THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 10 NOVEMBER 2009
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges: Justice Richard Lussick, Presiding
Justice Teresa Doherty
Justice Julia Sebutinde
Justice El Hadji Malick Sow, Alternate

For Chambers: Mr Simon Meisenberg

For the Registry: Ms Rachel Irura
Mr Benedict Williams

For the Prosecution: Ms Brenda J Hollis
Mr Mohamed A Bangura
Mr Christopher Santora
Ms Maja Dimitrova

For the accused Charles Ghankay Taylor: Mr Courtenay Griffiths QC
Mr Morris Anyah
Tuesday, 10 November 2009
[Open session]
[The accused present]
[Upon commencing at 9.30 a.m.]

PRESIDING JUDGE: Good morning. We'll take appearances, please.

MS HOLLIS: Good morning, Mr President, your Honours, opposing counsel. This morning for the Prosecution, Brenda J Hollis, Mohamed A Bangura, Christopher Santora and our case manager Maja Dimitrova.

PRESIDING JUDGE: Thank you. Yes, Mr Griffiths.

MR GRIFFITHS: Good morning, Mr President, your Honours, counsel opposite. For the Defence today, myself Courtenay Griffiths, with me with Morris Anyah of counsel and Mr James Kamara.

PRESIDING JUDGE: Mr Taylor, I remind you you're still bound by your affirmation to tell the truth.

Yes, go ahead, please, Mr Griffiths.

DANKPANNAH DR CHARLES GHANKAY TAYLOR:

[On former affirmation]

EXAMINATION-IN-CHIEF BY MR GRIFFITHS: [Continued]

Q. Now, Mr Taylor, yesterday when we adjourned we were looking at, were we not, minutes of a hearing of the Subcommittee on Africa Global Human Rights and International Operations, a committee of the international relations house - a committee of the House of Representatives, yes?

A. Yes, that is correct.

Q. Now, just to remind ourselves, for a reason which will become clear later, this hearing was held on 8 February 2006.

SCSL - TRIAL CHAMBER II
You were arrested just over a month later on 29 March 2006, were you not, Mr Taylor?

A. That is correct.

Q. Having spent how long in exile in Nigeria?

A. More than three years.

Q. So how significant do you say this report is, Mr Taylor?

A. Well, I would think that this hearing actually is at the real heart of my being here, and I think that as we look at it I think we ought to really look at it very seriously. This was about regime change and everything was put into place to accomplish that regime change. So while we're looking at Mr Crane, I think some of the other individuals that I mentioned, Dr Pham placed even a very - I think explains, and I think the Court ought to see this - explains in detail some of the points I have been making about regime change and putting into place all of these different mechanisms to effectuate that.

So while we're looking at this, at the minutes - but I do think that to underscore what I'm talking about, we could look even more seriously at Dr Pham. As I went through that report, it caused my hair to rise, specifically if we start looking back at - if I'm not wrong, maybe this may just try your test a little bit, there's some specific pages that I think are important. I think page 57 is of serious importance. I spoke to this Court about the US military training the Guineans in Nzerekore, right on the Liberian border at the time, and denying the fact that they were supporting LURD. As we go further a few pages up, I think it's 62, or thereabouts, Dr Pham talks about it and he describes in detail the thinking in Washington at the time.
So this report is important and I think it's at the heart of what I am doing here. It's got nothing to do, in my opinion, with what I would call terrible things that happened in Sierra Leone, but how I get associated with that I think is explained through the whole attitude of Crane and even the more detailed account as stated by Dr Pham.

Q. Very well then, Mr Taylor. Can we go, first of all, then, please, to page 56 of this report.

JUDGE SEBUTINDE: Can you remind us where to find it, please?

MR GRIFFITHS: This is in binder 3 of 4, week 33, behind divider 136:

Q. Now, keep your finger in page 56, Mr Taylor, and just flick back to page 54. Now, we see that what we're looking at beginning at page 56 is the statement of J Peter Pham PhD, Director, William R Nelson Institute for International and Public Affairs, James Madison University. Is this the individual you wanted us to look at?

A. Yes, this is he. I mentioned him even on yesterday, yes.

Q. Now, can we go to page 56, please, to put in context what you've asked us to look at at page 57. Let us begin three paragraphs from the bottom of the page:

"The first Liberian civil war made the outbreak of conflict in the neighbouring states inevitable. Today the situation of those countries could well undo all the progress in Liberia unless they are contained or the capacity is built up within Liberia to ride out what I anticipate will be the next wave of violent upheaval in the region.

On paper, Sierra Leone, where the United Nations mission
wrapped up its work on the last day of 2005, is well on the road to recovery. However, many problems that facilitated the spread of violence during that country's civil war persists, including lack of economic opportunities and the monopolisation of power and wealth by a ruling elite. A closer look below the surface, in fact, reveals that the only thing lacking to re-create the conditions of 1991 is a spark from the outside.

To Liberia's east, for over three years now, Cote d'Ivoire has been caught up in a seemingly intractable civil conflict between the government in Abidjan and the rebels who effectively control the north of the country. The situation is particularly heated in the country's west along the Liberian border, an ironic reversal from the Liberian civil wars of the 1990s, when there were large movements of combatants, civilians exploited natural resources and other economic goods along the same border.

Adding to the potential combustibility of this area are the geographical, political and ethnic reality. Recall it was this area that Charles Taylor supplied his rebels during the first Liberia civil war and that the anti-Taylor MODEL did likewise during the second civil war. In recent elections, Grand Gedeh County, which borders on Cote d'Ivoire, voted almost exclusively for George Weah.

However, Mr Chairman, Guinea is, in my judgment, both the most ignored country and potentially the most critical one in the sub-region as it faces the end of the long tenure of President Lansana Conte. Despite having the largest standing military in the three Mano River countries, Guinea a prime target for one or another insurgency group, both because of simmering ethnic tensions between the ruling Sousou and the Malinke of its eastern
forest region and the Peul of its northwestern Fouta Djalon highlands.

While the democratic renaissance in Liberia might serve as an inspiration for long-dormant civil society in Guinea, it is equally possible that mayhem that would ensue, should General Conte die without a better constitutional foundation than he has laid in the last two decades, could result in a 'blowback' that sweeps up the nascent government in Monrovia.

Regrettably, Guinea's Head of State's political strategy has been precisely the opposite, consisting mainly of a Machiavellian balance between ethnic favouritism and cynical manipulation of competing forces. In all likelihood, this delicate balance will come undone when President Conte dies or becomes incapacitated and the country will face first personal competition for power amongst the members of the military oligarchy and then ethnic tensions.

The first will involve a contest between the 400-strong presidential guard, the Berets Rouges, based in Conakry, and two 800-strong ranger battalions, one trained by United States Special Forces between 2000 and 2003 and based in Nzerekore and one trained by the People's Republic of China in 2003 and based in Kankan."

Now, there are three things I want to ask you about this passage, Mr Taylor. The first is this: Where, on page 56 at the beginning of that passage, Dr Pham opines that the first Liberian civil war made the outbreak of conflict in the neighbouring states inevitable, do you agree with that statement?


Q. Why not?
A. Well, to say that the first civil war in Liberia made conflict inevitable in those countries is to impart, in my interpretation - state that the events that led to the civil war in Liberia could have been used or probably perpetrated by those that carried it out to influence activities in other countries, and I say emphatically that the revolution in Liberia was not about expansion. It was an internal matter.

Q. Yes, that may well be right, Mr Taylor, but likewise would you not agree that the social, economic and political conditions which led to conflict in Liberia also existed in the neighbouring states?

A. Oh, definitely. Oh, definitely. But, you know, you have to beware of these packages as they're tied up and it's good, because on the one hand, it was said that I had come to destabilise West Africa, and that was not the intent. Now, of course socially, because most of the regimes during that particular time consisted of military men - and specifically I'm talking about Guinea, we're talking about Nigeria, we're talking about Ghana, these were all military regimes - of course, seeing a civilian - and not excluding Liberia was also a military regime headed by Master Sergeant Samuel Doe. So of course this effort of a civilian as myself coming in and removing a military regime, I necessarily suggest it could have served as an incentive. But we have to look at the doctor's explanation here. While I agree on the one hand it's possible, but making sure that we differentiate between the desire of people in those countries to look at the situation in Liberia and say well, we have an opportunity, verses the outright attempt on my part to influence those results. That's the differentiation.
Q. Mr Taylor, let us look at that differentiation. Putting aside any suggestion that you intended to spark off a regional conflict, looked at objectively do you agree that the tinder of revolution present in neighbouring states could have been ignited by the spark you set off in Liberia, looked at purely objectively. Do you follow me?

A. I fully agree. I agree. I agree.

Q. Do you agree with that?

A. I agree.

Q. Now, the second thing I want to ask you about is this: The doctor speaks of the potential for the total deterioration of the situation in Guinea on the passing of Lansana Conte. What has happened in Guinea in recent times?

A. What I think is - what, deja vu if you want to call it, because we do have a situation after the death of Conte, the doctor was practically on the mark. We have - the military took over with Dadis Camara, and we've seen some unfortunate situations from my cell in The Hague of - an unfortunate situation at the stadium, and it is the point of major discussions across the world. So to a great extent, the lack of preparation, laying the type of institutional framework necessary for a peaceful change of power, I would say, was not in place, and we do see the results as we look at world press right now.

Q. And the final matter in the passage, Mr Taylor, the involvement of United States Special Forces in training the Beret Rouge between 2000 and 2003, what do you say about that?

A. Well, I think Dr Pham - if that's the correct pronunciation how he calls it - was being a little mild and to a great extent, for my purposes, disingenuous, because let's look at the period.
We're talking about 2000 to 2003. That's the very height of the Liberian civil war. At the time we confront the United States. He's not just training Beret Rouge. And let's look at the location. He is doing this training where? Nzerekore.

Nzerekore is on the Liberian border, okay, and it's 1,000 miles away from Conakry. If we look at the map, we will see. So the whole training, everything, all the LURD insurgents that came out of Guinea, came from Nzerekore. Those that were captured admitted that they were trained in those camps. So the American Special Forces did more than just train Beret Rouge; they also trained other elements of the Guinean armed forces, and amongst those were insurgents that ended up in Liberia. And the United States did not deny this, they just said that they had no control over who the Guineans trained and where they went. So for me, between 2000 and 2003 I want to say there was the covert plan by the United States at that particular time to train LURD insurgents to cause regime change in Liberia. That is what happened there.

Q. Let's go to page 62 now, please. Yes, now we're looking at that prepared statement of Dr Pham here, and I just want us to look about four lines from the bottom of the first paragraph:

"The latest imbroglio was in some ways due to ethnic solidarity, for example, the interrelations of the Guinean Malinke with the Liberian Mandingo and Ivorian Dyula leading to support for twin United Liberian movement for Democracy (ULIMO) during the first Liberian civil war; in other cases, it involved direct government sponsorship, as in the backing that General Conte's regime gave to the anti-Taylor Liberians United For Reconciliation and Democracy (LURD) forces in the second Liberian
c civil war."

Now, you've told us about such backing, haven't you,

Mr Taylor.

A. Yes, I have.

Q. But now we come to this. Let's look at the bottom of the page now, please, "Advancing Broader Us Interests."

"Aside from the long-standing, historical, political, cultural and affective ties that bind America and Liberia together, the pivotal geopolitical role that the West African country currently plays in a region whose strategic importance to the United States is rapidly increasing demands strategic engagement. To cite but one datum, according to the National Intelligence Council, within the decade the sub-region, which currently accounts for about one sixth, will be providing more than one quarter of North America's hydrocarbon energy needs, thus surpassing the total volume of oil imports from the Middle East. Is it merely altruism or coincidence that the People's Republic of China chose Liberia as the theatre for its first ever foray into international peacekeeping?"

Liberia, while small in population and without any hydrocarbon reserves discovered to date, is in many ways the key to the entire sub-region. If Liberia remains stable, the fragile peace in Sierra Leone will be reinforced, the conflict in Côte d'Ivoire will be contained and collapse of Guinea mitigated. A democratic Liberia - and the Liberian people want it to be such - will be a beacon for the entire sub-region."

Now, first of all, Mr Taylor, what do you understand by the use of the pivotal geopolitical role of West Africa from a US point of view as identified by Dr Pham here in February 2006?
A. Well, I think Dr Pham again is practically on the money, but then again he skews off in a direction that - when Dr Pham says this, on the one hand, that the pivotal geopolitical role of West Africa, then he puts Liberia in a pivotal role, he talks about maybe about a quarter of the world's hydrocarbon could be coming from that region, but then says that no hydrocarbon has been discovered. That's not true, because Pham should know that hydrocarbon has been discovered off Liberia, and in fact there is not one major oil company now in the world that is not out there.

On the border between Liberia and Sierra Leone, they have found one point that contains some 1 billion plus barrels; further off Monrovia another 3 billion barrels. So Liberia is strategic, but he chooses not to state the fact of the existence of hydrocarbon. It is there. But in fact Liberia is pivotal. Geopolitically, the oldest independent West African country, close ties to the United States and all. So while he does put it right because of the geopolitical role that we still play, ECOWAS, founded treaties written in Liberia. United Nations: Liberia was, along with Ethiopia, the only two countries present at the League of Nations conference and the bringing into being of the United Nations. So that's that long-standing geopolitical role that he speaks about, but he hides the point that there exists hydrocarbon, and in fact that's the fight now. My only regret is that they misinterpreted what my role had been.

Q. Well, Mr Taylor, as a former President I want to ask you bluntly: If, as Dr Pham suggests, West Africa will become more important for the United States as an oil producing country than the Middle East, against the background of the US invasion of Iraq, how do you read this passage here in Dr Pham's contribution
to this hearing?

A. Well, I would say - this is my own interpretation. Dr Pham is saying: Listen, this is going to be important. The hydrocarbons are out there. We need someone there that we figure is supposed to be pro - and I must admit, I'm not anti America. I'm a very strong-minded pan-Africanist, but I think he read it wrong. He's trying to say you've got to get Taylor out of there before we get into this whole thing, because we could lose what he considers - and what is America's interests, and this is my interpretation. And I think they're wrong, because I'm not, and was not, anti-American, but I will always remain a very strong-minded pan-Africanist that felt that Liberia's destiny rested with Liberia and Liberians and that while we accepted advice from outside, we would not bend to pressure. So I think he's just saying here: Taylor's got to go. We can't have anyone in Liberia, in short, that we don't think is going to dance to our tune. Simple.

Q. Now, bearing that context in mind, let's now go to the evidence of David Crane, please, at page 73. We see that his testimony commences on that page and when we go over to page 74 he deals with the financial needs of the Special Court for Sierra Leone, which need not detain us. Let's now go to page 75:

"I am going to move through my testimony, though I do want to highlight that Charles Taylor has been a catalyst of most of the human tragedy and political instability in the region, backed by his compatriots, Colonel Muammar Gaddafi of Libya, and President Blaise Compaore of Burkina Faso, among other criminal elements. That relationship with these two Heads of State and the resultant political instability still remains."
Overlay Taylor's continued meddling in the affairs of the region, to include the attempted assassination of President Conte of Guinea in 2005, attest to his determination to do what he promised as he was escorted up the steps of that Nigerian airliner in August 2003, with various Presidents of several African countries, that he would be back. He meant it then, and he means it to this day: He will be back."

Now, Mr Taylor, did you, as suggested, have a hand in the attempted assassination of President Conte?

A. No, 2005 - look, Conte and I had our differences, but is David Crane supposed to speak for Conte? Conte's a full grown man, President of a country, largest force in West Africa, and Conte never said that I tried to assassinate him, but David Crane is not the spokesman for Conte. Never did.

There were times that we - he and I had some very tough words, but it did not get to the point of trying to assassinate him, no. If it had reached to that point, I would have say, "Conte, you sent in troops to Liberia," but I never did. Never.

Q. Because what he's suggesting is that from your redoubt in Calabar in Nigeria you were still orchestrating events in the sub-region. You still posed a threat, Mr Taylor. Do you follow?

A. I follow, which is not true. When I arrived in Calabar, I was given a document by the Nigerian government and I followed it --

Q. We'll come to that in a moment.

A. -- to the letter.

Q. "Charles Taylor knows the Western world, to include the United States, better than we do ourselves. He is relatively young, wealthy, influential and has a supportive base, military
and politically, within Liberia and the Mano River region.
Taylor knows that the west, particularly this country, will never
send its sons and daughters to West Africa to stabilise a
faltering Liberia. Currently, the United Nations has a large
peacekeeping force there under the able leadership of Alan Doss,
one of the United Nations' best career diplomats, yet they are
not going to be there forever, as we all know.
I posit that five years from now when the international
community is challenged by another crisis, Taylor in Calabar,
dering all of us to come and get him. Unless he is handed over
to the Special Court for Sierra Leone, this scenario is not out
of the realm of possibility. More importantly, and I underscore
more importantly, the people of West Africa know it all too well,
that Taylor is a street fighter, a thug, and a survivor.
How do we assure Liberia's future? Ultimately what we do
about Taylor in the next several weeks will determine the fate of
"The next several weeks.' You were arrested within weeks
on 29 March, weren't you, Mr Taylor?
A. That is correct.
Q. "... in the next several weeks will determine the fate of
Liberia and the new administration of its President, Ellen
Johnson-Sirleaf. Charles Taylor hangs like a dark and ominous
cloud over this ravaged country where he personally, for his own
criminal gain, destroyed, as he did in Sierra Leone.
There will be no prospect for peace in Liberia or the Mano
River region as long as he remains outside the custody of the international tribunal in Freetown. In my opinion, nothing constructive can be developed in the long term in Liberia unless Charles Taylor is accounted for and turned over to the Special Court. It is that simple. Again, he will be back.

Here is my suggested roadmap for a successful beginning for Liberia.

First, hand Charles Taylor over to the Special Court for Sierra Leone for a fair trial. This takes him out of the local and regional dynamic that is West Africa. The new President can move forward, confident that Charles Taylor is not lurking in the shadows undermining her initial efforts to develop a legitimate and accountable government in Monrovia. This has to happen first and now, or the rest of my suggestions and recommendations and the one you are considering for Liberia's future will be a waste of time, money, and effort."

Now, let's pause for a minute, Mr Taylor. "This takes him out of the local and regional dynamic." Where are you on trial now, Mr Taylor?

A. In The Hague.

Q. How long have you been out of the local and regional dynamic?

A. Close to four years.

Q. "Second, tie any financial and political support to good governance in Liberia."

Third, encourage the new administration in Liberia to establish the Truth and Reconciliation Commission called for in the earlier peace accords.

Fourth, within the next few years or so, another hybrid war
crimes tribunal needs to be established to account for the war
crimes and crimes against humanity committed by Charles Taylor
and his henchmen from 1990 to 2003 in Liberia."

So, Mr Taylor, you have the prospect of another trial in
Liberia, yes?

A. Yes, that's the - yes, that's the regime change. So we
will throw out - you get your pick. "If we miss him in the
Sierra Leonean court, I will try to get him in Liberia." The
whole point - they may as well just shoot me. The whole point is
to take Taylor out. This is it. That's this whole construct.

This is it.

Q. "The domestic court system in Liberia is incapable of
accomplishing this task, try as they might. Liberia, working
together with the international community and under the auspices
of the United Nations, can account for what Charles did to his
own countrymen. Note that these are separate conflicts with
consequent war crimes and crimes against humanity.

Charles Taylor has destroyed two nations, not just one. He must
be prosecuted for any crimes he is alleged to have committed in
Liberia after he is tried for what he did in Sierra Leone.

Couple both of these conflicts together, and Charles Taylor,
sitting as a free man in Nigeria, is individually criminally
responsible for the destruction of 1.2 million human beings."

You see what's being suggested, Mr Taylor: You are a mass
murder. Do you follow?

A. Yes, I do.

Q. Over the page to page 77, third paragraph:

"In conclusion, I would ask this committee to continue to
forcefully urge the Bush administration and the new President in
Liberia to demand that Nigeria hand over war crimes indictee Charles Taylor to the Special Court to answer for his crimes. Nothing else that follows can happen with any assurance of success without it. In this period of time when we celebrate and recognise the principles laid down at Nuremberg 60 years ago, we must resolve, as human beings who care about humanity and the rule of law, that there cannot be an African exception to those principles."

Thereafter his prepared statement follows. Now, let's go over the page to page 78, please. So we're look now at the prepared statement:

"WE CAN CHANGE THE COURSE OF HISTORY!

We have a chance to change the course of history for the better in West Africa. I believe the Special Court for Sierra Leone placed the international community on the correct path, a path of truth and justice. The opportunity presented to us today is to show the people of West Africa, all of Africa in large measure, that they matter, that we care, and that they are not alone. During my many town hall meetings throughout Sierra Leone, where I stood before my client and listened to them tell me about the horrors that took place in their town, village, district or province; I told them three things: The law is fair, no one is above the law, and that the rule of law is more powerful than the rule of the gun.

When I arrested 6 of the 13 individuals I indicted, in a textbook 55 minute arrest operation throughout Sierra Leone in Operation Justice, March 2003, to include the Minister of Interior at his desk, there was dancing in the streets. The people of Sierra Leone began to believe that no one was above the
When we opened the three joint criminal trials against the leadership of the Civil Defence Force, the Revolutionary United Front and the Armed Forces Revolution Council, over a period of time, the people of West Africa saw that the law was fair. And when I unsealed that 17 count indictment against President Charles Taylor for the atrocities he committed on the people of West Africa, stripping the most powerful warlord in Africa of that power with the simple stroke of a pen, the people of this embattled region of the world realised that the rule of law was more powerful than the rule of the gun."

"For the first time in his life, Charles Taylor ran into an immovable object - the victims of this tragedy, who shouted never again and no more. Humbled and beaten, he fled to a type of political limbo in Calabar, Nigeria."

Were you fleeing, Mr Taylor?

A. No, I did not flee.

Q. "Charles Taylor has been the catalyst of most of the human tragedy and political instability of the region, backed by his compatriots, Colonel Muammar Abu Minyar al-Gaddafi of Libya and President Blaise Compaore of Burkina Faso, among other criminal elements."

Now, let's have a look at footnote 11:

"According to close sources who acted as lead witnesses during our investigation of Taylor and those involved in the joint criminal enterprise that destroyed two countries and threatened a third, the Ivory Coast, Taylor, Foday Sankoh, Compaore and Gaddafi apparently sat down and developed a secret
plan to undermine the current governments within West Africa and then replace them with surrogates, such as Taylor, who were beholden to Gaddafi. This plan remains in place to this day. I chose not to indict Gaddafi and Compaore only because of evidentiary issues and the practical reality of indicting two more Heads of State within West Africa which would have politically undermined the work of the tribunal. However, I did choose to name Gaddafi within the Taylor indictment as a key member of the joint criminal enterprise. Within the American criminal system Gaddafi would have been what we call an unindicted co-conspirator. He remains a threat to West Africa."

Now, pause there, Mr Taylor. Mr Taylor, in this trial, have you heard any evidence of you, Foday Sankoh, Compaore and Gaddafi sitting down together to develop a secret plan to undermine the current governments within West Africa, a plan still in place, according to this Prosecutor, in 2006? Have you heard any evidence to that effect?

A. No, I have heard no evidence, and let’s be reminded: But that’s the plan as contained in the indictment, but what they did here was to short circuit that plan. Remember they named four persons here, but in the plan before this Court that they have been talking about they’ve taken two of the individuals. First of it was four, Gaddafi, Compaore, Taylor, Sankoh; now they’re saying that I planned with Sankoh. That’s the short-circuited part. But this whole lie about a plan is developed long before this short part that is meant only for this Court. Just as some things that we’ve seen before this Court are good for this trial, but in the AFRC and the RUF trial they have a different meaning. So this is what Crane does here, and now this Prosecution team
has to fight with this lie that he put together and left the
other people off. So that's the same plan that is contained in
the indictment.

Q. Now, let's go back to the body of the statement and pick up
the second sentence in the second paragraph:

"Charles Taylor is relatively young, wealthy, influential
and has a supportive base military and politically within Liberia
and the Mano River region."

Let's look at footnote 12:

"This support is found mainly in Lofa County, Taylor's
home, county and where he started his reign of terror back in
89-90. As of summer of 2005, our sources reported that there was
a battalion-size element standing by to do his bidding."

Mr Taylor, help me. Where did the invasion of Liberia
begin? Which county?

A. In Nimba County.

Q. Was it Lofa?

A. No.

Q. And help me. Who controlled Lofa County for much of the
first Liberian civil war?

A. ULIMO-K under Alhaji Kromah.

Q. Was Lofa County, as suggested by this prosecutor, was it
your base of support, Mr Taylor?

A. No, totally not.

Q. And is it right, as suggested by this prosecutor, that you
had in 2006 a battalion-sized group of soldiers ready to do your
bidding, Mr Taylor?

A. No. No.

Q. Now --
A. But excuse me, counsel. 2006, to emphasise, where is Charles Taylor in 2006? There is a government in Liberia. There's Ellen Johnson-Sirleaf in Liberia. You've got about 18,000, 20,000 United Nations troops in Liberia, so I don't know how I could have a battalion standing by to do anything.

Blatant, blatant, blatant lie. I'm in Calabar, depending on when he's talking about, or I'm already arrested.

Q. Now let's have another look - a look at something else, please. Three lines from the bottom of the paragraph we were looking at:

"I posit that five years from now when the international community is challenged by other crises, Taylor in Calabar, under the protection of Nigeria, will make his move."

Let's now look at footnote 14:

"President Olusegun Obasanjo of Nigeria was induced by the United States, the United Kingdom, with the concurrence of the United Nations Secretary-General Kofi Annan, to take Taylor out of Liberia and place him in Calabar. Initially I supported this, even calling for his removal from Liberia now that he was indicted. It was important that the peace process move forward and Liberia stabilise, but it has now been over two years. Peace is at hand with a new government contemplated by the Accra Peace Accord, and it is now time for this handover by the Nigerian government. I only hope the President of Nigeria has the moral courage to do so, something lacking in many African leaders today."

"Moral courage lacking in African leaders", but we'll come back to that in a moment. Let's go back to the start of this.

Mr Taylor, is it true that the United States, the United..."
Kingdom, with the concurrence of the United Nations, led to you going to Nigeria?

A. Totally, totally false. If I had the slightest, slightest knowledge that the United States and the United Kingdom were arranging such, I would have never left Liberia. We have an old saying: A gift from a wicked man is a trap. I would have never left Liberia. This was based on a statement I made at a meeting that I have told this Court and staying with my word I, along with ECOWAS leaders and AU leaders, negotiated where I would go. I had an option. I told this Court of three countries: Morocco, Nigeria and South Africa. I chose Nigeria because of its proximity and, you know, we Africans have this extended family situation. I did not want to be very far from my extended family, and so I chose Nigeria. It had nothing to do with the United Kingdom and the United States. Now, with the United Nations, yes - and this is what I said to this Court on yesterday discussions with the permanent five, they had made it very clear that the issue of the indictment would become moot and this is why. That's my knowledge of the extent of the UN's involvement in my departure.

Q. Page 80, please. Now, italics "second", do you see that?

A. Yes.

Q. "Tie any financial and political support to good governance in Liberia."

Let's look at footnote 19:

"This congress already sent letters to the Bush administration essentially stating that any future aid to Liberia should be tied to a handover of Charles Taylor to the Special"
Court for Sierra Leone. This committee has been instrumental in this effort."

Mr Taylor, were you aware that Ellen Johnson-Sirleaf was being put under such financial pressure to hand you over?

A. Not exactly, but I was aware that she was under immense pressure. I cannot say to this Court factually that I was aware of the exact type of pressure, but because of my experience as President, there would be political, there would be diplomatic, there would be financial. So I would not rule that out.

Q. Over the page to page 81, please. Second-to-last paragraph:

"There are many other challenges ahead for Liberia. Corruption, so endemic in all of West Africa, the abuse of natural resources, a whole lost generation of children to war as child soldiers and international terrorists moving about the entire region, among many other concerns."

Footnote 25:

"For three years the Office of the Prosecutor carefully developed an information asset system throughout the region providing essential evidence, criminal information, and intelligence. Several of these assets are placed very close to the various actors in the joint criminal enterprise. Over time they have proven to be 75 to 80 per cent accurate, and in some cases completely so. These sources helped us uncover evidence that Charles Taylor harboured Al-Qaeda terrorists and Hamas in Monrovia for years, to include, we allege, several of the terrorists who brought down the UN embassies in Tanzania and Kenya, to include, apparently, Abdullah Ahmed Abdullah and Sheikh Ahmed Salim Swedan. One well placed source has Charles Taylor
dealing with an operative in Burkina Faso as late as 6 April 2005 named Fazul Abdullah Mohammed. All of this information has been passed to appropriate governments and law enforcement agencies."

Now, Mr Taylor, this evidence is supposed to be 70 to 80 per cent accurate, and in some cases completely so. Help us, have you heard any of it from this Prosecution?

A. I haven't heard any of it from this Prosecution. Neither have I heard it from the - who would be even more concerned about this type of report would be what? The United States government.

Al-Qaeda? I'm associating with Al-Qaeda and providing sanctuary or - you know, I'm trying to paraphrase it - in Liberia and the United States government would just overlook it? Never. Ever. It shows how desperate they've been to destroy me.

Q. Now, Mr Taylor, we know that you went to Accra in June of 2003 when this indictment, which had been signed on 3 March, was unsealed, yes?

A. Yes.

Q. You've also told us that President Kufuor was extremely annoyed by this and put you on his presidential plane and sent you back to Monrovia. Is that right?

A. That is correct.

Q. What happened when you got back to Monrovia, Mr Taylor?

A. When I arrived that evening, I was received with a massive crowd at the airport. Present there also was Mr Blah, who was at the airport. I arrived in Monrovia before the armed forces chiefs reported what they had experienced during the hours from the unsealing of the indictment to my arrival; the request that had been made by Moses Blah. The conversation, in fact, had been recorded on telephone by - from the United States embassy asking
General Yeaten to cooperate with the Vice-President, and immediately that night I ordered the house arrest of the Vice-President. That night and the next day I briefed the legislature about our actions and an investigation ensued.

Q. Now, Mr Taylor, how long did Mr Blah remain in custody?

A. He was under house arrest for, I would say, about two weeks. He met - Blah actually admitted that he had these contacts with the United States embassy. He denied that there was a coup attempt, but he did mention that they had spoken to him and he asked General Yeaten to take certain steps.

MR GRIFFITHS: Now, lest I forget, could I ask, please, that the minutes of the hearing of the Committee on International Relations of the House of Representatives of the United States, dated 8 February 2006, be marked for identification MFI-295, please.

Now, Mr Taylor, help me. I'm sure it's my fault. Just explain again what was the contact between the American embassy and Blah?

A. They had said to Blah that an indictment had been unsealed, I would not be returning and that in line with his capacity as Vice-President, that it was incumbent upon him to take over, that there would not be a vacuum left in the country because an indictment had been unsealed and I would not be returning. Blah, knowing very well that we're in a major state of war - and in fact, the armed forces are playing a major role - called in the commander of the ground forces, General Yeaten, and explained that I would not be coming back and that he's spoken to the American embassy and as Vice-President, he doesn't want a vacuum, that he has to take over. So General Yeaten right away said,
"Take over what?" He said to him that since this thing came on the news, well, I'll have to contact other generals and talk to the President. General Yeaten, the chief of staff of the armed forces, General Kona, other senior generals, immediately called me in Accra, and I told them that I was okay and I would be on my way. They reported to me what Moses had suggested to them and that they wanted to arrest him. I said no, they should not arrest the Vice-President. I would arrive and I would deal with that issue myself, and that's what I did.

PRESIDING JUDGE: Just before you go on, the minutes you've just described have been marked for identification MFI-295.

MR GRIFFITHS: I'm grateful:

Q. Now, Mr Taylor, what occupied you thereafter in Liberia until your departure?

A. That issue, by that issue I mean the issue of the attempted coup by the Vice-President. The second issue that occupied my time at that particular time was my promise that I would - if it became necessary that I would step down if it would bring peace. The third thing was putting together the government's team that would participate in the peace talks that were to begin in Accra between the government and LURD.

Q. Now, Mr Taylor, what steps were you taking to facilitate your departure as President?

A. Well, what I did immediately was to call in the leadership of the House and the Senate and call in constitutional lawyers to discuss the procedural aspect of a peaceful turnover and when and how that would take place.

Q. Now, in terms of the practicalities, that is, your departure to Nigeria, as opposed to anywhere else, did you have
any discussions with other West African leaders as to what your
status would be if you were to depart?

A. Yes. I discussed it with John Kufuor. I discussed it with
Obasanjo himself, and throughout this particular time I was in
touch with Thabo Mbeki - you say West Africa. I'm sorry, I
stepped a little outside. He's not from West Africa. But
because of his presence there, I discussed it with Compaore. I
discussed it more specifically with Eyadema who I considered like
a big brother. Gnassingbe Eyadema, the President of Togo, yes, I
did.

Q. And, Mr Taylor, help us, was the question of the
indictment, which you were now aware of, was that raised as an
issue during any of these discussions?

A. All of the discussions, they were raised, and this is what
led it to be taken to the permanent five, according to what
Obasanjo told me. The way how things work over in our neck of
the woods is this way: Obasanjo had taken this matter, Obasanjo
was seized of this Liberian matter, my departure and all. In
fact, the two people that worked very closely on my departure
were Obasanjo and Thabo Mbeki. So most of the questions went to
the two of them.

Now, what would happen, West Africa empowered Obasanjo to
take care of this matter. No one would intervene. They would
leave it until he reported. Thabo Mbeki was empowered to work
along with him, so only those two can answer all the questions
that I raised with them, and I was assured by them - by Obasanjo,
specifically, and Thabo knew that the issue of the indictment was
an issue that both the African Union, just as I may say that they
had been a little more forceful in dealing with Omar Bashir's
matter, but I was assured that that matter, the African Union and
ECOWAS had agreed that this issue would not take root and that it
was a matter that was unacceptable. This was the decision.

Q. Who communicated that decision to you?

A. Olusegun Obasanjo communicated that to me and he made it in
public statements to the press.

Q. What did he say publicly?

A. I can remember at Roberts International Airport, on a visit
subsequent to my return after the indictment was unsealed,

Obasanjo came to Liberia and assured the Liberian people. That
was reported in a speech before on CNN, the BBC, that Mr Taylor
is my guest. He is coming to Liberia. I will not be harassed.

As a matter of fact, we just didn’t bring this forward, even, to a great extent, I would say the United States government
was involved, because at one time when Obasanjo came under
pressure, Colin Powell, the then Secretary of State said
publicly - and, in fact, even though we did not exhibit it, but
we still have time because I have a copy of that statement that
Colin Powell said that they had to leave Obasanjo alone because
what Obasanjo did, he did it at that time and it was with the
knowledge of the United States government. I’m not saying the
consent, but it was with the knowledge of the United States
government. That was said by Colin Powell.

Q. What was done with the knowledge of the United States
government?

A. My going to Nigeria and the fact that this was for peace in
Liberia that it was done with the knowledge of the United States
government and the conditions under which I went.

Q. And what were those conditions?
A. Well, what I was said - what was said to me by Obasanjo was that the whole issue of the indictment, based on what he had been told by the permanent five, would be handled and it would become a non-existent issue.

Q. Permanent five what?
A. Of the Security Council.
Q. I apologise --
A. The United States.
JUDGE DOHERTY: I think Mr Taylor may have misspoke when he quote Mr Obasanjo or President Obasanjo at line 21. "He is coming to Liberia." I think it should be "Nigeria".
MR GRIFFITHS: Yes.
THE WITNESS: No, no, no. I'm saying Obasanjo did come to Liberia and made a --
JUDGE DOHERTY: And subsequently spoke at the airport.
THE WITNESS: Yes.
MR GRIFFITHS: I'm grateful, your Honour.
Q. Now, Mr Taylor, having been given those assurances, did you communicate your decision to step down to anyone else?
A. Yes. Including them, of course, the national legislature, after we had gotten all the legal ramifications of the step down and the procedural matters, not just the legislature but other senior elders throughout Liberia, our chiefs, our elders, our Zos were all called to Monrovia and briefed. And then the final legal part was to write a formal letter to the national legislature, that I did.
Q. And that led to the installation of Moses Blah as President as we know, yes?
A. That is correct.
Q. And we've looked at that, so we won't delay over that.

But, Mr Taylor, help us with this: Did you communicate your
decision to step down to the President of the United States?

A. Yes. I wrote George Bush a letter after the war had
intensified and there were speculations normal I don't call
that speculation, but proddings I will call them. They will put
out, "Taylor is not going anywhere. It's another Taylor trick."
I write George Bush and tell him precisely that, "Look, I am
leaving." Bush had met with African diplomats in Washington DC
and said, "Taylor must go." And I said I would not leave Liberia
until peacekeepers arrived in the city to maintain peace and
quiet because any unceremonious departure from Monrovia would
have led to a major bloodbath in the capital. That was
interpreted as not wanting to leave, and I said that it was
stupid for anyone to suggest that the President should just leave
the city, okay, leave it open, without that. So I write George
Bush and tell him that I'm leaving when the peacekeepers arrive,
that I intend to follow through with my word, and as soon as the
peacekeepers arrived in Monrovia, a date was set for my
departure, and I did.

Q. We can have a look at that letter behind divider 128 in
this same bundle. 16 June 2003. Do you have it now, Mr Taylor?

A. Yes, I do.

Q. Is this the letter?

A. This is it.


Dear President Bush,

I have no doubt that you are fully seized of the situation
in Liberia, particularly the humanitarian crisis created as a
result of the recent rebel incursion to the outskirts of the
capital, Monrovia.

Liberia is now at a crossroads following four years of
attacks against our sovereign territory by armed insurgents from
the neighbouring countries of Guinea, Cote d’Ivoire and lately
Sierra Leone. Several thousand Liberians have lost their lives
during this time, with thousands of others permanently maimed.
Over one and a half million of our citizens are internally
displaced and 10s of thousands of others eke out an existence as
refugees across the West African sub-region.

Peace talks sponsored by the International Contact Group on
Liberia, of which your country is a leading member, under the
auspices of the Economic Community of West African States, are
currently underway in Accra, Ghana. I have instructed my
negotiating team in Ghana to sign a ceasefire agreement drafted
by experts under the auspices of the ICGL. However,
representatives of the two rebel groups have continued to move
the goal posts, thereby posing obstacles to the peace process.

Out of deep concern for the future of my country and in a
bid to bring urgent closure to the spiral of violence that has
torn our nation apart for more than two decades, I have offered
to consider recusing myself from the political process at the end
of my first term next January, if in my view this will contribute
positively to the achievement of a comprehensive and lasting
peace.

In the meantime, I am concerned that there should be an
orderly transition from continuing conflict to durable peace. I
am prepared, over the next several months, to be an instrument
through which the international community could work to disarm
and demobilise more than 40,000 armed combatants to pave the way for free, fair and democratic elections. Conventional wisdom suggests that any precipitous and unconstitutional remedy imposed on the crisis in Liberia could have dire ramifications - not only for Liberia - but for the entire West African region.

It is in this regard that my government hereby again requests the United States to play a leading role in the restoration of peace and stability in Liberia. We envision, for example, the immediately deployment of a unit of American armed forces giving logistics and administrative support to a contingent of West African peacekeepers sanctioned by the United States, which would serve as a bridging force to a full-fledged United States peacekeeping operation as soon as the same can be mobilised.

Mr President, Liberia and the United States have enjoyed more than 180 years of historical, cultural and economic links. We firmly believe that the country can have the most positive and significant impact on the peace process in Liberia is most definitely the United States of America. We trust that you will be willing to assist us in this manner to bring peace to the people of Liberia, a peace which they so richly deserve."

And in due course, Mr Taylor, were American forces deployed in Liberia?

A. Yes.

MR GRIFFITHS: Could that letter from President Charles Taylor to President George Bush, dated 16 June 2003, be marked for identification MFI-296, please.

PRESIDING JUDGE: Yes, that letter is marked MFI-296.

MR GRIFFITHS:
Q. Now, Mr Taylor, having looked at the video recording of the investiture of Moses Blah, I'm not going to delay over long on those details, do you follow me?

A. Yes.

Q. I want to take us immediately to your arrival in Nigeria. Now, when you arrived in Nigeria, Mr Taylor, did you receive any instructions as to the conditions of your stay?

A. Yes.

Q. What was it?

A. About - I arrived on 11 August 2003. About, I would say, three, four days later in Calabar, a letter dated 11 August was presented to me by the Governor of the state of Cross River State, the Governor, Donald Duke, laying out what the letter terms - my conditions of my stay in Nigeria - my political asylum.

Q. And who had written the letter?

A. That letter had been written and signed by the Minister of Foreign Affairs Adeniji, the same Adeniji that served as United Nations special envoy in Sierra Leone at the time. The same Adeniji. I was a little shocked by the letter.

Q. Why?

A. Because I had not requested political asylum. There was nothing throughout the discussions that followed my pledge in Ghana that I would request asylum. For me, my interpretation of asylum was a little different. Obasanjo had extended an invitation. So when I get this letter, I'm a little concerned in that - the issue and I raised it subsequently with Obasanjo. I was shocked that they had said, "These are the condition for your asylum."
Q. Let's a look behind divider 132, please, same folder. Is this the letter you received, Mr Taylor?
A. Yes, this is the letter.
Q. As we can see, it's dated 11 August 2003 addressed to you:
"On behalf of the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, I wish to extend to you warm welcome to Nigeria. As already agreed, arrangements have been made for you to be located in Calabar, Cross River State, where your host will be the Governor of the state, His Excellency Mr Donald Duke.

As an indication of Nigeria's obligation to you during your stay in the country, as well as your own obligation, I forward the attached aide memoire for your guidance.
I wish you a peaceful stay in Nigeria."

Over the page, please:
"Conditions of asylum for former President Charles Taylor."
Now yes or no, Mr Taylor: Had asylum been discussed with President Obasanjo?
A. No, never.
Q. "Obligations of Nigeria:
1. Permission for members of his family and entourage (limited in number) but no more than 35 persons in all to enter and remain in Nigeria for the duration of stay of former President Taylor;
2. His right to engage in self employment;
3. His right to own movable and immovable property;
4. Protection of former President Taylor by Nigerian security.

Obligations of former President Taylor:
1. To obey and conform to laws and regulations as well as measures taken for the maintenance of public order in Nigeria;
2. To abstain from any subversive activities against Nigeria;
3. To desist from any act likely to cause tension or hatred or disharmony in Nigeria;
4. To refrain from active participation in political activities of Liberia while in Nigeria;
5. To avoid mounting or instigating military incursions into Liberia;
6. To eschew any form of propaganda and cross-border broadcasts to Liberia from Nigeria, including interviews on local and international news media;
7. To be responsible for the conduct of members of his household and entourage.

Restrictions:
1. To refrain from active participation in the political evolution activities concerning Liberia or in communications with any individuals engaged in political, illegal or governmental activities in Liberia;
2. To refrain from giving any media interviews without the agreement of the Government of Nigeria;
3. Not to leave the city limits of Calabar without first obtaining clearance from the appointed liaison officer providing details of proposed duration of absence from the city, itinerary and other relevant contact details.

I'm going to come back to that in a moment.

"4. To agree to be accompanied on any travel outside calibre by a Nigerian escort officer."
Responsibility:
1. The Government of Nigeria agrees to provide security for the residential compound of former President Taylor in Calabar, and to provide routine security for his movements;
2. Former President Taylor will be responsible for his own communication and living costs during his residency in Calabar;
3. Resettlement of members of the household in terms of occupation, living costs and education would be the responsibility of former President Taylor;
4. The conditions of asylum does not include sovereign immunity. Former President Taylor and his household must abide to live in Nigeria as private citizens. The former President and immediate family will enjoy courtesies due to a former Head of State.

Documentation:
1. The members of the household and entourage would be subject to screening and documentation as prescribed by relevant Nigerian authorities;
2. No form of arms and ammunition or other implements of war are to be allowed any member of the household on the premises they occupy while in Nigeria."

Now, Mr Taylor, whilst in Nigeria from 11 August 2003 until 29 March 2006, did you abide by those conditions?
A. 100 per cent, yes.

Q. Now, Mr Taylor, we're coming almost to the end now. Help us. You said you'd been given a certain assurance by Obasanjo, didn't you?
A. Yes.

Q. Now, did President Obasanjo keep his side of the bargain,
Mr Taylor?

A. No, he did not.

Q. So help us. What happened?

A. Well, during my stay in Calabar I met with Obasanjo frequently.

Q. Pause there for a moment, Mr Taylor.

Before I forget, could that letter and the attached aide memoire become MFI-297, please?

PRESIDING JUDGE: Yes, that whole document is marked for identification MFI-297.

MR GRIFFITHS:

Q. Yes, Mr Taylor, I apologize for interrupting you. You met with President Obasanjo frequently, yes?

A. Yes, both in Lagos, in Calabar where he visited a couple of times. In fact, Lagos frequently he would send an aircraft, we would spend an entire day together, and I would fly back in the evening. He always talked about constant pressures from the United States. Almost every trip that Obasanjo made to the United States, before going we would meet and he would talk about the pressures. And I just mentioned earlier that on some of these occasions even former Secretary of State Colin Powell came to his rescue and said, "Look, leave Obasanjo alone. All of us knew that Taylor was leaving the country." He spoke to Kofi Annan and told me several times that Annan had mentioned to him about some pressures that were coming through him, but you know, these African brothers exchange a lot of information. In fact, on one occasion in a conversation with - in fact, Thabo Mbeki had mentioned that he had made it very clear to Bush - both Bush and Tony Blair at the time that this situation was an African
situation and they were not going to let it get out of hand. In fact, there was a very tough exchange between Bush, Blair and Mbeki as Mbeki reiterated about my situation. So there was constant pressure. Now, just a few months --

JUDGE SEBUTINDE: Sorry, Mr Taylor, I wish to understand you properly. What exactly was the pressure on --

THE WITNESS: To hand me over to the Special Court. I'm sorry, your Honour. The pressure was to hand me over. And they kept saying, "But look, we have a deal and you people have agreed" - the permanent five had agreed that this would not take place. Mbeki fought it, Obasanjo fought it, and the rest of the African Union. There was a - for three years they were harassed. I remember the last trip that Obasanjo took to the United States - in fact, excuse me, just before then Obasanjo had sent for me at Otta - that's his farm in Lagos and he said to me - he said, "Look, Kofi Annan called me and told me that this trip I'm making to the United States, I'm going to come under a lot of pressure but don't worry about it. We are not going to hand you over."

And this was the second time he had said, this because at one point in the press - not in the press. The United States Congress passed a bill - in fact, it was a rider, I think, attached to a defence appropriation bill that appropriated - I forgot - $1 million to $2 million. There was a bounty passed by the United States Congress on me that anybody turning me over, that bounty would be made available. It's a United States law.

It's a law. A rider attached to a defence appropriation bill. And Obasanjo was under pressure. So he tells me, he said, "Look, I'm going there, but it's not going to happen." In fact, at this time when that bounty bill was passed, the Nigerians sent
additional military and security people to protect my property, 
afraid that the Americans could try to snatch me.

But I think there were two principal issues, in my 
submission, that caused Obasanjo to break, and I - one, during 
this particular period there was a discussion of a permanent 
African seat on the United Nations Security Council. There were 
discussions at that time about the possibility being Nigeria or 
South Africa, and Nigeria being the largest black nation in the 
world and the powerhouse - one of the powerhouses on the African 
continent, was looking forward to that. And can I just see what 
we call through almost the eyes of fate Nigeria being told: 
Yeah, we have this situation where the former President of 
Liberia is accused of war crimes and crimes against humanity; you 
have him there. How do you enhance your chances of sitting on 
the Security Council as a permanent member when you - this would 
enhance your - you know, your chances. That's one option.

The second that Obasanjo mentioned to me, I remember, was 
that there was a discussion going on in Nigeria about a possible 
third term for Obasanjo as President, and he simply said to me in 
short: Well, look, I'm going to Washington now. I'll see what 
we can do about it. Maybe after this third term situation is 
resolved, we will know how to deal with the Americans on this 
matter, and he left. But before going I said to him, I said, 
"Look, I want to go over to Chad to see my friend Idriss Deby."

He said, "Fine, I don't have a problem."
I asked him how long he 
would be aware. He said it would take him to four to five days. 
He said it was a very good idea, he had no problems, so he gave 
me some money. In fact --

Q. How much?
A. Obasanjo gave me a $500,000, and that was reported in the press about Taylor leaving the country with a whole lot of money. I was having financial problems in Nigeria - serious financial problems and --

Q. Pause. How were you supporting yourself in Nigeria?

A. The Nigerian government every month gave me subsistence while I was in Nigeria, because that was one of the issues that had been raised with Nigeria about my - they paid my staff and they provided subsistence for me in Nigeria. Because I had told Obasanjo in spite of all these lies about billions, I had no money. Obasanjo knew, and I think the Americans knew I had no money, and so the Nigerian government provided subsistence. So I said to him I needed to be doing some work and get something going. He said to me, "Well look, I'm into the chicken business." I think Obasanjo has the largest chicken - poultry farm in Liberia, if not the - so he said to me, "Well look, we'll see if we can help you. I would advise you to do this because if you get stuck, I can help you with chicks and other things." So Obasanjo had, through the Governor of Cross River, give me $500,000 to put together this poultry business. En route to Chad I was travelling with about $50,000 for my hotel and different things. He provided the security. The Secret Service was with me in a three-car convoy driving from Cross River State to an area called Maiduguri, 1,000 miles from Cross River State.

Q. Spell the destination for us?

A. Maiduguri, I'm sorry, but I need your help there, please. Maiduguri, it's far in the north on the border with Chad. Now, this Court - well, not the Court. I'm sure individuals may have heard about Charles Taylor trying to escape
and going to Cameroon. Cameroon, from Calabar, is less than 50 miles. I was being escorted by Nigerian armed security, Secret Service and police in a three-car convoy from Calabar all the way. Obasanjo had already travelled and he knew that I was on my way. I get to the border and I'm stopped. What happened?

"Well, we have orders to arrest you." I said, "No, you've got to be kidding." They said, "No, we are not kidding. Aren't you former President Taylor?" I said, "Yes." The Nigerian security is standing right there. They said, "Well, we have orders to arrest you." I said, "No, no, no. You can't be - you've got to be kidding. You've got to be kidding." They said, "No, Mr President, you are under arrest."

I was arrested from the border. Now, there are reports out there that Taylor was travelling with tons of money. From that arrest position, only with my clothes, I was placed on an aircraft, flown to Monrovia. At the airport, arrested by United Nations securities, when at the airport, and flown to the Special Court in Freetown. The monies, my properties, everything, I don't know. Later on some of my clothes were sent. The money, I can't account for it. I don't know who took it. So this issue about millions of dollars that Taylor was travelling, all lies. If there were millions, then the Nigerians have them.

Q. Now, three questions, Mr Taylor: Firstly, as suggested in the media at the time, were you seeking to flee the country?

A. No, I was not.

Q. On that same question, are you saying that President Obasanjo knew of your proposed trip to Chad?

A. He knew. I was under Nigerian escort. He knew. How does one plan to run away and escape with your security, your Secret
Service and everything, taking them?

Q. Now, help us with this, Mr Taylor: From where you were located in Calabar, which is the nearest border if you wanted to flee?

A. Cameroon.

Q. How far away is that?

A. Less than 50 miles.

Q. Where were you, in fact, arrested?

A. I was arrested at Maiduguri in the northern part of Nigeria on the Chadian border, 1,000 miles about from Calabar.

Q. Have you subsequently discovered, Mr Taylor, why it was that despite the assurance given to you by Obasanjo before he left, you ended up being arrested?

A. I would just put it to the immense pressure. A newspaper report that I saw following my arrest - I think it was done by either New African or something - Obasanjo arrived in Washington DC. I understand he was at Blair House, Blair House is the residential place that dignitaries stay, and Bush refused to see him. I haven't managed to talk to Obasanjo yet. I don't know as to whether he panicked, what happened. I have just surmised and I have stated two possible scenarios. I haven't had an opportunity to speak to him and it's rather unfortunate. I hope - I don't care what happens, I hope I'm alive to really look into Obasanjo's face one day and ask him to tell the world the truth about what happened because I see in his mind - with me, I'm Jewish, I do not hold any animosity, but I tell Obasanjo today, and I'm sure he knows about this trial, he lied to the world when he said I was escaping and he knew nothing about it. Why he lied I don't know, but as a brother and a friend I think he ought to
speak and tell the truth about it. I mean that's it.

PRESIDING JUDGE: Just before you go on, just to clear this up, Mr Taylor, you say that Obasanjo gave you half a million dollars. I take it that's US currency, is it?

THE WITNESS: That is correct, your Honour. Half a million United States dollars, yes.

PRESIDING JUDGE: And just for the record, a matter of spelling.

MR GRIFFITHS: Idriss Deby, President of Chad, is I-D-R-I-S-S D-E-B-Y. Maiduguri is M-A-I-D-U-G-U-R-I.

PRESIDING JUDGE: Thank you, Mr Griffiths. There's just one more. Earlier on you referred to Obasanjo's farm in Lagos at I think you said Otta.

THE WITNESS: Otta.

PRESIDING JUDGE: How do you spell that?

THE WITNESS: I'm sure Mr Anyah may appear to help. I think it's either O-T-A or O-T-T-A, but Otta is just outside of Lagos, it's in Lagos state. That's where he has his poultry farm, Otta.

PRESIDING JUDGE: Yes, thank you.

MR GRIFFITHS: O-T-T-A, I'm told:

Q. Now, Mr Taylor, so far as that account that you've given us is concerned, help us, did the President of Liberia have any role in that?

A. Yes, before my arrest Obasanjo had come to - he came to Calabar and he said to me that he had received a letter from the President of Liberia requesting that I be turned over to Liberia and he had said that he said to me, "Well, I do not know what's wrong with this woman. She has not completed the issue of the
elections with George Weah and now she wants me to turn you
over." And he said that, "This is something I do not
understand." But before that time he received a letter from the
President of Liberia.

But just maybe a little addendum here. Prior to that there
was a strange situation that occurred that Obasanjo and I spoke
about again. The United Nations Security Council passed a
resolution - and I'm sorry, I'm not sure if we put it together
but it can be found - mandating United Nations forces in Liberia
to arrest me upon my arrival in Liberia. Now that really caught
me off guard because - and then immediately I got to Obasanjo and
I said, "What are we talking about here? How do you arrest a man
that is not coming to the country?" I had no intention of going
to Liberia. And this was done some three or four months before
we get to this. So apparently this whole pressure cooker
mechanism was being put into place, you know, to prepare. So
subsequent to that there's this letter to be sent to Liberia of
which I was not a parcel sent by the President of Liberia to
Nigeria that you can say, "Well, send me my parcel back." So
that caught me a little off guard. But we did get a letter - he
did a letter. He told me about it. I talked about it publicly,
there were denials up and down, but there was a letter.

Q. Mr Taylor, so far as the details of your arrest are
concerned, have you seen any newspaper articles regarding that?

A. Well, subsequently. There were two. New African in 2006
did something. The LA Times also gave some little nuanced
attachment to the reasons for my arrest that are somewhat
analogous to what David Crane talked about. These are the two
that I recall.
Q. Now let's have a look first of all, shall we, at the - can you remember the year in which the article came out in the LA Times?

A. That was, if I'm not mistaken, 2007. I think it was about the LA Times in 2007 that they - that article I have read. It spoke about that until - in fact the title of the article is until his arrest Liberia's - to the extent that Liberia's future was in peril. It talks about a discussion with Ellen Johnson-Sirleaf and how people were amazed when it was first reported that I had escaped and how she was disturbed, but later on when I was arrested she had this smirking laugh to say, "Oh, okay, the Nigerians know how, they have their own way of handling things." I think it was about 2007 or thereabouts.

Q. Let's a look behind divider 138 in this same folder, please. Yes, Mr Taylor?

A. Just a minute. Yes, I have it.


"Until his arrest exiled Taylor posed problems for Liberia. One big step for Liberia was the arrest of Charles Taylor in March which sent a shudder of relief throughout the country. When the former President was in exile in Nigeria, which granted him asylum after the war ended in 2003, the question of his extradition on international war crimes charges dogged President Ellen Johnson-Sirleaf everywhere - especially on a trip to the United States, which had pressed for his arrest. Hoping to attract donor money, she asked a reluctant Nigeria to hand him over.

Then came the news: Taylor had escaped.

'At first I thought how could this be? Was this with the
knowledge of the Nigerian government? Were they setting him free? What would be the implications for our whole peace process here? Would he end up here? And the implication of that was serious. But then, when he was caught, I realised that Nigeria has its own ways of solving problems,' said Johnson-Sirleaf, laughing wryly."

What do you understand by the wry laugh and "Nigeria has its own way of solving problems", Mr Taylor?

A. A little cynical laugh, okay. Well, okay. That was just a round about way of getting it done. I would say some cynicism.

Q. "Later she had to face the fury of Taylor's greatest supporter, Libyan leader Muammar Gaddafi. In a meeting in Tripoli, the Libyan capital, Gaddafi thrust out his wrist at her, displaying a flashy watch. 'Look at it,' he told her."

'Charles Taylor gave it to me.' Then he berated her over the decision to hand Taylor over to a US war crimes tribunal."

Yes, Mr Taylor?

A. Yes.

Q. Now you also mentioned, did you not, what was it?

A. New African also did --

MR GRIFFITHS: Mr President, can I ask that that Los Angeles Times article, "Until arrest exiled Taylor posed problems for Liberia" dated 26 January 2007 be marked for identification MFI-298, please.

PRESIDING JUDGE: Yes, marked MFI-298.

MR GRIFFITHS:

Q. Now, New African, Mr Taylor, what are you talking about here?

A. That also dealt with the issues surrounding my arrest.
Q. Can you tell us when this -
A. That was in 2006.
Q. How soon before you were arrested?
A. Well, that came out - I was arrested in March and that came out a little after my arrest. After my arrest.
Q. But in 2006?
A. That is correct.
Q. Yes, let's have a look behind divider 137, please. Is this it, Mr Taylor?
A. Yes, this is it. After my arrest, yes.
Q. We see this is the front page of the magazine for May 2006, yes?
A. Yes.
Q. On the fourth page, a photograph of Hinga Norman?
A. Yes.
Q. Now, Mr Taylor, you told us, did you not, that when, whilst in Accra, your fellow Presidents heard about the indictment, you told us that your host President Kufuor was very annoyed?
A. Yes, he was annoyed.
Q. Now, the page after the photograph of Hinga Norman, yes?
A. Yes.
Q. Top paragraph on the right-hand side:
“Kufuor told the New African that he felt betrayed by the international community when news of the indictment reached him. Five African Presidents, he said, were meeting in Accra to find ways of kick-starting the Liberian peace process, and Mr Taylor had been invited as President of Liberia. ‘We were not even aware that a warrant had been issued for his arrest. Incidentally the African leadership had taken the initiative to convince Mr Taylor to resign and allow all the factions in Liberia to negotiate. It was when the Presidents were leaving my office for the conference centre, where Mr Taylor was expected to make a statement, that word came in that a warrant had been issued for his arrest. I really felt betrayed by the international community, and I informed the United States of the embarrassment that the announcement caused.’ The African Presidents meeting in Accra was particularly angry because it was clear that the announcement of the indictment on that very day was meant to scupper the Liberian peace talks and showed no respect for their efforts. The then chief prosecutor of the Court, the American lawyer David Crane, perhaps thinking about the interests of his home government more than the interests of West Africans, may have calculated that a successful conclusion of the Accra talks would lead to elections in Liberia, fixed for July 2003, which were likely to be won by Taylor and his NPP party. That was bad news for the external agenda, and the earlier the talks were nipped in the bud, the better.

The plan worked. Though the talks continued in Accra, Taylor agreed to step down as President if he was seen as the impediment to peace. And on 11 August 2003, he duly relinquished power and went into exile in Nigeria, after an immunity from
prosecution deal had been arranged and secured by the African
Union, ECOWAS, the UN and the US and UK governments. The five
African Presidents who met in Accra - Mbeki, Kufuor, Chissano,
Obasanjo and Tejan Kabbah - again flew to Monrovia (the Liberian
capital) to see the deal ironed out."

Now, what was the deal you told us about, Mr Taylor?
A. Yes.
Q. Yes?
A. That was the deal.

Now, if we go over the page we see a rather unflattering
photograph of Sir Desmond De Silva. Over the page again we see a
photograph of David Crane and the learned judge. And then we
come, do we not, Mr Taylor, to an interview conducted with you,
yes?
A. Yes.
Q. Now, I'd like us to look at this interview, please.
"Charles Taylor", and the heading is "When your master is your
enemy, you are doomed".

"For ten years between 1992 and 2003, Baffour Ankomah, our
editor, covered Liberia very intimately. During seven reporting
trips to the country, he interviewed Charles Taylor five times,
both before and after he became President. The last in June 2000
(published in the New African July/August 2000) was quite
prescient given Taylor's current situation. For readers to
adequately understand the goings on at the UN Special Court in
Sierra Leone, we have gone back to select extracts from that
interview was headlined, 'Charles Taylor: Powerful countries
want me out.' At the time Taylor's government was under attack
(going back four years) by rebels sponsored, trained, funded
armed and directed by the Americans (and to a lesser extent, the British). The irony is that in all five interviews Taylor kept repeating that: 'During the war (1990-91), there was full cooperation between me and Washington and every move we took, we informed Washington first.' The question is: What was Washington doing with Charles Taylor, a man they now call 'a war criminal'?

Baffour: 1997 was an election year in Liberia and you won with more than a landslide, in fact 75 of the vote. It is now five years since that victory. How has life been at the top as the democratically elected President?

Taylor: Life at the top has been very tough because of several reasons. First of all, I want to praise God, the Liberian people have been very understanding. But when I say it has not been very good at the top, coming out of seven years of civil crisis, where there were some 20,000 to 30,000 deaths, winning the election, in fact more than 75 per cent of the vote, we have not got any assistance from the international community in stabilising the country. This has been most unfortunate and has caused a lot of additional pain and suffering for the Liberian people.

Baffour: In 1992 when I first interviewed you in Gbarnga ..." we've looked at interview, haven't we, Mr Taylor?

A. Yes, we have.

Q. "... you had brought in experts from Africa, Europe, America and elsewhere to look at Liberia's education and health systems, agriculture, mining, the infrastructure, investment climate, et cetera in preparation for the day when you would eventually became President. At the time you controlled 99.9 per
cent of the country. But five years into office, Monrovia, the capital city, is still without running water and electricity, in fact the city is decaying and the people are saying the President hasn't delivered. What is going on? What is there to show for past five years?

Taylor: Why haven't I delivered?
Baffour: Yes.
Taylor: I will tell you. I have not delivered, yes. And I've told the Liberian people that I have not delivered and I have explained to them. Any nation, in fact all nations coming out of civil crisis, whether we go as far back as World War II where Germany was rebuilt, Japan was rebuilt, you need assistance. Liberia started off on a very terrible note. In the first instance there was great opposition from some powerful countries to my being elected President. Following my election, there were predictions that the government would not last for six months, and then it would not last for 12 months, and then in fact on the famous CNN programme Diplomatic Licence, experts predicted that I would have gone. As a result, everything has been done to stop this government from moving. Every pressure that you can think of, through World Bank programmes, through IMF programmes, have been applied. So it is impossible to deliver. Next month, (July 2002) will be four years since we have been engulfed in a renewed state of crisis, where terrorists continue to attack us from neighbouring countries, fully financed and equipped by powerful states. I'm using 'powerful states' here because I don't want to get into calling names, because each time you present them face-to-face with the facts they punish you even the more. So little countries are frightened, you are
frightened to talk about their wrongs.

Baffour: That's not right.

Taylor: It's not. But that's the reality of the world now. When powerful countries begin to plan propaganda, lies and disinformation about you, every other little country begins to scramble for cover because they are afraid they would become a target, and so you are left out there hard and dry to suffer. It is very terrible. Even against the point where the United Nations, that you hope you could go to for mediation and solace, becomes the whipping rod. For example, this rebel war has led us not to deliver to our people, yet we have been punished. In the first instance there was an arms embargo placed upon us, sanctions placed upon us, our officials have been barred from travelling to even present our case. The country has a national budget of less than $90 million US. How do you deliver? There has been a conspiracy out there to destroy this country and our people, and we don't know why.

So yes, we have not delivered. We have told our people that we are capable of delivering and we want to deliver, but our hands are tied, our feet are tied, and the propaganda machinery of these powerful nations are just too overwhelming for us.

Baffour: From what you've said, do elections matter?

Right from 1992, the international community wanted Liberia to held elections, and so elections were held here in 1997. My question is: Why hold election and ask the people to vote in leaders of their choice, if some rebels just come in from Guinea and impose their will on the people and country. And the same international community that wanted the elections in the first place, does not even condemn the rebel attacks but rather
punishes, as you say, the legitimate government that came out of the elections.

Taylor: I will tell you. This baffles anyone and everyone, but that's not even the strongest question. Even if that were to happen, I think the greatest travesty of justice is the fact that we are told by the same international community: 'We are aware that terrorists are attacking you, we are aware that thousands of people have been killed, we are aware that more than a million of your people are displaced, but we don't like you and so you may not defend yourself and so we go to the UN security counsel and we impose an arms embargo, and we deny you the right to self-defence even under Article 51 of the UN charter.'

And who is there to talk about? No one. Because the most powerful countries are the ones that are perpetrated the injustice against Liberia. That's what I call a round-about way of overthrowing governments. 'First we go in, we make you a demon, we cut off all resources, we isolate you and your people are to come on to the streets, there is anarchy and overthrow you. If that doesn't happen, we will continue to kill the people of Liberia through a proxy rebel war until the people see it our way.' Thank God the Liberian people have not fallen for us.

So are elections necessary? That was your question. Yes, elections are necessary because in the final analysis the strength that I get or any other nation gets is when your people can say, 'We did it, we voted for this man or woman and we stand by it.' There is no way for anyone to come from the outside and say, 'Well, we are not sure that you are responsible for electing this man.'
Baffour: Regarding this rebel war, some people say: 'Yes, it serves him right, he started it all, he is being paid in his own coin.' What do you say?

Taylor: Well, where am not sure that we can fuss about that. I did start a war, but it was a different kind of war. I started an uprising here to liberate the Liberian people from the Samuel Doe regime that was involved in many atrocities. That's the difference. The rebels now coming in from Guinea have no political agenda. They have come in, they have raped women, they have burned down towns and villages, they have pillaged the Lofa County, they have herded people into buildings and burned them alive. These are terrorists.

But if one argues that well, 'He is getting some of his own medicine,' I say Doe had a level playing field. The Doe government did not have an arms embargo placed upon it. It did not have powerful nations supporting an armed incursion against it. Here, this government, my government, has powerful nations working against it. We have proof of weapons seized from those countries. We have illegal combatants in jail right now who testified to their training, where they are coming from, and then you put an arms embargo on us. There is not a level playing field. If you want me to taste some of my own medicine, create a level playing field. Let my government be given, under Article 51 of the United Nations charter, the right to self-defence.

Lift the arms embargo and this war will be over.

Baffour: In short you are saying Doe has made peaceful change impossible in Liberia, and you have not?

Taylor: Of course. Of course. We've told the rebels, 'Look, there is a democratic process here. Elections are
scheduled for next year. Lay down your arms, come to the ballot
box, let's pursue the electoral process.' That's the way to go.
We have created all avenues here for peaceful discussions. There
are no political prisoners in any jail in this country. We have
freedom of speech. We have freedom of the press. There is a
clear environment for discussion, for reconciliation, and there
is a reconciliation conference coming up in July. We hope they
would come to that conference. Let's see if we can talk about
it. But not coming to the ballot box is not the right way to go.

Baffour: If you were asked to sum up the rebels' grievances, what would you say?

Taylor: To be frank, I don't even know what the grievance
is. Some of the people supporting them - Ellen Johnson-Sirleaf,
comes backwards and forwards here. Alhaji Kromah has not come.
He was in the last election and lost immeasurably. Some of the
other people, I don't know what the grievances are. We don't
have political prisoners here. We have freedom of speech. There
are 17 political parties in this country. No political leader is
under arrest. I hope I knew their grievances. I don't.

Baffour: There is something that fair-minded people in
this country and abroad do not understand. You and your
government received United Nations punitive sanctions for,
according to the United Nations, supporting the RUF rebels in
Sierra Leone. Guinea supports the LURD rebels who are attacking
you right now, and Guinea gets no sanctions, not even a slap on
the wrist.

Taylor: (Laughs). Nothing, there is nothing.

Baffour: Why?

Taylor: Because powerful countries are involved. My
The minister of information has just told me that when your master is
your enemy, you are doomed. That's why I am saying the world is
more dangerous now than during the Cold War. It is more
dangerous because if you look at the whole issue of equilibrium,
that balance does not exist in the global community right now."

PRESIDING JUDGE: Yes, I think we will take the morning
adjournment now and resume at 12 o'clock.

[Break taken at 11.30 a.m.]
[Upon resuming at 12.00 p.m.]

MR GRIFFITHS:

Q. Mr Taylor, we were looking at the New African magazine
interview with you before we adjourned. Can we go back to that,
please.

A. Yes.

Q. "Baffour: So what does President Conte of Guinea say that
are the reasons for supporting the LURD rebels?

Taylor: When we met in Morocco recently we decided not to
get into the intricacies case of this crisis. I don't envy
President Conte. He is under tremendous pressure from powerful
countries to continue supporting the rebels for some reason. But
we have agreed that we are going to keep our differences out of
the press.

Baffour: There was a time that President Conte accused you
and your government of supporting rebels against him and his
government. Was that true?

Taylor: That was not true. And as a matter of fact if you
were to ask President Conte now, he would tell you that, that's
all in the past. You know sometimes perceptions outside can be
so, so serious and when you begin to deal with the powerful
1 organs of western propaganda, you know, I like the British, and I
2 hope I can get close to them. They are very smart people. Years
3 ago when we were not even thinking about it, the British started
4 the BBC. They knew then that by building radio and getting to
5 the ears around the world, they had some control. Smart people.
6 And for a long time they outsmarted the Americans. Somehow the
7 Americans realised what was going on and said: 'Oh, my God, we
8 have got to catch up with this.' And then came the CNN. Now, by
9 the time you are lambasted on the CNN and BBC you are already a
demon and then all their little or organs, their little covert
arms, begin to take over. It's frightening.

10 Baffour: Now there is peace in Sierra Leone, elections
11 have been held there and the RUF rebels that the United Nations
12 accuse you of supporting have smoked the peace pipe with the
13 government. Britain has trained a new armed forces for Sierra
14 Leone. So why did the United Nations, in May, renew the
15 sanctions and arms embargo on Liberia - sanctions imposed because
16 they said you were supporting the RUF?
17
18 Taylor: I think maybe Kofi Annan could answer this, but I
19 don't think he knows. I think the British and the Americans
20 would know, because the sanctions resolution was backed and
21 written by Britain. In fact, I see the continuation of 'the
22 sanctions regime' as a ploy by these powerful nations to
23 interfere in the democratic process of Liberia. I see for the
24 first time that the United Nations is being used indirectly to
25 perpetrate evil against a member state because of personal
26 reasons of other member states. And again, we don't have an
27 equal opportunity to confront these allegations. It's very
difficult.
Baffour: You have mentioned 'powerful countries' a lot in this interview, but you don't want to name them. We've read that the Americans are training the Guinean armed forces. Is that correct?

Taylor: (Laughs sarcastically).

Baffour: Or are they training the LURD rebels based in Guinea? Which is which?

Taylor: (Still laughing). Well, we have captured some people (rebels) here who said they were trained by the Americans.

I do agree with the US that they are training the Guinean army. I have no reason to doubt what the American government said but we have in our custody people who were trained in Guinea by the Americans, and I guess maybe these are the bad ones who slipped out after training.

Baffour: Is it just a coincidence that America is training the Guinean army at the time Guinea is supporting a rebel war against Liberia?

Taylor: One does not want to question the authenticity of the American pronouncements. It may be in the interests of the United States to train the Guinean army. I hope it would become the interest of the United States to do the same here, thus creating a balance.

Baffour: It has been said that Britain has been flying arms to the LURD rebels, dropping them in Sierra Leone's parrot beak. Do you have any information about this?

Taylor: We missed a helicopter in Liberia, a white helicopter, unmarked, not an UN helicopter. We also have seized some marked arms whose serial numbers have been traced to Britain. We have presented this case to Great Britain. Let's be
frank. Britain did engage in a lot of covert activities against Liberia, and did arm the LURD rebels. But I want to believe they did it at that particular time because they had a programme in Sierra Leone, and I guess Tony Blair had to make sure that what he said to parliament, that there were no failures in Sierra Leone. But I hope Britain now, and I have some indications that British policy is shifting - their policy regarding a covert war in Liberia is waning and I hope it's true.

Baffour: Is it correct to say that the Americans don't like you personally and don't want you as President - 'anybody but Taylor' seems to be the Washington line. What have you done to deserve this?

Taylor: Really nothing. I hope they change their minds because, again, I think America is a great nation and there are some great people in the United States. And their support for democracy and democratic values ought to lead them away from that. We had elections here in 1997, and those elections were one of the freest, fairest and most transparent in the history of West Africa. So I hope they see it that way.

I would want, in fact I am anxious, to engage the United States. You know I went to school there and most of the officials of my government are all US-trained. If there is any time that the United States can help Liberia, it is now because we have the personnel that understand their kind of language.

Now it is understandable that they have some hard liners who have supported their friends in all US governments that had an anti-Taylor mentality. Most of these new people in Washington, do they really know me? They have never talked to me. They have never dealt with me. All they have read are lies.
and disinformation. And I tell you, the database in Washington is still terrible, it came several years from the war in Liberia (1989-1995) when they really did not want me, but at one time they did. During the war, there was full cooperation between me and Washington. And then we got into a different phase. And God willing, we've got to get back to the original phase where I want to do business with America.

Baffour: But they are doing everything to undermine you and as a result the people of Liberia are suffering terribly.

Taylor: That is true. That is why I am hoping that they would change their policy and engage us. But you see, the American government is such a large bureaucracy, it's like an aircraft carrier, there are segments that don't understand what other segments are doing which is anti-Taylor. And so when you have a policy in limbo, the people of Liberia suffer. All we need is to be left alone. If you don't want to help us, don't hurt us. Whether you like Charles Taylor or not, that's none of your business. It should not matter who the Liberians elect, and that is what we are saying to them.

We are calling their values to the table. You believe in these democratic values, you believe that the will of the people should prevail. What is your problem? We hope we can engage them and that they can answer some of these questions."

Now, Mr Taylor, first of all, do you agree with the accuracy of that interview?

A. Yes, I do.

Q. One other matter before we move on. "During the war there was full cooperation between me and Washington", what's that a reference to?
A. The beginning of the crisis, not during my presidency. I am speaking about the period beginning 1990.

Q. 1990. Up until when?

A. I would say that went on up until about, I would say '92, when we started having some problems.

Q. Right. Before we leave this article, Mr Taylor, there is one other comment that I would like your views on. Turn over to the next page. You see a photograph of Obasanjo, right?

A. Yes.

Q. Miss the next page and the next page, yes. Go to the final page of this document, yes?

A. Yes.

Q. I want your observation on this, Mr Taylor: 

"African civilisation does not emphasise revenge but conciliation and forgiveness, amply demonstrated in post-colonial attitudes towards former colonisers."

What's your view on that?

A. I agree with this. I agree with this because if our civilisation believed in revenge, oh boy, wouldn't there be a lot of problems. We will go all the way back to slavery. Would people now be still demanding some form of reparation. Africans were taken out of Africa but the millions and slaughtered on plantations across the world. We would be talking about that right now and be saying, "Listen, we want reparation." In fact, I would probably be at the forefront. I am a third generation slave from the United States. My grandparents migrated to Liberia. So I mean it is true, there is a big difference in how we handle our situations and I agree with this statement.

Q. Now, Mr Taylor, during the course of your testimony
yesterday, you spoke of a letter from David Crane which you had seen. Do you recall that?

A. That is correct.

MR GRIFFITHS: Before I move on though could I ask that that New African magazine article be marked for identification MFI-299, please.

PRESIDING JUDGE: Yes, that article is marked MFI-299.

MR GRIFFITHS:

Q. Now, this letter from David Crane, Mr Taylor, what did it - what letter were you talking about, Mr Taylor?

A. There was a letter from David Crane written to the Department of Justice in Liberia asking specifically for certain issues relating to points that are a part of this indictment, asking the Liberian government that was cooperating with the Special Court at the time for additional evidence in line with that. That's the letter.

Q. Now, can we look, please, in disclosure for week 39, behind divider 4. Mr Taylor, don't put that volume away. Keep it there for the minute. Week 39, divider 4, please?

Now, we see this is a letter dated 1 March 2004 addressed to Mr Edward K Goba, Deputy Minister for Administration and Public Safety, Ministry of Justice, Republic of Liberia.

A. Yes.

Q. "Dear Mr Goba: On 6 February 2004, Dr Alan W White, Chief of Investigations in the Office of the Prosecutor at the Special Court for Sierra Leone, hand-delivered to you a certified copy of the indictment and arrest warrant for former Liberian President Taylor, also known as Charles Ghankay Taylor MacArthur Dankpannah Taylor. During your discussion with Dr White, you
acknowledged receipt of these documents and agreed to support our investigation, which included searches and seizures of evidence related to Charles Taylor, and access to bank records.

As the Prosecutor of the Special Court for Sierra Leone, I am sending you the following request for legal assistance. I request that the competent legal authority of the Republic of Liberia conduct a lawful search of the four banks named in section 2 of this request to assist the OTP in supporting allegations made in the attached indictment of Charles Taylor. I also asked that this request and any evidence obtained in connection with this request be kept confidential and filed under seal in order to protect the integrity of the evidence and anonymity of individuals associated with this evidence, whose safety may be compromised should their identity be publicized."

"In its investigations, the OTP has interviewed witnesses and collected documentary evidence showing that Charles Taylor, both before becoming, and while serving as President of Liberia, planned, instigated, ordered and otherwise aided and abetted in the planning, preparation and execution of crimes referred to in Articles 2-4 of the Special Court for Sierra Leone statute. Witness testimony and documentary evidence also show that President Taylor was in a position of superior authority over subordinates who committed crimes referred to in Articles 2-4 of the statute. Based on these findings and the statute, on 3 March 2003, I filed an indictment against Charles Taylor. The Trial Chamber of the Special Court for Sierra Leone approved the indictment on 7 March 2003. On 4 June 2003 the Special Court for Sierra Leone published the indictment and the warrant of arrest
against Charles Taylor dated 7 March 2003.

As indicated in the warrant of arrest, the Special Court for Sierra Leone requests states to assist and facilitate the OTP of the Special Court for Sierra Leone, at any location, in the search and seizure of all evidence related to the crimes alleged to have been committed by the accused. Furthermore, all states are requested to identify and locate assets owned by Charles Taylor within their territory and adopt provisional measures to freeze such assets.

Banks and residences to be searched.

The following is a list of financial institutions currently in operation in Liberia: Central Bank of Liberia; Ecobank Liberia Limited; International Bank (Liberia) Limited; Liberian Bank Development Incorporated.

The following is a list of residences where Charles Taylor resided prior to leaving Liberia on 11 August 2003:

Charles Taylor’s Congo Town residence.

What's that, Mr Taylor?

A. That's White Flower.

"Executive Mansion offices used by Charles Taylor.

Charles Taylor’s Gbarnga farm residence.

The OTP requests that the competent legal authority of the Republic of Liberia, in the presence of investigators from the OTP, conduct a search of the four banks named in section 2 of this request for bank accounts owned or connected to the following individuals:

Charles Taylor; Benoni Urey; Victor Bout; Sanjavan Ruprah; Liberian International Shipping and Court Registry; Bureau of Maritime Affairs; San Air General Trading FZE; Fred Rindel;
Dunraven Holdings ATS."

"International Trust Company of Liberia; Hotel Africa; Guus van Kouwenhoven; Government of Liberia; Liberia Bank for Development and Investment; Government of Liberia Tax.

The documents requested should cover the period November 30, 1996 to present" - present being 1 March 2004 - "and include certified copies of: Account application form; account history; account statements; cancelled cheques; withdrawal slips; transfer slips; personal correspondence and any other documentation related to these accounts.

These documents are required to assist the OTP in supporting allegations made in the indictment of Charles Taylor.

The OTP requests that the competent legal authority of the Republic of Liberia, in the presence of investigators from the OTP, conduct a search of Charles Taylor’s three residences named in section 2, for arms, ammunition, cash, diamonds, documents and personal correspondence required to assist the OTP in supporting the allegations made in the indictment of Charles Taylor."

That letter is signed by David Crane.

Now, Mr Taylor, was it to your knowledge that all of your residences in Liberia had been searched?

A. Yes. Following the search, yeah, it was brought to my attention, yes.

Q. And have you heard any evidence that an underground warehouse beneath White Flower was found?

A. No.

Q. And, Mr Taylor, help me with this: Were any diamonds found as far as you are aware?
A. No. If so, they haven't told me.

Q. And tell me, have you been served with any banking documents implicating you within the terms of the indictment?

A. None whatsoever to date.

MR GRIFFITHS: Can I ask, please, that that letter from David Crane to Mr Edward K Goba, Deputy Minister for Administration Public Safety, Ministry of Justice, Republic of Liberia, dated 1 March 2004, be marked for identification MFI-300.

PRESIDING JUDGE: That document is marked accordingly.

MR GRIFFITHS:

Q. The final matter I want to deal with, Mr Taylor, is this: How was it, Mr Taylor, that you came to be transferred to The Hague?

A. To the best of my knowledge, Resolution 1688, to be exact - I am sure 1688 - while I was incarcerated in Freetown, was passed by the Security Council of the United Nations for my transfer here.

Q. Right. Let's look behind divider 135 in that same volume that you have in front of you, Mr Taylor, which is week 33 disclosure, binder 3 of 4. What is that, Mr Taylor?

A. This is the Resolution 1688.

Q. We see:

"Security Council approves trial transfer of former Liberian President Charles Taylor to the Netherlands. Resolution 1688 (2006) adopted unanimously: Freetown-based Special Court will sit in The Hague. The Security Council today unanimously approved a measure that paved the way for the transfer of former Liberian President..."
Charles Taylor - now awaiting trial at the United Nations-backed Tribunal in Sierra Leone on charges related to his role in that country's bloody civil war - to The Hague, Netherlands where he would be tried for war crimes.

Acting under Chapter VII, the Council adopted a United Kingdom-drafted resolution allowing a chamber of the Freetown-based Special Court for Sierra Leone to sit outside its jurisdiction, and requested United Nations Secretary-General Kofi Annan 'to assist, as a matter of priority, in the conclusion of all necessary legal and practical arrangements' for Taylor's transfer to the Special Court in the Netherlands and the provision of the necessary courtroom facilities for the conduct of the trial. The International Criminal Court has agreed to allow the use of its premises for both detention and trial.

Noting that the ex-Liberian leader's continued presence in the West African sub-region 'is an impediment to stability and a threat to the peace of Liberia and of Sierra Leone', and that the International Criminal Tribunal for Rwanda was already too busy to handle the case, the Council decided that the Special Court would retain 'exclusive jurisdiction over former President Taylor during his transfer to and presence in the Netherlands'.

It decided further that the Dutch government would smooth the progress of the trial proceedings by: Facilitating Mr Taylor's transportation within the Netherlands outside areas under the authority of the Special Court; and enabling the appearance of witnesses, experts and other persons required to be at the Special Court.

The Council noted the willingness of the International Criminal Court to allow the use of its premises for Taylor's

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detention and trial, including any appeal, and requested all
states to cooperate to that end, particularly to ensure his
ultimate appearance in the Netherlands. The text 'encourages all
states, as well, to ensure that any evidence or witnesses are,
upon the request of the Special Court, promptly made available to
the Special Court for this purpose.'"

Over the page, please:
"Shortly after Taylor's arrest, the Netherlands expressed
its willingness to host a Special Court. And just yesterday, the
British government said Taylor could serve his prison sentence in
the United Kingdom if he was convicted, a decision immediately
hailed by the Secretary-General as 'another step forward in our
battle against impunity for the most heinous crimes'.

Expressing a similar sentiment, the Council's resolution
recognises that the proceedings in the case against Taylor would
contribute to achieving truth and reconciliation in Liberia and
in wider West Africa, and it also requests the Special Court ...
to make the trial proceedings accessible to the people of the
sub-region, including through video link.

After the vote, Konstantin Dolgov (Russian Federation) said
that his delegation shared the view of the Council members of the
need to hold Charles Taylor's trial away from the seat of the
Special Court for Sierra Leone. And while it appreciated the
constructive assistance of the governments of the Netherlands and
Great Britain, as well as that of officials at the International
Criminal Court, as Russia understood the text, acting under
Chapter VII, was unique and exceptional in nature and did not set
a precedent for solving similar issues in the same manner in the
future."
And then when we look at the resolution itself, skip one:

"Recalling that the Special Court for Sierra Leone was established by agreement between the United Nations and the Government of Sierra Leone on 16 January 2002."

Skip one:

"Recalling the Council's determination to end impunity, establish the rule of law and promote respect for human rights and to restore and maintain international peace and security, in accordance with international law and the purposes and principles of the charter.

Expressing its appreciation to Liberian President Johnson-Sirleaf for her courageous decision to request the transfer of former President Taylor in order that he may be tried at the Special Court.

Expressing its appreciation to President Obasanjo of Nigeria on his decision to facilitate the transfer of former President Taylor, and noting the role Nigeria has played in securing and promoting peace in Liberia and the wider sub-region, including President Obasanjo's decision in 2003 to facilitate the removal of former President Taylor from Liberia which allowed the comprehensive peace agreement to take effect, and recognising the contribution made by the Economic Community of West African States in this regard."

Over the page, four lines down:

"Welcoming the transfer of former President Taylor to the Special Court on 29 March 2006, and noting that at present the trial of former President Taylor cannot be conducted within the sub-region due to the security implications if he is held in Freetown at the Special Court."
Moving down:

"Noting that former President Taylor has been brought before the Special Court at its seat in Freetown and determining that the continued presence of former President Taylor in the sub-region is an impediment to stability and a threat to the peace of Liberia and of Sierra Leone and to international peace and security in the region.

Acting under Chapter VII of the Charter:

5. Requests the Secretary-General to assist, as a matter of priority, in the conclusion of all necessary legal and practical arrangements, including for the transfer of former President Taylor to the Special Court in the Netherlands and for the provision of the necessary facilities for the conduct of the trial, in consultation with the Special Court, as well as the Government of the Netherlands.

6. Requests the Special Court, with the assistance of the Secretary-General, and relevant states, to make the trial proceedings accessible to the people of the sub-region, including through video link."

Mr Taylor, initially when you were transferred to Freetown, you were held in a detention facility there, were you not?

A. Yes, I was.

Q. And then you subsequently learnt that you would be transferred for trial here in The Hague, yes?

A. That is correct.

Q. What was your thought about that when you heard?

A. Well, I was really shocked, but my whole case is unique and so there is nothing shocking about the whole process any more.

When I was first told by lawyers that a resolution had been
passed, I saw the resolution and it was troubling, and it is still troubling, and it should be troubling for any individual or nation, and I say this because here is the use of Chapter VII power by the United Nations Security Council in dealing with criminal matters arising out of international crimes that are matters to appear before a court became very troubling. Quite frankly, I then and still now still consider that as an abuse of Chapter VII power, but there is nothing I can do about it, but it goes for the record for historical purposes.

The comment made by the Russian Federation I think it's unique and I think we need to - what he said, that there - I think it's unique, because it is special, it is special in how Chapter VII power now is intervening into legal issues that are truly the jurisdiction of international courts and laws. And so it is troubling and it should be troubling to anyone. And I think the Russian Federation, as the Security Council behaves, he mentions it, makes a note, but in fact says that this is new and in fact a little bit strange and exceptional.

But that's the case with my case. Here we go again. This resolution is drafted by Britain. And remember Britain drafted the resolution of arms embargo for Sierra Leone that they did not know what happened. So all of these resolutions have been drafted and this is the way - these are the ways that Security Council resolutions are handled. To the point where even a prison is awaiting me. I am convicted already.

So the whole thing, I felt very, very, very bad about it, but, you know, this is the first time I have had an opportunity to comment on it. But I didn't - I still feel it was wrong, that this whole issue and how it has been handled has been strange but
that's the nature of this case.

Q. Mr Taylor, tell me, to your knowledge, do you know of any instance in history where an UN resolution - where one man has been the subject of a UN resolution?

A. No, no. In fact, it's very strange where not just, you know, the subject of this resolution but many other resolutions, asset freeze and all these kinds of things where there are resolutions dealing with me on the freezing of assets where the Government of Liberia has not formally accused or charged me in a court of law that would even verify that I am accused of a crime.

It's all strange. It's all strange. Very, very, very strange that the Security Council - that's what I mean by the use of Chapter VII power to begin to delve into criminal matters I think is outrageous.

Q. Now, Mr Taylor, we began this on 14 July, a few months ago, and over the course of the intervening period we have traversed a great deal of territory. Before I sit down, is there any further matter you would like to assist this Tribunal with? Is there?

A. No. I think that we have raised all of the issues and dealt with it from examination-in-chief perspective. I am sure whatever we have missed will be covered in cross-examination and I will wait for the learned counsel.

Q. Well, I would like you to stay there, there may be some questions to be asked of you. That's all I ask, Mr President.

PRESIDING JUDGE: Yes, thank you. Just before you do sit down, do you want to mark that last document?

identification MFI-301, please.

PRESIDING JUDGE: Yes, that document is marked MFI-301.

Thank you, Mr Griffiths.

Ms Hollis, do you need a little time?

MS HOLLIS: No, we don't, Mr President, we are prepared to proceed. Before we proceed with the cross-examination itself, we do have two applications to make to the Trial Chamber. One application relates directly to the cross-examination procedures and the second application relates to other trial management issues.

PRESIDING JUDGE: What are those applications?

MS HOLLIS: Thank you, Mr President. Mr President, you had indicated in an earlier session that toward the end of this accused's testimony we would deal with other trial management issues. Now I am not saying that we are near the end of that testimony in a sense of days, perhaps even weeks, but it would be an appropriate time, we would suggest, that your Honours consider issuing orders giving time frames for certain trial management actions to be taken.

The first of those would be, Mr President, that your Honours would issue an order setting a time at which the Defence would provide to your Honours and to the Prosecution a list of their primary and secondary witnesses. We would ask that that list be provided before the break, which as I understand it is scheduled to begin on 11 December. This would enable the Prosecution to determine what other applications it might have and would enable your Honours to consider what other trial management actions you may need to take. Without such a list we are really at a loss as to the accurate number of witnesses we
can expect to see.

On a related matter, Mr President, we would ask that you also order that no later than the commencement of the break the Prosecution be provided with a list of the next batch of witnesses that will be called. We understand that we will not be given their identity, nor would we be given the order in which they would be called, but we would ask that we be given a list of these witnesses by DCT number. This will enable us to organise and manage our workload within the office. At least I can assign out who might be chosen to deal with these witnesses, based on the summaries that have been provided.

But we would also ask that your Honours consider an order that during the break the two week notice be provided, even if informally, for the 11 January that week and for the following week, the 18th. Certainly the notice for the - well, for neither of those weeks would have been given in a timely fashion if we wait until we recommence the trial.

And as a final request on those general trial management issues, we would ask that your Honours would order that the 21 day notice of the identity of the witness who would appear next after this accused be ordered to be provided to the Prosecution if it becomes apparent that the 21 days will commence to run during the recess. With 21 days we have half the time that the Defence were given notice of identity of witnesses, so it's important that we have every day so that we can conduct whatever investigations are required for us to be able to proceed with cross-examination in a timely fashion. So should it be likely that 21 days would commence during the period of the recess, we would ask that we be provided that information, even though there
is a recess in the proceedings. So that's the first --

PRESIDING JUDGE: You mean 21 days to run during the
recess?

MS HOLLIS: That is correct. So that is the first grouping
of trial management issues that we would ask your Honours to
address.

Shall I proceed to the second or would you prefer to deal
with the first group first?

PRESIDING JUDGE: Perhaps it might be more convenient to
hear from the Defence on that group of requests first.

Are you able to respond at this stage, Mr Griffiths?

MR GRIFFITHS: Well, we received no notice that these
matters would be brought up at this stage, and I would welcome an
opportunity of reflecting upon the requests being made by my
learned friend and, indeed, discussing them with both the accused
and my colleagues so that I can provide this Court with a much
more reasoned and comprehensive answer to the various questions
raised.

PRESIDING JUDGE: Thank you.

Well, we think that's reasonable, Mr Griffiths. What time
frame are you looking at before you can frame a reply?

MR GRIFFITHS: Well, we should be in a position to provide
some indication to the Court by tomorrow.

PRESIDING JUDGE: Thank you.

You have a second group of applications.

MS HOLLIS: Yes, I have a second application that relates
to this next phase of the examination of the accused that we are
now moving into.

Your Honours had earlier exercised your discretion to allow

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the accused to have contact with Defence counsel during the
direct examination. We are now moving into the cross-examination
phase of the accused's testimony. We believe that it is very
important during cross-examination, which is for testing the
evidence that a witness has given and for challenging that
evidence - it's very important that this phase of the examination
not be susceptible to rehearsal or other preparation. For that reason, we are requesting that during the
cross-examination of this accused, your Honours rule that there
be no contact between the accused and the Defence team with one
condition.

Now, we make the first part of our request on the same
basis we had made our original request that there be no contact
during the examination in toto, and that is while the accused's
right to counsel continues throughout the trial, it is not an
absolute right to the extent that the Trial Chamber, as part of
its management of the mode of questioning, has the authority to
determine the limits of that assistance of counsel while an
accused is testifying. So there is no absolute right to this
contact during the time that an accused is testifying. It is
within the sound discretion of the Trial Chamber to determine
what those limits are, and your Honours have exercised that
discretion in the past.

Now, in another case before the Special Court dealing with
the other Trial Chamber, Trial Chamber I in the CDF case, they
had in fact exercised their discretion differently and had ruled
that there could be no contact during the examination of the
accused subject to one condition, which is a very important
condition. We accept that and we respect that. It may be that
other matters arise that would require consultation between
Defence counsel and the accused, matters not related to the
accused's testimony, such as the request for instructions or
guidance relating to other aspects of the case. Perhaps relating
to other witnesses, other evidence that the Defence may choose or
try to bring before the Court in the future.

And in its decision in the exercise of its discretion,
Trial Chamber I set in place a procedure that we believe is
appropriate and properly balances the need to ensure the
procedure of examination serves its truth-seeking function, but
also protects the rights of the accused; and that is, that should
the Defence require to speak to the accused about a matter not
related to his testimony, that they would provide notice of that
to the opposing party. If there was an issue or a dispute, that
would be dealt with before the Trial Chamber with your Honours
determining the outcome. If there was no dispute, then that type
of contact would go forward.

Of course, the Defence would not have to give any details
as to the contact; simply the category or nature of the contact.

We wish to speak to the accused about witnesses X, Y or Z. We
believe that that is a fair balance, strikes the right balance,
and so we would ask that your Honours issue an order to that
effect that would be in place during the cross-examination of
this accused.

That, Mr President, is our second application.

PRESIDING JUDGE: Thank you, Ms Hollis. As regards the
second application, I think it would have been more appropriate
had a formal application been filed for a decision on this while
cross-examination was taking place. Because, as we are all
aware, there is jurisprudence from the international courts on
this very issue and our Trial Chamber has yet to formulate a
decision on this case. But as I repeat, where the witness
concerned is in fact the accused himself, there is particular
case law involved. Thank you, Ms Hollis. You can be seated.

MS HOLLIS: Mr President, I assume you are talking about
the Prlic case.

PRESIDING JUDGE: Yes.

MS HOLLIS: -- that we had referred to when we first raised
this issue, and I believe that case was discussed when we very
first raised the issue. That is the case at least I am familiar
with.

PRESIDING JUDGE: That's the case I am referring to as
well, Ms Hollis. But the context I am referring to it in is that
a formal application would have given the Defence some time to
formulate its own submissions on that case, as applied to the
present circumstances. In any event, thank you, Ms Hollis.

JUDGE SEBUTINDE: Ms Hollis, you cited a decision by Trial
Chamber I, I believe. Could we have the name of that decision?

MS HOLLIS: Yes, your Honour. It is in the CDF case. It
was Trial Chamber I, and it was an oral decision that was taken.
The date of transcript reference is 18 January 2006, case of
Norman et al. The page references would begin with page 16 to
page 19 of that transcript.

PRESIDING JUDGE: Do you wish to respond to that second
application, Mr Griffiths?

MR GRIFFITHS: Mr President, your Honours, we would have
welcomed an opportunity to address our minds to this question
prior to it being raised today at this stage, which requires an
almost immediate decision, given that cross-examination is imminent, because the issues raised by my learned friend's application are quite complex legally. Because not only does your Honour need to apply a very delicate balancing exercise between two competing interests, the first being the particular mischief to which my learned friend's application is addressed, which is the suggestion that, whether directly or inadvertently, contact between the accused and his counsel might in some way either coach or influence the content of his testimony. That's the mischief at which it's aimed.

Now, the other difficulty, from our point of view, is that continued contact with Mr Taylor is, in practical terms, necessary because of outstanding issues such as the particular issues, the subject matter of the first four requests made by my learned friend of your Honours. Those will require discussion with Mr Taylor. The first request is for the Defence to provide a list of primary and secondary witnesses by the 11 December. How in heaven's name are we going to do that without having contact with Mr Taylor?

But this is where the complexity arises. My learned friend suggests that that difficulty can be obviated by your Honours imposing a requirement that notice be given of any such contact. Now, the difficulty with notice is that such notice runs up against the brick wall of legal professional privilege. That's the difficulty. Because how is such notice to be provided without lifting the veil of legal professional privilege which, even in these courts, exists between a defendant and his lawyers. Because my learned friend says: Well, it's possible to
indicate the general category of the issue. Well, how does that
not offend against that overarching consideration? How are we to
do that in practical terms without in some way offending that
principle? And so consequently, because of the complexity of the
issues, it would have been helpful to all parties concerned if we
had been given an opportunity to consider these matters and,
indeed, perhaps commit them to writing so that your Honours could
give this issue the kind of considered deliberations which its
importance obviously deserves.

And so how we go about dealing with that in practical
terms, given that the point has now been reached for
cross-examination, when, in our submission, what is required at
this stage is some breathing space in which both parties and
indeed your Honours could be assisted by some learning on this
issue. So that, I think, is the practical difficulty which now
arises. We need time. And how much time is going to be
available?

My learned friend Mr Anyah would like to add something. I
hope your Honours don’t mind that.

PRESIDING JUDGE: No. We will hear you, Mr Anyah.

MR ANYAH: Thank you, Mr President. I rise to make a few
points. I represented the Defence at the pre-trial conference.
I think it was on 4 May this year. The Prosecution raised this
issue then. I am trying to look for the decision rendered by
this Trial Chamber on this issue, because I recall that there
were some pleadings filed. The Prlic decision was cited, and
learned Counsel opposite also cited Trial Chamber I’s decision,
and your Honours took the considered view at that time that it
was appropriate for us to have contact with Mr Taylor during the
period of his evidence.

Now, in practice nothing changes from the admonition you give Mr Taylor at the end of every day's evidence not to discuss his testimony with counsel from what the Prosecution is seeking to have ordered at this point. We are professionals at the Defence bar. We are not going to breach the Court's order, which asks Mr Taylor not to discuss the substance of his testimony with counsel, whether that testimony is on cross-examination or is on direct examination.

Thus so far things have proceeded smoothly, and to now ask us to indicate to the Prosecution beforehand the general subject matter of discussion with our client, as far as I know, in the various jurisdictions I have practiced, this is unheard of. I know that it is suggested that Trial Chamber I suggested such an approach, but, with respect, your Honours have considered this issue.

Prlic, I believe, comes from the Appeals Chamber of the Yugoslavia Tribunal, the ICTY, and to the extent you allow us, we will be happy to brief the issue again, but I think the issue has been revisited. There is a procedure for reopening an issue that has been revisited. They have to make, if you will - in domestic jurisdictions it's called a motion to reconsider - whether it's an oral decision of this Chamber or a written decision, and they cannot short circuit that process orally on the cusp of the cross-examination of our client to ask you to make a ruling in Court or suggest that at this point.

So we welcome the opportunity to brief it, but I think your Honours have ruled on this issue. You have heard arguments about it and you have ruled.
PRESIDING JUDGE: Obviously we will need to go back into the transcript, but I understood Ms Hollis to be making a distinction between the questioning of the accused in chief as against the questioning of accused in cross-examination. In any event, you have heard what has been said by the Defence. We will give you a chance to reply, if you wish to.

MS HOLLIS: Thank you, Mr President. This issue has been addressed before in the context of contact during direct examination. The authorities have been cited. Your Honours did consider and made a considered decision at that time at least insofar as we understood it as it relates to direct examination, and so the difference for us is that cross-examination is a different phase of this. There are different considerations to take into account.

In terms of the need for the Defence to further explicate their position, it seems to me they have explicated it pretty well. But to the extent your Honours wish to give them additional time and need time to consider this, we do not wish to delay the proceedings. We are quite cognisant of the fact that your Honours may well not make a decision today and until your Honours were to make a decision, which would change the current procedure, then the Defence contact would continue.

We understand that, we appreciate that, we are not objecting to that. Now, should the Defence say they need two weeks to do something for a decision to be made, then we would perhaps have some concerns. But since this issue has been dealt with before in court and now it relates to the different phase of the proceeding rather than new law on the issue, we are quite appreciative of the fact that the current procedure may continue.
for the next short while until your Honours allow the Defence to make additional submissions or your Honours decide the issue.

PRESIDING JUDGE: I understand. Thank you. We are going to adjourn early. In fact, we will adjourn now. We will discuss this matter and we will come back at the normal time, at 2.30, after lunch. We will adjourn now.

[Lunch break taken at 1.02 p.m.]

[Upon resuming at 2.30 p.m.]

PRESIDING JUDGE: Just before the break there were two forms of application by the Prosecution. The first concerned time frames and there were four different items of submission under those time frames. We're not going to make any orders at this stage. We note that the Defence has requested some time to respond and they may be able to shed some light on the

Prosecution requests tomorrow morning. So we'll adjourn that part of the Prosecution application until tomorrow morning.

The second application by the Prosecution concerned the issue of access of Defence counsel to the accused during the course of cross-examination. The Trial Chamber is of the view that within the context of this particular case it's a motion that should be formally pleaded, it should be properly researched, and it's appropriate that a written motion be filed and a written response and reply filed as well.

So we're going to order that that will be the case, but we would like to expedite the filing periods allowed by the Rules.

Ms Hollis, how long would you need to be able to prepare the motion and file it?

MS HOLLIS: We should be able to file it by Thursday, Mr President.
PRESIDING JUDGE: Thank you, Ms Hollis. Mr Anyah, the normal response time, as I know you're well aware, is ten days but we would like to abbreviate that if we could. So the matter has been partly argued this morning to the extent that you do know the issues involved. How long do you anticipate you would need to file a response?

MR ANYAH: We would be grateful to receive an equal amount of time as the Prosecution, and that would be two working days, which would bring our response due at close of business next week Monday, if it please your Honours.

PRESIDING JUDGE: Thank you, Mr Anyah. What about the reply, Ms Hollis?

MS HOLLIS: We would endeavour not to file a reply, but in the event that we would, we would, depending on when we got served, try to file it within 24 hours, if not the same day.

PRESIDING JUDGE: Thank you. If the Prosecution proposes to file a motion in respect of the subject matter discussed this morning, that motion shall be filed before close of business on this Thursday, which would be 12 November, and any response by the Defence shall be filed by close of business next Monday, which is 16 November. If there is going to be any reply, it shall be filed by close of business Tuesday, 17 November.

In the meantime, the normal access that has been applicable between the accused and his counsel shall continue, and of course the caution shall continue to be administered every day that the accused is forbidden to discuss his evidence with any other person.

You said you were in a position to commence cross-examination.
MS HOLLIS: That is correct. Mr President, we would, however, in light of the - because we do propose to file a written motion, and since there is short time, we would ask if your Honours would allow us to adjourn early today so that I may instruct the people in my office to ensure that we begin immediately and are very focused in what we're filing. If your Honours prefer that we continue, we're prepared to do so.

PRESIDING JUDGE: I'll give you a chance to say something if you wanted to, Mr Griffiths.

MR GRIFFITHS: Mr President, we would have no objection to that. These are complex issues and I can well understand why lead counsel would want to be involved at an initial stage at least in laying the framework for what is a quite difficult issue.

PRESIDING JUDGE: Thank you, Mr Griffiths. How much time would you like? There will be no problem with the time; we understand what's involved, Ms Hollis.

MS HOLLIS: Actually, Mr President, I do have three exhibits that I could deal with that I have questions about and then if we could adjourn for the day after that, that would be helpful.

PRESIDING JUDGE: If that suits you, that's what we'll do.

MS HOLLIS: Thank you.

CROSS-EXAMINATION BY MS HOLLIS:

Q. Good afternoon, Mr Taylor.

A. Good afternoon, counsel.

Q. Mr Taylor, your counsel was speaking with you today about what has now been marked MFI-296 and that is your letter to George Bush. Do you recall your counsel speaking to you about

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Q. And I believe the question that your counsel asked was if you had communicated your decision to step down as President of Liberia to the President of the United States, and you answered that yes, in fact you had sent a letter to George Bush and then thereafter the letter, DCT-255, which is now marked MFI-296, was shown to you and you talked about it. Do you recall that?

A. Yes, I do.

MS HOLLIS: If Mr Taylor could be shown that exhibit, please:

Q. Mr Taylor, if you need to do so, feel free to take a moment to look that over again.

A. This is the exhibit. You may go ahead, counsel.

Q. Thank you. Mr Taylor, would you please tell the judges where in that letter you tell the President of the United States that you are stepping down as the President of Liberia?

A. Your question is I should identify in this letter where I used the specific words that I will be stepping down. That's your question; am I correct?

Q. Yes. Where do you tell the President of the United States that, Mr Taylor?

A. In those specific words, no. The nuances are there.

Q. Could you tell us what language is meant to communicate that you are stepping down as the President of Liberia?

A. I don't understand your question. What do you mean "what language"? In terms of language, I understand language to be English, French. You know, when you say "language", what do you mean?
Q. The words in the letter that you wrote, the words by which you meant to convey to the President of the United States that you were stepping down as the President of Liberia. You tell us which words in that letter were meant to convey that?

A. Okay. Which words. Okay, fine, I'll tell you. When I state in this letter - because we have to look at the point that the President of the United States is aware of the entire process. "I have offered to consider recusing myself from the political process." That is the language that politically I'm stating to the President that I will not be in the process, because there's a context to this letter. Before this letter there's a context. I have already indicated that I am going to step down and leave into exile. The President now and other people are concerned when will that be. This is just further trying to couch it that I am recusing myself from the political process. That's the language that I use here.

Q. So when you use the terms "have offered to consider recusing myself", you mean to convey that you will recuse yourself. Is that what you're saying?

A. That's my understanding, counsel. That's how I interpreted it.

Q. Thank you. Any other language in there that is meant to convey that you will step down as the President of Liberia?

A. Well, if you identify maybe another question I will probably identify, but so far, I think sufficiently, as you read the whole context of the letter, we can get into nuance language, counsel, but the point here is that what is conveyed here by me is that I will not be a part of the process. I will be stepping down and out of the process. That's my intent. And so maybe if
we got into other nuance language, we could argue about that, but that's my intent here, counsel.

Q. Thank you, Mr Taylor. Now, Mr Taylor, I would like to draw your attention next to what has been marked MFI-293A and B. And this is a two-part document with the first part being a word that Defence has told the Court means attachment or annex. I believe at page 31422, we were told it's a Dutch word for appendix. I don't think I'm saying it right, but it's something like bijlage 003 and bijlage 004. Do you recall that exhibit from yesterday, Mr Taylor?

A. Yes, I do, counsel.

Q. Now, yesterday at page 31418 you talk about what becomes marked as this exhibit and you say that that's another intelligence report that was obtained through the OTP. And then your counsel at page 31420, in arguing about foundation, says, "Where there is material available emanating as in this particular case from the Prosecution themselves." Now, Mr Taylor, you should be aware that this document did not come from the Prosecution. We don't have this document, and your case manager - your Defence counsel's case manager confirmed that we did not provide this document to you. So, Mr Taylor, do you have any idea where you got this document from?

A. To the best of my knowledge, this document came amongst the documents from the OTP.

Q. So you have no other knowledge?

A. I have no other knowledge and I read through it from the OTP.

Q. Well, the OTP didn't give it to you, Mr Taylor. But you have no knowledge as to where it came from, other than your --
A. What I have said, I said --
Q. -- understanding it was from the OTP?
A. That is correct.
Q. And you indicated that it was an intelligence report. Can you show us anywhere on this document where it indicates it is an intelligence report?
A. Well, counsel, you know, no, the word "intelligence" is not used here. But when we get into - I can see we're going to go through a lot of fine language here about what is intelligence.
Q. Mr Taylor, my question was very simple.
A. Well, I'm answering your question, counsel.
Q. No, you're not. Can you tell us where on this document it says it is an intelligence report?
A. Counsel, I'm saying I'm answering your question. Will you give me an opportunity, please.
Q. I have given you that, sir.
A. The word --
Q. Let me ask you, sir - Mr Taylor, I'm sorry to interrupt you, sir. The question was: Can you tell us where on this document it says that it is an intelligence report?
PRESIDING JUDGE: Mr Taylor, I should explain this to you:
JUST answer counsel's questions. If there are things that need to be explained in your answer, then your own counsel has the right of re-examination.
THE WITNESS: The word that you are looking for "intelligence" is not written on this document.
MS HOLLIS:

Q. Mr Taylor, this document and the B part of this document indicate a 003 and a 004, and as I said, Mr Anyah of your Defence team has indicated through your lead Defence counsel that this means appendix. Can you tell us where appendix 001 or 002 are located?

A. I do not know where 1 and 2 are located, no.

Q. And can you tell us to what document these two appendices were attached?

A. No, I cannot tell you.

Q. Thank you, Mr Taylor. Now, the next document that I would like to ask you about is the document that was marked MFI-291. Mr Taylor, you may recall that this document was the report that was prepared about the 19 May 2000 meetings that Special Envoy Jackson and his group held with you in Monrovia. Do you recall that?

A. Yes, I do.

Q. Mr Taylor, can you tell us, please, did you hold these meetings with Special Envoy Jackson before or after you had met with Issa Sesay?

A. Well, if you look at this report, you will see the dates. My meeting with Issa Sesay is in - it's later in May. This is before I met with Issa Sesay in early May.

Q. So you had not yet met with Issa Sesay when you had this meeting with Special Envoy Jackson and his group?

A. That is correct.

Q. Now, Mr Taylor, if I could direct your attention, please, to the page that is marked "R0005831". I'm looking specifically at paragraph 9 on that page. Do you see that paragraph,
Mr Taylor?

A. Yes, I do.

Q. Now, you were asked some questions relating to this paragraph wherein there's language about the rumours of GOL complicity in gun-running, diamond smuggling, bringing mercenaries to the region. These rumours - and you were asked about this word "rumours". Do you recall that, Mr Taylor?

A. Yes, I do.

Q. Would you look at the language that follows after "rumours". "These rumours and activities that serve as the basis for them jeopardised Taylor's government." So is it correct that you not only talked about the rumours, but you also talked about the activities that serve as the basis for the rumours?

A. Well, no. We did not talk about activities. When you say activities, we did not speak about this. This is the envoy speaking. We had not gotten into his interpretation of what he's meant - we did not discuss what was activities. We discussed the rumours of - and he's speaking generally, so I do not know what was in his head about what he meant by activities, but we discussed rumours.

Q. Thank you. And if you would look at what has been marked page R0005832, please. I'm looking at the two lines above paragraph 11, that "if the RUF succeeds in Sierra Leone, their banditry and torture would eventually spill over into Liberia."

Do you see that language, Mr Taylor?

A. Yes, I do.

Q. Did you contest that description of the RUF with the special envoy and his group?

A. I don't see anything here to contest, so what should I have
contested? I don't understand your question.

Q. The description of their banditry and torture. Did you contest that? Did you agree with it? Did you object to it?

A. No, it was not within my purview. I did not - the two words here, I did not contest, I did not object, because this is the interpretation of what he gave. There was nothing to contest to or to object to, so I didn't.

Q. And in paragraph 12, Mr Taylor, where it said, "The RUF's activities are barbaric." Did you comment or contest that language?

A. No, I did not contest that language, simply because when it comes to the activities of the RUF, generally, it had been agreed that the activities, as far as actions were concerned, were immoral and improper, so there was no contest. We were not in a discussion here, counsel. We were not competing or anything. We were just talking.

Q. Now, Mr Taylor, if we could look at page R0005836 and if we look first - are you on that page, Mr Taylor?

A. Yes, I am.

Q. And if we look first at paragraph 26. Is it correct when it says that you "noted that Human Rights Watch is talking about the need to set up a war crimes tribunal now that the RUF have reneged on Lome. Taylor said that this is not helpful to getting the hostages released." Does that accurately reflect what you said?

A. Yes, it accurately reflects what I said, but there's got to be some context attached to these answers if we're going to - you know, your Honour, yes or nos will give the wrong impression to this Court. There are context I would like to establish with
PRESIDING JUDGE: Mr Taylor, I didn't tell you to answer your questions by yes or no. My admonition to you was in the vein of: Do not argue with counsel when she is asking questions, because your own counsel will ask you questions in re-examination if he sees fit to clear up any uncertainties as to your answer.

THE WITNESS: Very good. Thank you very much, Mr President.

I do - this is accurate, counsel, but there's a context.

My - we are going through a very delicate situation. My point here is that if a man is holding a gun to your head and the police are trying to get you free, the police doesn't yell at the guy and say, "Get that gun away from his head. I'm going to shoot you right away, as soon as you leave him." You wait until the issue has been properly handled, then after that the issue of the Court - that's the context of me saying at this particular time it is not helpful in getting the hostages. Their lives are in danger and you are threatening them, so wait, let's calmly get them away and then deal with the issue of the Court. That's the context.

BY MS HOLLIS:

Q. So once you had gotten them away, then the Court would have been something to talk about?

A. Well, you can conclude that. The issue of impunity, as far as I'm concerned, has never been something that I have been opposed to. I think that the issue of the Court and what Amnesty or Human Rights Watch were talking about were issues that were still on table, but discussing it at that time, I think would have jeopardised the lives of the hostages. And my preoccupation...
at the time as the mediator was to get them released and then talk about whatever else.

Q. Now, Mr Taylor, while we're on this page, let's also look at paragraph 25.

A. Yes.

Q. "Taylor says it also doesn't make sense that Sam Bockarie, who ran the RUF for two years whilst Sankoh was in jail, would come to Liberia for training and then (with mercenaries). This is disinformation Taylor claimed, and if we had friends we would be able to combat it." Is that accurate reflection of what you said in this meeting?

A. Yes, counsel, that is right.

Q. Now, Mr Taylor, at the time you said this, in May 2000, we would agree that Sam Bockarie wasn't in training, wouldn't we?

A. I beg your pardon?

Q. We would agree that Sam Bockarie was not in training. We would agree with that, yes?

A. Oh, definitely.

Q. But those hundreds of men he brought, they were in training, were they not?

A. Well, yes, the men that Sam Bockarie brought were in training, but, again, I must contextualise it. Those were not mercenaries. Those had come to Liberia with the full knowledge and consent of the Liberian government and international community, so it is my assumption - and those envoys at that particular time, if I had gotten the slightest notion that they were referring to Sam Bockarie and his militants that came as mercenaries, I would have objected. So in the context of what I'm saying here, there are no mercenaries in Liberia, so this
whole point of Sam Bockarie coming to train with mercenaries is
totally wrong, and so I object to the fact of mercenarism in
Liberia, yes.

Q. Mr Taylor, don't you think a more honest answer to this
would have been: You know, Sam Bockarie brought several hundred
men with him and I'm training them, but let me explain to you why
they are not mercenaries?

A. Well, your suggestion of disearnesty, I did give an earnest
answer. Your suggestion that it was disearnest I think is unfair
and I don't think you should allude to that. I did give an
earnest answer, because the men that Sam Bockarie brought to
Liberia, counsel, were made citizens of Liberia and were being
trained openly. And Sam Bockarie himself was not in training and
was never trained in Liberia. So alluding to the fact that
Bockarie is training along with mercenary is a misnomer. So to
suggest in your question that I'm being less than earnest I think
is unfair. I am being earnest, counsel.

Q. Do you think you are being misleading when you fail to
mention these hundreds of his men that you were training?

A. No, I don't feel that way. I was not asked any question
about the men that Sam Bockarie brought to Liberia, counsel, for
me to deny this so I was not being misleading. To be misleading
for me would have been if Special Envoy Jackson had asked me
about the presence of those men and had said to me, "Mr Taylor,
are you training them?" and I had said no. Counsel, I believe in
my opinion that would have been misleading. Special Envoy
Jackson does not ask that question. This State Department
document does not state it, so I'm sorry, I'm not being
misleading either.
Q. So in your mind that was a complete and earnest answer?
A. Very much so, counsel.
Q. Mr Taylor, if you had been supplying the RUF and the AFRC with arms and ammunition and other support, you wouldn't have told that to the special envoy and his group, would you?
A. Why wouldn't I have, counsel? I would have.
Q. Because you had been denying it all along.
A. If I had been training or supplying arms, according to your question, there would have been no reason why I would have denied it to Special Envoy Jackson. And I'll say - I say that to you - to my answer for several reasons, counsel. All along Guinea, Sierra Leone, or wherever, that has sponsored rebel activities in Liberia, I have sufficient cause, if I had done so, to be very bold and tell them I did and I had reason to do so. Just as I have admitted that during the period of August 1991 through May 1992, May/June, that I cooperated with - I had the RUF cooperate with the NPFL in fighting back ULIMO that had been given safe stay in Sierra Leone and had been combating. Counsel, I have no reason in dealing with the national security of Liberia or my country or my people in denying that. Quite frankly, I would have told him to his face.
Q. So your story to this Court is you would have told him that?
A. Oh, definitely, counsel.
Q. And if you had been receiving diamonds from the RUF and the AFRC you would have told him that as well?
A. Definitely, counsel. Definitely I would have.
Q. Well, the Prosecution suggests that that is not the case, Mr Taylor, and you haven't been truthful about that. But you
would probably deny that suggestion, wouldn't you?
A. Well, counsel, I disagree with that. There are cases where
I guess if we look through all this case the suggestion that I
would be - I would lie about something like that, this whole
case, counsel, is a lie. Remember your knowledge of my dealing
with Sam Bockarie. The Prosecution's knowledge of my dealing
with Issa Sesay. The Prosecution's knowledge of my activities as
being in charge of the Sierra Leonean activities in West Africa
and your failure to accept it. That's a lie, counsel, on your
part, isn't it?
Q. Now, Mr Taylor, you've said to this Bench throughout your
direct examination that all of this evidence here before you,
it's all lies and you've talked about how - perhaps cunning isn't
the word you used - cunning a lie. Mr Taylor, it's true, isn't it,
it, that of all the people that have come before these judges you
are the one who has the most reason to lie?
A. Well, counsel, you know I would disagree with you except
you can point to me why would I have the most reason to lie? I
have been truthful before this Court. Unless you can point to
me, I have told this Court the truth and I suggest that you point
to me and present the evidentiary facts before this Court to
suggest, as you are, that I am lying.
Q. We will do that over the course of the cross-examination,
Mr Taylor, but of all the people who have come before this Court
you are the one facing these serious charges. Isn't that
correct?
A. That is correct, counsel.
Q. You are the one facing confinement if you are convicted.
Isn't that correct?
A. That is correct.

Q. And I believe that your Defence counsel recently in a media report indicated that you and he are of the view that if you are convicted you would spend the rest of your life in jail?

A. Well, I have not followed all of the statements, counsel, that my counsel has made. I don't have total access to all of the news items. But if my counsel said that, of course that's the intent of this whole trial. The whole construct that David Crane and this Prosecution that has been so misguided, the whole point of this construct is to put away - remember this whole thing about the plan with the four individuals in Libya; Gaddafi, myself, Foday Sankoh. This whole construct is to secure a verdict that would put me away because this whole thing has been about destroying me and of course that will be the natural thing that would happen if this Prosecution were to get away with the lie that there was a plan that I executed and was in command and control. Of course, if the Prosecution is permitted to get away with this lie, of course that's what happens to me. I'll go jail for the rest of my life.

Q. Mr Taylor, you do understand of course it's not the Prosecution who sentences you?

A. No, no, no, but the Prosecution is responsible for - I can tell you a lot of these things that have come up, we're still into this trial, paying witnesses, constructing fence and houses and all this kind of stuff. All of that will come up. That's what I call the total construct. There's more to this than just what - oh, I'm aware the judges sentence. But the Prosecution in this fabrication of disinformation, misinformation, half truths and all could lead to that if this Defence does not do the job as
it is doing.

Q. So, Mr Taylor, you are the one facing the charges and you are the one facing confinement. That's the truth of it; yes?

A. Yes.

15:09:01

MS HOLLIS: Thank you. Your Honours, that would be all that we would have for today.

PRESIDING JUDGE: All right. Thank you.

For the reason mentioned by the Prosecution earlier on this afternoon we're going to adjourn early now and we'll reconvene tomorrow at 9.30 a.m.

15:09:22

Mr Taylor, the usual caution: Please do not discuss your evidence with any other person.

THE WITNESS: Yes, your Honour.

PRESIDING JUDGE: We'll adjourn now.

15:09:34

[Whereupon the hearing adjourned at 3.07 p.m. to be reconvened on Wednesday, 11 November at 9.30 a.m.]
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