Case No. **SCSL-2003-01-T**

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 17 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:	Mr Joseph Kamara 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, 17 November 2009

[Open session]

[The accused present]

[Upon commencing at 9.30 a.m.]

09:32:56 PRESIDING JUDGE: Good morning. We'll take appearances, please.

MS HOLLIS: Good morning, Mr President, your Honours, opposing counsel. This morning for the Prosecution, the Acting Prosecutor Joseph Kamara, myself Brenda J Hollis, Mohamed A 09:33:17 Bangura, Christopher Santora and our case manager Maja Dimitrova.

PRESIDING JUDGE: Thank you and welcome, Mr Kamara. Yes, Mr Griffiths.

MR GRIFFITHS: Good morning, Mr President, your Honours, opposing counsel. For the Defence today, myself Courtenay 09:33:33 Griffiths, with me Mr Morris Anyah of counsel and Mr Isaac Ip.

PRESIDING JUDGE: Just before we begin, Mr Taylor, I remind you you are still bound by your oath.

DANKPANNAH DR CHARLES GHANKAY TAYLOR:

[On former affirmation]

09:33:53 CROSS-EXAMINATION BY MS HOLLIS: [Continued]

Q. Good morning, Mr Taylor.

A. Good morning.

Q. Mr Taylor, you recall yesterday we were talking about some of the events in 1992 including the meeting in Dakar, your 09:34:05 holding several hundred ECOMOG troops and the creation of a nine-member monitoring committee. Do you recall us talking about that?

A. Yes.

Q. And we also talked about decisions on sanctions. Do you

recall that?
A. Yes, I do.
Q. Now, it might be helpful in regard to those topics to look again at MFI-276 and this time looking at pages 10 to 13, which
09:34:37 is the final communique of the first joint meeting of the ECOWAS Standing Mediation Committee and the Committee of Five. This was in Cotonou on 20 October 1992, a prelude to the sanctions decision we talked about yesterday A/DEC.1/10/92. Do you see that, Mr Taylor?
09:35:18 A. Yes, I do.
Q. The first page of that report - the final communique is on page 10, and if we could go to page 11 and if we look at paragraph 6. It indicates that this is a review of developments relating to the situation in Liberia since the last summit of the
09:35:47 Authority of Heads of State and Government held in Dakar in July 1992. Then if we look at paragraph 8, the meeting received a report from the field commander of ECOMOG in which he reported that there had been no compliance with the Yamoussoukro accords by the warring parties at the expiration of the deadline of 30
09:36:13 days stipulated by the July 1992 decision of the authority, and he indicated that the situation had deteriorated sharply in Monrovia and elsewhere in Liberia. And if we look at paragraph 9, the joint session noted in particular the intensification of hostilities between ULIMO and NPFL and the taking hostage by NPFL
09:36:43 of over 500 ECOMOG troops deployed into NPFL-controlled territory as part of the disarmament and encampment exercise and the unprovoked and unpremeditated armed attack by NPFL against ECOMOG forces.
Mr Taylor, in this paragraph 9 they're talking about those

several hundred ECOMOG that you held. That's correct, isn't it?
A. Yes, that's correct.
Q. Then if we look at page 12 at paragraph 12, subsection (iii) and this is where it sets out the establishment of the
09:37:35 monitoring committee, including those countries we talked about yesterday. Yes, Mr Taylor?
A. Yes.
Q. And then if we look at 12(iv):
"In the event that the Yamoussoukro IV Accord is not
09:37:53 implemented by the warring factions concerned, at the expiration of the deadline the sanctions decision A/DEC.1/10/92 shall apply fully and automatically."
Then if we look at paragraph 13 relating to the return of ECOMOG property seized by NPFL:
09:38:19 "Heads of State and Government condemn the taking hostage by NPFL of ECOMOG troops deployed in the area. The joint meeting demanded the immediate return by NPFL of all items unlawfully seized from the ECOMOG forces concerned."
And that demand was made upon the NPFL, was it not,
09:38:40 Mr Taylor?
A. That is correct, yes.
Q. And then in paragraph 14, "Imposition of Sanctions":
"In the event of failure by the warring parties to comply fully with the Yamoussoukro IV Accord, the Heads of State and
09:38:58 Government determined that such action would constitute a serious threat to the peace and security of Liberia in particular and the West African region as a whole. Heads of State and Government, acting an behalf of the authority of the Heads of State and Government, would impose sanctions against the warring parties

entailing the blockade of all entry points into Liberia by land, air and sea in order to deny them access to the sinews of war and the export of any commodities or products originating from areas of Liberia controlled by them."

09:39:46 The Heads of State and Government made a special appeal to the three neighbouring member states of ECOWAS sharing land borders with Liberia for their cooperation to ensure the strictest application of the sanctions decision.

Those three states would have been who, Mr Taylor?

09:40:04 A. Are you asking for the three states that are contiguous to Liberia?

Q. Would it be Cote d'Ivoire - yes --

A. Sierra Leone, Guinea and la Cote d'Ivoire.

Q. Thank you. And in paragraph 14 the joint meeting also

09:40:19 decided to seek the assistance of the Security Council of the United Nations to endorse the sanctions decision and make it mandatory for the entire international community in accordance with the relevant provisions of the charter of the United Nations.

09:40:36 It noted in paragraph 16: "The sanctions decision is annexed to this communique and shall form an integral part of it."

Then in paragraph 17, Mr Taylor, they're talking about an UN observer group to facilitate the verification and monitoring

09:40:55 of the electoral process in Liberia, yes?

A. Yes.

Q. If we look at paragraph 17?

A. Yes.

Q. Now you recall, Mr Taylor, that yesterday we had also begun

to talk about the final communique of 7 November 1992, and this was the first meeting of the ECOWAS monitoring Committee of Nine that was held in Abuja, 7 November 1992, and we have at page 15 the final communique. Do you recall that, Mr Taylor?

09:41:51 A. Yes, I recall that.

Q. And yesterday we had talked about paragraphs 6 and 7 of that final communique, and if we could look at - and this is on page 16 of MFI-276 - paragraph 9 under the heading, "Condemnation of NPFL attack against ECOMOG", wherein it was said that Heads of

09:42:24 State and Government unreservedly condemned the unprovoked and premeditated aggression by the NPFL against ECOMOG forces in Liberia and expressed full support for defensive action taken by ECOMOG. The Heads of State and Government reaffirmed the right of ECOMOG to defend itself decisively against armed attacks from

09:42:50 any quarter.

In paragraph 10 we see that the Heads of State and Government, in the face of mounting evidence of atrocities, warned all warring factions against the commission of war crimes and crimes against humanity in Liberia and the meeting paid

09:43:13 tribute to all who have perished in the senseless war being waged by Charles Taylor, including in particular the nuns who were recently killed by the NPFL and expressed condolences to the bereaved families.

The mention of the nuns, Mr Taylor, these were nuns who

09:43:32 were killed during Operation Octopus, is that correct?

A. Yes. These nuns - but this is a matter of contention and you know that because these were American nuns and this was a matter between the NPFL and the Government of the United States. It was greatly contested as to what happened, and so the fact

that you bring it up, it's good for you to know, because I think you bring it up because of the issue it involved American citizens and this was very much contested up until today. And, in fact, we did find reports that were filed that they were killed in the area that was controlled by Senegalese forces and I think you are aware of that.

Q. Mr Taylor, it's true, isn't it, that there was a later determination that, in fact, the NPFL was responsible for the killing of those nuns?

A. Well, I haven't seen that and I would invite you to bring that later determination. I haven't seen it.

Q. Hopefully we will be able to do that.

A. That remains contested until today. The Government of the United States raised that issue, we had it investigated and it remains an issue today that was determined that, actually, it could not be said with any certainty that the NPFL killed those nuns. They died in a crossfire and that's the information that was circulated between the Government of the United States and I would like to see anything to the contrary.

Q. And hopefully we will be able to return to that, Mr Taylor. Now, if we can move on to paragraph 11, strengthening of ECOMOG, and it is in this paragraph that the Heads of State and Government agreed that all the other member states of ECOWAS, especially those states in whom the NPFL had shown to have confidence, should contribute to ECOMOG in order to strengthen its capacity to discharge its peacekeeping mandate and also enhance trust and confidence among all the warring parties. Yes, Mr Taylor?

A. Yes to what now? What you've read?

Q. Yes.
A. Yes.
Q. And that invitation was extended and other states were encouraged to contribute, yes?
09:45:56 A. That is correct, yes.
Q. Then if we look at page 17 under the application of sanctions decision, paragraph 15:
"Heads of State and Government stressed the need for full cooperation by all parties concerned for the effective
09:46:23 establishment of conditions that would conduce the holding of free, fair and democratic elections in Liberia. Consequently, Heads of State and Government reaffirmed their decision in Cotonou to impose sanctions against any warring faction that failed to comply with the provisions of the Yamoussoukro IV
09:46:46 Accord and declared that in view of the failure of all the warring parties to implement the terms of the Yamoussoukro IV Accord at the expiration of the deadline of 5 November 1992 as stipulated by the Cotonou summit meeting, the sanctions decision shall be deemed to have entered into force against all the
09:47:09 warring parties as from 5 November 1992."
And in paragraph 16:
"The Heads of State and Government reaffirmed their mandate to the ministers of Foreign Affairs of the Committee of Nine to proceed to New York as soon as possible to make the necessary
09:47:35 representations to the United Nations Security Council with a view to securing the council's endorsement of the ECOWAS sanctions decision and making it mandatory for the entire international community."
And, Mr Taylor, in fact, a delegation did go to the United

Nations with this request as set out in paragraph 16, isn't that correct?

A. I cannot ascertain, but it is stated here that they should go. I'm not sure. I don't have any details, but I think they did go.

Q. And at the request of ECOWAS, these sanctions were also imposed by the United Nations Security Council in resolution 788. Isn't that correct?

A. I cannot recall the resolution, but I take your word for it. I don't see it in the text here, but I take your word for it, yeah.

Q. It was a resolution dated 19 November 1992. Do you recall that?

A. No, I just told you I don't recall the number, but I'm saying that I take your word for it.

Q. Indeed, in looking at the resolution that was passed, France actually resisted economic sanctions because it had ongoing commercial ties with firms that were doing business within your area of Liberia, yes?

A. I'm not - I don't know of any direct French businesses, actually, that were doing business. There were Italian. I don't know. Lebanese but no French. I think it was an overall interest maybe on the part of France, just like other countries protect their interests. I think by virtue of timber going through the Port of San Pedro, I think a lot of that timber probably ended up into French factories, but I don't recall any French personnel being engaged in business in Liberia at that time.

Q. Now, Mr Taylor, if we move to 1993, in July 1993 is when

the Cotonou Accord was signed, correct?
A. Yes, July 1993, yeah.
Q. And that was a fairly comprehensive accord?
A. Yes, if you say so. Yes.
09:50:25 Q. And if we look, indeed, at pages 27 to 34 of MFI-276, they actually set that out, do they not? This is the Cotonou Agreement, 25 July 1993. Yes, Mr Taylor, do you have that before you?
A. Yes, I do.
09:51:05 Q. And, indeed, if we look at page 34 we see the signatories to that agreement and we see that Amos Sawyer was a signatory, Alhaji GV Kromah was a signatory, and then for the NPFL/NPRAG we see that Enoch Dogolea was a signatory. So, Mr Taylor, did you not attend the signing of the Cotonou Agreement?
09:51:46 A. No, it's obvious. If I had been there, I would have sign it. I did not attend that agreement.
Q. Did you participate in the negotiations leading up to the agreement itself or did representatives from your organisations participate?
09:52:01 A. Well, I can say I participated because all instructions had to be given through me, so you can call that. I was briefed throughout their discussions, yeah.
Q. And this agreement was signed on 25 July. And if we look at Article 2, the parties agreed that there would be a ceasefire
09:52:23 and cessation of hostilities within seven days of the signing of the agreement. So that would have been early August, correct?
A. Yes.
Q. And it also indicates under Article 3 that ECOMOG and the UN observer mission would supervise and monitor the

implementation of the agreement and that the parties hereby expressly recognise the neutrality and authority of the ECOMOG and the UN observer mission in respect of the foregoing. Accordingly, ECOMOG and UN observers shall enjoy complete freedom
09:53:12 of movement throughout Liberia. And part 2 of that article explains that ECOMOG peacekeeping forces meant an expanded ECOMOG which includes forces of ECOWAS member states and also African troops from outside the West African region, yes?

A. Yes.

09:53:30 Q. So, indeed, with Cotonou we see that again we are expanding ECOWAS, but this time we're actually bringing in troops from outside the West African area, yes?

A. You mean we're expanding ECOMOG now.

Q. ECOMOG, yes, I'm sorry.

09:53:50 A. Yes.

Q. And do you recall what countries were included in this expanded ECOMOG under Cotonou?

A. If my recollection is correct, this is the period I think there are troops from East Africa that join the process. I think
09:54:11 we do have - if I'm not mistaken --

Q. Tanzania. Do you recall Tanzania?

A. I think Tanzania could have been one of them. Tanzania and another country. There were two countries.

Q. Uganda, do you recall?

09:54:29 A. Tanzania and Uganda I think, yeah. But there were at least two countries.

Q. Then section C under Article 4, terms and conditions subpart 1 prohibitions upon the parties. The parties agree not to, (a) import any weapons and warlike materials by any means

into Liberia, (b) use the period of the ceasefire to engage in any military build-up whether in manpower or armaments, or (c) engage in any other activity that would violate or result in the violation of the ceasefire.

09:55:07 And then under subpart 2, adherence to stipulations on military embargo. By signing this agreement then the parties recognised and accepted that the military embargo imposed on and upon all warring parties by ECOWAS and the United Nations Security Council shall remain in full force and effect.

09:55:34 And subpart 3 deals with the creation of a buffer zone of the Liberia-Guinea, Liberia-Sierra Leone and Liberia-Cote d'Ivoire borders to prevent cross-border attacks, infiltration or importation of arms. And one of the mandates that Cotonou set down is that there shall be deployed UN observers in all such

09:56:05 zones to monitor, verify and report on any and all of the foregoing and the implementation thereof. So that was one of the mandates of the UN presence in Liberia as a result of Cotonou, yes, Mr Taylor?

A. That is correct.

09:56:24 Q. And under part 4, monitoring and supervision of entry points, all points of entry, including seaports, airfields and roads shall be monitored and supervised by the ECOMOG, and UN observers were to be deployed to monitor, verify and report on the implementation of these activities.

09:56:47 If we look at subpart 5, position of warring parties at declaration of ceasefire, "The warring parties shall remain and maintain their positions held as at the effective date of this ceasefire until the commencement of the encampment." So by signing this agreement the warring parties agreed that they would

do that, yes, Mr Taylor?
A. That is correct, yes.
Q. Then under section d Article 5, acts of violation. The parties agree to honour every and all provisions of this
09:57:25 agreement and stipulate that any party committing any acts of violations shall be held liable for such violations.
Under 2, the follow acts shall constitute violation of the ceasefire:
"Importation of arms and ammunition, incendiary devices and
09:57:48 other war related items, changing or improvement of existing positions or fortification or alteration of existing positions, attack (whether with conventional or unconventional weapons) against the position of any warring faction by another or firing at an individual of a warring faction established to have been
09:58:10 carried out at the instance of the authority of the warring party to which he or she belongs."
If we look at (e), a violation also:
"The recruitment and training of combatants and/or groups of persons after the effective date of this agreement;
09:58:33 (f) any proven use of communication devices, facilities or propaganda designed to incite or having the effect of inciting hostilities between any of the warring parties;
(g) planting of mines and incendiary devices subsequent to the effective date of the ceasefire; refusal to disclose the
09:58:55 existence of, or places where, such devices or mines have been planted; and deliberate failure to cooperate or furnish maps (where available) where such devices have been planted;
(h) obstruction of the implementation of any of the provisions of the agreement by any party or its authorised agent;

(i) harassments or attacks upon the ECOMOG, the UN observer mission or the joint Ceasefire Monitoring Committee, and obstruction of the activities of the ECOMOG, UN observers and the joint Ceasefire Monitoring Committee."

09:59:41 So this agreement set forth a fairly comprehensive list of actions which would be in violation of the agreement, yes, Mr Taylor?

A. All agreements do, Ms Hollis. Yes, all agreements do. That's what conflicts always have problems. So, I mean, that's

10:00:00 what the agreement says. I don't think we have disagreement with what you're reading, no.

Q. If we look at section E where it talks about disarmament under Article 6, it indicates that:

"The parties hereto agree and express their intent and

10:00:17 willingness to disarm under the supervision of the ECOMOG, monitored and verified by the UN observer mission. In conformity therewith, the parties agree that all weapons and warlike materials collected shall be stored by the ECOMOG in armouries designated by ECOMOG, monitored and verified by UN observers."

10:00:41 Under 2:

"All weapons and warlike materials in the possession of the parties shall be given to the ECOMOG, monitored by the UN observers upon appropriate recording and inventory and placed in designated armouries."

10:00:57 And you've talked about that, yes, Mr Taylor?

A. Yes.

Q. Turning in of weapons to ECOMOG?

A. That's true, yes.

Q. "Part 3: Said armouries shall be secured by the ECOMOG,

monitored and verified by UN observers upon proper documentation or inventory of all weapons and warlike materials received.

Part 4: Each of the warring factions shall ensure that the combatants report all weapons and warlike materials to the ECOMOG, monitored and verified by UN observers, upon proper inventory.

10:01:28

Part 5: All non-combatants who are in possession of weapons and warlike materials shall also report and surrender same to the ECOMOG, monitored and verified by UN observers.

10:01:54

Part 6: The ECOMOG shall have the authority to disarm any combatant or non-combatant in possession of weapons and warlike materials. The UN observers shall monitor all such activities.

Part 7: For the sole purpose of maintaining the ceasefire, the ECOMOG shall conduct any search to recover lost or hidden weapons observed and monitored by the UN observers."

10:02:19

So again very detailed requirements in relation to the disarmament provisions of the agreement, yes, Mr Taylor?

A. Yes.

Q. And then Article 7 talks about encampment of their combatants of the warring parties, and they would be encamped in encampment centres which would be established by ECOMOG; and that the parties agree to submit to the ECOMOG and the UN observers a complete listing of their combatants and weapons and warlike materials and their locations to the nearest encampment centres.

10:02:40

10:03:06

So this was an obligation that the parties undertook, yes, Mr Taylor?

A. That is correct.

Q. And the parties agreed that encampment shall commence immediately upon the deployment of ECOMOG and the UN observer

mission. So the encampment was contingent upon the deployment of ECOMOG and the UN military observers, yes?

A. Well, here, yes. But in fact there were other factors at that time for some reason. You encamp people, you have to feed them, you have to care for them. All of these are not mentioned, counsel. But when you're reading these agreements, there are other things that must be considered that are not considered at the time. Deploy, encamp. We had to take care of - they had to provide food, they had to provide medical care, and a lot of other things that are not mentioned here had to take place before the process could start. So I would yes what they are saying here, but there are also additional things that were not anticipated that occurred.

Q. And if we look at section G, Article 8, "Peace enforcement powers", it was agreed under Cotonou that the ECOMOG shall have the right to self-defence where it has been physically attacked by any warring faction.

If we look at section J, Article 11, "Submission by parties to authority of transitional government: All parties agree to submit themselves to the authority of the transitional government consistent with the provisions of paragraph 5 of Article 14."

Now, Mr Taylor, under the structure of government that was established at Cotonou, there was to be a transitional government which would be called the Liberian National Transitional Government, yes?

A. That is correct.

Q. And under the executive, the parties further agree that during the transitional period the executive powers of the Republic shall be vested in a five-member Council of State which

is hereby established, yes?
A. That is correct.
Q. And each of the parties had to right to appoint one member to the council, and then the remaining two would be selected in
10:05:35 accordance with a procedure set out in the agreement. Is that correct?
A. That is correct.
Q. And then if we look at page 32 under subsection V:
"The council shall select from amongst its members a
10:05:54 chairman and two vice-chairmen."
So that was the set-up of that executive structure, yes?
A. That is correct.
Q. So we have a quite comprehensive agreement with Cotonou?
A. Yes.
10:06:18 Q. And it included the use of ECOMOG and UN observers and gave them various responsibilities, yes?
A. That is correct, yes.
Q. Responsibilities to which the signatories had agreed?
A. Yes.
10:06:32 Q. The UN observers that were talked about in this agreement, they were to be unarmed observers. That's correct, is it not?
A. That is correct, yes.
Q. Now, these provisions, as I said, were very comprehensive, but they were not carried out effectively for some time
10:07:05 thereafter. Isn't that correct, Mr Taylor?
A. Well, I don't understand what you mean. Because a Council of State was set up. There were difficulties. The Council of State was set up. We nominated General Isaac Musa, and that Council of State was headed by Professor David Kpormakpor and so

some aspects were not carried out. But for the most part the government was set up. All parties nominated members to the Council of State. I remained in Gbarnga and General Isaac Musa moved to Monrovia and we set up the government. So, of course, in all of these processes if you - from what you've mentioned here and read throughout, counsel, there are indications of problems as we move on. One agreement, problems. We move to another. Cotonou now, and you will see as we go further there will be other agreements, even while the council is set up. So there are difficulties in peace processes, so - but sometimes you move forward, there are some little glitches, but you continue.

Q. Indeed, ECOMOG and the United Nations observers had great difficulty in fulfilling their mandates under this agreement, did they not?

A. Well, yes, I would say so for so many reasons that are not just related to what the warring parties did. There were financial reasons. The international community in most cases failed to even live up to their own promises to fund the process, and so there were some - I would call it challenges. There were challenges.

Q. Now, after the Cotonou Agreement was signed in July 1993, indeed fighting began again among the factions, yes?

A. Well, let's be frank about what happened now. When are you talking about now? You're talking about 1994?

Q. No.

A. 1993?

Q. Soon after.

A. Well, there were little clashes here and there. You know Gbarnga was attacked. So there was fighting, but different

parties contributed to it, and that's the whole process that we had there where when you have a peacekeeping force that is not carrying out peace but is taking side and arming one faction, that's what you - we had problems over there.

10:09:33 Q. The five-member Council of State, do you recall when that was selected?

A. I would say that was in 1993 - or late '93 or thereabout. I remember General Musa going down. I would put it to about '93 late or early '94.

10:09:58 Q. And the members were sworn in at that time? Or did they wait to be sworn in - wait for the disarmament to occur?

A. No, no, no, they did not wait. They were sworn in. From the best of my recollection, they were sworn in right away.

Q. And the deployment of the expanded ECOMOG was delayed for

10:10:24 quite some time, was it not, because of various reasons?

A. There were some delays, yeah. There were some delays. Well, let me put it this way: Where we had fighting they did not deploy. Where we did not have a conflict, they deployed. So the entire process was not held up all the way. We had some

10:10:48 deployment and some delayed deployment, yeah.

Q. One of the problems that ECOMOG and the UN observers encountered is that the factions were reluctant to make available information relating to the number of combatants and weapons and also locations of mines. Isn't that correct?

10:11:09 A. That could be one of the difficulties, yes, I don't dispute that. It was one. I'm not sure if we can describe it as reluctance. Some of these areas - when you are talking about our area of West Africa and trying to give an accurate account of how many combatants you have and listing them, it was a difficult

challenge. Because the way how people fought in that region, you have a combatant maybe in one area 1,000 today, by tomorrow you have 700 or maybe you have 1,500. Because these were not structured organisations where you had accounting for every man and woman that was fighting. It was very difficult. So it posed a challenge for us and the experts that got to understand what some of the difficulties were. People were not just sitting around. People had their families they had to go to and just didn't sit around, so it was a challenge.

10:12:22 Q. Mr Taylor, do you recall a document that was entitled An Analytic Chronology of Various Proposals, Ideas and Activities, Analytic Chronology of the ECOWAS Peace Plan for Liberia, Banjul to Akosombo and Beyond? You talked about this during your direct examination. It was a document you said that was prepared by

10:12:48 individuals under the auspices of your government?

A. That is correct.

Q. It was MFI-6.

A. Yes.

Q. If we could look at MFI-6 at page 39 of this document.

10:13:30 This is tab 3 in the binder of additional documents for week 30. Does everyone have that? Mr Taylor, if we could look at 64.4 of this document that was prepared under the auspices of your government:

"The preparation of schedules for the implementation of

10:14:30 disarmament has been delayed due to the reluctance" - that's the word used by the people who prepared the document - "of the parties to make available information on numbers of their combatants, weapons and the locations of mines."

Do you see that, Mr Taylor?

A. Yes.
Q. Now, incidentally, if we look at 64.5: "On the other hand, the parties have agreed that the disarmament of the 60,000 estimate of combatants" - so the number of combatants was
10:15:08 estimated at 60,000. Is that correct, Mr Taylor?
A. That's what the document - yes, it was estimated at that. That's really an estimate.
Q. Mr Taylor, by the time we get to September 1993, we still do not have Cotonou implemented, do we?
10:15:38 A. No, not to - no. Cotonou is not implemented by then.
Q. Now, in September 1993, we do though have the establishment of UNOMIL, correct?
A. That is correct.
Q. Under United Nations resolution 866?
10:15:55 A. Yes.
Q. And initially it's only established for a period of a few months, some seven months, correct?
A. I don't remember the exact number of months, but I think that's correct. I can't recall the number of months, but that
10:16:10 sounds correct.
Q. And this UNOMIL, this mission, was set up under the command of the United Nations and that command was vested in the Secretary-General working under the authority of the Security Council, correct?
10:16:27 A. Counsel, I'm not --
Q. Do you remember that?
A. I don't know which document you're referring to. That's the normal procedure. All peacekeeping forces are under - I'm answering because of my knowledge of the occurrence. Now, if you

have a reference document - I have to take your word on this that - but that's the normal procedure. Peacekeeping missions are authorised by the Security Council under the command of the Secretary-General. I'm answering generally, not because I'm referring to a document that you're talking about, but that sounds pretty right.

Q. And when UNOMIL was created there was a concern that UNOMIL could only carry out its function if ECOMOG was able to deploy into the other areas of the country of Liberia, yes?

10:17:18 A. A concern raised by whom?

Q. By the United Nations.

A. I'm not aware. That could very well be true. I'm not aware of that concern.

Q. That's fair. And there was a concern raised that if ECOMOG 10:17:36 failed to deploy in such a fashion or if it had to withdraw then UNOMIL's ability to carry out its mandate would be jeopardised. There was also that concern, was there not?

A. I don't know what the UN concerns were. It sounds logical that the UN peacekeepers that are not armed, it would be foolish 10:17:57 to send them into harm's way without some kind of protection. I mean, I'm answering on a logical basis. I do not - it was not a part of the concerns being taken in New York. I don't know, but it sounds logical, that's why I'm responding yes.

Q. There was an estimate initially that it would take 10:18:15 something in the area of 300 - just over 300 actual observers to carry out the mission with other support personnel included in the mission. Do you recall that?

A. No. I mean, you know, if you really want to be fair to me - I can't just keep answering you of these assumptions. If you

have a document, I would like, you know, could you present - because I'm just answering now on my experience of UN activities. I don't think that's fair to me.

Q. Well, Mr Taylor, you can say you don't know or you don't remember. I'm asking based on your knowledge or experience.

A. But if I say I don't know, I'd be lying to these judges because I know by virtue of my experience and then you'll come back right after me later on and say, "Well, you said, Mr Taylor, that you didn't know." So if you have a document, in fairness to me, I think you should put it forward and I will be truthful before these judges. I don't think you're being fair to me, but I'm answering now on experience, not on the facts. But I'm sure this - I'm going to be confronted with it again, "Oh, Mr Taylor misled us."

So, you know, I know I've been sitting here now for two days going through what I know you would like to try me for what happened in Liberia, but this is about Sierra Leone based on your indictment. I know you may be wanting to try to filibuster until your motions go through, but you have to be fair to me while I'm trying to be realistic before this Court. So it would be shorter if you just bring the document, I will say if it's true or not. I cannot account for what was being discussed at New York headquarters, I don't know, but I cannot say to this Court that it doesn't sound right. So I'm in a predicament here, you understand that?

Q. No, you're not, Mr Taylor.

PRESIDING JUDGE: I don't like to interrupt cross-examination and I'll try to do so as infrequently as possible. But, Mr Taylor, you were not asked do you know

anything. You were asked do you recall that. Now, if you don't recall, you could simply say, "No, I don't recall," and that would be moving on to the next question then.

THE WITNESS: Okay, your Honour, if that's what you say. I don't recall.

MS HOLLIS:

Q. Thank you, Mr Taylor. Mr Taylor, do you recall the first UNOMIL chief military observer being Major General Daniel Opande of Kenya?

A. Yes.

Q. And do you recall him arriving in Liberia in October 1993?

A. I do not recall the month. I remember him coming. I do not recall the month.

Q. Do you recall what year, to your recollection?

A. I would say '93. I don't recall the month.

Q. It's correct, is it not, that in about mid-November of 1993, Sani Abacha became the leader of Nigeria?

A. 1993? I can't really recall, but that sounds, right.

Q. And in mid-November of 1993, Sani Abacha made General John Inienger field commander of ECOMOG. Do you recall that?

A. I recall John Inienger, yes, being forces commander, yes.

Q. By November 1993, we still did not have Cotonou implemented, correct?

A. Well, I would disagree that Cotonou, to a great extent, had not been implemented. I would disagree.

Q. By mid-November of 1993, we did not have deployment of ECOMOG or the UN observers, did we?

A. We had ECOMOG partly deployed. I would disagree that ECOMOG was not deployed. ECOMOG was deployed. UN observers had

not all come, but ECOMOG was deployed, a government was established.

Q. So your recollection is ECOMOG was deployed?

A. Well, it depends again on what deployment is. For me, ECOMOG being in the country had deployed. It was not full, but there was deployment. I would say they were deployed in a way.

Q. Do you recall what areas of the country they were deployed in in November 1993?

A. They were deployed, to the best of my knowledge, in some parts occupied by ULIMO, that is Cape Mount, Bomi. They were deployed in Kakata. They were deployed in parts of Bong County. In fact, there were some ECOMOG in the Gbarnga area. There were ECOMOG in the Buchanan area.

Q. By about mid-December of 1993, there were approximately 166 UNOMIL military observers who had arrived in Liberia. Do you recall that?

A. No, I don't.

Q. And by mid-December, planning and preparation was underway for disarmament and demobilisation. Do you recall that?

A. Yes, I do.

Q. But, in fact, disarmament had not begun. It continued to be deployed at that point. Do you recall that, Mr Taylor?

A. Yes, I do.

Q. Now, also at the end of the year of 1993, the factions were talking about the composition of the transitional government, but there were at this time four ministerial posts that were still in dispute, correct?

A. I do not recall which ones. No, I don't recall.

Q. And at this point in time there was still no general

agreement as to when disarmament, demobilisation and encampment would begin. Is that correct?
A. Your question is --
Q. As of the end of 1993, December 1993, there was no
10:24:34 agreement as to when disarmament, demobilisation and encampment would actually begin to take place?
A. Yes, that sounds correct, yeah.
Q. When we move into 1994, by January, we did have, in fact, over 700 Tanzanian troops who had arrived to join the expanded
10:24:57 ECOMOG. Do you remember that?
A. What do I remember, the number of troops or their arrival?
Q. Both. Well, let's start this: Do you recall the arrival of troops from outside of West Africa to join ECOMOG in January 1994?
10:25:15 A. Yes, I do.
Q. And do you recall that those troops were from Tanzania and were also from Uganda?
A. That is correct.
Q. And do you recall that there were approximately 770
10:25:31 Tanzanian troops who came?
A. No, I don't recall the numbers.
Q. And do you recall there were some 800 Ugandan troops who had come?
A. I don't recall the numbers.
10:25:43 Q. And at this point in time, in January 1994, ECOMOG begins to prepare for this countrywide deployment. Do you remember that?
A. Yes, I would say that, yes.
Q. However, at this time a chronic problem surfaced again and

ECOMOG had not received logistical support it needed for the deployment of additional troops countrywide. Were you aware of that at the time?

A. Yes, to a great extent that was - yeah, that was reported that they were still waiting for logistics, yes.

Q. And, indeed, the troops that were already in country were existing significant logistical problems as well. Do you remember that?

A. Yes, yes.

Q. And the chronic problem of financial resources was also besetting ECOMOG at this time, yes?

A. Yes.

Q. And all of these problems impacted ECOMOG's ability to carry out its mandate effectively, yes?

A. I would say so, yes.

Q. Now, by the time we are in January 1994, UNOMIL has reached the greatest strength that it would have in Liberia and that is a strength of some 368 personnel. Do you recall that?

A. I don't recall the numbers. I don't recall the numbers.

Q. And that included some support personnel as well as the monitors. Do you recall that mix?

A. The mix? Yes.

Q. Now, do you recall in January the ECOMOG force commander, General Inienger, and the Tanzanian army chief of staff visiting you in Gbarnga and talking with you about deployment of the expanded ECOMOG and disarmament?

A. January of 1994, I don't recall the meeting. It could have very well happened, but I don't recall. There were visitations. That could have really - very well have been one, but the

specific one, I don't recall that.
Q. Do you recall at that time making a statement that you would not disarm to the Tanzanians or Ugandans until the transitional government had been installed?
10:28:21 A. I don't recall that at all.
Q. Do you recall at this time calling again for a reduction of ECOMOG troops and heavy weapons?
A. No, I don't.
Q. If we move into February of 1994, we have at that time the
10:28:41 Monrovia Agreement, yes? Do you recall the Monrovia Agreement?
A. February 1994.
Q. Signed on 15 February by the NPFL, ULIMO and the interim government?
A. I really can't recall. I do not dispute the agreement. I
10:29:14 really can't recall it.
Q. Do you recall an agreement that was called the Triple 7 Agreement? Do you recall that one?
A. No. Triple 7, no.
Q. Three things were to happen on 7 March 1994: The
10:29:29 transitional government was to be installed; disarmament was to occur; and ECOMOG and UNOMIL peacekeepers were to deploy in all areas of Liberia. Do you remember that?
A. No, I don't dispute it, but I just can't recall it. I just can't recall that, no. I just can't recall it. It has slipped
10:29:50 me now. I can't recall that Triple 7, no.
Q. Now in fact, these events did not occur on 7 March, did they? We didn't have the installation of the government, we didn't have disarmament, and we didn't have deployment of ECOMOG and UNOMIL countrywide?

A. Yeah, by March of 1994 that is correct, they had not deployed. But to the best of my recollection, I think the government had been - I can't recall any delay in setting up the government, but I do know there were delays in the deployment throughout the country. I don't recall all three of them together. I recall the deployment and I think - if I'm not wrong, I think the government had been set up. I could be wrong about this, but I don't recall it in the sequence that you mentioned.

10:30:46 Q. Now, indeed it wasn't until early March that ECOMOG started to deploy its troops countrywide, isn't that correct?

A. Yes, I would say in those areas that they had not deployed, yes.

Q. Now, by April UNOMIL had in fact made fairly significant

10:31:22 deployments, had it not, and it had deployed in some 27 out of 39 team sites; do you recall that?

A. I recall UNOMIL's deployment. As to the number, I think that was internal to them. The numbers - you said 27 out of 39. I didn't have that information, but they had deployed

10:31:47 significantly.

Q. However, because of insecurity in parts of the country, the full deployment of ECOMOG and UNOMIL hadn't taken place by April. That's correct, isn't it?

A. That sounds basically correct, yes.

10:32:03 Q. And there were problem areas for deployment in the west and southeastern regions of the country because of fighting in those areas, yes?

A. The west and southeastern region? Yes, yes.

Q. And there were also problems in some of the parts of the

country - the full western part of the country, they had problems there as well, did they not, because of fighting or lack of security?

A. Yes. The western part I would say yes.

10:32:40 Q. Also at this time in April of 1994 disarmament was going on much slower than had been contemplated, isn't that correct?

A. I would say that, yes.

Q. And during the period from February to April 1994, we had many thousands of civilians fleeing from what was called Lower

10:33:05 Lofa County to Bong County, claiming harassment by the Lofa Defence Force. Do you recall that happening?

A. '94? Yes, yes.

Q. And, Mr Taylor, they talk about Lower Lofa County. Lower Lofa County, does that have a different name today? Is it a

10:33:32 different designation in Liberia?

A. No, no, it doesn't have - when you say Lower Lofa into Bong, it doesn't have a different - that's not a nomenclature. It's more like a description of the particular area. And fleeing into Bong County, they are speaking about the area - well, you

10:33:56 didn't ask me about that, so I will leave it.

Q. You had told the Court earlier about the creation of a county - Gbarpolu County?

A. Yes.

Q. That county was created from portions of what counties that

10:34:12 had existed before you created Gbarpolu?

A. Lofa.

Q. And what part of Lofa County?

A. That would be a part of Lower Lofa. But if you look, counsel, at the question, here it says "fleeing into Bong". So

the section of the country that you're asking about, Gbarpolu, that's millions of miles from Bong. So the only place that that description would fit would be the borders between Lofa and Bong counties. So that would be around the St Paul River Bridge coming into Bong. Now you are right, Gbarpolu was created in that lower part of Lofa at that northern end of Liberia and so - but the description "fleeing into Bong" fits the border between Lofa and Bong County.

Q. And when did you create that new county, Gbarpolu County?

A. I think that was put through - I think in around 1998 legislation, if I'm not mistaken.

Q. So we have the commencement of this broader deployment of ECOMOG and UNOMIL sometime around the March time frame, yes?

A. I would say so, yes.

Q. But that deployment begins to experience problems very soon after it starts, does it not?

A. Yes. Based on the description here, fighting in that area, that's ULIMO now. That's true, yes.

Q. So part of the problems they had were because of insecurity in different parts of the country?

A. I would say so, yes.

Q. And they also had some problems about just coordination between the United Nations observers and ECOMOG, isn't that correct?

A. Could you repeat that question again?

Q. They also had some problems just in terms of the coordination of their activities between the United Nations observers and ECOMOG, isn't that correct?

A. I'm not aware of the problem between the UN and ECOMOG.

There might have been, but I'm not aware.
Q. Thank you. Now, by mid-May the pace of disarmament had slowed even more, is that right?
A. Yes.
10:36:30 Q. In fact, by May there had only been some 2900 combatants disarmed. Is that correct?
A. I don't know the numbers. I can't - I don't know the numbers.
Q. Around this time, to further slow down the pace of
10:36:50 deployment and other actions, there were a serious of attacks by warring factions against both ECOMOG and UNOMIL. Isn't that correct?
A. There were no attacks from the NPFL from the best of my knowledge. I'm not aware of that. Maybe it happened in other
10:37:08 areas. I'm not aware of that.
Q. In particular, the NPFL was attacking ECOMOG and UNOMIL, isn't that correct?
A. Not to my knowledge.
Q. By the end of May the NPFL, ULIMO and LPC all held ECOMOG
10:37:30 hostages, did they not?
A. 1994, no, not to my knowledge, we didn't hold anyone hostage.
Q. Do you recall an incident where your NPFL confronted some 300 Tanzanian peacekeepers around this time?
10:37:50 A. Confronted them? I'm not aware of that. It very well could have - I'm not aware that the Tanzanian troops were confronted by NPFL.
Q. You don't recall that the Tanzanians surrendered all of their equipment and weapons to the NPFL at that time?

A. The NPFL or the LDF?
Q. NPFL.
A. No, we did not take any weapons. To the best of my recollection, I don't recall that, no.
10:38:16 Q. UNOMIL personnel were harassed, their vehicles were taken, radios were being taken. Those incidents were occurring. Do you recall that?
A. There were some incidents of - during the conflict of harassment of UNOMIL personnel. I'm aware of that. We took care
10:38:41 of that.
Q. You say you took care of that. What do you mean?
A. By punishing those that were responsible.
Q. Now, in May --
JUDGE SEBUTINDE: Sorry, who is "we"? When you said "we"
10:39:01 take care --
THE WITNESS: The NPFL, your Honour.
MS HOLLIS:
Q. Thank you, Mr Taylor. And by May 1994 there were expressions of concern from the United Nations because of the
10:39:13 continued fighting. Isn't that correct?
A. That's possible. I would say correct, yes.
Q. And expressions of concern that these ongoing hostilities were making it very difficult for UNOMIL to accomplish its mandate?
10:39:33 A. I would say yes.
Q. And expressions of concern that these ongoing hostilities were preventing ECOMOG from carrying out their functions?
A. There was fighting, yes.
Q. Now, in May 1994 do you recall Nigeria saying that it was

not going to increase its troops and was considering asking that its troops be replaced by other contingents?
A. I don't recall that pronouncement by Nigeria.
Q. By June 1994 we had very critical logistical and other
10:40:17 problems being experienced by ECOMOG, correct?
A. I really don't know the logistical problems of ECOMOG. I think those were internal military problems. I really - that's possible. I really don't know.
Q. And if we could look at MFI-276 beginning at page 22. We
10:41:05 see here a final report. This is page 22. It's the final report of the second meeting of Ministers of Foreign Affairs of the ECOWAS Committee of Nine on the Liberian crisis. Do you have that before you, Mr Taylor?
A. Yes.
10:41:39 Q. You see that is Tunis, Tunisia, 10 June 1994?
A. Yes.
Q. And at paragraph 5 the chairman of the meeting is extending special felicitations to the Ministers of Foreign Affairs of the Republics of Tanzania and Uganda, whose countries contributed
10:42:01 troops to the expanded ECOMOG, yes?
A. Yes.
Q. And if we look at paragraph 11, the report of the field commander. This is on page 23. The field commander of the expanded ECOMOG operations in Liberia, Major General Inienger
10:42:43 gave a situation report. His report addressed both the political and the military situation on the ground since the signing of the Cotonou Accord by the Interim Government of National Unity, National Patriotic Front of Liberia and the United Liberation Movement for Democracy in Liberia on 25 July 1993.

At paragraph 13, the field commander recalled that by the terms of the Cotonou Accord and the Monrovia Agreement of 15 February 1994, disarmament and demobilisation of the warring factions were to start concomitantly with the installation of the transitional government. The disarmament process started on 8 March 1994 based on the schedule drawn up by ECOMOG and UNOMIL. Out of an estimated number of 60,000 combatants, only 3,000 had been disarmed and demobilise. Generally, the disarmament process, which had started on a note, had virtually grounded to a halt.

And in paragraph 14: "The field commander gave the reason hampering the disarmament process as; (a) lack of good faith between the parties; (b) fighting between the LPC and the NPFL; and (c) rift in ULIMO." And you've talked about that rift in ULIMO, correct, Mr Taylor?

A. That is correct.

Q. And if we look at paragraph 15: "He also informed the meeting of the various acts of aggression perpetrated by almost all the warring factions against ECOMOG, particularly against the Nigerian contingent. There was an orchestrated campaign of calumny against ECOMOG to discredit it, its neutrality and impartiality. These acts included threats and provocative intimidation, abduction, seizure of arms and equipment and commandeering of ECOMOG vehicles. ECOMOG was being described as an army of occupation and call had been made for the formation of a transitional national army. Since the signing of the Cotonou Accord, 14 ECOMOG soldiers had at various times and by various factions been abducted, humiliated and severely tortured. The morale of ECOMOG soldiers was very low due inter alia to these

acts of aggression."

At paragraph 16, the field commander also reports on the emergence of a number of new warring factions including LPC. Then if we look at page 24, paragraph 18, the field commander went on to give a status report of the financial situation of the ECOMOG operations. The situation was very precarious and so bad that ECOMOG could not even by stationery. The last release of funds to ECOMOG from the ECOWAS secretariat was about 18 months ago. Moreover, the logistical support for the contingent was diminished by the day due to the lack of spare parts, vehicles, communication equipment, et cetera. He reminded the meeting that when the idea of an expanded ECOMOG was mooted and accepted in Geneva, there were no plans made for its funding. Donations so far by the UN trust fund for Liberia were applied solely for the funding of the additional troops from East Africa to the exclusion of the old ECOMOG.

And then at paragraph 19, he indicates that to alleviate this unfortunate situation, appeals had been made by ECOMOG to the Government of the United States of America, the US government had provided some vehicles and vehicle spares, communication equipment, petroleum, oil, lubricants, drugs and medical supplies. However, those supplies would last only for a short time.

And then if we look at paragraph 24 where the Honourable Minister of Foreign Affairs of the Republic of Tanzania speaks, he also reminds the meeting that the participation of the Tanzanian contingent was for a six month period which would soon expire in the month of July 1994. And in paragraph 25, he gave the background account leading to the participation of Tanzania's

contingent in Liberia, indicating that prior to agreeing to participate it was understood that Tanzania would enter into a written agreement with ECOWAS and UNOMIL, and indicating that in the absence of these agreements and largely due to donor apathy, the Tanzanian contingent was not getting some of the amenities promised it. And he informed the meeting that the Tanzanian government might have to appraise the situation at the expiry of the six month period. So there were significant difficulties being faced by this expanded ECOMOG at this time, yes, Mr Taylor.

10:48:38 A. Yes.

Q. Now, at paragraph 28, the Honourable Minister of Foreign Affairs of Sierra Leone emphasised that the key to lasting peace in Liberia was the disarmament process. Unless comprehensive disarmament was done as envisaged in the Cotonou Agreement, whatever peace might appear to reign in Liberia was short lived.

Now, under the conclusions, if we look at part (c), it was concluded that ECOMOG should be instructed to deploy its troops throughout the length and breadth of Liberia in accordance with the schedule drawn up by it and UNOMIL and all parties should respect the target date. Full disarmament and demobilisation must be completed before the holding of democratic elections.

And then if we look at page 26, under (h), on the show of apathy and fatigue by some member states of ECOMOG due largely to the apparent reluctance of Liberians to end the conflict, the meeting called for patience and perseverance on their part.

Then at subpart (j), whatever was done to help the Liberians, primary responsibility rested with the Liberian themselves. ECOWAS and the UN can only facilitate the process. And then at subpart (m), the meeting proposed a draft resolution

for adoption by the 60th Session of the OAU Council of Ministers and it sets out the draft resolution, including OAU Council of Ministers ask all parties to immediately put a stop to the importation of arms and call on the international community and
10:50:45 neighbouring countries to take all steps necessary to implement and observe the arms embargo because, in fact, weapons were still flowing into Liberia from the outside, isn't that correct, Mr Taylor?

A. Well, I don't have any knowledge of the influx of weapons
10:51:13 personally.

Q. So your testimony is that your NPFL was not receiving arms during this time period?

A. 1994, no.

Q. Mr Taylor, they had appended this draft resolution for the
10:51:38 60th Session for the OAU Council of Ministers, and if we look at pages 35 and 36 of MFI-276, we see Resolution Adopted by the 60th Session of the OAU Council of Ministers. That is in Tunis, Tunisia, 6 to 11 June 1994.

A. Yes.

10:52:10 Q. Do you have that before you, Mr Taylor?

A. Yes, I do.

Q. And if we look at that, we see that the Council of Ministers of the Organisation of African Unity, meeting in its 60th Ordinary Session in Tunis from 6 to 11 June 1994, expressing
10:52:30 concern about the slow pace with which the process of disarmament is proceeding leading to the recent upsurge in fighting among the various factions and the increase of new military groups in Liberia, being aware that the slow pace of disarmament has directly or otherwise caused undue disruption of humanitarian

release supplies in other parts of Liberia, considering the invaluable contribution which the Economic Community of West African States and the Organisation of African Unity and the United Nations have made towards the advancement of the peace process in Liberia by providing ECOMOG troops, expanded troops from Uganda and Tanzania and UN military observers, observing with serious concerns that some of the parties to the Cotonou Accord are laying down preconditions not stated in the accord for compliance, noting that the slow pace of disarmament continues to have disastrous consequences on the people of Liberia and those of the neighbouring countries, thus posing a threat to the peace and stability of the ECOWAS region.

And then down at subpart 3, calls on the signatories to the Cotonou Accord to desist and refrain from raising issues that are not in the Cotonou Accord as preconditions for their full compliance, thereby further delaying the peace process. And under part 7, confirms that holding of presidential and general elections must be preceded by a comprehensive and total disarmament of all warring factions. Number 8, calls on all parties to immediately put a stop to the importation of any weapon and warlike material by any means into Liberia, and appeals to the international community, especially neighbouring countries, to take all steps necessary to implement and observe the arms embargo.

So at this time there are significant difficulties in the implementation of the Cotonou Agreement and the Monrovia Agreement, yes, Mr Taylor?

A. That is correct, yes.

Q. And in August 1994, we continue to have fighting between

ULIMO or within ULIMO and between your NPFL and the LPC. Correct, Mr Taylor?

A. That is correct.

Q. Now, at this time in August 1994, do you have a split within the NPFL?

10:55:32

A. August 1994, yes, there is a split. There is a problem, yeah.

Q. And as a consequence of that split, is there a new coalition formed?

10:55:55

A. Yes, another faction. If you realise, counsel, LPC is not a part of Cotonou. That's the first faction that is created. Now we have a second faction.

Q. And what is the second faction that was created as a result of this split?

10:56:11

A. It was just called coalition forces. That's what they called themselves, the coalition forces.

Q. And in your NPFL, were there any people in the senior leadership who split from the NPFL?

A. Yes.

10:56:28

Q. Who was that?

A. There were - Tom Woweiyu did split. We also had Lavalie Supuwood did split and we had Samuel Dokie did split. There were three individuals that split away at the time.

Q. And during this time period, in August 1994, there were

10:57:00

quite a few cases of ceasefire violations, yes?

A. Yeah, there were many cases. Even by factions that were not a part of these agreements, yes.

Q. And most of those ceasefire violations were on the part of the NPFL. That's correct, is it not?

A. I disagree. LPC was not a part of the agreements. They were formed by ECOMOG and were attacking us. Remember we talked about the west, where you mentioned the west and the southeastern part where there was conflict? There were not - the NPFL was coming attack by two newly created factions that had been created by ECOMOG, armed and equipped by ECOMOG, so I would disagree with you.

Q. Now, in August 1994, we continue to have arms coming into Liberia for the factions including your NPFL. That's correct, isn't it?

A. That's incorrect. I disagree.

Q. And in August 1994 the factions, including the NPFL, continued to attack ECOMOG and UNOMIL. Isn't that correct?

A. I would disagree.

Q. And in the course of these attacks ECOMOG weapons and equipment were taken. Isn't that correct?

A. In the case of the attack between ECOMOG and the NPFL or the warring factions weapons were taken? Is this your question?

Q. The - attacking ECOMOG, their equipment and weapons were taken, isn't that correct?

A. I would say yes to a great extent. They lost some weapons, yeah, in the fight.

Q. Indeed at this time, because of the deteriorating security situation, UNOMIL withdrew its teams from many areas within the country, correct?

A. That is correct.

Q. And because of this deteriorating security situation, it was unable to deploy to other areas?

A. That is correct.

Q. So by the time we are into August of 1994 there is no real disarmament or demobilisation, is there?
A. That is correct.
Q. And now those forces who have attempted to disperse throughout the country in fact are pulling back because of the insecurity?
10:59:49
A. That is correct.
Q. And at this point in time approximately 30 of the military observers were in fact reassigned out of Liberia. Isn't that correct?
11:00:08
A. I don't know. That's possible. I don't know.
Q. And, Mr Taylor, in your testimony you had told the Court earlier about the NPFL taking about 43 unarmed UNOMIL military observers into your custody in September 1994, correct?
11:00:44
A. Taking them into our custody in what way? Taking them hostages? What do you mean?
Q. I think you did not use the word "hostages" when you described it. Do you recall the incident I'm talking about?
A. UNOMIL individuals were, if I'm not mistaken, rescued in
11:01:10
our area, yes.
Q. Now, Mr Taylor, I'm asking you these questions in connection with an exhibit that was marked for identification - a document that was marked for identification as MFI-8, DCT-131, and that is a seventh progress report of the Secretary-General on
11:01:36
the United Nations Observer Mission in Liberia. It's dated 14 October 1994. That was tab 2 in the binder of additional documents for week 30. Does everyone have the document before them? Mr Taylor, you see that this is the seventh progress report of the Secretary-General S/1994/1167 dated 14 October

1994?
A. Yes.
Q. And in the introduction we see that the present report is an update on events in Liberia since the last report, which was
11:02:49 dated 26 August 1994?
A. Yes.
Q. And if we were to turn to page 6 of the document, paragraph 23. You see, Mr Taylor, this talks about your departure from Liberia on 6 September to attend the Akosombo meeting and
11:03:23 indicates that your departure exacerbated the breakdown in NPFL command, thereby providing the opportunity for Alhaji Kromah's wing of ULIMO to attack Gbarnga and take control of Taylor's headquarters on 8 September. So that's when your headquarters in Gbarnga was overtaken by other factions, yes?
11:03:44 A. That is correct.
Q. And this is while you were out of the country?
A. That is correct.
Q. Then it goes on to say in paragraph 23:
"At this point on 9 September, 43 unarmed United Nations
11:04:04 military observers and six non-governmental organisation personnel were detained by NPFL. The breakdown of command and control in NPFL-held areas and the taking of Taylor's headquarters at Gbarnga provided the coalition forces with the opportunity to launch a series of attacks against Taylor's forces
11:04:22 in the northern and eastern regions of the country."
So on 9 September your NPFL detained these 43 UNOMIL observers and six NGO personnel, correct, Mr Taylor?
A. That is correct, yes.
Q. And then if we look at paragraph 26:

"In recent weeks, ECOMOG has suffered casualties from ambushes by both the NPFL and ULIMO-Johnson in the Margibi area. Civilians have also been killed by land mines planted in an apparent effort to disrupt the advance of coalition forces."

11:05:12 Then, Mr Taylor, if we look at page 7, paragraph 28 we have more detail about UNOMIL operations:

"It will be recalled that, in accordance with the Cotonou Agreement and the UNOMIL concept of operations, unarmed United Nations military observers were to be deployed together with

11:05:42 ECOMOG troops, which were to provide their security. Given ECOMOG's logistic difficulties, UNOMIL began its deployment before ECOMOG. In so doing, UNOMIL sought and received the commitment of the factions to ensure the security of its military observers. The first months of such deployment went smoothly.

11:06:01 ECOMOG soon followed the UNOMIL deployment pattern in some areas, including Gbarnga in the northern region. However, in July of this year, because of the already deteriorating security situation, especially in the western region, UNOMIL deployment was reduced from 29 to 21 team sites."

11:06:28 29. On 9 September NPFL elements detained 43 unarmed UNOMIL military observers and six non-governmental organisation personnel at nine sites in the northern and eastern regions, confiscating their transport, communications and most other equipment. This occurred soon after Charles Taylor's

11:06:56 headquarters was taken by ULIMO-Kromah. It is felt that the detention of these personnel may have been a premeditated action on the part of the NPFL: (1) to use the observers as a shield against attacks by renegade NPFL forces or rival factions."

Mr Taylor, when they talk about the renegade NPFL forces,

are they talking about this split that we had discussed earlier?
A. I would say yes, because the taking of the headquarters was not just done by ULIMO-K, it was done by these renegade forces, ULIMO-K and a part of the LPC. So there were really a
11:07:36 combination of three factions armed and equipped by ECOMOG that undertook this, and I can see that's why these UN personnel were detained, because they just considered everybody. They were released. I was not in the country at the time. But yes, these are the - the renegade NPFL is that group that is called
11:07:59 coalition forces of the three individuals that are mentioned.
Q. "To use the observers as a shield against attacks by renegade NPFL forces or rival factions; and (2), to secure reliable communication and transportation facilities from UNOMIL and non-governmental organisations to further their war efforts."
11:08:23 Then if we look at paragraph 31:
"On 14 September, 33 United Nations military observers were released and found their way to relative safety. An attempted helicopter rescue of the United Nations military observers stationed at Harper was aborted when the helicopter was shot at
11:08:42 by NPFL elements and forced to leave the area after rescuing two of the 12 observers detained there."
So, Mr Taylor, after taking these 43 UNOMIL and the six NGO personnel, you put them in different locations?
A. What do you mean by I? No, I did not.
11:09:05 Q. Your NPFL put them at different locations?
A. Okay, NPFL. The area described here - I think what they did say, Harper, Maryland?
Q. That's one of the locations, yes.
A. Okay, that's where they are deployed. That's at the

southeast tip of Liberia. That's about maybe another 300 miles away from Gbarnga. They are deployed across the country. They are not being distributed. Some people are held in that particular area because of the conflict of the fall of the capital, Gbarnga. So - but your description of it I would disagree, but at least they are in those areas.

Q. So 12 of them were in Harper?

A. Harper, I would say, yes.

Q. "On the same day the ECOMOG contingent from the United Republic of Tanzania, located at Gbarnga, attempted to move with six UNOMIL military observers and six non-governmental organisation personnel to Monrovia. When the convoy was between Konola and Kakata in Margibi County it was ambushed by elements of ULIMO-Johnson. Two Tanzanian soldiers were killed (and a third later died from his wounds), seven were wounded and four were captured by ULIMO-Johnson troops. UNOMIL was able to airlift the United Nations, non-governmental organisation and some ECOMOG personnel from Konola to Monrovia. However, further attempts to reach Kakata were aborted when the Tanzanian battalion was ambushed by ULIMO-Johnson. The troops eventually all reached Kakata, but the contingent was looted of its arms and equipment by NPFL in the process. Among the material looted by NPFL was a container of 492 weapons which had been handed over earlier by disarming combatants and was located at the Konola encampment site.

By 18 September all military observers and non-governmental organisation personnel had been released. The conduct of the observers under detention was exemplary in every respect. However, some of them, especially those held at Harper, were

mistreated, beaten and terrorised by those who had detained them. NPFL has retained all of UNOMIL's transport, communications and other equipment and, except in a few cases, observers were not permitted to carry personal items with them when they were released.

Given the breakdown in the ceasefire and the fact that, as experience has shown, ECOMOG cannot provide security for unarmed UNOMIL military observers, UNOMIL is unable, at this time, to carry out many of its mandated activities. As a result, all UNOMIL team sites have been evacuated except for those in the Monrovia area. It has been decided to reduce, as a temporary measure, the personnel of UNOMIL from its authorised strength of 368 to approximately 90 observers. Accordingly, as at 12 October, the military strength of UNOMIL stands at 190. Some observers have been transferred to other United Nations peacekeeping operations. This temporary reduction in the military component will be matched by a commensurate reduction in the civilian staff."

So by the time this report is written, they have withdrawn UNOMIL to Monrovia and they are downsizing the UNOMIL force significantly, yes?

A. Yes.

Q. Mr Taylor, do you recall in November 1994 Nigeria reducing its troops in ECOMOG?

A. No, I don't.

Q. When we move to 1995, by the beginning of 1995, ECOMOG had been unable to carry out this countrywide deployment, had it not?

A. That is correct, yes.

Q. And at this time, at the beginning of 1995, in fact, ECOMOG

was deployed only in Monrovia, Tubmanburg, Buchanan and Kakata, yes?

A. Yes.

Q. By the time we move into January 1995, there were only about 90 UN observers left in Liberia, isn't that correct?

A. I really don't know. The numbers, I don't know. I can't state.

Q. And at this time, January 1995, these observers were in Monrovia, Kakata and Buchanan. Do you recall that?

A. Yeah, that sounds likely, yes.

Q. And by the time we move to February 1995, the UNOMIL strength had dropped even lower, had it not? It was even less than 80 observers?

A. I don't know the numbers. That's possible. I don't know the numbers.

Q. So at this time we are seeing significant impediments to the ability of ECOMOG and UNOMIL to carry out their functions throughout the country, yes, Mr Taylor?

A. I would say so, yes.

Q. And by the time we are in April 1995, we still have a much reduced UNOMIL presence in the country, yes?

A. I would say yes. Based on the figures you've quoted, I would say yes. I don't know the exact figure, but I would say yes.

Q. By the time we get to May 1995, we also find that there have been significant reductions in the ECOMOG troops. Do you recall that?

A. No, I do not recall that.

Q. By this time, Tanzania has withdrawn its troops and it's

possible that Uganda will follow. Do you recall that?
A. Uganda will follow? I know Tanzania does withdraw. Other troops come. Your question was as to the significant reduction. I can't recall the reduction, significant reduction, but I do know Tanzania goes and I don't know what Uganda's own decision is at the time. I'm not privy to that.
Q. By this time, May 1995, we, in fact, have ECOMOG troops hovering just around 8,400 throughout the country, although they're not deployed throughout the country. Do you recall that, Mr Taylor?
A. I don't recall the numbers, counsel. I don't know the military strength. I really don't know.
Q. If we can look at MFI-276, that may assist us with this. If we could look at page 53 of that MFI, we see that this is a final report of the Fifth Meeting of Ministers of Foreign Affairs of the ECOWAS Committee of Nine on the Liberian Crisis. This was held in Abuja, 15 and 16 May 1995. Yes, Mr Taylor?
A. Yes.
Q. And in terms of numbers of ECOMOG troops, if we could look at page 56, paragraph 23, the report drew attention to the worsening logistic positions of ECOMOG and the reduction of its troops from 10,000 to 8,443. In this regard, it was indicated that Tanzania had withdrawn its troops and Uganda might follow suit. The field commander stated that, while the optimum force level required for ECOMOG operations in Liberia was 18,000, he was pleading for a force strength of only 12,000, the required minimum. So this is where that 18,000 comes from, isn't it, Mr Taylor?
A. I don't know whether it's coming from here, but I do know

that that number that we were told of was 18,000. As to whether it's coming from here, as in here, I could very well say yes.

Q. Mr Taylor, you were never told they actually had 18,000 troops, were you?

11:19:40 A. No, we were never told. We were told at ECOMOG had a strength in Liberia or would have a strength of 18,000. That was a number that everybody quoted. So whether they had a reduced amount - we were never told that instead of 18, we will only take 12. 18,000 was what was known by most Liberians of ECOMOG

11:19:59 strength and was repeated by most of us.

Q. You just said that you were told that they had or would have a strength of 18,000. Do you recall, what was it you were told, they would have a strength of 18,000 or they did?

A. Well, we were told that they would have a strength of

11:20:14 18,000 troops. That's the message we got.

Q. Mr Taylor, these figures at paragraph 23 were provided as part of the report of the ECOMOG field commander, and if we can look at page 55, we see the presentation of the report of the ECOMOG field commander. And if we look at paragraph 19: "The

11:20:49 ECOMOG field commander, Major General Inienger presented a report which covered the period from the last summit of the Committee of Nine, August 1994 to the present."

Paragraph 20:

"The field commander reported that there were major

11:21:18 ceasefire violations. And due to the lack of cooperation from the warring factions, the Ceasefire Violation Committee had been unable to function effectively."

What was this Ceasefire Violation Committee, Mr Taylor? Do you know about that?

A. Yes I do.
Q. What was that?
A. All of the warring factions were asked to - gave a certain number of senior individuals within the organisation that would
11:21:43 constitute a committee that if there were any problems, that committee would discuss it, visit the area, ascertain the violation and report to ECOMOG. I'm aware of that.
Q. Thank you.
"He put particular emphasis on the problem posed by the use
11:22:09 of personnel and anti-vehicle land mines by the warring factions to create obstacles on some roads."
Paragraph 21:
"The report gave an account of an upsurge in fighting for purposes of territorial claims by the warring factions in
11:22:30 anticipation of these Abuja meetings. An account was also given of a series of attacks on both ECOMOG and UNOMIL, as well as on relief agencies by the warring factions, particularly the NPFL and the two ULIMO factions. The field commander commented on the 14 September 1994 attempted coup of the USA base New Horizon
11:22:50 which ECOMOG foiled."
What was that, 14 September 1994 attempted coup?
A. Okay. My recollection is that a gentleman called Charles Julu in Monrovia I think stormed his way, and that's my recollection of it, because I'm in Gbarnga still - stormed his
11:23:17 way into the Executive Mansion building in Monrovia and said he had seized power and ECOMOG moved in and took him out of there.
Q. Now, had he been a general under the Doe government?
A. Yes, Julu was. Yes.
Q. And was he one of the ones who was held to be responsible

for the horrific crimes in Nimba County?
A. That's the same Charles Julu. That is correct.
Q. It's the same one?
A. Yes.
11:23:45 Q. "A report was also made of the 15 December 1994 massacre of about 48 persons on Duport Road suspected to have been perpetrated by NPFL and some AFL collaborators."
Now, Mr Taylor, it was later determined that, in fact, the NPFL had carried out that massacre. Isn't that correct?
11:24:07 A. Not to my knowledge, counsel. Where did you get that from?
Q. So not to your knowledge?
A. Not to my knowledge, no. The only investigation I recall was done and it was determined that the AFL did it, not related to this.
11:24:25 Q. Now, if we look at paragraph 22:
"The report emphasised that the process of encampment, disarmament and demobilisation had been stalled and only a thousand fighters had surrendered voluntarily to ECOMOG since August 1994. On the other hand, ECOMOG had been able to extend
11:24:52 the area under its control and create new safe havens. This had enabled the Liberian National Transitional Government, for example, to establish civil administrations in Bomi and Grand Cape Counties."
And at this time, who was in control of Bomi and Grand Cape
11:25:16 Counties?
A. I think they could be referring to Grand Cape Mount. That was ULIMO-J - I think that was ULIMO-J and I think part of K, but mostly ULIMO-J.
Q. Now, Mr Taylor, if we look over at page 57, which is a part

of the discussions portion of the meeting, and if we look at subpart (x) or 10:

"With regard to arms control, the special representative of the United Nations Secretary-General informed the meeting of the concern of the international community over the flow of arms into Liberia. He stated it was the wish of the United Nations to see its arms embargo effectively enforced. The special representative also expressed the wish that member states would bring all instances of violation of the arms embargo before the United Nations commission on sanctions."

So, Mr Taylor, by the time of this May meeting, we see very significant problems with the ability of ECOMOG and UNOMIL to carry out their mandates in Liberia, yes?

A. Yes.

Q. And we see reductions in force both for ECOMOG and UNOMIL?

A. Yes.

Q. And we also see the continuing concern by the international community of the flow of weapons that continue into Liberia, yes?

A. Yes.

Q. By the time we move into June 1995, UNOMIL has only about 70 military observers in the country, yes, or, in fact, combined presence?

A. I don't know.

Q. Now, Mr Taylor, in July 1995, we also have some discussion about the situation in Liberia and the state of the ECOMOG troops in a final communique that comes out of Accra, 28-29 July, and this is at page 70 of MFI-276. This is the final communique of the 18th Ordinary Session of the Authority of Heads of State and Government of the Economic Community of West African States. If

we can look at page 71 of MFI-276. Do you have that before you, Mr Taylor?

A. Yes, I do.

Q. If we can look at paragraph 5 of this document:

11:29:36 "Heads of State and Government observe that due to the general lack of cooperation from the warring factions, very little progress has been made with respect to the vital issues of encampment, disarmament, demobilisation and rehabilitation. It was regretted that instead of getting less, the problem of armed 11:29:58 conflict had grown more intractable with the emergence of new warring factions and dissensions within the old ones. The authority noted that the continuing fighting had aggravated the problem of refugees and displaced person."

And if we look at paragraph 6:

11:30:19 "Particular mention was made of the safe havens that ECOMOG forces had managed to create in 5 of the 13 counties of Liberia and the authority exhorted the ECOMOG field commander and his forces to persevere in their humanitarian mission. The authority noted with regret the withdrawal of the troops from Tanzania and 11:30:41 Uganda for lack of support from the international community."

So as of this time, in July, Uganda, in fact, has been forced to withdraw its troops, yes, Mr Taylor?

A. That is correct.

PRESIDING JUDGE: I think on that note, we're just about 11:30:58 out of tape, so we'll take the short adjournment and resume at 12.

[Break taken at 11.30 a.m.]

[Upon resuming at 12.00 p.m.]

PRESIDING JUDGE: Yes, please continue, Ms Hollis.

MS HOLLIS: Thank you, Mr President:

Q. Mr Taylor, before the short adjournment we were looking at some of the contents of the final communique that was issued from Accra on 29 July 1995 relating to the 18th Ordinary Session of the Authority of Heads of State and Government of ECOWAS. We had looked at paragraph 5 and parts of paragraph 6. In paragraph 6, we had looked at the part that talked about the fact that the Tanzanian and Ugandan troops had withdrawn from the expanded ECOMOG. And if we look at paragraph 6 further, we see that a special appeal was made to United Nations not to withdraw its observer mission in Liberia since it was playing a very vital role in the Liberia peace process.

A. Yes.

Q. In paragraph 7, and here we're on page 72:

"The authority made a strong appeal to the Liberian leaders to rise above their personal interest and show the statesmanship needed to reach a workable compromise particularly as the issues over which there were disagreements did not appear to be vital. Indeed, Heads of State and Government warned the Liberian leadership that the patience of the outside world was wearing out and the persistent intransigence was destroying the very foundation of the nation."

Then, Mr Taylor, in paragraph 9 is written this:

"Concerning the merchant ship MV Sea Rose in the custody of ECOMOG, the authority directed the executive secretary to study the issues involved and make appropriate proposals on its disposal. In the meantime, it was decided that the ship should remain in ECOMOG custody."

MV Sea Rose, Mr Taylor, that was a ship that was bringing

arms and war material to you, isn't that correct?
A. No, never ordered any arms and - no, not to my knowledge, no.
Q. Mr Taylor, during 1995, you were receiving arms and war material from outside Liberia, were you not?
12:05:29
A. No.
Q. Mr Taylor, if we can move on to August 1995. Do you recall in August 1995 the signing of the Abuja Agreement on 19 August?
A. Yes, I do.
12:05:57
Q. And that agreement, in part, basically adjusted the timetable for various actions to occur. Do you remember that?
A. Yes, I do.
Q. So the full deployment by ECOMOG was moved back and disarmament and demobilisation were moved back. Do you recall that?
12:06:15
A. Yes, I do.
Q. So we have the Cotonou Agreement in July 1993 calling for disarmament, demobilisation, deployment. We have the Monrovia Agreement in February 1994 calling for the same things. And now here in August 1995, two years after Cotonou, we are again adjusting the timetables for these various actions, yes?
12:06:32
A. That is correct.
Q. Now, in fact, despite what Abuja called for, the disarmament and demobilisation didn't really begin until after March 1996. Isn't that correct?
12:06:56
A. Yes, that's correct.
Q. Under the Abuja Agreement, ECOMOG again had very significant functions, isn't that correct? Once again, including monitoring the borders, manning the entry points of the sea, land

or air to ensure no arms or ammunition would come in, conducting confidence patrols for fair and free elections, those were among the mandates given to ECOMOG under that agreement, yes, Mr Taylor?

12:07:32 A. That is correct.

Q. And, once again, they were to deploy countrywide and to have freedom of movement, correct?

A. That is correct.

Q. Now, it was also agreed at this time that, in fact, ECOMOG's strength would be increased up to 12,000, that minimum number they said they required. Do you recall that, Mr Taylor?

12:07:47 A. No, I don't recall that part, no.

Q. If we move to October 1995, we have the UNOMIL strength at this time only about 50 some military observers, isn't that correct?

12:08:24 A. I don't know the numbers. There are UNOMIL. I don't know the numbers.

Q. They had downsized even more by that time, isn't that correct?

12:08:32 A. I really don't know.

Q. And at about this time it was determined that, in fact, instead of the 300 plus UNOMIL that would be required in Liberia, that only about 160 military observers would be required to carry out their functions. Do you recall that, Mr Taylor?

12:08:53 A. No, I don't.

Q. Now, at about this same time the familiar themes of ECOMOG's problems with logistical needs and their need for substantial logistical assistance resurfaced again, yes? Are you aware of that?

A. Yes, I'm aware. Yes.
Q. This ongoing severe shortage of logistical support surfaced again?
A. That is correct.
12:09:20 Q. And it continued to hamper ECOMOG's ability to actually carry out its mandates, yes?
A. Yes, that's true.
Q. Now, in October 1995, the ceasefire was in effect, but there were ceasefire violations being reported on the part of
12:09:39 ULIMO, the LPC, and also your NPFL. That's correct, isn't it, Mr Taylor?
A. That is correct.
Q. Now, when we move to December 1995, the ECOMOG deployment was to have been completed by mid-December 1995, isn't that
12:10:04 correct, the countrywide deployment?
A. Late 1995. I don't - December 1995. Okay, I can say that's about right, yeah.
Q. But, in fact, the ECOMOG deployment countrywide had only begun in December 1995. Do you remember that?
12:10:35 A. Thereabout. Thereabout, yes.
Q. Now, as of mid-December, we didn't have a full deployment for the UNOMIL observers, did we? Do you remember?
A. I don't remember. I don't really remember whether there was full deployment. I don't remember.
12:11:04 Q. Now, we did have UNOMIL observers in Monrovia, Buchanan and Kakata at this time. Do you remember that?
A. Yes. Yes. Yes.
Q. Now, soon after this ECOMOG deployment began in December, once again we began to have attacks on the peacekeepers by the

various factions, correct?
A. I don't - I don't recollect that.
Q. Do you recall the attacks on the peacekeepers in Tubmanburg by ULIMO-J, the Johnson faction?
12:11:41 A. What year are you talking about here?
Q. I'm talking about the end of 1995.
A. Well, I don't remember the exact time, but there are attacks on ECOMOG by ULIMO-J in Tubmanburg. I don't recall the month. But December/January, or thereabout, I would say, yes,
12:12:10 because I'm in Monrovia at that time myself, yes.
Q. And about this time, in December 1995, actually, you and Alhaji Kromah are insisting that the transitional government be responsible for disarming the fighters and approving all of the ECOMOG deployments. Isn't that correct?
12:12:29 A. Yes, that is correct. I think it's important to note here now, the Council of State is now changed and the call that is being made by us now - that's the Council of State calling for the collective presidency to be in charge of disarmament. Remember, we went through the first Council of State of Professor
12:12:54 Kpormakpor. We've changed now. At this period I have moved to Monrovia and we sit on the council, so that's correct, yes.
Q. And at this point in time, who are the members of the Council of State?
A. The Council of State at this time comprised Dr George
12:13:18 Boley, Alhaji Kromah, I'm on the council, Oscar Quiah. The council is chaired by Professor Wilton Sankawulo is chairing the council at this time. Also present on that council is Chief Tamba Tailor, but that's not T-A-Y. T-A-I-L-O-R. It's like the our traditional - the most senior traditional elder chief in the

country, yes. That's the composition.
Q. You mentioned George Boley. Was he aligned with a particular faction?
A. Yes, George Boley headed the LPC.
12:14:18 Q. Of course, we had you and the NPFL?
A. That's correct.
Q. We had Alhaji Kromah and ULIMO-K?
A. That's correct.
Q. And Mr Quiah, did he represent any faction?
12:14:29 A. Not exactly, no. He represented civil society at the time. Civil society was represented. He represented civil society.
Q. And Chief Tailor?
A. He represented the rest of the population, the traditional chiefs and elders throughout the country.
12:14:52 Q. Now, by this time, towards the end of 1995, UNOMIL was still below 70 in its strength; do you recall that?
A. No, counsel, I don't recall the numbers, but UNOMIL is - I don't recall the numbers.
Q. Now, Mr Taylor, if we can now move into the period of 1996.
12:15:27 And as of mid-January 1996, the UNOMIL strength had, indeed, increased up to about 82 people; do you remember that?
A. No, I don't.
Q. Now, do you remember a January 1996 ECOWAS delegation meeting with you and other members of the Council of State?
12:15:53 A. Yes. Yes. January or thereabout, yes.
Q. Chief Tom Ikimi would have been involved in that delegation?
A. Yes.
Q. And Chief Ikimi was concerned that the developments in

Tubmanburg had confirmed the risk that ECOMOG was taking without adequate troop strength and resources. Do you remember that?
A. Yes.
Q. So once again the problems that were inherent in ECOMOG were impacting their ability to carry out their mandate?
A. In that part of the country I would say yes. Yes.
Q. By March 1996 ECOMOG was still understrength by several thousand troops. Do you recall that?
A. I don't know the details. I don't recall that. I don't know the details.
Q. Mr Taylor there was a fairly significant event that occurred in Liberia, in Monrovia, in April 1996, correct?
A. That is correct.
Q. And it all started with the attempted arrest of Roosevelt Johnson, correct?
A. That is correct.
Q. At this point in time in April 1996 you had your own radio and television stations, did you not?
A. By 1996?
Q. By April?
A. Radio, yes. I'm not sure of - I don't think we had the television. We had radio.
Q. And was that the FM Kiss station?
A. That is correct.
Q. Did you have any other radio stations other than that?
A. No. No.
Q. Back in March, toward the end of March, an arrest warrant had been issued for Roosevelt Johnson on a charge of murder, yes?
A. That is correct, yes.

Q. And that arrest warrant had been issued by whom?
A. The courts. The courts were in session at the time and issued an arrest warrant.
Q. And at this point in time Roosevelt Johnson was the leader
12:18:32 of ULIMO-J?
A. That is correct.
Q. Which remained a rival armed group?
A. Yes, I would say so, yes.
Q. Would you have considered him at the time as a rival for
12:18:43 power in Liberia?
A. No, not necessarily, no.
Q. By that do you mean he had no aspirations to power?
A. He very well might have, but at that particular time I had no knowledge or inclination to have been able to determine
12:19:10 whether he had that desire. One would assume that he had that desire, but it was not public. I didn't really - and I had not spoken to him about it, so I would just say - but as far as being a rival, I didn't see him that way.
Q. Now was ULIMO-J still functioning as an armed faction?
12:19:33 A. By that time, yes. And a very strong armed faction. Remember you just mentioned they had attacked ECOMOG and seized a large amount of weapons from ECOMOG and so they were very strong, yeah.
Q. What kind of weapons had they seized from ECOMOG? Do you
12:19:51 remember?
A. What came to the council, as far as I can understand it, included artillery pieces, I think one of the largest artillery units of ECOMOG was deployed in Bomi Hills at the time and there was some conflict and I think they were moving their supplies to

Monrovia and they were intercepted. So it included artillery and a lot of ammunition.

Q. And to your knowledge did they turn those weapons and the ammunition back over to ECOMOG at any point?

12:20:30 A. Oh, it took some time. I think they did turn some over, but not all of them. Even up until disarmament, I think the rest were turned over during disarmament but, to the best of my recollection, there was a tough time in getting those weapons. In fact, Tom Ikimi, that delegation dealt with that same problem

12:20:54 of the weapons and artillery that had been seized from ECOMOG.

Q. Did they eventually turn all of it over or did they keep some of what they had seized from ECOMOG?

A. My recollection is that they turned over some but the final amount was not done until during disarmament before they finally

12:21:19 turned over - they kept dodging the issue as far as I can recollect.

Q. Do you have any recollection about when it was? You said during disarmament. Do you have any recollection about when it was that they turned the rest of these seized weapons over?

12:21:32 A. Well, disarmament occurred the later half - I would say latter half of 1996 so I would say that's a few months after the initial problem they finally turned them over.

Q. This event that occurred in Monrovia in April was precipitated by an action that occurred on 6 April, correct,

12:21:57 where a rapid reaction unit of the national police went to arrest Roosevelt Johnson?

A. That is correct.

Q. And they went where to arrest him?

A. To the best of my knowledge, at his house.

Q. Do you remember where that was in Monrovia?
A. Roosevelt Johnson lived I think not far from the Spriggs Payne Airport in Monrovia just around - around the area where I think the UN has its offices in Monrovia now. Just about the
12:22:39 same vicinity where the UN - just off the airport. Not very far.
Q. It was you and Alhaji Kromah who issued that order for these forces to go to arrest Roosevelt Johnson, isn't that correct?
A. That is incorrect.
12:23:01 Q. Who issued that order?
A. The Council of State under the chairman Professor Wilton Sankawulo issued the order, the chairman of the Council of State.
Q. This rapid reaction unit, what was that?
A. That was a police unit in Monrovia under the national
12:23:21 police force that was sent to arrest him. It was a national police unit.
Q. Was it a speciality unit, or do you know?
A. Well, what had happened - to the best of my knowledge now, that comprised old police officers, because we tried to bring
12:23:50 back the trained personnel of the national police force. They called it rapid deployment unit. It was just a police unit that I think they felt that could carry out the arrest.
Q. And do you remember who the commander of that unit was?
A. No, I don't.
12:24:10 Q. So the rapid reaction unit went to Roosevelt Johnson's compound to arrest him and that began some very, very severe and prolonged fighting in Monrovia, isn't that correct?
A. That is correct.
Q. When the rapid reaction unit actually went to arrest

Roosevelt Johnson, some of your NPFL forces actually went with them, did they not?
A. Not to my knowledge, no.
Q. And some ULIMO-K forces went with them as well, did they not?
12:24:50
A. Not to my knowledge.
Q. And now after this fighting began with this attempted arrest on 6 April it lasted some 100 days or so, isn't that correct?
12:25:02
A. Not the fighting. The fighting didn't last 100 days, no.
Q. How long did the fighting itself last?
A. I think that fighting lasted for about 30 days, and then we had a cessation and then finally - the length of time you're talking about is the time that it took to restart the process, I
12:25:34
would say. But the actual fighting in Monrovia didn't last more than 30 days.
Q. After this fighting had broken out you actually brought in several thousand of your fighters into the city to join this fighting. Isn't that correct?
12:25:49
A. That is correct. That is correct. And let me just remind you, that operation by the police was backed by ECOMOG in trying to carry out this arrest because they were interested themselves. But we did bring in - because ULIMO-J at the time emerged from Tubmanburg on the city, the chairman asked - because we were the
12:26:17
government that all assistance should be given. So ECOMOG was involved in that fight and we brought some additional forces to back ECOMOG in trying to defend the city from ULIMO-J at that time, yes.
Q. And this period of fighting in Monrovia that began on 6

April, it resulted really in devastation of Monrovia, didn't it?
A. A lot of places got - yeah, there was some destruction. Roosevelt had a lot of artillery so there was some - some parts of the city got destroyed by his artillery forces, yes.
12:26:59 Q. And in fact there was massive and systematic looting in Monrovia, isn't that correct?
A. That is correct.
Q. And that was carried out by all the factions, including your fighters who had come into the city. That's correct, is it
12:27:12 not?
A. Well, no, that is not correct. As you've put it, it is not correct.
Q. So the others were looting but your NPFL did not?
A. Well, that's not what I'm saying either.
12:27:24 Q. What are you saying?
A. As you put it, the looting as far as I'm concerned that happened in Monrovia was done by civilians. In fact most of the looting was carried out by the large population that had moved to Monrovia. So all of the factions, including the NPFL, did loot,
12:27:43 but most of the looting was carried out by civilians.
Q. The looting that took place included United Nations --
JUDGE SEBUTINDE: Sorry, did the witness say did loot or did not loot? You said, "All of the factions, including the NPFL, did loot"?
12:27:59 THE WITNESS: Did loot.
JUDGE SEBUTINDE: Did?
THE WITNESS: Did. Yes, your Honour.
MS HOLLIS:
Q. And this looting included United Nations material and

equipment, did it not?
A. I think that's a fair statement. I'm not - I don't have any knowledge of UN things, but in that - in that ruckus that occurred at that time in fact I was the only person left in
12:28:26 Monrovia. I wouldn't say that it didn't happen. That could have very well happened.
Q. And the looting also included international aid organisations; their buildings, their warehouses?
A. Oh, that's possible. That's possible, yes.
12:28:45 Q. And tens of thousands of people were displaced as a result of this fighting, isn't that correct?
A. That's correct. That's what I meant when I explained to you that Monrovia had a population of close to a million at the time. Everyone had moved from the city. When this fighting
12:28:59 broke out civilians that - it was almost like this is an opportunity to take from those that have. So that's why when I say that a lot of the looting was done by civilians, they just moved in large numbers and did what they had to do. So I would say yes to your question.
12:29:20 Q. And there were many, many civilian casualties as a result of this fighting as well, correct?
A. There were civilian casualties, yes. Many? I'm not sure of the amount. I don't think there were very many, but one is sufficient. One is bad enough, I mean. I mean, so there were
12:29:44 civilian casualties.
Q. And this fighting also resulted in radio and television stations being vandalised and burned. Is that correct?
A. Not to my - no, I don't know of any radio or television station that was vandalised or burned. All of those stations

that were in the city to the best of my knowledge, the Catholic radio station and all others private radio stations - no, no, I don't know of any radio and television station that was burned, no. I don't know. I don't think so.

12:30:18 Q. And your radio station wasn't burned or destroyed?

A. No, mine was in the - by "mine", the NPFL radio station was not burned. The Catholic and, like I said, other private radio stations in Monrovia were all secured.

Q. Now, was it during this time that Oscar Quiah, you had

12:30:40 talked about, suffered a stroke and had to be evacuated, or was that at a different time?

A. Counsel, I think it was at a different time. I can't be too sure. He did suffer a stroke, but I think it was at a different time. It was not - I can't recall that it was during

12:31:00 the time of the fighting. I'm not sure about that, counsel.

Q. Now, of course, this fighting that went on for so long and all this devastation caused quite a bit of concern in ECOWAS and the international community, yes?

A. Yes, it did.

12:31:15 Q. As a result of this fighting, is it correct that the ECOMOG force commander was replaced?

A. Well, I can't - I can't say what led to his replacement. I was in Monrovia. The chairman of the Council of State and I were about the only two left in Monrovia. Boley fled out of the

12:31:42 country. Alhaji Kromah fled. So I was left there. I can remember speaking to President Abacha myself. And, in fact, if there are any records of that, I was present, in fact, at my residence with the chairman of the Council of State when a ceasefire was called. So I would have a fairly good knowledge of

what happened, so I wouldn't say that - I wouldn't say that he was replaced because of the fighting. If that determination was made in Abuja, I don't know the reason. But I do know that he was replaced. The reason, I really cannot comment on that. I don't know.

Q. And who replaced the force commander; do you recall?

A. Oh, yes, that would be General Abacha.

Q. And who was the new force commander?

A. I don't quite recall who was the new one sent in. After that, I don't recall the names. They were changed so many times. I don't recall it, counsel.

Q. Mr Taylor, do you recall, before this fighting broke out, the number of UNOMIL observers in the country had actually increased some to over 90; do you recall that?

A. Not the number, counsel, I don't.

Q. But following the outbreak of this fighting on 6 April, the number of UNOMIL observers was reduced to 15 and 10 of those were on standby in Freetown. Do you recall that?

A. I know of the reduction. I don't know the numbers or by how much. I don't know.

Q. Mr Taylor, by a final report in May 1998, the ministers of foreign affairs of the ECOWAS Committee of Nine --

A. Did you say May 1998?

Q. I'm sorry, 1996. Sorry about that, Mr Taylor.

A. Okay.

Q. May 1996, the ministers of foreign affairs of the ECOWAS Committee of Nine actually had a final report that spoke about this fighting in Monrovia as well as other matters. Do you remember that, Mr Taylor?

A. Yes. Normally that would happen, yes.
Q. And that is in MFI-276, beginning at page 84. Mr Taylor, if we look at the section opening session and if we go to page 85, we see that the honourable minister stated that it had come
12:35:03 to the attention of the ECOWAS chairman that soon after installation of the Council of State the three faction leaders argued not only that the Council of State was a collective presidency, but also insisted that all vice chairmen were equal in status to the chairman, who should act no more than the
12:35:25 designated signatory of correspondence emanating from the council. They also interpreted the agreement - Mr Taylor, I believe here the "they" is referring to the faction leaders - they also interpreted the agreement as creating a council whose members were individually to be regarded as Presidents of Liberia
12:35:51 in their own right. This claim appeared to have provided the basis that had enabled the vice chairman to resort to the use of all the trappings of presidential protocol. In the view of the ECOWAS chairman, these developments are in gross violation of the Abuja agreement.
12:36:17 Then at paragraph 11:
"Other problems that had arisen since Abuja related to the status of forces agreement and the attempt to subject ECOMOG to the Liberian national transitional government through the insistence that its national disarmament and demobilisation
12:36:37 commission should have the responsibility to disarm the fighters and also that the deployment plans of ECOMOG should have the prior approvals of the Council of State."
Then at paragraph 12:
"Another recent development which had provoked a crisis on

Liberia's political landscape and which had caused a lot of grief to the ECOWAS chairman concerns General Roosevelt Johnson, in respect of whom the Council of State had issued directives calling for the suspension of his ministerial appointment, dismissal from office and subsequent arrest."

Now, had the Council of State issued directives calling for the suspension of Roosevelt Johnson's ministerial appointment?

A. That is correct, yes.

Q. And his dismissal from office?

A. Yes.

Q. Now, we've talked about this and you disagree that it was the Council of State who issued the directive for his arrest?

A. You say I disagree that the council issued --

Q. That's my understanding. Do you disagree with that, that it was the Council of State who issued the directive for his arrest?

A. But I think it's quite the reverse of that. My explanation, if I recollect, was that the Council of State did issue.

Q. Did issue?

A. Yes, that's my recollection.

Q. Thank you. I must have misunderstood. Then if we look at paragraph 14: "Dr Obed Asamoah" - do you know who that is?

A. Yes, I do.

Q. Who is he?

A. At the time he was the Foreign Minister of Ghana, Obed Asamoah.

Q. "... further stated that following the outbreak of heavy fighting in Monrovia pitching the 'government forces' against

pro-Johnson forces the chairman of ECOWAS took certain urgent measures to contain the situation and bring the peace process back on track. As part of these measures personal envoys were dispatched for urgent consultations with key ECOWAS partners on the developments in Monrovia. Envoys were also sent to Monrovia itself."

Did the Council of State meet with those envoys?

A. Yes.

Q. Do you recall who those envoys were?

12:39:03 A. No, I don't. I don't. I don't recall who they were.

Q. In paragraph 15:

"He indicated that it was the view of the ECOWAS chairman that the Tubmanburg and Monrovia crises had underscored the urgent need for ECOWAS to fully assess the machinery of ECOMOG and the political and military roles it is called upon to play in the continued search for peace in Liberia."

Then in paragraph 16, he sets out three scenarios:

"Three scenarios could be envisaged in this context. The present arrangement of pursuing an 'elusive' peace could be continued. The second scenario would call for the creation of a more credible force capable of pursuing a peace enforcement mandate. The pursuit of the third option would imply an admission of failure and the need to halt throwing good money after bad. Contingency plans would have to be prepared for withdrawing the troops from Liberia back to their respective countries. The ECOWAS chairman's priority scenario was the one which favoured the creation of a credible and overwhelming force. Accordingly, the chairman welcomed the recent activities that had taken place within the international community and which tended

to lend diplomatic, political, military, and other forms of assistance and support to ECOMOG.

"17. The honourable minister recalled in this connection that an International Contact Group on Liberia (ICGL) met in Geneva on 26 April 1996. Discussions focused on assessing recent political, diplomatic, security/military and humanitarian developments in Liberia and identifying how the international community could respond to these investigations in a way which would positively influence the Liberian peace process.

12:41:27 "18. Dr Asamoah disclosed that the contact group had identified three issues critical to the cause of peace in Liberia; restoring security to Monrovia; reinforcing ECOMOG; and encouraging faction leaders to return to the Abuja peace process."

12:41:47 Mr Taylor, were these three steps passed on to the Council of State members?

A. Yes.

Q. Then if we look at paragraph 20, "The chairman proposed that the meeting should focus its attention on discussing the

12:42:09 following issues."

Under "Political matters":

"(i) the nonrecognition by ECOMOG of any Liberian government which would come about through the use of force or violence in violation of the Abuja agreement;

12:42:24 (ii) the issue of collective presidency vis-a-vis the Abuja concept of the executive;

(iii) ECOMOG/COS political cooperation within the framework of the status of forces agreement."

Mr Taylor, ECOMOG/COS, what does COS stand for there, if

you know?
A. Yes, I do.
Q. What is that?
A. Council of State.
12:42:50 Q. Thank you:
"(iv) General Johnson's position vis-a-vis the transitional government;
(viii) retrieval of looted assets belonging to the international community and to ECOMOG."
12:43:12 Then they also consider that they will focus their attention on several military matters, including restoration of safe haven status to Monrovia and training of a new national army to replace the AFL, including consideration of the British officer to train the trainers.
12:43:33 Mr Taylor, at this time had the British made an offer to train the trainers in Liberia?
A. Not to my - this was not a council issue. I think it was being discussed with ECOWAS. We were not given this information.
Q. This has not been brought before the council?
12:43:54 A. No, it had not been.
Q. And then if we look at part 4, report by the executive secretary of ECOWAS. The ECOWAS executive secretary, Mr Edouard Benjamin, welcomed the ministers, thanked the Ghanian government. Then when we go to paragraph 23:
12:44:17 "The ECOWAS executive secretary deployed" - I believe that would be deplored - "the continuing civil war in Liberia. He recalled that numerous peace plans had been fashioned, several peace agreements signed, while one had lost track of innumerable ceasefire agreements concluded. Mr Benjamin observed that at the

very moment that ministers were meeting, Liberians, including adolescents, had again taken up arms, plunging families in grief and condemning their countrymen to exile and misery. He noted sadly that most Liberians were being ravaged by hunger and epidemic.

24. The ECOWAS executive secretary condemned the various forms of humiliation to which ECOMOG had been subjected with impunity, particularly the seizure of its arms and equipment, the frequent attacks against its soldiers who were also constantly taken hostage by the different factions. He indicated that these criminal acts continued to be carried out despite repeated condemnations, warnings and threats of reprisal by ECOMOG. Mr Benjamin also regretted the dissensions within the Council of State had paralysed the council and had brought about the installation of a collective presidency as conceived by the Liberian authorities.

Mr Benjamin stated his conviction that it was in the interest of our sub-region to continue to show solidarity with our Liberian brothers. Consequently, it would be necessary to revise the schedule of implementation of the Abuja Agreement which, according to him, remained the most appropriate framework for the resolution of the Liberian conflict."

Mr Taylor, indeed did we have a subsequent revision of the schedule of implementation of the Abuja Agreement?

A. Yes, we did.

Q. "The executive secretary called for a substantial reinforcement of the operational capacities of ECOMOG by increasing the number of troops and by improving the quality and quantity of logistics support."

Then, Mr Taylor, if we go down to part 5 "Statement by the Special Representative of the Secretary-General of the United Nations" at paragraph 28:

"He noted that the outbreak of the crisis in Liberia had derailed the promising Abuja peace process in which the United Nations, ECOMOG, ECOWAS and other members of the international community interested in Liberia had invested vast amounts of time and resources. For its part, UNOMIL had also started deploying to its disarmament and demobilisation centres in various parts of the country where ECOMOG was deployed. UNOMIL had also jointly with ECOMOG invested a lot of effort and resources in carrying out reconnaissance missions for assembly sites."

And these assembly sites, Mr Taylor, these are the sites where in fact the fighters would gather for disarmament and demobilisation. Is that your understanding of that?

A. That is, yes.

Q. "He noted that all the efforts and resources invested by ECOMOG, UNOMIL, ECOWAS and other members of the international community for the last eight months in implementing the Abuja Agreement had been lost as a result of the 6 April tragedy. In addition, expensive equipment, including vehicles, generators, computers and communication equipment which had been brought into the country to facilitate the work of the international community, were systematically looted or destroyed by both sides involved in the recent fighting. The most tragic part was that the greatest losses had fallen once again on the Liberian civilian population. He went on to say the recent events in Monrovia had resulted in massive displacement of the civilian population, major food shortages, as well as the breakdown of

most of the health, water and sanitation facilities. Moreover the indiscriminate and massive looting and destruction of the infrastructure, private and public properties had paralysed the social and economic activities and increased the humanitarian needs of Liberians."

So the devastation in Monrovia was quite pronounced as a result of that fighting, yes, Mr Taylor?

A. Yes.

Q. Including both public and private infrastructure, yes?

12:49:33 A. Yes. Some of the information here is not correct, but generally the water and other installations, you know, were down for many years. Light was down. But generally I would say yes.

Q. So you disagree with his statement that the fighting resulted in the breakdown of most of the health, water and

12:50:02 sanitation facilities?

A. Definitely.

Q. You disagree with that?

A. I disagree with that. I guess he makes this report because these facilities are down when the assessment is done but it is

12:50:10 done long before this particular time. I can remember water, light and other health facilities are long deteriorated before this time. But generally his description of the situation is right.

Q. If we look at paragraph 30, part way down that paragraph:

12:50:32 "The message of the United Nations to the Liberian leaders therefore was that they should demonstrate their sincerity to save their country from total destruction. In this connection the Liberian leaders should bear in mind that it would be a serious mistake on their part to assume that the international

community would remain in Liberia if they did not take concrete steps to achieve, at a minimum, the following requirements: To restore the ceasefire; to withdraw their fighters from Monrovia; to return to UNOMIL, the United Nations agencies and NGOs the equipment looted over the past few weeks; respect the safety and security of international personnel and property; and demonstrate the political will necessary to return to the peace process."

Mr Taylor, on this same page, page 88, at part 7 we have a presentation of the report of the ECOMOG field commander starting at paragraph 39:

"The ECOMOG field commander" - whose name you pronounce much better than I - "presented his report which dealt primarily with the recent conflict. He recalled that the recent outbreak of hostilities started with the overthrow of Major General Roosevelt Johnson as the leader of the ULIMO-J faction and the subsequent temporary recognition by the Liberian National Transitional Government II of Brigadier W Karyee as the new faction leader."

Let me ask you a couple of things here, Mr Taylor. This overthrow of Roosevelt Johnson as leader of the ULIMO-J faction and his replacement with Brigadier W Karyee, can you tell us about that? Do you know anything about that?

A. Yes. There was a conflict in Tubmanburg where ULIMO-J was - I think there was a split between those that wanted peace and those that did not want peace. In fact, if I recall, even a lot of the ECOMOG equipment that was given back was given back by the General Karyee faction and Karyee successfully took over Tubmanburg while Roosevelt Johnson was in Monrovia and declared himself as leader, supported by the entire military command corps

of ULIMO-J. So the council had to wrestle with the idea of who do we continue to look at as being capable of carrying out the peace plan. And so Karyee, who was with the men in Tubmanburg, was recognised by the government then as the legitimate leader of ULIMO-J.

Q. And when it refers here to temporary recognition by the LNTG-II, what is LNTG-II? What does that refer to?

A. Yes, the LNTG-I was the council with all of us including I mentioned before Professor Wilton Sankawulo. Following this problem, meetings were held again in Abuja and Sankawulo was changed as chairman of the Council of State. Then the lady madam Ruth Sando Perry came on as chairperson of the Council of State, so that's the LNTG-II.

Q. Was there an LNTG-III?

A. No, Ruth Sando Perry ended the - she was in until my election in July 1997.

Q. Now, it says the temporary recognition by the LNTG-II of Brigadier Karyee. So did there come a point when the LNTG-II no longer recognised him as the leader of ULIMO-J?

A. That temporary stuff was to really see if we could bring some unity back to them since most of the - in fact they were divided. Those in Monrovia with Roosevelt Johnson were saying that Johnson was still the leader. Those in Bomi Hills were saying that Karyee was the leader. So we sent up there and asked and most of the men said they wanted Karyee. So we said well, fine, we cannot recognise Karyee until this matter is resolved, but it was temporary acknowledgment of his leadership up there until the matter could be resolved. Now I think at some point later on after some time Roosevelt Johnson does take over again

as the leader of ULIMO-J going into elections.

Q. Is he recognised by the temporary government as the leader of ULIMO-J?

A. Yes. I would say so, yes.

12:56:28 Q. If we return to the presentation of the report of the ECOMOG field commander, at paragraph 40 he is talking about the recent conflict:

"The conflict escalated when the Council of State issued an order of arrest on the deposed ULIMO-J leader for murder. 12:56:50 Loyalists of General Johnson resisted the arrest by concentrating in numbers on his premises and surrounding areas.

In an effort to break this resistance to General Johnson's arrest the Council of State formed a combined team of the NPFL and ULIMO fighters tagged the 'government forces' and against the 12:57:14 advice of ECOMOG, launched an attack on the premises of General Johnson in the early hours of 6 April 1996.

42. Although ECOMOG had provided security to certain strategic places in the vicinity of Johnson's house, it had to be tactically withdrawn due to increased fighting between Johnson's 12:57:40 fighters and the 'government forces'.

Violence eventually spread throughout the city of Monrovia, causing damage and destruction of property. Most worrisome was the massive looting of shops, offices and residences. Over 70 per cent of the city of Monrovia had been looted. Properties and 12:58:05 buildings belonging to embassies, UNOMIL, UNDP, UNHCR, and other non-governmental agencies were systematically looted. Hundreds of UN vehicles were looted and taken to Gbarnga or Voinjama by the 'government forces'.

The field commander went on to report that the recent

factional fighting in Monrovia had more or less metamorphosed into an ethnic conflict. The Barclay Training Centre barracks was used as a tribal coalition operational base by the Krahn ethnic group."

12:58:50 Mr Taylor, I think you've told the judges about that in your testimony on direct examination, yes?

A. That is correct.

Q. "The supporters of ULIMO-J, prominent Krahn elders and the Krahn AFL disarmed soldiers formed a coalition force within the

12:59:10 barracks, initially holding hostage ECOMOG soldiers and thousands of civilians of various nationalities and using them as human shield against massive attack and shelling by the 'government forces'.

The ECOMOG soldiers and civilians were eventually released

12:59:32 following consistent negotiations by a delegation of the ECOWAS chairman, UN Secretary-General and members of the diplomatic corps accredited to Liberia.

As a result of escalation in the crisis and its spread to the centre of the city of Monrovia, ECOMOG had to make some

12:59:52 adjustments in its operations by deploying its troops stationed outside Monrovia into the city itself. This was done in order to contain the violent situation as well as carry out the related functions such as rescue missions and answering distress calls. It was also done to secure the ECOMOG base as a safe haven which

13:00:13 sheltered some members of the Council of State and other prominent Liberians who had sought refuge there."

Mr Taylor, do you know who was it who sought refuge at the ECOMOG base as a safe haven?

A. From the Council of State?

Q. Yes.
A. Alhaji Kromah.
Q. No one else?
A. That I know of, no. Kromah fled there.
13:00:39 Q. "ECOMOG also performed escort duties by offering protection to UN staff, international NGOs and members of the diplomatic corps. In addition, the field commander reported that ECOMOG was carrying out the following activities: Establishing checkpoints to effect the following: Check the movement of arms and
13:01:00 ammunition by vehicles and individuals; control vehicular and pedestrian traffic for the arrest of suspects should the need arise; cordon and search suspected locations for arms and ammunition; conduct mobile and foot patrols to build confidence in the public; establish roof-top operators (where necessary) to
13:01:27 spot possible flash points or potential danger."
Were you aware of any of those roof-top operators?
A. From ECOMOG?
Q. From ECOMOG.
A. Yes.
13:01:38 Q. Were any of those located in any of the areas where you were staying?
A. No.
Q. The force commander also indicated that other duties were to protect vulnerable points, key points, lives and property;
13:02:00 secure main streets for easy movement of traffic.
Then in paragraph 48: "With regard to securing a ceasefire from the factions, the field commander reported on the initiatives undertaken by the members of the diplomatic corps in Liberia and the delegation sent by ECOWAS chairman headed by

Captain retired Kojo Tsikata as well as a delegation of the United States government. The chairman's delegation was able to exert pressure on the faction leaders which enabled ECOMOG to redeploy within the city."

13:02:53 If we look at page 90, paragraph 49: "The field commander also informed the meeting of the outcome of the discussions between the ECOMOG high command and the United States delegation. In conclusion, Major General Inienger stated that the outbreak of fighting in Monrovia had undoubtedly punctured the Abuja Accord. 13:03:22 He once again reminded the meeting of the inadequacies of ECOMOG in its manpower and logistic capabilities. A new problem facing ECOMOG was the constant intervention and obstruction of its activities by members of the Council of State. The field commander also stressed the urgent need for leaders of the 13:03:43 warring factions to withdraw all their fighters out of Monrovia. Finally, he advised the meeting to consider the withdrawal of ECOMOG if its logistical and manpower requirements were not improved."

So, once again, we see the force commander talking about 13:04:02 the severe inadequacies in manpower and logistics on the part of ECOMOG. Yes, Mr Taylor?

A. Yes.

Q. Then if we look at part 8, outcome of deliberations. After extensive deliberations, the ministers arrived at the following 13:04:20 conclusions:

54. It was decided ECOWAS would not recognise any Liberian government which might come into office through the use of force or violence in violation of the Abuja Agreement.

55. The meeting discussed the new protocols for

communicating with the executive branch of the Liberian national transitional government as stipulated by the latter in a letter dated 14 April 1996 to diplomatic missions in Liberia. It was indicated that contrary to article 14, paragraphs 1 and 2 of the Cotonou Accord, which had remained unchanged in both the Akosombo and Abuja Agreements, the new protocols changed the designation of the Liberian national transitional government to the Government of Liberia. The new protocols also gave the Council of State of the Republic of Liberia a new designation of collective presidency. The new protocols were unacceptable to the meeting because they were external to the Abuja Agreement. It was, however, stressed that the LNTG had the right to promulgate laws and regulations for the good governance of Liberia provided that they were within the framework of the ECOWAS peace agreement.

56. The initialled revised draft of the agreement relating to the status of ECOMOG in Liberia drawn up by both ECOWAS and the Republic of Liberia was recommended for approval of ECOWAS Council of Ministers. It was stressed that the cooperation between ECOMOG and the Council of State of the Republic of Liberia under the status of forces agreement was symbiotic in nature and under no circumstances shall the agreement be interpreted to mean that the operations of ECOMOG, the special representative, the field commander, or any member of ECOMOG shall be under the control of the Government of Liberia.

57. Events which triggered off the recent crisis in Monrovia and which revolved around General Roosevelt D Johnson were given critical consideration. After extensive deliberation, the ECOWAS Committee of Nine ministerial meeting recommended that

the chiefs of staff should reinstate General Roosevelt D Johnson in accordance with the Abuja Agreement."

When they are talking here about the chiefs of staff, Mr Taylor, do you understand what they are talking about when they say chiefs of staff, COS?

A. Yes, I think I do, yes.

Q. What is it they are talking about there, as far as you know?

A. The Committee of Nine, the defence ministers - the chiefs of staff of each of the countries combined. So you're talking about the nine head of - I mean, of those nine countries.

Q. So they were recommending that these nine heads of army should reinstate General Roosevelt Johnson?

A. On recommendation, yes.

Q. Then the next paragraph: "It was suggested that the Rapid Response Unit (RRU) established by the Government of Liberia should either be disbanded or confined to its role of collaborating with ECOMOG to curb armed robbery activities. It was further recommended that the numerical strength of the RRU should be reduced and its arms kept in an armoury controlled by ECOMOG and issued as and when required. It was noted that the task of ensuring international peace and security was primarily the responsibility of the United Nations Security Council and the entire international community. The sub-regional efforts undertaken by ECOWAS was to assist the United Nations. The meeting therefore called on the international community to assume its rightful duty to Liberia and assist ECOMOG accordingly. Liberia should be given the same assistance and attention as is accorded other conflict situations in the world."

Mr Taylor, if we look at page 91, paragraph 61: "The meeting noted the initiatives taken by the United States of America in establishing the International Contact Group of Liberia. It called for the intensification of contact between the group and ECOWAS and the acceleration of the much needed assistance to ECOMOG.

62. One of the most salient points that re-echoed throughout the meeting was the need to strengthen ECOMOG by increasing its manpower and providing it with the needed logistics that could make it a potent force and a threat to recalcitrant parties. ECOMOG should have the capability of not only enforcing the peace but also the means necessary to impose necessary sanctions on any party in accordance with the provisions of the Abuja Agreement. The meeting called for the imposition of sanctions on recalcitrant faction leaders by ECOWAS, African countries and the international community. It was noted that the crisis in Liberia had been fuelled by the massive inflow of arms and ammunition in violation of existing United Nations Security Council resolution 788 of 1992. The meeting therefore called for the reinforcement by member states and the international community of the arms embargo on the warring factions."

If we look at paragraph 67: "The meeting also emphasised the fact that the ultimate responsibility for peace in Liberia rested with the Liberian themselves especially with the leadership and Government of Liberia. The meeting called on them to show, in specific terms, their commitment to implementing the Abuja Agreement thereby bringing the peace process back on track. To this end, the meeting established a mechanism which, if

implemented by the LNTG between now and the next Ordinary Session of the Heads of State and Government in early August 1996, would show their commitment to the peace process."

The mechanism for returning Liberia to the Abuja Agreement was attached to the report. So it was a very comprehensive report about the recent developments in Liberia, primarily the fighting that began on 6 April in Monrovia. Yes, Mr Taylor?

A. Yes.

Q. Now, the force commander gives his version of that fighting and that is a version which is at odds with your version. Yes, Mr Taylor?

A. Yes. To an extent, yes. Not very - not very much at odds, but there's some differences because I worked - I worked - I worked with ECOMOG extensively. I was the only factional leader left in Monrovia during that time. And so I spoke to most of the members of the international community, whether I was speaking to the Secretary-General. I spoke to the chairman of ECOWAS. I helped to oversee the ceasefire and the withdrawing of the men from Monrovia. So I disagree with his - with some of his accounts. Not all of them, but there's not a big, big difference. For example, like the infrastructure problem, we had disagreement.

What he does not mention in here, very sadly, is that the arms and ammunition used throughout the operation for the arrest of Roosevelt Johnson was provided by ECOMOG. ECOMOG provided the government with the arms and ammunition to carry out that arrest. He doesn't mention it in his report. So, you know, we don't have a big fuss about it, but there are some things left out and some accounts that are not - which is normal in reporting.

Q. And, of course, because of their concern about the status of the agreements and the peace process at this time, they do set out this mechanism for returning Liberia to the Abuja Agreement. And that mechanism begins - it is set out beginning on page 91 of this document.

A. Yes.

Q. The meeting requests all parties to immediately implement the following mechanism for reinstate being the peace process in Liberia. Under A, as it relates to Monrovia, "All parties must ensure the strict observance by their armed fighters of the ceasefire demanded by the chairman of ECOWAS throughout Liberia.

2. The immediate withdrawal of armed fighters from Monrovia simultaneously with the completion of the deployment of ECOMOG throughout the city.

3. The removal of all arms and ammunition from Monrovia to be verified by ECOMOG and UNOMIL and the reinstatement of Monrovia to the status of a safe haven. The return of properties to their rightful owners and ensuring the freedom of all citizens from arbitrary and arrest and abduction by armed elements."

The mechanism also included, if we turn to page 92, the return of all arms seized from ECOMOG troops during the attack on them in Tubmanburg, Bomi County, in December 1995. And you've already told the Court about the eventual return of those arms.

A. Yes.

Q. "6. The return of vehicles and equipment seized or looted from UNOMIL, United Nations and other humanitarian agencies in Liberia."

Then under B, "The Johnson Issue", the mechanism includes the following:

"3. Ensure the respect and equal treatment of all ethnic groups in Liberia;

4. Issue of an appropriate statement by General Roosevelt Johnson indicating his satisfaction with and preparedness to work along the lines of the present mechanism for peace and stability in Liberia."

Mr Taylor, to your knowledge did General Roosevelt Johnson ever issue such a statement?

A. Yes, to the best of my recollection, yes.

Q. "5. The provision of safe conduct out of the Barclay Training Centre (BTC) of armed elements of ULIMO-J and LPC to agreed areas outside Monrovia and the immediate disarming of armed AFL soldiers at the BTC."

Now under C in terms of disarmament, demobilisation and reintegration the mechanism included:

"3. Verifiable disarmament by all factions along with the creation of a new Armed Forces of Liberia on a non-tribal basis and with contribution of personnel from all factions.

4. Training of trainers of the new Armed Forces of Liberia."

Then finally under D, "Democratisation":

"1. Create the necessary atmosphere for the restoration of democracy in the country by ensuring the re-opening of newspapers and radio stations."

So during this fighting had newspapers and radio stations been shut down?

A. Yes. Not by government. They shut down for their own safety.

Q. Mr Taylor, how long did it take the process to recover

itself from the effects of this 6 April incident that resulted in all of this fighting and devastation?

A. By and large I would say - I would put it to about three - three, four months, if I recall. About three, four months or

13:17:59 thereabouts things were back to normal.

Q. We have talked about the fact that after the outbreak of fighting virtually all of the UNOMIL observers were withdrawn from Liberia, 15 remaining but ten on standby in Sierra Leone and only five in Liberia. You recall that?

13:18:38 A. Yes, I do.

Q. And we have ECOMOG pulling back into Monrovia to try to re-establish control over Monrovia at the time, yes?

A. Yes.

Q. Most of them had pulled back into Monrovia but there were

13:19:06 also some ECOMOG troops that were still deployed in Buchanan and Kakata, yes?

A. Yes.

Q. But most were in Monrovia?

A. Yes.

13:19:17 Q. By the end of May ECOMOG was able to report that 70 to 80 per cent of NPFL and ULIMO-K fighters had left the city, yes?

A. Yes.

Q. Although many remained on the outskirts of the city?

A. Yes.

13:19:33 Q. And as many as 4,000 NPFL fighters were reportedly assembled in Kakata, yes?

A. Yes, I would say that, yes.

Q. You had told the judges earlier that in fact one of your major units was there. What did you have assigned in Kakata at

this time; what unit or division or battalion?
A. In Kakata in 1996, that would be the marine division.
Q. At this time in the 1996 who would be the commander of that division?
13:20:16 A. That would still be - General Melvin Sogbandi would still be the commander of the marine division.
Q. Mr Taylor, at this time your army division, where was that?
A. I can't remember - the army division I think were deployed I would say around the Totota area, that's T-O-T-O-T-A, if I'm
13:21:07 not mistaken. I think the army division is about there. Because by this time we have - positions have really shifted. I think we're in the Totota area, the army division, if I'm not mistaken.
Q. And at this time in 1996 who was the commander of that division?
13:21:33 A. I cannot recall.
Q. What about the navy division you've told us about earlier? Where was that?
A. Navy division would have been under the command of General Roland Duoh.
13:21:47 Q. Where would they have been located at this time?
A. Navy would be in the Buchanan area, I would say. In the Buchanan area.
Q. And how long would General Duoh have been commander of the navy division at this time in 1996?
13:22:11 A. I can't be sure. Maybe a year. I'm not too certain.
Q. And what had his position have been before that?
A. He was in the navy probably as - I think he served as deputy chief of staff of the navy division for some time before becoming the chief of staff.

Q. Before you had told us also about a division I think you had called it your Strike Force division?
A. Yes, there was a Strike Force division.
Q. Where was that at this time in 1996?
13:22:44 A. I think Strike Force would have been back in the Gbarnga area. Going towards Gbarnga, Ganta, in that area would have been the Strike Force.
Q. And who would have been the commander? Who was the commander at that time?
13:23:03 A. I can't recall. It could have been - I can't recall who was the chief of staff. It's either General Eric Wongbay, that's W-O-N-G-B-A-Y. Either Wongbay or General Zach - I don't remember Zach's last name. It's one of them. I'm not too sure at this time.
13:23:39 Q. Roland Duoh, was he a Special Forces?
A. No, he was not.
Q. And General Wongbay, was he a Special Forces?
A. No, he was not.
Q. And Zach?
13:23:50 A. He was not.
Q. You had mentioned earlier also that you had an Executive Mansion Guard battalion. In May 1996 did you still have that battalion?
A. May 1996? No. By then we had put together the - we had a
13:24:12 special security unit put together not - we no longer had a battalion. We had trained security personnel.
Q. Did the special security unit perform the functions that your Executive Mansion Guard had performed?
A. I would say yes. Yes.

Q. And when did you create your special security unit?
A. I would say about beginning back in I would say about '94. About '94 we trained people to take care of the security functions in '94 and that continued. They came on to Monrovia
13:25:03 with me in '95. But at the battalion level we had removed that function and most of the functions were carried out by the security that were trained for para-security functions and not just military.
Q. When you say para-security functions, what do you mean by
13:25:25 that term?
A. Secret Service type functions. I would call them paramilitary individuals.
Q. And the commander of this position would have held what rank of this special security unit?
13:25:41 A. Not a military rank. He carried the rank of director. He carried a civilian title by this time.
Q. And this was still in existence in May 1996, this SSU?
A. No, we're talking about an SSS not an SSU. We trained a Secret Service unit, what we call the SSS. We came to Monrovia
13:26:07 with trained personnel that also combined with the SSS.
Q. So at some point you had an SSU and you combined it with the SSS?
A. No. At some point we --
Q. Or am I confused about terminology here?
13:26:25 A. No, at some point we had an SSS and we come to Monrovia and we combine with the national SSS.
Q. So your special security unit was actually designated your SSS?
A. Yes, but unit, I don't know why you keep introducing unit.

It was called an SSS.
Q. Because you said you had a special security unit, so that's why I'm asking you about it. But this was the SSS that you're referring to, is that correct?
13:26:54 A. That is correct.
Q. And who was your first director of the SSS?
A. The first director of the SSS was Urias Taylor, no relationship to me. A career Secret Service personnel of maybe some 35 years. He was the first director of the SSS.
13:27:14 Q. When did Benjamin Yeaten take over as director of the SSS?
A. Benjamin Yeaten took over as director of SSS - I would say about '97 he took over as director.
Q. Now, Mr Taylor, after this fighting had occurred in Monrovia and the fighting had subsided hostilities continued in
13:27:54 other parts of the country, isn't that correct?
A. Well, I would say - we're talking about May going on of 1996. Yeah, I would say minor squabbles, yeah, probably in the west and southeast. Yes, I would say so. Minor, but they did not result to any real problems after that.
13:28:24 Q. And fighting between your NPFL in the southeast was against the LPC, yes?
A. That's what I'm saying, yes. That's why I say it did not result to anything because Boley was right on the council. We established a working relationship and so those little squabbles
13:28:47 did not result to anything, yes.
Q. That fighting between your NPFL and the LPC in that area, at times it actually spilled over into Cote d'Ivoire, isn't that correct?
A. Not to my knowledge. Not to my knowledge, no.

Q. LPC at this time had its stronghold in Greenville, yes?
A. Yes.
Q. Greenville was a port?
A. That is correct.
13:29:16 Q. In what county?
A. Sinoe, S-I-N-O-E. Sinoe County.
Q. Now, Mr Taylor, in July we continued to have reports discussing the events that occurred in Liberia in April and May, yes?
13:29:52 A. Yes.
Q. That continued to be a topic of concern?
A. Yes.
Q. And in July 1996 these events and the situation in Liberia was once again a topic for the OAU, correct?
13:30:16 A. Yes, I would say so, yes.
Q. And if we look at page 96 of MFI-276 --
PRESIDING JUDGE: I think before we go to that page, we'll take the lunch hour, Ms Hollis. We'll adjourn now and reconvene at 2.30.
13:30:37 [Lunch break taken at 1.30 p.m.]
[Upon resuming at 2.30 p.m.]
PRESIDING JUDGE: Yes, please go ahead, Ms Hollis.
MS HOLLIS: Thank you, Mr President:
Q. Mr Taylor, before we broke for lunch, we were about to look
14:32:54 at the resolution which issued from the 64th ordinary session of the Council of Ministers of the Organisation of African Unity at page 96 of MFI-276. You recall, Mr Taylor?
A. Yes.
Q. And if we can look at this, looking at the point that

begins:

"Noting with regret, the tragedy that has engulfed Liberia and the serious threat posed to the Abuja Agreement by the recent outbreak of heavy fighting in Monrovia resulting in unnecessary loss of lives, destruction of property, and looting of properties of international organisations, including the UNOMIL and other UN agencies, NGOs and humanitarian organisations.

Deeply concerned by the tragic humanitarian consequences arising from the new breakdown in the ceasefire, compelling thousands of civilians to flee their country under very precarious conditions.

Noting with appreciation the initiative and actions taken by the current chairman of ECOWAS and President of the Republic of Ghana, His Excellency Flight Lieutenant Jerry John Rawlings, the Committee of ECOWAS Ambassadors in Liberia and the United States government which secured a ceasefire in the fighting in Monrovia and saved the beleaguered Liberian nation as well as offered the parties to the Liberian conflict the renewed opportunity to implement the provisions of the Abuja Agreement.

Welcoming the initiatives taken by the United States government in setting up the International Contact Group on Liberia and hoping that the relations between ECOWAS and the contact group will be strengthened in the interests of the Liberian people;

Conscious of the fact that the restoration of peace in Liberia is the primary responsibility of Liberians themselves, especially the leaders of the warring factions, who should place the interest of their people and country above their personal ambitions;

Welcomes the initiatives of the current chairman of ECOWAS and the leaders in the sub-region, as well as the efforts of the United States of America, which secured a ceasefire in the heavy fighting in Monrovia and re-established the status of Monrovia as a safe haven;

Fully endorses the decisions taken by the 7th Ministerial meeting of the ECOWAS Committee of Nine on Liberia, including the actions the warring factions should take between now and the next ECOWAS summit in order to put back on track the peace process as recommended by the Abuja Agreement."

Then if we move to the next page, page 97:

"Welcomes and sports ECOWAS decision not to recognise any Liberian government which comes into office through the use of force or violence in violation of the Abuja Agreement;

Urges all Liberian warring factions and the Liberian National Transitional Government (LNTG) to cooperate fully with ECOMOG and scrupulously respect the mandate assigned to it with the aim of infusing a new breath into the disarmament, demobilisation and fighters' re-integration operations as set out in the Abuja Agreement."

Further down:

"9. Reiterates the urgent need for the international community to scrupulously comply with the arms embargo imposed on the warring factions by the United Nations Security Council Resolution 788.

12. Warns the Liberian warring factions leaders that should the ECOWAS assessment of the Liberian peace process during its next summit meeting turn out to be negative, the OAU will help sponsor a draft resolution in the UN Security Council for

the imposition of severe sanctions on them, including the possibility of setting up of a war crime tribunal to try the leadership of the Liberian warring factions on the gross violation of human rights of Liberians.

14:37:51 13. Reiterates the call on the Liberian warring factions by the ECOWAS and the international community to return all items looted from Monrovia during the recent round of fighting in April 1996 to their rightful owners, especially the UNOMIL, NGOs and other international organisations or make full restitution to

14:38:18 them."

So, Mr Taylor, the OAU continued its concern about the consequences of the actions in April 1996 and as a result issued this resolution, correct?

A. That is correct.

14:38:34 Q. And the international community continued to express its concern over those events, if we look at the final communique coming from the 19th ordinary session of the Authority of Heads of State and Government of the Economic Community of West African States, and this was done at Abuja, and the session was held

14:39:04 26-27 of July 1996. This begins on page 98 of MFI-276. If we look at page 99, under "Regional Peace and Security", paragraph 4:

"The Heads of State and government reviewed the Liberian crisis within the context of regional peace and security. The

14:39:35 authority lauded the patient and persistent efforts of its chairman and the ECOWAS Committee of Nine at the implementation of the ECOWAS peace plan for Liberia. Heads of State and government expressed regrets that the hopes raised by the Abuja Agreement in August 1995 were dashed through the failure of the

leaders of the Liberian warring factions to honour their pledge to submit their troops to disarmament and demobilisation.

The authority condemned the outbreak in April 1996 of hostilities in Monrovia, which involved all the warring factions, thus ending the ceasefire and depriving the city of Monrovia of its safe haven status. The Heads of State and government deplored the loss of lives and property, the reign of terror while the fighting lasted, and above all, the severe blow to the peace process. The authority praised the ECOMOG field commander and his forces for ending the mayhem and re-establishing Monrovia as a safe haven and relative calm to Liberia. Particular mention was made of the Accra mechanism, which seeks a return to the implementation of the Abuja Agreement."

So this was a very serious matter, both within ECOWAS and beyond, yes, Mr Taylor?

A. Yes. It was a serious matter in Liberia too, yes.

Q. And the consequences to the peace process were very grave?

A. I would say so, yes.

Q. Now, Mr Taylor, at this meeting that we just read the final communique issuing from, this meeting in Abuja, 26-27 July, the chairman of the Council of State was present at that meeting, yes?

A. I would - I don't see the --

Q. To assist you, Mr Taylor, if we look at page 98, we see the second from the bottom showing that the chairman of the Council of State was present at the meeting. Do you see that, Mr Taylor?

A. Still trying to find it. I take your word for it.

Q. Sorry. If you look at page 98, left column, second name up from the bottom?

A. Yes, okay.
Q. Yes, Professor Sankawulo, yes.
Q. The other members of the Council of State did not attend that session, correct?
14:42:34 A. No, just the chairman.
Q. But in fact, you and other members had a meeting with General Abacha some days later, did you not?
A. With General Abacha?
Q. Yes.
14:42:53 A. Yes, I think we - yes.
Q. And you were able to discuss the issues with General Abacha at that time?
A. Yes. I can vaguely recall that. I can vaguely recall that.
14:43:09 Q. Now, again in August 1996, the situation in Liberia and the current status of the peace process there was the subject of a meeting in Abuja. Do you recall that, Mr Taylor?
A. Yes, I do.
Q. And that meeting was held from 15-17 August, and it was the
14:43:36 8th meeting of Ministers of Foreign Affairs of the ECOWAS Committee of Nine on the Liberian crisis. And if we look at page 100, we see the beginning of the final report that was issued as a result of that meeting. Yes, Mr Taylor?
A. Yes.
14:43:56 Q. You have that before you?
A. Yes, I do.
Q. Now, if we look at page 101, we see under number 5, the Field Commander of ECOMOG, Major General Victor S Malu attended the meeting. So by this time there had been a change of command

at the top of ECOMOG, yes?
A. Yes.
Q. And it was indeed General Malu who succeeded the prior force commander?
14:44:27 A. Uh-huh. Yes.
Q. And we see that the meeting was chaired by the Honourable Chief Tom Ikimi, Minister of Foreign Affairs of the Federal Republic of Nigeria, yes?
A. Yes.
14:44:40 Q. And if we look at section 3 under the opening session, paragraph 8, where the chairman of the meeting, Chief Ikimi, expresses appreciation and gratitude to the personalities and institutions that have contributed in various ways to the search for a lasting and durable peace in Liberia?
14:45:09 "9. Chief Ikimi suggested that the meeting should discuss a new reasonable time frame within which a revised Abuja peace plan can be implemented. This, in his view, should be backed by the introduction of a set of guarantees that would ensure strict compliance with the new schedule of implementation and other
14:45:31 relevant aspects of a revised peace plan."
So in this meeting they are once again going to try to re-establish the time frame so that there will be a possibility of meeting the new time frame, yes?
A. Yes.
14:45:48 Q. "10. To this end, the Honourable Minister noted that the meeting should explore ways of ensuring full commitment to the Abuja peace plan and its faithful implementation by all parties to the Liberian conflict, based on an agreed revised time frame. There was also a prime need to examine the means of strengthening

ECOMOG so that it could effectively discharge its peacekeeping responsibility."

And again looking to the international community:

"Chief Ikimi felt that it was time for the international community to give some assurance that it intended to fulfil its pledges of support to ECOWAS by providing logistic and financial aid to ECOMOG and to other needy areas in Liberia."

Then if we look at paragraph 12, Chief Ikimi continues:

"In view of the lack of firm commitment to the faithful implementation of the terms of successive agreements signed by the warring factions over the years, Chief Ikimi urged that serious consideration should be given to adopting a set of measures that might be invoked should any party or individual fail to comply with the revised peace agreement. In this connection, it would be necessary to put in place a monitoring mechanism that would carry out a periodic assessment of compliance with the plan."

Then if we look at paragraph 14:

"The ECOWAS executive secretary, Mr Edouard Benjamin, stated that the Abuja Agreement had heralded much hope and expectations because the signatories gave assurances that they alone could disarm their combatants and restore peace to their country, as they were the only ones who had the necessary influence over their armed fighters. On the contrary, events since then had led to serious doubts about the avowed willingness of the Liberian faction leaders to find a peaceful resolution to the crisis tearing their country apart in the supreme interest of the ECOWAS sub-region in particular and African solidarity in general.

15. The executive secretary noted that ever since the community declared its firm resolve not to recognise any factional leader who took over power by force, there had been outpourings of empty promises from some of these leaders. The fact remained, however, that the Liberian factions and the Council of State must comply with the provisions of the Abuja Agreement if a solution to this six-year old crisis was not to become a mirage."

If we look at paragraph 17, where the Minister of Foreign Affairs of the Republic of Liberia, Mr Momolu Sirleaf, makes a statement that the Abuja Agreement had not only accommodated, to the greatest extent possible, the interests of all the contending parties to the conflict but had also brought together the key players in a partnership with each other and with ECOMOG in the search for peace.

And if we look at paragraph 19:

"The Foreign Minister said that it has become crucial to sustain the current positive momentum in the peace process by strengthening ECOMOG to enable it expand its capacity to deploy throughout the country during the transitional period. In this connection, he appealed to ECOWAS member states that had not yet done so to commit troops or other equally vital resources to ECOMOG in the supreme interest of the ECOWAS sub-region in particular and African solidarity in general."

Now if we look at paragraph 20, we have an up to date report that is delivered by the newly appointed ECOMOG field commander, Major General Victor S Malu, and he gave this report on the military and security situation in Liberia. Major General Malu, he was from what country?

A. Nigeria.
Q. And how long did he remain the field commander for ECOMOG in Liberia?
A. I would say - well, throughout the elections in July, I would say until about late '97, early '98 or thereabouts. But he was there throughout the electoral process.
Q. "He said that while ECOMOG has successfully completed the task of restoring Monrovia to its safe haven status, there was a worrisome development of harassment, abductions and assassinations of civilians belonging to rival factions or ethnic groups. Another potential source of escalating tension and insecurity was the division of the city along factional lines. In order to address the acts of violence, ECOMOG continued to show presence in the city and its environs to instill confidence and a sense of security in the citizenry.

In his report, the special representative of the UN Secretary-General, Ambassador Anthony Nyakyi" - now, Mr Taylor, do you know when did Ambassador Nyakyi become the special representative of the UN Secretary-General relating to Liberia? Do you know that?
A. No, I really don't know. I can recall he replaces I think Gordon-Somers. When that begins, I cannot recall right now.
Q. Do you know for what period of time he remained the special representative of the Secretary-General?
A. Yeah, I think throughout '97 he was still there, to the best of my recollection.
Q. And when he left, was he replaced by anyone?
A. Yes, he was replaced by - Downes-Thomas came in after Nyakyi, to the best of my recollection.

Q. And do you remember when it was that representative of the Secretary-General Downes-Thomas came in?
A. No, I cannot recall the year, but the timeline between - I would put it between '97/'98.
14:53:42 Q. "In his report, the special representative of the UN Secretary-General, Ambassador Anthony Nyakyi, stated that the primary incentives for the factions to disarm their fighters ought to be the desire to achieve peace and to end the suffering in the country. Yet, the factions have continued to be
14:54:00 uncooperative. Efforts by the humanitarian community to secure safe passage for the delivery of relief assistance has failed. These factions were beginning to raise doubts in many quarters of the international community as to whether there had truly been a change of attitude on the part of the faction leaders.
14:54:24 22. Ambassador Nyakyi observed that, given the faction leaders' track record of consistent failure to implement past agreements, it would be very difficult to convince the international community of their sincerity to honour any new promises they make, unless the faction leaders took concrete
14:54:47 action to begin the process of implementing the measures as a demonstration of their renewed commitment.
23. He outlined several conditions which had to be met by the faction leaders as proof of their sincerity before the international community could be encouraged to provide assistance
14:55:08 for the revived peace process. Ambassador Nyakyi attributed the inadequate response of the donor countries to redeem their pledges of assistance to the uncooperative attitude of the faction leaders."
Then if we look at the outcome of the deliberations, under

"Assessment of the implementation of the Accra mechanism," paragraph 26:

"Conclusions adduced from reports of the situation on the grounds showed that:

Contrary to the unilateral undertaking of the council members and despite the fact that all members were physically present in Monrovia, the council had not yet sat and had consequently not returned to its role of governance over the territory of Liberia since April 1996;

There was a general feeling of insecurity within the city following recent cases of harassment, abductions and killings of civilians;

There was a continued violation of the ceasefire as fighting was still ongoing in certain parts of Liberia;

The city of Monrovia was itself invisible divided along factional and ethnic lines;

Although there was initial resistance by faction leaders to implement the withdrawal of armed fighters and their weapons from the city, a substantial withdrawal of armed fighters had been achieved;

Once the withdrawal of the forces had been substantially achieved, ECOMOG was able to effectively deploy its troops throughout Monrovia;

There was a studied reluctance on the part of the armed factions to disarm;

The weapons seized from ECOMOG in December 1995 by the ULIMO-J faction in Tubmanburg had not been returned" as of this report.

27. Despite the fact that certain critical measures for

peace remained largely unimplemented, the meeting noted that some progress had indeed been made in returning peace and stability to the city of Monrovia. The lack of full implementation of the mechanism meant that some form of pressure had to be exerted on the faction leaders to ensure compliance."

14:57:56

And then under the section "Extension of the Abuja Agreement of August 1995," paragraph 29:

"It was reaffirmed that the Abuja Agreement remains the best and last framework for finding durable peace in Liberia and should thus be retained in its entirety."

14:58:20

And it is noted that elections would now be scheduled to be held on or about 31 May 1997.

Now, under the section "Exploring methods to ensure compliance by the Liberian parties with the peace plan," these are some of the methods that are set forward. If we look at paragraph 32:

14:58:48

"The meeting noted that the Liberian crisis had persisted this long because the success of earlier peace plans had over depended on the good will of the Liberian parties.

14:59:12

33. Since the requisite goodwill had been lacking, it was strongly felt that ECOWAS needed to put in place adequate measures that would ensure compliance by all the parties. Such measures, which would be invoked against any defaulting party, may include: Travel and residence restriction; freezing of

14:59:41

business activities and assets in member states; exclusion from participation in the electoral process; restrictions on the use of air space and territorial waters of member states; expulsion of members of the families of the Liberian leaders and their associates from the territories of member states; request for the

UN Security Council to impose visa restrictions; restrictions on imports from Liberia; invoke the OAU 1996 summit resolution which calls for the establishment of a war crimes tribunal to try all human rights offences against Liberians.

15:00:36 34. Considering the fact that a new schedule of implementation would eventually be adopted by the parties, the meeting felt that the above measures should not be implemented immediately; but rather, should be imposed against those who would impede the implementation of the new schedule.

15:01:02 Measures that could immediately be put in place would include non-recognition of any government that might come to power by force of arms, ensuring compliance with the arms embargo, and mandating ECOMOG to deal decisively with any recalcitrant faction."

15:01:26 Now, again we have concerns about the arms embargo, and if we look at paragraph 36:

"To ensure observance of the arms embargo, countries bordering Liberia were urged to adopt all measures necessary to stop the flow of arms from their territories into Liberia. In

15:01:46 this regard, the meeting noted with appreciation the steps taken by the Republic of Cote d'Ivoire."

Do you know what steps they are referring there to, Mr Taylor?

A. No, I don't.

15:02:04 Q. Now, you have said that in 1994 and 1995 your NPFL was not receiving weapons that were brought in from outside of Liberia. In 1996, Mr Taylor, you were receiving weapons from outside Liberia, were you not?

A. 1996? No.

Q. Now, if we look at paragraph 37:

"To stop the air lift of arms into Liberia, the meeting considered it necessary that ECOMOG should ensure that only airports under its control were operational.

15:02:49 38. In order to maintain constant pressure on the Liberian leaders, the ministers suggested that the ECOWAS chairman should set up an independent monitoring committee."

Mr Taylor, do you know: Was such an independent monitoring committee set up by the ECOWAS chairman?

15:03:11 A. No. I don't think that that happened, no. They relied, to the best of my recollection, on the local monitoring group set up by the factions. I don't recall them setting up a separate independent monitoring committee. I don't recall.

Q. And then if we look at the section entitled, "Assessment of

15:03:36 the Performance of the Council of State", paragraph 39:

"The meeting assessed the performance of the six-man Liberian Council of State from the date of its installation and reached the consensus that the council had performed well below expectation. It was also felt that a stronger and more

15:03:56 purposeful leadership of the council could have enable it perform better and also achieve cohesiveness within the council and in particular and the LNTG in general.

40. The meeting agreed to the appointment of Mrs Ruth Perry, a former Senator of the Republic of Liberia, as the new

15:04:20 chairman of the Council of State."

So it was at this time in August that Ruth Perry was chosen to be the chairman?

A. Yes.

Q. "However, if in future any council member is found wanting,

the Committee of Nine should be empowered to effect a change, either in accordance with the original procedure, or through other methods as the committee may consider appropriate.

In addition, the ministers suggested the immediate imposition of a code of conduct to which council members and the LNTG would be subjected, and this could be used as a yardstick for assessing their performance individually and collectively. Any breaches in the observance of the code would attract appropriate sanctions by the Ministerial Committee of Nine on Liberia."

And then if we look at the status of Monrovia:

"The meeting recalled that the safe haven status of Monrovia had been dealt a serious blow by the wave of widespread violence that engulfed Monrovia in April and May 1996."

Mr Taylor, had Monrovia had safe haven status throughout the conflict, to your knowledge?

A. I would say yes, because a lot - in fact, Monrovia grew to about a million. I would say about, yes. Pronounced as a safe haven, I would put it to about '96. Unannounced generally, I would say yes.

Q. "Renewed fighting in the city, accompanied by widespread looting and destruction of property, compelled the Committee of Nine to mandate ECOMOG to restore Monrovia to its original safe haven status. Although ECOMOG had successfully achieved this objective, the meeting expressed grave concern over the recent developments characterised by incidents of harassment, abductions and assassinations of civilians belonging to rival factions or ethnic groups. The meeting also deplored the emerging trend of partitioning the city along factional lines, given the attendant

potential for tension and insecurity.

The meeting expressed satisfaction with the steps taken by ECOMOG to secure a state of relative calm in Monrovia and further advised that ECOMOG intensify its operations by enforcing such measures as cordon and search, determining the limits of convoys and security guards, compelling government officials to use official residences, and any other measures that would guarantee the true status of a safe haven for Monrovia and its environs."

Mr Taylor, you indicated that during this time you were in Monrovia as a member of the Council of State, yes?

A. That is correct.

Q. So when they speak here of enforcing such measures as cordon and search, what did ECOMOG do to carry out these cordon and search measures in Monrovia, if you know?

15:07:52 A. Yes. They would identify areas, surround them and search the property to make sure that while the search was going on no one would leave the search area or enter. That's what they did.

Q. And when they talk about compelling government officials to use official residences, did that happen?

15:08:18 A. Not really, no, not really. The council - these are all things that were agreed upon by the council, even though it's being reported this way. No, they didn't have to compel anyone to leave a certain residence or that, no. That really didn't happen.

15:08:36 Q. Did the members of the council have official residences?

A. No. Each person had his private area. There was no official residences provided by government, no.

Q. Now, you have told the judges that you came to Monrovia sometime in 1995, yes?

A. That is correct.
Q. What period of 1995 was it?
A. I would say - I'd put that to around the last half of 1995 that I came to Monrovia.
15:09:08 Q. And while you were in Monrovia as a member of the Council of State, where did you live in Monrovia?
A. I first come in Monrovia, and I lived at a property just opposite the United States embassy compound in Monrovia at Mamba Point. I remained there for several months going into 1996, and
15:09:39 then I move to a property next to what is now still called the German embassy. The building is now - was used before by the Chinese embassy. But my first residence is opposite the US embassy, directly opposite the gate.
Q. And these were private residences?
15:10:00 A. Yes.
Q. Or were these paid for by the transitional government?
A. No, they were not paid for by the transitional - they were private.
Q. Now, Mr Taylor, when we talk about redeeming pledges from
15:10:33 the international community, which we find on page 106:
"The ministers were informed that although several countries made pledges during a New York pledging conference for Liberia, most of which were for humanitarian assistance and all such donations were alleged to have gone to the humanitarian
15:10:57 agencies on the ground in Liberia. In addition, most of the donor countries had made bilateral arrangements to assist some member states. Consequently, nothing had been received by the ECOWAS executive secretariat."
Now, Mr Taylor, did you have any awareness of how this

assistance from members of the international community was coming into Liberia? Did you have an understanding of that at this time?

A. No, I had no knowledge of the details, but there were always cries about not having the maze. I think what ECOWAS had asked for was some of the assistance to be put directly through ECOWAS and the secretariat, but the donor countries were giving the assistance through international NGOs, and in some cases, you know, directly through some of their missions accredited near Monrovia. And I think that was the little problem that the secretariat of ECOWAS felt that was not right for them.

Q. Now, if we look at strengthening ECOMOG, page 106, paragraph 50:

"The meeting unanimously agreed that strengthening ECOMOG in terms of manpower and logistics was crucial to the effective discharge of its peacekeeping responsibilities.

51. It was noted that the projected manpower requirements that would constitute an overwhelming presence to hold elections in Liberia stood at 18,000 troops."

So again we are talking about what would be required for this upper limit, this overwhelming presence, and that's the 18,000; yes, Mr Taylor?

A. Well, counsel, yeah. We just were told that there would be 18. That's why I've been quoting it, yes.

Q. And they set out the fact that some ECOWAS members had indicated their willingness to contribute troops to boost the strength of ECOMOG, and they set out expected contributions in that paragraph 51.

"53. The ministers expressed appreciation to the US

government for its $30 million assistance package to ECOMOG. An American-based company, Pacific Architects Engineering (PAE), was already fully established in Monrovia to execute and oversee all the US government support to ECOMOG."

15:13:41 Now, the next section that they dealt with was restructuring of the armed forces, the police and other security institutions.

"54. The meeting expressed grave concern that security agencies in Liberia have deep factional affiliations and in
15:13:58 particular, the police had been infected with fighters and unqualified personnel at the highest possible level. This state of affairs had eroded the confidence and sense of security in the citizenry.

With a view to establishing a credible security apparatus
15:14:17 for post-election Liberia, the meeting endorsed the proposal to restructure the armed forces, the police and other security institutions to reflect geographical and ethnic balance.

To this end, the meeting advised that the offer of the British government to sponsor the 'train the trainers' programme
15:14:41 should therefore be taken up. Alternatively, ECOWAS should look into the possibility of obtaining the required assistance from countries in the sub-region."

And then under "Return of arms seized from ECOMOG," the meeting again takes up this concern about the ULIMO-J seizures
15:15:07 which they had not yet returned and they called for the immediate and unconditional return of these weapons to ECOMOG and said that severe sanctions should be applied against the ULIMO-J faction and its leader if the arms were not returned within a time frame to be stipulated by the Head of State. And they also address the

return of assets looted from the UN and international non-governmental organisations:

"Special representative of the UN Secretary-General in Liberia, Ambassador Anthony Nyakyi, informed the meeting that almost 500 vehicles were looted by the Liberia factions from the UN and its agencies and from the international NGOs during the April 1996 crisis in Monrovia.

These vehicles and other looted equipment had still not be returned to their rightful owners despite repeated appeals to the factions and their leaders.

The meeting called for an immediate release of all looted items and suggested that faction leaders should be held responsible for any vehicles or equipment looted by their men. The assistance of neighbouring countries and any other country to which any of such looted vehicles may have been driven was sought in identifying, confiscating, and returns them to their rightful owners."

So as of this point in time, that looted material and those looted goods had not been returned, is that correct, Mr Taylor?

A. That is correct.

Q. And at least in regard to the 500 vehicles of course in paragraph 59 you will note that they are talking about the 500 vehicles looted by the Liberian factions from the UN and its agencies.

Under the "Humanitarian situation in Liberia," paragraph 63:

"The meeting directed all warring factions to guarantee unconditionally the right of civilians to move freely, to seek safety and assistance and their right to receive assistance free

from reprisals or retribution;

To commit themselves to upholding the UN Convention on the Rights of the Child, in particular those aspects relating to child soldiers, children affected by the conflict and the right of children not to be forcibly separated from their parents;

To adhere to and demonstrate their support and commitment to the Geneva Convention and protocols and international humanitarian laws."

So, Mr Taylor, a fairly comprehensive meeting to discuss this situation, yes?

A. Yes.

Q. As a result of this meeting was created the supplement to the Abuja Agreement. Is it true that sometimes people refer to this as Abuja II?

A. That is correct, yes.

Q. And this supplement came about on 17 August 1996, correct?

A. Yes.

Q. And in fact, Mr Taylor, you are one of the signatories to this supplement, isn't that correct?

A. That is correct.

Q. We see your signature on page 109. Correct?

A. That is correct, yes.

Q. And if we look at page 111, we see the revised schedule of implementation of the Abuja Agreement. So this is something that had been agreed upon by the factions, Mr Taylor? This is the revised schedule on page 111.

A. That is correct.

Q. So as of August 1996 we have General Malu who is now in command of ECOMOG?

A. That is correct.
Q. And also in August we have a small supplement to the military observers in Monrovia, five additional military observers being redeployed so that at this point in time we now
15:20:05 have ten military observers. Do you recall that, Mr Taylor?
A. No, not the - that was internal to them. I don't know that detail.
Q. Now, Mr Taylor, on 17 August 1996 we have a final communique for the 4th meeting of Heads of State and Government
15:20:29 of the ECOWAS Committee of Nine on the Liberian crisis. Now, Mr Taylor, that is at page 112 of MFI-276. We see here again under paragraph 3 that the President of the Council of State of the Liberian National Transitional Government, listed as Wilton Sankawulo, is present at this meeting on 17 August?
15:21:05 A. Yes. We are going back a little bit, yes. But that's true, yes.
Q. So this is before Ruth Sando Perry had actually taken over?
A. That is correct.
Q. And in this meeting actually the Heads of State set out the
15:21:22 revised schedule that shall be undertaken before the elections, and that's at paragraph 10 of page 113, yes?
A. Yes.
Q. And actually, if we go to page 116, we see decision HSGC9-1/8/96 relating to sanctions against persons who violate
15:22:02 the ECOWAS peace plan, yes?
A. Yes.
Q. And if we look at page 117, we see the sanctions set out on that page in Article 1, yes? And these are the sanctions that we had seen in the other document, yes?

A. Yes, that's correct.

Q. And Article 3 indicates:

"This decision shall enter into force upon signature and shall be published by the executive secretariat in the official journal of the community within 30 days of signature by the chairman of authority."

And this was done at Abuja, the 17th day of August, and it is signed by His Excellency General Sani Abacha, chairman, for Committee of Nine on Liberia.

15:23:25 Now, if we look at page 118, there is another decision relating to the implementation of the arms embargo in Liberia. At 118, the Heads of State and Government of the Committee of Nine on Liberia decides:

"Article 1: All persons in Liberia, including members of 15:23:49 the Council of State, the Liberian National Transitional Government and all other government officials shall be subject to search by ECOMOG to prevent smuggling of arms and ammunition into the country.

Article 2: Member states shall do everything possible to 15:24:06 ensure strict observance of the arms embargo.

Article 3: Member states sharing a common border with Liberia shall adopt necessary measures to guarantee constant surveillance of their borders, including the closure of such borders to stop the flow of arms to and from their territories.

15:24:30 Article 4: The ECOWAS ceasefire monitoring group (ECOMOG) shall ensure the strict surveillance of the coastal areas of Liberia and is hereby authorised to arrest, seize, and confiscate any vessel contravening the arms embargo.

ECOMOG shall ensure that only the airport which it can

effectively control are operational.

Article 5: Members states shall, in collaboration with the executive secretariat, assist in identifying the suppliers of arms and ammunition to Liberia and report them to the United Nations sanctions committee for appropriate action."

15:25:12

Article 7 indicates that the decision shall enter into force upon signature and shall be published by the executive secretariat in the official journal of the community within 30 days of its signature by the chairman of authority. This is also signed on the 17th day of August by His Excellency General Sani Abacha, yes, Mr Taylor?

15:25:37

A. Yes.

Q. On page 119 we also see a code of conduct for members of the Council of State of the Republic of Liberia. Was this code of conduct in place for the members of the Council of State throughout the period prior to the election?

15:25:58

A. Yes.

Q. If we look at paragraph 4:

"The provisions of this code shall be binding on all members of the council. Noncompliance shall be considered as an act designed to place an impediment on the smooth implementation of the revised schedule of implementation and capable of derailing the Abuja Peace Agreement. Such act and conduct may consequently attract any of the penalty prescribed by ECOWAS. Accordingly, members of the council are expected to uphold the required level of behaviour in the conduct of their public office."

15:26:21

15:26:42

On page 120 under "Other members of the Council of State" it sets out what the members of the Council of State shall be

expected to do, yes?
A. Yes.
Q. And those include such things as:
"(iv) refrain from using the title 'collective presidency' in reference to themselves. As a body the Council of State should provide leadership on all matters of state and accord the chairman of the council the status and respect befitting her appointment as aforementioned.
(vii) refrain from making unilateral appointments that are clearly against the agreed formula for the distribution of offices.
(ix) be transparent and accountable in all official actions and undertakings, especially those dealings with financial matters.
(xii) refrain from all actions and act that will encourage the creation and maintenance of private armies or security outfits throughout Liberia.
(xiii) desist forthwith from the importation of arms and ammunition into the country in compliance with UN resolution on arms embargo."
So these are some of the behaviours and conduct that was expected of the members of the Council of State, yes, Mr Taylor?
A. Yes.
Q. Then if we look at page 121, "Measures in response to the violation or breach of the code of conduct." It basically indicates:
"Where a member or members of the council are adjudged to be in breach of the provisions of the code of conduct for members of the LNTG and in particular any act which impedes the

implementation of the Abuja Agreement, appropriate steps shall be taken by the chairman of ECOWAS to invoke any or all of the following measures against such individuals or group of persons."

Then it sets out the measures that we have talked about before, yes, Mr Taylor?

A. Yes, it does, yes.

Q. Including such things as travel and residence restrictions and in 8 it indicates:

"The aforementioned measures are similarly applicable to the non-council members and to individuals or groups of persons who may be found liable for acts capable of impeding or derailing the peace process."

Yes, Mr Taylor?

A. Yes.

Q. A fairly comprehensive code of conduct was laid out at that time.

So, Mr Taylor, if we are looking at the end of the August, by the end of August ECOMOG had been able to retake control over Monrovia, isn't that correct?

A. Yes, I would say that, yes.

Q. And its environs as well?

A. Yes.

Q. And do you recollect at that time ECOMOG was deployed to Kakata, Po River and Buchanan as well, yes?

A. Yes.

Q. However, at that time fighting was still ongoing in Liberia?

A. Yes. Some parts, yeah.

Q. And in fact, wasn't it in August of this year that your

NPFL captured the port of Greenville from the LPC?
A. Did you say August of this year? You mean --
Q. 1996?
A. Of 1996. Yes. Yes, I think it was about this time there
15:31:05 was some fighting in that area, yes.
Q. Now, there had been much discussion after the events of
April in Monrovia - much discussion about strengthening ECOMOG.
But in fact by the time we reach October 1996, ECOMOG had only
about 7500 troops in Liberia, isn't that correct?
15:31:27 A. I don't know the exact numbers, counsel. I really don't
know the strength.
Q. It's less than 10,000 at that time; would you recall that?
A. No, I do not. I do not recall the numbers. I have
problems, not with the presence. The figures, I don't - I really
15:31:49 don't know, counsel.
Q. That's fair. Do you recall at that time that there were
still only about ten UNOMIL military observers in Liberia?
A. I don't know. I know there were a few. I don't know the
numbers. No, I don't.
15:32:06 Q. Had you been informed at that time in October 1996 that 24
additional UNOMIL were expected to arrive in October?
A. I don't recall. I don't recall.
Q. That would have moved their numbers up to about 35. Do you
recall also around this time that it was decided that the total
15:32:31 number of UNOMIL military observers who would be sent to Liberia
would not exceed some 92 observers? Were you aware of that at
the time?
A. No, I was not aware.
Q. And, of course, that revised number was much lower than the

303 that initially came into the mix?
A. Yes.
Q. And even the revised estimate for 160 some, yes?
A. Yes.
15:33:01 Q. Now, in November 1996 ECOMOG still had a troop strength of much less than the 18,000; much less than 12,000, yes?
A. I really don't know. I really don't know the strength.
Q. And during November, even though some strides had been made in the security situation, ECOMOG's priority continued to be the
15:33:32 security of Monrovia, yes?
A. Yes. I would say that, yes.
Q. But at the same time, they were also still deployed at Po River, Buchanan, and Kakata as well as Monrovia; do you recall that?
15:33:47 A. Yes, I do.
Q. Now, Mr Taylor, in November 1996 we have the 9th meeting of the Ministers of Foreign Affairs of the ECOWAS Committee of Nine on the Liberian crisis again talking about the situation in Liberia. If we could look at page 121, please, of MFI-276. This
15:34:21 was actually held in Monrovia, 8-9 November 1996?
A. That is correct.
Q. And there is a final report issued. In the opening session at paragraph 7, the chairperson of the Council of State, her Excellency, Mrs Ruth Sando Perry, makes remarks. At the end of
15:34:52 her remarks, she assures the meeting that the entire Council of State and the people of Liberia maintained a strong conviction that the Abuja Peace Agreement provided the best framework for the resolution of the Liberian conflict. She admitted that some level of success had been achieved, while certain difficulties

will remain in the implementation of the revised schedule of the Abuja Agreement.

Mr Taylor, were you present at this meeting?

A. No.

15:35:24 Q. Or was she the representative of the council?

A. She --

Q. Did he report back to the council about this meeting?

A. Oh, definitely.

Q. "On the forthcoming elections Mrs Ruth Perry, while

15:35:41 underscoring the impracticability of holding free and fair elections in the midst of general insecurity and fear, stated that disarmament was a priority precondition for elections and subsequent restoration of durable peace. She further stated that the transparency of national institutions responsible for the

15:36:03 execution of the elections remained a crucial element of ensuring the credibility of the process and acceptability of the results."

She also reported about her visit to the UN headquarters in New York, yes?

A. Yes.

15:36:15 Q. And that she had held discussions with the United Nations Secretary-General and other groups within and outside the United Nations system, including discussions with Liberians residing in the United States on developments in Liberia, especially on the Abuja Agreement and the implications of the revised schedule on

15:36:34 the peace process. So she talked about that at this meeting?

A. Yes.

Q. And then if we look at paragraph 13, we have the remarks of Chief Tom Ikimi and on disarmament of the warring factions, he noted that without prompting, the faction leaders had pledged to

commence voluntary disarmament with effect from 1 August, to be concluded by the end of September 1996. So had you and other faction leaders made that pledge?

A. Yes.

15:37:18 Q. And then if we move to page 124, Major General Malu also presented a report on ECOMOG operations in Liberia covering the period from 17 August to date, yes?

A. Yes.

Q. And he also, at paragraph 36 on page 125, presented the

15:37:47 report of the 14th meeting of the Chiefs of Staff of ECOWAS member states, and he highlighted the outcome of their deliberations, yes?

A. Yes.

Q. And he indicated that all member states present who had

15:38:04 pledged to contribute troops to ECOMOG had reaffirmed their pledges, and that a total of 2,249 men were promised to ECOMOG from member states and would be deployed as soon as the required logistics were supplied. So again we have this ongoing issue of logistics; yes, Mr Taylor?

15:38:28 A. Yes.

Q. And if we look at page 126, (iii):

"The Chiefs of Staff expressed their deep disappointment with the constant violations of the ceasefire and human rights abuses and suggested that the faction leaders should be held

15:38:51 responsible for these violations. The Chiefs of Staff proposed the imposition of appropriate sanctions after all the due processes of investigations and confirmation of proven guilty had been established. This would undoubtedly reassure the international community of ECOWAS' resolve to put things under

control as well as serve as a deterrent to other recalcitrant factions. He called on the meeting of Ministers of Foreign Affairs to seriously consider this issue and come up with appropriate recommendations for the chairman of the authority.

15:39:35 (v). The Chiefs of Staff expressed their deep disappointment with the non return of looted equipment and vehicles, despite persistent pleas from all quarters. Faction leaders should be made accountable and should be asked to ensure that the items were returned.

15:39:56 (vii). The disarmament exercise should be done as speedily as possible to stem the illegal movement of arms to other theatres of war. ECOMOG should continue to patrol strategic positions along the borders with neighbouring states pending the full deployment of troops along the Liberian borders.

15:40:21 (x). The Chief of Staff condemned the continued abuse, harassment and restriction on the freedom of movement of the civilian population and the humanitarian organisations by armed fighters. They also requested that the faction leaders should be reminded of the previous recommendation made by the 13th meeting

15:40:45 of the Chiefs of Staff that they should allow unhindered passage for relief personnel and supplies destined for the needy population, and they should unconditionally guarantee their adherence and commitment to the Geneva Conventions and Protocols, the UN Convention on the Rights of the Child, and the principles

15:41:07 and protocols governing humanitarian operations."

Then if we look at page 127 we see the outcome of the deliberations; if we look over at page 128, violations of the Abuja agreement.

"55. The meeting took note of the positive developments in

the implementation of the peace process since 17 August 1996. It also observed that the ceasefire had, to a large extent, been maintained by the factions, who had also shown some measures of cooperation with ECOMOG and UNOMIL?

15:41:55 56. The above observations notwithstanding, the meeting considered the reports of the following violations made by the ECOMOG force commander and the special representative of the UN Secretary-General to Liberia: The continued refusal of the factions to return, despite pleas from all quarters, the assets
15:42:23 looted from the UN and relief organisations during the 6 April 1996 crisis in Monrovia; fighting in the southeast, in particular in Greenville."

So, Mr Taylor, during this report we have some good news and some not so good news, yes?

15:42:45 A. Yes.

Q. Now, when we are talking about the United Nations observers coming back to Liberia, once again the deployment of these observers is going to be conditioned on the ability of ECOMOG to deploy throughout the country, yes?

15:43:09 A. That is correct.

Q. And the deployment of both the UN personnel and ECOMOG would, in turn, be linked to and be a factor in the initiation of the disarmament process, isn't that correct, Mr Taylor?

A. That is correct.

15:43:28 Q. Now, when we move into early 1997, we still find that ECOMOG remains at a troop strength of only about 7500 troops. Do you recall that, Mr Taylor?

A. No, I don't recall the - I still don't - I don't know. Troops are coming and going. I don't know the numbers.

Q. Now, on the other hand, by the end of January 1997, UNOMIL had moved its strength up to about 71 military observers. Were you aware of that, Mr Taylor?
A. No, I was not aware.
15:44:07 Q. By March 1997 - about mid March 1997, ECOMOG had increased its troops strength and had approximately 10,000 troops in Liberia; were you aware of that?
A. Not the number. You could sense the increase, but I didn't know the numbers.
15:44:33 Q. And at this time it estimated it would need another three battalions to be able to carry out the tasks that were mandated to it. Were you aware of that assessment of theirs?
A. Well, not in terms of battalion, no. I was aware of the fact that they were still asking for additional troops. As to
15:44:53 the number of battalions, no, I can't recollect that, but I know they were still saying that they needed men, men, manpower.
Q. And also by March 1997 UNOMIL had basically achieved its full authorised strength, the new strength being 92 personnel, including a few support people. Were you aware of that,
15:45:17 Mr Taylor?
A. No, counsel. By March 1997 I am no longer a member of the Council of State. I am not on the Council of State by March. What happens is that by January, factions are dissolved and those that had political ambitions had to leave. So by this time I am
15:45:43 busy putting together my party. I am not aware of the numbers. You can feel an increase because you see additional personnel, but I am no longer, you know, in touch with the details of governance at that time.
Q. In March 1997 there is this incident at the Executive

Mansion and the home of Alhaji Kromah where weapons and ammunition are discovered in both locations. Do you remember that?

A. Yes, I do.

15:46:13 Q. Do you remember in the Executive Mansion itself, what kind of quantity of arms and ammunition were found there?

A. At the Executive Mansion, I am not sure. At his house, a lot. But at the mansion, I don't know, because I was living right next door to Alhaji Kromah. He was living - in fact, the

15:46:39 German embassy building compound separated his house from my house and so there were a lot of weapons taken from his house. At the mansion, I'm not too sure. But there were weapons at the mansion because, even though that's not mentioned here, I get attacked in the mansion around, what is it, September 1996,

15:47:04 following the April situation. But there are weapons in there, but I don't know the quantities, counsel.

Q. Do you recall what kind of weapons they found in the Executive Mansion?

A. Yes, mostly rifles, AK rifles, grenades, AK ammunition, 38

15:47:35 side arms and ammunition for those, light side arms. These were the kind of weapons. I don't recall any RPGs being found. They were mostly rifles and handguns.

Q. By the time we move to June 1997 we are now approaching the election date, and by mid-June 1997 the United Nations military

15:48:07 observers had deployed to some 16 sites in the field and in Monrovia. Do you recall that?

A. I don't know the details. That sounds about right to me. I don't know the details. I don't recall.

Q. Now at this time in June 1997 it was envisioned that UNOMIL

would actually depart shortly after the installation of the new government in Liberia. Do you recall that?

A. No, I don't. I don't. The details I don't know.

Q. And that after the departure of UNOMIL the UN would maintain a small political office in Liberia, were you aware of that?

15:48:46

A. That they would continue their presence, yeah, I'm aware of that.

Q. Now by June 1997 ECOMOG had continued to receive additional troops and at this point its troop strength had moved up to 11,000 personnel. Were you aware of that?

15:49:03

A. No, not the figures, no.

Q. However, at this time, some of those ECOMOG were redeployed to Sierra Leone. Were you aware of that?

A. No, I was not aware.

15:49:20

Q. Mr Taylor, you have talked about the elections in mid-July 1997 and the results of those elections. Also in July ECOMOG moved some 4,000 of its troops from Liberia to Sierra Leone. Do you recall that? This was in July 1997.

A. I don't recall. That could have very well happened. I don't recall.

15:50:09

Q. If we could look at D-62, that may be of assistance if that is available. That is Africa Confidential Special Report, Sierra Leone Chronology, How Diamonds Fuelled the War, April 1998. Do we have that? I believe it is page 6 of the chronology. If we could move that up, please, so we can see past 1 June.

15:51:36

I am sorry, I will have to come back to this. Obviously I have incorrect information on my sheet. Thank you. I apologise for that. If I could have a moment, Mr President?

PRESIDING JUDGE: Yes.

MS HOLLIS:

Q. Yes, that is page 6 of 9, July 1997, where in the last sentence of the first paragraph there, "Nigeria moved 4,000 troops from its operations in Liberia to Freetown." Do you see that entry there in that chronology, Mr Taylor?

A. Yes, I see it. That would be internal to them, but I didn't really know the details of that.

Q. Thank you. We don't need any more of that exhibit. Mr Taylor, after the elections in Liberia, other ECOMOG contingents began to send some of their people home as well, did they not?

A. That is correct, yes.

Q. And do you recall which contingents did that?

A. No, I do not.

Q. Do you recall Ghana sending one of its battalions home around just shortly after the elections. They left one battalion behind and sent one home, do you recall that?

A. Yes. Ghana did. Yeah, I think Ghana did send some of their soldiers back. Ghana did, yes.

Q. And Benin, Cote d'Ivoire and Guinea pulled their troops out. Do you recall that?

A. Cote d'Ivoire, yeah. Cote d'Ivoire had very, very few men really. They were not really military people. So, yes, I can remember Cote d'Ivoire did pull because some of them worked at hospitals and clinics. Yeah, Cote d'Ivoire did pull their people.

Q. And Burkina Faso and Niger also had troops there but they basically left just small numbers of troops after the election,

correct?
A. I don't know the quantity they left, but they did pull some of their men out, yes.
Q. And after you were elected President, the bulk of the
15:55:30 remaining ECOMOG were actually assigned in Monrovia and the environs, correct?
A. Well, no, that's not totally correct. Without the time factor extending - I would agree with that if we attached some time limit that I can agree with. Other than that I would not
15:56:03 agree.
Q. What time limit would you give, Mr Taylor?
A. Well, most of these guys remained in place for several months going into the end of the year.
Q. And you mean in place, including outside of Monrovia?
15:56:18 A. Outside of Monrovia, yes. They did not just hurriedly pull back right after the elections. They remained to a great extent in those position several months going to the end of 1997.
Q. There was a concern on the part of Nigeria after the elections, was there not, in that Nigerian members of ECOMOG were
15:56:42 being increasingly harassed and maltreated in Liberia?
A. I wouldn't say so, no. How do you maltreat and harass an armed soldier? Everybody is disarmed. No, I would disagree.
Q. By August, UNOMIL had actually closed its field offices, isn't that correct?
15:57:14 A. By August? When you say field offices, around the country?
Q. Yes.
A. I can't recall. I know they pulled - I think UNOMIL started concentrating mostly in Monrovia and into non-military matters. I would say okay, that sounds reasonable, that most of

the people came back to Monrovia by August. That sounds reasonable.

Q. And by the end of August almost 60 of the remaining UNOMIL had actually been sent out of Liberia, correct?

15:57:56 A. I don't know the numbers. I know they begin to pull-out. I have problems - I don't know the numbers. Those are not things that they gave us to say, "Well, I am taking ten out today or 20." You know, I don't know, but that sounds reasonable.

Q. And they had announced that the UNOMIL mandate would in

15:58:16 fact end on 30 September 1997, yes?

A. Yes, or thereabouts, yeah.

Q. And as we went into September 1997 there were only about nine UNOMIL left in Liberia, isn't that correct?

A. I don't know, really.

15:58:33 Q. And on 30 September the mandate was actually ended, isn't that correct?

A. Yes, the mandate ended, yes.

Q. Now, Mr Taylor, you have testified about after you assuming the presidency, some of the issues that arose in relation to your

15:59:07 sovereignty and the country as opposed to ECOMOG actions, yes?

A. That is correct.

Q. And you in your capacity as the newly elected President of the country had made it clear, had you not, that there would be no parallel authority in Liberia?

15:59:28 A. That is correct.

Q. And that no officer from any mission or force in Liberia would share power with the President of the Republic or challenge the authority of the Republic. You had made that clear, yes?

A. That is correct.

Q. And very soon after you were elected, you began to take steps to try to cut back the authority of ECOMOG; that's correct, isn't it?
A. That is correct.
16:00:03 Q. And you made it very clear that you and your government would be in control in Liberia?
A. Definitely, yes.
Q. Indeed, you made it clear that the AFL was not dissolved and as President, it was your prerogative to build the army;
16:00:28 that's correct, is it not?
A. No, not totally correct.
Q. Tell us what you mean, please?
JUDGE SEBUTINDE: Ms Hollis, did you say that you made it clear that the AFL was "now" dissolved or "not" dissolved?
16:00:49 MS HOLLIS: Not dissolved, Madam Justice:
Q. So you said that wasn't totally correct. Can you tell us what you mean, Mr Taylor?
A. Well, I am talking in legal terms. The Armed Forces of Liberia under the constitution of Liberia is not built by the
16:01:09 President; it's built by the national Legislature. They are responsible for the armed forces. So what I did say was that - and even dissolving the Armed Forces of Liberia was not a function of the President. The President of Liberia could not constitutionally dissolve the army, and neither could anybody
16:01:28 from the outside. So what I had said was that the armed forces of Liberia was not dissolved and that the rebuilding of the army would be the function of the national Legislature of Liberia and that even I didn't have the authority to raise an army, according to the constitution of Liberia. Those were my views.

Q. And under the constitution of Liberia, who actually would be responsible for structuring or restructuring the AFL?
A. Well, structuring - the President, with the authorization of the Legislature, could restructure the Armed Forces of Liberia.
Q. And did you have a plan for that?
A. Yes, we did. We did finally put forward a plan for the restructuring, yes.
Q. Now, perhaps it would be of assistance if we could look at MFI-28. This, Mr Taylor, is a nationwide address that you gave on 20 November 1997. That begins at page 218. Do we have that?
A. Yes.
Q. If we could look at page 220, please. We are looking at the left column at the bottom, the paragraph that begins, "Another point: The Armed Forces of Liberia (AFL) is not dissolved." So that was the term that you used in that address; yes, Mr Taylor?
A. That is correct, yes.
Q. "The AFL exists. And I, as President under the constitution with the prerogative of building an army, and knowing fully well that military forces or their compositions are purely political exercises, will exercise my right under the constitution to say the following."
Then you talk about phase 1 of the restructuring programme has been approved by this government and will take effect. Yes, Mr Taylor?
A. Yes.
Q. Thank you. We don't need that exhibit.
Now, Mr Taylor, in exercising the sovereignty of the

Government of Liberia, you also made it clear that you would expect that all respect would be given to the President, the sovereign nation of Liberia, and its officials, yes?

A. Yes.

16:05:26 Q. Now, in late August at the 20th ECOWAS summit at Abuja you noted that you had granted that ECOMOG could stay in Liberia until 2 February 1998, correct?

A. That I had granted that? Yes, we had discussed an - an approval, yes, I think, was given for a prolonged stay of ECOMOG.

16:06:05 Q. But that the focus needed to shift, and now that the focus of ECOMOG would be its presence in your country as a capacity building force, yes?

A. That is correct.

Q. And what did you mean by that, a "capacity building force"?

16:06:22 A. That ECOMOG would assist the Government of Liberia in training exercises to begin to train a new force that would begin to replace them, and that ECOMOG would also help with security functions of the nation while that was in place, and we also wanted some assistance in terms of policing, helping to train

16:07:04 police, but that capacity building was mostly in the area of training.

Q. And how did you envision ECOMOG would exercise its authority after you assumed the presidency?

A. ECOWAS - ECOMOG is the military peacekeeping force sent out

16:07:34 by ECOWAS. All Presidents of ECOWAS form the authority of ECOWAS, all Heads of State, and so that force is under the command of whoever is the current chairman of ECOWAS and is managed on a day-to-day basis under the authorisation of the office of the executive secretary. So we saw their role in

Liberia as a role that would grant due deference to a member of the authority of ECOWAS and not as a force unto itself. Liberia did not seek to command ECOMOG forces, no; but that ECOMOG - we saw their function as one that they would coordinate with our
16:08:32 internal security structure and not take unto themselves power outside of the laws of the Republic. That's how I saw it.

Q. And you said that they would coordinate with your internal security structure. Give us some more concrete explanation, if you would. Who would they coordinate with in your security
16:08:57 structure?

A. The Defence Ministry. There was a Minister of Defence. There was a chief of staff appointed by my government, nominated - when I say appointed, nominated and cleared by the Senate. The first was Lieutenant Johnson - Lieutenant General
16:09:18 Prince Johnson, and the entire structure of the Armed Forces of Liberia, what we used to call the old mat - that's M-A-T - was on the ground. And so all of those officials who are there - and ECOMOG, in fact, had been coordinating with them throughout the disarmament process and in fact had established a relationship
16:09:46 with most of them. So in our opinion, where you have a Minister of Defence, an entire Defence Ministry, an armed forces structure, a chief of staff, deputy chief of staff, and various senior military officials, it was very simple to coordinate with them. Because the process that we envisioned at the time was
16:10:07 that while it was true that most of the individuals that were being called AFL would eventually fade out through the retraining and training process under the capacity building process that you asked about, still we had to start at some point. And so we saw their role as in that coordinating capacity.

Q. And they would coordinate on what matters?
A. Matters of security, because they were the ones that were armed. We were not armed. And also matters of training - security and training.
16:10:50 Q. And the coordination on security, in your vision of this coordination process, on exactly what things would they coordinate with you? On everything?
A. Yes.
Q. Or they would coordinate before they acted? Or how would
16:11:09 that work?
A. No, they would act in concert. They would act in concert. No nation can have a situation where forces act, in a sovereign country, as a power unto themselves, and so they would act in concert with our trained individuals. Most of the senior
16:11:31 officers of the Armed Forces of Liberia were very, very trained and career soldiers - some of them with 20, 25 years of service - having been trained in some of the top military institutions around the world, especially the United States; from West Point graduates to Fort Benning, Fort Bragg, you named it. We've had
16:11:59 some very well-trained people. So our whole point was that they would coordinate with them and work in concert. Of course, if anything was going on, they would work out with the defence establishment in terms of maybe - I forgot another thing: Intelligence. Because as far as being able to operate
16:12:19 effectively, they needed intelligence information, and that intelligence could be - you know, it could be aided substantially by the Liberian armed forces that had in place a well-coordinated intelligence group, and they would be not limited to any particular areas as far as security areas was concerned:

Borders, internally, all around, there was no limit to what they could do in concert with the armed forces.

Q. So the coordination would be entirely within your Ministry of Defence? Or would they coordinate with agencies outside your Ministry of Defence as well?

A. No, they would coordinate with the Ministry of Defence. If there were any other matters, the Defence Minister - let's say if it was a civilian matter involving the citizenry, that would be under the Ministry of Interior. So the Defence Minister then would coordinate with the Minister of Interior, who would then come into the picture. But their area of coordination would be - first contact would be the Defence Ministry. This is how we envisioned it at the time.

Q. And in terms of the force commander himself, who would he been working with? Who would be his counterpart in your government?

A. The Chief of Staff would be his counterpart.

Q. So not Defence Minister; the Chief of Staff?

A. No, no, the Defence Minister is not - he is a civilian. He would coordinate his day-to-day military activities with his counterpart that was also a lieutenant general and one that he knew and respected. So it would be with the Chief of Staff of the Armed Forces.

Q. And you indicated that at least at the beginning of your presidency, your Chief of Staff was Lieutenant General Prince Johnson?

A. That is correct.

Q. And how long did he remain your Chief of Staff?

A. Oh, boy, I forgot. Prince died in a road accident. He was

there for about - I would say close to a year. Sadly, he died in a road accident.

Q. So sometime in 1998?

A. I would say, yes.

16:14:33 Q. And who took over as your Chief of Staff after that?

A. After Prince Johnson died, the chief of staff was General Kpanga Kona took over.

Q. You are going to have to help us with that spelling.

A. Yes, okay. That may even be on the records, maybe somebody

16:15:00 can help me with that. K-P-A-N-G-A, I would just say that's phonetically, Kona, K-O-N-A.

Q. How long did he remain chief of staff?

A. Up until my departure as President.

Q. Now the people in ECOMOG below the force commander, would

16:15:25 they have counterparts in your government that they would coordinate with as well, lower level commanders or --

A. Well, I would think so. Normally, with the chain of command that would be determined between them. Once the chief of staff of the armed forces and the chief of staff of ECOMOG are

16:15:48 working together, of course there would be officers coming down the rank that there would be coordination with, I would think, yes.

Q. Who was your Minister of Defence?

A. The Minister of Defence at the time was Daniel Chea.

16:16:04 That's C-H-E-A.

Q. Did he remain your Minister of Defence throughout?

A. That is correct, yes.

Q. If we look at your military establishment at the time you took over as President, you have said that at that time your

chief of staff was Prince Johnson. Who were your other senior commanders when you took over as President?

A. Lord, I don't know, because those positions go through a nominating process. I don't know all of their names. Senior generals in the armed forces that I can recall, the deputy chief of staff to Prince Johnson at that time, if I am not mistaken, may have been General Kona, because he succeeded him and then there came late General Samuel Varney, that's V-A-R-N-E-Y. He became deputy chief of staff to General Kona. Then I don't know who some of the other officials - but the commanding general at that particular time, the first commanding general, if I am not mistaken, was General Boveh, I think it is B-O-V-E-H. Following Boveh we nominated General John Tarnue.

Q. In your military structure, the commanding general, what did that position imply in terms of responsibilities?

A. It's a little complicated. The Liberian armed forces was basically one brigade and so that commanding general was a brigade commanding general. During the earlier days he carried a rank of colonel, I don't know how it worked that way, but later on he carried the rank of brigadier general and he was - based on the little briefings that I got, he was a part of what they called in military terms, a part of the general staff. That is, you had the chief of staff, the deputy chief of staff, then you had the commanding general. These were the members of the general staff.

Am I leaving someone out here? I am not too sure. But I think those were the principal people. There may have been one or two other brigadiers, if I am not mistaken. I don't recall who they were. Then you had a special staff, what they

call - no, no, no, let me correct that. That general staff also included your G1, your G2, your G3, your G4, I think the G5. These were all brigadiers. G1, that was what you would call the adjutant general, if I recollect. G2 was the intelligence department. G3 was planning and training. G4, I think that was supplies. G5, I think had to do with some civilian matters, okay.

And below that general staff you had the special staff that were at the battalion level. Your S1, your S2, your S3, your S4. This is my understanding of the structure. I could be wrong about that but this is, to the best of my recollection, the structure.

Q. When you took over as President, do you remember who was in charge of any of those G level positions, G1, G2, 3, 4, 5?

A. The only one that I can remember, counsel, is the G3. The G3 when I first took over that was appointed was Tarnue. John Tarnue was the G3, planning and training. I don't recollect the others, who they were, because after that I know he becomes commanding general later, but he becomes I think the G3 immediately while I am - at the beginning in '97.

Q. Now, Mr Taylor, I am going to go back and ask you to explain something that you told the Court earlier and we were talking about the Defence Ministry, Minister of Defence, coordination and you said, and various military officials, "It was very simple to coordinate with them because the process that we envisioned at the time was that while it was true that most of the individuals" - and this is the part I want you to explain, "While it was true that most of the individuals that were being called AFL would eventually fade out through the retraining and

training process." What do you mean that it was true that most of the individuals that were being called AFL would eventually fade out through the retraining and training process? What did you mean by that?

16:22:36 A. Yes. During the war, the Armed Forces of Liberia under the late Samuel Doe recruited thousands of additional individuals that were not really trained. I mentioned to you earlier that the Armed Forces of Liberia comprised one brigade of about 6,000 men. That grew to about 15,000 individuals throughout the time

16:23:09 before the assassination of Samuel Doe, and so most of these people were not really trained. But they continued to carry AFL, AFL. And as the war progressed and got factionalised, the LPC, ULIMO-J, ULIMO-K, everybody that came under that particular wing became armed forces.

16:23:37 For example, one of the chiefs of staff, General Kameh, the second was General Bowen. Kameh is K-A-M-E-H. Everyone that came under those men were Armed Forces of Liberia. So by the end of the war, the Armed Forces of Liberia had grown to I would say about 20,000 in number.

16:23:58 Now, what I meant when I said those that would be trained and retrained, we would have under this process that we had worked out a plan to be approved by the legislature, we would go into the system. The trained individuals, some people were old now, had to be retired. We would look for a package of

16:24:23 retirement for some of these individuals. Some of them would be kept. The highly trained career soldiers would be kept and utilised in trying to do this restructuring. Those that were not highly trained but had received some training would be retrained.

Now, then we would have to probably recruit and the

schedule that we set up, we laid out a percentage across the board of the different tribal and ethnic groups in the country. Based on their own ethnic affiliation and their percentile within the country, we would determine what percentage would come from each tribal group. They would have to now be trained.

16:25:06

So the training would be for the new individuals coming in, the retraining would be those that were in the system and had to be brushed up to be brought up to snuff. That's what I was talking about.

16:25:23 Q. And you were envisioning how much training before you had an AFL that would be a professional army?

A. When you say how much training, are you talking about in terms of months, years?

Q. Yes.

16:25:35 A. Or how long? From all of the experts that we talked to, I was looking to about five years, five years at least, that we would have been able to bring them up to at least being recognised as regaining some respectability as a professional army.

16:26:00 Q. You said that you had a number of battalions. Do you remember how many battalions you had when you took over as President?

A. No, no, no, counsel, I don't. I don't remember. I said we - they had grown to what, about 20,000. The average battalion

16:26:24 size in Liberia grew to about 500 and so if you look at that, we can then - I think we can easily look at it, so we are talking about 40 battalions or so. That was just - in fact some of the people that were calling themselves soldiers may not have even been soldiers. These were the difficulties.

Q. Now, to your knowledge when you took over as President within the AFL structure were there any specialised units?
A. Yes, there were many. Well, let me not say many. There were a few specialised units. Logistics was one area that people
16:27:18 had done a lot of training in the United States on what they used - when I used to ask they used to call it log command, logistics command. So we had training in logistics. Special area, intelligence. People had done a lot of training in intelligence. We had some very well trained, what we call it, coast guard
16:27:48 people. For example, the Defence Minister had done advanced naval and coast guard training, Daniel Chea, in the United States. He had been sent on the Liberian military scholarship. So I would say, I don't know how you call it, navy training programme. Some people had done what they call, if I
16:28:15 remember, airborne, jumping out of planes and different things. There were quite a few that had done airborne training in the United States, airborne ranger, airborne ranger training. So there were a few specialised areas.
Q. Did you have an artillery unit?
16:28:39 A. Yes. Excuse me, I'm sorry, yes. Artillery definitely, yes.
Q. Do you remember who the commander of that unit was when you took over as President?
A. No, but I do know one of the best, we had him before,
16:28:53 General Samuel Varney was the most senior trained artillery, US trained artillery personnel, but he had become deputy chief of staff. I don't know who took over at that level in the army. No, I don't.
MS HOLLIS: Mr President, I will be moving on to another

area after this, if this is a convenient time.

PRESIDING JUDGE: I think this is a convenient time. Thank you, Ms Hollis. We will adjourn now until 9.30 in the morning. Mr Taylor, I remind you of the order, don't discuss your evidence.

16:29:29

[Whereupon the hearing adjourned at 4.29 p.m. to be reconvened on Wednesday, 18 November 2009 at 9.30 a.m.]

I N D E X

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