looking here for the six-month period ending 7 Jan 1993,  
26 again, Swidler & Berlin. And the next page, please. And we see  
27 here 11/30/92, so it appears that 30 November 1992 was the last  
28 payment received and that is in the sum of \$99,911.64, yes,  
29 Mr Taylor?

1 A. That is correct.

2 Q. So, again, not claiming to be very good at math, if we add  
3 all that up, we come to something in the neighbourhood of  
4 \$356,000. Do you agree with that, Mr Taylor?

15:31:27 5 A. I agree. With due respect, counsel, I don't know as to  
6 whether we have disagreement on this. I didn't disagree that we  
7 had paid. I just said I couldn't remember the exact amount. So  
8 I don't have any disagreement with you.

9 Q. And then finally, Mr Taylor, about four months before your  
15:31:44 10 military Operation Octopus in October 1992, you retained an  
11 additional firm on your behalf, do you recall that,  
12 Newman & Company?

13 A. That's possible.

14 Q. And you gave them a \$10,000 retainer fee, and by that I  
15:32:03 15 mean your National Patriotic Reconstruction --

16 A. Yes.

17 Q. And, Mr Taylor, the payments to Swidler & Berlin and then  
18 Newman & Company, they came out of what part of the NPRAG budget?

19 A. I don't know what part, but it had to be with a part that  
15:32:24 20 dealt with payment for consultancy or, you know, that type of  
21 professional service.

22 Q. And, Mr Taylor, back when you were the leader of the NPFL  
23 and head of the NPRAG and using these firms, you were also at  
24 that time using them to advise you on various public relations  
15:32:49 25 matters, yes?

26 A. Yes, they - that was a part of their job, yes.

27 Q. And to assist you in putting your public relations  
28 statements out into the international community?

29 A. I would say to an extent. I'm not sure if they were



1 involved in the day-to-day construct of statements, but those  
2 officials that they dealt with, it is common under these  
3 conditions for firms to inform the appropriate agency that,  
4 "Look, we believe that this is the way to go. This is what we're  
15:33:26 5 hearing. And we suggest that this step" - maybe there may be a  
6 hardline position on an issue. They would advise, "Well, maybe  
7 you should go slow." So these kinds of things happened.

8 Q. So they were assisting you in the public messages that you  
9 were sending out, yes, Mr Taylor?

15:33:45 10 A. Well, I can say - I can say, yes, the way how you put it,  
11 but anyway. Once we know that it's not a day-to-day thing. They  
12 get paid for advice. They send an advice and then government can  
13 work around the programme. As long as we do not understand that  
14 they are not in a day-to-day operation of governments and policy  
15:34:08 15 and then I agree.

16 Q. And, Mr Taylor, during the course of your leadership of the  
17 NPFL and NPRAG and as President of Liberia, these various public  
18 relations firms were provided with something in the neighbourhood  
19 of \$1.7, \$1.8 million?

15:34:32 20 A. Well, you've asked me about two sets of situations. I will  
21 try to split them up. First you asked about the NPFL/NPRAG. I  
22 would like to - maybe we can add up that amount, and I would  
23 insist that it be separated from me as President of Liberia, what  
24 the government did. If you choose to combine them, I would say  
15:34:57 25 that your math is right. But I will have serious disagreement  
26 with combining them because we're talking about two different  
27 periods, two different situations.

28 Q. And, Mr Taylor, we have seen the results - at least some of  
29 the results of these efforts of these different companies even

1 here in this courtroom, haven't we?

2 A. I don't know what you mean, counsel.

3 Q. Your various public statements and pronouncements both by  
4 you and your subordinates have been the product of the assistance  
15:35:30 5 you received from such public relations firms. Isn't that right?

6 A. The way you put it, I would disagree.

7 Q. Mr Taylor, 1.48 million, thereabouts, while you were  
8 President, that was quite a bit of money for a country that  
9 didn't have much money to put in its budget, wasn't it?

15:35:54 10 A. That's subjective. For me it was not enough, so I will  
11 disagree. I know other governments and friends of mine,  
12 Presidents, that paid up to \$5 million to firms in Washington DC,  
13 so that was not enough for me. So it's a subjective situation  
14 whether it was a whole lot of money. I would disagree with your  
15:36:20 15 proposition.

16 Q. And this type of public relations effort and lobbying was  
17 very important to you, was it not?

18 A. Yes. It was very important, yes.

19 Q. To the extent that monies that could have gone to other  
15:36:35 20 services for Liberians were used for this lobbying. Isn't that  
21 correct?

22 A. Well, again, counsel, I'll disagree with your proposition  
23 to avoid argument. But I can just say for the benefit of the  
24 Court, most little governments, if you don't lobby in Washington,  
15:36:55 25 you really get smashed. And, counsel, if you may, before I go,  
26 if you permit me, I've been using the phrase "friends of Liberia"  
27 for the sake of the Court and I want to emphasise before we move  
28 for the records, the friends of Liberia like General Yerks were  
29 not paid any monies for their services. I just wanted it for the

1 records to show that.

2 Q. Mr Taylor, we'll have to agree to disagree on that.

3 A. Very well.

4 Q. Now, Mr Taylor, during the time you were President, in

15:37:31 5 fact, in June 1998, there was finally an agreement reached  
6 relating to the status of ECOMOG in Liberia. Isn't that correct?

7 A. June 1998? That sounds right.

8 Q. 5 June, in fact.

9 A. Yes.

15:37:53 10 Q. It was signed.

11 A. Yes, that sounds right.

12 Q. That is MFI-237 before the Court. If we could see that

13 document, please, DCT-280. Mr Taylor, just briefly, for the

14 cover page we see "Official Journal of ECOWAS, October 1998,

15:39:40 15 volume 35". And then if we could move to the next page, please.

16 Now, actually, if we could move to page 39 of that document. If

17 you could move that up, please. So here we see "agreement

18 relating to the status of ECOMOG in Liberia between the Economic

19 Community of West African States (ECOWAS) and the Republic of

15:40:24 20 Liberia". And then, Madam Usher, if you could just show us the

21 last page of that agreement, which should be page 50. And at the

22 bottom we see that this was done at Ouagadougou, 5 June 1998.

23 Yes, Mr Taylor?

24 A. Yes.

15:40:51 25 Q. And signed by Monie Captan, Minister of Foreign Affairs, on  
26 behalf of the Republic of Liberia, yes, Mr Taylor?

27 A. Yes.

28 Q. Now, if we could please look at the first page of that

29 agreement, which is page 40. And if we look at the right-hand

1 column, the second paragraph down:

2 "Mindful that a democratically elected government has now  
3 been inaugurated and has assumed all sovereign powers of the  
4 republic."

15:41:34 5 So, Mr Taylor, at this time you had assumed all sovereign  
6 powers of the republic, correct?

7 A. That is correct. Once "you" means the government, I think  
8 - if "you" means the government, the democratically elected  
9 government, yes.

15:41:51 10 Q. Of which you were the President?

11 A. Yes.

12 Q. And then if we could please move to page 43, which will be  
13 Article 4 of the document. And if we could look at number -  
14 first of all, we see Article 4, if you could move that down a  
15 bit, "Status of ECOMOG". And then if we look at the right-hand  
16 column:

17 "ECOMOG shall collaborate with the government in the  
18 implementation of its remaining mandate in line with the  
19 protocols to be entered into between ECOWAS and the government."

15:42:40 20 So, Mr Taylor, under this agreement, ECOMOG's carrying out  
21 its mandate was a collaboration with your government. Isn't that  
22 correct?

23 A. That is correct.

24 Q. And now if we could please look at the next page, page 44,  
15:43:06 25 "entry residents and departure", number 9:

26 "The Government of Liberia undertakes to facilitate the  
27 entry into and departure from the territory of the special  
28 representative, the force commander and members of ECOMOG.  
29 ECOMOG undertakes to keep the government informed of such

1 movements."

2 So, Mr Taylor, under this agreement your government was  
3 given notice of the movement of the special representative, the  
4 force commander and members of the ECOMOG into and out of  
15:43:43 5 Liberia, correct?

6 A. Yes, that is correct. We have to look at what that  
7 movement means, but you haven't asked, but that is correct. But  
8 movement refers to something else. I don't know if we want to  
9 get into that, but --

15:43:59 10 Q. Actually I think there's a later entry that also talks  
11 about movement. But let's go to number 11 on right side of this  
12 page, please:

13 "The special representative or the force commander shall  
14 issue to each member of ECOMOG before or as soon as possible  
15:44:21 15 after such member's first entry into the territory, as well as to  
16 all service personnel, a numbered ECOMOG identity card, which  
17 shall show full name, date of birth, title or rank, service (if  
18 appropriate) and photograph."

19 Then, Mr Taylor, if we look at number 12:

15:44:47 20 "Members of ECOMOG as well as service personnel shall be  
21 required to present, but not to surrender, their ECOMOG identity  
22 card upon demand by any such official of the government."

23 So, Mr Taylor, they were required to carry a distinct  
24 identity card, correct?

15:45:09 25 A. That is correct.

26 Q. And they were required to show that on demand to any such  
27 official of the government, correct?

28 A. That is correct.

29 Q. And then if we look at the bottom of the page, "Uni forms

1 and arms," under number 14:

2 "Military members of ECOMOG operations shall wear, while  
3 performing official duties, the national military or police  
4 uniform of their respective states with standard ECOWAS  
15:45:42 5 accoutrements."

6 Then if we look at the last part of that paragraph:

7 "Military members of ECOMOG and such civilian personnel as  
8 may be designated by the force commander may possess and carry  
9 arms while on duty in accordance with their functions."

15:46:14 10 So, Mr Taylor, while they were on duty they were required  
11 to wear the uniforms of their respective states, correct?

12 A. That is correct.

13 Q. And the force commander could designate those persons who  
14 could carry arms while on duty, correct?

15:46:32 15 A. That is correct.

16 Q. Mr Taylor, was that in any type of coordination with your  
17 government in terms of determining who could carry weapons while  
18 they were on duty?

19 A. Well, in a way. Once the agreement called for this, I  
15:46:50 20 would say it was in cooperation with my government, because  
21 that's what the agreement called for, so the actions that follow  
22 are in line with what is expected, so I would say yes.

23 Q. And then if we could please look at page 47 at the bottom  
24 of the page initially, please, the left-hand column. Here we  
15:47:35 25 see, "Article V, ECOWAS flags and vehicle markings". The  
26 paragraph that begins at the bottom of that left column:

27 "Vehicles, vessels and aircrafts of ECOMOG shall carry a  
28 distinctive ECOWAS identification which shall be notified to the  
29 government."

1           So this identification of these vehicles, vessels and  
2 aircraft was notified to your government, correct?

3       A.     Yes.

4       Q.     "All vehicles shall be conspicuously marked and numbered  
15:48:16 5 for the purpose of identification. ECOMOG will give records of  
6 all vehicles to the government."

7           So your government also had records of all of these ECOMOG  
8 vehicles, correct?

9       A.     No, I wouldn't say - I wouldn't put it that way, counsel.  
15:48:31 10 That's what the agreement called for, but in most cases things  
11 happened rapidly and most of these little things were not  
12 implemented, neither were they challenged. For example, if  
13 ECOMOG, say, brought in on an emergency basis vehicles, they  
14 didn't, you know, rush to mark them. There were a lot of little  
15:48:55 15 things that are called for in here but were not really  
16 implemented but didn't cause any real problems.

17       Q.     Mr Taylor, once those immediate emergencies were over, then  
18 you were given the notice, yes?

19       A.     I can't say for sure that there was a follow-up. The  
15:49:15 20 defence people, you know, were dealing with these matters and in  
21 most of these cases little minor hiccups here and there were  
22 settled between and amongst military personnel. So I can't say  
23 for sure whether they were corrected, but I do know there were  
24 little hiccups along the way.

15:49:35 25       Q.     Mr Taylor, if we look at "Article VI, Communications" under  
26 number 1:

27           "ECOMOG shall enjoy the facilities in respect of  
28 communications provided for in the convention only for the  
29 purpose of executing its task."

1           So that's a limitation in respect of enjoying the  
2 facilities in respect of communications, yes?

3       A.     Yes, but, you know, that's an impractical situation,  
4 counsel. It's in the agreement but how - the Government of  
15:50:05 5 Liberia did not have any means of being able to intercept every  
6 communication to determine that ECOMOG was violating the  
7 agreement. So that was not possible.

8       Q.     And if we look at paragraph 2:

9           "Subject to the provisions of paragraph 1 above: ECOMOG  
15:50:27 10 shall have authority to install and operate radio sending and  
11 receiving stations as well as satellite systems to connect  
12 appropriate points within the territory with each other and with  
13 ECOWAS, UN and OAU officials in other countries, and to exchange  
14 traffic with their communications network."

15:50:52 15           So those were the privileges, the authority that they had,  
16 yes, Mr Taylor?

17       A.     That is correct.

18       Q.     Then if we look at the following paragraph, the last few  
19 lines:

15:51:06 20           "And the frequencies on which any such station may be  
21 operated shall be decided upon in cooperation with the  
22 government."

23       A.     Yes.

24       Q.     So, Mr Taylor, it was a cooperative effort to determine  
15:51:20 25 what frequencies could be used?

26       A.     Yes, that was the intent of the agreement. Now --

27       Q.     And the government had notice of those frequencies because  
28 it was in cooperation with the government, yes?

29       A.     Not all of the frequencies. We had notice of some



1 frequencies, but it's possible that ECOMOG operated on  
2 frequencies other than, because these are simple frequencies.

3 Q. Then, Mr Taylor, if we look at B:

4 "ECOMOG shall enjoy, within the territory, the right to  
15:51:53 5 unrestricted communication by radio (including satellite, mobile  
6 and handheld radio) telephone, telegraph, facsimile or any other  
7 means and of establishing the necessary facilities for  
8 maintaining such communications within and between the premises  
9 of ECOMOG, including the laying of cables and landlines and the  
10 repeater stations. The frequencies on which the radio will  
11 operate shall be decided upon in consultation with the  
12 government."

13 Yes, Mr Taylor?

14 A. That is correct.

15:52:33 15 Q. "It is understood that connections with the local system of  
16 telegraphs, telex and telephones shall be made in consultation  
17 with the government."

18 So once again we have this requirement under the agreement  
19 for consultation with your government, yes, Mr Taylor?

15:52:50 20 A. It's a requirement, yes.

21 PRESIDING JUDGE: Ms Hollis, I hesitate to interrupt but  
22 we've been sitting here listening to you read this document  
23 article by article and asking Mr Taylor, "Yes, Mr Taylor",  
24 et cetera. Most of which he hasn't disagreed with. We're just  
15:53:06 25 wondering if there's a point to this and whether you might get to  
26 the point.

27 MS HOLLIS: Yes.

28 PRESIDING JUDGE: Because simply reading passages of  
29 something that's already an MFI is not really taking the case

1 forward.

2 MS HOLLIS: I wanted to go through these provisions, Madam  
3 President, because they lead to the point I am making and that is  
4 the limitations on ECOMOG as of 5 June 1998 which meant that  
15:53:36 5 their movements were known by the government, their frequencies  
6 and other things were known by the government --

7 PRESIDING JUDGE: Ms Hollis, if there's a question arising  
8 out of this document - a proper question - I don't mean a  
9 question like, "Mr Taylor, do you see article this", but if  
15:53:53 10 there's a question arising out of this document that you want to  
11 put to the witness, please put the question.

12 MS HOLLIS: Madam President, I will do that and if the  
13 witness asks what I'm talking about then I will return to the  
14 document.

15:54:08 15 PRESIDING JUDGE: That's a good way to proceed.

16 MS HOLLIS:

17 Q. Now, Mr Taylor, it is correct, is it not, that also under  
18 this agreement your government had to be informed of the movement  
19 of ECOMOG within your country?

15:54:36 20 A. That is correct.

21 Q. And so there had to be advance notice for the movement of  
22 ECOMOG within your country, advance notice made to your  
23 government, correct?

24 A. That is correct.

15:54:49 25 Q. And indeed in deploying its troops in your country, ECOMOG  
26 had to collaborate with your government. Isn't that correct?

27 A. Well, I wouldn't - by collaborating on deployment, while it  
28 says collaboration there, the details of such collaboration - all  
29 ECOMOG had to do was say we are deploying in a particular area.

1 Now, what strategies and all these things they did not have to  
2 report and in many cases, like I said before, some of these  
3 points were never really carried out to the letter of the law as  
4 it's mentioned here. But as long as there was no controversy we  
15:55:30 5 just moved on smoothly. That's what I told you before.

6 Q. Indeed, Mr Taylor, these deployments were with notice of  
7 your government, as you just said, correct?

8 A. To a great extent, yes.

9 Q. Mr Taylor, this agreement that you entered into also  
15:55:45 10 required as a part of the agreement that the special  
11 representative, the force commander and the government would all  
12 take appropriate measures to ensure close and reciprocal liaison  
13 at every appropriate level, yes?

14 A. That is correct.

15:55:59 15 Q. So, Mr Taylor, this agreement that was entered into on 5  
16 June 1998 was an agreement by which your government received  
17 notice of virtually everything that ECOMOG did. Isn't that  
18 correct?

19 A. I wouldn't say - no, that would be - I would disagree with  
15:56:21 20 that proposition.

21 Q. And it was an agreement which required ECOMOG to be very  
22 conspicuously marked in your country. Isn't that right?

23 A. That's what - that is correct. That's what the agreement  
24 said, yes.

15:56:35 25 Q. And this agreement of 5 June 1998 was basically a written  
26 agreement which memorialised the method of operation of ECOMOG in  
27 your country from very early on. Isn't that right?

28 A. Well, I wouldn't generalise it in that way. As the  
29 proposition is put, I would disagree.

1 Q. From the time of your Councils of State, ECOMOG was  
2 required to give notice of various things such as movements,  
3 wasn't it?

4 A. I don't recall a Status of Forces Agreement between the  
15:57:19 5 Council of State and ECOMOG.

6 Q. That wasn't my question, Mr Taylor. As of the time of the  
7 Councils of State, ECOMOG was required to give notice of its  
8 movements to the council. Isn't that correct?

9 A. That is not correct.

15:57:33 10 Q. And it was also required to give notice of deployments of  
11 its troops. Isn't that correct?

12 A. That is not correct.

13 Q. Indeed, Mr Taylor, the ability for ECOMOG to function  
14 independently was very restricted during its time in Liberia.  
15:57:49 15 Isn't that correct?

16 A. That is not correct.

17 Q. Mr Taylor, you have talked to this Court about Sam  
18 Bockarie's presence in Liberia. And we are finished with that  
19 exhibit, thank you.

15:58:06 20 A. That is correct.

21 Q. And you have told this Court about Sam Bockarie's presence  
22 in your country beginning in December 1999 when Sam Bockarie came  
23 with members of the RUF to Liberia, yes, Mr Taylor?

24 A. No, that's not my - that's not my evidence before this  
15:58:33 25 Court. My evidence before this Court is that Sam Bockarie first  
26 came to Liberia in September 1998.

27 Q. Mr Taylor, I'm talking about when Sam Bockarie actually  
28 leaves the RUF and comes to Liberia with several hundred of his  
29 men?

1 A. Okay. Now that's your question, but that was not your  
2 original question.

3 Q. December 1999, yes?

4 A. Now this is your question. I agree, December 1999 when he  
15:59:02 5 finally moves into Liberia, yes.

6 Q. Because in fact, of course, Mr Taylor, Sam Bockarie first  
7 comes to visit you in Liberia in February or early March 1998.  
8 Isn't that correct?

9 A. We disagree.

15:59:14 10 Q. Now, Mr Taylor, you have also told this Court that Sam  
11 Bockarie came to your country with the knowledge - and here I'm  
12 talking about his leaving the RUF and coming to your country in  
13 December 1999 - that this happened with the knowledge of  
14 President Kabbah of Sierra Leone, yes?

15:59:38 15 A. Of course Kabbah knew.

16 Q. And that he was in agreement with this?

17 A. Well, Kabbah was not consulted. They didn't take his  
18 agreement. I said but he knew. But I would disagree that it was  
19 done with his - his participation, where we're leading, no, it  
16:00:00 20 did not take his agreement.

21 Q. Was he in agreement with Sam Bockarie coming to Liberia  
22 with his men in December 1999?

23 A. I don't know. He was told that Sam Bockarie will be  
24 moving. ECOWAS was told and everybody else, so I --

16:00:20 25 PRESIDING JUDGE: Excuse me, Mr Taylor, who told President  
26 Kabbah that Sam Bockarie was moving?

27 THE WITNESS: I told him. Obasanjo told him.

28 MS HOLLIS:

29 Q. And when you told him this you didn't ask for his response

1 to that?

2 A. We did not ask for his acquiescence. We told him what the  
3 decision had been because he was a party to this - he was a party  
4 to the conflict, and at that particular time within the RUF, once  
16:00:45 5 it had been agreed by Sankoh and ECOWAS, we told him what the  
6 decision was. We didn't ask. I didn't ask his opinion. I told  
7 him that we had had a meeting in Monrovia, that President  
8 Obasanjo had come over and we had met and we had decided, in the  
9 presence United Nations, a representative to Liberia, that the  
16:01:05 10 best way to move forward with the peace was for Sam Bockarie to  
11 be removed from Liberia and that's what I told him.

12 Q. And, Mr Taylor, is it your testimony that while Sam  
13 Bockarie was in Liberia, you kept President Kabbah apprised of  
14 his presence in Liberia?

16:01:27 15 A. I didn't have to. No, I'm not - that's not my testimony to  
16 this Court.

17 Q. And, Mr Taylor, while Sam Bockarie was in Liberia, the  
18 Government of Sierra Leone made requests that he be returned to  
19 Sierra Leone, didn't it?

16:01:41 20 A. At some level, yes. My Foreign Minister did tell me that -  
21 I think he had spoken to someone and President Kabbah had said  
22 that he wanted Sam Bockarie returned to Sierra Leone and the  
23 position of the Government of Liberia was no.

24 Q. Actually, Mr Taylor, on 28 January 2001 you had a telephone  
16:02:09 25 conversation with President Kabbah in which it was discussed  
26 handing Sam Bockarie over to Sierra Leone. Isn't that correct?

27 A. I said the position of the government was no. Yes.

28 Q. And, indeed, after that telephone conversation, President  
29 Kabbah sent you a letter on this subject. Isn't that right?

1 A. That is correct.

2 Q. And the letter was dated --

3 PRESIDING JUDGE: Wait, wait, Ms Hollis. The witness did  
4 not answer the question relating to the telephone conversation,  
16:02:38 5 whether or not in fact they had a telephone conversation. He  
6 answered a totally different question that you never asked.

7 I would like an answer to that question, Mr Taylor, whether  
8 on 28 January 2001 you had a telephone conversation with  
9 President Kabbah in which it was discussed that you would hand  
16:03:00 10 over Sam Bockarie to Sierra Leone. Did you have a telephone  
11 conversation?

12 THE WITNESS: Yes, I did have a telephone - I don't  
13 remember the date, but I did have a - President Kabbah and I did  
14 talk about the Sam Bockarie issue and the possibility of sending  
16:03:15 15 him back to Sierra Leone. And in that conversation, I did  
16 reiterate that that would not happen. We did, your Honour.

17 MS HOLLIS:

18 Q. Indeed, Mr Taylor, following this conversation he sent you  
19 a letter, did he not, on the same subject?

16:03:29 20 A. Yes.

21 Q. Sam Bockarie's return to Sierra Leone?

22 A. That is correct.

23 Q. And in that letter to you, dated 29 January 2001, he raised  
24 with you a statement that your Foreign Minister was reported to  
16:03:47 25 have made about Sam Bockarie's continued presence in Liberia,  
26 yes?

27 A. That is correct.

28 Q. And, indeed, your Foreign Minister was reported to have  
29 made this statement in New York, yes?

1 A. That is correct.

2 Q. And the statement that President Kabbah raised with you was  
3 the statement that Sam Bockarie's continued stay in Liberia was  
4 because the Sierra Leone government had failed to request their  
16:04:20 5 surrender. Yes, Mr Taylor?

6 A. That's the alleged statement by my Foreign Minister. I  
7 recall reading about that, yes.

8 Q. And it was that not just that was the reason Sam Bockarie  
9 continued to stay in Liberia, but also that was the reason that  
16:04:38 10 other high ranking RUF continued to stay in Liberia. Yes,  
11 Mr Taylor?

12 A. Like I said, that's an alleged statement. I'm not sure if  
13 that's what the Foreign Minister said.

14 Q. And in the letter that he sent to you, President Kabbah  
16:04:52 15 went on to remind you that this was not correct, that is, it was  
16 not correct to say Sierra Leone had failed to request that these  
17 people be returned. Yes, Mr Taylor?

18 A. I don't remember the details of the letter, Ms Hollis. I  
19 say I did receive a letter, yeah. I don't remember the  
16:05:15 20 word-for-word in the letter.

21 Q. You remember that he reminded you of the mutual  
22 non-aggression security treaty --

23 A. Yes.

24 Q. -- that existed between your two governments since 1986?

16:05:27 25 A. Not just the two governments, yes. By the Mano River Union  
26 countries, yes.

27 Q. And he reminded you that this treaty imposed an obligation  
28 on you to take all measures necessary to surrender persons who  
29 threatened the security of any member state, yes?



1 A. That is correct.

2 Q. And he also reminded you that the Government of  
3 Sierra Leone had reiterated those positions to you at a meeting  
4 between you, President Conte and President Kabbah in Bamako. He  
16:06:00 5 reminded you of that, yes, Mr Taylor?

6 A. That's the Mano River, yes.

7 Q. He reminded you that this was a meeting under the auspices  
8 of President Konare, yes?

9 A. Yeah, but Kabbah and I disagreed about his interpretation  
16:06:15 10 of that provision. Someone that threatened. In the opinion of  
11 the Government of Liberia and those that arranged for Sam  
12 Bockarie to come, he posed no threat to the Government of  
13 Sierra Leone. I remember the discussion very well. There was  
14 disagreement.

16:06:30 15 Q. And, indeed, President - at this meeting in Bamako,  
16 President Kabbah told you that he had expected the Government of  
17 Liberia to comply with its obligations under the treaty, yes?

18 A. He was wrong. I remember that. He was wrong.

19 Q. And by that he meant he had expected you to surrender Sam  
16:06:45 20 Bockarie and the other members of the RUF in your country, yes?

21 A. Yes.

22 Q. And in this letter that he sent to you he again asked you  
23 to comply with the treaty obligations, yes?

24 A. Yes. That was his interpretation, yes. He had it wrong.

16:07:04 25 Q. And to surrender these people to Sierra Leone?

26 A. That is correct.

27 Q. And - so, Mr Taylor, it was very clear to you what the  
28 position of the Government of Sierra Leone was, correct?

29 A. That was their position and they were - it was very clear

1 what the Government of Liberia's position was at the time and our  
2 interpretation of the agreement.

3 Q. Now, Mr Taylor, had your Foreign Minister made the  
4 statement that Sam Bockarie and the others were not returned  
16:07:31 5 because the Government of Sierra Leone had not requested it?

6 A. I can't recall in those exact words. I don't know what the  
7 Foreign Minister said because the Liberian government at the time  
8 had not established any formal policy where the Foreign Minister  
9 was pronounced, because when he speaks, it's a policy. I had  
16:07:55 10 told President Kabbah that under the agreement, Sam Bockarie did  
11 not threaten Sierra Leone. And since Sam Bockarie's entry in  
12 Liberia was an ECOWAS decision, that there was no way that he was  
13 going to be repatriated. That was the position of the Government  
14 of Liberia. And ECOWAS did not agree because - did not disagree  
16:08:17 15 because if they had disagreed, that issue would have been  
16 discussed. But there were two positions and a disagreement  
17 between us.

18 Q. So, Mr Taylor, your interpretation of that provision was  
19 that you could decide whether Sam Bockarie was a threat to Sierra  
16:08:35 20 Leone?

21 A. No, no, no, no, no. That's - no, counsel. No, that was  
22 not my interpretation. My own position on this with other  
23 members of ECOWAS, President Kabbah knowing that an agreement had  
24 been put together and that Sam Bockarie, in violation of that  
16:08:55 25 agreement, arrangements had been made for his repatriation to  
26 Liberia in line with Foday Sankoh who was present in the meeting.  
27 To come back and ask Liberia to turn Sam Bockarie over was only  
28 to invite confusion, and so the position of the Government of  
29 Liberia, which we reiterated to other ECOWAS member states that

1 agreed, because like I said, President Obasanjo was present and  
2 Nigeria helped with this particular arrangement to remove Sam  
3 Bockarie, that it was impractical - in fact, misguided for Kabbah  
4 to request that Sam Bockarie be turned over and that I wouldn't  
16:09:35 5 do it.

6 Q. Mr Taylor, this arrangement for Sam Bockarie to come to  
7 Liberia in December 1999, this was your idea, wasn't it?

8 A. I participated in that discussion. It was part of a  
9 proposal made by me to other colleagues in ECOWAS. The best  
16:09:59 10 thing to do is to extract him from the process, just as Nigeria  
11 had extracted Foday Sankoh before.

12 Q. So it was your initiative that this happened. Isn't that  
13 right?

14 A. Well, I wouldn't say my initiative. It was a concerted  
16:10:15 15 effort. The President of Nigeria would not fly all the way from  
16 Nigeria to come to Monrovia to discuss Sam Bockarie if there was  
17 not general agreement on all sides, so I was a part of the  
18 process I would say. It was not solely, solely my idea.

19 Q. Mr Taylor, you had reached the conclusion that arrangements  
16:10:33 20 should be made to ensure Sam Bockarie and his immediate followers  
21 stay out of Sierra Leone. Isn't that right, Mr Taylor? You had  
22 reached that conclusion?

23 A. I had reached that - a conclusion that if Sam Bockarie  
24 continued to pose a threat to peace, everything should be done to  
16:10:54 25 remove him from the process. I was a part of that decision.

26 Q. And in fact it was after you had reached this conclusion  
27 that you appealed to President Obasanjo and others to assist you  
28 in carrying this out. Isn't that right?

29 A. I would disagree with your proposition. That presupposes

1 that these people are so weak and foolish that they had to  
2 succumb to - no, I would disagree, counsel.

3 Q. And in fact President Obasanjo, it was simply a stopover at  
4 Roberts International Airport when you relayed to him this  
16:11:28 5 conclusion that you had reached. Isn't that right?

6 A. Totally, totally, totally not right. No. Obasanjo planned  
7 this meeting. It was planned. It was not just a stopover. It  
8 was planned. Foday Sankoh flew from Freetown. Bockarie came.  
9 Obasanjo came. No, there was not a stopover, no. It was a  
16:11:52 10 planned meeting to resolve this issue finally.

11 Q. And President Obasanjo, after you told him of your  
12 conclusion and your initiative, President Obasanjo welcomed your  
13 initiative, correct?

14 A. Yes. Well, again you asked me several questions and I just  
16:12:10 15 don't want to rush like this. Obasanjo, we had been discussing  
16 this, and he comes in and we sit and discuss. And throwing ideas  
17 around, we concluded that this was the appropriate thing to do.

18 Q. If we --

19 A. Along with the UN too.

16:12:32 20 Q. If we could please look again at MFI-119, which is DCT-2,  
21 please. We see, Mr Taylor, that this is one of the code cables  
22 from RSG Downes-Thomas to Prendergast dated 22 December 1999,  
23 "Discussions on Sierra Leone, Liberia-Guinea relations and the  
24 MRU summit". And in paragraph 1, Mr Taylor, you will see that  
16:14:04 25 your Foreign Minister shared information about talks between you  
26 and Obasanjo during President Obasanjo's stopover at Roberts  
27 International Airport on Monday, 21 December 1999. Yes?

28 A. Yes.

29 Q. So it was a stopover at Roberts International Airport

1 that --

2 A. Again I don't want to argue with you about - I don't know  
3 what your interpretation of stopover is, but there was a planned  
4 meeting and he had to stop there, so.

16:14:36 5 Q. Then, Mr Taylor, if we look under "Sierra Leone":

6 "On the issue of the peace process in Sierra Leone,  
7 President Taylor informed his guest that he had been engaged in  
8 resolving the problems between Foday Sankoh and Sam Bockarie."

9 Then if we move down a few more sentences, Mr Taylor:

16:14:58 10 "He had thus reached the conclusion that arrangements  
11 should be made to ensure that Sam Bockarie and his immediate  
12 followers stay out of Sierra Leone until the end of the  
13 disarmament process."

14 Then it indicates that you also said that these

16:15:18 15 arrangements would entail substantial expenditures that Liberia  
16 alone could not shoulder and you appealed to President Obasanjo  
17 and other leaders to assist your country in meeting the  
18 challenge. Then, Mr Taylor, according to this, President  
19 Obasanjo welcomed your initiative and promised to approach other  
16:15:41 20 colleagues in the region to solicit their support. So that was  
21 the tenor of the conversation between you and President Obasanjo.  
22 Isn't that right, Mr Taylor?

23 A. Well, we have some disagreements here. Not about the  
24 contents, but I would not fully agree with your proposition.

16:16:01 25 Here is my Foreign Minister explaining to the special  
26 representative what happened. But the conversation between  
27 Obasanjo and myself is not stated verbatim here, so I would not  
28 say according to your proposition that you are fully right. This  
29 is how officials are interpreting these discussions. But

1 remember we had argued about me being the point President or not  
2 the point President, but if you see here on the third line where  
3 it says "my assessment", so these are colleagues exchanging  
4 ideas. So Obasanjo agrees that, "Okay, fine, I think your work,  
16:16:39 5 your initiatives, I think we can go along with this" and we begin  
6 to push it to see that it gets done, so.

7 Q. Mr Taylor, you were bringing Sam Bockarie into Liberia for  
8 purposes other than peace in Sierra Leone. Isn't that correct?

9 A. That is not correct, counsel.

16:16:57 10 Q. And you were simply using this as an opportunity to have a  
11 public position that would give you plausible deniability. Isn't  
12 that right?

13 A. That is not correct. It was easy for Obasanjo to say,  
14 "Well, listen, I'll take him to Nigeria tomorrow. I'll take him  
16:17:19 15 to Nigeria." So I disagree with your proposition.

16 Q. Now, Mr Taylor, we've talked about your role in the release  
17 of the United Nations peacekeepers who were taken hostage in  
18 Sierra Leone. And it was a very prominent role in arranging for  
19 their release, yes?

16:17:37 20 A. Which UN - what time? Because there were two incidences  
21 of --

22 Q. These are the ones that were taken by the RUF?

23 A. Okay.

24 Q. Resulting in their release?

16:17:48 25 A. Yes. Yes, 2000. Yes.

26 Q. Yes, in 2000. And, in fact, your role in the release of  
27 these UN peacekeepers was recognised by the UN special envoy for  
28 Sierra Leone, wasn't it? And by that I mean Special Envoy  
29 Adeniji. He recognised your contribution, didn't he?

1 A. I would say yes. The Secretary-General did.

2 Q. And Special Envoy Adeniji visited you in Monrovia in  
3 connection with the release of these peacekeepers, didn't he?

4 A. Yes, he did come to Monrovia.

16:18:26 5 Q. And indeed, in regarding the initial release of 139 of  
6 these peacekeepers, a 16 May article quotes Special Envoy Adeniji  
7 as saying that, "Whatever you might think of the role of  
8 President Charles Taylor in the Sierra Leone crisis, you have to  
9 admit he is playing a positive role." So he certainly gave you  
16:18:53 10 credit for this. Isn't that right, Mr Taylor?

11 A. That's possible - yes, I would say yes.

12 Q. And the hostages were released unconditionally, yes?

13 A. That is correct.

14 Q. But in your talks with the special envoy, you indicated  
16:19:09 15 that you wanted an immediate cessation of hostilities. Isn't  
16 that correct?

17 A. That is correct.

18 Q. And you indicated that the lives of the remaining hostages  
19 would be at risk if the pro-government forces continued pushing  
16:19:24 20 the rebels out of the areas that they had taken. Yes, Mr Taylor?

21 A. That is correct.

22 Q. And you do recall that at the time that these peacekeepers  
23 were taken hostage, the RUF had actually moved into the areas  
24 around Masiaka. Do you remember that, Mr Taylor?

16:19:45 25 A. I don't know the different positions in Sierra Leone where  
26 they were.

27 Q. And indeed Masiaka is an important junction town in Sierra  
28 Leone, isn't it, Mr Taylor?

29 A. I have no idea. I don't know Sierra Leone that well.

1 Q. Mr Taylor, when you were talking with the special envoy you  
2 actually mentioned the Masiaka situation with him, did you not?

3 A. I could have based on his statements to me and the issue  
4 was we have people in captivity, there's no point in attacking,  
16:20:20 5 you could even kill them. And if I mentioned it at that time  
6 it's based on maybe his explanation. My answer to you is that I  
7 don't know the geography of Sierra Leone to determine as to  
8 whether it is an important junction.

9 Q. But actually, Mr Taylor, you specifically mentioned the  
16:20:39 10 case of Masiaka to the special envoy. Isn't that right?

11 A. I very well could have. I don't quite recall. I very well  
12 could have.

13 Q. Mr Taylor, you also knew that at the time that the rebels -  
14 the RUF had moved in and taken this area around Masiaka that they  
16:20:58 15 had been committing crimes against civilians in that area. Isn't  
16 that right?

17 A. Counsel, I was not dealing with the activities in Sierra  
18 Leone following the 1999 agreement on a day-to-day basis, so I  
19 will disagree with your proposition.

16:21:18 20 Q. Mr Taylor, an immediate ceasefire at the time you proposed  
21 it would have left the RUF in control of the territory around  
22 Masiaka. Isn't that correct?

23 A. An immediate - wherever they were, an immediate ceasefire  
24 would have left them there.

16:21:36 25 Q. And indeed that would have meant increasing the territory  
26 that was held by the RUF. Isn't that correct?

27 A. I'm not going to speculate. I would disagree with your  
28 proposition.

29 Q. And also, Mr Taylor, had the RUF been left in place in



1 Masiaka, that would have put them much closer to the capital of  
2 Freetown, wouldn't it?

3 A. I disagree with your proposition.

4 Q. And it would have given a larger buffer zone between the  
16:22:03 5 diamond areas and the government-held territories. Isn't that  
6 correct, Mr Taylor?

7 A. I don't know what is going on. Your proposition, maybe you  
8 could very well be correct, but I disagree that that was foremost  
9 on my mind. I was mostly concerned about the lives of the  
16:22:21 10 hostages. So I disagree with the proposition as you put it. I'm  
11 not saying that the positions are far or near, I'm just  
12 disagreeing with the logic of your proposition as put.

13 Q. And actually, Mr Taylor, you were well aware of the  
14 importance of Masiaka, weren't you?

16:22:41 15 A. I was not.

16 Q. And that's why you were the one who specifically mentioned  
17 Masiaka to the special envoy?

18 A. No, that is totally incorrect. If I mentioned it - which I  
19 can't recall, I very well could have - it had to do with the  
16:22:56 20 location of the hostages and making sure that it made sense that  
21 while people are in captivity in an area you don't go about  
22 shooting, because bullets don't have names on them. So foremost  
23 on my mind was the lives of the hostages. I was not concerned  
24 with the geography or - as far as I was concerned, the period in  
16:23:19 25 question there's one government in Sierra Leone headed by Ahmad  
26 Tejan Kabbah.

27 Q. Mr Taylor, you wanted to use this situation as an  
28 opportunity to give the rebels control closer to Freetown. Isn't  
29 that right?

1 A. That's not correct.

2 Q. And to give a wider buffer zone between their areas and the  
3 government-controlled area?

4 A. That's not correct. I disagree.

16:23:45 5 Q. Now, indeed the Secretary-General was against allowing the  
6 rebels such a gain, wasn't he?

7 A. I don't think the Secretary-General ever reiterated that he  
8 wanted the fighting to continue. I don't know whatever statement  
9 he made about gains or whatever. To my recollection, there was  
16:24:07 10 no conversation between the Secretary-General and myself or  
11 between any of his representatives that said that the fighting  
12 should continue irrespective of the presence of the hostages in  
13 whatever areas they are. So I disagree with you.

14 Q. Indeed, Mr Taylor, the Secretary-General's position was  
16:24:25 15 that all of Sierra Leone should be brought under government  
16 control?

17 A. That was my position too.

18 Q. Mr Taylor, you also talked about these peacekeepers and the  
19 release of the peacekeepers and that they came to Liberia. Yes,  
16:24:47 20 you remember talking about that?

21 A. That is correct, yes.

22 Q. On 19 August your Defence counsel asked you questions  
23 regarding the testimony of a Prosecution witness, TF1-338, and  
24 that number needs to be used because it is a protected witness.  
16:25:09 25 TF1-338. He referred you to testimony of this witness including  
26 the witness referring to the freeing of the peacekeepers held in  
27 the RUF and the Defence counsel read you the testimony of the  
28 witness that freed Zambians were brought from Foya to Monrovia by  
29 helicopter to meet with you. Mr Taylor, do you recall your

1 Defence counsel referring to you that testimony?

2 A. Yes, I have some recollection of that.

3 Q. That was on 19 August?

4 A. Yes.

16:25:47 5 Q. And that was initially at page 27173 and then 27182 and  
6 27183, Mr Taylor?

7 A. Did you understand me, counsel, to say I have no  
8 recollection? I said I do have recollection of that.

9 Q. All right. Good. Thank you, Mr Taylor. And do you recall  
16:26:10 10 your response when you were asked about this passage and you were  
11 asked, "Did you meet with these freed peacekeepers?" Do you  
12 remember your response to that, Mr Taylor?

13 A. Not precisely, but I did respond to that.

14 Q. Mr Taylor, you did respond to that and you responded to  
16:26:33 15 that on pages 27182 and 27183 and perhaps I can refresh your  
16 recollection. You said, "I did not meet with them. I did not.  
17 He doesn't know." Then you were asked --

18 PRESIDING JUDGE: Yes, Mr Anyah, you are on your feet.

19 MR ANYAH: Yes, Madam President. For matters that are  
16:26:58 20 really not in contention it seems to us acceptable practice if  
21 learned counsel opposite might paraphrase the text or repeat it  
22 without citing the relevant page number, but when it comes to an  
23 issue that very well might be disputed by Mr Taylor we would  
24 propose that the proper practice would be to have the page  
16:27:21 25 brought up before the witness and have everybody on the same page  
26 when learned counsel reads what Mr Taylor is alleged to have said  
27 previously.

28 PRESIDING JUDGE: Are you requesting that these pages now  
29 be put on the overhead?

1 MR ANYAH: Yes, Madam President.

2 PRESIDING JUDGE: I thought that Ms Hollis was trying to  
3 save time and that Mr Taylor had no problem with the way that  
4 Ms Hollis was proceeding. Mr Taylor, would you like to see these  
16:27:53 5 pages on the overhead?

6 THE WITNESS: Of course since she is reading them - excuse  
7 me, not she. Since Ms Hollis is reading them I would like to see  
8 them because I had said before that I had no disagreement with  
9 how she was proceeding, but since she's going to read, I think it  
16:28:11 10 would be fair for me to see what she is reading.

11 PRESIDING JUDGE: Then so be it.

12 MS IRURA: Your Honour, if counsel could indicate the pages  
13 because TF1-338 testified from 1 September to 5 September 2008  
14 and the transcript reference counsel has given is 19 August.

16:28:44 15 MR ANYAH: This might be of assistance. This particular  
16 witness testified before the summer recess. We commenced his  
17 evidence before the summer recess in 2008 and recommenced it  
18 after the summer recess. It was an unusual circumstance, and  
19 that's why the transcript might be in two different months.

16:29:05 20 MS HOLLIS: The reference to which I was referring is the  
21 19 August 2009 direct examination of Mr Taylor where his Defence  
22 counsel puts this to him.

23 PRESIDING JUDGE: But that's what I thought as well.

24 MS HOLLIS: That was my page reference. 27182, 27183, 19  
16:29:27 25 August.

26 PRESIDING JUDGE: You are not referring to the testimony of  
27 338 as such.

28 MS HOLLIS: No. I'm referring to the Defence counsel's  
29 request which does refer Mr Taylor back to that evidence. And

1 then the follow-on question of Defence counsel asking Mr Taylor  
2 if he did meet with these peacekeepers. So we are now at 27182:  
3 Q. And, Mr Taylor, line 24 is, "Well, did you," in relation to  
4 meeting with them, and you say, "I did not meet with them. I did  
16:30:27 5 not. He doesn't know." And then there's another question about  
6 who took custody of them after they were brought to Foya, and you  
7 indicate that:

8 "A United Nations chapter [sic] was flown to Foya, took  
9 them and flew them straight to the airport in Monrovia" - next  
16:30:51 10 page - "at Spriggs" --

11 PRESIDING JUDGE: That was a United Nations chopper. You  
12 said chapter.

13 MS HOLLIS:

14 Q. "A United Nations chopper was flown to Foya, took them and  
16:31:07 15 flew them straight to the airport in Monrovia at Spriggs Payne  
16 Airport. I did not meet them in little pieces and groups and  
17 different things. No, I didn't meet them."

18 Do you recall telling the Court that, Mr Taylor?

19 A. That is correct.

16:31:18 20 Q. But, in fact, Mr Taylor, you did meet with some of those  
21 released peacekeepers, didn't you?

22 A. Yes, some of those, yes. The specific incident here, you  
23 are referring to the Zambian peacekeepers and I did meet some of  
24 the peacekeepers, but they were from different countries. And I  
16:31:39 25 would say I didn't meet them in little pieces. That's what I'm  
26 explaining.

27 Q. Indeed, Mr Taylor, among those peacekeepers that you met  
28 were at least one freed Zambian peacekeeper, correct?

29 A. Ms Hollis, I can't - I can't recall it that way, to say

1 that amongst the group there was one or two - I don't recall it  
2 that way. As the peacekeepers were released, I do not - I don't  
3 even remember which - in fact, they were not released by  
4 countries. They were released by groups. And so - but I did not  
16:32:20 5 meet any group of Zambians during that particular time.

6 PRESIDING JUDGE: Mr Taylor, if you listen to the question,  
7 the answers would come easy. "Indeed, Mr Taylor, amongst the  
8 peacekeepers that you met were at least one freed Zambian  
9 peacekeeper, correct?" That is the question.

16:32:38 10 THE WITNESS: I can't - I can't - I can't say. I don't  
11 know.

12 MS HOLLIS:

13 Q. But you recall, Mr Taylor, having a meeting where you  
14 announced that some of the peacekeepers had been released?

16:32:54 15 A. Yes.

16 Q. And you indicated that 15 of the 139 had been flown to  
17 Monrovia as of the time you had this meeting. Do you remember  
18 that, Mr Taylor?

19 A. Yes.

16:33:03 20 Q. And you indicated that the remaining 124 were waiting to be  
21 evacuated from Foya. Do you recall that, Mr Taylor?

22 A. That is correct.

23 Q. And when you were making this announcement, indeed, a UN  
24 spokesman indicated that they were unaware of these reported  
16:33:21 25 releases. Do you remember that, Mr Taylor?

26 A. Yes.

27 Q. And, in fact, at this meeting when you made this  
28 announcement you actually introduced an Associated Press reporter  
29 to two peacekeepers. Isn't that right, Mr Taylor?

1 A. I don't recall doing that, no.

2 Q. And you told the reporter that they were a freed Kenyan and  
3 Zambian peacekeeper. Isn't that right, Mr Taylor?

4 A. I don't recall that.

16:33:52 5 Q. If we could look at tab number 6 in annex 1, please. This  
6 is a newspaper article "Over 130 UN captives set free by Sierra  
7 Leone rebels". We see at the very top that this is  
8 guardian.co.uk, Monday, 15 May 2000, "Over 130 UN captives set  
9 free by Sierra Leone rebels". And then, Mr Taylor, it talks  
16:35:06 10 about your statements and it says "last night", so this would  
11 have been on 14 May, about 15 of the 139 being flown by  
12 government chartered helicopter.

13 PRESIDING JUDGE: Mr Anyah, you are on your feet.

14 MR ANYAH: Yes, Madam President, I am. I have briefly  
16:35:30 15 reviewed the article and it seems to us that there are portions  
16 of it that certainly implicate the charges against Mr Taylor and  
17 may very well be ascribed to his guilt. That being the case, it  
18 seems that the Prosecution initially has to meet the two-part  
19 test that your Honours pronounced in your decision of 30  
16:35:49 20 November. The onus is on the Prosecution to justify the use of  
21 this document at this late stage of the proceedings.

22 In particular, just by way of example, there is in the  
23 document a sentence that reads - and it starts in the paragraph  
24 that starts with "West Africa and UN officials, including  
16:36:11 25 Secretary-General Kofi Annan's envoy". In the middle of that  
26 paragraph there is the statement: "Taylor, the region's closest  
27 ally to the Sierra Leone's Revolutionary United Front rebels."  
28 That is a conclusion in this article saying that Mr Taylor is the  
29 region's closest ally to the RUF. That is one instance where I

1 submit to you that it implicates the guilt of Mr Taylor and the  
2 Prosecution has to justify its use at this late stage.

3 PRESIDING JUDGE: Ms Hollis, please respond.

4 MS HOLLIS: Well, your Honours, we would ask you simply to  
16:36:54 5 ignore and not consider this clause, which is the only part of  
6 this that may come close to what the Defence counsel is arguing.  
7 We suggest that it is not probative of guilt. If it is, it is  
8 one clause that your Honours can ignore. It does not mean you  
9 cannot consider the other part of the article which is to impeach  
16:37:16 10 his earlier testimony, saying that he did not meet with these  
11 released peacekeepers and it points out that he himself  
12 introduced two men wearing new uniforms whom he said were freed  
13 Kenyan and Zambian peacekeepers. That's what we're using this  
14 article for, so disregard that clause. You can do that.

16:37:40 15 PRESIDING JUDGE: But you do agree it does go to guilt?

16 MS HOLLIS: Only that clause in a very broad sense, but  
17 certainly it does not taint the entire article. And we would  
18 simply ask you to disregard that clause, which you can certainly  
19 do. We're not asking you to use it. This relates purely to his  
16:37:58 20 meeting with these peacekeepers.

21 [Trial Chamber conferred]

22 PRESIDING JUDGE: We've looked at the document and we  
23 recall our decision of 30 November in which we emphasised that  
24 it's not the intended use of the article that's in question but  
16:39:37 25 rather its content. Now, we agree - well, by a majority, we  
26 agree with the Defence that the content of particularly this  
27 sentence does make the article capable of proving the guilt of  
28 the accused and that this is obviously a new article that is  
29 sought to be tendered by the Prosecution and we disagree that the



1 intended use of this document can simply be to impeach. The  
2 judges may well use it for proof of guilt if we so wish. Our  
3 hand are not tied in that regard. And we've not heard any  
4 arguments from the Prosecution justifying either that it's in the  
16:40:33 5 interest of justice to use this article or that, indeed, it will  
6 not prejudice the fair trial rights of the accused. And so we  
7 hold in favour of the Defence and uphold the objection that you  
8 cannot use the document.

9 MS HOLLIS: Madam President, before I move to another  
16:40:55 10 topic, may I ask that you mark for identification the documents  
11 that are at tab 49 of annex 1. This was referred to in my  
12 cross-examination. These are the documents relating to Swidler &  
13 Berlin, 1992-1993, in relation to its work for the NPRAG.

14 PRESIDING JUDGE: Mr Anyah, you are on your feet again.

16:41:28 15 MR ANYAH: Yes, Madam President. May I make an inquiry of  
16 learned counsel opposite? The last page of the document, at  
17 least what I have and what's been served on us, appears to be a  
18 newspaper article dated - and if you use the American date  
19 progression, it seems to be 11 December 1992. The title of the  
16:41:52 20 article is "Liberian ceasefire fails to take hold". I wonder if  
21 your Honours have the same version of the document I have.

22 PRESIDING JUDGE: Yes, we do under tab 49. It's part of  
23 the documents in tab 49. We do.

24 MS HOLLIS: We would ask that that document not be - that  
16:42:11 25 page not be included. So that it would be the forms to the  
26 Department of Justice and the facsimile letter from Swidler &  
27 Berlin and there should be 11 pages total. Those would be the  
28 pages we would ask that you mark for identification, Madam  
29 President.

1 MR ANYAH: Then we have no objection, Madam President.

2 PRESIDING JUDGE: The document as described by the  
3 Prosecution consisting of 11 pages is marked MFI-400.

4 MS HOLLIS: Thank you, Madam President:

16:43:26 5 Q. Mr Taylor, do you recall on 25 January we talked about  
6 restructuring of the Liberian armed forces?

7 A. Yes.

8 Q. And I suggested to you that you used militias because you  
9 refused to restructure the AFL in a timely manner. Do you recall  
16:43:47 10 that? And you said that was a blatant lie. Do you recall that,  
11 Mr Taylor?

12 A. Yes, I do.

13 Q. And I suggested that you did not trust the AFL. You did  
14 not trust the loyalty of the AFL. Do you remember that,  
16:43:57 15 Mr Taylor?

16 A. That is correct.

17 Q. And you responded that the AFL was loyal to the republic,  
18 not to the President. Do you remember that?

19 A. That is correct.

16:44:06 20 Q. Now, Mr Taylor, it's true that you were suspicious of the  
21 AFL, weren't you?

22 A. Yes. There was no AFL really. Yes.

23 Q. And during the time you were President, you used militias  
24 because of the suspicion of the AFL, isn't that true?

16:44:29 25 A. Well, I wouldn't say that's true, no.

26 Q. And indeed, Mr Taylor, you transferred most of the  
27 responsibilities of the army to these militia groups, didn't you?

28 A. I would disagree. There was no army in Liberia when I took  
29 over as President.

1 Q. Now, you did use some AFL, those you felt loyal to you,  
2 yes?

3 A. I wouldn't put it that way. I would disagree with the way  
4 you put it.

16:44:59 5 Q. And, Mr Taylor, you actually ran your militias out of the  
6 Executive Mansion, didn't you?

7 A. That is not correct.

8 Q. The Executive Mansion and White Flower, yes, Mr Taylor?

9 A. That is not correct.

16:45:12 10 Q. If we could please look at MFI-362 which is tab 55 in annex  
11 3. We see, Mr Taylor, this is the interview with Daniel Chea, "A  
12 political survivor". Then if we could look at page 2, please, of  
13 this article. The top of the page:

14 "What kind of a leader was this man who was elected by such  
16:46:09 15 a wide margin? Initially he was worshipped. A lot of people had  
16 high hopes for his administration. They thought that he could  
17 change things around for this country. But Mr Taylor had his own  
18 problems, his own suspicions, and one of those suspicions - and I  
19 thought this was a big mistake - was his suspicion of the  
16:46:33 20 military ... because of his own suspicion of the army, he decided  
21 to transfer most of the responsibility of the army into militia  
22 groups. I thought that was a mistake. And, of course, when the  
23 militia groups began to act disorderly the people began to reject  
24 them - they rejected the whole idea of not empowering the armed  
16:46:58 25 forces, which is a constitutional entity, and instead Taylor  
26 empowered militia forces."

27 So, Mr Taylor, it is correct, isn't it, that you  
28 transferred most of the responsibility of the army into these  
29 militia groups?

1 A. That is not correct. The way it's put here, no, it's not  
2 correct. There was no army.

3 Q. And it's also true, Mr Taylor, that these militia groups  
4 began to act in a disorderly fashion. Isn't that right?

16:47:27 5 A. I would disagree.

6 Q. It's also true that the people of Liberia rejected the idea  
7 of not empowering the armed forces?

8 A. I would disagree with who - whose opinion this is. I  
9 disagree with that.

16:47:40 10 Q. And indeed, Mr Taylor, you instead empowered your militia  
11 forces. Isn't that right?

12 A. I disagree.

13 Q. If we can look down to the next paragraph:

14 "You also have to understand that he (Taylor) had his own  
16:47:58 15 alibi. He created a wall around himself where he repeatedly  
16 denied his own involvement. I remember on many occasions when we  
17 met with American diplomats who told him, 'You are involved.' He  
18 said, 'I am not involved. If you have proof, bring it.' The  
19 Ministry of National Defence (Chea) did not get involved in the  
16:48:23 20 policies of other countries. We were involved in the defence of  
21 our own corridor. President Taylor had his own disjointed  
22 militia that he ran from his own mansion."

23 So, Mr Taylor, your Minister of Defence was speaking  
24 truthfully when he said that you ran your militias from your  
16:48:42 25 mansion. Isn't that right?

26 A. That is not right. In fact Daniel Chea is not my Minister  
27 of Defence at the time that he is talking this nonsense. That's  
28 total - I disagree.

29 Q. During your presidency he was your Minister of Defence,

1 yes, Mr Taylor?

2 A. During my presidency, but this interview is some two years  
3 after my presidency.

4 Q. During your presidency the security forces of Liberia -  
16:49:09 5 most of the members of those security forces were your former  
6 NPFL, weren't they?

7 A. I wouldn't say most. A lot of them were. All of the  
8 factions were involved.

9 Q. Indeed you had several thousand security forces in Monrovia  
16:49:29 10 and in the countryside. Isn't that right?

11 A. No, that's not correct.

12 Q. And all of these security forces were armed. Isn't that  
13 correct?

14 A. That is not correct.

16:49:35 15 Q. Indeed, Mr Taylor, you used these security forces in the  
16 September 1998 fighting against Roosevelt Johnson. Isn't that  
17 correct?

18 A. We used whatever we had, yes. September 1998, yes.

19 Q. And indeed in this fighting these security forces were  
16:49:52 20 augmented by other former NPFL. Isn't that true?

21 A. That is not - well, yes to an extent that is true. All  
22 forces fought, yes.

23 Q. Mr Taylor, it's true, is it not, that you would only place  
24 your personal security in hands of the people who had fought for  
16:50:18 25 you during the civil war?

26 A. That is not correct. If that was true Varmuyan Sheriff  
27 would not have been next to me with a gun. No, I disagree.

28 Q. Indeed, Mr Taylor, these security forces engaged in  
29 harassment of civilians during your time as President, didn't

1 they?

2 A. There were some problems, yes.

3 Q. And these were not just limited occasions where there were  
4 problems, were they, Mr Taylor?

16:50:45 5 A. They were limited.

6 Q. Indeed these security forces engaged in harassment of  
7 opposition leaders. Isn't that correct?

8 A. That is not correct.

9 Q. And also of journalists. We've talked about that before?

16:50:57 10 A. Well, I don't call that harassment, so I would disagree.

11 Q. And they also engaged in harassment of human rights  
12 workers. Isn't that correct?

13 A. We have disagreement on that.

14 Q. And, Mr Taylor, this occurred throughout your presidency.

16:51:12 15 Isn't that correct?

16 A. That is not correct.

17 Q. If we could please look at tab 102 from annex 1. This is  
18 "US Department of State, unclassified document". If we could  
19 first please see the first page of this document. If we could

16:52:48 20 move it up. So this is from the American embassy, Monrovia, to  
21 the Secretary of State, Washington, DC. If we could move down,  
22 please, on the page. We see the subject, "Security and Charles

23 Taylor's Liberia, why ECOMOG is so important." Mr Taylor, this  
24 is a document that was prepared 17 October 1998. We saw that in  
16:53:28 25 the caption above. Would you like to see that again, Mr Taylor?

26 A. No, no, no, it's okay.

27 Q. Then if we could please turn to the page that has at the  
28 top the numbers ending in 5807. If we could look at paragraph  
29 7(c). If we could see that paragraph, please:

1 "In the meantime, Charles Taylor's security services have  
2 gone back to their usual bad habits" --

3 PRESIDING JUDGE: Ms Hollis, please pause.

4 MR ANYAH: Madam President, I cannot recall from the top of  
16:54:05 5 my head whether this is a Rule 70 document that was previously  
6 disclosed to the Defence. But in any case, it is fresh evidence  
7 as far as I can tell for purposes of cross-examination. There  
8 are portions of the document that we submit go to the guilt of  
9 Mr Taylor, either directly or incidentally through Rule 93, and  
16:54:31 10 the Prosecution trying to bring in evidence of what happened in  
11 Liberia to establish a consistent pattern of conduct. Therefore  
12 the onus again, as previously stated, is on the Prosecution to  
13 justify the late use of this document. If the document was  
14 prepared as counsel indicated in 1998, I think, then the  
16:54:54 15 Prosecution had it or had access to it and could have used it in  
16 its case.

17 In any event, there is the two-prong standard that they  
18 have to meet and we would submit that the Prosecution should  
19 demonstrate that it satisfies the interest of justice test, as  
16:55:12 20 well as the fact that it doesn't infringe on the fair trial  
21 rights of Mr Taylor, failing which they should be precluded from  
22 using this document.

23 PRESIDING JUDGE: Ms Hollis, the document that I have is  
24 marked in the margin entirely, indicating that you intend to rely  
16:55:34 25 on it as a full document, not just the paragraph you are reading.  
26 Am I correct?

27 MS HOLLIS: We had marked the full document for potential  
28 use with your Honours, yes, we had.

29 PRESIDING JUDGE: In that case then please respond to the

1 objection of the Defence.

2 MS HOLLIS: Yes. We are referring your Honours to  
3 paragraph 7(c) only. We are not asking that your Honours  
4 consider other portions of this document based on the answers  
16:56:01 5 given by the accused.

6 As to the paragraph 7(c), we suggest that this is not  
7 something that the Prosecution has to meet the two-prong test  
8 for. We are going back to the statement of the Minister of  
9 Defence that these militias under the control of President Taylor  
16:56:26 10 engaged in disorderly conduct, that security services under his  
11 control engaged in disorderly conduct. We are not asking your  
12 Honours to consider this to be probative of guilt and we suggest  
13 that indeed it can be used in a limited way.

14 To the extent your Honours determine it is probative of  
16:56:51 15 guilt then we would rely on our prior submissions as to the  
16 permissible use of this paragraph 7(c) of this document. But  
17 that is the only part of this document that we are asking your  
18 Honours to consider.

19 [Trial Chamber conferred]

16:57:40 20 PRESIDING JUDGE: Ms Hollis, I'm advised that the tape has  
21 run out, so I think we'll take our half hour break now and when  
22 we return we'll give our ruling on the use of this document.

23 MS HOLLIS: Thank you, Madam President.

24 [Break taken at 4.59 p.m.]

17:30:37 25 [Upon resuming at 5.30 p.m.]

26 PRESIDING JUDGE: Before the break we were looking at  
27 paragraph 7(c) of this document entitled "unclassified". We have  
28 examined it in light of Mr Anyah's objections, and by a majority  
29 we are inclined to uphold the objection on the grounds that on



1 the reading of this paragraph, one can say that it's alluding to  
2 a pattern of conduct of Mr Taylor's security services and  
3 therefore, indirectly, to his guilt. It is a new document that  
4 has not been used as part of the Prosecution case, and therefore,  
17:31:41 5 in light of our ruling of 30 November, the two-prong test has not  
6 been established. We uphold the objection, and you cannot use  
7 the document.

8 MS HOLLIS:

9 Q. Mr Taylor, after you became President you appointed Joe  
17:32:05 10 Tate as your Director of Police, we have talked about that, yes?

11 A. Yes, we have.

12 Q. And he was a former NPFL commander, yes?

13 A. No. Joe Tate was not an NPFL ever - ever an NPFL  
14 commander.

17:32:18 15 Q. What position, if any, did he hold within your organisation  
16 during the civil war?

17 A. Joe Tate, in fact, came in late. He served, if I am not  
18 mistaken, as something like a security adviser, but he had no  
19 combat experience.

17:32:39 20 Q. And, Mr Taylor, you also you appointed former NPFL in other  
21 high level positions in the police after you became President,  
22 isn't that correct?

23 A. Former NPFL? Yes, there were a few, yeah.

24 Q. And I believe you have told the Court that Paul Mulbah  
17:33:02 25 became the Director of Police after Mr Tate was killed in the  
26 aircraft accident, is that correct?

27 A. That is correct.

28 Q. And indeed, in February 2002 the Liberian Coalition of  
29 Human Rights Defenders called for his resignation, didn't they?

1 A. In 2002?

2 Q. February 2002, Mr Taylor.

3 A. I am not sure, but I think they did.

17:33:34 4 Q. And this was a coalition of 19 Liberian human rights  
5 groups, was it not?

6 A. I don't know, counsel.

7 Q. This Coalition of Human Rights Defenders?

8 A. I don't know about this coalition, really. Groups were  
9 coming together. That's a serious period. I don't know.

17:33:53 10 Q. Now, Mr Mulbah's resignation was called for because he had  
11 arrested the national director of the Catholic Justice and Peace  
12 Commission, isn't that right?

13 A. I don't recall if that is the period. I do remember the  
14 police arresting the then Counsellor Morris, I think -

17:34:19 15 Johnson-Morris.

16 Q. Frances Johnson-Morris?

17 A. That is correct.

18 Q. And at that time she was the national director of the  
19 Catholic Justice and Peace Commission, isn't that right?

17:34:28 20 A. Yes, she was.

21 Q. And after her arrest, she was actually stripped of her  
22 clothing and put in a cell with males; isn't that correct?

23 A. Total nonsense. Total nonsense. Frances Johnson-Morris  
24 was not - not to my knowledge. Counsellor Johnson-Morris was

17:34:46 25 arrested and to the best of my recollection from the Justice  
26 Department, I think she was released in the shortest time. That  
27 is not correct. I disagree.

28 Q. And, Mr Taylor --

29 PRESIDING JUDGE: Ms Hollis, is this Frances with an E-S?

1 MS HOLLIS: I have it with an E-S.

2 PRESIDING JUDGE: So it's not "Frances", the way it's  
3 spelled in the transcript?

4 MS HOLLIS: It is F-R-A-N-C-E-S, according to my  
17:35:19 5 understanding. Frances, not Francis.

6 Q. Mr Taylor, it was because of her arrest and the way she was  
7 treated after her arrest that this call for his resignation came  
8 about, isn't that correct?

9 A. I don't recall the circumstances, if that is the time that  
17:35:42 10 that happened. I don't recall, really.

11 Q. Now, indeed, Mr Taylor, in addition to this lady's arrest  
12 and her treatment after the arrest, the Liberian Coalition of  
13 Human Rights Defenders were also concerned that Director Mulbah's  
14 tenure had been characterised by widespread police brutality,  
17:36:07 15 isn't that correct?

16 A. I don't know the circumstances.

17 Q. Now, Mr Taylor, this is the Director of the Liberian  
18 National Police, and you as President weren't aware of such  
19 serious allegations against the Director?

17:36:26 20 A. That's not what I am saying. I say I'm aware she was  
21 arrested. I did not say I was not aware of the allegations.

22 Q. Mr Taylor --

23 A. I was responding to this so-called coalition of human  
24 rights groups, and I am saying I don't know this group, but I  
17:36:40 25 have said to this Court that she was arrested by the police.

26 Q. Mr Taylor, my question was that the coalition also  
27 expressed its concern that Director Mulbah's tenure as Director  
28 of Police had been characterised by widespread police brutality?

29 A. I don't recall that exact statement. I do not recall it.

1 Q. Mr Taylor, that would have been brought to your attention,  
2 would it not?

3 A. I do not recall that statement, counsel.

4 Q. And indeed, they were also concerned that his tenure had  
17:37:11 5 also been characterised by intimidation of citizens and  
6 harassment of citizens, isn't that right?

7 A. I disagree with your - you know, we are not getting into  
8 the essence. I don't want to get into an argument, but at the  
9 time we are speaking about, I would disagree with your  
17:37:31 10 proposition as you put it.

11 Q. And indeed, Mr Taylor, the coalition, in requesting the  
12 resignation of Colonel Mulbah, also was concerned that he had  
13 failed to institute discipline within the police, isn't that  
14 right?

17:37:49 15 A. I have no knowledge of it. This so-called coalition, in  
16 2002 Liberia is on fire, groups are taking sides. I don't even  
17 know if there was a coalition or who claimed to be a coalition.  
18 So I have no recollection of that.

19 Q. Mr Taylor, these were very serious accusations being made  
17:38:10 20 against this Director of Police, weren't they?

21 A. Accusations, yeah. If they came out, yeah, they were  
22 serious.

23 Q. And you would have been briefed on those, wouldn't you?

24 A. Not necessarily. I don't even know if the whole story -  
17:38:23 25 with all these strange papers coming up, I don't even know of  
26 them.

27 Q. And you would have asked for the details of all these  
28 incidents, wouldn't you, Mr Taylor?

29 A. Yes, if something serious - I know Frances Johnson-Morris

1 very well. I protected her throughout the war. She was behind  
2 the line in Danane with me. I know Frances Johnson-Morris. She  
3 is not an enemy to us, so I don't agree with all these things.  
4 And it was a very serious matter, like you said. If Frances  
17:38:50 5 Johnson-Morris had been stripped, that would have been a serious  
6 matter. But I am not aware of this coalition and what it was  
7 saying. That did not come to my attention.

8 Q. Mr Taylor, you were aware that in fact this happened to  
9 her, but you took no action against your Director of Police, did  
17:39:09 10 you?

11 A. I was not aware, counsel.

12 Q. Mr Taylor, also this coalition was concerned that the  
13 Director of Police had ordered the flogging of students at the  
14 University of Liberia. You were aware of that as well, weren't  
17:39:23 15 you?

16 A. Could you ask that again?

17 Q. The coalition was also concerned that the Director of  
18 National Police had ordered the flogging of students at the  
19 University of Liberia, isn't that correct?

17:39:35 20 A. Well, that's two different questions. I will break them  
21 up. I was aware of allegations that the police - not the  
22 Director - that the police had beaten some students on the campus  
23 of the University of Liberia. That's the first part. The second  
24 part: Was it said by this coalition? I have no recollection  
17:39:56 25 that it came from this coalition. It was reported in a  
26 newspaper.

27 Q. And indeed, Mr Taylor, the Director later talked about his  
28 actions on state radio, isn't that correct?

29 A. It's possible. I am President. I don't listen to every

1 radio. It's possible.

2 Q. Mr Taylor, you were briefed about all of these incidents  
3 relating to Mr Mulbah, weren't you?

4 A. Well, what do you mean by "all of the incidents"? You have  
17:40:19 5 asked me about three sets. I have told you I am aware of the  
6 arrest of Frances Johnson-Morris; I have told you I'm aware of  
7 the allegations that the police beat some students. If you are  
8 talking about those two, I am aware of them.

9 Q. And you took no action against Director Mulbah, did you,  
17:40:34 10 Mr Taylor?

11 A. We never punish in Liberia because of allegations. I've  
12 never - I never took any decision against any official just based  
13 on allegation. So I didn't take any action against him because  
14 they were mere allegations, and in any case, the Minister of  
17:40:51 15 Justice would have to look into it first.

16 Q. And that was not done, was it?

17 A. Well, I don't know what the results from the Minister of  
18 Justice was. I have no idea.

19 Q. Mr Taylor, you would have been briefed on that, wouldn't  
17:41:02 20 you?

21 A. If there had been any prudent - if it had been correct and  
22 they had come to - it had come to my attention with a  
23 recommendation, of course I would take action, I would have been  
24 aware. But it never came back to me. These were just mere noise  
17:41:20 25 in the press, as usual, from what I understood.

26 MS HOLLIS: I would ask that your Honours look at tab 45 in  
27 annex 1. It is a Perspective article, "Human rights defenders  
28 call for resignation of Police Director Mulbah". It explains the  
29 circumstances of the arrest of Counsellor Frances Johnson-Morris

1 and the other conduct of Mr Mulbah which resulted in this call  
2 for his resignation.

3 Now, it is the view of the Prosecution that this is not  
4 probative of guilt; however, in light of a very broad  
17:42:25 5 interpretation, should your Honours determine this is probative  
6 of guilt, we would suggest to your Honours that you should  
7 consider this. It is indeed a contradiction of this accused's  
8 testimony about the rule of law and accountability during his  
9 tenure, and it also indicates that he put in place individuals  
17:42:54 10 who carried out various actions against the freedoms and physical  
11 security of the people of Liberia, but took no action against  
12 them for these actions.

13 We do believe that this is permissible for your Honours to  
14 consider, and again we are asking you to consider it for  
17:43:17 15 impeachment, and we would rely also on our prior arguments in  
16 this regard.

17 PRESIDING JUDGE: Would you give us a moment to read this  
18 document, please? Mr Anyah, we were reading the document. You  
19 stand to object to its use?

17:44:19 20 MR ANYAH: I hope your Honours would permit the Defence to  
21 be heard.

22 PRESIDING JUDGE: Go ahead.

23 MR ANYAH: I make the observation about the tone of this  
24 article, as well as the previous one just objected to by the  
17:44:31 25 Defence. The Prosecution called in chief, not as a Rule 93  
26 witness pertaining to conduct in Liberia that would form pattern  
27 evidence - they called TF1-355, Hassan Bility, who testified  
28 about the human rights situation in Liberia. That witness  
29 testified and alleged all sorts of gross human rights violations

1 on the part of Mr Taylor's administration.

2 These articles, in our submission, fall in line and step  
3 with those allegations of Mr Bility. Here you have reference to  
4 Counsellor Frances Johnson-Morris who I believe was a former  
17:45:16 5 Chief Justice of the Republic of Liberia, it is mentioned in the  
6 article she was a former Chief Justice of the Republic of Liberia  
7 and the actions of the police are said here to clearly negate  
8 recent assurances by President Taylor that civil liberties of the  
9 people will be respected in accordance with constitutional  
17:45:31 10 provisions during the period of the state of emergency. That's  
11 later in the document and it would be in page 1 of 3 in the  
12 second to last paragraph.

13 The document in its totality shows lawlessness, shows  
14 severe human rights violations on the part of the police chief  
17:45:52 15 and the police entity under Mr Taylor's presidency and this is a  
16 case where such evidence has been relied on to suggest that  
17 Mr Taylor condoned such actions, had no respect for civil rights  
18 and liberties, and ergo replicated the same kind of practice in  
19 Sierra Leone and I cannot see how the Prosecution can say in all  
17:46:17 20 sincerity that this document does not implicate Mr Taylor's  
21 guilt. Rule 93 is alive and well in this case and that's what  
22 this evidence is, we submit.

23 PRESIDING JUDGE: Ms Hollis, you want to submit further,  
24 because I thought you had said your bit?

17:47:15 25 MS HOLLIS: I thought as well, but then there was an  
26 objection that was heard that introduced an additional argument  
27 as it relates to the witness Hassan Bility and I would like to be  
28 heard on that.

29 PRESIDING JUDGE: Okay.



1 MS HOLLIS: And the point is this: You recall the  
2 testimony of Hassan Bility and the testimony of Hassan Bility was  
3 that the things that were done to him was because of his  
4 reporting and associating this accused with the RUF. That was  
17:47:41 5 the substance of his testimony. So we do not believe that its  
6 been properly characterised, your Honours, as very broad  
7 testimony about human rights in Liberia. It was in relation to  
8 basically retribution or revenge against him for his articles  
9 associating the accused with the RUF in Sierra Leone. We would  
17:48:05 10 ask that your Honours consider that when you are deciding on the  
11 objection from the Defence. Thank you, Madam President.

12 [Trial Chamber conferred]

13 PRESIDING JUDGE: We have looked at the contents of this  
14 document. We are of the view that basically what this document  
17:51:03 15 does is to describe the tenure of the director of police, Paul  
16 Mulbah, and certain incidents that have happened under his  
17 tenure. We are of the view that this in no way is a reflection -  
18 there is nothing in this article that reflects directly or  
19 indirectly on Mr Taylor as such. In fact, on the contrary, the  
17:51:41 20 article speaks of assurances that President Taylor had given to  
21 the people that their civil liberties would be respected. So we  
22 find that there is no merit in the Defence objection and we would  
23 allow the Prosecution to use the document.

24 MS HOLLIS: Thank you, Madam President. If you could  
17:52:06 25 please put the first page of the document:  
26 Q. And we see, "Human rights defenders call for the  
27 resignation of Police Director Mulbah, The Perspective, Monrovia,  
28 Liberia, February 23, 2002." Then, Mr Taylor, you see in the  
29 first paragraph that:

1 "The coalition observed that Director Mulbah's tenure was  
2 characterised by widespread police brutality, mayhem,  
3 intimidation, harassment of civilians, deception, tactical  
4 cover-ups and empty promises of investigation into acts of  
17:52:56 5 lawlessness by police officers."

6 Now, Mr Taylor, you most certainly would have been aware of  
7 these accusations. Isn't that right?

8 A. Well, not necessarily.

9 Q. Mr Taylor, in the next paragraph it goes on to describe the  
17:53:13 10 arrest and subsequent detention of Catholic Justice and Peace  
11 Commissioner, National Director Counsellor Frances Johnson-Morris  
12 by Director Mulbah himself. Now, Mr Taylor, your director of  
13 police carries out an arrest of this person who would be a  
14 prominent person, and you would be aware of that arrest, wouldn't  
17:53:38 15 you, Mr Taylor?

16 A. I said I was aware that --

17 Q. And indeed she was immediately stripped of her wearing and  
18 thrown into a cell of males. And, Mr Taylor, you would have been  
19 made aware of such an egregious act, wouldn't you, Mr Taylor?

17:53:56 20 A. No, I would not necessarily have been aware and I don't  
21 even think this happened.

22 Q. Now this is a person that you said was behind lines during  
23 the civil war, yes?

24 A. Frances Johnson-Morris, yes, she was --

17:54:09 25 Q. And you considered her a friend?

26 A. Excuse me. When I said behind, she was in fact with my  
27 sister in Danane. I would consider her a friend, yes.

28 Q. And, Mr Taylor, you were told about this conduct against  
29 this woman, weren't you?

1 A. No, I was not. I said I was aware of her arrest. No one -  
2 in fact Paul Mulbah would have never done this. If anyone would  
3 have come to tell me that Frances was stripped, no, it would not  
4 have been a small matter. No, no one told me this.

17:54:37 5 Q. It wasn't a small matter and you were told. Isn't that  
6 right?

7 A. I was not told. I know Frances personally, no.

8 Q. And, Mr Taylor, the allegation on page 2, if we could look  
9 up at the top, the second paragraph: That your police director  
10 had failed to institute discipline within the police and refers  
11 to numerous acts of lawlessness by the police against innocent  
12 people. Mr Taylor, as the President of Liberia, a man, as you  
13 told this Court, very interested in human rights, you were made  
14 aware of that, weren't you, Mr Taylor?

17:55:24 15 A. I was not.

16 Q. And then the final paragraph, the flogging of students at  
17 the University of Liberia and boasting of his actions on state  
18 radio. That is also something you were made aware of, isn't it,  
19 Mr Taylor?

17:55:42 20 A. Well, now there's two questions; the flogging and the  
21 boasting. Now which one do you want me to answer first?

22 Q. Both of them. First of all the flogging.

23 A. I was aware of --

24 Q. You were made aware of that, yes, you talked about that?

17:55:54 25 A. -- news reports allegations that the police and not Paul  
26 Mulbah - that the national police individuals had beaten some  
27 students at the university.

28 Q. And, Mr Taylor --

29 A. Excuse me, let me answer the second question. As for the

1 boasting.

2 Q. I was about to put it to you, Mr Taylor.

3 A. Okay, I'm sorry. Then put it.

4 Q. And the second question relating to the boasting of it on  
17:56:17 5 state radio. First of all, Mr Taylor, state radio, that would be  
6 a radio that was owned by the Government of Liberia?

7 A. That would be, yes.

8 Q. And so it was a Government of Liberia radio and you were  
9 aware that he talked about his actions, boasted of his actions on  
17:56:34 10 the state radio, weren't you?

11 A. That is not correct. If Paul Mulbah had boasted on any  
12 radio - because committing a crime against a detainee, I don't  
13 think he would have been a police director for another hour. I  
14 don't - I never heard of this.

17:56:51 15 Q. And, Mr Taylor, this article is dated February 23, 2002.  
16 How long did Paul Mulbah serve as the Director of National Police  
17 of Liberia?

18 A. After the death of Joe Tate, up until I left the  
19 presidency.

17:57:12 20 Q. And was he ever suspended based on the allegations in this  
21 article?

22 A. The Ministry of Justice did not take any actions, so it  
23 means that they found the allegations to be false.

24 Q. Or it means that you took no action, simply.

17:57:31 25 A. No, counsel, it simply means that they found no - nothing  
26 factual in their allegations and The Perspective that we are  
27 talking about here, we haven't even talked - what is The  
28 Perspective. This is somebody - this is not any known newspaper  
29 or any - this is - anyway, that's not your question. Let's go.

1 MS HOLLIS: Madam President, could I ask that this be  
2 marked for identification.

3 PRESIDING JUDGE: The document entitled, "The perspective,  
4 human rights defenders call for the resignation of Police  
17:58:00 5 Director Mulbah", dated February 23, 2002 is marked MFI-401.  
6 Yes, Mr Anyah?

7 MR ANYAH: I hesitate to rise again in respect of this  
8 document, but I plead with your Honours to reconsider your  
9 decision, having reviewed the document in more detail. I say so  
17:58:30 10 because this is a case of command responsibility as well and the  
11 import of this document is to suggest a failure to act on the  
12 part of Mr Taylor. Incidentally, in the last paragraph of the  
13 document is an arrest - is the allusion to arrests of two  
14 journalists of The Analyst newspaper and one cannot help but  
17:58:55 15 recall the testimony of TF1-355, Mr Bility, and if memory serves  
16 me well he was a journalist who worked for that newspaper. So I  
17 reiterate my objection. Your Honours have ruled, we are bound by  
18 it, but, with respect, and with permission of the Court, I ask  
19 that your Honours reconsider it.

17:59:16 20 PRESIDING JUDGE: Mr Anyah, I will say two things in  
21 relation to your submission: One, I will reiterate that there is  
22 nothing in this article that goes to the conduct of Mr Taylor  
23 directly or indirectly. However, how he answers questions that  
24 follow this article, that is the evidence and that is  
17:59:42 25 permissible. But this article, read on the face of it and on its  
26 own, there is nothing in it that goes to the conduct. There is  
27 no mention of Mr Taylor in this document in a bad way. That is  
28 the first thing that I would say.

29 But, secondly, now that we have allowed its use, questions

1 have been asked, answers have been given, they form part of the  
2 record. I suggest that the next stage, which is the application  
3 to admit, is the stage - the proper stage for you to raise these  
4 objections, because the evidence is the evidence. We are just  
18:00:22 5 marking this for identification.

6 Please proceed, Ms Hollis.

7 MS HOLLIS:

8 Q. Mr Taylor, do you recall on 14 September your Defence  
9 counsel asking you about a unit called SOD?

18:00:45 10 A. Yes, yes.

11 Q. And you were asked if you were aware of a unit called SOD,  
12 and you indicated that you were not aware of such a unit; do you  
13 recall that, Mr Taylor?

14 A. That is correct.

18:00:56 15 Q. And then your defence asked you, "Was there such a unit in  
16 Liberia after you became President?" and you said "No." Do you  
17 recall that?

18 A. Yes.

19 Q. And then your Defence counsel tells you what "SOD" stands  
18:01:11 20 for, Special Operations Division, and you said, "No, not to my  
21 knowledge." You remember that, Mr Taylor?

22 A. That is correct.

23 Q. Indeed, Mr Taylor that testimony of yours wasn't truthful,  
24 was it?

18:01:23 25 A. That was truthful.

26 Q. Mr Taylor, the Special Operations Division, SOD, was  
27 actually created by Joe Tate, isn't that correct?

28 A. I don't know the police's - the question to me was did I  
29 know. I did not know of what units they had with what name, the

1 police. So my statement was truthful.

2 Q. And it was created in 1997, isn't that correct?

3 A. I have no idea about that.

4 Q. Now, just --

18:01:50 5 A. It could have been, but I didn't know.

6 Q. Just so we are clear, Mr Taylor, is it your testimony to  
7 this Court that during the entire time of your presidency you  
8 were never aware of this unit called SOD?

9 A. Well, my testimony to - that's my testimony, that I was not  
18:02:10 10 aware of the different units in the police. That's my testimony.

11 Q. During --

12 PRESIDING JUDGE: Mr Taylor, excuse me, please answer the  
13 question asked. We are talking about the SOD, not various units  
14 in the police force. Did you know of the existence of the SOD or  
18:02:30 15 did you not? That is the question.

16 THE WITNESS: I understand that, your Honour.

17 PRESIDING JUDGE: Throughout your presidency.

18 THE WITNESS: Throughout my presidency. I understand the  
19 question.

18:02:42 20 PRESIDING JUDGE: So what is your answer?

21 THE WITNESS: My answer is I was not aware of that unit in  
22 Liberia at the time of my presidency.

23 MS HOLLIS:

24 Q. Now, Mr Taylor, in 2001 there was a BBC news article that  
18:02:55 25 indeed said that your cousin Joe Tate created the SOD and that it  
26 was created in 1997. So, Mr Taylor, the BBC knew the existence  
27 of the SOD, but you did not; is that what you are telling us?

28 A. I did not know of a unit called the SOD in the police.  
29 That's my evidence.

1 Q. And indeed, Mr Taylor, the Human Rights Watch talked about  
2 this unit, the Special Operations Division, in its 2001 World  
3 Report. Mr Taylor, did you read that report?

4 A. No.

18:03:50 5 Q. So the Human Rights Watch knew about the existence of this  
6 SOD unit in Liberia, but you did not; is that what you are  
7 telling us?

8 A. That's exactly what I am saying. It doesn't mean that they  
9 are right. I am just saying I did not know.

18:04:05 10 Q. And indeed, Mr Taylor, if we consider also that this unit  
11 was included in reporting of IRIN-West Africa Update, 339 for  
12 1998, it talked about this Special Operations Division within the  
13 police. So, Mr Taylor, this was mentioned in an article in IRIN  
14 in 1998. They knew about this SOD, but you did not; is that what  
18:04:58 15 you are saying?

16 A. I don't even know what IRIN is. I said I did not know of  
17 it.

18 Q. And, Mr Taylor, in 1998 your cousin, Joe Tate, was he  
19 suspended as Chief of Police in 1998? Do you recall that?

18:05:28 20 A. I am trying to think. He very well could have. I don't  
21 recall.

22 Q. He was suspended after he was called before the Liberian  
23 Senate to answer questions about the beating of a Senate clerk by  
24 members of the SOD. You recall that, don't you, Mr Taylor?

18:05:50 25 A. I don't really remember the incident, no. I don't remember  
26 the incident.

27 Q. Your government indicated that Police Chief Tate was  
28 suspended for administrative reasons. Do you recall that?

29 A. No, I don't recall it. He very well could have, but I



1 don't remember the incident.

2 Q. But, Mr Taylor, you do recall it, don't you? Because about  
3 two weeks later you reinstated him as the Police Director. You  
4 recall that, don't you?

18:06:31 5 A. Really, I don't know the incident, quite frankly. I don't  
6 recall. I am not saying that it probably didn't happen, but your  
7 question is to me do I recall. I do not - I am trying to factor  
8 in my mind. I do not recall the incident of Joe Tate being  
9 suspended. He very well could have.

18:06:47 10 Q. Now, before you reinstated him, you would have asked for  
11 the details about why he was suspended in the first place,  
12 wouldn't you?

13 A. No, not necessarily. Once the Justice Minister recommended  
14 something, I would not go and investigate what the Ministry of  
18:07:06 15 Justice had to do.

16 Q. And you wouldn't want to be briefed on why he had been  
17 suspended?

18 A. I am sure the Justice Minister probably came in and briefed  
19 me on his suspension. I am just saying I cannot recall the  
18:07:18 20 situation, but he would have come in and briefed me on both the  
21 suspension and bringing him back to work. He couldn't dismiss  
22 him, but he could suspend him.

23 Q. And this would have been of particular interest to you  
24 because this was your cousin?

18:07:34 25 A. Not necessarily. I look at Joe Tate as Director of Police,  
26 not as my cousin.

27 Q. And indeed as Director of Police, that would have been a  
28 matter of interest to you as well, would it not?

29 A. If what would have been a matter of interest to me?

1 Q. That he had been suspended.

2 A. Well, not necessarily, but it would be of some interest.

3 Q. And in particular, that he had been suspended because of  
4 the actions of members of the police Special Operations Division,  
18:08:09 5 isn't that right? That would have been of interest to you,  
6 wouldn't it, Mr Taylor?

7 A. That would have been of interest.

8 Q. And the Special Operations Division, in fact, had a  
9 reputation for harassment of civilians. That would have been of  
18:08:20 10 interest to you, yes, Mr Taylor?

11 A. Of course. If the police, the protector of the people, are  
12 harassing them, of course it would have been of interest to me.

13 MS HOLLIS: Now, again in an abundance of caution I would  
14 ask that your Honours consider tab number 79 in annex 3. In the  
18:08:45 15 Prosecution's position, it is not probative of guilt. This is  
16 tab 79 in annex 3. Your Honours will note there is only one  
17 portion that is marked, and it is on page 2 of the document.

18 Just to be clear, after your Honours have reviewed it, to  
19 the extent you consider it to be probative of guilt, we would  
18:09:39 20 rely on our prior arguments as to the use of the document.

21 PRESIDING JUDGE: We just want to be sure we are looking at  
22 the same document. There have been instances when the tabs don't  
23 tally.

24 MS HOLLIS: This is IRIN-West Africa update 339 for 1998,  
18:10:17 25 11.16.

26 PRESIDING JUDGE: The passage you want to draw our  
27 attention to is where?

28 MS HOLLIS: It is marked on the second page under "Taylor  
29 reinstates suspended police chief".

1           PRESIDING JUDGE: And that's two paragraphs or one  
2 paragraph?

3           MS HOLLIS: That is two paragraphs.

4           PRESIDING JUDGE: Yes, Mr Anyah.

18:11:01 5           MR ANYAH: Madam President, in light of your ruling in  
6 respect of the prior document, on its face the portion of the  
7 document highlighted by the Prosecution may, arguably, go to  
8 guilt. The problem is the procedure that's clearly outlined in  
9 your decision, and that procedure calls for us to focus on the  
18:11:19 10 content of the document. It is not what portions the Prosecution  
11 intimates it intends to use and the purpose for which they offer  
12 it. These paragraphs are being offered purportedly to impeach  
13 Mr Taylor. But the document in its totality, its content,  
14 involves evidence that goes to the guilt of Mr Taylor.

18:11:44 15           PRESIDING JUDGE: Mr Anyah, we are not talking about the  
16 entire document. We are just talk about these two paragraphs  
17 alone, as I understand Ms Hollis, that the Prosecution does not  
18 intend to use the entire document.

19           MS HOLLIS: That is correct.

18:11:56 20           PRESIDING JUDGE: Only the two paragraphs in question.

21           MS HOLLIS: Only the marked portion.

22           PRESIDING JUDGE: Do you still object to those two  
23 paragraphs, and those two paragraphs alone?

24           MR ANYAH: Well, I still object, Madam President. In  
18:12:12 25 particular you will see that there is a sentence there in  
26 reference to the SOD, that it has a reputation for harassment of  
27 civilians, and again, this is a case of command responsibility.  
28 All these - these sorts of allegations suggest that Mr Taylor  
29 condoned this type of practices amongst his police apparatus, and

1 we submit that that has implications for Article 6.3 and the  
2 charges in this case regarding whether or not others subordinated  
3 to him in carried out acts in Sierra Leone that he failed to  
4 either prevent or punish.

18:12:56 5 PRESIDING JUDGE: Allow us to read it again and see.

6 We are unanimously of the view that there is nothing in  
7 these two paragraphs that goes to guilt, and therefore the  
8 Prosecution may use these two paragraphs.

9 MS HOLLIS: And just to ensure the document we are looking  
18:13:46 10 at is the correct one, the first page of the document showing  
11 IRIN-West Africa update 339 for 1998.11.16, and then if we look  
12 down, Saturday-Monday, 14-16 November, 1998. Then if we could  
13 please move to the second page, and if you could move it down and  
14 move it so we can see marked portion.

18:14:27 15 And, Mr Taylor, do you see here in these two paragraphs  
16 what we have just been discussing, and that is the suspension of  
17 Police Chief Tate and then subsequently your reinstatement of the  
18 police chief. And, Mr Taylor, it indicates that Tate had been  
19 called before the Senate on contempt charges to answer questions  
18:14:56 20 about the alleged beating of a Senate clerk by members of the  
21 police Special Operations Division and it indicates that this  
22 Special Operations Division has a reputation for the harassment  
23 of civilians.

24 Now, Mr Taylor, you knew of this incident involving your  
18:15:19 25 police chief and cousin Joe Tate. That's the truth, isn't it,  
26 Mr Taylor?

27 A. I have told you I do not recall the situation. I do not  
28 say it did not happen. Your questions have been to my  
29 recollection. And I can see that from that paragraph you just

1 read, this whole thing is handled by the Ministry of Justice,  
2 talking about fully complied with the conditions set for his - so  
3 I do not recall this thing. I am not denying that it happened.  
4 I do not recall this happening. And it looks like something that  
18:15:53 5 did not get to me.

6 Q. And this Special Operations Division having this reputation  
7 of acting improperly towards civilians, you were aware of that,  
8 weren't you, Mr Taylor?

9 A. I was not aware of that. The Justice Department had  
18:16:13 10 authority. I was not aware of that.

11 Q. Mr Taylor, you were also aware, were you not, that the SOD  
12 was accused of attacking a group of street sellers in the red  
13 light district of Paynesville in August 1999.

14 A. This President, I swear. I was not aware, counsel. I was  
18:16:39 15 not aware. I don't dispute them. These are police operations,  
16 clearing markets. I am not aware. I am President of Liberia. I  
17 am not aware. I don't deny that some of these things could have  
18 happened. I, as President, am not aware of the incident you just  
19 described, no.

18:16:53 20 Q. Mr Taylor, in this incident at least one civilian was  
21 reported to have died and about 15 to have been arrested. You  
22 would be briefed on that incident, wouldn't you, Mr Taylor?

23 A. Possibly.

24 Q. And this incident was reported by Amnesty International in  
18:17:11 25 its report in 2000. So Amnesty International was aware of the  
26 existence of SOD, but you were not. That's your testimony, is  
27 that right, Mr Taylor?

28 A. That's my testimony. I was not aware of any SOD. The  
29 police had a task force. They called it the Special Task Force.

1 They are mixing it up with - I am not aware of an SOD. I don't  
2 care what Amnesty said.

3 Q. Now, Mr Taylor, in 2002, in February in fact of 2002,  
4 during your declared state of emergency, you remember accusing  
18:17:59 5 people in certain areas of Monrovia of harbouring rebels. You  
6 remember that, don't you, Mr Taylor?

7 A. That I was accusing people?

8 Q. Yes.

9 A. It's possible. The government was accusing people of  
18:18:12 10 harbouring rebels, yes.

11 Q. And, Mr Taylor, the SOD in fact conducted house to house  
12 searches as a result of that accusation. Isn't that right?

13 A. Well, I said - maybe we are getting mixed up. I have only  
14 been answering your question. I don't know if a police SOD. I  
18:18:28 15 know the police conducted searches. The police task force, maybe  
16 somebody is mixing up and got the name wrong, but I am only  
17 answering your questions. What the police was doing was - war  
18 was in the city and, because of the mixture of the population,  
19 they were conducting searches and did find people that were  
18:18:50 20 rebels. This was an ongoing thing.

21 Q. Mr Taylor, this was very important, this was very  
22 important, this accusation about there being rebels in the city.  
23 Isn't that right?

24 A. Yes. Very important.

18:19:06 25 Q. And, as President, you were being briefed about what was  
26 happening to find out if these accusations were true, weren't  
27 you?

28 A. Well, "you were being briefed", I understand that  
29 differently. If you ask me did I receive some briefings from

1 time to time, yes. Intermittently, yes. But there was not a  
2 continuous everyday briefing as in "you were being briefed".

3 PRESIDING JUDGE: Mr Taylor, stop being pedantic, please.  
4 Some of these questions are asked very simply, in their ordinary  
5 grammatical sense. Don't try to split them. When you do that  
6 you only complicate matters yourself.

7 THE WITNESS: Okay, Madam President.

8 MS HOLLIS:

9 Q. Mr Taylor, you were aware that the SOD was at least one of  
10 the units that was conducting these searches, weren't you?

11 A. I was not aware.

12 Q. You were briefed on that, weren't you, Mr Taylor?

13 A. I was not.

14 Q. Now, Mr Taylor, are you familiar with the peace agreement  
15 that was entered into between the Government of Liberia, LURD and  
16 MODEL in Accra just seven days after you left the presidency --

17 A. Ask your question again.

18 Q. -- on 18 August. Are you familiar with the peace agreement  
19 that was entered into between the Government of Liberia, LURD and  
20 MODEL just seven days after you stepped down as President?

21 A. Yes.

22 Q. On 18 August?

23 A. Yes.

24 Q. And, Mr Taylor, did you read that peace agreement?

25 A. I haven't had an opportunity, no.

26 Q. Do you recall that, as part of the agreement, several  
27 security services were to be restructured?

28 A. I was not aware.

29 Q. And that indeed two special security units and paramilitary

1 groups were mentioned by name and that was the Anti-Terrorist  
2 Unit and the Special Operations Division. You weren't aware of  
3 that, Mr Taylor?

4 A. No.

18:21:15 5 Q. Mr Taylor, we suggest that indeed you were well aware of  
6 the existence of the SOD and that, for whatever reason, you  
7 haven't testified truthfully about that to these judges.

8 A. Well, we disagree. I was aware of - I have said there was  
9 a police task force, if that's what's referred to as SOD. I  
18:21:42 10 don't know any unit called SOD. I knew of a task force, a police  
11 task force. That's what I knew. I don't know the SOD name, so I  
12 testified truthfully to your question.

13 Q. Mr Taylor, do you remember on 2 November your Defence  
14 counsel giving you an opportunity to comment on certain aspects  
18:22:05 15 of the testimony of TF1-114, Dennis Koker? Do you remember that?

16 A. Yes, Dennis Koker, yes.

17 Q. And do you recall that one of the portions of that  
18 testimony you were asked to comment on was about his seeing  
19 people come to Sam Bockarie with ammunition?

18:22:38 20 A. I don't remember the whole. If you've got it, bring it  
21 forward. I don't remember the whole thing.

22 Q. Okay. And do you remember that you were asked about his  
23 description of these people and where he said that they had a  
24 Liberian dialect, they had on camouflage and black cap and that  
18:22:56 25 some of them had on polo T-shirts on which was written "Navy  
26 Rangers" and he said these T-shirts were yellow in colour. Do  
27 you remember that testimony being put to you?

28 A. Yes, I have some recollection. Not verbatim. I have some  
29 recollection of that yellow T-shirt business, yes.



1 Q. And that also Mr Koker had explained that they wore a  
2 uniform, some of them underneath of the uniform they would wear  
3 polo T-shirts, and that they would wear a jacket and a polo  
4 T-shirt underneath and the polo T-shirt had the writing on it.

18:23:34 5 You remember being reminded of that testimony, Mr Taylor?

6 A. Counsel, I don't - I don't know the - I don't know the  
7 details of that testimony any more of Dennis Koker. I don't  
8 remember it.

9 Q. Would it assist you if we went back and looked at that,  
18:23:54 10 Mr Taylor?

11 A. No, we can go ahead. I am sure what you are quoting - I am  
12 just saying that I can't sit here and memorise what Dennis Koker  
13 said, but I believe you are reading from the records, so.

14 Q. And, Mr Taylor, you may recall that you said you weren't  
18:24:09 15 aware of any Navy Ranger shirts, that there were shirts for other  
16 military units, but you weren't aware of any Navy Ranger shirts.  
17 Do you remember saying that?

18 A. Yes.

19 Q. And also that nobody goes to war in yellow, that yellow  
18:24:27 20 would only magnify your position. Do you remember saying that,  
21 Mr Taylor?

22 A. Yeah, I remember saying that.

23 Q. Now, of course, indeed in relation to Mr Koker's testimony  
24 he wasn't talking about going to war. He was talking about  
18:24:39 25 delivery of ammunition to Sam Bockarie, yes?

26 A. Well, I don't have the text before me, but, you know, I  
27 don't know the context of Dennis's whole testimony, so I just  
28 have to go along with you if that's what the record says, what he  
29 said.

1 Q. Now, Mr Taylor, do you remember in mid-2002 certainly LURD  
2 and the Government of Liberia were engaged in conflict, yes?

3 A. Yes.

4 Q. And in July 2002 do you recall the Government of Liberia  
18:25:15 5 recapturing Tubmanburg from the LURD?

6 A. Counsel, I don't - I don't - I don't know. There was  
7 pushing and pulling, that's possible.

8 Q. Do you recall that after this recapture of Tubmanburg, the  
9 SSS director, Benjamin Yeaten, took local journalists and  
18:25:37 10 international correspondents on a tour of Tubmanburg? Do you  
11 recall that, Mr Taylor?

12 A. That could very well be. I don't have any recollection.  
13 These things change hands, one week, two weeks later, so it's  
14 possible that that happened.

18:25:54 15 Q. Do you remember a press secretary of yours by the name of  
16 Passawe?

17 A. Yes, I do.

18 Q. What was the first name, Varney?

19 A. Varney Passawe.

18:26:04 20 Q. And that indeed, Mr Taylor, at this time he was with the  
21 journalists that met with Benjamin Yeaten. Do you recall that?

22 A. It's possible.

23 Q. And do you recall that there were pictures taken of this  
24 tour of Tubmanburg and this meeting with Benjamin Yeaten? Do you  
18:26:21 25 recall that?

26 A. It's possible. It's possible.

27 Q. If we could please look at tab 56 in annex 4. Passawe, as  
28 I understand the spelling, and correct me, Mr Taylor, if I am  
29 wrong, is P-A-S-S-A-W-A-Y. Is that correct?

1 A. No, I have known it to be P-A-S-S-A-W-E. That's how I know  
2 it.

3 Q. If we could please first look at the document that ends in  
4 the numbers 876 - P0000867, I think I had twisted those around.

18:27:41 5 It's 867. This is talking about after two months of occupation  
6 and intensive fighting between the dissident LURD and GOL troops,  
7 Tubmanburg was recaptured on July 19, 2002. It talks about local  
8 journalists and international correspondents taking a conducted  
9 tour of Tubmanburg on 20 July, 2002. SSS director Benjamin

18:28:23 10 Yeaten in military outfit met the journalists led by presidential  
11 press secretary Varney Passawe. We see here Varney is spelled  
12 V-A-A-N-I-I. Is that is that correct to your memory, Mr Taylor?

13 A. I think he spells his Varney V-A-R-N-E-Y, Varney. The  
14 Passawe is how we spell it in Liberia, but the Varney, that could  
18:28:53 15 be another way. But I know it to be V-A-R-N-E-Y.

16 Q. And does this help you now recall this --

17 A. I don't know what this document is. I really don't know  
18 what it is.

19 PRESIDING JUDGE: Yes, Ms Hollis, I don't know what this  
18:29:05 20 document is either. Please explain.

21 MS HOLLIS: Pardon me?

22 PRESIDING JUDGE: What is this document that we are looking  
23 at?

24 MS HOLLIS: This is a document - these are photographs that  
18:29:20 25 were from a photo album that was taken from Mr Taylor's office at  
26 White Flower.

27 PRESIDING JUDGE: But the article that you just read, what  
28 is it?

29 MS HOLLIS: And the article is the introduction to the

1 photographs. It was basically an article that explained the tour  
2 of Tubmanburg that was taken by these journalists with Benjamin  
3 Yeaten. So this is the portion of the article that explains the  
4 background for this tour. And then the subsequent photographs  
18:29:59 5 are of this tour.

6 PRESIDING JUDGE: So this write-up is part and parcel of  
7 the photographs?

8 MS HOLLIS: Yes. And if we could please look at the  
9 document P0000866.

18:30:26 10 Q. Mr Taylor, we see here the caption is that Benjamin Yeaten  
11 gives an interview in Tubmanburg in which he praises the  
12 gallantry of Roland Duo of the navy for capturing Tubmanburg from  
13 the dissidents. And, Mr Taylor, in July 2002 what was Roland  
14 Duo's position?

18:30:50 15 A. Your Honour, I still have problems with the newspaper. I  
16 don't know what it is, a newspaper incident, and we are moving  
17 forward. I will answer your question, but I asked what was this  
18 document. The explanation - but anyway, I will just go ahead.  
19 But I don't know if this is a newspaper incident or what this is.  
18:31:06 20 I don't know.

21 PRESIDING JUDGE: Just a moment. Pause, please. Mr Anyah.

22 MR ANYAH: Madam President, I think the difficulty we are  
23 wrestling with is how this text came to be superimposed or  
24 combined with photographs and whether the text was created  
18:31:25 25 simultaneous with the photographs or by the same person.

26 Now, the Prosecution has not marked this document on the  
27 side indicating whether its use is for guilt or impeachment.  
28 Flowing from the questions asked by Learned Counsel opposite  
29 leading to the introduction of this document, we have certain

1 concerns on our side of the bar regarding the photographs, in  
2 particular those showing young men with T-shirts that form part  
3 of this document.

4           You remember the reference to the evidence of TF1-114,  
18:32:03 5 Mr Koker; you will remember reference being made to Mr Taylor's  
6 evidence about uniforms and the navy division and the like; and  
7 we have a set of photographs before your Honours with photographs  
8 of people in T-shirts. We have this written text that purports  
9 to present facts that are related to the photographs, and there  
18:32:27 10 is no indication whether this is for guilt, whether this is for  
11 impeachment. And on its face, depending on how you interpret the  
12 questions leading up to this, it would seem to us that it is  
13 being brought in connection with the evidence of Dennis Koker  
14 and/or to establish something going to guilt. So I think  
18:32:50 15 something more should be asked of the Prosecution regarding this  
16 document. If they are going to ask that it be considered for  
17 guilt, then the onus is on them to articulate the reasons why it  
18 satisfies your Honours' standard.

19           PRESIDING JUDGE: I thought that the counsel for the  
18:33:08 20 Prosecution prefixed the use of this document by saying it was  
21 for impeachment.

22           MS HOLLIS: Madam President, indeed it is for impeachment.  
23 And as we explained in the cover letter with our disclosure, only  
24 where we ask it be considered both for impeachment and guilt did  
18:33:27 25 we mark it. If it is not marked with an "I" and "G", then it is  
26 for impeachment only.

27           PRESIDING JUDGE: But, more importantly, for me the purpose  
28 for which the Prosecution intends to use is beside the point. I  
29 think the point that Mr Taylor concerns himself with is he wants

1 to understand what is this document. And I think the Defence  
2 does ask a pertinent question: Was this writing part of the  
3 photographs? Because perhaps, Ms Hollis, you need to explain to  
4 us the document in its totality so that we may understand it  
18:34:11 5 better. I must admit, even I haven't quite understood even after  
6 you have explained the text.

7 MS HOLLIS: Yes.

8 PRESIDING JUDGE: What is this document?

9 MS HOLLIS: Madam President, these were photographs that  
18:34:25 10 were taken were a photo album that was seized from Mr Taylor's  
11 office at White Flower, so this is not something that the  
12 Prosecution has generated or researched. It is something that  
13 was taken from this photo album. The entire photo album was in  
14 fact disclosed to the Defence on 28 March 2007. It is also

18:34:53 15 listed as number 46 on the disclosure receipt and was identified  
16 as photos from Mr Taylor's office at his Congo Town residence.  
17 So whether - this is what we got in terms of the input, the  
18 superimposition of this text. It was this way in the photo  
19 album. We have not superimposed it in any way.

18:35:18 20 More importantly, Madam President and your Honours, we  
21 would suggest that first of all you recall the preface to going  
22 to this document was the description of people with yellow shirts  
23 and Mr Taylor saying that you don't go to war in yellow shirts.

24 We are basically just dealing with the fact that there are yellow  
18:35:40 25 shirts - Navy Ranger yellow shirts in these photographs. Nothing  
26 to do with any ages or anything in these photographs. So --

27 PRESIDING JUDGE: May I inquire if there is an original of  
28 this document that is actually in colour? Because we have black  
29 and white copies --

1 MS HOLLIS: You were provided --

2 PRESIDING JUDGE: -- and therefore that argument would not  
3 help.

4 MS HOLLIS: You were provided with colour in the set that  
18:36:08 5 we gave, but we do have an extra copy that we can provide you.  
6 If I may have a moment, we will organise these for you.

7 PRESIDING JUDGE: Where is the coloured copy? Is that the  
8 coloured copy? We have looked at the photographs and the text  
9 along with it, and we have heard the explanation by the  
18:39:31 10 Prosecution of the origin of this document, and we have looked  
11 at it. On the face of it there is nothing, in our view, that  
12 goes to guilt. It's showing pictures of people carrying arms and  
13 wearing some kind of uniform, and there is nothing in the text  
14 that, in our view, goes to guilt.

18:40:04 15 So we overrule the objections of the Defence and rule that  
16 the Prosecution may use this document.

17 MR ANYAH: Madam President, I have not formally objected.  
18 If your Honours, please --

19 PRESIDING JUDGE: But I thought you had, Mr Anyah. I am  
18:40:23 20 looking at page 98 from the middle of the page where I gave you  
21 audience and then you went on to express the - what you called  
22 the concerns from that side of the bar. You alluded to TF1-114  
23 and the evidence that he gave, et cetera, et cetera, and whether  
24 the text is indeed part of the photographs or who wrote it,  
18:40:59 25 et cetera. We have heard responses on the other side. If there  
26 is anything additional, then I would like to hear it. But not a  
27 repetition.

28 MR ANYAH: Yes, Madam President. When I stood up -  
29 incidentally, I did not think I was making an objection in the

1 sense that I wanted some clarification from the Prosecution  
2 regarding the intended purpose for introducing the document. Our  
3 concern is not so much the text, because that issue can be argued  
4 at the time of admissibility; how it came to be that the text is  
18:41:33 5 superimposed on the photographs, if you will.

6 The basis for my objection is the colour of the T-shirts in  
7 the photographs. The Prosecution has indicated that they  
8 disclosed to document to us on 28 March 2007. Dennis Koker was  
9 one of their first witness. The evidence of that witness  
18:41:59 10 indicates that the witness saw people with shirts bearing the  
11 same colour and inscription that are depicted in this photograph.

12 Now, that is factual - that is direct evidence from a  
13 witness going to the guilt of Mr Taylor. The Prosecution at that  
14 time could have introduced these photographs, or attempted to do  
18:42:16 15 so, through that witness. They did not. Now we are at the stage  
16 of cross-examination and these photographs are being presented  
17 for the first time. The Prosecution has had them since they  
18 executed this search on Mr Taylor's property.

19 With respect to Learned Counsel opposite saying that it  
18:42:35 20 comes from Mr Taylor's property, yes, counsel is an officer of  
21 the court and may make such a proffer, but they should call a  
22 witness to give such evidence under oath as to the source and  
23 provenance of these photographs.

24 PRESIDING JUDGE: Mr Anyah, I am going to stop you there  
18:42:52 25 and remind you of your prior submissions before my ruling where  
26 you spoke of the evidence of Dennis Koker and you said:

27 "So I think something more should be asked of the  
28 Prosecution regarding this document. If they are going to ask  
29 that it be considered for guilt, then the onus is on them to



1 articulate the reasons why it satisfies your Honours standard."

2 So as far as I am concerned, you did object to the use of  
3 this document and we have ruled on it. You gave your reasons at  
4 the time. You are now seeking to augment the reasons, and I  
18:43:31 5 think that cannot be allowed. We listened to your objections. I  
6 did call on the opposite side to proffer an explanation - a  
7 further explanation as to the document, and then we looked at it.  
8 And in our view, I made a ruling based on the submissions on both  
9 sides and on the content of the document, and so I cannot take  
18:44:01 10 back that ruling. The Prosecution may use the document --

11 MR ANYAH: Thank you, Madam President.

12 PRESIDING JUDGE: -- in cross-examination.

13 MS HOLLIS:

14 Q. Now if we could please have the document P0000866 put on  
18:44:28 15 the overhead, please. Mr Taylor, in July 2002, what was the  
16 position of Roland Duo?

17 A. Roland Duo was Chief of Staff of the navy.

18 Q. And, Mr Taylor, the person in the middle of this photograph  
19 wearing the hat with - it appears to be yellow letters on it,  
18:45:05 20 camouflage hat, you would agree that that is Benjamin Yeaten,  
21 would you not?

22 A. That is correct, yes.

23 Q. And if we look to the right behind Mr Yeaten as we are  
24 looking at the picture, there is a person there with a blue shirt  
18:45:25 25 or jacket of some kind and an undershirt that is yellow in  
26 colour, yes, Mr Taylor?

27 A. There is one person standing there with a - yes.

28 Q. And then if we could please look at the document P0000868.  
29 Mr Taylor, in this photograph, in the centre of the photograph,

1 the man who has the microphones placed in front of him, that is  
2 Roland Duo, is it not?

3 A. That is correct.

4 Q. And he has on a shirt or jacket of some type and underneath  
18:46:11 5 that a yellow shirt, yes?

6 A. Yes.

7 Q. And you can see some - appear to be some partial letters  
8 that are shown on there, yes, Mr Taylor?

9 A. I am not sure if that's letters, so I wouldn't say yes.

10 Q. And to his left, as we view the photograph, that is  
11 Benjamin Yeaten, yes?

12 A. No.

13 Q. As we view the photograph?

14 A. You say to his left. As we view the - to the left of the  
18:46:40 15 photo as we view it is Benjamin Yeaten.

16 Q. Yes. And then to the right of the photo as we view it,  
17 behind Roland Duo in between two men, we see a man who has a blue  
18 shirt or jacket of some type and he is wearing a yellow shirt  
19 underneath, yes, Mr Taylor?

18:47:00 20 A. That is correct and there are white shirts and blue shirts,  
21 too.

22 Q. And then if we could look at the next photograph, please,  
23 P0000869. Mr Taylor, in the middle of this group of people, in  
24 the front is Benjamin Yeaten, yes?

18:47:21 25 A. That is correct.

26 Q. And to the left as we view the photo is a person wearing a  
27 yellow T-shirt with the words "Navy Rangers", yes?

28 A. That is correct.

29 Q. And to the right in the rear as we view it is a person who

1 appears to be wearing some type of beret, a tall person, you see  
2 that, Mr Taylor?

3 A. Yes.

4 Q. With some type of jacket or shirt and partial words "NAV  
18:47:56 5 RANG", yes, Mr Taylor?

6 A. That is correct.

7 Q. And then closest to General Yeaten on the right is a lady  
8 with a yellow shirt, yes?

9 A. Yes.

10 Q. And we see at least one letter there, "A" and she is  
11 wearing some type of vest, yes, Mr Taylor?

12 A. That is correct.

13 Q. So, Mr Taylor, yellow was a colour that was used with your  
14 fighters. Isn't that right?

15 A. No, no, I wouldn't say that. With my fighters, no.

16 Q. So these are not - these Navy Rangers with Benjamin Yeaten  
17 are not your fighters, Mr Taylor?

18 A. Well, yes, these individuals are fighters, yes.

19 MS HOLLIS: Madam President, I would ask that you mark for  
18:48:47 20 identification pages - and I would ask that this be a cumulative  
21 exhibit, pages P0000867 as A, the red letters on the side;  
22 P0000867.

23 PRESIDING JUDGE: You have repeated 67 twice. Is that what  
24 you want?

18:49:21 25 MS HOLLIS: 00867 would be A. In other words, I would ask  
26 that you mark several of these but you mark them as a cumulative  
27 exhibit.

28 PRESIDING JUDGE: The one ending 866 is one of the pages  
29 you want?

1 MS HOLLIS: Yes. And that could be A as well. 866 would  
2 be A and then 867 as B, 868 as C, 869 as D.

3 PRESIDING JUDGE: And you don't want the front page marked  
4 as part of the document for identification?

18:50:13 5 MS HOLLIS: The first page that I looked at was the text.

6 PRESIDING JUDGE: The cover page is what I am referring to.

7 MS HOLLIS: Yes, we would like that as well, please,  
8 Madam President.

9 PRESIDING JUDGE: The documents presented as an album  
18:50:44 10 consisting of photographs and text is marked as follows: The  
11 first page with the words "Album" is MFI-403A; the page ending  
12 866 is 403B; the page ending 867 is 403C; the page ending 868 is  
13 403D; and lastly the page ending 869 is 403E.

14 MS HOLLIS: Thank you, Madam President:

18:51:41 15 Q. Mr Taylor, we have talked about the Special Security  
16 Service and, Mr Taylor, when was the Special Security Service  
17 created?

18 A. I can't recall the year that the Special Security Services  
19 was created. I would just say it's more than fifty years old. I  
18:52:20 20 don't know when it was created.

21 Q. Was there a similar service that was known by a different  
22 name in Liberia?

23 A. No, it's always been the Special Security Services.

24 Q. And, Mr Taylor, the Special Security Services had several  
18:52:41 25 mandates when you were President. Isn't that right?

26 A. I don't want the President to quarrel with me again. When  
27 you say several mandates, what do you mean?

28 Q. Well, for example, one of the mandates of the Special  
29 Security Service was that it was to protect and secure the

1 President, his immediate family, yes? That was one of their  
2 mandates, yes?

3 A. I would say yes.

4 Q. As well as to protect and secure other officials and  
18:53:13 5 visiting dignitaries who are designated by the President, yes,  
6 Mr Taylor?

7 A. Counsel, I don't know, but it was created by an Act of the  
8 legislature. That could very well be right, but I cannot quote  
9 verbatim here in this Court all of the - if that is within the  
18:53:32 10 law that you are reading, I will take your word for it.

11 Q. And, Mr Taylor --

12 PRESIDING JUDGE: Please pause. Mr Anyah, you are on your  
13 feet.

14 MR ANYAH: Yes, Madam President, I apologise for  
18:53:47 15 interrupting but I wonder if MFI-402 has been used because our  
16 records do not show that it has been used.

17 PRESIDING JUDGE: I absolutely do agree with you. That was  
18 because I went and marked a document that I wasn't asked to mark.  
19 I do beg your pardon. Now you remember, Ms Hollis, there was an  
18:54:08 20 earlier your document that referred to.

21 MS HOLLIS: That was IRIN I believe, and I have been  
22 reminded that I did not ask it be marked and I would ask that you  
23 mark it for identification.

24 PRESIDING JUDGE: So the record remains as it is. I am  
18:54:26 25 going to mark "IRIN-WA Update 339 of Events in West Africa",  
26 dated 14-16 November 1998, just the two paragraphs on page 2 of  
27 4, as MFI-402.

28 MS HOLLIS: Thank you, Madam President:

29 Q. Now, Mr Taylor, among the mandates of the Special Security

1 Service was to perform such other functions as may from time to  
2 time be assigned by the President. Isn't that right?

3 A. Ms Hollis, I don't know the legislation. If you have it,  
4 that could very well be right.

18:55:19 5 Q. Let's assist you with that, Mr Taylor. If we could look at  
6 P-129, "Liberian Codes Revised", Volume III we are looking at.

7 If we could please go to page - the page that is indicated as  
8 leaf 349, "Subchapter C: Special Security Service". If we could  
9 go down to the bottom of that page first, please, "Liberian Codes

18:56:37 10 Revised, Volume III", page 349. Then if we could go back up to  
11 section 2.40 and we see, Mr Taylor, that the functions of the  
12 service are set out in this section, yes? And A is what we have  
13 talked about, "To protect and secure the President, his immediate  
14 family, other officials and visiting dignitaries." Yes,

18:57:03 15 Mr Taylor?

16 A. Yes, that's what it says on this paper.

17 Q. And we see that on this page there are other functions that  
18 are set out. Then if we move to the next page, 350, and if you  
19 could go to the top of that page, please. And we see under H:

18:57:42 20 "To perform such other functions as may from time to time be  
21 assigned by the President." So, Mr Taylor, the Special Security  
22 Service was tasked with carrying out functions as you assigned  
23 them, correct?

24 A. Well, based on the law here, other functions I may, yes.

18:58:12 25 Q. So whatever you assigned them to do under this code, they  
26 were to carry out, yes?

27 A. In all fairness to me, I see 12 there there's a footnote.  
28 I am not a lawyer. I don't know. Maybe this will specify what  
29 they mean by "may perform some functions from time to time as may

1 be assigned by the President". So maybe if I saw this footnote I  
2 would know.

3 Q. Let's look at it. It's at the bottom of the page and it  
4 simply refers to prior legislation; no explanation, Mr Taylor.

18:58:46 5 A. But prior legislation would show what the extent of - I'm  
6 sorry.

7 PRESIDING JUDGE: Yes, Mr Anyah.

8 MR ANYAH: To be fair to Mr Taylor, granted that this is  
9 already exhibited by the Prosecution, if you look at the pages  
18:59:04 10 that have the copyright indication, it shows that these laws were  
11 first codified or revised in 1998 and there is a second revision,  
12 I believe, in 2006. And so the question arises whether the  
13 specific provisions being put to Mr Taylor were in force while he  
14 was President of Liberia. I am referring to the Prosecution's  
18:59:31 15 pagination which has an ERN number in red, and you will see that  
16 on what is my page 5 of - page 5 in ceratum, ERN 00031458, it  
17 says, "First published December 1998, second print in an update  
18 2006", and this would be page iv of the document. I don't know  
19 if the second print in an update perhaps includes a revision of  
19:00:12 20 the text of the document. But that is after Mr Taylor's time in  
21 Liberia, and it raises a question whether the document as is was  
22 what was in force when he was President.

23 PRESIDING JUDGE: Yes, Ms Hollis, that may be a pertinent  
24 point. What is your response?

19:00:28 25 MS HOLLIS: Well, my response is that Mr Taylor wasn't  
26 saying it wasn't, and in fact he was talking about what the plain  
27 language under B meant. But to be fair, I am very happy to limit  
28 my questions to 1998 and 1997.

29 PRESIDING JUDGE: Please rephrase it in that way. Yes, I

1 think it will be fairer that way. Rephrase the question.

2 MS HOLLIS: Thank you:

3 Q. Now, Mr Taylor, in 1997 and 1998 the Special Security  
4 Service was mandated to perform such other functions as may from  
19:01:05 5 time to time be assigned by the President. That's you, yes,  
6 Mr Taylor?

7 A. Yes.

8 Q. And indeed, you took advantage of that subpart H, did you  
9 not?

19:01:16 10 A. I don't know what you mean, Ms Hollis

11 Q. And you tasked the Special Security Service directly to do  
12 a variety of functions for you, did you not, Mr Taylor?

13 A. I don't understand. You have to clarify your question. I  
14 don't understand.

19:01:31 15 Q. You tasked them directly to carry our functions pursuant to  
16 this subsection H; isn't that right, Mr Taylor?

17 A. I don't remember any specific task that I tasked them with  
18 under this particular provision. No, I don't remember any  
19 specific task that they were tasked with outside of their duties.

19:01:53 20 Q. And, Mr Taylor, if we look up at G at the top of the page,  
21 we see that as of 1998 - 1997, 1998, they also were tasked with  
22 serving as liaison with other security agencies in matters  
23 pertaining to the screening of persons to be employed at the  
24 Executive Mansion and for other services of the President. So  
19:02:23 25 they were to act as a liaison with other security agencies  
26 pertaining to the screening of people to be employed at the  
27 Executive Mansion. So they were involved in the screening of  
28 employees at the Executive Mansion, yes, Mr Taylor?

29 A. Yes.



1 Q. And, Mr Taylor, it's true, is it not, that in 1997 and  
2 1998, you, with the advice and consent of the Senate, appointed  
3 the administrative head of the service?

4 A. Yes.

19:02:55 5 Q. And that was Benjamin Yeaten?

6 A. Yes.

7 Q. And he was designated as director?

8 A. Yes.

9 Q. And it's also true, is it not, that he was responsible to  
19:03:06 10 you through the Director General of National Security for the  
11 administration of the SSS?

12 A. No.

13 Q. Now, Mr Taylor, that is what the Liberian code in effect in  
14 1997 and 1998 requires?

19:03:24 15 A. That he be responsible to me through the --

16 Q. Director General of the National Security for - and this  
17 was the Director General of National Security For the  
18 Administration of the SSS?

19 A. That's what the law says, yes.

19:03:41 20 Q. And, Mr Taylor, you told us earlier that the director of  
21 the SSS was responsible to you through the --

22 A. Minister of State.

23 Q. -- Minister of State?

24 A. Yes.

19:03:53 25 Q. So, Mr Taylor, by whose direction was Benjamin Yeaten  
26 responsible to you through the Minister of State?

27 A. Well, that was my understanding of the situation of the  
28 law. I didn't go through this, but throughout the ages, the SSS  
29 director reports to the - even now - to the Minister of State.

1 Q. And Mr Taylor, it's also correct, is it not, that during  
2 the time this is in effect, that is, certainly 1997, 1998, the  
3 duties of the director included reporting directly to you on all  
4 phases of the operation of the service and all matters pertaining  
19:04:38 5 to the service. So the director reported directly to you on  
6 those matters; isn't that right, Mr Taylor?

7 A. No. But then that means that you are misleading everybody  
8 here. Because if we go by this paragraph, it says - even if we  
9 take this paragraph, he reports to the President through the  
19:04:53 10 director general. So you're - I disagree with your proposition  
11 that he reported directly to me.

12 Q. Well, Mr Taylor, we are reading the plain language of the  
13 Liberian code --

14 A. Yes, I am reading it too.

19:05:03 15 Q. -- "A. To report directly to the President", that's you,  
16 Mr Taylor, "on all phases of the operation of the service and all  
17 matters appertaining to the service as may be required or as  
18 directed by the President." So, Mr Taylor, you were the one who  
19 decided --

19:05:21 20 A. What are you reading?

21 Q. -- what was required and directed, yes?

22 A. I do not see the paragraph you are reading from.

23 Q. I am sorry, Mr Taylor. We are looking at 2.41, subpart A.

24 A. Okay.

19:05:33 25 Q. You see that now, Mr Taylor?

26 A. Yes.

27 Q. I apologise.

28 A. Well, I didn't read this though. That's not how it worked  
29 then, before me, and now.

1 Q. Well, that's exactly how it worked --

2 A. Well, then maybe I was in violation of the law. But he  
3 reported to the Minister of State.

4 Q. That is exactly how it worked then you were the President  
19:05:54 5 in 1997 and 1998, isn't it, Mr Taylor?

6 A. That's what the law says, yes.

7 Q. And it also includes in the duties of the directors under  
8 D, to call on other security agencies for additional personnel  
9 whenever the need may arise for reinforcement of the service. So  
19:06:19 10 the director was able to bring in additional personnel from other  
11 security agencies in Liberia, isn't that right?

12 A. That's what the law says.

13 Q. And they would be assigned to the service in accordance  
14 with the request of the director, yes?

19:06:37 15 A. Yes.

16 Q. And then they would be under the complete command and  
17 supervision of the director, as we see at the top of the next  
18 page?

19 A. Yes. That's what it says, yes.

19:06:49 20 Q. And then if we look under 2.43 on this page, Mr Taylor, we  
21 see that the director had the authority to appoint all such other  
22 officers and employees of the service as he may deem necessary  
23 and assign their duties subject to your approval, Mr Taylor?

24 A. Yes.

19:07:10 25 Q. Yes?

26 A. Yes.

27 Q. So a very wide latitude for the director subject only to  
28 your approval; isn't that right, Mr Taylor?

29 A. That is correct.

1 Q. And then if we could please move to page 352 under section  
2 2.45, very top of the page, please. We see here that officers  
3 and members of the SSS had the power to arrest just as police  
4 officers. Yes, Mr Taylor?

19:07:48 5 A. Yes.

6 Q. So, Mr Taylor, in 1997, 1998, you had great control over  
7 the director of the SSS, isn't that correct?

8 A. Well, I had control over the SSS, yes.

9 Q. And you could assign them other duties as you deemed were  
19:08:15 10 needed, isn't that right?

11 A. That is correct.

12 Q. And indeed, the director of the SSS would report directly  
13 to you should you so direct, yes, Mr Taylor?

14 A. If I so direct, yes.

19:08:31 15 Q. And you can remove that exhibit. Thank you very much.  
16 Now, Mr Taylor, you recall when you were testifying about Hassan  
17 Bility and his allegations of torture. You remember your  
18 testimony about those allegations, Mr Taylor?

19 A. I remember testifying about the allegations, yes.

19:08:55 20 Q. And do you remember on 3 November of last year saying that  
21 "Any human on this planet that says there was torture during the  
22 Charles Taylor administration is a liar and I challenge them to  
23 bring any evidence." You recall that, Mr Taylor?

24 A. Yes, I do.

19:09:15 25 Q. But of course, Mr Taylor, during your tenure as President  
26 in Liberia there were many allegations of torture carried out by  
27 your subordinates, isn't that right?

28 A. Yes, there were allegations.

29 Q. And those allegations were factually correct, weren't they?

1 A. I disagree.

2 Q. Torture was a not uncommon occurrence during your tenure as  
3 President of Liberia, isn't that right, Mr Taylor?

4 A. I totally disagree. It was not a practice in my  
19:09:51 5 government. I disagree.

6 Q. Indeed, Mr Taylor, your son engaged in acts of torture as  
7 head of the ATU, isn't that right?

8 A. Not to my knowledge, no.

9 Q. And you were well aware of those acts, weren't you,  
19:10:06 10 Mr Taylor?

11 A. I was not aware of any acts committed by him torturing  
12 anyone.

13 Q. And members of the ATU also carried out acts of torture  
14 while you were President, isn't that right, Mr Taylor?

19:10:18 15 A. Not to my knowledge.

16 Q. And indeed, Mr Taylor, you recall the testimony of a  
17 witness known as TF1-590 who testified about being tortured at  
18 Gbatala while your son was in command of the ATU; you recall  
19 that, don't you, Mr Taylor?

19:10:39 20 A. That is correct, I recall that.

21 Q. And indeed, you were aware of the torture that had been  
22 inflicted on that person, weren't you, Mr Taylor?

23 A. I was not aware of any torture and I don't think that  
24 torture happened in - I think it was in 2001. That is not  
19:10:56 25 correct.

26 Q. And Mr Taylor, you have, during your direct examination,  
27 mentioned a person by the name of John Tarnue; yes, Mr Taylor?

28 A. Yes.

29 Q. And in fact, John Tarnue was tortured by your son Chucky,

1 wasn't he?

2 A. Not to my knowledge. I know there was a conflict between  
3 them. No, not to my knowledge.

4 Q. And indeed, you were very aware of that torture, weren't  
19:11:20 5 you, Mr Taylor?

6 A. I was not aware of any torture on Tarnue. I was aware of a  
7 conflict. There was a fight between he and the commander. I  
8 think there was - they fought physically, and that matter came to  
9 my attention.

10 Q. Mr Taylor, you were briefed that this torture of John  
11 Tarnue occurred while he was being held by your subordinates.  
12 You were aware of that, weren't you, Mr Taylor?

13 A. I was aware that John Tarnue was being held. I was not  
14 aware that he was tortured by my subordinates. I was told that  
19:11:53 15 he and Chucky had a fight.

16 Q. And indeed, part of the torture you were aware was plastic  
17 being melted on his chest, isn't that right?

18 A. No, I was not aware of that.

19 Q. And also damaged being done to his testicles; you were  
19:12:08 20 aware of that, Mr Taylor?

21 A. No, I was not aware of that.

22 Q. And Tiawan Gongloe, you remember him, don't you?

23 PRESIDING JUDGE: Remember to spell the name if you can't  
24 pronounce it. At least we can get the spelling.

19:12:27 25 MS HOLLIS: Let me give you the spelling that I have.  
26 Mr Taylor perhaps you can assist me: T-I-A-W-A-N, Tiawan;  
27 Gongloe, G-O-N-G-L-O-E. Do you know if that's the correct  
28 spelling?

29 A. Well, I can't - I wouldn't say yes, but it sounds correct

1 to me.

2 Q. And Mr Taylor, Tiawan Gongloe was one of Liberia's most  
3 prominent human rights lawyers during your tenure as President,  
4 wasn't he?

19:13:02 5 A. I know he was a lawyer. Most prominent, I don't know. I  
6 know Tiawan very well.

7 Q. And he actually spoke out against the use of violence as a  
8 means of State power, didn't he?

9 A. Yes. Tiawan was always talking, yes.

19:13:20 10 Q. And indeed, he was arrested and interrogated because of  
11 those statements that he made, wasn't he?

12 A. I don't know. I know Tiawan was arrested. But as to  
13 whether he was arrested for those statements that you referred  
14 to, I don't know. I know he was arrested.

19:13:38 15 Q. And, Mr Taylor, when he was arrested and questioned, he was  
16 stripped naked and put in police cells, isn't that right?

17 A. I don't know what happened at the police station, counsel.

18 Q. And then two police officers beat him severely and kicked  
19 him, and this continued throughout the night; isn't that correct,  
19:14:01 20 Mr Taylor?

21 A. I have no knowledge of that, Ms Hollis. None whatsoever.

22 Q. And indeed, Mr Taylor, the next morning he was taken for  
23 questioning but was unable to stand or sit as a result of his  
24 injuries; isn't that right, Mr Taylor?

19:14:16 25 A. I don't know, Ms Hollis. I am President of Liberia. I'm  
26 the President. I don't know. I really don't.

27 Q. Mr Taylor, you were briefed about this incident, weren't  
28 you?

29 A. No, I was not briefed about any incident as you have

1 described. I said I was aware that Tiawan was arrested. As to  
2 whether he was beaten and kicked all night at a police station,  
3 it never came to my attention. That is something that the  
4 Justice Ministry would look at. It was not brought to me.

19:14:42 5 Q. Now, this would be very serious misconduct by these police,  
6 would it not, Mr Taylor?

7 A. I agree.

8 Q. And you would have been made aware of that, wouldn't you?

9 A. Not necessarily.

19:14:52 10 Q. And you also would have been made aware that as a result of  
11 this treatment Mr Gongloe lost hearing in his left ear, and that  
12 his left eye was swollen and bloodied, and his head and body were  
13 badly bruised.

14 A. If they had happened, probably. Not necessarily, I am  
19:15:15 15 saying. I know Tiawan and I know the problem in Liberia at the  
16 time. So if something like that had happened, and it was as he  
17 described it, it's probable that - it's possible maybe it could  
18 have reached to me.

19 Q. You did know him, so it was very likely that you would have  
19:15:34 20 been told about this, yes, Mr Taylor?

21 A. Not necessarily. Yes, I knew him, but it didn't mean that  
22 I had to be told.

23 Q. Mr Taylor, no action was taken against anyone for the  
24 treatment of Mr Gongloe, was it?

19:15:48 25 A. I don't know. I don't know.

26 Q. You would have been made aware if action had been taken as  
27 a result of this kind of misconduct, wouldn't you, Mr Taylor?

28 A. Well, not necessarily. First of all, if the conduct  
29 occurred, what happened, I don't - it was never brought to me, to



1 answer you directly. I don't know.

2 Q. And, Mr Taylor, also in May 2001, over 100 men and boys in  
3 Bong County were taken to Gbatala base because they were  
4 suspected of being dissidents. Isn't that right?

19:16:30 5 A. You said 2001?

6 Q. That's correct, Mr Taylor, May 2001.

7 A. That is not correct and I think you know it's not correct  
8 because you brought a witness here, Jabaty Jaward, who was in  
9 training at that time. You would have asked him. It is not  
10 correct.

19:16:45

11 Q. Mr Taylor, it was reported that some of these people were  
12 tear gassed. You got that report, didn't you, Mr Taylor?

13 A. People - Liberia having tear gas, no. People would be  
14 brought from Bong County and tear gassed? No.

19:17:03 15 Q. And that they had acid thrown on them. You were made aware  
16 of that too, weren't you, Mr Taylor?

17 A. No, I was not. I doubt if it even happened.

18 Q. Now, indeed, Mr Taylor, during your tenure as President,  
19 torture was something that was not at all uncommon being carried  
20 out by members of your security forces. Isn't that right?

19:17:20

21 A. I disagree.

22 PRESIDING JUDGE: Ms Hollis, while you are pausing, the  
23 witness said something which had been reported in the exact  
24 opposite. This is at page 122 at line 13 where he was speaking  
25 about people that would be brought from Bong County and tear  
26 gassed and I thought you said no.

27 THE WITNESS: I said no, your Honour.

28 PRESIDING JUDGE: This is the last thing that you said  
29 which would negate what is written in the LiveNote record. I

1 hope it's picked up.

2 MS HOLLIS:

3 Q. Indeed, Mr Taylor, did you say no. Did you say no, that  
4 didn't happen or, no, you were not aware of it?

19:18:05 5 A. I said it didn't happen and I was not aware of it. Two of  
6 your questions.

7 Q. Mr Taylor, in Liberia, during the time that you were  
8 President, members of the human rights community were treated  
9 very badly by your subordinates. Isn't that right?

19:18:35 10 A. How can I answer this? No, not that I know of.

11 Q. And indeed, Mr Taylor, one of the senators, Thomas Nimely,  
12 actually claimed that human rights groups were enemies of the  
13 State. Isn't that right?

14 A. I don't know what the senator said. I don't know, counsel.  
19:19:01 15 He could have said so. I never heard no Senator Nimely, I never  
16 heard that.

17 Q. Did you know Thomas Nimely?

18 A. Yes, the late Senator Nimely.

19 Q. Was he a senator, Mr Taylor?

19:19:17 20 A. Yes.

21 Q. From where?

22 A. Grand Kru County.

23 Q. Did he have any association with your NPFL?

24 A. Senator Nimely, yes, he was - yes.

19:19:31 25 Q. What was his association with your NPFL?

26 A. Just one of the, I would say, political analysts and  
27 adviser. He was not a combatant.

28 Q. And had he received any military training?

29 A. None whatsoever, no.

1 Q. Did he ever function as a commander?

2 A. No, never. Thomas, never.

3 Q. And during what period of time did he serve as, what you  
4 say, a political analyst and adviser?

19:20:04 5 A. I would say from the - I would put it to around maybe '91,  
6 '92. Thomas was in Gbarnga before we went to Monrovia. I would  
7 put it to around '91, '92.

8 Q. And you were made aware of this statement that he had made  
9 about human rights groups being enemies of the state. You were  
19:20:32 10 made aware of that, weren't you, Mr Taylor?

11 A. No, counsel, I was not.

12 Q. Mr Taylor, did you share the view of Thomas Nimely that  
13 human rights groups were enemies of the state?

14 A. If he said that, no.

19:20:44 15 Q. And he also said that they were to blame for the delay in  
16 international assistance because of the negative picture they  
17 portrayed of the country. Do you recall him saying that,  
18 Mr Taylor?

19 A. No, I don't.

19:20:59 20 Q. Did you share that view as well, Mr Taylor?

21 A. That view I share, that --

22 Q. In fact this negative picture they portrayed was an  
23 accurate picture of human rights during your presidency. Isn't  
24 that right, Mr Taylor?

19:21:16 25 A. That is not correct. There are so many instances where  
26 things were wrongly reported just for money. These people were  
27 collecting money from human rights groups and lying and so --

28 Q. Mr Taylor, did you know Koffi Woods?

29 A. Koffi, yes, I know Koffi.

1 Q. And at least at some point during your presidency he was  
2 the director of the Catholic Justice and Peace Commission, was he  
3 not?

4 A. Koffi worked with the Catholic Justice and Peace  
19:21:51 5 Commission.

6 Q. Do you remember during what period?

7 A. No, counsel, I don't remember. But he was there, Frances  
8 Johnson-Morris - I think they were there about the same time but  
9 I can't be sure.

19:22:05 10 Q. Mr Taylor, members of the Catholic Justice and Peace  
11 Commission actually complained that members of their staff were  
12 under government surveillance. You were made aware of that  
13 complaint, weren't you, Mr Taylor?

14 A. That's possible, yes, but so what if they are under  
19:22:25 15 surveillance? I mean surveillance occurs in every society. I  
16 heard the complaint.

17 Q. And why would they have been under surveillance, Mr Taylor?

18 A. I don't know. I don't know. I don't work with the  
19 security. I am just saying that there is nothing unusual about  
19:22:39 20 surveillance. So if someone complains, "I am under  
21 surveillance," that's apart of the work of the state.

22 Q. They were under surveillance because they took positions  
23 contrary to your positions. Isn't that right, Mr Taylor?

24 A. No, counsel, no, no.

19:22:55 25 Q. Now, indeed, Mr Taylor, Koffi Woods was forced to flee  
26 Liberia. Isn't that right?

27 A. No. You know, counsel, I know we are not going to get into  
28 this, but all of the people that you are talking about here,  
29 these are all oppositions in government and they complained.

1 Koffi Woods, Frances Johnson-Morris became Minister of Justice --

2 PRESIDING JUDGE: Mr Taylor, I am going to stop you there.

3 The question was simply: "Mr Woods was forced to flee Liberia.

4 Isn't that right?" That's the answer we want to hear. Did he or

19:23:31 5 did he not flee Liberia?

6 THE WITNESS: It's a very difficult question. Whether he

7 was forced to flee --

8 PRESIDING JUDGE: No, I don't think so. I don't think so.

9 You can say yes or you can say no or you don't know.

19:23:42 10 THE WITNESS: How do I answer this?

11 MS HOLLIS:

12 Q. Mr Taylor, let me make it a little fairer for you. First

13 of all, did he flee of country?

14 A. Not to my knowledge. He left. I know he left. But did he

19:23:57 15 flee? I don't know.

16 Q. Now, in reality, Mr Taylor, he was forced to flee. Isn't  
17 that right?

18 A. This is not my knowledge of Koffi leaving Liberia. No, I  
19 don't know that. I know he left.

19:24:08 20 Q. And, Mr Taylor, he fled the country after the Justice and  
21 Peace Commission issued a statement condemning extrajudicial  
22 executions by government forces. Isn't that right?

23 A. I am not aware of that, counsel, no. I'm not aware of  
24 that.

19:24:23 25 Q. Mr Taylor, we have a person who was a director of the  
26 Catholic Justice and Peace Commission fleeing the country after  
27 the Justice and Peace Commission issues a statement condemning  
28 extrajudicial executions by government forces. Now, you would  
29 have been made aware of that, wouldn't you, Mr Taylor?

1 A. I was not made aware of that. I was not made aware that  
2 Koffi Woods fled Liberia. I was not.

3 Q. You were certainly made aware of the Justice and Peace  
4 Commission statement condemning extrajudicial executions by  
19:24:59 5 government force. Isn't that right, Mr Taylor?

6 A. I can't recall that statement. They always freely issued -  
7 I can't recall the statement.

8 Q. And this particular statement arose from the violence that  
9 occurred on 18 and 19 September. Do you recall, Mr Taylor?

19:25:17 10 A. What do you recall now?

11 Q. The Camp Johnson incident.

12 A. So what's your question?

13 Q. This statement about extrajudicial executions by government  
14 forces arose after the violence on September 18 and 19, the Camp  
19:25:37 15 Johnson incidents. Mr Taylor, you recall that, don't you?

16 A. Well, I don't recall the statement. I will recall the  
17 dates that you talk about, about the Camp Johnson Road incident,  
18 but I don't recall the statement.

19 Q. The Camp Johnson incident was a very important incident,  
19:25:51 20 yes?

21 A. Yes.

22 Q. And as President you kept abreast of the incident itself,  
23 yes?

24 A. Yes.

19:25:57 25 Q. But you also kept abreast of reactions to the incident,  
26 didn't you, Mr Taylor?

27 A. Not necessarily. There was a war. I was not following who  
28 was issuing statements. No.

29 Q. That was very important to you to know how the public were

1 reacting to this Camp Johnson incident. Isn't that right,  
2 Mr Taylor?

3 A. As to how the public was reacting, yeah, it was important  
4 for me to know.

19:26:22 5 Q. And that included the reaction of the Justice and Peace  
6 Commission, yes, Mr Taylor?

7 A. They don't speak for the public. No, I disagree.

8 Q. They are part of the public, are they not, Mr Taylor?

9 A. I agree.

19:26:33 10 Q. Now, Mr Taylor, was not only Koffi Woods who fled the  
11 country but other human rights activists also had to flee if they  
12 spoke out against you. Isn't that right?

13 A. I disagree.

14 Q. And, indeed, human rights activists went into hiding during  
19:26:59 15 your presidency if they spoke out against you. Isn't that right,  
16 Mr Taylor?

17 A. I disagree. Maybe some did, but I disagree with your  
18 proposition.

19 Q. And let me be clear, Mr Taylor, by "you" I mean you  
19:27:12 20 personally, as well as the Government of Liberia.

21 A. I would say that's nonsense.

22 MS HOLLIS: Madam President, I am --

23 PRESIDING JUDGE: Ms Hollis, I am alerted that the tape is  
24 almost done, almost ran out, so I think this would be an  
19:27:27 25 appropriate time to adjourn. Just to remind the parties that  
26 tomorrow, according to the schedule given to us by the ICC, will  
27 be a day designated for other hearings at the ICC by the ICC  
28 Chambers and so we cannot use this Court tomorrow. We will do  
29 what we normally do on Friday, tomorrow, that is, other work.

1 And so the trial will adjourn to Thursday at 9.30 and on Thursday  
2 and Friday we will have full hearing days. So the Court is  
3 adjourned accordingly to Thursday at 9.30 in the morning.

4 [Whereupon the hearing adjourned at 7.28 p.m.  
5 to be reconvened on Thursday, 4 February 2010  
6 at 9.30 a.m.]

19:28:29

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I N D E X

WITNESSES FOR THE DEFENCE:

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CROSS-EXAMINATION BY MS HOLLIS	34547