



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 4 FEBRUARY 2010
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Sidney Thompson

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Christopher Santura
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Morris Anyah
Mr Terry Munyard
Ms Fatiah Balfas

1 Thursday, 4 February 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:31:00 5 PRESIDING JUDGE: Good morning. We will take appearances,
6 please.

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

09:32:23

11 MR ANYAH: Good morning, Madam President. Good morning
12 your Honours. Good morning, counsel opposite. Appearing for the
13 Defence this morning are Terry Munyard, myself Morris Anyah and
14 we are joined by our legal assistant, Ms Fatiah Balfas.

09:32:46

15 PRESIDING JUDGE: Mr Taylor, I remind you, as I routinely
16 do, of your declaration to tell the truth as the Prosecution
17 cross-examination continues.

18 DANKPANNAH DR CHARLES GHANKAY TAYLOR:

19 [On former affirmation]

09:33:08

20 CROSS-EXAMINATION BY MS HOLLIS: [Continued]

21 Q. Good morning, Mr Taylor.

22 A. Good morning.

23 Q. You recall, Mr Taylor, at the end of the day on Tuesday we
24 were talking about the treatment of human rights activists in
09:33:19 25 Liberia during your presidency. Do you recall?

26 A. Yes, I do.

27 Q. And we had talked about Koffi Woods?

28 A. Yes.

29 Q. Now, Mr Taylor, at the end of the day I had put to you that

1 human rights activists went into hiding during your presidency if
2 they spoke out against you and you said you disagreed and you
3 said that was nonsense. Do you recall that, Mr Taylor?

4 A. Yes, I do.

09:33:48 5 Q. Mr Taylor, in 2001, the executive director of the Liberian
6 Watch for Human Rights had to go into hiding. Isn't that
7 correct?

8 A. I don't know if he went into hiding.

9 Q. It was a Mr Adebayo, A-D-E-B-A-Y-O. Mr Taylor, he went
09:34:18 10 into hiding after the Liberian Watch for Human Rights issued a
11 statement describing the ATU as unconstitutional. Isn't that
12 right, Mr Taylor?

13 A. Not that I know of. I have no idea.

14 Q. And they called on you to dissolve the ATU. Isn't that
09:34:45 15 correct, Mr Taylor?

16 A. I don't know. They probably did. I have no recollection
17 of anybody calling on me called Adebayo - that's not even a
18 Liberian name - to dissolve the ATU. I don't have any
19 recollection of that.

09:35:02 20 Q. Mr Taylor, after they had called on you to dissolve the ATU
21 because it was unconstitutional, the Liberian police launched a
22 search for Mr Adebayo. Isn't that correct?

23 A. I don't know. It could have very well been. I have no
24 idea.

09:35:25 25 Q. Indeed the Liberian police director Paul Mulbah was quoted
26 as saying that Mr Adebayo will be apprehended to answer
27 questions. Now, you were made aware of that, weren't you,
28 Mr Taylor?

29 A. I was not.

1 Q. And Mr Mulbah, the police director, went on to say that in
2 addition to the call for the dissolution of the Anti-Terrorist
3 Unit, Mr Adebayo was wanted to explain what he meant when
4 Mr Adebayo blamed the rebel war in the north on you, on your
09:36:01 5 failure to restructure the Liberian army. Now, you were made
6 aware of these actions by the director of police, were you not,
7 Mr Taylor?

8 A. I was not.

9 Q. And indeed, Mr Taylor, the director of police was acting
09:36:18 10 not just with your knowledge but at your direction when they took
11 action to find Mr Adebayo. Isn't that correct?

12 A. I disagree.

13 Q. Now, Mr Taylor, you may recall another person at an earlier
14 time who also had to go into hiding and that was James Torh,
09:36:44 15 T-O-R-H. Do you recall him?

16 A. No, I don't.

17 Q. He belonged to another human rights group, Focus. Do you
18 remember that group, Mr Taylor?

19 A. No, I don't.

09:36:57 20 Q. And he had made critical comments of your regime and the
21 way it was conducting the affairs of government. Do you recall
22 that, Mr Taylor?

23 A. No, I don't.

24 Q. And indeed, Mr Taylor, your government brought sedition
09:37:10 25 charges against him. You do recall that, don't you?

26 A. It's possible, but I have no recollection. I am not the
27 Minister of Justice. It very well could have been, but I'm
28 not - it was not brought to my attention.

29 Q. Now, sedition charges, those are very serious charges, are

1 they not, Mr Taylor?

2 A. I'm not a lawyer, so I don't - I really don't know.

09:37:39

3 Q. And such charges being made in connection with criticisms
4 of the way your government was conducting its affairs, you would
5 have been made aware of that, wouldn't you, Mr Taylor?

6 A. No, I didn't interfere into the courts. No.

7 Q. Well, you actually did interfere with the courts, didn't
8 you, and directed their outcomes often?

9 A. I did not. Never did.

09:37:54

10 Q. If we could please look at tab 182 from annex 1. That
11 would be in binder 3 under the number 82. If we could look at
12 the top of that, please, and we see, "Rights advocates calls for
13 disbanding ATU; goes into hiding, The Perspective, September 11,
14 2001". And you see, Mr Taylor, "A Liberian human rights
15 advocate, Mr Adebayo, executive director of the Liberian Watch
16 for Human Rights", and you see here it indicates that he called
17 for disbanding of the notorious and infamous Anti-Terrorist Unit,
18 referred to as ATU, and you see that BBC Focus on Africa --

09:39:06

19 MR ANYAH: Madam President?

09:39:32

20 PRESIDING JUDGE: Yes, Mr Anyah.

21 MR ANYAH: A brief review of the article at least to us on
22 the Defence side of the bar suggests that it contains information
23 that would go to the guilt of Mr Taylor. I am referring to
24 several paragraphs detailing the ATU as a private militia for
25 Mr Taylor, the ATU as engaging in terrorist or terrorisation of
26 innocent civilian and the like.

09:39:52

27 We submit that this is evidence that falls within the ambit
28 of Rule 93, evidence going to a consistent pattern of conduct
29 supposedly taking place in Liberia that could be transferred to

1 Sierra Leone, the allegation being that Mr Taylor acquiesced or
2 condoned such conduct in Liberia, making it more likely the case
3 that he did the same with respect to the rebel activities in
4 Sierra Leone. So we object to this document being introduced at
09:40:32 5 this late time and the Prosecution has the onus to satisfy your
6 two-part test from November last. Thank you.

7 PRESIDING JUDGE: Ms Hollis, your response, please.

8 MS HOLLIS: Madam President, your Honours have viewed
9 probative of guilt very broadly; however, we suggest to you that
09:40:54 10 this article and the use to which it is being put is not
11 probative of guilt. Rather, it is impeaching this accused's
12 testimony about the rule of law and the freedoms that existed in
13 Liberia during his presidency and his testimony that he is here
14 before your Honours today not because of his conduct and his
09:41:16 15 choices, but because of a conspiracy against him that manifested
16 itself in many ways.

17 This article clearly shows that, contrary to his testimony,
18 Mr Taylor did not allow freedom of expression and freedom of
19 speech during his presidency. He did not allow individuals to
09:41:42 20 make comments which were critical of his presidency or of the
21 units within his Executive branch and he took actions or his
22 subordinates took actions to retaliate against those individuals
23 who took such positions contrary to him. And so we suggest that
24 this is not a document which requires the two-part test. Should
09:42:07 25 your Honours determine that indeed it does, we suggest to you
26 that you must look at the tenor of this document and the portions
27 to which are being referred and that the tenor of this document
28 goes to the argument I have just made, and that is the
29 impeachment of Mr Taylor on these various grounds, and that it is

1 in the interests of justice for your Honours to be aware of this
2 information and also that it does not impact the rights of this
3 accused for your Honours to be aware of this information. Thank
4 you.

09:42:44 5 PRESIDING JUDGE: Ms Hollis, you have referred to portions
6 of the document, but you haven't said which portions.

7 MS HOLLIS: Well, I was unable to do that. I will tell you
8 now what I was going to refer to if I may.

9 PRESIDING JUDGE: I think you should do it upfront to say,
09:43:00 10 "I'm going to refer to this portion," if you are not going to use
11 the entire document.

12 MS HOLLIS: I will do that. The first paragraph from which
13 I was reading I would refer to. Then the fourth paragraph. Then
14 the second paragraph from the bottom of the page beginning, "But
09:43:32 15 the fate of Adebayo". Those are the paragraphs to which I
16 intended to refer Mr Taylor.

17 PRESIDING JUDGE: So to get you correctly, Ms Hollis, the
18 first paragraph, the fourth paragraph and the second from the
19 bottom paragraph?

09:43:53 20 MS HOLLIS: Correct, Madam President.

21 [Trial Chamber conferred]

22 PRESIDING JUDGE: We are of the view that paragraph 1 and
23 paragraph 4 do not contain material that goes to proof of guilt
24 of the accused. However, the last-but-one paragraph does contain
09:46:39 25 material that could go to proof of guilt; therefore, our ruling
26 is that the Prosecution may site and use paragraphs 1 and 4 of
27 this document only.

28 MS HOLLIS: Thank you, Madam President:

29 Q. Mr Taylor, so if we go back to the top paragraph, the BBC

1 Focus on Africa report on the 10th, 2001 stated that the rights
2 group in its statement described the ATU as unconstitutional and
3 called on President Charles Taylor to dissolve it. So,
4 Mr Taylor, you see that this incident was also the subject of a
09:47:26 5 BBC Focus on Africa report of 10 September. Now, you were aware
6 of this Focus on Africa report, weren't you, Mr Taylor?

7 A. I was not aware of it.

8 Q. And then if we look at the fourth paragraph down, it talks
9 about a follow-up story by the BBC yesterday where the BBC said
09:47:48 10 that the Liberian police authorities had launched a search for
11 Mr Adebayo. Now, you were made aware of this --

12 A. I was not made aware of it.

13 Q. -- report, weren't you, Mr Taylor?

14 A. No, I was not.

09:48:00 15 Q. And that the search was indeed because of the statement his
16 human rights organisation had issued and that Mr Adebayo had gone
17 into hiding for fear in safety of his life. Now, Mr Taylor, you
18 were made aware of this very serious incident, weren't you?

19 A. I was not made aware of it.

09:48:18 20 Q. And you see in this report it goes on to indicate what your
21 Liberian Police Director, Mr Mulbah, was quoted as saying, and
22 that included that Mr Adebayo would be apprehended to answer
23 questions, and also he would be apprehended because, in addition
24 to his call for the dissolution for the Anti-Terrorist Unit, they
09:48:45 25 wanted him to explain what he meant when he blamed the rebel war
26 in the north of the country on your failure to restructure the
27 Liberian army. Now, Mr Taylor, you were very aware of that
28 serious allegation that was made, weren't you?

29 A. Counsel, with due respect, I was not aware. I was

1 President of Liberia. I was not aware of every action the
2 Ministry of Justice or police were taking. I was President. I
3 was not aware of every little thing that happened in the
4 Republic, no.

09:49:15 5 Q. Mr Taylor, you are being blamed personally for the war in
6 the north, according to this, because of your failure to
7 restructure the Liberian army. So your subordinates would have
8 made you aware of this --

9 A. That sounds like an opinion.

09:49:32 10 Q. -- allegation. Isn't that right?

11 A. Not necessarily. That sounds like either your opinion or
12 somebody's opinion. Why would somebody bring an opinion of
13 somebody to me? No.

14 Q. And indeed, Mr Taylor, it is because of both of these
09:49:48 15 statements emanating from this group that you wanted Mr Adebayo
16 to be arrested. Isn't that right?

17 A. That is not right.

18 MS HOLLIS: Madam President, may I ask that you mark this
19 for identification?

09:50:01 20 PRESIDING JUDGE: The document entitled, "The Perspective:
21 Rights advocate calls for disbanding ATU, goes into hiding",
22 dated September 2001 is marked MFI-404.

23 MS HOLLIS: Thank you, Madam President:

24 Q. Now, Mr Taylor, you also recall the fate of Aloysius Toe,
09:50:42 25 don't you?

26 A. If I recall the fate of Aloysius Toe?

27 Q. Yes.

28 A. No, I don't recall the fate of Aloysius Toe.

29 Q. You knew him. He was one of Liberia's leading human rights

1 activists, wasn't he?

2 A. Well, you have asked me two questions. If I knew him? I
3 didn't know Aloysius Toe.

09:51:07

4 Q. And you knew him to be one of Liberia's leading human
5 rights activists. Isn't that correct?

6 A. No, I didn't know him to be that. I didn't know him.

7 Q. Indeed, Mr Taylor, you recall that during the civil war
8 Mr Toe led the movement for the defence of human rights, you
9 recall that, don't you?

09:51:21

10 A. I don't recall.

11 Q. That he was responsible for starting over one hundred human
12 rights clubs; you recall him, do you not?

13 A. No, I don't.

09:51:40

14 Q. And he also organised a network of volunteers in rural
15 communities to monitor and report human rights abuses; you recall
16 that, don't you, Mr Taylor?

17 A. No, I don't.

09:51:58

18 Q. And also in 2001 he led non-violent protest against the
19 murders of Liberian activists. This was a person you were well
20 aware of. Isn't that right, Mr Taylor?

21 A. No, I am not aware. In 2001 I don't recall any protest in
22 Monrovia on the streets - of any protests. By "protest" I mean
23 demonstration. No, I don't recall any such thing.

09:52:19

24 Q. And indeed, Mr Taylor, this Aloysius Toe, had been put in
25 jail twice by your authorities. Isn't that right?

26 A. It's possible. I don't know it could have been a Justice
27 Department action. I don't know of it.

28 Q. And indeed, the first time he was put under arrest was
29 after he had spoken out against atrocities committed by your son,

1 isn't that right, Mr Taylor?

2 A. No, not that I know of.

3 Q. And you were made well aware of those comments about
4 atrocities committed by your son, weren't you, Mr Taylor?

09:52:52 5 A. Well, I don't understand the question.

6 Q. You were made well aware of Mr Toe's comments about your
7 son's atrocities, weren't you?

8 A. No.

9 Q. And he was released after that first imprisonment, but he
09:53:07 10 went into hiding; you remember that, don't you?

11 A. I don't remember that, if he was released. It looks like a
12 court matter. I am not aware of it.

13 Q. Indeed, Mr Taylor, after he went into hiding, soldiers
14 actually raided his house and kidnapped his wife. You remember
09:53:25 15 that, don't you, Mr Taylor?

16 A. No, I don't.

17 Q. Now, that was very serious conduct. You would have been
18 made aware of that, wouldn't you, Mr Taylor?

19 A. Well, two questions: Was that serious conduct? Yes, if it
09:53:38 20 happened. Was I aware? No.

21 Q. And once his wife was taken hostage at gunpoint, then he
22 turned himself in to protect his family. You remember that,
23 don't you?

24 A. No, I don't.

09:53:55 25 Q. And indeed, he remained in jail until you left the
26 presidency; isn't that right, Mr Taylor?

27 A. I am not aware of anyone called Aloysius Toe being in jail.
28 It very well could have happened, but I was not told of it.

29 MS HOLLIS: Madam President, if I could ask that we look at

1 tab 136 from annex 1. That would also be in binder 2 under 36.

2 PRESIDING JUDGE: What is the name of the article?

3 MS HOLLIS: It is "Peace builder profiles: Aloysius Toe,
4 Foundation for Human Rights Democracy". It's a one-page document
09:56:23 5 and it should be binder 2 of annex 1 under tab 36. It is 136 of
6 our tabs, but since the tab numbering only goes up to 100, we
7 started again.

8 PRESIDING JUDGE: It's in tab 37 in the judges' folders.

9 MS HOLLIS: And so your Honours are aware, I am looking at
09:56:57 10 the top part that identifies the title "Foundation For Human
11 Rights and Democracy, Profile by Cate Malek, December, 2005", and
12 then at the bottom, the bottom three paragraphs on that page.
13 Those are the portions to which I wish to refer Mr Taylor.

14 PRESIDING JUDGE: Yes, Mr Anyah.

09:57:38 15 MR ANYAH: Madam President, we have an objection to a part
16 of the three paragraphs referred to by learned counsel opposite.
17 We have no objection to the last paragraph that begins, "Despite
18 the dangers he has faced"; we have no objection to the third
19 paragraph counting from the bottom that begins, "During the civil
09:57:59 20 war Toe led the movement for the Defence of human rights"; but
21 with respect to the second-to-last paragraph, there is reference
22 there to Mr Toe having spoken out against atrocities committed by
23 Mr Taylor's son.

24 We object to the inclusion of that particular phrase.

09:58:16 25 There was a witness called here who testified at length and made
26 allegations about actions taken by Mr Taylor's son, including
27 tie-baying him - as he described the phrase and the procedure -
28 and we think this evidence here implicates a consistent pattern
29 of conduct and invariably implicates Mr Taylor's guilt.

1 PRESIDING JUDGE: Ms Hollis, what is your response?

2 MS HOLLIS: Thank you, Madam President. Madam President,

3 this language to which the Defence refers is in the context of

4 why this man was put in jail. It does not specify what

09:59:02 5 atrocities, against whom, or in what time period, and we suggest

6 that it is too remote, even in this broad definition of probative

7 of guilt, to fit that definition and does not require the

8 two-prong test.

9 To the extent that your Honours believe that that

09:59:19 10 particular language falls within probative of guilt, then what we

11 suggest is that it is in the interest of justice to allow that

12 language to be used, and it does not violate the accused's rights

13 because of the context in which the language is used; and

14 alternatively, we suggest that if your Honours believe that

09:59:43 15 indeed we do not meet that test, that you simply - we simply

16 disregard the language explaining why he was arrested the first

17 time. But we believe it's important, again in the context of

18 impeachment, to understand the basis for this arrest. We believe

19 that it is remote and not probative of guilt. But the final

10:00:08 20 option your Honours would have would be to disregard that

21 particular language. But we would ask that you allow us to --

22 PRESIDING JUDGE: What do you mean, "disregard the

23 language"?

24 MS HOLLIS: That we would simply indicate that there was a

10:00:21 25 first time he was arrested and you would disregard the language

26 as to why. We don't ask you to do that, but we believe that is

27 an option that would be available to you.

28 We ask that you consider all three paragraphs as they are

29 written and, as we indicated, we do not believe that this is

1 probative of guilt. It is too remote. If your Honours do
2 determine that it is probative of guilt in a very broad sense,
3 then we suggest that it is in fact in the interest of justice for
4 your Honours to have this information and it does not violate
10:00:53 5 Mr Taylor's fair trial rights.

6 [Trial Chamber conferred]

7 PRESIDING JUDGE: Mr Anyah, you objected to the first of
8 the three paragraphs alone? Or the second, the first and second?

9 MR ANYAH: No, just to a phrase in the second to last
10:02:04 10 paragraph and this is in the context of evidence given by TF1-590
11 and that second to last paragraph indicates that Mr Toe was
12 arrested after speaking out against atrocities committed by
13 President Taylor's son.

14 PRESIDING JUDGE: In other words, you have no objection to
10:02:26 15 the last paragraph and the third from the bottom paragraph?

16 MR ANYAH: That's correct, Madam President.

17 [Trial Chamber conferred]

18 PRESIDING JUDGE: First of all, there is no doubt in our
19 minds that these three paragraphs are introducing fresh evidence
10:05:07 20 that was not part of the Prosecution case in chief. Having said
21 that though, we are of the view, by a majority, that the last
22 paragraph and the second - the third from the bottom paragraphs
23 do not contain material that goes to the guilt of the accused and
24 therefore can be used in cross-examination.

10:05:37 25 However, the second from the bottom paragraph does contain
26 material that could go to proof of the guilt of the accused, in
27 particular in proving a consistent pattern of conduct and
28 therefore, by a majority, we disallow the use of that paragraph.
29 The Prosecution may, however, if you wish, refer to the other two

1 paragraphs that I have permitted you to refer to.

2 MS HOLLIS: Thank you, Madam President:

3 Q. Mr Taylor, we see here that indeed Mr Toe - we see here
4 indeed that Mr Toe was a person who had long been involved in
10:06:24 5 human rights activities in Liberia and indeed he had been
6 responsible for starting over 100 human rights clubs. You were
7 well aware of this person who had been so active in the field of
8 human rights, weren't you?

9 A. Which question do you want me to answer?

10:06:47 10 Q. You were well aware of this person who had been so active
11 in human rights, weren't you, Mr Taylor?

12 A. I was not aware of Aloysius Toe being active. I see this
13 thing dated 2005 after I leave office, probably written by
14 whoever. I was not aware of any individual called Aloysius Toe
10:07:10 15 that was involved in these, no.

16 Q. Indeed, Mr Taylor, you would have been aware of this
17 individual because, as you told the Court, you were very
18 interested in protecting and promoting human rights in Liberia,
19 so you would have been aware of this man who was so involved in
10:07:27 20 that activity, wouldn't you?

21 A. No. Well, there are several questions again. You keep
22 asking these two or three questions. But I disagree with you.
23 Human rights clubs, I don't know what they mean. Somebody
24 meeting in a house or a bar. I was not aware of Aloysius Toe's
10:07:46 25 activities. He very well could have been but I was not aware.

26 Q. And were you not aware because in fact you gave no regard
27 to human rights activities in your country?

28 A. I disagree with your proposition.

29 Q. And, Mr Taylor, if we look at the last paragraph on this

1 page:

2 "Despite the dangers he has faced, Toe has remained focused
3 on his goals. He told Reebok, 'I dream of one day being able to
4 sleep in peace in my own home in my own country and I dream that
10:08:16 5 one day we will be regarded as dignified people, as a country
6 with direction, as a country with national spirit.'"

7 Mr Taylor, during the time you were President of Liberia,
8 the population of Liberia was not regarded by you as a dignified
9 people, was it?

10:08:37 10 A. Counsel, that is outrageous. I love my people more than
11 you could ever care about them. That's outrageous. I disagree
12 with you.

13 Q. Mr Taylor, certainly human rights activists were not
14 considered by you to be dignified people, were they?

10:08:57 15 A. I disagree with you.

16 Q. They were considered by you to be an impediment to your
17 ability to carry out your governance in any way you wished.
18 Isn't that right?

19 A. I disagree with you.

10:09:09 20 Q. And that's why you took action against them when they spoke
21 out against your practices. Isn't that right?

22 A. I disagree with you.

23 Q. And also, Mr Taylor, when you were President of Liberia,
24 you did not regard Liberia as a country with national spirit, did
10:09:32 25 you?

26 A. I disagree with you.

27 Q. Indeed, Mr Taylor, when you were President of Liberia, you
28 regarded Liberia as a country whose only spirit would be the
29 spirit that was consistent with your wishes. Isn't that right?

1 A. I disagree with you.

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

10:10:00

4 PRESIDING JUDGE: The document in front of us by the
5 Foundation For Human Rights Democracy entitled "Aloysius Toe
6 (Profile)", dated December 2005, is marked MFI-405.

7 MS HOLLIS: Thank you:

8 Q. Mr Taylor, you have told the Court about the execution of a
9 number of your commanders during your time as leader of the NPFL.

10:10:36

10 Do you recall that testimony, Mr Taylor?

11 A. Yes, I do.

12 Q. And you have also told the Court that those executions were
13 approved by you, correct?

14 A. That is correct.

10:10:49

15 Q. And among those that you talked about having been executed
16 were persons you said were members of Black Kadaffa. Do you
17 remember that, Mr Taylor?

18 A. Yes.

19 Q. Yegbeh Degbon was one?

10:11:09

20 A. Yes.

21 Q. Anthony Mekunagbe was another?

22 A. No, he was not executed. I never said he was executed.

23 Q. That's correct, Mr Taylor. In fact, you said that he was
24 arrested and died in prison, correct?

10:11:21

25 A. That is correct.

26 Q. And also you had mentioned Oliver Varney that you said was
27 executed for being a member of Black Kadaffa, yes, Mr Taylor?

28 A. No.

29 Q. Why was Oliver Varney executed, Mr Taylor?

1 A. He was involved in a plot to overthrow the government. I
2 did not say he was - they were all a part of the group, but not
3 because he was a member of Black Kadaffa, but because he was part
4 of a group that planned to overthrow the leadership of the NPFL.

10:11:59 5 That was the reason for the execution.

6 Q. Mr Taylor, when you say they were planning to overthrow the
7 leadership of the NPFL, they were planning to overthrow you.
8 That's who they were planning to overthrow. Yes, Mr Taylor?

9 A. Well, I disagree. I said the leadership of the NPFL.

10:12:15 10 Q. Now, you have talked about Sam Larto and he was in fact
11 executed, yes?

12 A. That is correct.

13 Q. And do you recall telling the judges that he was executed
14 for two principal reasons: For the killing of some civilians in
10:12:35 15 the southeastern part of Liberia?

16 A. That is correct.

17 Q. And for the killing of another civilian and for stealing a
18 television. Do you recall telling the judges that?

19 A. No. I didn't tell them as you put it. I said that the
10:12:55 20 second individual that was killed by Sam Larto, that individual
21 was accused of stealing a television, not Larto.

22 Q. And then he killed that individual who was accused of
23 stealing the television?

24 A. That is correct.

10:13:09 25 Q. But, Mr Taylor, in fact, that is not why you had Sam Larto
26 executed, was it?

27 A. That's - those are the reasons that Sam Larto was tried and
28 executed.

29 Q. In fact, Mr Taylor, you actually had Sam Larto executed

1 because you also were concerned that he had connived against you.
2 Isn't that right?

3 A. Yes. Sam Larto was a part of the group from Libya, but the
4 main reason for his execution and trial were those two issues.

10:13:49 5 He was not a part of the group that was tried for Black Kadaffa.

6 Q. If we could please look at 23 September 2009, page 29476.

7 MS IRURA: Your Honour, this is private session material.
8 Perhaps I could print the page.

9 MS HOLLIS: I would ask, Madam President, that we go very
10:14:58 10 briefly into private session so I may refer to this. I don't
11 believe that this particular information I am referring to would
12 disclose the identity of anyone, but it is private session.

13 PRESIDING JUDGE: Is there some midway procedure that we
14 could adopt, for instance by printing off a copy for the witness
10:15:19 15 and not broadcasting the transcript for everybody else except for
16 the courtroom people?

17 MS IRURA: Your Honour, that is certainly possible.

18 MS HOLLIS: Then if you would please copy off 29476 and
19 29477.

10:17:04 20 PRESIDING JUDGE: Ms Hollis, I am depending on you to
21 conserve the confidentiality of the contents.

22 MS HOLLIS: Yes:

23 Q. And, Mr Taylor, I am going to ask you to direct your
24 attention - if you look at this page, you see that toward the
10:18:22 25 bottom you are discussing Sam Larto. And then if you would
26 direct your attention to lines 25 to 29 on page 29476 and lines 1
27 to 3 on 29477.

28 A. Yes, I see that.

29 Q. And Mr Taylor, also the first three lines on page 29477.

1 Mr Taylor, I suggest to you that this explanation is that indeed
2 Sam Larto was executed because he was part of Black Kadaffa?

3 A. No. I have said to you Sam Larto from the base were
4 involved in a group, but his trial and what he was charged with
10:19:34 5 was strictly for the murder of those individuals. He was not
6 tried for being involved with Black Gaddafi, according to what
7 was presented to the Tribunal.

8 Q. And Mr Taylor, I suggest that is inconsistent with your
9 explanation on the pages that I have just pointed out to you?

10:19:55 10 A. Well, we have disagreement. My understanding of this is
11 consistent with what I have said. He was under investigation.
12 He was - he murdered these civilians, and I say he was under
13 investigation for some Black Kadaffa activities. But I am saying
14 his trial that we charged him with as a government was for the
10:20:16 15 murder of those people. That's consistent with what I have said.

16 MS HOLLIS: And if those pages could please be retrieved
17 from the accused.

18 Q. Mr Taylor, throughout your time as leader of the NPFL and
19 President of Liberia, you had executed those people that you felt
10:20:40 20 were a threat to your power. Isn't that correct?

21 A. That is not correct.

22 Q. And also you had executed people who failed to carry out
23 orders or mandates you had given them; isn't that right,
24 Mr Taylor?

10:20:59 25 A. Well, let's look back now. You asked me two questions.
26 Let's let the record be clear. You said during my retirement as
27 leader of the NPFL and President of line. Let the record be
28 clear: There were no executions by my government as President of
29 Liberia. As NPFL leader, there were executions. There were no

1 executions authorised by me as President of the Republic of
2 Liberia.

3 Q. Now, Mr Taylor, in April 1990 the AFL defeated your NPFL
4 forces around Ganta; you remember that, Mr Taylor?

10:21:44 5 A. I arrived in Liberia - I don't know what you mean by
6 "defeated".

7 Q. They defeated them in battle, Mr Taylor, that's what I
8 mean?

9 A. Well, I would somewhat disagree with your proposition as
10:22:00 10 put.

11 Q. And you blamed the defeat on your subordinates who were in
12 command in that area, isn't that right?

13 A. No. Guerilla warfare - Ganta fell to us. No. That's not
14 the way we conducted our war. No, I disagree with you.

10:22:24 15 Q. And as a result of that defeat, you summarily executed the
16 commanders in that area by firing squad, isn't that correct,
17 Mr Taylor?

18 A. You know, I will answer you to stop the argument. You said
19 commanders. You haven't said who was executed, who was killed.

10:22:40 20 But I don't - we never put anyone, to the best of my knowledge,
21 in the NPFL on trial because he lost a position in battle - I
22 disagree with you - or was pushed out of an area. I disagree
23 with you totally.

24 Q. Mr Taylor who was Cooper Teah, T-E-A-H?

10:23:03 25 A. Cooper Teah? In fact, Cooper Teah was not one of my
26 commanders.

27 Q. Who was Cooper Teah, Mr Taylor?

28 A. The Cooper Teah that I know was one of the exiled
29 individuals or - in La Cote d'Ivoire. I knew him very well. I

1 knew Cooper Teah very well. But we failed to get him to go to
2 Libya for training. He was already a trained soldier. That's
3 the one that I know.

10:23:38 4 Q. Mr Taylor, he actually came into your controlled
5 territories in Liberia with about 64 Special Forces. Isn't that
6 right?

7 A. No, that is incorrect. 64 Special Forces? Do any of
8 those - no. Which Special Forces? The only Special Forces I
9 know are the ones that I carried to Libya and brought back.

10:23:57 10 Q. And Mr Taylor, you actually had Cooper Teah executed after
11 he came into your territory, didn't you?

12 A. No, that is not correct. You said my commanders were
13 executed. So was he a commander of mine?

14 Q. This is a different incident, Mr Taylor.

10:24:12 15 A. Oh, okay. Well, no, no, no, I did not have Cooper Teah
16 executed.

17 Q. And the Special Forces that he brought into the territory
18 with him, you had those people imprisoned. Isn't that right,
19 Mr Taylor?

10:24:25 20 A. No, there were no Special Forces. There were some
21 exiled - I know you are referring to the Woveiyu story. There
22 were some individuals that were arrested that had come in after
23 the war started, and they were arrested and later on released, to
24 the best of my knowledge. But they were not my commanders or
10:24:51 25 didn't fight for me. By "me" I mean the NPFL.

26 PRESIDING JUDGE: Mr Taylor, you said counsel is referring
27 to what story?

28 THE WITNESS: I said I know she's referring to the Woveiyu
29 story. But that's totally incorrect.

1 MS HOLLIS:

2 Q. Mr Taylor, who was Gabriel Kpolleh, K-P-O-L-L-E-H?

3 A. Gabriel Kpolleh was a political leader in Liberia, in fact
4 originated from Bong County - William Gabriel Kpolleh is the
10:25:28 5 actual name - that was a very well known political leader in
6 Liberia.

7 Q. Indeed, Mr Taylor, you had him killed as well, did you not?

8 A. That is not correct. That's another Woveiyu story.

9 Q. And your commander Paul Vaye was involved in those
10:25:46 10 killings. Isn't that right?

11 A. That is not correct.

12 Q. And these killings, Cooper Teah, Gabriel Kpolleh, they were
13 authorised by you. Isn't that right?

14 A. That is not correct.

10:25:57 15 Q. And in addition to these two individual during this time
16 period, and we are looking at really the summer of 1990, you had
17 some 80 NPFL executed. Isn't that right?

18 A. That is not correct.

19 Q. And you had them executed because you were concerned that
10:26:15 20 they were a threat to your power within the NPFL. Isn't that
21 right, Mr Taylor?

22 A. That is totally incorrect. All propaganda. Totally
23 incorrect.

24 Q. That's propaganda by Mr Woveiyu, Mr Taylor?

10:26:32 25 A. After we broke up in - after Tom Woveiyu formed a rebel
26 group and attacked the NPFL and broke away in 1994, Tom Woveiyu
27 made a lot of very wild accusations that later on he apologised
28 for, I forgave him and brought him into my government. But there
29 was just confusion between friends in 1994 when he broke away and

1 formed a rebel group. I'm aware of the nonsense that he wrote.
2 He subsequently apologised, and I brought him into my government.
3 He became a senator from the NPP.

10:27:15 4 Q. When he broke away he was able to be truthful about your
5 conduct. Isn't that correct, Mr Taylor?

6 A. That is not correct. If not, he would not have in so many
7 ways retracted what he said.

8 Q. Mr Taylor, you were also responsible for the killing of
9 Jackson F Doe, weren't you?

10:27:27 10 A. That is not correct. That's Tom Woveiyu again. That is
11 not correct. Jackson Doe was a very well respected man.

12 Q. This occurred in the summer of 1990. Isn't that correct?

13 A. That is not correct.

14 Q. And, actually, Jackson F Doe had been convinced to come
10:27:40 15 over into your controlled territory. Isn't that right?

16 A. I am not sure if he was convinced. That's not to my
17 knowledge, that he was convinced to come into my controlled area.

18 Q. And you in fact escorted him to Harbel. Isn't that right?

19 A. That is not correct.

10:27:59 20 Q. And he was received at Harbel. Isn't that right?

21 A. That is not correct.

22 Q. And indeed, Mr Taylor, you told Tom Woveiyu that you had
23 Jackson Doe with you?

24 A. That is not correct. That is part of Tom's lies again.

10:28:15 25 These are things that Tom has subsequently retracted, so these
26 are - that's a lie. That's not true.

27 Q. Now, at the time that Jackson Doe came to Harbel,

28 Mr Woveiyu was in Sierra Leone as part of peace negotiations.

29 Isn't that right?

1 A. I don't recall the time. I know he went to Sierra Leone.
2 He very well - I don't - I can't bring the two together. Tom did
3 go to Sierra Leone. I am not sure if this is the time that he
4 went, so I can't be too sure of that.

10:28:49 5 Q. Mr Taylor, when you told Mr Woveiyu that Jackson Doe was
6 with you, you instructed Mr Woveiyu to inform Amos Sawyer, Ellen
7 Johnson-Sirleaf and the other politicians that Jackson Doe was
8 safe. Isn't that right, Mr Taylor?

9 A. I never, quote unquote, told Mr Woveiyu no such thing.
10:29:11 10 Neither did I, on the second question, instruct him to tell
11 anybody anything.

12 Q. So these are lies by Mr Woveiyu, Mr Taylor?

13 A. Well, Tom has - he retracted those and then joined my
14 government later, so --

10:29:27 15 Q. And Mr Taylor, when Mr Woveiyu subsequently returned to
16 Harbel you wouldn't tell him where Jackson Doe was, would you?

17 A. I have just covered that. There was no such situation. I
18 told you what the whole situation was, and so that's not - I
19 disagree.

10:29:50 20 Q. And that's because, Mr Taylor, you had had him killed by
21 your subordinates. Isn't that right?

22 A. That is not correct.

23 Q. So, Mr Woveiyu's account of this is incorrect?

24 A. He has straightened that. It's totally incorrect, and
10:30:05 25 Woveiyu has dealt with that subsequently.

26 Q. Mr Taylor, another person that you had killed was Moses
27 Duopu?

28 A. That is not correct.

29 Q. And that is - tell me if I spell his name correctly,

1 Mr Taylor, D-U-O-P-U. Is that correct?

2 A. Yeah, that sound pretty good.

3 Q. Now, you first served with Moses Duopu in the ULAA in the
4 United States, yes?

10:30:34 5 A. Well, when you say "you first served with", you know, we
6 served together. In fact, if anything he served with me because
7 I held the most senior position as chairman.

8 Q. And subsequently you, Moses Duopu and the person Harry
9 Nyuan that you have talked about, you were all in Abidjan

10:30:56 10 together. Isn't that right?

11 A. Yes, Moses was in Abidjan with Harry Nyuan and myself, yes.

12 Q. And while in Abidjan the three of you actually broke your
13 followers down into three groups. Isn't that right?

14 A. That is not correct.

10:31:12 15 Q. One group that was led by you, one that was led by Mr Nyuan
16 and one led by Moses Duopu. Isn't that correct?

17 A. That is not correct.

18 Q. And indeed, Mr Taylor, even after these groups had broken
19 down in this way, you solicited recruits by telling them that you
10:31:35 20 were closely affiliated with Harry Nyuan. Isn't that right?

21 A. That is not right.

22 Q. Because Harry Nyuan had a very strong following. Isn't
23 that right?

24 A. Well, Harry Nyuan did have a strong following in the Nimba
10:31:51 25 group, that is correct.

26 Q. And you used that strong following as a basis for your own
27 recruitment. Isn't that right?

28 A. No, that was not the case. I was closer to Moses Duopu
29 because he was something like a brother-in-law to me. We were

1 married to two sisters. We were very close. Closer to Moses
2 than Harry. So I disagree with you.

3 Q. In fact, that's correct. You weren't close to Harry but
4 you led people to believe that you were working very closely with
10:32:20 5 him. Isn't that right?

6 A. That is not right, no.

7 Q. Mr Taylor, Moses Duopu was later part of the NPFL yes?

8 A. No, no. Moses was part, once you say later, Moses was part
9 of the first NPFL with General Quiwonkpa but he was not a part of
10:32:44 10 the second NPFL.

11 Q. Mr Taylor, at some point Moses Duopu actually declared
12 himself to be the Secretary-General of your NPFL. Isn't that
13 right?

14 A. No, that's not right.

10:32:56 15 Q. And indeed, Mr Taylor, Moses Duopu made it be known that
16 the NPFL was actually run by an executive council, not by you
17 individually. Isn't that right?

18 A. I have no recollection of Moses making any such statement.
19 We separated a long time before I finally put the organisation
10:33:29 20 together. So I have no recollection of Moses making any such
21 statement. It would have been foolish because all of our actions
22 were covert anyway so why would he make public pronouncements
23 about an organisation we were trying to keep secret. So I
24 disagree with that.

10:33:48 25 Q. Your organisation wasn't secret after you had entered
26 Liberia, was it, Mr Taylor?

27 A. After I entered Liberia it was not secret. But remember it
28 had been in place for more than two years during our training in
29 Libya.

1 Q. Mr Duopu, also made it known that he wanted to be a
2 candidate for President from within the NPFL. Isn't that right?

3 A. Made it known to whom? To me?

4 Q. He announced it.

10:34:14 5 A. I never saw that announcement.

6 Q. And you saw Moses Duopu as a threat to your leadership in
7 Liberia. Isn't that right?

8 A. No, Moses and I were very, very close. I said we married
9 two sisters. We were very close. I never saw him as a threat.

10:34:34 10 Q. And you had him killed in June 1990. Isn't that right?

11 A. That is not correct.

12 Q. Now, Mr Taylor, it's also true, is it not, that throughout
13 your time as the leader of the NPFL you had various individuals
14 in addition to the Black Kadaffa group killed because you saw
10:34:59 15 them as threats to your power?

16 A. That's not correct. Maybe for the judges, Moses Duopu is
17 from Nimba County. He is a Gio. 90 per cent of the Special
18 Forces were Gio. Most of the fighters were Gio. What influence
19 would I have to be killing senior Gio people and I am a total
10:35:17 20 stranger to them? That's all a bunch of nonsense. Moses was
21 Gio, Harry Nyuan Gio. All the names that you have called to
22 these judges are Gio people, leaders from Nimba County that I
23 would ask their people to go and kill them? No.

24 Q. Mr Taylor, in June 1990 Moses Duopu was killed in your
10:35:37 25 controlled territory in Liberia, wasn't he?

26 A. It very well could have been, but not with my instructions.

27 Q. Mr Taylor, you were aware of this killing. This was a very
28 important killing, wasn't it?

29 A. That's two things. Was I aware? No. What do you mean - I

1 don't know what you mean by a very important killing.

2 Q. He was a very important person, Moses Duopu?

3 A. Moses Duopu was a very important person, yes.

4 Q. And this killing was made known to you, wasn't it?

10:36:03 5 A. After the fact, we were - it was reported to me about the
6 middle of 1990 that Moses Duopu was trying to enter our territory
7 through the bushes and was killed and that was the report that
8 reached me and I was very saddened by it.

9 Q. In fact, Mr Taylor, that report that reached you was simply
10:36:26 10 to tell you that your orders had been carried out. Isn't that
11 right?

12 A. That is not correct. I disagree with you.

13 Q. During the time you were the leader of the NPFL, your
14 commanders were very aware of the executions that were carried
10:36:41 15 out against people thought to have connived against you. Isn't
16 that right, Mr Taylor?

17 A. I don't understand the question. What's your question
18 again?

19 Q. Many people during the time you were the leader of the NPFL
10:36:51 20 were killed because they were thought to have connived against
21 you. Isn't that right, Mr Taylor?

22 A. That is not correct.

23 Q. For example, the people involved in Black Kadaffa were
24 killed because they were thought to have connived against you?

10:37:03 25 A. Well, not to connive against me. These were all Special
26 Forces and they knew they had taken an oath. These people
27 connived against the organisation, not against me per se.

28 Q. And these executions were very well known within the
29 membership of the NPFL. Isn't that right?

1 A. When you say the executions, the trial and execution if it
2 was generally known?

3 Q. Yes.

4 A. Yes.

10:37:32 5 Q. And indeed some of your subordinate commanders were
6 responsible for carrying out the executions. Isn't that right?

7 A. Well, I don't understand the question, but, I mean, when
8 you say your subordinate commanders were responsible for the
9 execution I will just say this much: Once they were tried and
10:37:52 10 convicted and the execution was approved, I was not present to
11 know who fired. But the authorisation to carry out the execution
12 was approved by me. But I don't know the individual that stood
13 on the firing squad, if that's your question.

14 Q. Mr Taylor, your subordinates were well aware of the
10:38:11 15 consequence of being suspected of conniving against you, weren't
16 they?

17 A. No, well, that question I would say - conniving against me
18 would be another thing. If you went against the organisation and
19 planned to cause massive killing and to remove the leadership, of
10:38:36 20 course there were rules, there were orders published and these
21 are military people. We are not talking about civilian people.
22 They were well aware of the rules.

23 Q. Also, Mr Taylor, you had people executed for failing to
24 obey your orders during your leadership of the NPFL. Isn't that
10:38:53 25 right?

26 A. No, no, no. There was no one that I know of that was
27 executed for, if I recollect the military term, failure to follow
28 instruction or what you would call insubordinations. Totally
29 that would be incorrect.

1 Q. Mr Taylor, your subordinates knew that they could face
2 execution if they failed to obey your orders. Isn't that right?

3 A. No. No individual soldier or officer in the National
4 Patriotic Front was ever, ever even court-martialled, less to say
10:39:31 5 executed, for failing to carry out my instructions. Not to my
6 knowledge, no.

7 Q. Mr Taylor, even among your civilian associates, they were
8 very aware that it was dangerous to act contrary to your wishes.
9 Isn't that right, Mr Taylor?

10:39:50 10 A. No, I disagree.

11 Q. Perhaps even deadly to act contrary to your wishes. Isn't
12 that correct?

13 A. That is not correct.

14 Q. Mr Taylor, after you were President, executions of persons
10:40:02 15 you perceived to be threats to your power continued. Isn't that
16 right?

17 A. That is not correct.

18 Q. For example, Mr Taylor, after you were elected President,
19 Samuel Dokie and his family were killed. Isn't that right?

10:40:21 20 A. Well, let's get the question now so I don't answer you
21 wrongly. What's your question?

22 Q. After you were President, Mr Taylor, Samuel Dokie and his
23 family were killed. Isn't that right?

24 A. After I became President, Samuel Dokie and his family were
10:40:36 25 killed.

26 Q. And they were killed in a very brutal fashion?

27 A. Definitely in a brutal fashion, yes.

28 Q. And they were killed after having been arrested at one of
29 your checkpoints near Gbarnga. Isn't that correct?

1 A. That's - my recollection is that that is correct.

2 Q. Indeed, Mr Taylor, before this arrest, Samuel Dokie had
3 told you he was going to leave the country. Isn't that right?

4 A. That's not correct.

10:41:02 5 Q. And indeed, Mr Taylor, Samuel Dokie knew about your
6 business dealings during the NPFL times. Isn't that correct?

7 A. Nonsense. No. I had no business dealing.

8 Q. He knew about your alliances during the NPFL times, isn't
9 that correct, including with the RUF?

10:41:22 10 A. That is not correct.

11 Q. And he knew about your conduct both towards civilians and
12 your subordinates during your time as leader of the NPFL. Isn't
13 that correct?

14 A. That is not correct. In fact, Samuel Dokie was an adviser
10:41:40 15 to my government. His wife worked for my humanitarian agencies.
16 That is not correct.

17 Q. Mr Taylor, you were concerned that once he was away from
18 your control he would tell others about all of these matters.
19 Isn't that right?

10:41:59 20 A. That is not correct.

21 Q. Mr Taylor, you were also concerned that he would rally
22 others around him to oppose your leadership. Isn't that true?

23 A. That is not true. You know it's important maybe for the
24 judges: Samuel Dokie, Tom Woveiyu left at the same time. So
10:42:23 25 there was nothing that Dokie wanted to say he could not have
26 said. Samuel Dokie, Tom Woveiyu and Lavalie Supuwood broke away
27 in 1994. Samuel Dokie and Tom Woveiyu and Lavalie came back.
28 Dokie was an adviser in my government. So that's all twisted
29 logic what you are trying to reveal here to these judges.

1 Q. Now, Mr Taylor, the head of your Special Security Service
2 admitted that he ordered the arrest of the Dokies. Isn't that
3 right?

4 A. Yes. I was out of the country. Yes, that is correct. He
10:43:00 5 subsequently said he did. I was in South Africa when Dokie was
6 terribly killed. I was out of the country.

7 Q. And the director of your SSS at the time was Benjamin
8 Yeaten, correct?

9 A. That is correct.

10:43:13 10 Q. And the Dokies were held in custody of your SS after they
11 were arrested. Isn't that right?

12 A. No, not - I don't. That's not the information that I
13 received. The information I received is quite contrary, so that
14 is not correct to the best of my knowledge.

10:43:32 15 Q. Mr Taylor, do you know why the Dokies were arrested?

16 A. I have no idea, because Sam was not under investigation.
17 Subsequently we got to know it was more like a Nimba confusion
18 and there were - I think there were individuals that were either
19 tried for that or there were warrants for the arrest of
10:43:56 20 individuals involved, but he was not under investigation so I
21 have no reason why an adviser in the government would be
22 arrested. I was out of the country.

23 Q. Well, Mr Taylor, what do you mean by "a Nimba confusion"?
24 What are you talking about?

10:44:11 25 A. Well, there were always little tribal clashes between and
26 amongst Nimbadians and when we investigated we were told that
27 this was an internal Nimba problem. Because he was never ordered
28 investigated or he could not and should not have been stopped.

29 Q. Mr Taylor, you say you don't know why he was arrested, but

1 it is correct, is it not, that you ordered the Justice Ministry
2 to have on your desk within 24 hours a full account of the
3 situation surrounding the event of the killing of the Dokies?

4 A. Yes. When I returned from South Africa, I was very
10:45:02 5 outraged by this whole thing because I understand from the report
6 that reached me that Dokie was burnt along with his family in a
7 car. Now here you are saying that he was arrested and kept. I
8 learnt that he was burnt practically on - a think a few yards or
9 about a mile away from where he was arrested. And I was so
10:45:25 10 outraged, and I ordered the justice minister to get me a report
11 immediately on what this was all about when I returned to
12 Liberia.

13 Q. And this full account, what did it tell you as to why these
14 people were arrested in the first place?

10:45:39 15 A. To the best of my knowledge, remembering the report, there
16 was not even anything definitive. It just seemed to be that it
17 was an internal problem. But no one, including the report that
18 came, was definitive as to why they had to kill this man.

19 Q. So you wanted a full report, but you accepted a report that
10:45:59 20 was not definitive?

21 A. Counsel, I don't know what you want me to say. I ordered
22 my justice minister; he brought me a report. I am saying to the
23 Court that even in my own understanding, the report was not as
24 definitive as I would have wanted it. But that's what I got.

10:46:20 25 Q. Now, Mr Taylor, was Benjamin Yeaten ever arrested for the
26 killing of the Dokies?

27 A. No, Benjamin Yeaten was not arrested. Those that were
28 involved, I think, were arrested. Benjamin Yeaten, I said that
29 he had asked for Dokie to be arrested and brought to Monrovia,

1 according to the report. And those that went to carry out, went
2 beyond the orders, and I think those are the people that were
3 sought.

10:46:51 4 Q. Well, Mr Taylor, if he was arrested because of some Nimba
5 affair, that would have been an illegal arrest, wouldn't it?

6 A. I am not going to get into - into speculations here
7 about --

8 Q. Well, Mr Taylor, you've speculated throughout your
9 testimony.

10:47:02 10 A. If that's what you think, then the Court should not accept
11 speculation, counsel. I don't want to get into an argument about
12 that.

13 Q. Mr Taylor, you would have ensured that at a minimum,
14 Benjamin Yeaten had action taken against him for an arrest that
10:47:18 15 wasn't based on the law, wouldn't you?

16 A. No, I don't even think any President, even the
17 United States, would dictate to the Minister of Justice what to
18 do. That's the function under our laws. If it happens in your
19 country, it's different in my mine.

10:47:34 20 Q. Indeed, Mr Taylor, you didn't have his arrest because he
21 was carrying out your wishes in the killing of the Dokies, isn't
22 that right?

23 A. I would disagree.

24 Q. And the people that were put on trial were low level SSS
10:47:49 25 personnel, isn't that right?

26 A. Counsel, I don't know how to categorise what you are
27 saying. The laws of Liberia took whatever - whoever the Justice
28 Department decided to arrest, whether they are low level, high
29 level, that was not my preoccupation. My interest would be in

1 the interests of justice and what the Justice Department did. I
2 did not interfere in the process at all.

3 Q. And indeed, Mr Taylor, those who were eventually arrested
4 were actually acquitted, weren't they?

10:48:25 5 A. I think there was an acquittal. I am not too certain. I
6 don't know the - you could very well be right.

7 Q. And five people were actually initially arrested, but only
8 two people were tried; that's right, isn't it, Mr Taylor?

9 A. I don't recollect the details of - you could very well be
10:48:47 10 right. I don't recollect the details.

11 Q. And those two people were found not guilty, isn't that
12 right, Mr Taylor?

13 A. I have told you I don't recollect the details of the case.
14 Who got tried, their names, what happened to them, I don't
10:49:05 15 recollect the details. I know there was a court procedure, but I
16 don't know. It very well could have been that some were
17 convicted, but I don't know.

18 Q. Mr Taylor, this very serious incident that you wanted a
19 full accounting on your desk in 24 hours, you didn't follow what
10:49:22 20 happened after these people were arrested for the murder of Sam
21 Dokie and his family?

22 A. No, that's not what I am saying. I am saying that they
23 went to court. You are telling me that there were five. I don't
24 recall - I think there were two that went on trial. As to
10:49:44 25 whether they were convicted, or one was convicted and went to
26 jail, I don't know, or the other three, as to whether they went
27 to jail, I don't recall that detail.

28 Q. So you didn't remain that interested in the killing of Sam
29 Dokie and his family?

1 A. Well, counsel, I think that's - I would disagree with your
2 proposition as you put it.

3 Q. Mr Taylor, basically your orders had been carried out.
4 They had been killed, and then there was a semblance of

10:50:14 5 accountability; isn't that how it worked, Mr Taylor?

6 A. Based on your knowledge of how things work. That's not my
7 knowledge. I disagree with you.

8 Q. Mr Taylor, during your presidency you also had Isaac Vaye
9 executed, isn't that right?

10:50:28 10 A. No, Issac Vaye was not executed by my orders. Vaye was an
11 official.

12 Q. And you also had John Yormie executed, isn't that right?

13 A. That is not correct.

14 Q. And Benjamin Yeaten was in charge of carrying out your
15 instructions for these killings, isn't that right?

10:50:45 15

16 A. That is not correct.

17 Q. Indeed, Mr Taylor, these two men were arrested on 4 June
18 and taken to your residence before they were killed, isn't that
19 right?

10:50:59 20 A. Well, they were arrested and they did come to my residence
21 and meet the Cabinet and other people. I did ask to see them,
22 yes.

23 Q. And then they were taken away from your residence and they
24 were murdered; isn't that right, Mr Taylor?

10:51:17 25 A. Well, I don't agree as you put it: "They were taken away
26 and they were murdered", I don't agree with how you put it. No,
27 I disagree.

28 Q. And they were murdered on the orders of Benjamin Yeaten,
29 isn't that right?

1 A. Benjamin Yeaten subsequently said that these men were
2 killed by his own admission. Yes, he did say that.

3 Q. And Mr Taylor, he was never charged with these killings,
4 was he?

10:51:49 5 A. No, not to my knowledge. Benjamin - in fact, I left the
6 country just - the level of confusion in the country before we
7 could really get into that, I left the country.

8 PRESIDING JUDGE: Mr Taylor I don't understand your answer
9 when you said, "Benjamin Yeaten subsequently said that these men
10:52:07 10 were killed by his own admission. Yes, he said that." How can
11 people be killed by an admission?

12 THE WITNESS: No, the question, excuse me, your Honour, was
13 did Benjamin say that? And I said, yes, he did say that and that
14 was --

10:52:23 15 PRESIDING JUDGE: No. The question was, "And they were
16 murdered on the orders of Benjamin Yeaten, isn't that right?"
17 And your answer is: "Benjamin Yeaten subsequently said that
18 these men were killed by his own admission. Yes, he did say
19 that." Now, how is that an answer to the question?

10:52:42 20 THE WITNESS: Well, maybe if the sentence is just running:
21 He was killed; and the second part of that, by his own admission.
22 I do not know how they put the --

23 PRESIDING JUDGE: The question was, and still is: "And
24 they were murdered on the orders of Benjamin Yeaten, isn't that
10:52:59 25 right?" Now, I would like an answer to that question.

26 THE WITNESS: Yes, that's what - yes.

27 MS HOLLIS:

28 Q. And Mr Taylor, before you left the country you took no
29 action to ensure that he was charged for these murders, did you?

1 A. Well, that was not my responsibility. I think it was under
2 investigation as I left the country.

3 Q. And, Mr Taylor, indeed these men were killed on the orders
4 of Benjamin Yeaten. He was in fact acting on your orders, isn't
10:53:33 5 that right?

6 A. That is not correct. I think he would have said it, that
7 "I killed these people because the President ordered me to." But
8 that's not what he said.

9 Q. The widows of these two men were not informed of the
10:53:49 10 murders until about the 14 July, isn't that right?

11 A. I don't know the exact date. That's probably right.

12 Q. Didn't you act to ensure that the widows knew the fate of
13 their husbands?

14 A. I don't know what the President is supposed to do. I don't
10:54:06 15 know how to answer that question.

16 Q. Well, Mr Taylor, these two men were brought to your home;
17 then they were taken away; they were killed. You wanted to
18 ensure that their widows got timely notice of what had happened
19 to them, didn't you?

10:54:22 20 A. That would have been of interest to me, yes. But they were
21 killed some time after that. In fact, I didn't even know that
22 the men had been killed until sometime later before Benjamin
23 admitted to it, so --

24 PRESIDING JUDGE: Ms Hollis, when you say 14 July, that is
10:54:42 25 in relation to what?

26 MS HOLLIS: The widows being told of the killing of these
27 two men.

28 PRESIDING JUDGE: The killing happened when? Have we got
29 that on the record?

1 MS HOLLIS:

2 Q. Mr Taylor, the killing happened, did it not, on 4 June,
3 Mr Taylor?

4 A. No, not to my - I do not know when the men got killed.

10:55:06 5 They got killed somewhere between June 4 and the date you called,
6 July 5. I don't know when these men were killed.

7 Q. Now, these two men were killed because you were displeased
8 with their conduct, isn't that right?

9 A. That is not correct, no.

10:55:31 10 Q. And this, of course, occurred after you had learned that
11 there was an indictment against you which had been made public;
12 yes, Mr Taylor?

13 A. That's total nonsense.

14 Q. So, Mr Taylor, throughout your leadership, both the NPFL
10:55:52 15 and the presidency of Liberia, you had no qualms about ordering
16 the execution of people you felt were a threat to your power,
17 isn't that right?

18 A. That is not correct.

19 Q. Or people who had information that you were concerned they
10:56:13 20 might give to the wrong people, isn't that right?

21 A. That is not correct.

22 Q. Also you had no qualms about ordering the execution of
23 people who failed to carry out your instructions?

24 A. That is not correct.

10:56:25 25 Q. And, Mr Taylor, the treatment of your subordinates, your
26 treatment of human rights workers, all of these things were
27 factors that led the international community to fail to provide
28 assistance directly to you, isn't that right, Mr Taylor?

29 A. That is not correct.

1 Q. Because indeed, Mr Taylor, during your presidency, despite
2 what you have told these judges, the only rule of law that
3 prevailed in Liberia was the rule of law you chose to implement;
4 isn't that right?

10:57:10 5 A. That is not correct.

6 Q. And the only freedom of expression and freedom of speech
7 that existed in Liberia was speech which was favourable to you,
8 isn't that right?

9 A. That is not correct.

10:57:23 10 Q. And you took steps to deal with those who voiced opinions
11 that were contrary to yours, isn't that right, Mr Taylor?

12 A. That is not correct. I took every action to encourage free
13 speech. Newspapers - the number of newspapers increased
14 significantly during my presidency. I fully disagree with you.

10:57:57 15 Q. Mr Taylor, we have seen during direct examination quite a
16 few photographs of your home, White Flower. We have seen a video
17 of your home, White Flower. Indeed, we have seen a diagram that
18 was drawn by your Defence counsel showing the compound within
19 which your residence was located. Yes, Mr Taylor?

10:58:24 20 A. Yes.

21 Q. And, Mr Taylor, when we saw these photographs and we saw
22 the video, as we were facing the front of your residence we saw a
23 lot of photographs and video coverage of your fence on the right
24 side of your property; do you recall, Mr Taylor?

10:58:48 25 A. From which direction?

26 Q. Facing towards your house --

27 A. The right side.

28 Q. -- Looking at the front of your house, looking down?

29 A. Yes.

1 Q. And the right side of your fence, Mr Taylor, was the side
2 that you said there were some trees and then there was a road;
3 yes?

4 A. Yes.

10:59:04 5 Q. And, Mr Taylor, on the left side - we looked at your
6 property from the front. On the left side, your fence along the
7 left side, it was on the outside of that fence that the SSS
8 building was located, yes?

9 A. That is correct.

10:59:20 10 Q. And, Mr Taylor, in all of these photographs and the video
11 that we saw, we didn't see a lot of coverage of that left fence
12 line, did we?

13 A. That's relative. I don't what you - what, we didn't see a
14 lot? I don't know what you mean by that.

10:59:37 15 Q. For example, Mr Taylor, we didn't see the door in the left
16 fence. The door that is located around the area where the SSS
17 building was, we didn't see that door, did we?

18 A. No, I don't remember seeing that door.

19 Q. But there is a door, isn't there, that went through that
10:59:58 20 fence in the area where your SSS building was?

21 A. There is an access door, yes.

22 Q. And of course there would be, because the SSS would need to
23 have immediate access to you in an event of emergency, yes,
24 Mr Taylor?

11:00:10 25 A. Well, I would say yes to that. But that's not why that
26 door was there, if that's your question. I would say yes, but
27 that's not - the door had access. My kitchen is located as soon
28 as you enter that door.

29 Q. Indeed, Mr Taylor, that door did give access from the SSS

1 building into your compound. Isn't that right?

2 A. No, the way you put it I would disagree. When you say that
3 door gave access from the SSS building, no. I would disagree
4 with you from the SSS building. No.

11:00:41 5 Q. What distinction are you making, Mr Taylor?

6 A. When you say from the building, that means that it could
7 have led directly from the building inside. That is a door that
8 was located yards away from the building.

9 Q. So it was yards away from the SSS building?

11:00:55 10 A. That is correct.

11 Q. And that door was located there throughout the time you
12 lived in White Flower. Isn't that right, Mr Taylor?

13 A. It was constructed there, yes.

14 Q. And was that part of your renovations and your construction
11:01:11 15 at White Flower when you moved in there?

16 A. When I moved into that property, yes.

17 Q. Mr Taylor, do you recall on 17 September you were asked a
18 question about a Maca crossing, M-A-C-A crossing, and you
19 indicated you had heard of Maca but you weren't sure if there was
11:01:49 20 a crossing point there. Do you remember that, Mr Taylor?

21 A. That is correct.

22 Q. And you said that Maca was in Grand Cape Mount County.
23 Yes, Mr Taylor?

24 A. There were several Macas, yes. There is a Maca in Grand
11:02:07 25 Cape Mount County.

26 Q. And indeed, Mr Taylor, Maca, M-A-C-C-A, M-A-K-A, that's
27 another name for a town called Mecca. Isn't that right,
28 Mr Taylor, M-E-C-C-A?

29 A. Now wait a minute, counsel. You have talked about M-E-C-A,

1 M-E-C-C-A and M-A-K-A. Now which - I'm confused, I don't know
2 what you are asking me.

3 Q. It is a little confusing, isn't it, Mr Taylor. The town of
4 Mecca that appears on a lot of Liberian maps, M-E-C-C-A, you
11:02:44 5 remember that town, Mr Taylor? It's a town that's located
6 between Tubmanburg and Bong Mines?

7 A. I know of several Meccas, at least three Meccas.

8 Q. And Mecca is sometimes spelled as M-A-K-A. Isn't that
9 right, Mr Taylor, as an alternate spelling?

11:03:06 10 A. To be fair to you it could be but that's not how I have
11 known it to be spelled.

12 Q. And indeed also as M-E-K-A, Mr Taylor?

13 A. Counsel, the best I can help is it's possible that if it's
14 spelled M-E-K-A people will understand it. But my knowledge of
11:03:25 15 Mecca is M-E-C-C-A.

16 Q. Now, Mr Taylor, do you recall we have talked about the
17 letter from Susan Rice to General Robert Yerks. That was the
18 September 1999 letter. Remember we talked about that Tuesday, I
19 believe?

11:03:56 20 A. Yes.

21 Q. And that was used and marked by your Defence counsel during
22 your direct examination, you remember, Mr Taylor, that was
23 MFI-105?

24 A. I remember the letter but I don't remember the MFI number.
11:04:14 25 But I remember the letter.

26 Q. And in that letter you recall there is a discussion of the
27 IMF's concerns about your country and one of those concerns had
28 to do with what they said were monopolies for rice and monopolies
29 for petroleum. Do you remember that, Mr Taylor?

1 A. I do remember that, yes.

2 Q. And they were concerned about the monopolies, yes?

3 A. That is correct.

4 Q. And, Mr Taylor, indeed during the time that you were
11:04:52 5 President, there was a monopoly in Liberia for petroleum and
6 petroleum products, yes, Mr Taylor?

7 A. No.

8 Q. And indeed, Mr Taylor, you made profit off this monopoly.
9 Isn't that right?

11:05:12 10 A. That is not correct.

11 Q. And indeed, Mr Taylor, you had reached an agreement with a
12 certain company Basma about the import into your country of
13 petroleum, yes, Mr Taylor?

14 A. Well, I don't know. The problem in Susan Rice's letter,
11:05:42 15 there was disagreement about the issue of monopoly. Right now as
16 Liberia sits there, the Liberian petroleum corporation enacted
17 under the laws of Liberia as the only entity responsible for the
18 importation of hydrocarbons in Liberia. The conflict came at the
19 time with I think it was Mobil wanting to import outside of the
11:06:13 20 law which stopped it. It was viewed by certain entities as a
21 monopoly but it was not. That was the law. And within the LPRC
22 as many people could order based on their acceptance of their
23 proffer. And so we disagreed and the State Department got to
24 understand it was not a monopoly.

11:06:37 25 Q. And, Mr Taylor, it's correct, is it not, that during your
26 presidency you, Belle Dunbar and Ghassan Basma and Jamal Basma
27 entered into a contractual agreement relating to the import of
28 fuel into the country?

29 A. That's not correct, counsel. You know when you ask a

1 question like that it means that you've got some evidence to
2 that. Belle Dunbar, the name you called for the judges, was the
3 managing director of LPRC. It's an autonomous agency of
4 government with a board of directors. The President had nothing
11:07:19 5 to do directly with the operation of that entity, no. I would
6 disagree.

7 Q. Were you familiar with --

8 PRESIDING JUDGE: The acronym LPRC stands for?

9 THE WITNESS: I'm sorry, your Honour. It's Liberian
11:07:36 10 Petroleum Refining Corporation. It's a public corporation.

11 MS HOLLIS:

12 Q. And, Mr Taylor, this agreement gave the Basma family an
13 exclusive five-year supply agreement for fuel into Liberia.
14 Isn't that right, Mr Taylor?

11:07:53 15 A. I don't know, counsel. The LPRC is a public corporation
16 with a board of directors. The President did not get involved.
17 My only interest was that hydrocarbons remained on the Liberian
18 market. That's a public corporation, separate.

19 Q. Mr Taylor, as a result of this agreement Liberians paid
11:08:13 20 some of the highest prices for fuel of any country in the area.
21 Isn't that right?

22 A. That is totally incorrect. Totally. In fact we had one of
23 the lowest. It's even higher now. No, that's incorrect.

24 Q. Mr Taylor, what happened as a result of this agreement is
11:08:33 25 that basically these imports were double taxed. Isn't that
26 right?

27 A. That is not correct. If that was so then it's happening
28 now. Right now the government under Ellen is doing the same
29 thing. No.

1 Q. And indeed, Mr Taylor, there was the official tax which is
2 levied on the import of fuel, yes? There is an official tax
3 which was levied on fuel, yes?

11:09:05 4 A. I don't know when you say - I don't really know, but there
5 is a tax on the products in the country. Whether it is taxed
6 while coming in, I don't know the mechanism of how it worked.
7 But government did get taxes from sales on the ground. I don't
8 know the exact amount, but the government did get taxes from the
9 importation - I mean from the sale of petroleum products.

11:09:27 10 Q. Mr Taylor, in addition to this official tax there was
11 actually a Taylor tax, wasn't there; your tax?

12 A. No, I'm sorry, counsel, I disagree with you.

13 Q. And in fact this tax was collected from Kadiatu Diarra
14 directly from the Basma operation. Isn't that right, Mr Taylor?

11:09:51 15 A. That is not correct. You spoke to Kadiatu, I am sure if
16 she had told you that you would have brought it to this Court.
17 That's not correct.

18 Q. Mr Taylor, indeed these Taylor taxes amounted to between
19 \$300,000 US and \$600,000 to you each month. Isn't that right?

11:10:11 20 A. Well, there was no Taylor tax, so I disagree with you.

21 Q. And that amount was paid in cash to you through Kadiatu
22 Diarra. Isn't that correct?

23 A. There was no Taylor tax, so I disagree with you.

11:10:32 24 Q. And indeed, Mr Taylor, at your direction, Kadiatu
25 distributed these funds to the ATU, the SSS and other subordinate
26 units of yours. Isn't that right?

27 A. I disagree with you. There was no Taylor tax.

28 Q. If we could please look at MFI-365, that is S/2003/937. It
29 should be number 29 in annex 3. MFI-365. If we could first go

1 to the front page of the document we see "United Nations Security
2 Council, S/2003/937, 28 October 2003". Then if you could please
3 go to page 19 of the document, paragraph 61 under "Fuel
4 importation" and here, Mr Taylor, in this report it indicates:

11:12:06 5 "The main reason why Liberians had paid an exorbitant \$3
6 per gallon for fuel is an agreement between Charles Taylor, Belle
7 Dunbar and a private entity controlled by Ghassan Basma and Jamal
8 Basma which guaranteed Taylor a number of financial benefits."

9 And then it indicates that LPRC nominally sets the price of
11:12:35 10 fuel and collected some gains designated as taxes. So,
11 Mr Taylor, it is true that you had this agreement with you, Belle
12 Dunbar and the entity controlled by Ghassan Basma and Jamal Basma
13 during your presidency. That is correct, isn't it, Mr Taylor?

14 A. That is totally, totally irresponsible of the panel of
11:12:58 15 experts and normally if the panel of experts had an agreement they
16 would have attached it here as an annex. This is total, total
17 nonsense for experts. This is some of the problems that we had
18 with them. Total nonsense. This is just hearsay or maybe gossip
19 around. If there is an agreement, of course it would be
11:13:17 20 attached.

21 Q. And then if we could look at paragraph 62, please:

22 "Each month, Kadiatu Diarra collected additional taxes that
23 amounted to between \$300,000 and \$600,000 in cash directly from
24 the Basma operation."

11:13:34 25 Mr Taylor, this was US dollars, was it not?

26 A. I don't know what they are talking about. So I say this is
27 irresponsible, that's why my government - most of the governments
28 always criticise some of these so-called experts. You get into a
29 place and you get - this is totally, totally irresponsible. I

1 don't know what dollars they are talking about.

2 Q. "On direction from Taylor she distributed those funds to
3 ATU, SSS and other paramilitary services as salaries." That's
4 correct, isn't it, Mr Taylor?

11:14:10 5 A. What is correct?

6 Q. That on direction from you, she distributed those funds to
7 ATU, SSS and other paramilitary services as salaries?

8 A. Well, to help the Court, I could just say no, but, to help
9 the Court, Kadiatu did pay ATU, SSS, not from this tax but if I
10 say no and later on a question could come and say, "Well, you say
11 Kadiatu never paid the SSS." She did pay the SSS and she did pay
12 the ATU but from different funds. The fact of this matter is one
13 part of it is that, yes, she was involved in payments of these
14 units. But on the other hand, it is not from this tax. It is
11:14:55 15 from this bank account at LBDI that we talked about before these
16 judges. It is from that account - those accounts that Kadiatu
17 paid these agencies. And you know about it because you
18 interviewed Kadiatu and she told you about it.

19 Q. Mr Taylor, if we look at number 63:

11:15:18 20 "The Basma family had secured the exclusive five-year
21 supply agreement in September 1998 against a \$10 million loan
22 payment in goods, such as cars and earth-moving equipment, to
23 Taylor."

24 So, Mr Taylor, they secured this exclusive agreement
11:15:40 25 against a \$10 million loan payment in goods to you, isn't that
26 right, Mr Taylor?

27 A. That is not correct.

28 Q. Now, Mr Taylor, it was also a legitimate concern of IMF in
29 regards to the rice monopoly that existed in Liberia during your

1 presidency, isn't that correct?

2 A. As to whether it was a legitimate concern?

3 Q. Yes.

11:16:08

4 A. I don't know as to whether it should have been a legitimate
5 concern.

6 Q. There was a rice monopoly during your presidency, wasn't
7 there, Mr Taylor?

11:16:19

8 A. There was not a rice monopoly. My understanding of the
9 word "monopoly" as I did economics is a little different. There
10 was a rice - there was an oligopoly. There was not a monopoly.

11 Q. What's that, Mr Taylor? How do you define an oligopoly?

12 A. Well, a monopoly is when you have one importer of rice. We
13 had three. So for me, that was not a monopoly.

11:16:41

14 Q. And, Mr Taylor, indeed, there was a monopoly that was
15 vested in a company called Bridgeway Corporation, isn't that
16 right?

17 A. Well, there were two questions now you are asking. And I
18 think maybe if you broke it down, it would help the judges,
19 because I don't want to mislead anybody.

11:16:55

20 Q. Well --

21 A. Was there a company called Bridgeway importing rice? Yes.

22 Q. And this company had a monopoly on rice importation, isn't
23 that right, Mr Taylor?

11:17:07

24 A. I would disagree. No, because there were two other
25 companies that imported rice. So I would say no.

26 Q. And Bridgeway Corporation, who was that owned by,
27 Mr Taylor?

28 A. It was owned by George Haddad, the Haddad business family.

29 Q. And he was a Lebanese businessman, was he?

1 A. Yes.

2 Q. Was he a Liberian citizen?

3 A. No.

4 Q. And indeed, Mr Taylor, Bridgeway Corporation had the vast
11:17:35 5 majority of the market share of rice that came into the country,
6 isn't that right?

7 A. I would say yes. I would agree with that. Market share, I
8 would agree with that.

9 Q. Mr Taylor, under this agreement that allowed Bridgeway to
11:17:51 10 have this vast majority of market share --

11 A. What agreement?

12 Q. -- you personally benefitted, didn't you?

13 A. What agreement? Under which - you say "this agreement".
14 Which agreement?

11:18:02 15 Q. Your agreement to allow them to have a virtual monopoly,
16 Mr Taylor?

17 A. Well, that's where we have disagreement. As to market
18 share, market share has to do with another thing. When I studied
19 economics, a market share meant the ability of an individual or a
11:18:21 20 company to entrust the population to a level where they liked
21 their products. So market shares are not given; they are earned,
22 from when I did economics. So he had the largest market share.

23 There was no agreement, just as the others brought in, and any
24 Liberian that want to import rice to apply for a licence to
11:18:44 25 import it. A lot of them did. Some of them brought in once or
26 twice. But there was no monopoly and there was no agreement.

27 Q. And indeed, Mr Taylor, you profited from this arrangement
28 with Bridgeway, isn't that right?

29 A. When you say "profited", in what way?

1 Q. Financially, Mr Taylor.

2 A. No.

3 Q. Indeed, there were some \$5 or \$6 per bag of profit built
4 into the retail price under the agreement that you had, isn't
11:19:12 5 that right, Mr Taylor?

6 A. No. That is not correct. The way that the - I understand
7 the pricing goes, which is true now - and by that time we were
8 selling rice for \$20; it's now \$60 in Liberia - rice, there's
9 what we call a stabilization fee that goes directly to
11:19:35 10 agriculture to help the production of rice in the country. These
11 fees were all controlled by either agricultural - and there were
12 taxes - very low taxes that kept rice not above \$20 during my
13 presidency.

14 Q. Actually, it was around \$20 to \$22 a bag, isn't that right,
11:19:54 15 Mr Taylor?

16 A. Well, yes, compared to \$60 now, you know, there is a big
17 jump.

18 Q. And even after deducting all the official taxes, the import
19 duties and the fees, there was an additional profit of \$5 or \$6
11:20:07 20 per bag, isn't that right?

21 A. I don't know that, how the importers --

22 Q. Well, Mr Taylor, you do know. Because that excess profit,
23 the \$5 or \$6 a bag went to you, isn't that right?

24 A. Total nonsense. If rice is so, by your twisted logic for
11:20:30 25 \$22 a bag, on the world market rice was bought for about 15 -
26 let's say \$12, \$15. We had stabilisation fees, we had taxes.
27 What type of profit could a businessman make if he would give \$5
28 to, quote unquote, Charles Taylor and then still make a profit?
29 That's twisted logic. That's not correct.

1 Q. And indeed, Mr Taylor, these amounts that went to you, went
2 to you either in cash, or they were deposited into an account
3 Tradevco Bank, isn't that right?

4 A. Well, that is so incorrect. But if that is correct, I am
11:21:11 5 sure you will want to bring that before this Court. That is
6 totally incorrect.

7 Q. Mr Taylor, the account in Tradevco Bank was administered by
8 Kadiatu Diarra and others, isn't that right?

9 A. And others? It don't know of anybody else who - the little
11:21:29 10 account that I had at Tradevco Bank, that account, I don't think
11 it ever went above \$20,000. That is not correct, no.

12 Q. And Kadiatu Diarra and others administered this account on
13 your behalf, isn't that right, Mr Taylor?

14 A. Well, we have disagreed on the others, so now if you
11:21:51 15 separate the question, I don't want to just say no. I agree that
16 Kadiatu had something to do with that account at Tradevco. When
17 you say "others", then I have to say - with the combined
18 question, I have to say no.

19 Q. Now, Mr Taylor, in fact you did exempt some companies from
11:22:11 20 buying rice through Bridgeway, didn't you?

21 A. If I exempted some companies from buying rice from
22 Bridgeway?

23 Q. Yes.

24 A. Is that your question?

11:22:20 25 Q. Yes.

26 A. No. How could I exempt - no, I never exempted anybody. I
27 was not involved in the rice business. My interest as President,
28 I will tell this Court - I had serious interest in rice, because
29 rice caused the 1979 riots in Liberia. Rice is a major problem

1 in Liberia. Any government that plays with rice in West Africa
2 is going to fall. So I was very concerned to keep rice on the
3 market.

4 Q. Indeed, Mr Taylor, you were very concerned about rice. You
11:22:54 5 also profited greatly from your arrangement regarding rice, isn't
6 that right?

7 A. That is not correct.

8 Q. Mr Taylor, going back to companies you exempted: Oriental
9 Timber Corporation was one such company that you exempted from
11:23:11 10 buying rice from Bridgeway, isn't that right?

11 A. Oriental Timber, I am not sure if they were exempted from
12 buying rice from Bridgeway. I have to disagree. Oriental Timber
13 may have been exempted from - I mean and given permission to
14 bring in rice because of the level of their investment in the
11:23:32 15 country and some of the incentives we were trying to open for
16 them. But not because they should not buy from Bridgeway. No,
17 that was not the issue. It was just an added incentive for a
18 major investor like Oriental Timber.

19 Q. Mr Taylor, also the Maryland Wood Processing Industries,
11:23:54 20 MWPI, they were also exempted from buying through Bridgeway,
21 isn't that correct?

22 A. I am not - again, I think it's important for the Court -
23 because you are asking questions that are not full, but - main
24 investors in Liberia at the time were given that particular
11:24:14 25 incentive, but important to that, for the Court, is that they
26 were not allowed to resell the rice. It could be used for their
27 employees, because these were companies that had thousands of
28 employees, and, for example, Oriental Timber could get rice from
29 China much cheaper, and we did not want them - they had exemption

1 from buying locally because of the higher amount, but they could
2 not resell on the market. It could only be donated to their
3 employees.

11:24:47 4 Q. And Mr Taylor, also Firestone fell within that arrangement,
5 isn't that right? They were able to bring in rice directly?

6 A. That is correct. That is correct.

7 Q. And in return for being able to bring the rice in directly,
8 then companies purchased almost double the quantity that was
9 required, isn't that right?

11:25:05 10 A. I am sorry, counsel, I can't help you with that. I don't
11 know how they utilised that privilege. But I am sure that my
12 interest would have been that they did not abuse the privilege,
13 but I don't - I didn't follow up on the day-to-day utilisation of
14 the privilege. But it would have been a violation of the
11:25:29 15 goodwill had they sold it on the market.

16 Q. Indeed, Mr Taylor, that's what they did, isn't it? They
17 sold the surplus on the market to the local population?

18 A. I am not sure, counsel. I can't make such accusations
19 against these companies. I am not sure. What I do remember was
11:25:48 20 that, what did come up at one point was, Firestone and other big
21 companies, Oriental, would give the rice to their employees and
22 the employees would sell it to some of the other people. But I
23 cannot say for sure from reports that I remember vaguely that it
24 was with the acquiescence of the companies. I think the
11:26:13 25 employees did this maybe just on their own.

26 Q. And, Mr Taylor, it's also true, is it not, that some of
27 this surplus was used to feed members of your ATU and SSS who
28 were frequently stationed at companies such as MWPI?

29 A. To the best of my knowledge, yeah, they did give the

1 security forces in the area, sometimes they would donate food,
2 yes.

3 Q. And, indeed, Mr Taylor, these ATU and SSS forces were often
4 assigned to these logging camps, were they not, as security?

11:26:59 5 A. No, not necessarily. No. If the ATU were in the area,
6 they would provide some services. As the war intensified, yes,
7 they did. Okay, they did provide some services for them, the big
8 companies, yeah.

9 Q. And, Mr Taylor, in, I guess, realisation or to thank you or
11:27:29 10 as part of your agreement, whatever way, in return for being able
11 to bring in rice directly, MWPI, for example, put money in bank
12 accounts in Europe for your use. Isn't that right?

13 A. I don't understand. What's your question, counsel?
14 Because I heard you playing around with some words. What's your
11:27:59 15 question, counsel?

16 Q. Well, in return for this privileged position of being able
17 to bring in rice directly, MWPI - the owner of MWPI put money in
18 his bank accounts in Europe for your benefit. Isn't that right?

19 A. That's twisted. MWPI put money in his bank account for me?
11:28:23 20 No, never.

21 Q. The owner of MWPI was Mr Fawaz. Is that correct?

22 A. That is correct.

23 Q. Abbas Fawaz?

24 A. That is correct.

11:28:33 25 Q. And Mr Fawaz put money in his accounts in Switzerland and
26 France for your benefit. Isn't that right, Mr Taylor?

27 A. Total nonsense. Why - if there is money for me, why not
28 give it to me? Why would he put it into his bank account for his
29 benefit? That's nonsense.

1 Q. And that was to take care of expenses you incurred during
2 your trips to Europe. Isn't that right, Mr Taylor?

3 A. Mr Fawaz never put any money belonging to me in his bank
4 account. No.

11:28:58 5 Q. Mr Taylor, you received direct from these - from your
6 arrangement with Bridgeway, you received directly the excess
7 profits of \$5 or \$6 a bag. Isn't that right, Mr Taylor?

8 A. I have said to you no.

9 Q. And, in addition, you received other benefits such as
11:29:22 10 Mr Fawaz putting money in his accounts in Europe for your use.
11 Isn't that right, Mr Taylor?

12 A. That is not correct. And let me be clear about this
13 because I know you are going to come back and say, "You didn't do
14 this." In 1998, on my visit to - one of my trips to France, I

11:29:48 15 think it was - Mr Fawaz did pay for hotel and other
16 accommodations for the delegation because the delegation stayed a
17 little over, my delegation, and he was repaid by the Government
18 of Liberia subsequently. Now - and he paid that bill because he
19 was instrumental in helping to get also this visit to France in
11:30:17 20 addition to Mr Saint Pai that we talked about. So I want to make
21 that upfront before later you say, "Well, here is evidence that
22 Mr Fawaz paid a bill." He did pay a bill on behalf of the
23 government and he was refunded.

24 Now, you are saying that he put money in his account for my
11:30:34 25 benefit? No.

26 PRESIDING JUDGE: Okay. That's a good place to adjourn
27 because the tape has run out. We will reconvene at 12 o'clock.

28 [Break taken at 11.30 a.m.]

29 [Upon resuming at 12.00 p.m.]

1 PRESIDING JUDGE: Ms Hollis, please continue.

2 MS HOLLIS: Thank you, Madam President. I would ask that
3 we look again at MFI-365, number 29 in annex 3. We were looking
4 at it before in relation to fuel. If we could at this time
12:01:57 5 please look at page 19 under "Rice importation":

6 Q. We see a paragraph 65 under "Rice importation". Mr Taylor,
7 "The original rice supply agreement which secured exclusive
8 rights for Bridgeway Corporation owned by George Haddad..."

9 Let's stop there for a moment. So, Mr Taylor, you were involved
12:02:38 10 in a supply agreement that secured exclusive rights for Bridgeway
11 Corporation. Isn't that right, Mr Taylor?

12 A. I was not involved in any supply agreement, no.

13 Q. And then it goes on:

14 "... included the provision of approximately 72,000 bags of
12:02:55 15 free rice deliveries to Charles Taylor."

16 And that's correct, isn't it, Mr Taylor? You benefitted in
17 many ways including 72,000 bags of free rice to you in 2002.
18 Isn't that right, Mr Taylor?

19 A. No, I did not benefit from 72,000 bags of free rice.

12:03:18 20 Q. Mr Taylor, that was a value to you of approximately
21 \$1.3 million. Isn't that right?

22 A. I don't know how you calculated that. No, that's not
23 right.

24 Q. And you used the free rice to distribute among your
12:03:37 25 military and paramilitary forces. Isn't that right?

26 A. Well, that's a different question now. If the question is
27 was there rice donated by Bridgeway --

28 Q. That's not the question, Mr Taylor. The question is you
29 used your free rice --

1 A. Well, I didn't have any.

2 Q. -- to distribute among your military and paramilitary
3 forces?

4 A. I had no free rice. Charles Taylor had no free rice.

12:04:01 5 Q. Mr Taylor, under this agreement with Bridgeway, you got the
6 72,000 bags of free rice, but Bridgeway was authorised to charge
7 that free rice to the Ministry of Finance. Isn't that right,
8 Mr Taylor?

9 A. I did not get any free rice. I disagree.

12:04:20 10 Q. So you got free rice and Liberia paid for it. Isn't that
11 right, Mr Taylor?

12 A. I disagree with your proposition.

13 Q. And then if we look at paragraph 66:

14 "Even after deducting all official taxes, import duties and
12:04:36 15 fees raised on the rice importation, the panel and other
16 authorities have calculated that approximately \$5 or \$6 in
17 profits was built into the retail price of \$20 to \$22 per bag.
18 These excess profits were collected by Taylor in cash or
19 deposited in an account at Tradevco Bank which is administered by
12:05:02 20 Kadiatu Diarra and others."

21 So, Mr Taylor, these excess profits came to you. Isn't
22 that right?

23 A. That is totally incorrect and I think this is so
24 irresponsible of the panel of experts. They went to Tradevco.
12:05:19 25 It is a blatant lie. There is no such account. Irresponsible.

26 Q. And if we look at paragraph 67:

27 "Large enterprises that were exempt from buying rice
28 through Bridgeway included the Oriental Timber Company/Royal
29 Timber Corporation ..."

1 Mr Taylor, were those one and the same entities?

2 A. What's your question? If what were one and the same?

3 Q. Oriental Timber Corporation/Royal Timber Corporation.

4 A. No, not that I know of.

12:05:50 5 Q. "... Maryland Wood Processes Industries and Firestone.

6 This led to indirect benefits for Taylor. MWPI regularly
7 purchased almost double the quantity of rice required to feed its
8 employees, the workers of the affiliated rubber plantation and
9 the Cape Palmas Port operation."

12:06:23 10 What was the Cape Palmas Port operation, Mr Taylor?

11 A. Cape Palmas, that's what you call Harper, it's the same.
12 It's the free port of - they had the port. There's a port in
13 Maryland.

14 Q. MWPI shipped its timber out of that port?

12:06:34 15 A. Yes, a Liberian port, yes.

16 Q. Who was in control of that port?

17 A. That port was under the control of the National Port
18 Authority of Liberia, to the best of my knowledge.

19 Q. Do you know if there was an individual superintendent in
12:06:50 20 charge of that particular port?

21 A. No, I don't know.

22 Q. "The surplus imports of approximately 2,500 bags were sold
23 by MWPI owner Abbas Fawaz to the local population and to feed ATU
24 and SS soldiers frequently stationed at his logging camps. The
12:07:15 25 Fawaz side trade netted additional gains of up to \$10,000 per
26 month. In return Mr Fawaz, through his banking accounts in
27 Switzerland and France, took care of expenses that Taylor
28 incurred during his trips" - and they use the plural, Mr Taylor -
29 "trips to Europe."

1 Then, Mr Taylor, in paragraph 68 it notes that:

2 "In 1999 the Council of Economic Advisers protested against
3 Bridgeway Corporation's rice monopoly. Since then a small
4 percentage of rice imports has been handled by other firms."

12:07:56 5 So, Mr Taylor, it was true, was it not, that under your
6 agreement with Bridgeway virtually all of the rice imports into
7 Liberia came in via Bridgeway? Isn't that right, Mr Taylor?

8 A. That is not correct. I had no arrangement with Bridgeway.

9 Q. Now, Mr Taylor, in addition to your involvement with rice
12:08:16 10 imports and fuel imports, you were also very involved in timber
11 exports during your presidency. Isn't that correct?

12 A. I don't know what you mean by I was involved with timber
13 export.

14 Q. Well, let's look at it a little more closely. During your
12:08:35 15 presidency timber was a very rich source of revenue for Liberia.
16 Isn't that right?

17 A. That is correct.

18 Q. And this was revenue that belonged to the Liberian people,
19 yes?

12:08:44 20 A. That is correct.

21 Q. It was a source that you benefitted from during your
22 presidency. Isn't that right?

23 A. I don't know what you mean by I benefitted from.

24 Q. Financially, Mr Taylor.

12:08:56 25 A. No, I did not.

26 Q. As well as in other ways.

27 A. I did not.

28 Q. And your close supporters also benefitted in the timber
29 export business during your presidency. Isn't that correct?

1 A. I don't know what you mean by my close associates.

2 Q. Mr Taylor, it was also a source that you used to acquire
3 war materiel. Isn't that right?

4 A. If what? The revenues of Liberia?

12:09:21 5 Q. Timber export.

6 A. Yes, yes.

7 Q. And during what period did you use the timber export to
8 acquire war materiel s, Mr Taylor?

9 A. Well, it depends on how it came in. I would say from
12:09:33 10 between '99 up until about 2001, 2002, whatever revenues were
11 available were used. Timber was not excluded.

12 Q. So in 1999 you used timber for the import of war materiel?

13 A. No, I said from about. We opened - the first real look
14 into importation comes from the opening of the bank account in
12:09:57 15 December 1999. So I can put it to - that's why I said 1999. Let
16 me be specific. I didn't want to talk too much. But as of 2000,
17 whatever revenues were available to my government we used,
18 including timber.

19 Q. And indeed, of course, Mr Taylor, in 2003 you admitted to
12:10:20 20 using timber to import arms to defend your country. Isn't that
21 right?

22 A. Counsel, I think so. I mean I have said that so many
23 times, yes.

24 Q. But, in fact, of course, you were using timber for this
12:10:31 25 purpose much earlier than the end of 1999 or 2000. Isn't that
26 right, Mr Taylor?

27 A. That is not right.

28 Q. In fact, even as far back as your leadership of the NPFL
29 you were using timber exports to finance the import of weapons

1 into Liberia. Isn't that correct?

2 A. No, we did not - we did not export timber, but we did use
3 some means from timber. I would say - generally I would say,
4 yes, we used some of that money, yes.

12:11:04 5 Q. Mr Taylor, during your presidency you gave out quite a few
6 timber concessions. Isn't that right?

7 A. When you say "you", if you mean the government gave out,
8 the government gave out I would say not quite a few. I would say
9 maybe at least one, maximum two.

12:11:28 10 Q. And it was the Executive branch that gave out these
11 concessions, yes?

12 A. I wouldn't say that. The timber - the national, what do
13 they call it, timber group over there was a public corporation.

14 Q. And who was in charge of that public corporation,
12:11:47 15 Mr Taylor?

16 A. Who was in charge at the time?

17 Q. Yes.

18 A. My brother was managing director of the group. I forgot
19 the name.

12:11:58 20 Q. Is that the FDA, Mr Taylor?

21 A. FDA, that is correct.

22 Q. And that is, what, forestry development agency?

23 A. That is correct. Authority.

24 Q. Forestry Development Authority?

12:12:10 25 A. Authority, yes.

26 Q. And, Mr Taylor, your brother did as you directed him.
27 Isn't that right?

28 A. He did as the board of directors directed him.

29 Q. Now, it's true, is it not, that in --

1 PRESIDING JUDGE: Surely this brother has a name.

2 THE WITNESS: I think it's on the record. Bob Taylor.

3 We've gone through that before.

4 MS HOLLIS:

12:12:28 5 Q. I think we've talked about that before. So Robert Taylor,
6 is that Bob?

7 A. Bob, I agree, is a short cut for Robert. In his case it
8 was not Robert. We just called him Bob. It's Bob Taylor.

9 Q. And during what period of time was he in charge of the FDA?

12:12:43 10 A. From the beginning of my presidency to the end.

11 Q. Now, Mr Taylor, you're aware, are you not, that in 2006 the
12 Liberian government passed an executive order cancelling all
13 prior forest concessions?

14 A. I'm not aware of it. I have seen the - well, again, when I
12:13:13 15 say I'm not aware of it, okay, I have seen the reports. When you
16 say "were you aware", okay, I've seen the - amongst documents
17 that have been presented, yes, I saw that.

18 Q. In fact, it was executive order number 1, wasn't it,
19 Mr Taylor?

12:13:26 20 A. Yes, which of course I cannot speak for that government,
21 but I think it's - I don't know why they permitted that.
22 Executive orders do not trump laws, so I don't know how it could
23 have happened, but I'm not there. That's their business.

24 Q. And, Mr Taylor, this executive order was enacted after a
12:13:48 25 review by the Forest Concession Review Committee, correct?

26 A. You say the executive order was enacted?

27 Q. Well, passed. Let's say passed. Put into effect.

28 A. Okay, well, I don't know how to answer this, but I'll try.

29 I saw the executive order. I don't remember the date, but I will

1 take your word that it was written at that time. I'm not sure if
2 it was ever enacted.

3 Q. And this executive order came into being after there had
4 been a Forest Concession Review Committee study. Isn't that

12:14:25 5 right, Mr Taylor?

6 A. Counsel, that's what it says. We're talking politics now.
7 We've got to stay to the Court. That's politics. So I don't
8 know how they did it.

9 Q. And, Mr Taylor, that Forest Concession Review Committee had
10 determined that no concession holder had complied with the
11 minimum requirements for operating under the law of - in Liberia.
12 Isn't that right?

13 A. I don't know what the report was or what time period,
14 because following my presidency, you know, there was another
12:14:57 15 interim government that lasted for two years. So I don't recall
16 the period that they are alluding to. But I will take your word
17 that that was the result of what they came up with.

18 Q. And, Mr Taylor, if you would like we can look at that
19 review. We have included it in the materials.

12:15:19 20 A. I saw it, yes.

21 Q. You saw that?

22 A. Yeah, I don't remember it, but I saw the material. I don't
23 remember the details.

24 Q. If we could look at tab 7 in annex 1. If we could see the
12:16:15 25 first page of that document, please. "Forest concession review -
26 phase III. Report of the Concession Review Committee, May 31,
27 2005. Acknowledgments". Then if we could look, please, at page
28 27 of the report. Then we see, the second bullet point:

29 "Out of the 47 concession holders submitting at least some

1 data, not a single company presented a contract that was in full
2 force and effect. Contracts were either not ratified, did not
3 follow correct application procedures, were not submitted, had
4 expired or manifested a combination of these deficiencies."

12:17:28 5 Then, Mr Taylor, it gives a list of various findings in
6 relation to these concession holders, number (i) through number
7 (vi). Then:

8 "15 companies were technically in compliance to the extent
9 they had a contract before other contracts were issued in the
12:17:52 10 area. All of those 15 concessions are overlapped by other
11 concessions. There were some concessions that did not identify
12 or illustrate the metes and bounds of their concession areas."

13 So, Mr Taylor, they found quite a few deficiencies. Isn't
14 that correct?

12:18:17 15 A. I'm looking at this report. I would not say that these are
16 - you know, I don't know how you want me to answer. They say
17 they found deficiencies. I don't know as to whether these are
18 deficiencies. I would just agree that I have seen this report.

19 Q. Now, Mr Taylor, during your presidency, concessions were
12:18:39 20 procured by paying money to you and your close associates. Isn't
21 that right?

22 A. No, that's not how it was done.

23 Q. And also concessions were procured by providing support for
24 your militias?

12:18:58 25 A. That is incorrect.

26 Q. And also the concession winners had to pay protection money
27 to pro-government militias. Isn't that correct?

28 A. I think you're thinking about American Mafia protection.
29 That's not what we had in Liberia. I think we need to, for the

1 Court, what are concessions, I think the judges need to know
2 because you are going into - maybe some people don't know what is
3 the concession under the Liberian law and what was required that
4 would show this Court that the twisted logic is out of place.

12:19:33 5 What is a concession under Liberian law, maybe it would help the
6 Court. I don't know.

7 Q. Well, Mr Taylor, the way I'm using the word here is these
8 grants that you gave to companies to be involved in the timber
9 industry in Liberia and giving them certain areas in which they
10 could operate.

12:19:48

11 A. Well, counsel, you see now a concession is not a grant, so
12 I have a different knowledge under Liberian law of what a
13 concession is.

14 PRESIDING JUDGE: Mr Taylor, it doesn't matter what
15 knowledge you have. The question has been put again. The
16 meaning intended by counsel has also been put to you. Please
17 answer the question.

12:20:02

18 THE WITNESS: So what is the question?

19 MS HOLLIS:

12:20:11 20 Q. Mr Taylor, the concession winners under your presidency
21 also had to pay protection money to pro-government militias.
22 Isn't that correct?

23 A. That is not correct.

24 Q. And those pro-government militias, Mr Taylor, were your
12:20:26 25 militias, weren't they?

26 A. That is not correct.

27 Q. Indeed, Mr Taylor, during the time that you were President,
28 a large majority of the concession lands that you allowed to
29 different companies were controlled by non-Liberians. Isn't that

1 correct?

2 A. That is not correct. All of the concessions were mostly
3 granted by previous administrations; we just followed them.

4 That's not correct.

12:21:01 5 MS HOLLIS: If we could please look again at MFI-365.

6 PRESIDING JUDGE: Are we supposed to do anything with this
7 Forest Concession Review? Should we just put it away?

8 MS HOLLIS: No, I would ask that that be marked for
9 identification, Madam President.

12:21:24 10 PRESIDING JUDGE: The entire document?

11 MS HOLLIS: There will be one additional page I will come
12 back to, Madam President.

13 PRESIDING JUDGE: Perhaps we'll mark it after you come back
14 to it.

12:21:35 15 MS HOLLIS: Yes, thank you, Madam President:

16 Q. So we are with the document MFI-365 under "Timber Industry"
17 on page 20, paragraph 69. Mr Taylor, we see it is under the
18 caption "Mismanagement":

19 "Charles Taylor justified his forest management policies
12:22:09 20 by the need to optimise the economies of scale. As a
21 consequence, a number of Liberians and other entrepreneurs either
22 lost their logging concessions or had to switch to less
23 attractive ones so as to allow the granting of large concessions,
24 typically larger than 500,000 to 2 million acres, to new and
12:22:33 25 better funded operators."

26 So, Mr Taylor, it is true, is it not, that during your time
27 as President a number of Liberians and others either lost their
28 logging concessions, or had to switch to less attractive ones so
29 that you could provide concessions to large companies. Isn't

1 that right, Mr Taylor?

2 A. Yes, that's correct.

3 Q. And, indeed, these large concessions were typically larger
4 than 500,000 acres; some of them up to 2 million acres. Isn't
12:23:08 5 that right?

6 A. That is not correct.

7 Q. And among these better funded and new operators were who,
8 Mr Taylor?

9 A. Well, you know, I don't want to get stopped, but what we
12:23:22 10 did at that time was to encourage large corporations to invest,
11 and the amount of money that it would take to invest, they would
12 not put a large amount in 50,000 acres. So one of those that
13 benefitted was OTC --

14 Q. Mr Taylor, perhaps I misread it, but we're talking about
12:23:45 15 500,000 acres to 2 million.

16 A. Yes, that's what I read it to be too.

17 Q. Okay, OTC was one?

18 A. Yeah, OTC was one.

19 Q. As of when did they operate in Liberia?

12:23:58 20 A. I think OTC started what? I think they started back in - I
21 think it was '98 that we started getting them interested in
22 Liberia. What we tried to do was to look at instead of doing a
23 hundred small companies with 5,000, 10,000 acres, the policy of
24 the government was to try to bring in three or four major
12:24:24 25 investors that would take large concessions and invest huge
26 amounts of money, as was being done by other corporations at the
27 time. So OTC was one of them.

28 Q. And, Mr Taylor, it also in paragraph 70 talks about your -
29 how they characterise it - schemes have deprived the Liberian

1 people of substantial income, noting that forests are Liberia's
2 most valuable natural resource, and then indicating that:

3 "No up-to-date inventories exist by which to estimate the
4 full economic potential that the forest could represent to
12:25:11 5 Liberians, but the mere fact that a substantial majority of the
6 concession lands is controlled by non-Liberians reveals a deep
7 inequality. "

8 Mr Taylor, it is true, is it not, that during the time you
9 were President --

12:25:33 10 PRESIDING JUDGE: That last word was "inequity", not
11 "inequality".

12 MS HOLLIS:

13 Q. That during the time you were President, a substantial
14 majority of these concessions were controlled by non-Liberians?

12:25:44 15 A. That is true throughout the history of forestry for more
16 than a hundred years. I met it. Liberians didn't have the means
17 to own these concessions. I met it, I left it, it's still going
18 on the same way.

19 Q. Mr Taylor, who was the - who were the owners of OTC?

12:26:06 20 A. We went through this before. There was a gentleman - all I
21 know, I told this Court before, is Dato. He's a Chinese
22 Indonesian, a multi - a billionaire, that invested and owned OTC.
23 His son managed it in Liberia. I think that's a part of the
24 records already.

12:26:36 25 Q. And, Mr Taylor, the practices that you used in dealing with
26 these timber concessions during your presidency --

27 A. Yes.

28 Q. -- resulted in a large discrepancy between the revenue that
29 was collected by FDA and the amount that actually went to the

1 Central Bank of Liberia. Isn't that correct, Mr Taylor?

2 A. I disagree with you.

3 Q. For example, Mr Taylor, in 2000 there was a difference of
4 some \$6 million between what was collected by the FDA and what
12:27:18 5 actually reached the Central Bank of Liberia. Isn't that
6 correct?

7 A. I don't know. That could very well be.

8 Q. Indeed, Mr Taylor, in 2001 the difference was to the tune
9 of some \$19.6 million. Isn't that right?

12:27:35 10 A. I would disagree.

11 MS HOLLIS: If we could please look at tab 1 in annex 3.
12 This is S/2002/1115.

13 Q. Mr Taylor, while they're getting that, the revenues
14 generated by the timber concessions, they were to go to the
12:28:22 15 Central Bank of Liberia. Isn't that correct?

16 A. Counsel, we've gone through that before, and we've talked
17 about the revenues going to the Central Bank and revenues that
18 went into a covert account at LBDI. We went through that
19 extensively, so I would not say that is correct if you only limit
12:28:42 20 it to the Central Bank.

21 Q. The requirement was that they should have gone to the
22 Central Bank of Liberia. Isn't that correct?

23 A. Well, the legislature granted the opening of the covert
24 account, so that's the law. They controlled the money. So I
12:29:00 25 would say requirements - the requirement is only what the
26 legislature wants it to be at the time.

27 Q. Well, Mr Taylor, in fact they didn't have anything to do
28 with your covert account, did they?

29 A. I disagree with you. There was a bill passed by the

1 legislature authorising the President to do everything possible.

2 Q. Now if we could look at the front of this document. This
3 is United Nations Security Council S/2002/1115, 25 October 2002,
4 a letter from the chairman of the Security Council committee
12:29:32 5 established pursuant to resolution 1343 addressed to the
6 President of the Security Council. And you see, Mr Taylor, it is
7 submitting the report of the panel of experts on Liberia, and it
8 is signed by the chairman of the Security Council committee.

9 Then if we could please look at page 41 of that document,
12:30:23 10 and we are looking at paragraph 191:

11 "A comparison of the export figures of the Central Bank of
12 Liberia with the figures of the Forestry Development Authority
13 indicate a significant discrepancy of US \$6 million in 2000 and
14 US \$19,610,000 in 2001."

12:30:54 15 Then there's a table showing the discrepancy, showing the
16 amounts. Now, Mr Taylor, if we look at paragraph 192:

17 "The Forestry Development Authority was last audited by the
18 Auditor General in 1994. The strategic importance of logging
19 continues to be shown by the fact that the authority remains
12:31:20 20 outside the centralised revenue account of the Government of
21 Liberia tax account at the Central Bank. This is despite
22 instructions issued by the Central Bank of Liberia and the
23 Ministry of Finance in June 2002 and contrary to the information
24 provided by the government to the Security Council committee on
12:31:44 25 Liberia."

26 So, Mr Taylor, in 2002 instructions were issued by the
27 Central Bank of Liberia and the Ministry of Finance that funds
28 should go to the Central Bank, but you continued to ignore that.
29 Isn't that right, Mr Taylor?

1 A. That is not correct. As you put it, that's not correct.

2 MS HOLLIS: Madam President, if I could ask that this be
3 marked for identification, S/2002/1115.

4 PRESIDING JUDGE: The entire report?

12:32:37 5 MS HOLLIS: The cover page showing - that was read earlier,
6 the second page annex letter dated 7 October, and then it shows
7 the members of the committee and page 41. So that would be three
8 pages total, Madam President.

9 PRESIDING JUDGE: The documents as described comprising
12:33:21 10 three pages are marked MFI-406.

11 MS HOLLIS:

12 Q. Mr Taylor, is it your testimony that in 2000, the \$6
13 million discrepancy all went into a covert account?

14 A. No. In fact, it's important to know that this report with
12:33:53 15 the 6 million or whatnot was the subject of disagreement between
16 the Government of Liberia and this so-called committee of panel
17 of experts. So to ask me whether a 6 million went into - there's
18 disagreement on it, so I would have to say I disagree with your
19 proposition as put.

12:34:11 20 Q. Well, Mr Taylor, you're the one that said the money went
21 into a covert account, so --

22 A. I did not say 6 million.

23 Q. -- did all of the money that was not given to the Central
24 Bank of Liberia go into a covert account in 2000?

12:34:24 25 A. Well, that's a fair question. I'm not sure, but I - but
26 most of the money that did not go into the Central Bank went into
27 that account.

28 Q. You say most of the money. What happened with the rest of
29 it?

1 A. Maybe I used "most" - the money went into that account. I
2 think when we went through that account here before this Court,
3 it showed money coming from forestry.

12:34:58 4 Q. And, Mr Taylor, that was the account in your name that
5 we're talking about, isn't it?

6 A. Well, I disagree with your proposition. It was the account
7 that was placed in the names of Charles Taylor and Kadiatu
8 Diarra, not in my name.

12:35:15 9 Q. Well, Mr Taylor, the judges have the documents and they'll
10 be able to decide that.

11 A. I agree.

12 Q. Now, 2001, Mr Taylor, US \$19.6 million, did all of that
13 money go into the covert account?

12:35:30 14 A. Well, I don't know. I disagree with the 19.6. All I can
15 say to you is that whatever money did not go into the Central
16 Bank, I don't know how this panel came up with its amount, so I
17 can't say yes to 19.6.

18 Q. Now indeed, Mr Taylor, this money was diverted to you,
19 wasn't it?

12:35:52 20 A. No, it was not diverted to me.

21 Q. And, Mr Taylor, throughout your presidency, monies from the
22 FDA were diverted to you, were they not?

23 A. They were not.

12:36:13 24 Q. Indeed, Mr Taylor, just one of these companies, OTC, made
25 many millions of dollars of payments to you personally, didn't
26 it?

27 A. No, it did not.

28 Q. Mr Taylor, you said that Grace Minor opened a bank account
29 for you in Switzerland, maybe in 1993, but you had no specific

1 recollection. Do you recall that, Mr Taylor?

2 A. Yes, I do.

3 Q. This account in Switzerland, was it used for hiding funds,
4 Mr Taylor?

12:36:43 5 A. No, I don't - no.

6 Q. Was money that was diverted from the FDA placed in this
7 bank account, Mr Taylor?

8 A. Which FDA are you talking about? You said 1993.

9 Q. Forestry Development Authority, Mr Taylor?

12:37:00 10 A. Well, we didn't have an FDA in 1993, so I would say no.

11 Q. Mr Taylor, you continued to have this account in
12 Switzerland, didn't you?

13 A. No, I don't even know if the account still exists. It was
14 not a - it was something that Grace opened. I don't even know
12:37:19 15 what she put into it or whatever, but I think it's been - she
16 closed it.

17 Q. Mr Taylor, other than this covert account - and when you
18 say "covert account" tell us what account you're referring to,
19 please?

12:37:32 20 A. The covert account is the account that was opened at LBDI
21 co-signed by myself and Kadiatu Diarra. That's the account I'm
22 referring to.

23 Q. So that is the account - your account at LBDI?

24 A. Not my account. That's the covert account you asked me
12:37:56 25 about.

26 Q. You're not speaking of any other accounts when you talk
27 about a covert account. Is that right?

28 A. That's the account I'm talking about. No other.

29 Q. So, Mr Taylor, during your presidency you were very

1 involved in the control of timber exports?

2 A. No.

3 Q. To your personal benefit?

4 A. No.

12:38:14 5 Q. You were very involved in rice and fuel imports to your
6 personal benefit?

7 A. That is not correct, no.

8 Q. And, Mr Taylor, of course, in addition to that, you were in
9 control of the diamonds coming into Liberia from Sierra Leone?

12:38:34 10 A. That is not correct.

11 Q. And, Mr Taylor, you certainly were not allowing large
12 numbers of diamonds to come into your country without your
13 knowledge or consent, were you?

14 A. That is not correct.

12:38:50 15 Q. Now, Mr Taylor, just one additional point in relation to
16 this Forest Concession Review document. That has not yet been
17 marked for identification. That was tab 7 in annex 1.

18 Mr Taylor, at page 11 of that document is where the committee
19 found in its case-by-case review that no concession holder was in
20 compliance with the minimum criteria for being cleared.

12:39:31 21 PRESIDING JUDGE: If you could wait until the witness is
22 shown the document, please.

23 MS HOLLIS: Yes.

24 Q. If we see page 11 and we see under A, "Concession Results",
12:40:08 25 the last paragraph just above B:

26 "The committee found in its case-by-case review that no
27 concession holder was in compliance with the minimum criteria for
28 being cleared."

29 Mr Taylor, when you were giving concessions, you paid no

1 attention to the requirements of Liberian law in giving those
2 concessions, did you?

3 A. I did not give any concession to anybody.

12:40:46

4 Q. Indeed, Mr Taylor, during 1998 and 1999 you actually called
5 persons having concessions at that time into your office and told
6 them where they would work or not work. Isn't that correct?

7 A. That's total nonsense.

8 Q. And this was part of your objective of realigning forest
9 lands into large concessions. Isn't that right?

12:41:07

10 A. That is not correct.

11 Q. That was this mega-concession policy, yes?

12 A. That was not the policy.

13 Q. And through this policy, you allowed the inner circle of
14 Liberia's leadership to hand out concession rights to favoured
15 persons. Isn't that right?

12:41:23

16 A. If that was true, your logic is twisted then. That's not
17 right, because you just asked me as to whether - why I did it -
18 have it that most of the concession was given to foreigners, so
19 it's twisted. No.

12:41:36

20 Q. Indeed, Mr Taylor, under the agreements that you had, less
21 than 14 per cent of all taxes which were assessed were actually
22 paid into government accounts. Isn't that right?

23 A. I disagree with that assessment.

24 Q. Less than 14 per cent were used to fund constructive
25 government functions. Isn't that right?

12:41:55

26 A. I disagree with that - with that analysis, whoever did it.

27 MS HOLLIS: If Mr Taylor could please be shown page 34 of
28 this Forest Concession Review report:

29 Q. If we could look at the fourth paragraph down, the

1 paragraph just above number 2, "Land use planning", we see the
2 review committee reporting what we have just talked about,
3 Mr Taylor:

4 "During 1998 and 1999, after former President
12:42:56 5 Charles Taylor took office, there was another reallocation
6 process in which Taylor called concession holders to his office
7 and dictated where they would work or not work."

8 And it explains the objective of it:

9 "... to realign forest lands into several large
12:43:12 10 concessions. They termed this mega-concessions. The
11 mega-concession policy allowed the inner circle of the country's
12 leadership to hand out concession rights to favoured political
13 cronies, militia leaders and arms dealers. During this time,
14 neither communities nor the Liberian population as a whole were
12:43:38 15 able to benefit from the export of their natural resources. Less
16 than 14 per cent of all taxes assessed were actually paid into
17 government accounts and used to fund constructive government
18 functions and social development."

19 And that is an accurate depiction of the state of affairs
12:43:58 20 during your presidency. Isn't that correct, Mr Taylor?

21 A. Totally, totally incorrect. This forest report that you're
22 referring to is done by the government. It's a political fight
23 between Ellen Johnson and my admin - this is not - this is a
24 political report. I totally disagree with it. Totally disagree.

12:44:20 25 MS HOLLIS: Madam President, if I could ask that the
26 acknowledgment page, page 11, page 27 and page 34 be marked for
27 identification.

28 PRESIDING JUDGE: The document entitled "Forest concession
29 review, report of the Concession Review Committee" dated May 31,

1 2005, pages 1, 11, 27 and 34 are collectively marked MFI-407.

2 MS HOLLIS: Thank you, Madam President:

3 Q. Mr Taylor, while you were President you took other steps to
4 ensure your control over the natural resources of Liberia. Isn't
12:45:35 5 that correct?

6 A. What do you want me to say? If I took other steps? What
7 steps?

8 Q. Well, one of those steps, Mr Taylor, was to push through
9 legislation to provide you with control over strategic
12:45:49 10 commodities. Isn't that right?

11 A. To provide the country control over its strategic
12 commodities, yes.

13 Q. And it was the Strategic Commodities Act. Is that correct?

14 A. That is correct.

12:46:00 15 Q. And the Strategic Commodity Act was actually passed by the
16 legislature in February 2000. Isn't that right, Mr Taylor?

17 A. I take your word for that. I don't quite remember the
18 date, but it was passed.

19 Q. And the Act itself including within the term "strategic
12:46:25 20 commodities", specifically included gold, diamonds, hydrocarbon
21 and any other finite natural resource, yes?

22 A. That is correct.

23 Q. And the Act also gave you the President the power to
24 designate from time to time, when deemed necessary, any other
12:46:47 25 natural resources as strategic commodities. Isn't that correct,
26 Mr Taylor?

27 A. That is 100 per cent correct.

28 Q. And the Act granted you as President the sole power to
29 execute, negotiate and conclude all commercial contracts or

1 agreements with any foreign or domestic investor for the
2 designated commodities. Yes, Mr Taylor?

3 A. To negotiate, that's the function, yes, yes.

12:47:21 4 Q. Now, the Act was challenged as unconstitutional by the
5 legal community. Isn't that right?

6 A. Which was their right, yes.

7 Q. And they were unsuccessful. Isn't that right, Mr Taylor?

8 A. Yes.

12:47:36 9 Q. And you used this Act to your benefit from the time it was
10 enacted until you left the presidency. Isn't that right,
11 Mr Taylor?

12 A. Not to my benefit, no. I would disagree with you.

13 Q. You used your power under this Act to enter into agreements
14 which benefitted you personally. Isn't that correct?

12:47:51 15 A. That is totally incorrect.

16 Q. And also benefitted your close associates. Isn't that
17 right?

18 A. That is not right.

12:48:11 19 Q. Now, Mr Taylor, we've talked about the rice import
20 arrangement. We've talked about the fuel import arrangement.
21 We've talked about the timber concession arrangement. You also
22 entered into an arrangement in relation to gold resources in
23 Liberia. Isn't that correct?

12:48:31 24 A. No, I didn't enter into any arrangement with gold
25 concession into Liberia.

26 Q. You entered into an arrangement with Pat Robertson in
27 relation to gold mining in Liberia. Isn't that correct?

28 A. I did not enter into any arrangement with Pat Robertson for
29 gold into Liberia.

1 Q. Now, Mr Taylor, you've talked about Pat Robertson, yes?

2 A. Yes, I have.

3 Q. And you testified that he volunteered to speak with top
4 administration officials in the United States, yes?

12:48:59 5 A. That is correct.

6 Q. And you indicated that he met with George Bush. Is that
7 right?

8 A. That is correct.

9 Q. On your behalf?

12:49:07 10 A. The behalf of the government, yes.

11 Q. And he also defended you in the United States media, didn't
12 he?

13 A. Yes.

14 Q. Mr Taylor, indeed, at one point you said that you could
12:49:21 15 count on Pat Robertson to get Washington on your side. Isn't
16 that right, Mr Taylor?

17 A. I don't recall the exact - if I said exactly those
18 statements. I don't recall the exact words, but something to the
19 that effect.

12:49:37 20 Q. And you were counting on him to get Washington on your
21 side, weren't you, Mr Taylor?

22 A. Yes.

23 Q. And, indeed, Mr Taylor, Pat Robertson had a significant
24 degree of influence in the United States. Isn't that right?

12:49:49 25 A. I can't tell. I know that - I know he's a religious
26 leader. As to whether he has significant influence, I don't
27 know.

28 Q. Well, you thought that because you counted on him to use
29 that influence. Isn't that right, Mr Taylor?

1 A. Well, I counted on him, but, like I said, I don't know the
2 exact extent of his influence.

3 Q. Mr Taylor, you acknowledge that Pat Robertson had what you
4 called a little adventure in Liberia, yes?

12:50:18 5 A. Yes.

6 Q. That little adventure was actually a very lucrative
7 resource concession. Isn't that right?

8 A. I wouldn't say lucrative. Mr Robertson did not really make
9 any money. He was just beginning to work in the concession, so I
10 wouldn't call it lucrative.

12:50:35

11 Q. In April 1999 you signed an agreement with Robertson's
12 Freedom Gold Limited. Isn't that right?

13 A. I did not sign any agreement with Robertson's Freedom Gold
14 Limited.

12:50:49

15 Q. Who signed that agreement, Mr Taylor?

16 A. Well, you said I did. I didn't sign it, so it would be the
17 appropriate agency of government.

18 Q. Who was that, Mr Taylor?

19 A. I don't - it depends.

12:50:59

20 Q. There was an agreement entered into with Robertson's
21 Freedom Gold Limited in April 1999, yes?

22 A. I would say that there was an agreement, yes.

23 Q. And the agreement allowed Freedom Gold to explore and
24 receive mining rights in southeastern Liberia. Isn't that
25 correct?

12:51:14

26 A. Yes, I would say that is correct.

27 Q. Mr Taylor, this contract that gave Pat Robertson's company
28 these rights was actually a contract that violated Liberian law.
29 Isn't that right?

1 A. That is not correct.

2 Q. It's true, it is not, that the Liberian constitution in
3 Chapter 5 Article 34 required that the legislature would be the
4 one that would have the power to approve treaties. Isn't that
12:51:49 5 right?

6 A. Treaties, yes.

7 Q. And this contract was treated as a treaty obligation, was
8 it not?

9 A. Not to my knowledge.

12:51:59 10 Q. And, indeed, Mr Taylor, the legislature, even the
11 legislature in place in 1999, actually refused to ratify this
12 agreement you had with Pat Robertson. Isn't that correct?

13 A. There was contention about different issues, yes.

14 Q. And so you just went around the legislature. Isn't that
12:52:21 15 right, Mr Taylor?

16 A. I don't know if we went around them. I would disagree with
17 you.

18 Q. You actually drew up a second agreement, didn't you,
19 Mr Taylor?

12:52:30 20 A. I don't know what the Ministry of Lands and Mines did. The
21 legislature exercised their functions and we exercised ours.

22 Q. And, Mr Taylor, in the second contract you deleted the
23 language "in accordance with the constitution and laws of the
24 republic", didn't you? You deleted that language from the
12:52:50 25 contract?

26 A. I don't know what the lawyers did, counsel. All I know is
27 that they may have deleted that. I'm not directly involved. The
28 lawyers did that, probably. I don't know if that's the case of
29 what you're talking about, but --

1 Q. Well, Mr Taylor, they were acting at your direction when
2 they did that, were they not?

3 A. Well, I would say that the lawyers were instructed to find
4 a way to get investment into the country, and I would say these
12:53:21 5 are my general instructions and they did what lawyers normally
6 do, find a way.

7 Q. And, indeed, Mr Taylor, the way that they found, after they
8 deleted this language "in accordance with constitution and laws
9 of the republic", after that language was deleted, in its place
12:53:40 10 they put in the language "when approved by the President of the
11 Republic of Liberia". Isn't that correct, Mr Taylor?

12 A. You're playing with words. What we're trying to do - what
13 lawyers do, you find ways to abide by the law. And if they did
14 that --

12:53:55 15 Q. Mr Taylor, the question is --

16 A. Well, if they did that, then that's what happened, yes.

17 Q. Well, Mr Taylor, you know that. Because once that language
18 is in there, you in fact approved the agreement. Isn't that
19 right?

12:54:05 20 A. Well, what else do you want me to say?

21 Q. Well, you could try and answer the question.

22 PRESIDING JUDGE: Mr Taylor, yes, exactly, why don't you
23 answer the question, please.

24 THE WITNESS: Yes, I mean, the lawyers did their work.

12:54:20 25 Once they followed the law and didn't violate the law, the
26 President signed the agreement.

27 MS HOLLIS:

28 Q. And, Mr Taylor, Pat Robertson, through his company,
29 committed at least \$15 million US of investment to this Freedom

1 Gold company. Isn't that correct, Mr Taylor?

2 A. I don't know how much the investors put into it. I have no
3 idea what Mr Robertson put in.

4 Q. And the contract that was entered into with your approval
12:54:55 5 called for Freedom Gold to spend about \$500,000 US annually in
6 investment and rental fees in Liberia. Isn't that correct,
7 Mr Taylor?

8 A. I don't know the details of the agreement, counsel, as I
9 sit here.

12:55:11 10 Q. And, Mr Taylor, these payments actually went to you, didn't
11 they?

12 A. Total nonsense. Pat Robertson would be involved in making
13 payments to me? That's total nonsense.

14 Q. So, Mr Taylor, another example where you used your position
12:55:30 15 in the country to personally benefit yourself. Isn't that right?

16 A. That is totally incorrect, counsel, and you know that.

17 Q. Indeed, Mr Taylor, is it correct that during your
18 presidency some people referred to the economic situation in
19 Liberia as Charles Taylor Inc?

12:55:52 20 A. I never heard that before.

21 PRESIDING JUDGE: Sorry, as Charles Taylor what?

22 MS HOLLIS: Inc, incorporated.

23 THE WITNESS: Never heard that before.

24 MS HOLLIS:

12:56:07 25 Q. You never heard that, Mr Taylor?

26 A. Never heard that.

27 Q. Mr Taylor, during your testimony you have denied having any
28 knowledge of the RUF being used in Liberia. Do you remember
29 telling the judges that, Mr Taylor?

1 A. I don't understand what you mean, counsel.

2 Q. You have denied any knowledge of the RUF being used in
3 Liberia, specifically to assist your forces in clearing out the
4 LURD. You've denied that to this Court, yes, Mr Taylor?

12:56:54 5 A. I've denied that the RUF --

6 Q. Was used in Liberia specifically to help your forces fight
7 against the LURD.

8 A. Well, I don't think that was the context of what happened
9 in my testimony. If I recall the questions, the question was to
10 the effect that I instructed Issa Sesay to send RUF in to fight
11 the LURD and I said no. And so that's - if I recall, that's what
12 I answered to.

13 Q. Well, I think there were actually several references, so
14 let's be fair to you about this and we can look at some of those
15 references, Mr Taylor.

16 A. Yes.

17 Q. If we could first look at 17 September, page 29280. I'm
18 sorry, that is an incorrect reference. It should be 22
19 September, 29424. Here we have 22 September, 29424. Mr Taylor,
12:58:58 20 if we look at the question at line 4:

21 "Q. Did you at that time in effect order that the RUF come
22 to Liberia to fight against that LURD incursion?

23 A. No. Never. What would we need the RUF for? We did
24 not need them." Then at line 18 you say, "That never happened.
12:59:23 25 That never happened." So that is in specific reference to the
26 LURD and an order from you, yes, Mr Taylor? And you denied that?

27 A. That is correct.

28 Q. Then if we look at 24 September at page 29597. Then if we
29 look at your answer at lines 4 and 5: "I know nothing about it.

1 I'm not aware that the RUF sent 200 armed soldiers into Liberia."
2 So there you indicate no awareness of the RUF sending 200 armed
3 soldiers into Liberia, yes, Mr Taylor?

4 A. That is correct.

13:00:41 5 Q. Then if we could also look at 24 September, but page 29599.
6 And if we see that we are talking about LURD comes in, attacks
7 Liberia and then at lines 11-12: "Should I as President have a
8 problem defending it?" And then at lines 22-24:

9 "But I did not invite anyone from the RUF to participate.

13:01:20 10 As simple as that. I didn't."

11 So, Mr Taylor, there you're talking about defending against
12 the LURD, yes?

13 A. That is correct.

14 Q. Then if we could look at 26 October, 30196. Here if we
13:02:14 15 look at line 7:

16 "Q. First, do you know anything about the RUF assisting
17 your government in clearing LURD rebels from Voinjama?

18 A. No, I am not aware of that."

19 Then at line 15 :

13:02:33 20 "So I am not sure what time she is speaking about, but
21 there were no requests from me or any knowledge on my part of the
22 RUF being called into Liberia to fight."

23 So that's what you said on 26 October, yes, Mr Taylor?

24 A. Yes, but you went into part of my answer. Yes, that's a
13:02:53 25 part of my answer. A part of my answer.

26 Q. And then one final reference on this topic of the RUF
27 assisting you in Liberia is 29 October, 30780. Mr Taylor, we see
28 the question at line 5:

29 "Q. When LURD attacked in 1999 did you invite the RUF to

1 assist you?

2 A. No, I did not."

3 Now, Mr Taylor, just so we're clear, is it your testimony
4 to this Court that you never used the RUF to assist you in

13:04:08 5 fighting the LURD in Liberia?

6 A. That's my testimony.

7 Q. Not at any time during your presidency, Mr Taylor, fighting
8 the LURD?

9 A. During my presidency, no. There was no RUF anyway, so, I
13:04:25 10 mean, there was - I don't know of any RUF fighting LURD, no.

11 Q. But, Mr Taylor, in July 2003 you admitted to using the RUF
12 to fight LURD. Isn't that right, Mr Taylor?

13 A. I'm not sure if I did that. I think my question that you
14 just skipped said that it's possible that Sierra Leoneans came to
13:04:54 15 protect their villages, but the RUF did not exist at that time so
16 I could not - if I said so, then I misspoke. There was no RUF in
17 2003.

18 Q. And, Mr Taylor, in fact you remember this, don't you? This
19 was in a July 2003 interview, and you said that you used the RUF
13:05:13 20 to fight the LURD. Isn't that right, Mr Taylor?

21 A. There was no RUF in Sierra Leone in 2003. Then I really
22 misspoke.

23 Q. And, Mr Taylor, you said that there was a border war and
24 that the RUF served as a buffer for you. Isn't that right,
13:05:34 25 Mr Taylor?

26 A. Well, again we talked about that before. I'm not sure as
27 to whether that's a reference to 2003. I'm not sure if you are
28 reporting something that happened earlier during the war with the
29 NPFL, but in 2003 there was no RUF. So if I said RUF, then

1 that's got to be - I don't know the context. I would have to see
2 the document.

13:06:11 3 Q. Mr Taylor, you remember the context. It was in the context
4 of an interview you gave with Newsweek in July 2003. You
5 remember that?

6 A. I remember giving an interview to Newsweek. I'm not - I
7 would like to see - that's what I'm saying, I'm not looking at
8 the thing.

13:06:24 9 Q. You talked to man named Tom Masland; you remember that,
10 don't you?

11 A. I don't know Tom Masland.

12 Q. And when you were asked about this, you told him that you
13 had used the RUF, isn't that right? Because there was a border
14 war and the RUF was a buffer for you. Isn't that right?

13:06:38 15 A. Again, like I say, I'm not looking at the interview.
16 Whether we were talking in the context of the border war before.
17 There was no RUF in 2003, so I could not have told him rightfully
18 that the RUF was used. There was no RUF in 2003.

13:06:56 19 Q. Indeed, Mr Taylor, you told him that Presidents do things
20 for national security and you referred him to the Bay of Pigs.
21 Do you recall that, Mr Taylor?

22 A. I may have talked about that. Like I say, you're talking
23 in isolation of a document that I haven't seen. But - I would
24 have to see the document. But there was no RUF in 2003, so I
13:07:14 25 could have misspoken to him. But when I see the document, I may
26 be able to recall what we're talking about.

27 MS HOLLIS: Well, let's look at tab 4 in annex 3. I would
28 ask your Honours to look at the document. This is tab 4, in
29 annex 3, "Nobody Understands Me", Newsweek, July 30, 2003. I

1 would ask that your Honours initially look at the document.

2 PRESIDING JUDGE: Are you intending to put the entire
3 document to the witness?

4 MS HOLLIS: No.

13:08:23 5 PRESIDING JUDGE: But you want the judges to read the
6 entire document?

7 MS HOLLIS: No, Madam President. The document is marked on
8 the first page showing the question and answer, the title. There
9 is a subtitle underneath it. It shows "Newsweek web exclusive,
10 July 30, 2003". We would also ask your Honours to consider,
11 simply for context, the information in the second paragraph,
12 beginning the fourth line up, "Taylor met with Newsweek's Tom
13 Masland". But the substance, Madam President, relates to page 2
14 of 4, the portion that is marked under, "What about the Sierra
13:09:31 15 Leone Special Court's charges?"

16 PRESIDING JUDGE: Mr Anyah, even before you stand up I was
17 going to ask Ms Hollis, after we've read the content, if she has
18 any submissions. Before you stand up to object. But allow us to
19 read the passages indicated, please.

13:10:36 20 Ms Hollis, we have read the passages you've indicated,
21 that's on page 1 and on page 2 of 4.

22 MS HOLLIS: Madam President, in the Prosecution's view,
23 this material is probative of guilt. The only reason that we
24 even ask you to consider looking at this document is Mr Taylor's
13:11:01 25 continuing to say that perhaps if he could look at the document
26 because he says he doesn't remember exactly what he said. We did
27 not intend to use that document with him. We do believe it is
28 probative of guilt. It is based purely on his continued
29 statements that perhaps if he could look at it. So that was not

1 a document we intended to use.

2 PRESIDING JUDGE: Well, if you don't intend to use it, then
3 don't use it, please. Find some other way to put questions.

4 MS HOLLIS:

13:11:32

5 Q. Mr Taylor, you have said that you think you remember an
6 interview around this time, yes, with Newsweek?

7 A. I think I remember an interview.

8 Q. Mr Taylor, you recall during this interview the question
9 about the Special Court charges against you coming up?

13:11:57

10 A. No, I don't - I don't recall.

11 Q. And, Mr Taylor, in response to that question coming up, you
12 saying that you had used the RUF, but it was a border war and
13 they were a buffer. And then, Mr Taylor, referring to the Bay of
14 Pigs and then saying that, Well, then they should have indicted
15 Kennedy and asking if America has not engaged in covert activity.

13:12:22

16 Mr Taylor, your dealings with the RUF, did you consider those
17 covert activity?

18 A. Well, again that's a question, because before this Court we
19 have admitted to dealing with the RUF at a particular period of
20 time.

13:12:47

21 Q. No, Mr Taylor, I'm talking - let me help you. I'm talking
22 about you dealing with the RUF; them assisting you against the
23 LURD. That's the period of time I'm talking about?

24 A. No, no, no, no, no. But then when you talk about buffer,
25 that's what I'm saying. The context of the material, when I hear
26 "buffer" and "RUF", I'm thinking '91, '92. Buffer. Because at
27 that time it was a buffer. The period you're talking about 2002
28 or 2003, there is no RUF and there cannot be a buffer. So I
29 don't know what this man wrote, but the issue of use of RUF had

1 to be at an earlier period and not the period in question,
2 because the RUF did not exist in the time that you are alluding
3 to.

4 Q. Mr Taylor, of course they existed. You know they existed.

13:13:37 5 The same people were in place, the same commanders were in place
6 and they were still fighting in Sierra Leone. You know that.

7 A. Well, this is not my knowledge of that. As far as I'm
8 concerned, the RUF stopped existing as of the 1999 agreement.

9 The RUF was formed, and there was one government in Liberia. So
13:13:59 10 there was no RUF from my interpretation, so I disagree with you.

11 Q. Indeed, Mr Taylor, in July 2003 you were accepting the
12 reality that you had used the RUF in Liberia to fight against the
13 LURD, weren't you?

14 A. That is incorrect.

13:14:16 15 Q. And of course you had used the RUF in Liberia before that
16 to help you fight against your opponents. Correct, Mr Taylor?

17 A. Now, I don't know that question.

18 Q. For example, Mr Taylor, in 1993 you used the RUF to help
19 you fight against ULIMO in Liberia. Isn't that correct?

13:14:39 20 A. Now I would say yes. To the way you put the question, yes.

21 Q. And indeed they did assist you in fighting against ULIMO in
22 Liberia in 1993. Isn't that correct?

23 A. Not in Liberia, no. Not in Liberia, no.

24 Q. In fact in Lofa County. Isn't that correct, Mr Taylor?

13:14:59 25 A. No, the RUF did not come into Liberia to fight in Lofa, no.
26 They fought in Sierra Leone against ULIMO's entry into Liberia.

27 Q. And your statements to this Court that the RUF did not
28 assist you in Liberia in fighting against the LURD, those
29 statements were not truthful, were they?

1 A. They are truthful.

2 Q. Just as your statement that they did not help you in
3 Liberia to fight against ULIMO was not truthful, was it?

4 A. The RUF did not come to fight inside Liberia against ULIMO.

13:15:42 5 That's a truthful statement.

6 Q. Mr Taylor, you have talked with these judges quite a bit
7 about what periods of time you had weapons after the 1996
8 disarmament had been completed. Yes, Mr Taylor?

9 A. That is correct.

13:16:03 10 Q. And you have told these judges that basically after this
11 1996 disarmament was completed, and certainly up to the time that
12 you were elected President, that your faction had disarmed
13 completely. Isn't that right, Mr Taylor?

14 A. No, that's not your - you are misquoting everything. No.

13:16:33 15 Q. Well, your faction did not disarm completely, Mr Taylor?

16 A. I have evidence before this Court that some of these -
17 including my faction, these boys - the word "completely" was
18 never used for disarmament. So my NPFL did not, quote unquote,
19 disarm completely. People hid little rifles around. That's what
13:17:02 20 I've told this Court.

21 Q. Indeed, Mr Taylor, they didn't give up many of their
22 weapons at all, did they?

23 A. No, they did. They did. They gave up - I would put a
24 percentage to about maybe 90 or more per cent, but I will not lie
13:17:15 25 to this Court. I will tell them that a few people did hide a few
26 rifles, we got to find out.

27 Q. And in fact, Mr Taylor, in reality there was virtually no
28 disarmament in 1996. Isn't that right?

29 A. A million people would disagree with you, counsel. That's

1 total nonsense. Disarmament was carried out and there was
2 disarmament in Liberia. ECOWAS will agree, the UN will agree,
3 [indiscernible] will agree. I disagree with you.

13:17:46

4 Q. Indeed, Mr Taylor, that disarmament was really a fiasco,
5 wasn't it?

6 A. I disagree with you.

7 Q. And it was just a haphazard attempt at disarmament. Isn't
8 that right?

13:17:57

9 A. Well, I disagree with you. That's - maybe it could be some
10 people's views, but I disagree with you.

11 Q. And indeed, Mr Taylor, unofficially the United Nations felt
12 that their programme was a big disappointment. Isn't that
13 correct?

13:18:17

14 A. I cannot comment on an unofficial thought of United Nations
15 or its officials. I cannot comment on that. That would be just
16 speculating.

17 Q. And, Mr Taylor, your subordinate, Daniel Chea, he would
18 know about the success of the disarmament in 1996, wouldn't he,
19 Mr Taylor?

13:18:31

20 A. Daniel would have some information. He was not in charge,
21 so I don't think he would be an expert source on disarmament.

22 Q. Indeed, Mr Taylor, he was the one who would have the
23 knowledge about the success and the progress of the disarmament.
24 Isn't that right?

13:18:56

25 A. No, I would disagree.

26 Q. You would disagree with that, Mr Taylor?

27 A. Fully. I would put it to somebody else. For me, the
28 forces commander of ECOMOG would be the proper source, not Daniel
29 Chea, a factional person involved, no.

1 Q. Because, Mr Taylor, during this disarmament he was your
2 Minister of Defence, wasn't he?

3 A. During the disarmament, yes, for the NPFL, yes.

4 Q. If we could please look at 18 November 2009, page 31996.

13:20:18 5 If we could begin looking at line 11:

6 "Q. So during the time that you were dealing with the
7 Abuja peace process, Daniel Chea would have been the one who
8 would have been responsible for working out the provisions of the
9 disarmament and demobilisation for the NPFL?

13:20:36 10 A. Abuja? We're talking about that?

11 Q. 1995 onwards.

12 A. '95? That would be Chea, yes.

13 Q. And what was his involvement actually in this process,
14 the disarmament and demobilisation?

13:20:51 15 A. That was his. That was his area. He was very involved
16 in coordinating most of the activities for the disarmament and
17 demobilisation, working with other appointed individuals, but
18 that was his operation.

19 Q. And when you say he was working with other appointed
13:21:11 20 individuals, he also would have been working with representatives
21 of the other factions in relation to this disarmament and
22 demobilisation process?

23 A. That is correct. Other factions, ECOMOG, yes.

24 Q. So he would be very informed in terms of the progress
13:21:30 25 and success of the disarmament and demobilisation?

26 A. I would say so, yes."

27 So he was very informed about the success of the
28 disarmament, yes, Mr Taylor?

29 A. Yes, he's informed, but he's not the ultimate authority,

1 yes.

2 Q. And very informed, indeed, Mr Taylor, was the question to
3 which you answered, "I would think so." Yes, Mr Taylor?

4 A. To your question?

13:21:57 5 Q. Yes.

6 A. Very informed? We're getting into words. He would be
7 informed, counsel. "Very" would be another question for me.

8 Q. And, Mr Taylor, Daniel Chea was of the view that the
9 disarmament was a fiasco. Isn't that right?

13:22:16 10 A. Daniel did not - I'm not aware of Daniel saying that to me
11 or his opinion. That would have - if Daniel had said that, and I
12 can't say that he didn't say it privately to someone, that would
13 have been counter to what the other - all the other people felt,
14 UN, ECOWAS felt. I must admit, as I've said to this Court, that
13:22:44 15 there were people that hid arms, we agree, and nothing is perfect
16 but I would disagree. If Daniel had said that, I would disagree
17 with him.

18 Q. And indeed, Mr Taylor, Daniel Chea was of the view that the
19 disarmament was a haphazard affair.

13:23:01 20 A. I never --

21 Q. Yes, Mr Taylor?

22 A. I never saw that explanation from Daniel.

23 Q. And that there was no disarmament, really. Isn't that
24 right, Mr Taylor?

13:23:10 25 A. I never saw that, really, counsel. For Daniel to say that?
26 I never saw it.

27 Q. And also, Mr Taylor, Daniel Chea was of the opinion that
28 the UN would tell you that their programme was a big
29 disappointment, but they would tell you that unofficially. Yes,

1 Mr Taylor?

2 A. I don't see how Daniel could have spoken for the UN. I
3 don't know. I don't know how to answer that. I would disagree
4 that he could speak to say the UN would say that. I don't know
13:23:42 5 how he came up with that.

6 Q. If we could please look at MFI-362. That is number 55 in
7 annex 3. We see this is the interview with Daniel Chea we've
8 referred to before, "A political survivor", May 2005.

9 MR ANYAH: Madam President, I apologise for rising, but I
13:24:41 10 do have a query of the Court with respect to this MFI. I wonder
11 if your Honours' records show that the entire document was the
12 assigned the MFI or if it was just selected portions.

13 PRESIDING JUDGE: Let me just check my records, please.

14 On my records on Wednesday, 20 January, it appears this
13:26:49 15 document in full was marked MFI-362, although questions that were
16 asked related to two specific paragraphs at page 2. That's
17 paragraphs 4 and 5 on page 2. We could go back into the record
18 because I don't quite remember just to ascertain that in fact it
19 wasn't just the two pages, because I'm just looking at my
13:27:35 20 handwritten notes, but on 20 January, what is it that we did?
21 Did I mark the entire document or just the two pages?

22 MS IRURA: Your Honour, that transcript is before you and
23 it seems to indicate that the entire document was marked.

24 MS HOLLIS: Madam President, there was an additional
13:27:58 25 reference to this document before today on the same page 2 and it
26 was the top three paragraphs under "What kind of a leader?" The
27 first, second and third paragraphs under that were also referred
28 to in court, Madam President.

29 PRESIDING JUDGE: Yes, but you didn't specifically refer to

1 MFI-362, did you?

2 MS HOLLIS: Yes.

3 PRESIDING JUDGE: You did? So there we are, the entire
4 document was marked MFI-362 and the record does confirm that.

13:28:58 5 Yes, Mr Anyah?

6 MR ANYAH: The records I've looked at indeed do confirm
7 that and I saw the relevant pages of the transcript. I wonder
8 whether the purpose - well, I withdraw any further inquiries,
9 Madam President.

13:29:14 10 PRESIDING JUDGE: Ms Hollis, please continue. There's I
11 believe less than five minutes left - actually less than two
12 minutes left.

13 MS HOLLIS: I think perhaps this is a good time to break
14 then, Madam President.

13:29:30 15 PRESIDING JUDGE: Yes. It's 1.29 and I think this is an
16 appropriate place to adjourn to 2.30.

17 [Lunch break taken at 1.29 p.m.]

18 [Upon resuming at 2.30 p.m.]

19 PRESIDING JUDGE: Good afternoon. Ms Hollis, please
14:31:41 20 continue.

21 MS HOLLIS: Thank you, Madam President. If we could please
22 look at the interview with Daniel Chea. That is MFI-362, page 4:
23 Q. We see the caption, "What about the security situation?"
24 Then, Mr Taylor, the second paragraph under that caption:

14:32:40 25 "When UNMIL first arrived in this country they told us they
26 were here to disarm an estimated 40,000 people."

27 Mr Taylor, UNMIL was the force that came in after you left
28 the presidency. Is that right?

29 A. Yeah, I don't remember the name after I left.

1 Q. "They told us they were here to disarm an estimated 40,000
2 people. I told them to be prepared to disarm twice that number.
3 The reason is very simple: The disarmament of 1995 was a fiasco.
4 There was no disarmament. It was a haphazard attempt.

14:33:26 5 Unofficially they (the United Nations) will tell you that their
6 own programme was a big disappointment and I think they learned a
7 lot of lessons and this time around I think they came quite
8 prepared."

9 Then the next paragraph:

14:33:43 10 "At the end of the day this country must be totally
11 disarmed so that the peace we are building with the help of the
12 international community will be sustained."

13 So, Mr Taylor, the man who was your Minister of Defence,
14 the man who was closely involved in the disarmament prior to you
14:34:03 15 becoming President, claimed that this disarmament was a fiasco
16 and there was no disarmament, and that is correct, is it not,
17 Mr Taylor?

18 A. I disagree with Daniel, ten years later he's saying this
19 nonsense. I disagree.

14:34:18 20 Q. Indeed, Mr Taylor, going into the election campaign as well
21 as when you became President, your NPFL still had many, many arms
22 available to it, did it not, Mr Taylor?

23 A. It did not.

24 Q. Now, Mr Taylor, if we could turn to the period after you
14:34:39 25 assumed the presidency in relation to the importation of arms and
26 war materials. Now, you have told the Court different things
27 about when you first received weapons after you became President,
28 yes?

29 A. I would disagree with you.

1 Q. Mr Taylor, do you recall on 31 August you told the Court
2 that it was the beginning of about 2002 that the first arms
3 importations came into your country. Do you remember telling
4 them that?

14:35:17 5 A. 2002?

6 Q. You told them that on 31 August. Do you remember telling
7 the Court that, Mr Taylor?

8 A. Yes.

9 Q. And you said that this was after a letter had been written
10 to the Security Council in late 2001. Do you remember telling
11 them this?

12 A. Yeah, I may have said or thereabout, yes.

13 Q. Indeed, Mr Taylor, you said that before writing that letter
14 in late 2001 you had not imported any arms contrary to the UN
14:35:52 15 embargo. Do you remember that, Mr Taylor?

16 A. No, I don't remember saying that.

17 Q. If we could please look at 31 August, page 28072. And the
18 second page I will ask, same date, 074. So first 28072, 31
19 August. You see, Mr Taylor, if we begin at line 5 of this page:

14:36:46 20 "The Government of Liberia wrote the United Nations
21 Security Council informing them that in fact the government would
22 order arms. And we provided them with all of the information as
23 to the source of the arms, the type, amount, and advised them
24 that we would use them arms in legitimacy of defence until which
14:37:11 25 time the United Nations could act and provide the security
26 necessary for the member state Liberia."

27 A. Yes.

28 Q. Then you were asked:

29 "Q. When did this occur?"

1 A. We wrote that letter in 2001."

2 A. So you see.

3 Q. Then you are asked:

4 "Q. Can you help us with the date?

14:37:28 5 A. That would be late 2001."

6 Then at line 18 to 20 again you say, "It was late 2001 I

7 will put it. 2001, late. And it could be early 2002." Now,

8 Mr Taylor, we're going to come back later to the actual timing of

9 that letter you are referring to, but this is what you told the

14:37:52 10 judges on 31 August about the timing of that letter, yes,

11 Mr Taylor?

12 A. Exactly. That's what I said.

13 Q. Then if we could please look at 28074 of the same date and

14 we see here, Mr Taylor, the question at line 8:

14:38:20 15 "Q. Prior to the writing of that letter to the Security

16 Council in late 2001, had Liberia imported arms contrary to

17 the UN embargo?

18 A. No, Liberia had not imported any arms contrary to the

19 embargo, no."

14:38:39 20 Then if we look down at line 24 on that page we see the

21 question:

22 "Q. After the writing of that letter to the Security

23 Council when did the first arms importation occur?

24 A. The first arms importation that came in came in around,

14:38:59 25 I would say, 2002. The beginning of about 2002. It takes

26 some time for all the arrangements to go through."

27 So that's what you told the judges on 31 August, yes,

28 Mr Taylor?

29 A. Yes.

1 Q. Now, on 5 November you told them something different,
2 didn't you, Mr Taylor? On 5 November, Mr Taylor, you told them
3 that you began to bring in arms at least by 2001. Isn't that
4 correct?

14:39:35 5 A. Yes.

6 Q. And indeed, Mr Taylor, on 26 November you said that you
7 first ordered weapons and started getting weapons in by the
8 middle of 2001. So you indicated what period during 2001 you
9 first got those weapons, yes, Mr Taylor?

14:39:59 10 A. Yes, if that's what the record says, yes.

11 Q. And then you recall, Mr Taylor, on 27 January you admitted
12 to receiving arms in the year 2000. Do you recall that,
13 Mr Taylor?

14 A. Well, it all depends. I would like to see the records.

14:40:19 15 What was I referring to?

16 Q. Certainly, Mr Taylor. If we could please look at 27
17 January, 34227. And we have here --

18 A. Just a minute, counsel, it's coming.

19 Q. Of course, Mr Taylor. We see now 34227, line 12:

14:41:11 20 "Well, I tell you - no, no, no, no, no. Let's go back to
21 the records. The purchase of arms I said began in 2000. If you
22 look at the records we will see that accounts were set up in
23 1999, and beginning 2000 we started paying for arms."

24 Then if we look down at line 24:

14:41:39 25 "We set up the account in late 1999 and said the issue of
26 the purchase of arms actually commenced in 2000. But you said
27 2002. I said it started in 2000."

28 So, Mr Taylor, on 27 January you told the Court that the
29 purchase of arms began in the year 2000, yes, Mr Taylor?

1 A. Yes. Purchase, yes.

2 Q. So let's be clear, Mr Taylor --

3 A. Yes.

14:42:08 4 Q. -- you have admitted to the Court that you purchased arms
5 in the year 2000, yes?

6 A. Yes.

7 Q. And you have admitted to the Court that you purchased arms
8 in the year 2001. Isn't that right, Mr Taylor?

9 A. Yes. Yes.

14:42:24 10 Q. As well as 2002, yes, Mr Taylor?

11 A. That is correct.

12 Q. And do you admit that you also purchased arms in 2003?

13 A. No.

14 Q. Now, Mr Taylor, in the year 2000, when do you say you
14:42:41 15 received those arms you purchased?

16 A. The arms we started - we paid for them in 2000. We started
17 paying for them. Arms deliveries started in 2001. And the
18 records will reflect here that I was fighting with what time in
19 2001. There's a difference between the purchase of the arms and
14:42:59 20 the delivery. And those arms were delivered throughout and
21 payments were being made. But the actual purchases started in
22 2000. Delivery started in 2001.

23 Q. And from whom did you purchase these arms in 2000,
24 Mr Taylor?

14:43:16 25 A. We started paying for these arms from Serbia. That's when
26 we started paying for them.

27 Q. And, Mr Taylor, is it your testimony to these judges that
28 the only source of the arms you received while you were President
29 was from Serbia?

1 A. No, no. That's not what I'm telling these judges. We went
2 through this the other day. Besides the Serbian arms shipment,
3 either you or Mr Koumjian asked me about another delivery of arms
4 that came through Iran and Lebanon, so I've told the Court about
14:43:55 5 that.

6 Q. And those were not arms from Serbia, were they?

7 A. I don't - I don't know, quite frankly, but the source, as
8 it was delivered and the aircraft, said they came through Iran
9 and Lebanon, so I don't think they were the Serbian arms.

14:44:19 10 Q. Mr Taylor, the reality is that your receipt of weapons and
11 war materials into Liberia began very shortly after you assumed
12 the presidency in 1997. Isn't that correct?

13 A. That is not correct.

14 Q. And indeed, shortly after you assumed the presidency, you
14:44:41 15 received weapons after you had returned from a trip to South
16 Africa. Isn't that correct?

17 A. That is totally incorrect. We went through that the other
18 day. That's totally incorrect.

19 Q. And, Mr Taylor, you continued to receive weapons through
14:44:55 20 each year of your presidency. Isn't that right, Mr Taylor?

21 A. That is not right.

22 Q. And your receipt of these weapons throughout your
23 presidency was not open, was it, Mr Taylor? You didn't do this
24 openly?

14:45:13 25 A. The weapons that I brought into the country were open. I
26 wrote the United Nations what - there is nothing more open than
27 that.

28 Q. You used false End User Certificates to acquire these
29 weapons. Isn't that correct, Mr Taylor?

1 A. That is totally incorrect. The End User Certificate used
2 the name of the government of the Republic of Liberia to Serbia
3 at the time.

14:45:38 4 Q. And, Mr Taylor, you also went through companies that were
5 able to acquire false End User Certificates to get these weapons.
6 Isn't that right, Mr Taylor?

7 A. No. The weapons that I brought, I say no to that. No.

8 Q. And including, Mr Taylor, a company called Pecos company
9 that supposedly did business in Guinea. Isn't that right?

14:45:58 10 A. No, I didn't use any or know of any company called Peco.
11 Maybe someone could have used a company called Peco. I'm not
12 aware of any company called Peco. I went straight up and told
13 the Security Council in a letter exactly what I have told this
14 Court.

14:46:13 15 Q. Now, Mr Taylor, during your presidency there were a number
16 of panel of experts' reports issued in relation to Liberia and
17 the acquisition of arms. Isn't that correct?

18 A. Yes. A number of them were issued and most of them were
19 disputed by my government and challenged by my government.

14:46:38 20 Q. You were aware of reports because you read them, yes,
21 Mr Taylor?

22 A. Well, that's two questions. I was aware of the reports. I
23 didn't read all of them.

24 Q. And, Mr Taylor, these reports uniformly reported that
14:46:56 25 Liberia was continually receiving arms and war materials from
26 outside the country. Isn't that right?

27 A. Those were all - yes, those reports said that, but they
28 were not true reports. They were all based on - some people say
29 based on information - intelligence. There was always, counsel,

1 a subject of conflict between the panel of experts and the member
2 state Government of Liberia. So, yes, they reported them, but
3 they were not true.

4 Q. So all of these panel reports were in error, Mr Taylor?

14:47:32

5 A. No, that's not what I'm saying. That's not what I'm
6 saying. I never said that. I'm saying that certain parts of
7 those reports were in error. And if I'm asked, of which you
8 haven't, I will go into what parts of what reports that we
9 protested.

14:47:47

10 Q. Mr Taylor, are you saying that the portions of these
11 reports that said you continued to bring arms and war materials
12 into Liberia in violation of sanctions, are you saying that those
13 portions of those reports were in error?

14:48:06

14 A. No. No. The time that they were mentioned I would say
15 would be in error, because the sanction - this committee should
16 have known. There was a letter to the President - to the
17 Security Council about the arms. Liberia admitted publicly that
18 we were bringing arms. So to continue to say that we are
19 bringing in arms - if we're talking about the period from about
20 2001, I would say they are right. I will go along with them. We
21 didn't hide it.

14:48:27

22 Q. Now, Mr Taylor, you have been asked questions about details
23 relating to some of these arms shipments, and we will not go back
24 over those same details. But there are some additional details
25 that I would like to ask you about that have not been inquired of
26 to date. And, first of all, Mr Taylor, I want to ask you some
27 additional questions about a December 1998 shipment to Liberia.
28 And Mr Koumjian did refer to this shipment briefly when he was
29 asking you questions on 28 January. Do you remember that,

1 Mr Taylor?

2 A. No, I do not recall that.

3 Q. We will not go back over the portions that he asked you
4 about, but I do want to ask you about 22 December. You remember
14:49:32 5 you spoke about returning from Burkina Faso on 22 December 1998.

6 This was after the inauguration of your friend Blaise Compaore.

7 A. Yes.

8 Q. You remember talking about that? And you said that you
9 came back on a plane, a BAC-111, that belonged to Mr Minin. Do
14:49:55 10 you recall telling the Court about that?

11 A. That is correct.

12 Q. And, Mr Taylor, do you recall the pilot of that plane?

13 A. No, no. I didn't know the people. I didn't own the plane.
14 No.

14:50:05 15 Q. And do you recall the plane itself?

16 A. I said it was a BAC-111.

17 Q. In fact, Mr Taylor, you have seen photographs of that plane
18 during the Prosecution case in chief, haven't you, Mr Taylor?

19 A. Well, Mr Koumjian asked me and I said I saw the photograph
14:50:26 20 of a plane. I'm not sure if that's the BAC-111.

21 Q. And if we could please look at exhibit P-21B. In fact,
22 Mr Taylor, this is the plane that brought you back on 22
23 December, is it not?

24 A. I don't - I don't think so. The plane - the BAC-111 that I
14:51:27 25 know, I don't remember these markings on the BAC-111. I don't
26 even know if there's a BAC-111. Quite frankly, I don't know what
27 make of plane this is.

28 Q. Mr Taylor, as we look at this photograph we can see a
29 registration marking on this plane, can we not? And you see what

1 appears to be a VP-CLM, Mr Taylor?

2 A. A "V"?

3 Q. P-CLM. See that, Mr Taylor?

4 A. I'm seeing something - I don't see a "V". Maybe my --

14:52:05 5 PRESIDING JUDGE: Do we have the exhibit in Court? Is that
6 what the witness is looking at?

7 MS IRURA: Your Honour, that is what the witness is looking
8 at.

9 MS HOLLIS:

14:52:20 10 Q. Mr Taylor, you don't recall this plane being the one you
11 came in on 22 December?

12 A. I don't recall this plane at all, counsel. I don't know
13 what make it is. I don't recall this plane.

14 MS HOLLIS: Madam Usher, you can remove that, thank you:

14:52:39 15 Q. Now, you recall, Mr Taylor, in relation to this shipment in
16 December 1998, Mr Koumjian referred you and the Court to exhibit
17 P-18 and I would ask that we have that exhibit before us again.
18 If you could put the first page on just so we see that this is
19 S/2000/1195, which is exhibit P-18.

14:53:48 20 Then if we could please go to page 35 - if you can move
21 that up a bit so we can see the bottom part of the page. We see
22 that paragraphs 203 and the subsequent paragraphs deal with the
23 Burkina Faso delivery of Ukrainian weapons. Then if we could go
24 to the next page, please, page 36, which talks about the delivery
14:54:37 25 of these weapons. If we could please look at paragraph 208 on
26 that page which indicates that:

27 "Most of these weapons were flown aboard a BAC-111 owned by
28 an Israeli businessman of Ukrainian origin, Leonid Minin. The
29 aircraft bore the Cayman registration VP-CLM."

1 Now, Mr Taylor, Mr Koumjian talked to you about this plane
2 being used both for a March 1999 shipment but also the earlier
3 shipment in December 1998. If we could please look at paragraph
4 211. Mr Taylor, we see in paragraph 211 that in paragraph 211 a
14:55:50 5 specific date is given for this December shipment and it
6 indicates that:

7 "On 22 December 1998, the BAC-111 made two trips from
8 Niamey to Monrovia. On the second trip it took a consignment of
9 weapons probably from existing stocks of the Armed Forces of
14:56:18 10 Niger. The weapons were off-loaded into vehicles of the Liberian
11 military."

12 So, Mr Taylor, this BAC-111 on 22 December made two trips
13 from Niamey to Monrovia and on the second trip it took a
14 consignment of weapons. Now, Mr Taylor, this aircraft, this
14:56:43 15 BAC-111 that they are talking about, this is the aircraft that
16 brought you back to Monrovia on 22 December, isn't it?

17 A. I came back to Monrovia on the BAC-111, yes.

18 Q. Mr Taylor, after this aircraft dropped you off, then the
19 aircraft went to Niamey to pick up arms and ammunition for you.
14:57:12 20 Isn't that correct?

21 A. That is totally incorrect.

22 Q. And this instruction that the aircraft go to Niamey to pick
23 up these arms and ammunition was provided to the crew by Talal
24 El-Ndine. Isn't that correct?

14:57:30 25 A. Total nonsense. Incorrect. No.

26 Q. And that instruction was provided by Talal El-Ndine on your
27 behalf. Isn't that correct?

28 A. That is not correct.

29 Q. And then this plane went to Niger and brought weapons back

1 to you. Isn't that right?

2 A. That is not right.

3 Q. Indeed, Mr Taylor, you were aware of this because Musa
4 Cisse was on board that aircraft when it came back with the
14:57:56 5 weapons. Isn't that correct?

6 A. That is totally incorrect.

7 Q. And indeed, Mr Taylor, he briefed you about this shipment
8 of weapons. Isn't that right?

9 A. That is not right.

14:58:05 10 Q. Mr Taylor, in addition to this shipment on 22 December
11 1998, you received a shipment in September 1998, didn't you,
12 Mr Taylor?

13 A. That is not correct.

14 Q. Indeed, ECOMOG gave information to the United Nations about
14:58:31 15 a September 1998 shipment into Liberia. Isn't that correct?

16 A. That's not what the records show. That's incorrect. In
17 fact, we've been through that before and, according to that book
18 you brought here, it was said it was believed that was totally
19 incorrect. Totally incorrect.

14:58:51 20 Q. Indeed, Mr Taylor, if we look at the paragraph that talks
21 about that, which is paragraph 188 of the same report, it's on
22 page 33 - indeed, Mr Taylor, we do see at paragraph 188:

23 "In 1998 ECOMOG identified a plane" - and gives the
24 registration number - "owned by a South African company Dodson
14:59:31 25 Aviation Maintenance and Spare Parts as having carried weapons to
26 Robertsfield in September of that year. The plane is a
27 Gulfstream 14-seater business jet that cannot be used for arms
28 transport."

29 That's what the report says, yes, Mr Taylor? Cannot be

1 used for arms transport. That's what the report says, yes,
2 Mr Taylor?

3 A. That's what the report says.

14:59:55 4 Q. But indeed, Mr Taylor, we know that any plane can be used
5 for arms transport, don't we? Because you can put arms and
6 ammunition on the seats, you can put them on the aisles. It
7 doesn't have to be configured for arms transport, does it,
8 Mr Taylor?

15:00:11 9 A. So what's your question? What's your question to me now,
10 counsel?

11 Q. Really, Mr Taylor, any plane can be used to transport arms,
12 can't it?

13 A. The way the proposition is put I would disagree that any
14 plane can transport - I would disagree.

15:00:23 15 Q. You could put boxes of arms or ammunition on the seats of
16 an executive jet, couldn't you?

17 A. I guess one could - one could, but --

18 Q. Now, Mr Taylor, in relation to the 13 March 1999 shipment
19 which was brought in by this same aircraft of Leonid Minin's,
15:00:56 20 it's correct, is it not, that the Ukrainians acknowledged that
21 those materials went to Liberia?

22 A. Counsel, all of these alleged shipments I disagree with
23 them. So we're dealing with alleged shipments in these reports.
24 That's all I can tell you.

15:01:15 25 Q. Mr Taylor, indeed in April 1999, ECOMOG reported a shipment
26 of arms to the rebels in Sierra Leone on 14 and 15 March 1999.
27 Isn't that correct?

28 A. I don't know.

29 Q. Major General Mujakperuo confirmed that, as the force

1 commander of ECOMOG. Isn't that correct, Mr Taylor?

2 A. I don't know what Mujakperuo said.

3 Q. Indeed, Mr Taylor, he confirmed the involvement of your
4 government and the Government of Burkina Faso in these shipments
15:02:08 5 in March 1999. Isn't that correct?

6 A. Well, I don't know. When you say he confirmed, I don't
7 know what Mujakperuo could have said. He said a lot of things
8 during that period that were not true, so I don't remember that.

9 Q. Mr Taylor, he reported these shipments being sent to the
15:02:28 10 rebels in Sierra Leone in March. He reported this to the United
11 Nations. Isn't that correct?

12 A. It's possible that he - like many other allegations, it's
13 possible. I don't know of it.

14 Q. Indeed, Mr Taylor, the United Nations reported that
15:02:43 15 information provided by the ECOMOG force commander. Isn't that
16 right?

17 A. They probably did. If they received such from him. When
18 you say United Nations, probably it was a part of the
19 Secretary-General's report about what was alleged. These are all
15:02:59 20 allegations, so.

21 Q. And you know about the confirmation by the force commander
22 because you read those UN panel reports, correct, Mr Taylor?

23 A. No, I did not read all of the reports. I don't remember
24 reading that report.

15:03:12 25 Q. Now, Mr Taylor, November 2000. On 28 January Mr Koumjian
26 briefly touched on a shipment to Liberia in November 2000. Do
27 you recall that?

28 A. I think he did. November 2000?

29 Q. Yes, Mr Taylor.

1 A. He probably alluded to that.

2 Q. Mr Taylor, it is true, is it not, that in November 2000 you
3 received a shipment of weapons that were flown to Monrovia from
4 Uganda. That is true, is it not?

15:03:59 5 A. There was some problems about that. I don't know if
6 weapons came through Uganda or whatever. I said we started
7 receiving weapons in 2001. If there was a transit through Uganda
8 I don't know. I was not involved in the something. I don't
9 know.

15:04:14 10 Q. November 2000, Mr Taylor?

11 A. Yes, that's what I'm saying.

12 Q. You received weapons into Liberia in November 2000. Isn't
13 that correct?

14 A. That's probably - your question was from Uganda. So you
15:04:28 15 said 2000, that's probably - I don't recall receiving weapons in
16 2000 but it's possible. I know it's closer to 2001, early 2001
17 or thereabouts, yes.

18 PRESIDING JUDGE: Ms Hollis, are you sure this ground was
19 not covered --

15:04:44 20 THE WITNESS: It was covered.

21 PRESIDING JUDGE: -- by Mr Koumjian last week, these
22 various arms shipments from various locations?

23 MS HOLLIS: He touched on portions of it, Madam President.
24 I do believe that the questions I'm going into were not covered
15:05:01 25 at that time.

26 PRESIDING JUDGE: Well, I'm depending on your prudence
27 definitely, but the standing rule is that we don't go over ground
28 that has been covered already.

29 MS HOLLIS: That is correct, Madam President, and if I'm -

1 I'll have my colleagues double-check for me and I'll try to make
2 sure I don't do that:

3 Q. Mr Taylor, you were aware that this shipment did occur in
4 November 2000. You were also aware that it did come from Uganda.

15:05:28 5 Isn't that correct?

6 A. I told Mr Koumjian the other day that was not correct.

7 Q. And the shipment came to Liberia through the use of
8 fraudulent End User Certificates. Isn't that right?

9 MR ANYAH: Madam President, this series of questions in
15:05:51 10 various forms have been covered by Mr Koumjian on 27 and 28
11 January, in fact last week. The reference to Uganda is found on
12 the transcript for the 28th at page 34427. We also have in
13 relation to the other arms shipments, Burkina Faso as well, there
14 are references to them in the transcript. Basically Mr Koumjian
15:06:21 15 covered Prosecution exhibits P-18 and P-32 and a lot of this
16 ground was covered indeed previously.

17 PRESIDING JUDGE: That was my recollection as well,
18 especially in relation to exhibit P-18. I seem to remember these
19 questions very clearly. So, Ms Hollis, unless there's some
15:06:47 20 different question, I believe that this ground has been covered.

21 MS HOLLIS: Madam President, indeed Mr Koumjian talked
22 about the December '98 shipment. He did not point to the
23 specific date of 22 December, which I went back to. And he did
24 not point to the registration number for the aircraft, which I
15:07:09 25 went back to. So I am trying to avoid repetition but to bring up
26 details that we think are relevant and I will continue to try
27 not to --

28 PRESIDING JUDGE: The good thing is your colleague was
29 sitting in that day and he would remember very well the ground

1 that was covered. It's not nice going through it again.

2 MS HOLLIS: Yes and indeed --

3 PRESIDING JUDGE: It's very tiresome.

4 MS HOLLIS: -- in fashioning these follow-up questions we
15:07:40 5 did look at the questions asked on the 28th:

6 Q. So, Mr Taylor, in relation to this shipment in November
7 2000, in fact, Mr Taylor, you received 1,000 weapons in the
8 shipment, did you not?

9 A. There's dispute about these weapon shipments. I don't
15:08:01 10 recall receiving 1,000 weapons.

11 Q. Mr Taylor, the Pecos company was a front company for the
12 illicit importation of arms into Africa. Isn't that correct?

13 A. I don't know about Peco company.

14 Q. In fact, Mr Taylor, your government used Pecos as a means
15:08:20 15 of bringing in weapons in violations of the sanctions. Isn't
16 that correct?

17 A. That is not correct.

18 Q. Mr Taylor, this 22 November shipment, the cargo manifest
19 indicated that it was technical equipment that was being brought
15:08:32 20 in. Isn't that right?

21 A. I didn't see the manifest. I don't know.

22 Q. So, Mr Taylor, you were not being open about bringing
23 weapons into your country at this time, were you?

24 A. Ms Hollis, I was as open as anyone can be. I wrote the
15:08:48 25 United Nations and told them what we were going to do and we did.
26 And that was the position of my government at the time and it
27 remained my position.

28 Q. Mr Taylor, the airlines that were used for this particular
29 shipment included Centrafri cain Airlines as well as West Africa

1 Air Services?

2 A. All of those were read by Mr Koumjian. I don't know which
3 airlines did what. I have told this Court that most of these
4 transactions, I authorised purchase. How they came in, how they
15:09:25 5 were transported, I don't know. I really don't know the details,
6 but I authorised the purchases.

7 Q. Mr Taylor, you're aware that Centrafricain Airlines is the
8 main company of Victor Bout, aren't you?

9 A. How would I know that? No.

15:09:38 10 Q. Because you were involved with him in bringing weapons into
11 your country, Mr Taylor?

12 A. I have never - that is totally incorrect. Never talked to
13 or know Victor Bout. He's being held now. I'm sure you people
14 have asked him. I've never talked to or known Victor Bout, no.

15:09:54 15 I know of the name.

16 Q. In fact Mr Taylor, another airline that we have heard of,
17 San Air, is an agent for Centrafricain Airlines, isn't it?

18 A. I don't know. You know better than I. I don't know that.

19 Q. And San Air is also a company owned by Victor Bout. Isn't
15:10:09 20 that correct?

21 A. It's probably right. I don't know.

22 Q. Indeed, you do know, Mr Taylor, don't you? Because it is a
23 company to which your government diverted funds from the flag
24 registry.

15:10:21 25 A. I don't want to get into that. I said I don't know the
26 company. As to how we used taxpayers' money, I don't think is
27 your business.

28 Q. And, of course, this diversion was run by Sanjivan Ruprah.
29 Isn't that correct Mr Taylor?

1 A. I don't know what happened. I said I authorised money.
2 We've covered this. We authorised money and I have told the
3 judges that I don't know.

4 PRESIDING JUDGE: Ms Hollis, here I have to rule you out.
15:10:46 5 We have covered the issues of Sanjivan Ruprah to a long extent.
6 There's no reason for repetition.

7 MS HOLLIS:

8 Q. Now, Mr Taylor, indeed, this gentleman figures prominently
9 in many of your transactions to bring weapons into your country.
15:11:14 10 Isn't that right?

11 A. Which gentleman, Ms Hollis?

12 Q. Sanjivan Ruprah.

13 A. I don't know if he features - I told the Court already that
14 I have no knowledge that Sanjivan Ruprah brought weapons to
15:11:25 15 Liberia. I've told the Court, I authorised monies that were paid
16 to Ruprah. How and what they used them for, I've never said that
17 he brought weapons to Liberia.

18 Q. Now, Mr Taylor, February 2002, a plane crashed on approach
19 at RIA in February 2002, yes, Mr Taylor?

15:11:57 20 A. Yes.

21 Q. And that aircraft was carrying weapons into your country.
22 Isn't that right, Mr Taylor?

23 A. That is correct.

24 Q. Now, your government's official statement when that plane
15:12:10 25 crashed was that the plane had requested to land at RIA but was
26 destined for another location, yes, Mr Taylor?

27 A. That is correct.

28 Q. But, indeed, the United Nations panel looking into that
29 incident found otherwise, didn't it?

1 A. My dear, panel reports are always reports of contention.
2 If you say they said that, so they did.

3 Q. Mr Taylor, in fact, this plane was bound for Monrovia.
4 Isn't that right?

15:12:46 5 A. I don't know the details. I know that there were weapons
6 when the plane crashed.

7 Q. On 12 February there had been a request for overflight of
8 this aircraft of several countries en route to Monrovia. Isn't
9 that correct?

15:13:04 10 A. It's possible. It's possible.

11 Q. And, indeed, the Government of Liberia gave this plane
12 landing permission on 13 February. Isn't that correct?

13 A. It's probably correct.

14 Q. And the flight itself departed on 15 February and crashed
15:13:26 15 on approach to RIA that same day. Isn't that correct?

16 A. I don't know when it departed, but I know there was a crash
17 at Robertsfield. You've asked me, I said there was a crash.

18 Q. And this was of an aircraft that was en route to Monrovia,
19 not elsewhere, yes, Mr Taylor?

15:13:43 20 A. I don't know the - I do not know. I do not know if they
21 had a further destination. I do not know, but the plane crashed
22 at Robertsfield.

23 Q. Now, Mr Taylor, after this crash, your government refused
24 to cooperate with the UN panel that was investigating the flight
15:14:05 25 and the crash. Isn't that true?

26 A. I don't know the details, but it was possible that they
27 refused, which was our sovereign rights, yes. It's possible.

28 Q. In fact, you would not even let this UN team visit the
29 crash site, would you?

1 A. I don't know if they were permitted to go to the crash
2 site. So the UN requested and we say - if they said no, it was
3 our right to say no.

15:14:37 4 Q. But, Mr Taylor, you told them that it was a no-go zone
5 because of the presence there of dissident fighters. Isn't that
6 correct?

7 A. I don't know what they were told. I didn't speak to them.
8 I don't know what they were told.

15:14:53 9 Q. So, Mr Taylor, you have this United Nations team there to
10 investigate a flight and a crash, and you are telling the judges
11 you weren't kept up to date on the details of this visit by the
12 team?

13 A. That was not your question. It was not to - your question,
14 if I recall, was that if I told the panel and I said I did not
15:15:11 15 meet the panel. That's different from what you are saying - you
16 are suggesting.

17 Q. Your representatives told the panel it was a no-go zone.
18 Isn't that correct, Mr Taylor?

19 A. I don't know.

15:15:22 20 Q. Because of the presence of dissident fighters.

21 A. I don't know what they told the panel, counsel.

22 Q. And you weren't briefed on this, Mr Taylor?

23 A. No, I was not told what they told the panel. And all I can
24 say here definitively, if there was a visiting group that wanted
15:15:38 25 to go someplace because of national security concerns and they
26 were stopped, it was within their rights to do so. And if they
27 had come to me and said to me that - for national security
28 concerns, I would have approved it.

29 Q. But, indeed Mr Taylor, there was no extra security at RIA,

1 which was very close to the crash site, was there?

2 A. Counsel, I'm President. I don't know. I'm not on the
3 scene. I really don't know.

4 Q. And there were no warnings issued to users of the airport
15:16:14 5 regarding any dissident threat, were there, Mr Taylor?

6 A. I can't recall any warnings given or not given.

7 Q. Indeed, Mr Taylor, when some of the panel members flew out
8 of RIA and flew over that site, it was devoid of military or
9 human activity. Mr Taylor, there was no dissident threat that
15:16:40 10 precluded the team from going to that site, was there?

11 A. I don't know what was said to the panel. So your
12 proposition leaves me in a void and I just have to say I don't
13 know.

14 Q. If we could please look at tab number 2 in annex 4. This
15:17:01 15 is S/2002/470. Here we see United Nations Security Council,
16 S/2002/470, 19 April 2002. This is a letter from the chairman of
17 the Security Council committee established pursuant to resolution
18 1343 addressed to the President of the Security Council. And we
19 see it is signed by the chairman. And then if we could please go
15:18:19 20 to page 18 of this report. And if we could go to the bottom of
21 the page under C, "The crash landing of an aircraft on 15
22 February 2002." You see, Mr Taylor, in paragraph 77 it indicates
23 --

24 MR ANYAH: Madam President?

15:18:55 25 PRESIDING JUDGE: Yes, Mr Anyah.

26 MR ANYAH: I would be grateful for an indication from the
27 Prosecution the precise portions of this document they wish to
28 refer to and for what purpose.

29 PRESIDING JUDGE: Ms Hollis, you've indicated simply the

1 paragraph under C.

2 MS HOLLIS: Yes.

3 PRESIDING JUDGE: And what is your justification for
4 referring to it?

15:19:22 5 MS HOLLIS: This is in relation to the crash landing of
6 this aircraft on 2002. The details of it that Mr Taylor says he
7 is unaware of, details showing that the Government of Liberia, of
8 which Mr Taylor was the President, took actions to preclude the
9 United Nations panel from effectively investigating this flight
15:19:47 10 and this crash, including not allowing them near the crash site
11 for reasons that were very suspect to say the least. So this
12 goes to the openness of the bringing in of weapons and it also
13 goes to the fact that indeed this was a delivery of weapons on
14 15 February, but it was not done openly. It was done covertly.

15:20:14 15 PRESIDING JUDGE: From everything that you've said,
16 Ms Hollis, would you say that the contents of this passage go to
17 guilt - proof of guilt?

18 MS HOLLIS: No, not at all, Madam President. It is the
19 Prosecution's view that we do not have to prove how this accused
15:20:32 20 got weapons. Also that we are looking at 15 February 2002, and
21 the entries here go to show that contrary to what the accused has
22 told your Honours, he - his government and himself were not open
23 about deliveries of weapons to Liberia during his presidency;
24 that they did take steps to preclude the United Nations from
15:21:00 25 getting information about such deliveries. So that is what this
26 is relevant to, in our view, and it is not probative of guilt.

27 PRESIDING JUDGE: Mr Anyah?

28 MR ANYAH: We take a different position, Madam President.
29 Clearly, evidence suggesting that arms were shipped into or

1 attempted to be shipped into Roberts International Airfield on
2 board this aircraft implicate pattern evidence and they do go to
3 the guilt of Mr Taylor. It is of little moment that this is said
4 to have occurred on 15 February 2002 after the closing date of
15:21:40 5 the indictment, if you will, on 18 January 2002. The Prosecution
6 has repeatedly presented evidence of acts they alleged Mr Taylor
7 undertook following the close of the indictment period in January
8 2002 that they wish to relate in some way, shape or form to
9 conduct that occurred during the indictment period. And so this
15:22:06 10 is directly relevant to the charges. It involves the shipment of
11 arms into Liberia. It involves a consistent pattern of conduct
12 that questions leading up to this seek to establish, meaning that
13 arms were shipped during his presidency from 1998 through the
14 post-indictment period in 2002. And the Prosecution should be
15:22:30 15 required to meet the standard your Honours have articulated in
16 your November decision.

17 I don't think the explanation given thus far satisfies the
18 onus that the Prosecution must show the two-prong standard of
19 interest of justice and no impairment of the fair trial rights of
15:22:48 20 Mr Taylor. And so for these reasons we object to this particular
21 line of questioning being pursued and to all of section C on
22 page 18.

23 PRESIDING JUDGE: Thank you, allow me to confer.

24 [Trial Chamber conferred]

15:23:14 25 PRESIDING JUDGE: The Trial Chamber is of the view
26 unanimously that the submissions made by the Defence in their
27 objection to the use of this document are valid. We have not
28 heard any arguments from the Prosecution justifying the use of
29 this obviously fresh evidence whose content does go to proof of

1 guilt. And, therefore, Ms Hollis, you cannot use or refer to
2 paragraph C of this document in cross-examination.

3 MS HOLLIS:

15:23:57 4 Q. Now, Mr Taylor, you were briefed about the visit of this
5 United Nations panel, were you not?

6 A. Well, yes. All panel visits I'm briefed.

7 Q. And you were briefed that the panel was there to
8 investigate this flight that had crashed on approach to RIA, were
9 you not?

15:24:13 10 A. I don't remember them specifically coming for that. The
11 panel could have been in Liberia at the time. I was aware that
12 the panel was in Liberia. I think they were already there.

13 Q. Mr Taylor, you were told why they were there. This was a
14 UN panel in your country. You were the President. You were
15:24:32 15 told, were you not?

16 A. I've just answered your question. I've said to you that
17 the panel could have been in Liberia pursuant to that resolution.
18 I was not aware that they were there specifically for this
19 matter.

15:24:43 20 Q. And you in fact were briefed that they wanted to visit the
21 crash site where this aircraft had crashed on approach. Isn't
22 that right?

23 A. No, no, they did not - nobody briefed me about that.
24 Because where the UN goes, they choose where they want to go and
15:25:03 25 they would request to go and there would be a yes or no. There
26 was a committee dealing with them also. I was not aware.

27 Q. Indeed, Mr Taylor, you were briefed about the results of
28 their visit, were you not?

29 A. No, the only time I would have been would have been after

1 they made their reports. No, I didn't get any results of their
2 visit outside of this report that they could have made.

3 Q. You were briefed on this report, were you not, Mr Taylor?

15:25:35

4 A. No, no, no. That's not my answer. You asked me as to
5 whether I was briefed as to the results. I say no.

6 Q. Mr Taylor, I'm asking you: You were briefed on this
7 report, weren't you?

8 A. No, this particular report, I don't read all of the
9 reports. I don't recollect this report.

15:25:48

10 Q. Mr Taylor, you were briefed on the contents of this report,
11 weren't you?

12 A. No, I can't recall being briefed on the content of this
13 report.

15:26:01

14 Q. Indeed, Mr Taylor, you were briefed, even before it
15 happened, that your subordinates were going to keep these people
16 from the crash site. Isn't that right?

15:26:18

17 A. No, I think answered you. I answered very frankly earlier.
18 I said that the United Nations does not exercise sovereign rights
19 over countries. If the United Nations panel was in Liberia and
20 wanted to go someplace and the government agency stopped them, it
21 would have been their right and I probably would have approved
22 it. I've been very earnest about it. They don't exercise
23 sovereign rights over countries and so they can be stopped and
24 say, "No, for X, Y reasons you cannot go there." But I was not
25 told.

15:26:37

26 Q. So your subordinates stopped a United Nations panel from
27 going to a location but you weren't briefed about that. That's
28 what you're telling the Court?

29 A. That's what I have said.

1 Q. That's not true at all, is it, Mr Taylor?

2 A. I've told you that's what I've said and I was not briefed.

3 Q. Mr Taylor, why did you not want the United Nations panel to
4 go to be able to visit this crash site?

15:27:00 5 A. Now, you see, I was not aware, but I have gone further than
6 maybe I should have by saying that I probably would not have
7 approved it. Because even though the panel was there with the
8 controversy, the Security Council panel does not exercise
9 sovereign rights. It happens all around the world. You go on

15:27:20 10 some of these missions and governments feel, for security or
11 other grounds, you don't go. Then they go back and report it and
12 if the Security Council feels that it must happen they will pass
13 a resolution under Chapter VII and say, "You must let X, Y and Z
14 enter at X place." But that right that we can refuse, if it was

15:27:42 15 exercised I think I can say I support that refusal. I was not
16 told, but the committee acted according to what was in the best
17 interests of Liberian security I want to believe at the time.

18 Q. Indeed, Mr Taylor, they were precluded from carrying out
19 this investigation because you did not want them to know the
15:28:02 20 weapons and materiel that were on that aircraft. Isn't that
21 correct?

22 A. Well, we disagree.

23 Q. Nor did you want them to learn any of the details as to how
24 those weapons and that aircraft came to be at RIA on 15 February.

15:28:19 25 Isn't that correct?

26 A. We disagree.

27 Q. Mr Taylor, what weapons were on that aircraft?

28 A. I don't know, counsel.

29 Q. What type of ammunition was on that aircraft, Mr Taylor?

1 A. I don't know. If I look at the report it says an explosion
2 occurred. I don't know.

3 Q. Mr Taylor, who around for these materials to be brought to
4 Liberia on this aircraft in February 2002?

15:28:41 5 A. Oh, I really don't know. The only person that - if those
6 materials were coming to Liberia the only person that could have
7 arranged for - who had charge of most of our flights was Musa
8 Cisse. If they were material. If they were material.

9 Q. Now, Mr Taylor, you recall we talked earlier about your
15:29:05 10 testimony about a letter that had been written to the Security
11 Council in late 2001.

12 A. Which letter are you referring to, counsel?

13 Q. This was the letter that you told the judges you had
14 written to the Security Council you thought in late 2001 where
15:29:25 15 you were informing them that you would be bringing in weapons?

16 A. Well, counsel, yes. I have told the judges and I think by
17 trying to stick to late - I think all of my evidence as I read
18 even now, it goes to middle to late and it shows some
19 uncertainty. But there is a letter in 2001.

15:29:52 20 Q. And, as we covered before, in this letter you provided them
21 with all of the information as to source, type, et cetera, yes?

22 A. I did write that letter, yes.

23 Q. Now, the truth is, Mr Taylor, is it not, that it was not
24 until March 2002 that your Minister for Foreign Affairs informed
15:30:20 25 the Security Council that Liberia had taken measures to provide
26 for its legitimate self-defence? That's true, isn't it,
27 Mr Taylor?

28 A. Maybe that's an after-statement. You know, you and I went
29 through this before, counsel, where you had said in fact there

1 was no letter. We went through this thing. My minister in an
2 afterthought probably said that the letter went and I think he
3 was informing the council that we had taken, which meant that
4 there was something prior to that.

15:30:51 5 Q. That you had taken measures to provide for your legitimate
6 self-defence. This was a letter - this was information your
7 Minister for Foreign Affairs provided to the Security Council in
8 March 2002, yes, Mr Taylor?

9 A. Well, I wouldn't call that information. I will call that
15:31:08 10 the minister reiterating what had already happened, that we had
11 taken. That letter was in 2001. That letter was definitely in
12 2001 and that statement in March was really a reflection of
13 re-stating the fact that, look, we have taken. Or we had taken.
14 Whatever language he used.

15:31:28 15 PRESIDING JUDGE: Please pause. I'm looking at what the
16 witness is saying and what's important is in lines 4 to 8 he has
17 emphasised the year 2001 and every time it has come out as 2002.
18 And I think this is the crux of the issue. Was this letter in
19 2001 or 2002? The record should reflect clearly it was that the
15:31:54 20 witness is referring to 2001.

21 MS HOLLIS:

22 Q. Mr Taylor, you are saying the letter was in 2001?

23 A. That is correct.

24 Q. Now, Mr Taylor, in reality it was not until 2003 that your
15:32:14 25 government sent a letter giving a list of materials that had been
26 brought into the country. Isn't that right?

27 A. 2003? No.

28 Q. In fact --

29 A. To the best of my recollection, that letter was in 2001.

1 If there's a second letter, fine. But there was - in 2001 I
2 personally signed a letter.

3 Q. Mr Taylor, it's correct, is it not, that on 26 March 2003
4 you told the press that Liberia had ordered arms in this country
15:32:51 5 under Article 51 of the charter of the United Nations. On 26
6 March 2003 you told the press that, yes, Mr Taylor?

7 A. Oh, yes. I very well could have told them.

8 Q. Mr Taylor, it was after that announcement to the press that
9 you - that the panel was provided with a letter from the Minister
15:33:14 10 of Defence in which he submitted a comprehensive listing of
11 military hardware and materials that were imported for
12 self-defence purposes?

13 A. The Ministry of Defence had nothing to do with the
14 relationship with that letter to the Security Council. The
15:33:29 15 Foreign Ministry of the Government of Liberia delivered that
16 letter. Whatever - if the Ministry of Defence maybe under some
17 questions from the panel of experts presented maybe a list, yes.
18 But this did not involve the Ministry of Defence. It involved
19 the Ministry of Foreign Affairs. And I may have just been in
15:33:51 20 2003 reiterating what the government's position was under chapter
21 51.

22 Q. In fact, Mr Taylor, this is the first time that you
23 provided your listing of materials brought into the country.
24 Isn't that right?

15:34:02 25 A. That's not right.

26 Q. In 2003?

27 A. That is not correct. Because even the company in Serbia
28 was closed somewhere in 2002. After the UN got that letter and
29 verified that Liberia had received [i ndi scerni bl e] from Serbia

1 they went over to Serbia and closed the factory. No, I disagree
2 and received what from Serbia.

3 PRESIDING JUDGE: Received what from Serbia?

4 THE WITNESS: The weapons that we bought from Serbia.

15:34:27 5 After the UN verified that it was true what we had written to
6 them, they went in and closed - what is it? Timex? Simex? What
7 is the name of the company? But if the Minister of Defence
8 provided a list in 2003 it was just additional information.

9 MS HOLLIS:

15:34:45 10 Q. In fact, Mr Taylor, you didn't provide your list of the
11 weapons and materiel you had brought in until after an October
12 2002 panel of experts report. Isn't that right?

13 A. No, counsel. They had the list. What do I say? They had
14 the list. I wrote it.

15:35:10 15 Q. Indeed, Mr Taylor, it was in this October 2002 panel report
16 where they set out an inventory of the weapons you had brought in
17 in violation of the arms embargo. Isn't that right?

18 A. No, no, no, I disagree with you 100 per cent. It is
19 because they had received the letter and had verified it. That's
15:35:34 20 why they come up in 2002, okay.

21 Q. And then, Mr Taylor, the list that you provided in 2003 was
22 almost identical to the list that had been reported earlier by
23 the United Nations. Isn't that correct?

24 A. That is not correct.

15:36:00 25 Q. And it was in the United Nations report that they showed
26 the use of a false Nigerian End User Certificate to bring these
27 weapons into your country. Isn't that correct, Mr Taylor?

28 A. Counsel, that is not correct. We've gone over this. I
29 think you and I have gone over this some time back. I don't have

1 access to the records, but we've gone through this very thing.

2 That is not correct.

3 Q. So, Mr Taylor, it wasn't until you got caught by the United
4 Nations that you gave them a list of the things you were bringing
15:36:26 5 into your country. Isn't that right?

6 A. That is not right. We could have still refused to give the
7 list, so what do you mean by "after you got caught"? I, Charles
8 Ghankay Taylor, wrote the United Nations. That letter went in
9 2001. The records - it's just regrettable I don't have a copy,
15:36:45 10 but that letter exists.

11 Q. That's because you didn't send them a letter in 2001,
12 Mr Taylor. Isn't that right?

13 A. Oh, my dear. It happened in 2001, counsel. 2001 I sent
14 that letter.

15:36:55 15 Q. If we could please look at tab 1 in annex 3, S/2002/1115.
16 If we could see the first page of the document, please.

17 PRESIDING JUDGE: Is this not an MFI already?

18 MS HOLLIS: 2002/1115?

19 PRESIDING JUDGE: Yes, MFI-406. At least certain pages out
15:38:33 20 of there; page 1, 2 and 41. Pages 1, 2 and 14 were marked
21 MFI-406.

22 MS HOLLIS: Yes and, Madam President, we will be using in
23 this connection page 7 and page 18 of this document, as well as
24 the first page to show what document it is.

15:39:19 25 PRESIDING JUDGE: Ms Hollis, you know the rigmarole. I'm
26 not going to remind you. But before you attempt to use passages,
27 you know what to do.

28 MS HOLLIS: Madam President, again, this is in relation to
29 an October 2002 shipment. The reason that this is being used is

1 to show that, indeed, Mr Taylor did not provide United Nations
2 with an inventory of weapons to be brought into his country until
3 after he had been caught out by the United Nations. Now,
4 Mr Taylor has told you about the receipt of weapons from Serbia,
15:40:06 5 but he has indicated that indeed this was after he had given to
6 the United Nations not only notice that he was bringing in
7 weapons, but indeed a detailed listing of what those weapons
8 were. So this is something he has already told you in his
9 testimony about this shipment. So we do not believe that
10 referring to the United Nations report, which concern shipments
11 he has already admitted to, would be contrary to the interest of
12 justice to use, would be contrary to his fair trial rights, and
13 we would suggest that we should be allowed to use this. He
14 certainly talked about these Serbian shipments.

15:40:53 15 PRESIDING JUDGE: We are now talking about page 7?

16 MS HOLLIS: The cover page to indicate what document we're
17 in, page 7, and then where we talk about this specific instance,
18 we are looking at page 18, which gives an inventory.

19 PRESIDING JUDGE: Yes, Mr Anyah.

15:41:26 20 MR ANYAH: Yes, Madam President, I rise to register our
21 objections to both pages that the Prosecution seeks to use. The
22 objection is based on the fact that although some of these
23 activities postdate the indictment period, they are in the nature
24 of pattern evidence of a consistent pattern of conduct on the
15:41:46 25 part of Mr Taylor. They go directly to the issue of arms
26 shipment in contravention of United Nations arms embargoes. They
27 implicate the guilt of Mr Taylor. It is of little relevance that
28 some of it may be characterised as impeachment evidence when in
29 sum and substance this is direct evidence of arms shipments.

1 The Prosecution saw it fit during their case in chief to
2 present evidence of actions taken by Mr Taylor as late as
3 mid-2003 involving the death of Sam Bockarie seeking to relate
4 that back to a consciousness of guilt, if you will, to the
15:42:29 5 indictment period. So acts that postdate the indictment period
6 can still be relevant to the indictment period. The Prosecution
7 has so proceeded in their case in chief and they are seeking to
8 do the same thing now under cross-examination, and we object to
9 this material and we do not believe they have met the two-part
15:42:48 10 test that you enunciated in November last.

11 PRESIDING JUDGE: Mr Anyah, for argument's sake, counsel
12 opposite has argued that Mr Taylor himself in his testimony in
13 chief testified to Liberia importing arms during the period in
14 question. The period referred to at least on page 7. And that
15:43:15 15 even though the United Nations had arms embargo in place, he felt
16 that it was the right of Liberia to defend itself and therefore
17 to purchase these arms. So would you consider page 7 to contain
18 fresh evidence?

19 MR ANYAH: Well, yes, I do. And the fact that Mr Taylor
15:43:40 20 has testified to that I would respectfully say is, if you will, a
21 distraction of sorts. Mr Taylor has testified and counsel
22 referred to the transcript reference, on August 31 at page 28072,
23 that in late 2001 a letter was written to the Security Council
24 where Liberia indicated they would exercise its right to
15:44:07 25 self-defence under the UN charter. He subsequently testified
26 about weapons shipments from - or arms shipments from Serbia.
27 That does not give the Prosecution the right to bring in this
28 amount of information about almost six different arms shipments
29 in 2002. And if you look at page 18, it delineates a significant

1 number of arms shipments in several different periods of times.
2 The Prosecution cannot bring this amount of information in simply
3 because Mr Taylor comments about arms shipments during his
4 administration for the legitimate purpose of self-defence. This
15:44:48 5 is information that the Prosecution could have presented as
6 pattern evidence in its case in chief showing that he routinely
7 brought in arms in Liberia. So I don't think that reference to
8 other arms shipments that he makes justifies the introduction of
9 this amount of evidence.

15:45:07 10 At the core here, what we have to - or what the Chamber has
11 to resolve is a circumstance where you have material that in part
12 might go to impeachment but which overwhelmingly, we submit, goes
13 to guilt. Your Honours, we propose, will have to engage in a
14 balancing act, weighing the rights of the accused, the timeliness
15:45:26 15 of this information as presented by the Prosecution. This is a
16 report from 2002 and we're now in 2010. And in the totality of
17 the circumstances, whether this information could have been
18 brought out during its case in chief. We submit they could have
19 done that. It cannot now be brought in when Mr Taylor makes
15:45:44 20 references to arms shipments from Serbia and perhaps Iran and
21 Lebanon, I believe, and so we object to this information.

22 [Trial Chamber conferred]

23 PRESIDING JUDGE: Ms Hollis, I'm looking at the record and
24 when I asked you to justify why you're referring to these
15:51:55 25 passages on pages 7 and 18, you said to me at page 152, lines 9
26 onwards, you said, "The reason is that this is being used to show
27 that indeed Mr Taylor did not provide the UN with an inventory of
28 weapons to be brought into his country until after he had been
29 caught out by the United Nations." And you continued.

1 Now, we've looked through both page 7 and page 18, and
2 there is no reference to Mr Taylor providing an inventory at a
3 given time. That is not there. Now, there's a whole lot else on
4 pages 7 and 18. It speaks of arms shipments in violation of an
15:52:55 5 arms embargo, et cetera. And I think in view of the content of
6 paragraph - of pages 7 and 18, we would agree with the
7 submissions by Mr Anyah that the contents go far beyond what
8 Mr Taylor has admitted to doing in his evidence-in-chief or even
9 in cross-examination, and that just because he has admitted to
15:53:25 10 doing certain things in his evidence previously, does not
11 necessarily give the Prosecution a right to go beyond the
12 parameters of that evidence and to introduce fresh evidence of -
13 you know, of violations that would either go to pattern of
14 conduct or, indeed, to guilt as, in our view, pages 7 and 18 do.
15:53:57 15 This is exactly the effect of pages 7 and 18. The effect is to
16 go beyond what is already on the record and, in our view, to
17 introduce fresh evidence going both to pattern of conduct and to
18 guilt. We would thereby uphold the objection and rule that you
19 cannot use pages 7 or 18 of this document in cross-examination.
15:54:29 20 MS HOLLIS: I would ask, please, that we go to tab 27 in
21 annex 3, S/2003/498. If you could please show the front page
22 first. We see, "United Nations Security Council, S/2003/498, 24
23 April 2003". Again it is a letter transmitting a report of the
24 panel of experts. It is signed by the chairman of the panel of
15:55:50 25 experts. We would ask that you please go to page 19, paragraph
26 69, "Violations of the arms embargo, Government of Liberia. (A)
27 President Taylor admits to violating the arms embargo." And
28 paragraph 69, "On 26 March 2003" --
29 PRESIDING JUDGE: Ms Hollis, before you use the document,

1 please, please justify its use. Even if you think it doesn't go
2 to guilt and is just for impeachment. This is a fresh document.
3 You don't simply stand up and start reading. Remember, this is
4 cross-examination.

15:56:50 5 MS HOLLIS: Yes, it is indeed, Madam President, and we --

6 PRESIDING JUDGE: You seem to be shifting the burden to the
7 Defence to somehow stand up and object. That is not the point.
8 That is not our decision. The burden is on you to justify to the
9 Chamber why you are putting before the Trial Chamber a new
10 document at this stage.

15:57:09

11 MS HOLLIS: If it is probative of guilt.

12 PRESIDING JUDGE: No, even if it's not. The burden is on
13 you first of all to say to us, "I want to refer to document this,
14 passage that, and I want to assure you it doesn't go to guilt, it
15 has no content", and that's it.

15:57:27

16 MS HOLLIS: We will follow that rule but that was not our
17 reading of your decision.

18 PRESIDING JUDGE: The burden is not even on the Chamber to
19 quickly scrounge through the text to ensure that there is nothing
20 in it that violates our ruling. The burden is on you every time
21 you pull out a fresh document that has not been exhibited before
22 or marked for identification to convince you why you are
23 referring to a fresh document.

15:57:40

24 MS HOLLIS: I will do that, Madam President.

25 PRESIDING JUDGE: Maybe I haven't made myself clear. It is
26 not the right of the Prosecution to keep pulling out new
27 documents without justification first.

15:57:58

28 MS HOLLIS: We take that as a new standard, but we will
29 follow it.

1 PRESIDING JUDGE: No, it's not a new standard. It is
2 simply an application of the decision that we gave. You see
3 because if we don't do that we are going to proliferate these
4 objections upon objections upon objections and it's
15:58:35 5 time-consuming unnecessarily.

6 MS HOLLIS: Your Honours, we wish to use this document and
7 this paragraph. In our view it is not probative of guilt.
8 Therefore, we have no burden to put forward any information that
9 would justify its use in the interests of justice or that would
15:59:06 10 show it is not a violation of the fair trial rights of the
11 accused pursuant to your Honours' decision. Only materials
12 probative of guilt do we have such an initial burden before it is
13 used.

14 Our position is this is not probative of guilt. This is a
15:59:22 15 shipment this accused has told you about. He has admitted to it.
16 This is not a shipment that is contested. What is contested is
17 the accused telling your Honours that before he brought any
18 shipments into his country he gave a letter to the United Nations
19 telling them he was going to do it and giving them a list of the
15:59:43 20 items.

21 In fact, our position is that this is relevant to show that
22 was untruthful, that indeed he was not open about bringing
23 weapons into his country, that indeed he only provided a list to
24 the United Nations after this Serbian shipment had been caught
16:00:05 25 out, the shipment he told you about. The United Nations
26 discovered it, they reported it along with the details of it.
27 Mr Taylor knew that because he told you he read the panel reports
28 and after that report came out, including showing a list of the
29 materials that were brought into Liberia from Serbia, using false

1 Nigerian End User Certificates - only after that did this accused
2 provide the United Nations with a list of weapons brought into
3 his country.

4 So, contrary to what he has told you, he was not open. He
16:00:47 5 did not give notice of this list before he brought the materials
6 in. He gave notice only after he was caught. That is why we
7 wish to use this material, and we believe it is appropriate
8 impeachment and we believe we have no case to meet in terms of
9 probative of guilt.

16:01:06 10 PRESIDING JUDGE: Thank you, Ms Hollis.

11 MR ANYAH: May I respond, Madam President?

12 PRESIDING JUDGE: Yes.

13 MR ANYAH: A few matters. Regarding whether the

14 Prosecution has any onus to show when using this type of

16:01:20 15 material, we agree with you, Madam President. Your decision of
16 30 November, CMS 865, the relevant paragraph being paragraph 27
17 states:

18 "However a document containing 'fresh evidence' probative
19 of the guilt of the accused is subject to disclosure" - and here
16:01:38 20 is the relevant part - "and its use will not be permitted during
21 cross-examination unless the two-standards are met."

22 That means the Prosecution has the onus to show why its use
23 should be permitted in cross-examination. It's a straightforward
24 decision in our view.

16:01:58 25 With respect to the substance of the argument, these points
26 that Mr Taylor has admitted to this shipment, this paragraph is
27 not speaking about one shipment. Mr Taylor said in evidence that
28 there was a shipment of arms from Serbia. This paragraph 69, if
29 you look at it, refers to the earlier document we looked at,

1 annex 3, tab 1, which is MFI-406. That's what the reference here
2 to S/2002/1015 is. That's the prior report we just looked at.
3 In fact, when it refers to false Nigerian End User Certificates
4 it's referring to that page 7 that your Honours just excluded.

16:02:40 5 Then when you look at the table that is provided in this document
6 it makes a comparison between the alleged arms shipments in page
7 18 of the prior document, MFI-406, that you've just excluded with
8 new allegations in this document.

9 So the Prosecution cannot, through this paragraph 69,
16:02:59 10 introduce what you have ruled inadmissible in MFI-406 in pages 7
11 and 18. That's what this seeks to do.

12 To the extent that it refers to an alleged quote from
13 Mr Taylor to a press conference, that is of little moment. The
14 issue is the substance of the paragraph. This paragraph alone
16:03:23 15 brings in information that you've already ruled inadmissible and
16 then it adds additional information of arms shipments. It
17 therefore falls, in our view, as pattern evidence and/or directly
18 implicates the guilt of Mr Taylor.

19 MS HOLLIS: Madam President, I rise to, for completeness,
16:03:43 20 respond to the Defence counsel's arguments as to what this
21 accused has said about one shipment from Serbia, because I would
22 direct your Honours' attention to testimony of 26 November.

23 PRESIDING JUDGE: Ms Hollis, I think that won't be
24 necessary. We're trying to deliberate on a focused issue.
16:04:04 25 Namely, whether you may use this paragraph.

26 MS HOLLIS: Yes, but to the extent --

27 PRESIDING JUDGE: We've exhaustively heard from both sides
28 regarding the need for justification or the lack thereof. Now I
29 don't think we want to muddy the waters with additional

1 information. We can reach a decision based on the submissions we
2 have from both sides.

3 [Trial Chamber conferred]

4 PRESIDING JUDGE: Ms Hollis, we've looked at paragraph 69
16:06:00 5 on page 19 of this document and honestly it is a reference to the
6 contents of pages 7 and 18 that a while ago we just ruled you
7 couldn't use. It's a reference to those pages and to the
8 contents of those pages. So we would use the same reasoning to
9 say you cannot use them. You cannot use this paragraph, 69, for
16:06:30 10 the same reasons we gave that you couldn't use pages 7 and 18 to
11 use them in cross-examination at this time. We uphold the
12 objection.

13 MS HOLLIS:

14 Q. Now, Mr Taylor, many of these points have been argued just
16:06:51 15 now in the submissions to the Court but I'm going to go back over
16 this as questions to you. Mr Taylor, you were aware of the
17 October 2002 United Nations panel report that talked about the
18 Serbian shipments to Liberia, weren't you, Mr Taylor?

19 A. I'm aware of the report.

16:07:12 20 Q. And you were aware that in this report it indicated that
21 the panel had uncovered new violations of the arms embargo on
22 Liberia. Yes, Mr Taylor?

23 A. Could you ask that again?

24 Q. You were aware that in this report the panel reported it
16:07:31 25 had uncovered new violations of the arms embargo on Liberia. You
26 were aware of that, weren't you, Mr Taylor?

27 A. No, I was not - I don't recall it, but if it's in - I'm
28 aware of the general report. If it's in that report - I don't
29 think I read the full report, but, if it's in there, I'm aware of

1 the report in general.

2 Q. And, Mr Taylor, you were aware that the report included the
3 delivery to RIA of six cargo aircraft in June, July and August
4 2002 containing weapons and ammunition to you. Yes, Mr Taylor?

16:08:09 5 A. I don't - I don't - I don't recall the details of the
6 report. I know that they reported periodically. I cannot recall
7 the details as you have mentioned it in that report.

8 Q. And, Mr Taylor, you also recall, because you read in that
9 report, that the United Nations report indicated that the
16:08:32 10 shipments you received totalled over 200 tons of arms and
11 ammunition. Yes, Mr Taylor?

12 A. Like I say, I didn't really read the report. I'm aware of
13 the report. I didn't read it in that detail. If it's in that
14 report, but I can't recollect the details as you are mentioning
16:08:55 15 it.

16 Q. Indeed, Mr Taylor, on 26 November you told this Court that
17 the weapons brought in from Serbia were not all delivered in one
18 shipment. You told the Court that, didn't you, Mr Taylor?

19 A. That is correct, I did.

16:09:10 20 Q. And you told the Court that you did not hide these
21 shipments from Serbia. Isn't that correct, Mr Taylor?

22 A. I said that.

23 Q. And indeed you said you did not know the exact number of
24 shipments from Serbia, but the earliest shipment came in the
16:09:29 25 first half to the middle of 2001, yes, Mr Taylor?

26 A. Or thereabouts, yes.

27 Q. Now, this panel report of October 2002 indicated that these
28 weapons and ammunition were brought into Liberia through the use
29 of fake Nigerian End User Certificates, yes, Mr Taylor?

1 A. I don't recall the specifics.

2 Q. And indeed they indicated that the weapons originated in
3 Belgrade from a company called Telmex, yes, Mr Taylor?

4 A. Like I said, I don't recall the specifics.

16:10:08 5 PRESIDING JUDGE: Could you please spell the name of that
6 company?

7 MS HOLLIS: T-E-L-M-E-X, Madam President:

8 Q. And, Mr Taylor, you were also aware that this report
9 indicated that the aircraft bringing these shipments to Liberia,
16:10:32 10 the cargo manifest for these shipments showed them to be mine
11 drilling equipment for a diamond mine in Monrovia. You were
12 aware of that, yes, Mr Taylor?

13 A. That was mentioned here. I can remember that part you just
14 read being mentioned in Court here.

16:10:52 15 Q. And indeed, Mr Taylor, you were aware of all of this
16 because you were aware of the plan by which these shipments were
17 brought surreptitiously into Liberia. Isn't that right?

18 A. No. I have always said I've never been into the details of
19 how material came and went. I have said to this Court that I
16:11:12 20 authorised --

21 Q. Mr Taylor, you did not bring these shipments in openly, did
22 you?

23 A. I don't know what you mean by openly, counsel.

24 Q. You hid the true identity of the cargo, didn't you,
16:11:24 25 Mr Taylor?

26 A. Counsel, I was not involved in bringing in the material. I
27 have told this Court that I authorised it. I don't know how it
28 got in. I know they flew - I'm not aware of the details of this.
29 We talked about this a lot before. I don't know.

1 Q. And indeed, Mr Taylor, you were also aware, this is October
2 2002 panel of experts' report, included a detailed inventory of
3 the materials discovered by the UN to have brought in - been
4 brought to Liberia in the summer of 2002.

5 A. That came out --

6 Q. You were aware of that, weren't you, Mr Taylor?

7 A. No. That came out in Court here. As to my awareness, that
8 came out in Court here when it was being discussed by the
9 Prosecution.

16:12:06 10 Q. Mr Taylor, you were aware of that when the October report
11 came out. That is correct, isn't it, Mr Taylor?

12 A. No, I don't know the details of the October report. I
13 admit that there was a report in October. I don't know the
14 details, you know.

16:12:18 15 Q. Then, Mr Taylor, this October 2002 report comes out with
16 all of this detail in it and then in March 2003 you tell the
17 press that you had ordered arms, and then after that, Mr Taylor,
18 after that is when you provide the comprehensive list of military
19 equipment that you had brought into the country.

16:12:45 20 A. To whom?

21 Q. To the United Nations.

22 A. Nonsense. That is not correct.

23 Q. And this is the first time you gave them any such list.
24 Isn't that right, Mr Taylor?

16:12:56 25 A. If - if - if your logic is even right, the United Nations
26 would have had to request and demand a list. That's not the way
27 it works.

28 Q. Mr Taylor, you said you voluntarily gave them a list.

29 A. But that's what I'm trying to say. So by saying it

1 occurred in 2003 is totally erroneous. I've said to this Court a
2 million times, I wrote that letter in 2001 and the United Nations
3 was aware, okay. I did not say they approved it. We informed
4 the United Nations under Chapter 51. I remember that very well.

16:13:29 5 Q. And, Mr Taylor, a million times you have told the Court
6 something that is not truthful. Isn't that right?

7 A. Well, I disagree with your proposition.

8 Q. And indeed, Mr Taylor, when the United Nations compared the
9 list you provided them in 2003 with the list they had included in
16:13:53 10 their report of October 2002, they found that those lists were
11 virtually identical. Isn't that right, Mr Taylor?

12 A. Counsel, I don't know what you - I don't know how to
13 answer. I don't know what you are talking about. I've just
14 answered that question in different forms. I don't know how to
16:14:09 15 answer this one.

16 Q. So, basically, Mr Taylor, what you did is that when you got
17 caught, you simply admitted to the UN what you had done by
18 supplying the list that matched the detailed listing they had put
19 in their October 2002 report?

16:14:31 20 A. That's total nonsense.

21 Q. Isn't that right?

22 A. You know, I think the best part of this thing would be if
23 Taylor said that he never brought in weapons. I say - you know,
24 that's not the question here. I informed the United Nations in
16:14:46 25 2001, exercising our right to self-defence. That's the truth
26 before this Court. Whether it was right or wrong, I took the
27 responsibility at the time as President of Liberia. So to
28 suggest that I got caught - if there were any such thing, the way
29 the Security Council works, the Security Council would have sent

1 out a demand under Chapter VII that a list be - there's no such
2 thing, counsel. I'm sorry, the logic that you are trying to push
3 is wrong. I'll stop right there. It's wrong.

16:15:26 4 Q. Mr Taylor, you have also told the Court that you never
5 brought any shipments of weapons or war materiel s into your
6 country by sea. Do you recall telling the Court that?

7 A. Definitely.

8 Q. But that is not true either, is it?

16:15:46 9 A. That is true. That is 100 per cent true. I never - from
10 the beginning of the war in 1989 up until I left office, I have
11 admitted that weapons came into the country. I never brought one
12 pistol in Liberia a by sea. Ever.

13 Q. Indeed, Mr Taylor, you brought weapons into Liberia by sea
14 both through the Buchanan port and also the port at Harper.

16:16:10 15 Isn't that correct?

16 A. Total, totally lies. Totally incorrect.

17 Q. And, Mr Taylor, during the time you were the leader of the
18 NPFL, Mr Abbas Fawaz was responsible for the port at Harper.

19 Isn't that correct?

16:16:28 20 A. I don't know the details. The National Port Authority was
21 responsible for the port. It is possible that he had an
22 arrangement that could have very well been, because there was a
23 similar arrangement in Buchanan and Monrovi a for operational
24 purposes, but I can't be certain about that.

16:16:55 25 Q. Mr Taylor, during your presidency he was also responsible
26 for Harper Port, isn't that correct?

27 A. He could have very well been, but the National Port
28 Authority is responsible for the port. If he had an agreement to
29 manage it, that's possible.

1 Q. And Mr Taylor, indeed Abbas Fawaz used Harper Port to
2 import arms and ammunition for you when you were the leader of
3 the NPFL, isn't that correct?

16:17:35 4 A. Never. Never. That logic is so terrible. Why would I
5 admit to the Court that I brought weapons in and then don't admit
6 if it came by sea? My God, it doesn't make sense. I never
7 brought weapons by sea. Ever.

8 Q. And Mr Taylor, indeed he used Harper to import arms and
9 ammunition for you during your presidency as well, isn't that
16:17:55 10 correct?

11 A. No. No, counsel. That is totally incorrect.

12 Q. Indeed Mr Taylor, you used Harper to bring these weapons
13 and war materials fairly frequently, isn't that right, Mr Taylor?

14 A. That is not right.

16:18:17 15 Q. And once those weapons and war materials were brought into
16 Harper Port, they were stored at a warehouse that was owned by
17 Mr Fawaz in Harper city, isn't that correct?

18 A. That is totally, totally incorrect.

19 Q. And this is the same Abbas Fawaz who was involved in timber
16:18:42 20 concessions in Liberia, yes, Mr Taylor?

21 A. Well, I don't know which Abbas Fawaz you are talking about
22 when you say "the same one". Abbas --

23 Q. [Overlapping speakers]

24 A. MWPI, yes.

16:18:54 25 Q. He was involved with MWPI during what time, Mr Taylor?

26 A. I don't - MWPI? I would say from about - oh, my God. I
27 would say in the early - during the Tolbert administration. I
28 would put that all the way back down to the early 1980s during
29 the Tolbert administration.

1 PRESIDING JUDGE: Ms Hollis, there are a number of
2 "indiscernible" that appear in the record. I would suggest that
3 you clarify what it is you are both saying, because these will
4 never be picked up, not even in editing.

16:19:38 5 MS HOLLIS: Thank you, Madam President.

6 Q. Mr Taylor, after I had asked you, "This is the same Abbas
7 Fawaz who was involved in timber concessions in Liberia?" You
8 answered, "I don't know which Abbas Fawaz you are talking about
9 when you say 'the same one'. Abbas --" And then, Mr Taylor, I
16:20:05 10 indicated to you "MWPI"?

11 A. That is correct.

12 Q. And your answer, I believe, was also "MWPI, yes." Is that
13 how you answered the question, Mr Taylor?

14 A. That is correct.

16:20:17 15 Q. And we talked about MWPI earlier, yes, when we were talking
16 about timber concessions?

17 A. That is correct.

18 Q. And what other businesses in Liberia was Mr Fawaz involved
19 in, Mr Taylor?

16:20:29 20 A. I don't know. I only know that Fawaz had been - the Fawaz
21 brothers had been involved in timber in Liberia for more than 30
22 years. Only timber I know.

23 Q. And the MWPI concession was located where, Mr Taylor?

24 A. In Maryland County. That's - in fact, MWPI, the acronym,
16:20:52 25 is Maryland Wood Processing Industries in Maryland County.

26 Q. Mr Fawaz used Harper Port in connection with his timber
27 concession, yes, Mr Taylor?

28 A. Yes.

29 Q. And he had warehouses in Harper city, isn't that right,

1 Mr Taylor?

2 A. I don't know. He very well could have.

3 Q. Indeed, you were aware of those warehouses, because you had
4 arms and ammunition stored in those warehouses, isn't that
16:21:24 5 correct?

6 A. Never. Abbas Fawaz never delivered a pistol or arms in
7 Liberia. Never. No.

8 Q. And during your presidency he continued to store arms and
9 ammunition in those warehouses in Harper city, isn't that
16:21:41 10 correct, Mr Taylor?

11 A. That is not correct.

12 Q. Mr Taylor, Oriental Timber Company, where was its
13 concession in Liberia?

14 A. Oriental had a concession in Sinoe County. Yes, Sinoe
16:22:05 15 County.

16 Q. And Mr Taylor, what port did they use?

17 A. The Port of Buchanan.

18 Q. And did they use the Port of Buchanan throughout the time
19 they had that timber concession?

16:22:19 20 A. That is correct.

21 Q. Indeed, Mr Taylor, they used the Port of Buchanan to bring
22 in arms and ammunition for you during your presidency, isn't that
23 correct that?

24 A. That is incorrect.

16:22:34 25 Q. In addition to paying large sums of money to you
26 personally, they in fact brought in arms and ammunition using
27 ships that they used for their timber, isn't that correct,
28 Mr Taylor?

29 A. That is totally incorrect. OTC never delivered any arms to

1 Liberia.

2 Q. Indeed, there were multiple shipments brought in by
3 Oriental Timber Company for you, isn't that correct?

4 A. That is totally, totally incorrect.

16:23:15 5 Q. And Mr Taylor, they would store some of those weapons for
6 you in OTC warehouses, is that right?

7 A. They could not store what they did not bring. That is not
8 correct.

9 Q. And they also organised arms shipments to your militias,
16:23:29 10 isn't that right?

11 A. That is incorrect.

12 Q. And they would supply those militias with these arms
13 shipments that came in through Buchanan Port, isn't that right?

14 A. That is not correct.

16:23:39 15 Q. And indeed, Mr Taylor, OTC had members of your security
16 forces assigned to it as protection, isn't that right?

17 A. Could you ask that again?

18 Q. Yes. OTC had members of your security forces assigned to
19 it as protection, isn't that correct?

16:23:59 20 A. I want to - I don't know what you mean by "as protection".
21 Maybe you could clarify that.

22 Q. As security for them, Mr Taylor?

23 A. Okay. Well, as security, yes, there were - because of the
24 investment, yes, there were security personnel assigned to

16:24:16 25 protect the assets of OTC, yes.

26 Q. And indeed, Mr Taylor, then these security personnel would
27 from time to time be called back by you to engage in operations
28 in different areas. Isn't that right?

29 A. Oh, I don't know how it worked, counsel. If there was a

1 particular commander or anyone with the assignment at OTC that
2 has certain expertise, I would guess they would be called.

3 Q. Mr Taylor, one of the benefits you derived from your
4 arrangement with these timber companies was that you would give
16:25:01 5 them members of your security forces and then they would pay
6 those members so that you didn't have to pay them. Isn't that
7 right?

8 A. No. What happened - no, that's not - that's not correct.
9 As you put it, no, that's not correct.

16:25:19 10 Q. Mr Taylor, they would also provide them with rice. Isn't
11 that correct?

12 A. Yes. They would provide them with food. That's true.

13 Q. And they would provide them with lodging?

14 A. I'm not sure about lodging. They were given - they were
16:25:37 15 paid for their services and they could pay for their own lodging.
16 I'm not sure if lodging was provided by the company. I don't
17 think so.

18 Q. Mr Taylor, these security forces that you gave to these
19 logging companies, these timber companies, all these security
16:25:58 20 forces were armed, isn't that correct?

21 A. No. Again I want to clarify for the record. You said
22 "these security forces that you gave". Following my presidency,
23 a lot of the ex-combatants formed what you would call security
24 groups in the country to provide services. The government was
16:26:16 25 aware of that and we wanted to make sure that the best ones would
26 work with these companies. They would pay them, they would do
27 everything. No, they were not all given arms, no.

28 Q. And indeed, Mr Taylor, some of the arms that they were
29 given were arms that were brought in through Buchanan port.

1 Isn't that right?

2 A. Counsel, we're near the end and I don't want to argue. You
3 know no arms were brought there because even there is - there are
4 decisions and investigations by this very Dutch government
16:26:46 5 concerning those arms. You know the decision in the Dutch High
6 Court that no arms came through there and you are bringing this
7 up because - but you know the facts. There were no arms that
8 came through the port of Buchanan.

9 Q. Mr Taylor, you know that the Liberian TRC found just the
16:27:02 10 opposite, don't you?

11 A. No, that's - that report is different. That means that the
12 Dutch courts are lying then. You know what the Dutch courts did
13 in Liberia. They sent in investigators, judges went down there.
14 You know that.

16:27:13 15 Q. Mr Taylor, you know that the Liberian TRC took statements
16 from some 22,000 people?

17 A. Well, you know that the TRC report right now is the subject
18 of legal confrontation before the Supreme Court because it is not
19 a proper report and it lacks the type of standard for any type of
16:27:33 20 legal action. That is going through the Courts of Liberia right
21 now. I'm sure you're aware of that.

22 Q. Mr Taylor, first of all the Prosecution is not aware of
23 that, but secondly --

24 A. Well, I'm informing the Court.

16:27:41 25 Q. -- did you have any involvement in these lawsuits about the
26 TRC?

27 A. No, I've got my hands full on this side.

28 Q. And indeed these lawsuits, who are they brought by,
29 Mr Taylor?

1 A. I understand there are several class action suits by
2 various groups in Liberia.

3 Q. Groups that were implicated in the TRC reports, Mr Taylor?

4 A. I mean I'm sure some of those groups could be involved.

16:28:07 5 But the fact of the matter is that there are legal challenges to
6 even the evidence before the TRC. The production of the report
7 and its use now are subject of legal challenges in the courts of
8 Liberia that people are saying that the collection of the
9 material, how it was done, the falsehood of those that were
10 called, and all of these, are serious legal matters in Liberia.

16:28:31 11 So we are using it here that you know - and that report could be
12 - it could be sealed. Anything could happen to it and you've
13 made a lot of references to it. I just bring it up so the Court
14 can know that there are legal challenges to the entire report by
15 different groups in Liberia right now.

16:28:50 16 Q. And, Mr Taylor, these timber concessions, the ULC
17 concession, do you remember that concession?

18 A. ULC? I remember - that name rings a bell but I don't
19 remember, counsel, who operated ULC.

16:29:15 20 Q. That timber concession was along the Sierra Leone-Liberia
21 border, correct?

22 A. I'm not sure if ULC was in Lofa, Gbarpolu. I'm not sure if
23 it's on the border.

24 PRESIDING JUDGE: Ms Hollis, I'm alerted that the tape has
16:29:39 25 virtually run out. That clock on the wall is slow by about two
26 minutes and I do wish someone could synchronise that clock. But
27 obviously by all our watches it is exactly half past 4 and the
28 tape has run out, but I think this would be a good place to start
29 tomorrow if you so please.

1 Mr Taylor, I remind you, as I routinely do, not to discuss
2 your evidence. The proceedings are adjourned to tomorrow at
3 9.30.

4 [Whereupon the hearing adjourned at 4.30 p.m.
5 to be reconvened on Friday, 5 February 2010 at
6 9.30 a.m.]

16:30:22

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I N D E X

WITNESSES FOR THE DEFENCE:

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CROSS-EXAMINATION BY MS HOLLIS	34658