



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 1 FEBRUARY 2010
3.00 P.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Sidney Thompson

For the Registry:

Ms Advera Nsiima Kamuzora
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah

1 Monday, 1 February 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 3.05 p.m.]

15:00:21 5 PRESIDING JUDGE: Good afternoon. We will take appearances
6 now, please.

7 MS HOLLIS: Good afternoon, Madam President, your Honours,
8 opposing counsel, this afternoon for the Prosecution, Brenda J
9 Hollis, Mohamed A Bangura, and we are joined by our case manager,
15:05:30 10 Maja Dimitrova.

11 MR GRIFFITHS: Good afternoon, Madam President,
12 your Honours, counsel opposite. For the Defence today, myself
13 Courtenay Griffiths, with me Mr Morris Anyah of counsel.

14 PRESIDING JUDGE: Just by way of preliminaries, to remind
15:05:47 15 the parties that we will be taking our usual break two hours into
16 the proceedings, which brings us to 5 o'clock, because the tapes
17 have to be changed. So we will break from 5 to 5.30 and then
18 resume.

19 Mr Taylor, I remind you, as I normally do, that you are
15:06:06 20 under declaration to tell the truth.

21 Ms Hollis, please proceed.

22 MS HOLLIS: Thank you, Madam President.

23 DANKPANNAH DR CHARLES GHANKAY TAYLOR:

24 [On former affirmation]

15:06:17 25 CROSS-EXAMINATION BY MS HOLLIS: [Continued]

26 Q. Good afternoon, Mr Taylor.

27 A. Good afternoon, counsel.

28 Q. Mr Taylor, on 28 January you were being asked questions
29 about Zigzag Marzah, and you were asked if - how it was that you

1 knew him as an orderly if you didn't know him. You remember
2 being asked that question, Mr Taylor?

3 A. Yes, I do.

15:06:50

4 Q. And you answered that you knew him because he had been in a
5 group of people with Benjamin Yeaten and you saw a group of boys
6 and you said, "Who are these boys?" and Benjamin Yeaten said,
7 "These are my orderlies," and that Zigzag Marzah was in that
8 group. Do you remember telling the Court that on the 28th?

9 A. Not in those exact words, but yes.

15:07:16

10 Q. Would you like us to refer to your exact words, Mr Taylor?

11 A. Yes, I think I associated that with his feature in the
12 Court. Yes I would like for you to refer to it.

13 Q. Then if we could please look at page 43338.

14 I'm afraid with this new configuration, I don't know how we
15 move from one screen to another to see what may come up. On the
16 old configuration we had two different screens; one we could see
17 the transcript, and the other we moved to to see things such as
18 the exhibits or --

15:08:18

19 PRESIDING JUDGE: Madam Court Officer, what are we to do?
20 How does counsel move from the one system to the other?

21 MS KAMUZORA: Your Honour, I let me first drag the transcript
22 and then I will assist counsel.

23 MS HOLLIS: Are your Honours able to move to a screen so
24 you can see the transcript?

15:09:59

25 MS KAMUZORA: Your Honours, we don't have page 4338 on the
26 transcript of the 28th --

27 MR GRIFFITHS: I think there is an error with the
28 reference, because I think the page reference should be 34438 for
29 28 January rather than 43338.

1 MS HOLLIS: Well, I do have that page in front of me, and
2 it is 43338. Unless it's misnumbered in the copy of the
3 transcript that I have.

4 MR GRIFFITHS: I think it is misnumbered, because Mr Anyah
15:10:33 5 has it up on his screen and it is 34438.

6 MS HOLLIS: I am at a loss. I can only go with the page --

7 PRESIDING JUDGE: Ms Hollis, could perhaps your case
8 manager check again? Because even our own legal officer cannot
9 find such a page as you have named. But 34438 is on the
15:11:09 10 overhead.

11 MS HOLLIS: If we could look - that is the page. I can
12 show your Honours my page, but it is marked "43338" so I don't
13 know how that happened. But at any rate, we do have the correct
14 page here.

15 PRESIDING JUDGE: One other problem. The judges need to
16 find this page on their own computers. We have no idea, in view
17 of the change of screens, how to do this.

18 MS HOLLIS: Well, now I have lost everything on my screen.

19 MS KAMUZORA: Your Honours, we are inviting our IT staff to
15:12:28 20 assist us.

21 MS HOLLIS: My colleague has the page in front of us.

22 PRESIDING JUDGE: I would be happy if the colleague can
23 tell me how we can change screen.

24 MS HOLLIS: Well, he told me and I lost everything, so
15:12:43 25 perhaps we should have the Court Manager tell us. Your Honours,
26 to save time, I am going to rely on my colleague's screen because
27 apparently now I have to log in again. So I am quite willing to
28 go forward and rely on my colleague's screen.

29 PRESIDING JUDGE: Just as soon as the judges have found a

1 way to get the document accessible on their screens. So please
2 give us a moment.

3 MS HOLLIS: Also, Madam President, while we are waiting I
4 am told that the page 34438 is because that is the confidential
15:14:22 5 version, but in the public version, it is 43338. So I don't
6 know.

7 PRESIDING JUDGE: Normally the authentic court version is
8 the non-public version. That is the version we will use even in
9 the judgement, et cetera. That's the version you should be
15:14:48 10 quoting.

11 MS HOLLIS: Okay.

12 MS KAMUZORA: I apologise, your Honours. I will search for
13 the public version.

14 PRESIDING JUDGE: No, we don't need the public version. We
15:14:56 15 need the authentic version, which is the confidential version.
16 That's the one that's authentic. That way we are able to tell if
17 a matter is in fact confidential and we shouldn't say it in open
18 session, we can easily tell. But, Ms Hollis, if you are able to
19 continue, please do.

15:15:25 20 MS HOLLIS: Yes, certainly.

21 Q. Mr Taylor, if we look at line 5 with the question:

22 "Q. So you know Zigzag Marzah?

23 A. I don't know the individual. I saw him in court here,
24 but I did not know him in Liberia face to face.

15:15:45 25 Q. Well, then my question, sir, is how is it that you know
26 that he is an orderly, if you don't know him?

27 A. Because Benjamin said that a group of his boys were
28 orderlies and Zigzag was one of the people that fell in
29 that category."

1 Then you are asked to explain that, including in what year
2 you had the conversation. You say 2003. And then you are asked:

3 "Q. And he said to you what about Zigzag Marzah?

4 A. I remember the face here. I went out one day. We were
15:16:27 5 about to travel. And I saw the group of boys. I said,
6 'Who are these boys?' And he said, 'These are my
7 orderlies.'

8 Q. So you recognised Zigzag Marzah here?

9 A. When he showed up here, I remembered - I tried to
15:16:44 10 recall the face."

11 Mr Taylor, that is not what you told the judges on 29
12 September, is it?

13 A. To the best of my recollection this is my knowledge of
14 Zigzag Marzah.

15:17:06 15 Q. Indeed, Mr Taylor, 29 September 2009, and again I will give
16 my page reference, 29816, you were being asked about Mr Marzah
17 and beginning at line 3, and we are at my page 29816 of 29
18 September. I don't have that before me.

19 PRESIDING JUDGE: Madam Court Officer, are you looking for
15:18:00 20 the page?

21 MS KAMUZORA: Yes, your Honour.

22 MR GRIFFITHS: Madam President, can I take advantage of
23 this hiatus to mention a difficulty which Mr Anyah spotted in the
24 public version of the transcript for 28 January, and this
15:18:18 25 probably accounts for the difficulties my learned friend had with
26 the reference she gave. There appears to be a huge jump from
27 page 34420 to page 43322 in the numbering. So that means there
28 is over 10,000 pages which have mysteriously gone missing. So I
29 mention it because somebody needs to investigate and find out

1 precisely what has gone on so it can be repaginated.

2 PRESIDING JUDGE: Indeed, Madam Court Officer, I hope you
3 have taken note of this very important development.

4 MS KAMUZORA: Yes, your Honour, we have.

15:19:02 5 PRESIDING JUDGE: I hope you will impress upon the Chief of
6 Court Management to sort this matter out, namely the pagination.

7 MS HOLLIS: I see here 29 September, 29816, which is the
8 page to which I am referring:

9 Q. Mr Taylor, if we look at line 3:

15:19:47 10 "No, I didn't even know this human. It was in this
11 courtroom that this boy you brought here called Zigzag
12 Marzah - that I first laid my eyes on, and there will be
13 witnesses that will come here and tell you this, that I saw this
14 boy here calling himself Marzah."

15:20:06 15 So, Mr Taylor, on 29 September you did not tell these
16 judges that you had first seen Zigzag Marzah with a group of boys
17 with Benjamin Yeaten, did you, Mr Taylor?

18 A. I could not have told them that because that would have
19 been incorrect. What I have said here is exactly what you read
15:20:28 20 before, that it was a bunch of boys that Benjamin Yeaten said
21 were his orderlies. I associated the face here, so I could not
22 have told the judges that I knew him. So I didn't know him.

23 Q. Mr Taylor, on 29 September when you said, "It was in this
24 courtroom that this boy you brought here called Zigzag
15:20:48 25 Marzah - that I first laid my eyes on," that's different than
26 what you told the judges on 28 January, isn't it, Mr Taylor?

27 A. I disagree. I disagree. Because I could not associate the
28 face with a Zigzag Marzah. I said it is here that now I am
29 associating the face, so I could not have said that. So I

1 disagree with you.

2 Q. Mr Taylor, you are simply making your story up as you go
3 along, aren't you?

4 A. I disagree with you. No, I did not know Zigzag Marzah. I
15:21:17 5 associated the face here amongst the boys and I could not have
6 told the judges that I knew him.

7 Q. Now, Mr Taylor, on 30 September 2009 your Defence counsel
8 was drawing your attention to various pages of testimony of
9 Mr Marzah. Do you recall that?

10 A. Yes. I am not sure of the month. I recall drawing my
11 attention to different testimony. I cannot recall the month.

12 Q. And on 30 September your Defence counsel put to you that
13 the next allegation he wanted to deal with was cannibalism and he
14 referred you to page 5997 of the transcript of 13 March 2008 and
15:22:19 15 read the passage. Do you remember the Defence counsel putting
16 that to you, Mr Taylor?

17 A. I can't remember precisely, counsel. The general
18 conversation of cannibalism, yes. I don't know the precise
19 question any more.

15:22:33 20 Q. This is on page 29939 of 30 September. He referred you, as
21 I said, to page 5997 of the transcript of 13 March 2008. At page
22 5997 of that transcript, the question was:

23 "Are you saying that at that stage, that is, when the NPFL
24 entered Liberia, Charles Taylor ordered you to eat Krahs."

15:23:17 25 And then the witness gives an answer, "I told you yes,
26 yes." Continues with that answer. Your counsel continues to
27 read from the transcript of 13 March 2008 over to page 5998 and
28 they continue this discussion about eating Krahs?

29 Now, Mr Taylor, you do realise, do you not, that this

1 question that was posed to the witness at page 5997 on 13 March
2 2008 was a question that in fact was posed by your Defence
3 counsel to the witness? You do understand that, don't you,
4 Mr Taylor?

15:24:10 5 A. Yes, from what you're explaining I understand.

6 Q. This was during cross-examination that this question about
7 eating Krahn's was posed to the witness. You understand that,
8 yes, Mr Taylor?

9 A. From what you have said I understand that, yeah.

15:24:23 10 Q. I'm sorry, Mr Taylor, I didn't hear you?

11 A. I said from what you have said I understand that.

12 Q. Then, Mr Taylor, also on 30 September at page 29941 your
13 counsel continues:

14 "Q. So, Mr Marzah, Charles Taylor ordered you to eat

15:24:53 15 Nigerians?

16 A. Yes."

17 This again is in cross-examination, you understand that?

18 A. From what you are saying - I don't see it, but yes I --

19 PRESIDING JUDGE: The problem is these transcripts are not
15:25:09 20 being shown.

21 MS KAMUZORA: Your Honour, counsel is very fast. She is
22 not mentioning one transcript at a go. Unfortunately I can't
23 match with her speed.

24 PRESIDING JUDGE: It is not fair to ask questions to the
15:25:22 25 witness when the transcript is not in front of him. Although I
26 must add that this is the speed at which counsel has always
27 proceeded. I don't think that she is being any faster than she
28 normally is.

29 MS KAMUZORA: Unfortunately, counsel is referring to

1 different years and by the time you open, it takes some time to
2 open up. Before I open one, she mentions another year. So
3 that's why it's kind of not matching with her speed.

4 PRESIDING JUDGE: Okay. Let's find this latest one which
15:25:55 5 is 30 September, 29941.

6 MS KAMUZORA: If counsel could guide me on the line,
7 please.

8 MS HOLLIS: Yes, you're good on that line:

9 Q. So, Mr Taylor, you see at line 7 the transcript is being
15:26:51 10 read:

11 "Q. So, Mr Marzah, Charles Taylor ordered to you eat
12 Nigerian?

13 A. Yes."

14 Then they move on to page - a reference to page 6002, line
15:27:04 15 11. Do you see that, Mr Taylor?

16 A. Yes, I do.

17 Q. "Q. Was there ever a time when you stood in front of
18 Charles Taylor physically like now and he said to you,
19 'Zigzag, I want with you to go out and eat'" --

15:27:18 20 PRESIDING JUDGE: Would you please leave the transcript on;
21 we are reading the transcript. We are actually reading this
22 transcript.

23 MS KAMUZORA: I beg your pardon, your Honour.

24 PRESIDING JUDGE: Sorry, Ms Hollis, please read again.

15:27:47 25 MS HOLLIS: Yes, since I have no LiveNote I will start from
26 the question again, if you don't mind:

27 Q. "Q. Was there ever a time when you stood in front of
28 Charles Taylor physically like now and he said to you,
29 'Zigzag, I want with you to go out and eat a human being

1 or a part of a human being' ?

2 A. Apart from Superman?

3 Q. Anybody."

4 Then there is an answer. Now, you understand, Mr Taylor,
15:28:16 5 do you not, that this question is being asked by your counsel on
6 cross-examination?

7 A. I understand that.

8 Q. And then if we could look also at 30 September, 29964 is
9 the page reference. If we could see at line 4 a question:

15:29:02 10 "Now, Mr Taylor, right at the conclusion of this
11 witness's testimony he sought to explain to this Court why you
12 had taken him into his confidence and this is the last matter I
13 want to tax you with in relation to him. He claimed he was a
14 member of the Poro society with you, and it was through that
15:29:26 15 society he gained your confidence. And that effectively,
16 cannibalism was an aspect of Poro society practice. Do you
17 follow?"

18 And then your counsel refers you to page 6153 beginning at
19 line 25. Do you see that, Mr Taylor?

15:29:44 20 A. I see that.

21 Q. And then there is the answer - or the answer from the
22 witness. Now, you understand, Mr Taylor, that this answer you
23 are being directed to at page 6153, this is an answer in response
24 to a question from your Defence counsel to this witness; you
15:30:06 25 understand that, yes, Mr Taylor?

26 A. I understand that.

27 Q. So this - the questioning that began with dealing with
28 cannibalism and the question that I referred you to after that
29 about eating Krahn's, this question - this answer and question

1 relating to the Poro society, all of that occurred during the
2 cross-examination of this witness; you appreciate that,
3 Mr Taylor?

4 A. From what's before me, yes, I appreciate that.

15:30:38 5 Q. And when we look at the end of the transcript, for the
6 pages in question, we see the cross-examination of this witness
7 begins at page 5943 and that cross-examination continues up until
8 page 6157, and there is no re-examination.

9 Now, Mr Taylor, going to another matter. You have told
15:31:22 10 this Court several times about your meeting with Sam Bockarie
11 beginning in 1998 and, as you told them, September/October and
12 then a November/December meeting, you recall that?

13 A. Yes, I do.

14 Q. Now, Mr Taylor, this testimony about meeting Sam Bockarie
15:31:45 15 at this time, this was the time when he was the commander of the
16 RUF in Sierra Leone, isn't that correct?

17 A. That is correct.

18 Q. And this testimony about meeting him these times in 1998 is
19 different than prior testimony you have told this Court about
15:32:05 20 your contact with the RUF; isn't that correct?

21 A. Well, I don't know what you mean by the question. I don't
22 understand.

23 Q. You have earlier told this Court, have you not, that there
24 was no contact between the RUF and the NPFL as of May 1992 and it
15:32:28 25 did not resume at this particular time. "It only started again
26 in July 1999 when I met Sankoh in Lome." You remember telling
27 the Court that, Mr Taylor?

28 A. In the context of the question, yeah, I could have said
29 that. I could have said that, depending on the question.

1 Q. Would you like to look at the transcript where you said
2 that? This is 17 September.

3 A. I recall saying that, but I had also said that there was a
4 1998 meeting, so I recall the transcript in September. I recall
15:33:08 5 that.

6 Q. Actually, Mr Taylor, let's look at this transcript. 17
7 September 2009, page 29175. You see you are starting to answer
8 at line 5. "At this particular time, what is going on in late
9 1997?" And then you talk about a Foreign Ministers' meeting
15:33:51 10 where information has reached the AFRC have no intention of
11 turning power over, that it should be turned over in April 1998.
12 And then at line 13:

13 "So these boys do not know and they are stuck in a
14 situation where they have to say something. There is no contact
15:34:10 15 between the RUF and the NPFL as of May 1992 and it does not
16 resume at this particular time. It only starts again in July
17 1999 when I meet Sankoh in Lome. That's the story. And that's
18 the fact."

19 So, Mr Taylor, on 17 September you didn't tell these judges
15:34:34 20 anything about meeting Sam Bockarie in 1998, did you?

21 A. No, I didn't, counsel. In fact, this whole thing shows a
22 mixup. There is no NPFL in 1999, so there is a mixup here,
23 depending on how we are thinking. The NPFL does not exist in
24 1999. There is a government. I'm elected in 1997. So this
15:34:56 25 whole thing, depending on what is going on through this
26 discussion - to say that the RUF and NPFL met in July 1999 is
27 totally incorrect, because there is no NPFL in 1999. So the
28 context of the whole discussion, there is definitely an error in
29 while discussions are going on. There is no NPFL in 1999.

1 Q. Well, Mr Taylor I was simply reading your answer; not a
2 question.

3 A. Well, then you can see that contextually maybe there is
4 more to this. But there is no NPFL in 1999.

15:35:27 5 Q. Mr Taylor, again you are simply making this story up as you
6 go along, aren't you?

7 A. What story is being made up? No, I disagree with you.

8 Q. To fit whatever current situation you are facing in Court?

9 A. So there is an NPFL in 1999. Is that correct? No.

15:35:45 10 Q. Now, Mr Taylor, I would also like to turn to another
11 matter, and that is do you recall on 23 September 2009 telling
12 the judges that in relation to Operation No Living Thing, you
13 heard that name here, meaning in Court. "Never gave any such
14 orders. There was no such name that I knew at that time. I
15:36:18 15 heard that name in this courtroom in this room." Do you remember
16 telling the judges that, Mr Taylor on 23 September?

17 A. That's possible, yes.

18 Q. Would you like to refer to the transcripts --

19 A. No, I can recall. I can recall.

15:36:33 20 Q. Now, Mr Taylor, when you told the judges on 23 September
21 you heard of that name here in the courtroom, Operation No Living
22 Thing, were you telling the judges that prior to coming into this
23 courtroom you had never heard of Operation No Living Thing?

24 A. I think the context of the question was a little different.

15:36:55 25 Maybe we need to go to the reference to see, because I think it
26 was dealing with whether I was aware of an Operation No Living
27 Thing, and I said "No, I am not aware and I haven't heard of
28 Operation No Living Thing. I never gave any orders for any
29 operation called No Living Thing." Now, whether there are news

1 reports, probably there are. But I never gave any such
2 instruction and didn't know of it.

15:37:26 3 Q. So you didn't - you said, "I heard of that name here." Had
4 you at any time before you came into this courtroom heard of an
5 Operation No Living Thing?

6 A. I could have. I can't recall, counsel. I could have. I
7 can't recall.

8 Q. Mr Taylor, had you heard of Operation No Living Thing in
9 Liberia?

15:37:46 10 A. I really can't recall hearing of that. I can't recall.

11 Q. There was a Liberian operation that you ordered that was
12 called Operation No Living Thing, isn't that correct?

13 A. No. I didn't give any such - operations are not named by
14 the President. No. They are named by defence, and I didn't hear
15:38:09 15 of that, to the best of my recollection.

16 Q. And Mr Taylor, this Operation No Living Thing was an
17 operation that was carried out against civilians in Kolahun
18 District, Lofa County; isn't that correct?

19 A. That is not correct. Not - that is totally incorrect. I
15:38:32 20 no of no such operation that I ordered against civilians. No,
21 that's not correct.

22 Q. And, Mr Taylor, this Operation No Living Thing was in fact
23 commanded by Benjamin Yeaten, isn't that correct?

24 A. I have no idea of an operation of such and I can't say.
15:38:56 25 Benjamin Yeaten was in Lofa. As to whether there was an
26 operation up there called No Living Thing or whatever, I don't
27 know. I gave no such orders and did not know that such an
28 operation was conducted called No Living Thing.

29 Q. And in fact, Mr Taylor, this Operation No Living Thing

1 involved massacre of civilians. Isn't that right?

2 A. That is incorrect.

3 Q. And among those who were involved in this Operation No
4 Living Thing were Joseph Marzah, alias Zigzag Marzah. Isn't that
15:39:32 5 correct?

6 A. I have no idea. If Zigzag Marzah carried out such
7 operations, that was totally improper and he should have been
8 arrested. I ordered no such operation. I don't know what he
9 took part in really. It didn't come to now.

15:39:48 10 Q. And your commander Roland Duo was also involved in that
11 operation. Isn't that correct?

12 A. That is incorrect.

13 Q. And, Mr Taylor, you were well aware of this operation, were
14 you not?

15:39:58 15 A. I was not.

16 Q. And the reason for this operation was to eliminate citizens
17 of Kolahun. Isn't that correct?

18 A. That is not correct.

19 Q. That by carrying out this action, you would in fact hinder
15:40:17 20 the military power of the advancing LURD rebels. That's correct,
21 is it not?

22 A. That is not correct.

23 Q. So it's correct, isn't it, Mr Taylor, that you ordered an
24 Operation No Living Thing in Liberia?

15:40:33 25 A. That is totally incorrect.

26 MS HOLLIS: If we could ask that your Honours look at tab
27 104 in annex 1. It would be in binder 2 of annex 1, and because
28 of the tab numbers, would be under 4.

29 PRESIDING JUDGE: Sorry, Ms Hollis, you said it was tab

1 number?

2 MS HOLLIS: It's in binder number 2 for annex 1, and it
3 should be under 4 because it is 104. It is entitled "Taylor's
4 fighters massacred hundreds in Kolahun, ATU radio operator
15:42:26 5 testified".

6 PRESIDING JUDGE: I think it's behind tab 5. Mr Griffiths,
7 you were on your feet.

8 MR GRIFFITHS: Yes, I am on my feet, Madam President,
9 because I note the content of this. And it seems to us that the
10 Prosecution have to satisfy that two-part test - with which we
11 should all now be familiar - before a document like this can be
12 admitted into evidence.

13 I note before I sit down, anticipating as I do, some
14 application by my learned friend for the admission of this
15:43:12 15 document, that firstly, on the face of it, there seems to be no
16 way of knowing the source of this document save that it's signed
17 by a Mambu James Kpargoi, media and information officer, and we
18 also note the date of this incident, sometime in 2002, bearing in
19 mind, of course, the period covered by the indictment as laid
15:43:46 20 down by the statute which established this Court. So how is this
21 relevant? Because of course it can only be relevant as to
22 system, but this is after the event. So how can an event which
23 occurs after the indictment period be said by the Prosecution to
24 show this kind of system, i.e. provide the template for the
15:44:16 25 Operation No Living Thing which operated, we are told, in Sierra
26 Leone. How can it?

27 So in our submission, point number one, we need more
28 information about the document. Point number two, applying basic
29 principles, bearing in mind the date, how can this be admissible

1 or relevant? Point number three, my learned friend has not
2 sought to justify its admission.

3 PRESIDING JUDGE: Ms Hollis, could you please respond to
4 the issues raised.

15:44:48 5 MS HOLLIS: Yes, Madam President. First of all, in
6 relation to comments concerning the document, the document on its
7 face talks about TRC hearings and it is categorised as pertaining
8 to hearings. It is Montserrado County, Liberia. It gives a date
9 for the document itself, 2 February 2009. And the substance of
15:45:21 10 the document identifies who is providing the information.

11 We think that there is sufficient information on the
12 document itself that would be actually more than enough in terms
13 of your Honours to consider it and that the comments of Defence
14 counsel really go to weight insofar as questioning the document
15:45:45 15 itself.

16 In terms of the two-prong test, the Prosecution did not go
17 into the two-prong test. In the Prosecution's view, this is not
18 probative of guilt. This is raised simply to question the
19 accused's statement as to having heard the name Operation No
15:46:06 20 Living Thing in this courtroom. No such name he knew at the
21 time. He heard the name in this courtroom, in this room. He is
22 talking about the name of an operation. He is not talking about
23 a specific operation, but he is telling you that he heard this
24 name for the first time here in the courtroom. This document
15:46:27 25 impeaches that testimony of this accused.

26 What weight your Honours would ultimately give it is for
27 your Honours to determine. But in terms of our ability to use it
28 without meeting the test, it is our position that we are not
29 required to meet the test because it is not probative of guilt.

1 This was an operation that took place in 2002 in Liberia, and but
2 that it does in fact impeach the accused's testimony and that is
3 what we are asking your Honours to consider it for.

4 PRESIDING JUDGE: Sorry, I don't understand, Ms Hollis.

15:47:08 5 You are saying that this operation which allegedly happened after
6 Mr Taylor left Liberia --

7 MS HOLLIS: No, 2002. In 2002. If you look at the second
8 line of the text, "In 2002 massacred hundreds of civilians".

9 [Trial Chamber conferred]

15:48:15 10 PRESIDING JUDGE: We have looked at the document. We have
11 also looked at the indictment and in the indictment under certain
12 counts there are charges going to killings in Sierra Leone as
13 late as January 2002. So these killings are not too remote, the
14 killings referred to in this document.

15:49:49 15 Now, obviously these are not killings that are in the
16 indictment specifically, but we are of the view that this kind of
17 document contains information that shows a pattern - could show a
18 pattern of conduct of guilt. It's not remote at all.

19 And given that we are looking at this information for the
15:50:15 20 first time, it is new material that goes to the guilt of the
21 accused, or at least his guilty conduct. We obviously haven't
22 heard any justification for using it at this stage.

23 In terms of the two-prong test, we haven't heard that it is
24 either in the interest of justice or that it won't prejudice the
15:50:44 25 accused. The contrary is in fact true. So I hold that the
26 Prosecution cannot use this document at this stage.

27 MS HOLLIS:

28 Q. Now, Mr Taylor, I would like to turn to another matter,
29 please. If we could please look at MFI-11, which is DCT-29.

1 This is in tab 1 in the small binder for week 30.

2 We are unable to see what's on your screen there. So is
3 the document now for the witness - if we could look at the top of
4 that document, please. I apologise, but I can't see what's on
15:53:02 5 the overhead.

6 PRESIDING JUDGE: We have a document headed "Associated
7 Investigators Incorporated", et cetera.

8 MS HOLLIS: Thank you:

9 Q. Now, if we could stay with the top part of that document,
15:53:17 10 first, please. Mr Taylor, what is this entity Associated
11 Investigators, Inc?

12 A. I don't know what it is. A group in the United States.

13 Q. And who are employed or on the staff of Associated
14 Investigators, Inc.

15:53:36 15 A. I don't know the individuals. I may know one name if I see
16 a name, but I don't know.

17 Q. If we look at the top half of this document, it appears
18 that a portion of this document has been redacted. Do you know
19 what was in this portion that appears to have been redacted?

15:54:00 20 A. I am not seeing the document. I just see the top. If
21 maybe we scroll it.

22 Q. Well, there's between 11 April and 1988. We go down to
23 "thereafter". So it appears that a portion of this document is
24 missing. Do you know what was in that portion of the document?

15:54:15 25 A. You say that it appears that it has been redacted, right?

26 Q. Yes. By that I mean it appears a portion of this document
27 is missing. Do you know what was in the portion that is missing?

28 A. Well, firstly I don't know if a portion is missing, so I
29 can't speak to that.

1 Q. Mr Taylor --

2 A. It's possible.

3 Q. -- to whom was this document addressed?

4 A. I don't know who it was addressed to. It's one of the
15:54:47 5 documents that I obtained through investigation, so I don't know
6 what was at the top. This is what I got.

7 Q. So when did you first see this document?

8 A. This document, a very long time ago. I would put it to the
9 early 90s.

15:55:15 10 Q. And what was the subject of this document?

11 A. I don't remember the reasons that led to this, as you
12 mention subject, no.

13 Q. Who requested that this document be produced?

14 A. I don't know who requested that it be produced but we ended
15:55:37 15 up with a copy.

16 Q. And how did you end up with a copy?

17 A. Through our own investigation. If you look at the first
18 paragraph, the name of the individual there, Keith Wilson is
19 somebody that was a subject - we knew - I knew Keith Wilson and
15:55:59 20 he was associated at that time with an old friend of mine, Ellen
21 Johnson-Sirleaf, and so this could be a result of an
22 investigation that we conducted at the time of the break-up with
23 Ellen.

24 Q. So you're saying that you conducted the investigation that
15:56:20 25 led to this document being prepared?

26 A. No, I did not say I conducted an investigation. I said
27 that this could be a result of an investigation that at that time
28 the NPFL launched because of certain activities and we wanted to
29 get to the bottom of it.

1 Q. Well, how did Associated Investigators get involved in
2 this?

3 A. This could have been through maybe our Defence Minister at
4 the time, Mr Woweiyu, who lived in the United States and
15:56:51 5 sometimes you seek information and people volunteer it.

6 Q. Now, you say could have been. I am asking you what you
7 know about this document, not what you speculate.

8 A. Well, that's all I know - is that we came by this document
9 through our investigator. Our investigators at the time I would
15:57:11 10 say and Mr Woweiyu could have been at the source of obtaining
11 this document.

12 Q. And who were your investigators at the time?

13 A. Just Mr Woweiyu, that's who we used.

14 Q. He's an investigator for you?

15:57:24 15 A. No, he was Defence Minister but he could solicit
16 information.

17 Q. So you talked about your investigators. You meant
18 Mr Woweiyu and who else?

19 A. Mr Woweiyu.

15:57:34 20 Q. And you were investigating what?

21 A. Well, there was an issue involving Keith Wilson, a
22 Liberian, Keith Wilson is a Liberian, and his association at the
23 time with Ellen Johnson-Sirleaf at the time. That's what we were
24 looking into and asking one question to another and we came up
15:57:53 25 with this document.

26 Q. And how was this document provided to you?

27 A. To the best of my recollection, Mr Woweiyu brought this
28 document.

29 Q. And from whom did he receive it?

1 A. I don't recall who he got it from.

2 Q. Now, you say the first paragraph, it appears that it is a
3 continuation of information that has been omitted from this
4 letter, but let's look at the first writing, substantive writing
15:58:24 5 here beginning with "thereafter". And you said Keith Wilson.
6 How did you know about Keith Wilson?

7 A. Keith Wilson is a Liberian that I know.

8 Q. And how did you know him?

9 A. Just as a Liberian. He was a Liberian businessman. He was
15:58:42 10 very close to the late Samuel Doe and so he used to go in and out
11 of Liberia during the Doe administration.

12 Q. Your statement, if we look at the last two lines of this
13 first paragraph of text - "Your statement that everyone knows he
14 is a drug dealer," whose statement are they talking about there?

15:59:05 15 A. Who said that everyone knows he is a drug dealer?

16 Q. You said the name Keith Wilson. You see the name Keith
17 Wilson on the end of the line?

18 A. Yes, I see that.

19 Q. "Is on file which is consistent with your statement that
15:59:19 20 everyone knows he is a drug dealer." Whose statement are they
21 talking about there?

22 A. I don't know, counsel.

23 Q. Was that your statement?

24 A. No, no, no. Not my statement, no. The investigators are
15:59:31 25 making this statement. I don't know who they are referring to.

26 Q. When you say investigator, who?

27 A. The Associated - the Associated people are making a
28 statement and this is their production, not mine.

29 Q. Well, it says - the Associated Investigators are apparently

1 sending this letter and they are saying it's consistent with your
2 statement that everyone knows he is a drug dealer. So you don't
3 know who they are referring to when you say "your statement"; is
4 that correct?

15:59:58 5 A. I do not know who they are referring to, and I do not know
6 who they addressed this to.

7 Q. And then if we look at the next paragraph talking about
8 Mr Wilson operating several gambling concerns, illegal money is
9 often laundered, what's the basis for the information in this
16:00:18 10 paragraph, Mr Taylor?

11 A. You will have to call the investigators. I don't know. I
12 don't know the basis. Mr Wilson - Keith Wilson, I know very
13 well, is involved in the operation of a casino in Liberia. This
14 could be very well an internal DEA investigation and we happened
16:00:37 15 to bump into some of the information. But this is not something
16 that we paid for anything. This is - this Washington-based
17 intelligence group apparently making this assessment of Keith
18 Wilson.

19 Q. So Associated Investigators is an intelligence group in
16:00:57 20 Washington DC?

21 A. Maybe I am using words. It's an investigation. But when
22 you do - most of these investigators are what? Are intelligence
23 officers. That's why I used the word "intelligence".

24 Q. And how do you know that, Mr Taylor?

16:01:09 25 A. What's the difference between investigation and
26 intelligence? Intelligence, from my understanding, information
27 processed factually becomes intelligence. So if you are an
28 investigator and you collect information, it stays as
29 information. When you test the information, you scrub it and

1 find out that it's valid, it becomes intelligence. That's how I
2 understand it. That's how I know it. So if you are an
3 investigator, you can also be an intelligence officer.

16:01:40 4 Q. Do you know if Associated Investigators were also
5 intelligence officers, Mr Taylor?

6 A. No, I don't know.

7 Q. And then if we look at the next paragraph, beginning with
8 "One aspect" and we go down and we should show the bottom of the
9 page on the screen, fourth line down, the line begins "For
16:02:04 10 years", do you see that, Mr Taylor?

11 A. Yes. I am looking, yes.

12 Q. "... they suppressed the information on the grounds that it
13 was in the United States' best interest to keep him in power."
14 What was the basis for this comment, Mr Taylor?

16:02:20 15 A. Associate - I don't know the basis for this comment. But
16 this document looks like it is a very secret document and that's
17 that group's own analysis, from my looking at this, of certain
18 information, and they are giving their analysis based on the
19 information that they have.

16:02:44 20 Q. Mr Taylor, you say it looks like a secret document. It's
21 not marked "secret" anywhere, is it?

22 A. No, it's not, counsel.

23 Q. And, Mr Taylor, if we look at this last paragraph on this
24 first page, the last sentence: "For this reason, you should
16:03:00 25 proceed with caution as to your inquiries and intent".

26 Mr Taylor, who are they telling to proceed with caution?

27 A. Well, to answer that, I am not sure who. But if you look
28 at the paragraph before, "The Central Intelligence Agency
29 maintains its regional headquarters in Liberia", that's factual.

1 And I guess this group, knowing the sensitivities of these
2 matters, is saying that people should proceed with caution and
3 so --

4 Q. Who is the "you" they are referring to?

16:03:29 5 A. I couldn't tell, counsel. I'm not going to mislead --

6 Q. Are they referring to you, Mr Taylor?

7 A. No, no, no, no, counsel, not me.

8 Q. Are they referring to your inquiries, Mr Taylor?

9 A. I would - not --

16:03:40 10 Q. I would ask you not to speculate.

11 A. No, no, I would not think so. I don't think so. I think
12 our interest in Keith Wilson and how we were asking around may
13 have led to this, and some of this really did go far beyond our
14 own interests at the time, and I guess this is hint to the wise
15 it's sufficient now: Look, this is a matter that people should
16 proceed with caution, and that's the best I can help.

16:04:03 17 Q. And what inquiries are they talking about here as to "your
18 inquiries and intent"? What inquiries are they talking about?

19 A. We were trying to find out --

16:04:21 20 Q. Mr Taylor, are they talking about your inquiries here?

21 A. Well, we had an interest, as I said before, in Keith
22 Wilson's activities, because he is very close to Doe and we were
23 fighting the Doe government at the time. And I am sure there may
24 be advice in this memo that we should proceed with caution
25 because of the links that Keith Wilson has and the importance of
26 Doe, who is Keith Wilson's friend, and that we were going up
27 against a very powerful interest and to be very careful.

16:04:43 28 Q. So then this letter is to you?

29 A. No, I am not going to make that assumption, counsel,

1 because I would be misleading the Court.

2 Q. Well, then the "you should proceed with caution as to your
3 inquiries" does refer to you?

16:05:17

4 A. No, "you" could be plural here. It could be referring to
5 the NPFL's inquiry.

6 Q. No, Mr Taylor, don't speculate. I am asking you if you
7 know?

8 A. No, I don't know, counsel.

16:05:26

9 Q. And "as to your inquiries", do you yourself know what they
10 mean by that?

11 A. No, I guess - no, I can't say precisely. But I think the
12 warning is very clear that when you touch Keith Wilson, and
13 knowing the case of Doe, how close he is, the interests of the
14 CIA in maintaining its regional headquarters in Liberia gives Doe
15 a little bit of standing: Be very careful how you pursue
16 questions about certain things, because it would not be in your
17 best interests. I guess this is the way I interpreted it at the
18 time that we got this document and we didn't - I asked Tom not to
19 pursue it any further.

16:06:06

20 Q. But the document, as far as you know, wasn't addressed to
21 you?

22 A. To the best of my recollection, I don't recall it being
23 addressed to me.

16:06:15

24 Q. When you got the document, were these blank portions on the
25 document, both page 1 and page 2?

26 A. Well, I haven't seen page 2. I have only seen page 1, so I
27 will only answer for page 1. When I got it it was as is, to the
28 best of my recollection.

29 Q. Do you know how those blank spaces came into being?

1 A. No, I don't. When you see documents like these, it could
2 be that this was a memo that was not addressed to us, and because
3 it was an addressed to somebody else - and I am only speaking
4 from my knowledge of the way intelligence documents are sent.

16:06:54 5 And so it's not addressed to you, but if there is a part that is
6 of interest to you, they would remove the parts that are not of
7 interest to you and only send you the parts that are of interest
8 to you, from my knowledge. That is not to say that this is the
9 case with this document, okay? So that's how much I can add to
16:07:14 10 it.

11 Q. So if we could please look at the second page of this
12 document. Mr Taylor, you see again there is only a little bit of
13 text on this second page and there are blank spaces above and
14 below that. Do you know what information may have been in that
16:07:36 15 space before it was blanked out or removed?

16 A. No, counsel. I'd say this is all we got.

17 Q. Now, Mr Taylor, if you look at the small amount of text
18 that is on the second page, it says "agent has subsequently
19 learned". Who are they referring to here when they say "agent"?

16:07:58 20 A. I don't know counsel. I don't know who they are referring
21 to.

22 Q. And how did they subsequently supposedly learn this
23 information?

24 A. I don't know. We have to ask the agency, the Associate
16:08:13 25 Investigators, I don't know.

26 Q. Mr Taylor, there is a name here, "Folebi Akerelle"?

27 A. Yes.

28 Q. Who is that?

29 A. I don't know this person. The only person mentioned in

1 there that I mentioned is Mr Keith Wilson that I know very well.

2 Q. And we see this document is signed - appears to be signed
3 by Jeffrey Saunders. Who is Jeffrey Saunders?

16:08:44

4 A. I would have to ask Tom. Jeffrey Saunders, I don't know
5 him personally.

6 Q. And do you know what his position was?

7 A. No, I don't.

16:09:34

8 Q. Thank you. I don't know that document any more. Now,
9 Mr Taylor, do you recall on 26 January your telling the Court

10 that you were not aware of the suspension of the Catholic-run
11 Radio Veritas in 2000? Do you recall telling the Court that?

12 A. The suspension of the?

13 Q. Catholic-run Radio Veritas in the year 2000?

16:09:55

14 A. I don't know what you mean by the suspension of the radio -
15 you mean the closure of the radio?

16 Q. Well, closure, suspension, whatever word you want to use,
17 Mr Taylor. The question that had been put to you on the 26th had
18 to do with the suspension of the Catholic-run Radio Veritas. Do
19 you remember telling the Court that you weren't aware of that?

16:10:15

20 A. We talked about that. I was not aware of the closure. I
21 may have used the word "suspension" of the operation. Maybe
22 suspension of the operation - the operating licence. I was not
23 aware of that. But I think the context would be more the
24 closure.

16:10:32

25 Q. And you remember telling the judges on 26 January that you,
26 as President of Liberia, did not know or authorise any action
27 against Radio Veritas?

28 A. That is correct. The closure, yes.

29 Q. Indeed, Mr Taylor, you actually called a special press

1 conference to talk about the closure of Star Radio and the
2 suspension of Radio Veritas, isn't that correct?

3 A. Suspension of Radio Veritas? I don't know. I don't
4 recall.

16:11:12 5 Q. You gave that press conference at the Executive Mansion?

6 A. It's possible that I --

7 Q. It was given in the wake of reactions to the closure of
8 Star Radio and suspension of Radio Veritas; do you remember that,
9 Mr Taylor?

16:11:29 10 A. I don't quite recall the so-called suspension of Radio
11 Veritas.

12 Q. Well, if you want to use "closure", that's fine.

13 Mr Taylor, do you recall a special press conference where you
14 included comments about the closure of Radio Veritas? And I am
16:11:48 15 talking about the closure in 2000.

16 A. It's possible. I don't know. I don't recall.

17 Q. And do you recall a special press conference you called
18 where you told the media that people were making a lot of noise
19 about the closure of Star Radio and the suspension of Radio
16:12:10 20 Veritas; do you remember that?

21 A. That's possible.

22 Q. And you told the media that there was no right to airwaves
23 in Liberia; that it was a privilege to have a radio station. You
24 remember that, Mr Taylor?

16:12:23 25 A. That sounds like what I would say talking about the law,
26 yes.

27 Q. And you told the media at this special press conference
28 that the police were given strict orders to close these stations;
29 do you remember that, Mr Taylor?

1 A. To close the stations?

2 Q. Both Radio Veritas and Star Radio.

3 A. Then it's really slipped me. I don't - I don't recall that
4 at all.

16:12:48 5 Q. So you still have no recollection?

6 A. I have no recollection of including - that could have very
7 well happened, I just don't have any recollection of the closure
8 of Veritas. Star, yes. But I can't remember ordering the
9 closure of Veritas. I can't.

16:13:07 10 Q. Now, you may remember, Mr Taylor, that at some point Radio
11 Veritas did in fact re-open and resume broadcasting, yes?

12 A. That's what I am saying. I can't recall Radio Veritas
13 going off the air. I can't. I never listened to it, so I
14 wouldn't know if they even re-started, that's what I am saying.

16:13:28 15 I can't recall ordering their closure, and so I wouldn't even
16 know if they were re-opened. Because if I ordered the closure, I
17 would have to order the re-opening. I have no recollection of
18 ordering that. I could have well done it, but I don't recall
19 that.

16:13:43 20 Q. Mr Taylor, in 2001 you took actions to restrict freedom of
21 expression, including freedom of the press, in Liberia; isn't
22 that correct?

23 A. 2001?

24 Q. Yes, Mr Taylor.

16:13:56 25 A. Oh, no. I wouldn't say that.

26 Q. And, Mr Taylor, this action included arrest of journalists,
27 isn't that correct?

28 A. You say me. I don't - no. I would say no, there were no
29 actions that I took.

1 Q. Included closing of newspapers?

2 A. If a newspaper was closed, it had to be closed for legal
3 reasons. I wouldn't have anything to do with the closure of a
4 newspaper.

16:14:27 5 Q. These were actions of your subordinates; isn't that
6 correct, Mr Taylor?

7 A. If we look at it in that way I would say - if it was closed
8 I would say yes. If a subordinate means maybe an official of my
9 government, in that way, we have agreed here that subordinate has
10 been used in a very loose way, but if the Minister of Justice or
11 the Minister of Information, based on the regulations in Liberia,
12 closed down a radio station I would say they are my subordinates.

13 Q. Indeed, Mr Taylor, these actions were taken because you
14 believed that these media were reporting in a way that was
16:15:14 15 unfavourable to you. Isn't that right?

16 A. That is not correct. I wouldn't say that, no. I disagree.

17 Q. Mr Taylor, also in 2001 you, through your subordinates,
18 seized equipment of newspapers so they could not publish. Isn't
19 that correct?

16:15:34 20 A. Well, again, I would disagree with the way how you put it.
21 But I will just disagree not to get into an argument. I would
22 just say that any official of my government that acted within the
23 laws by closing down a paper I would say acted within the law and
24 if you call it a subordinate, once he's an official I would
16:15:58 25 agree.

26 Q. And in 2001 your government imposed new restrictions on
27 foreign journalists. Isn't that correct?

28 A. I am not sure if they were new. I don't know the details,
29 but there are certain guidelines set up over a long time on

1 foreign journalists coming into Liberia and those guidelines, I
2 don't know them verbatim, but they are guidelines affecting the
3 comportmentation of foreign journalists arriving in Liberia.

16:16:36 4 Q. If we could please look at tab 20 in annex 1. It's
5 entitled "Attacks on the press in 2001, Liberia, Committee to
6 Protect Journalists". It is dated February 2002. If we can be
7 sure the top of that page is being shown, please. We see the
8 title, "Attacks on the press in 2001: Liberia. Publisher,
9 Committee to Protect Journalists. Country, Liberia. Publication
16:17:44 10 date, February 2002. Attacks on the press in 2001: Liberia." If
11 we look at the first paragraph: "President Charles Taylor
12 remains the single greatest threat to press freedom in Liberia."
13 That was a correct assessment, wasn't it, Mr Taylor?

14 A. No, I disagree.

16:18:07 15 Q. "As global pressure mounted on his government to improve
16 its bleak human rights record, Taylor responded with his usual
17 mix of paranoia and brutality, jailing reporters for 'espionage',
18 shutting down newspapers for unpaid taxes and imposing a news
19 blackout on an armed rebellion in northern Lofa County. On May
16:18:32 20 3, CPJ included Taylor on its annual list of the ten worst
21 enemies of the press."

22 Mr Taylor, were you aware of that?

23 A. What is CPJ, counsel?

24 Q. Committee to Protect Journalists.

16:18:47 25 A. I was not aware of that. I was not aware of that. The
26 journalists do that all the time. I was not aware of that.

27 Q. And then if we could look at the fourth paragraph down,
28 please: "On February 21, police picked up four reporters from
29 The News." You are familiar with The News; that was a newspaper

1 in Monrovia, yes, Mr Taylor?

2 A. Yes, I am.

3 Q. "Police picked up four reporters from The News and charged
4 them with espionage. The detentions came in reprisal for a story
16:19:21 5 on government spending on helicopter repairs, Christmas cards and
6 souvenirs. The four were jailed for over a month and freed only
7 after vocal protests from the local press community and after
8 they agreed to send Taylor a letter of apology."

9 Mr Taylor, you remember that incident, don't you, where
16:19:42 10 these four journalists were arrested?

11 A. Not precisely, no I don't. I don't recall this. It's
12 possible it could have happened.

13 Q. And, Mr Taylor, if we look at page 2 of this document, it
14 gives you the name of these people who were imprisoned. Joseph
16:20:04 15 Bartuah, do you know that name, Mr Taylor?

16 A. Bartuah, yes, it rings a bell. Bartuah rings a bell, yeah.

17 Q. Abdullah Dukuly?

18 A. Abdullah Dukuly.

19 Q. Do you know that name, Mr Taylor?

16:20:21 20 PRESIDING JUDGE: What paragraph are you reading?

21 MS HOLLIS: Excuse me, Madam President. I am about midway
22 down on page 2 under "February 21". Then there are names listed:

23 Q. James Dalieh?

24 A. No, I don't know James Dalieh.

16:20:45 25 Q. Bobby Tapson?

26 A. That doesn't ring a bell.

27 Q. And the next paragraph indicates that Bartuah was the
28 managing editor of the independent Monrovia daily, The News. Do
29 you recall that, Mr Taylor, that he was the editor, the managing

1 editor?

2 A. I don't know. The name Bartuah rings a bell because I
3 think he could be the brother of a Bartuah that I know. I don't
4 know the other people. But I see legal actions, so they probably
16:21:14 5 went through court. I wouldn't be involved in this. I don't
6 recall this specifically. But I can see apparently they went
7 through a legal process.

8 Q. Mr Taylor, you see that Abdullah Dukuly was editor-in-chief
9 of The News?

16:21:30 10 A. I don't know, counsel. I don't know. The President
11 wouldn't know the staff of a local newspaper. I don't know.

12 Q. And, according to this, it was the reporter Tapson who was
13 also imprisoned. Now, if we look at the fourth paragraph down
14 from those names:

16:21:56 15 "According to The News, authorities claimed that Tapson's
16 article contained national security information and was published
17 in order to weaken Liberia in the event of a military or
18 diplomatic confrontation with unnamed 'foreign powers'. The four
19 journalists were charged with espionage and denied bail because
16:22:18 20 espionage is a capital offence."

21 Do you remember that, Mr Taylor; them being arrested on the
22 claim that the article contained national security information?
23 Do you remember that, Mr Taylor?

24 A. No, I can't recall it. But again, counsel, I think it's
16:22:35 25 possible. Journalists have been known during war to be - to pass
26 information on countries and journalists in different parts have
27 been dealt with as far as investigating them for espionage. So
28 this could be normal. I mean, I don't recall this, but it looks
29 like something that could have happened and they went through the

1 legal process and I am sure if they spent a month in jail it
2 meant that the Court saw that there was no validity to the issue
3 and let them go. But this for me would be normal. I don't
4 recall the exact story.

16:23:07 5 Q. Do you recall, Mr Taylor, when it first talked about this
6 incident it said that it was a story on government spending on
7 helicopter repairs, Christmas cards and souvenirs?

8 A. I remember what it said. If a journalist during war, 2001
9 - if any individual reported on military activities almost in any
16:23:28 10 country as to the capacity of that armed forces and maybe getting
11 information that a helicopter was down and could not work which
12 gave information to the enemy, I wouldn't be surprised that they
13 were arrested. I am not surprised at all.

14 Q. Mr Taylor, if we look at page 3, second paragraph:

16:23:50 15 "The four journalists were released from jail when the
16 government dropped all charges, following an appeal by the Press
17 Union of Liberia and an apology issued by the journalists."

18 So do you recall that, Mr Taylor; after they apologised
19 they were released?

16:24:08 20 A. I have no recollection of this. But it looks like a normal
21 process. I don't really recollect this whole incident, no.
22 2001, I am so busy with the war, but I appreciate the process
23 that occurred, but I cannot recollect it. And it very well looks
24 like a normal process.

16:24:28 25 Q. Mr Taylor, if we look at the next entry, April 17, and you
26 recall, Mr Taylor, these events are occurring in 2001?

27 A. That is correct.

28 Q. Sam Howard of the BBC:

29 "Howard, a stringer for the BBC, was detained by security

1 officers and then threatened by Defence Minister Daniel Chea,
2 according to local sources."

3 Do you recall that incident, Mr Taylor?

4 A. No, I wouldn't know, counsel.

16:24:54 5 Q. "On April 16th Howard commented live for the BBC on the
6 recent killing of Liberia's Youth and Sports Minister, Francois
7 Massaquoi."

8 And when was Francois Massaquoi killed, do you remember,
9 Mr Taylor?

16:25:11 10 A. Francois Massaquoi, a very good friend of mine, a minister
11 in our government, was I think killed, if I am not mistaken, in
12 2001 on a helicopter attack in Voinjama.

13 Q. And indeed the next sentence says:

14 "Dissidents fighting to overthrow the Taylor regime in the
16:25:34 15 northern region of Lofa claimed responsibility for the murder."

16 Do you remember that?

17 A. I remember the incident of Francois. In fact it was a
18 very, very sad situation. A personal friend and I would say
19 brother of mine.

16:25:45 20 Q. And then, Mr Taylor, the next paragraph:

21 "During his BBC appearance" - and this is in reference to
22 Mr Howard - "Howard said that 'one who rides on the back of a
23 lion ends up in the stomach', insinuating that Taylor or his
24 government may have been involved in the murder."

16:26:04 25 Do you recall him making that statement in his BBC
26 appearance, Mr Taylor?

27 A. No, I don't recall that. He very well could have. But I
28 don't recall the statement made by him.

29 Q. "A day after Howard's BBC appearance, Lewis Brown, an aide

1 to President Taylor, told a local radio programme that the
2 government would not tolerate bad publicity."

3 So, Mr Taylor, that was the reason that he was detained,
4 isn't that correct, because you felt what he said was bad
16:26:36 5 publicity?

6 A. No, that's not what I said. That's what Lewis Brown said.

7 Q. And he was in what position at this time, Mr Taylor, Lewis
8 Brown?

9 A. 2001, Lewis Brown was I think Minister of State For Foreign
16:27:04 10 Affairs. He was an aide in the presidency.

11 Q. And his actions would have been either on your order or
12 with your consent. Isn't that correct, Mr Taylor?

13 A. Not necessarily. Lewis was not an official spokesman for
14 the government. He could have been asked a question and
16:27:25 15 responded, but he was not an official spokesman for the
16 government.

17 Q. "Shortly thereafter security officers picked up Howard and
18 brought him before Defence Minister Daniel Chea for questioning.
19 Local sources told CPJ that the minister threatened Howard.
16:27:43 20 Howard was released later that day."

21 Did you know about Mr Howard being taken to see your
22 Defence Minister, Mr Taylor?

23 A. No, I did not.

24 Q. Now, if we look at the next entry:

16:27:55 25 "April 27, all news organisations, censored. The Liberian
26 Ministry of Information ordered journalists covering national
27 security issues, including civil strife in the north of the
28 country, to clear their stories with the ministry before
29 publication or broadcast."

1 Mr Taylor, in 2001 had you declared a state of emergency in
2 Liberia?

3 A. 2001, no. No.

4 Q. And, Mr Taylor, if we look at:

16:28:25 5 "May 25, all foreign journalists, harassed. The Ministry
6 of Information issued new guidelines for foreign journalists
7 visiting Liberia. The release claimed that the guidelines were
8 designed to minimise the impact of anti-government propaganda by
9 certain foreign correspondents and news organisations."

16:28:50 10 Do you remember the issuance of those new guidelines,
11 Mr Taylor?

12 A. Vaguely, yes. Vaguely I remember, which is not unusual -
13 which is not unusual. It happens, even in the west. So that
14 would not be unusual. Vaguely I remember that. Journalists
16:29:11 15 covering military matters, even in western countries now in
16 Afghanistan, they have to clear - in fact, some of them are
17 embedded to be sure that they clear the story. It is not
18 unusual. I don't recall the details, but I am sure that this is
19 true.

16:29:33 20 Q. And, Mr Taylor, if we look at page 4 of 5. Now, again in
21 2001, we see, "July 2, Radio Veritas censored". Mr Taylor, July
22 2, we are talking about 2001, "Radio Veritas censored". So
23 again, Mr Taylor, in 2001 action is taken against Radio Veritas;
24 isn't that correct.

16:30:26 25 A. That's possible. I don't - like I say, I don't recall the
26 Veritas story. This would have been dealt with by information.
27 I really don't recall the Veritas story, really, as I have said
28 many times.

29 Q. And it goes on to say:

1 "The Catholic Church-owned station Radio Veritas was banned
2 from broadcasting on shortwave radio. That left Kiss FM and
3 Radio Liberia International, both part of President
4 Charles Taylor's Liberia Communications Network, as the only
16:31:03 5 stations airing political news countrywide."

6 Now, Mr Taylor, Liberia Communications Network, that was
7 your network, correct?

8 A. That is incorrect.

9 Q. Who owned that network?

16:31:25 10 A. Well, that's - now maybe we will break the question down.

11 When I became President --

12 Q. Mr Taylor, who owned that network?

13 A. The National Patriotic Party owned that network. I owned
14 it before. When I became President, I gave it to the party. So

16:31:44 15 at the time in question, the National Patriotic Party owned the
16 network.

17 Q. And it consisted of newspapers, correct?

18 A. No, not - you said newspapers?

19 Q. Yes.

16:32:02 20 A. Not that I know of. I know of one newspaper. I don't know
21 of newspapers.

22 Q. And which newspaper was that?

23 A. I recall The Patriot.

24 Q. And it also included radio, correct? Radio stations?

16:32:20 25 A. Yes, radio stations, yes.

26 Q. And also TV stations?

27 A. Well, not TV stations. A TV station.

28 Q. And Kiss FM, who owned Kiss FM?

29 A. The National Patriotic Party after I became President.

1 Q. Was that part of the Liberia Communications Network?

2 A. That's the Communications Network, yes.

3 Q. And if we look at the fourth paragraph down under this
4 section:

16:32:53 5 "Information Minister Reginald Goodridge said that by
6 airing political programming Radio Veritas had violated its
7 permit, which only allowed the station to broadcast religious
8 shows. Radio Veritas aired several shows critical of Taylor's
9 government, including the controversial programme 'Topical
16:33:22 10 Issues'."

11 Now, Mr Taylor, Radio Veritas was again banned in 2001
12 because it was airing shows that were critical your government;
13 isn't that correct?

14 A. Well, I have answered your question. That is not correct.
16:33:42 15 But I think the reason why it is banned - I think it's mentioned
16 in that paragraph other than what you have said. Under the laws
17 of Liberia at that particular time, the minister - the religious
18 radio stations Veritas and another station called EOWA, which is
19 also American owned and backed, were supposed to broadcast
16:34:06 20 religious information. So I would stick to what this paragraph
21 says. I agree that if they were closed - and it did not need
22 necessarily the approval of the President. The information
23 broadcast have rules and regulations under the law, and they
24 regulated by the Ministry of Information. So I agree with that
16:34:30 25 paragraph.

26 Q. Now, Mr Taylor, let's look at the entry under August 20,
27 Sam Dean, Monrovia Guardian, imprisoned. Monrovia Guardian, that
28 was another newspaper in Monrovia, correct?

29 A. Guardian, yes.

1 Q. An independent newspaper?

2 A. Independent, I don't know. I know it was a newspaper.

3 Q. Was it owned by the government, Mr Taylor?

16:34:56

4 A. It was not owned by the government, but it could have been
5 owned by another external source, as we have in Liberia.

6 Q. Do you know exactly who it was owned by?

7 A. No, that's why I am not speculating. I am saying I don't
8 know.

9 Q. "Dean, editor of the independent daily Monrovia Guardian,
10 was arrested by police and taken to police headquarters, where he
11 was charged with criminal malevolence."

12 Mr Taylor, what is "criminal malevolence" under Liberian
13 law; do you know?

16:35:29

14 A. Well, I just - I just - I don't really know, counsel. Let
15 me just call the shot. I don't know. I am just going to use
16 criminal - "malevolence" could be any aspect of our criminal law,
17 I would suspect.

18 Q. And then it says:

16:35:44

19 "Dean's arrest followed the publication, around August 17,
20 of a Guardian article reporting that Police Chief Paul Mulbah had
21 been summoned to the House of Representatives for questioning
22 after a female Parliamentarian was assaulted in the Monrovia
23 suburb of Gardenville. The article, titled 'Police Director
24 Wanted', claimed that the House wished to ask Mulbah why police
25 had failed to arrest the perpetrators of the attack."

16:36:16

26 Mr Taylor, do you remember this incident where Chief Paul
27 Mulbah was summoned to the House of Representatives for
28 questioning?

29 A. No, I don't remember it. But I think they even made a - I

1 don't know even of any place called Gardenville. They could very
2 well be talking about - I know a Gardnersville. Maybe that's
3 what they are talking about. But I'm not aware of this. But
4 this looks normal to me, where the House exercising its right to
16:36:46 5 question could summons the police director. So I don't know the
6 details of that:

7 Q. "Sources in Monrovia said that police were upset by the
8 story's headline and that Mulbah went to the Press Union of
9 Liberia, PUL, and complained of the Guardian's 'sensationalism'
16:37:09 10 and misleading reports. The PUL called Dean in for questioning
11 regarding the police chief's complaints, but the editor refused
12 to go, claiming he had done nothing wrong."

13 Are you aware of this sequence of events, Mr Taylor?

14 A. No, I'm not aware. I was not aware of it. I see the Press
16:37:26 15 Union conducting an investigation. No, this did not get to me.

16 Q. "On August 20, the Guardian reproduced the same article and
17 asked the public, 'What's wrong with this headline?' Sources say
18 this infuriated the police, who shortly thereafter arrested Dean
19 in the paper's offices."

16:37:47 20 It goes on to say he was detained for 71 hours and released
21 after he wrote an apology to the police for the article. Do you
22 remember his arrest and subsequent release, Mr Taylor?

23 A. No, I don't. To help the Court, I see "71 hours". This
24 looks like a little over the 48 mandated under the writ of habeas
16:38:14 25 corpus, so that seems unlikely for me. I don't know the story.

26 Q. And, Mr Taylor, again, if we look at this September 17
27 entry about T-Max Jlateh --

28 A. Yes.

29 Q. -- harassed.

1 A. Yes.

2 Q. And it says he's the host of the popular call-in show
3 "DC-Talk" at the Monrovia-based radio station DC 101.1? Were you
4 familiar with that station?

16:38:45 5 A. Yes, and I also know T-Max very well.

6 Q. It says here he was arrested for airing listener comments
7 that celebrated the September 11 terrorist attacks against the
8 United States. Do you recall that incident, Mr Taylor?

9 A. Let me see that again. No, I don't. But who would want to
16:39:06 10 mess with T-Max? No, I don't know this. T-Max was someone that
11 everyone in the country wanted to listen to, so that would be a
12 mistake. I am not aware of this.

13 Q. And, Mr Taylor, the last paragraph in that section says
14 that CPJ, meaning the Committee to Protect Journalists, protested
16:39:30 15 JIateh's arrest in his September 20 letter to Liberian President
16 Charles G Taylor. Do you remember receiving that letter,
17 Mr Taylor?

18 A. No, I don't. I don't dispute that they could have written,
19 but it didn't get to me. Some letters, the President never, ever
16:39:46 20 sees.

21 Q. And, Mr Taylor, again, on the November 20 entry:

22 "The News, Harassed, Guardian, Harassed, Wilson Tarpeh, The
23 News, Imprisoned. Police officers entered the newsroom of the
24 independent daily The News, a fiery critic of Liberian President
16:40:04 25 Charles Taylor, and ordered journalists and others to leave the
26 building immediately. The officers did not provide a warrant for
27 their action, sources said.

28 At about the same time, similar action was taken against
29 the daily Guardian, another thorn in the President's side.

1 Police claimed to act at the behest of the Ministry of
2 Finance, which had allegedly determined that both papers owed the
3 government large sums in unpaid taxes. Later that same day,
4 police arrested Tarpeh, chairman of The News' editorial board."

16:40:43 5 And it talks about Tarpeh being taken to Police
6 Headquarters in Monrovia, and it talks about his release on
7 November 25. "He was never charged with any crime; police later
8 said his detention was an 'invitation' to assist in the probe
9 into the tax matter."

16:41:03 10 And it indicates that The News and Guardian resumed
11 publication on December 4, after the Press Union of Liberia
12 protested the harassment of the two publications. Do you recall
13 that incident, Mr Taylor?

14 A. I don't recall it, but it sounds normal to me. A newspaper
16:41:20 15 who owed taxes, they get arrested or investigated. It happened
16 in Italy. Sometimes news agencies have problems. It happened in
17 Turkey. All around. This is - this I'm - I don't know as
18 President these workings, but it sounds to me like nothing I am
19 prepared to fuss about here. A newspaper or any news
16:41:45 20 organisation, they are not above the law. If they owe taxes,
21 they will be subject to investigation like anybody else. So I
22 don't have a fight with this.

23 Q. Actually, Mr Taylor, these actions were taken because they
24 were taking positions that were contrary to you. Isn't that
16:42:02 25 right?

26 A. I wouldn't say so, no. I encouraged the press. No, I
27 disagree with you.

28 Q. Now, if we could just go back to the front page of this
29 article or this Committee to Protect Journalists report.

1 Mr Taylor, if we could look at the fourth paragraph from the
2 bottom of that page:

3 "Authorities seized equipment from three other newspapers,
4 The New National, The Analyst and Monrovia Guardian, on similar
16:42:36 5 grounds."

6 Mr Taylor, they are talking here about the police picking
7 up reporters from The News and then The News being shut down for
8 unpaid taxes. So:

9 "Authorities seized equipment from three other newspapers,
10 The New National, The Analyst and Monrovia Guardian, on similar
11 grounds. The News resumed publication on March 7, while the
12 three other papers continued to publish, though with great
13 difficulties. In May, police seized The Analyst's remaining
14 equipment, silencing it for another month."

15 Now, The National, The Analyst, the Monrovia Guardian, you
16 were familiar with those newspapers, yes, Mr Taylor?

17 A. I don't know what you mean by familiar. If I am aware of
18 the names?

19 Q. Yes.

16:43:27 20 A. Yes.

21 Q. And you were aware that equipment was seized from these
22 newspapers. Isn't that correct?

23 A. I don't - I am not sure if they told me. But this looks
24 like confusion. I could have very well been - could have asked
16:43:41 25 and I could have been told newspaper stopped for a few days.

26 This looks like an ongoing fuss between the Ministry of
27 Information. I would say I was not told specifically, but it
28 looks normal to me. I do not dispute this account.

29 Q. Indeed, Mr Taylor, during your presidency, independent news

1 reporting was cut back substantially. Isn't that correct?

2 A. This is not correct. This is not correct. The fact that a
3 newspaper can operate, have some problems, open in a day or two,
4 I just see this - under the circumstances in Liberia at the time
16:44:21 5 of the war, I don't feel bad about this. I still believe that
6 Liberia had about a dozen newspapers and operated, and these
7 little things up and down in a small country like Liberia where
8 people on all sides are fighting, this seems pretty normal to me.
9 In an advanced country, no.

16:44:44 10 Q. Indeed, Mr Taylor, after you left office, freedom of
11 expression and freedom of press improved significantly in
12 Liberia. Isn't that correct?

13 A. That's total nonsense. No, that's not correct. That's not
14 correct.

16:44:58 15 MS HOLLIS: Madam President, could I ask that this report
16 to which I was referring be marked for identification, "Tax on
17 the press in 2001, Liberia, Committee to Protect Journalists",
18 February 2002.

19 PRESIDING JUDGE: The document as described is marked
16:45:16 20 MFI-397.

21 MS HOLLIS:

22 Q. Now, Mr Taylor, if we could turn to another topic. After
23 you assumed the office of the President, you accepted the
24 establishment of a UN peace building office in Liberia, isn't
16:45:56 25 that correct?

26 A. That is correct.

27 Q. And this United Nations peace building office in Liberia
28 was called UNOL or U-N-O-L, correct?

29 A. That is correct.

1 Q. And you accepted this after consultations with the UN?

2 A. That is correct.

3 Q. And indeed it was established on 1 November 1997. Do you
4 recall that, Mr Taylor?

16:46:21 5 A. That sounds pretty right.

6 Q. And UNOL or U-N-O-L had the mandate to support your
7 government's efforts to consolidate peace and democracy, correct?

8 A. That is correct.

9 Q. To promote national reconciliation and the rule of law,
16:46:41 10 yes?

11 A. That is correct.

12 Q. And that would include the protection of human rights, yes?

13 A. That is correct.

14 Q. And it also had the mandate to contribute to sub-regional
16:46:53 15 efforts to normalise relations between Liberia and its
16 neighbours, yes?

17 A. Could you say that again.

18 Q. Yes. And it also had the mandate to contribute to
19 sub-regional efforts to normalise relations between Liberia and
16:47:08 20 its neighbours, yes?

21 A. I don't recall that one because its mandate was confined to
22 Liberia. To contribute, I could agree. I don't recall
23 specifically. That sounds like what they would be doing, but I
24 don't recall that specific language. I don't dispute the
16:47:30 25 language, counsel. I am just saying - I am sure you are reading
26 it properly. I don't dispute the language.

27 Q. Mr Taylor, do you recall that on 12 December 1997 Mr Felix
28 Downes-Thomas was appointed as the representative of the
29 Secretary-General in Liberia?

1 A. Yes.

2 Q. This was a gentleman from the Gambia?

3 A. Yes.

4 Q. And as the representative of the Secretary-General in

16:47:59 5 Liberia, he was the head of UNOL, yes?

6 A. That is correct.

7 Q. And Mr Downes-Thomas, representative of the

8 Secretary-General, RSG - Felix Downes-Thomas served until about

9 early 2002, isn't that correct?

16:48:19 10 A. That is correct.

11 Q. Around February 2002?

12 A. I don't remember the exact date, but that sounds pretty

13 close.

14 Q. And, Mr Taylor, why did RSG Downes-Thomas leave at that

16:48:36 15 time? Why did he leave that position?

16 A. In 2002? I don't know precisely. I think he had completed

17 his tour of duties and - in fact he had stayed in Liberia for a

18 very long time and he left. That's the information that I know.

19 Q. And he was eventually replaced by the Secretary-General,

16:48:59 20 correct?

21 A. 2002, yes.

22 Q. In about September 2002, do you recall?

23 A. That is correct.

24 Q. And he was replaced by a gentleman by the name of Abu Musa.

16:49:12 25 Is that correct?

26 A. That is correct.

27 Q. And Abu Musa was from what country? Do you recall,

28 Mr Taylor?

29 A. No, sorry, I don't recall where Abu Musa came from. I

1 don' t.

2 Q. Now, during your direct examination your Defence counsel
3 read to you quite a number of UN cables that you said had been
4 provided to you by RSG Downes-Thomas. Do you remember that,

16:49:43 5 Mr Taylor?

6 A. Yes.

7 Q. Now, there were no cables read that originated from
8 Mr Downes-Thomas's replacement. Do you have any such cables in
9 your archives?

16:50:04 10 A. What you see is only what I collected. There could be some
11 still in Monrovia.

12 Q. Do you recall being given copies of any of these UN cables
13 by RSG Downes-Thomas's replacement?

14 A. By 2002, no. Most of the cables involved Liberia external
16:50:30 15 problems dealing with Sierra Leone. By 2002 we were no longer
16 involved in the Sierra Leonean problem, so the internal
17 activities between the Government of Liberia and the United
18 Nations at that time still remained internal. So I didn't keep
19 copies of those things. They are at the presidency in Monrovia.

16:50:53 20 Q. Now, I don't quite understand your answer. Does that mean
21 that RSG Musa indeed gave you copies of UN cables?

22 A. I want to say yes. There were exchanges of letters and
23 documents between Musa's office, but they did not pertain to
24 Sierra Leone and so I didn't take any special interest as my
16:51:19 25 papers were - as I instructed people to collect these documents
26 from my papers.

27 Q. So you are saying you do recall being given them, but you
28 didn't instruct people to collect them for you?

29 A. Yes. If you remember I have said to this Court following

1 my indictment I said I instructed staff to collect certain
2 material. And once the material did not involve any question on
3 Sierra Leone, they did not collect it. So there were exchanges
4 between Abu Musa's office and the Government of Liberia between
16:51:56 5 2002 and up until I left in 2003.

6 Q. Now, to be clear, Mr Taylor, I am talking about RSG Musa
7 giving you copies of UN code cables. That's what I'm talking
8 about.

9 A. If it involved Liberia, yes, we received code cables. If
16:52:14 10 there were any, yes.

11 Q. And I suggest to you that was not the case.

12 A. That's what I am saying; if there were code cables
13 regarding that particular situation, there would be some on the
14 records.

16:52:29 15 Q. Now, Mr Taylor, you have told the Court that you and RSG
16 Downes-Thomas reached an agreement that he would give you code
17 cables with subject matter regarding Liberia. Do you remember
18 that?

19 A. Yes, Liberia - dealing with the Sierra Leonean question,
16:52:48 20 yes, yes.

21 Q. Let's look at page 25771 of 3 August, please. Do
22 your Honours have that, because I am not getting it on my screen?
23 Now I see it.

24 A. Yes, it's up now.

16:53:58 25 Q. Now, Mr Taylor, if we could look at this page on 3 August
26 and if we could look at line 17:

27 "We then at this particular time call in the special
28 representative, and we agree that the protection of the state was
29 important to the United Nations and that the agreement was we

1 would have all diplomatic or other United Nations messages sent
2 by the special representative that are non-secret that pertained
3 to discussions with the Government of Liberia or any meetings or
4 conferences that he was present in that those reports are
16:54:56 5 submitted to New York, the Government of Liberia should be
6 provided copies."

7 Do you see that, Mr Taylor?

8 A. That is correct.

9 Q. So there is no mention there of matters relating to Sierra
16:55:17 10 Leone. Simply discussions - well, messages sent that are
11 non-secret that pertain to discussions with the Government of
12 Liberia or any meetings or conferences he was present in that
13 those reports are submitted to New York. So that was the
14 agreement you had with RSG Downes-Thomas, correct?

16:55:44 15 A. That is correct. The most important matter at that
16 particular time is Sierra Leone. That's foremost on our minds,
17 yes.

18 Q. But of course that doesn't appear at page 25771, does it,
19 Mr Taylor?

16:55:54 20 A. The name Sierra Leone doesn't appear, but meetings and
21 conferences. Sierra Leone doesn't appear in there, but that's
22 foremost on our minds I am saying to you.

23 Q. And, Mr Taylor, as a result of this agreement then, RSG
24 Downes-Thomas provided you with the cables that have been used in
16:56:14 25 court, yes?

26 A. The cables that have been provided here, yes, from his
27 office.

28 Q. Now, Mr Taylor, do you remember being asked about a
29 document that had "Only" on it and you were asked how the

1 documents with the word "Only" made their way to you and you
2 said: "It's really a public document, it's not a secret
3 document. If not, it would be stamped secret, okay." Do you
4 remember telling the Court that?

16:56:55 5 A. I'm sure, yes.

6 Q. And then you went on to say again: "All such documents
7 that have to do with the Republic of Liberia or any interaction
8 with the republic that is not top secret, the government is
9 provided copies of that."

16:57:14 10 Do you remember telling the Court that, Mr Taylor?

11 A. I remember that.

12 Q. Now, indeed, Mr Taylor, code cables are internal
13 communications within the United Nations, aren't they?

14 A. Once they involve another government they are not internal,
16:57:29 15 in my opinion.

16 Q. And, Mr Taylor, what is your basis for saying that these
17 are not internal documents, other than your opinion?

18 A. Well, I cannot speak for the United Nations, but if a
19 United Nations official conducts a discussion with my government
16:57:47 20 and claims that it's internal I disagree. And that's why we
21 insisted on having copies. So the United Nations may have a
22 different opinion, but I cannot see any discussion with my
23 government or any government as being only internal to United
24 Nations and secret. How can you hold a meeting with me and say
16:58:05 25 your side is secret but my side is not secret? The two parties
26 that participated in the discussion have a right to those
27 documents. That was the opinion of the Government of Liberia.

28 Q. Now, indeed, Mr Taylor, these code cables that have been
29 presented to this Court, on quite a few of them the word "Only"

1 appears at the top. Isn't this correct?

2 A. Well, I can't say for real. I have to go through the whole
3 thing and see before I would say that is correct. All I can rely
4 on now is what you are saying that the majority of them and that
16:58:41 5 becomes subjective again. So I would have to look at all of the
6 documents to ascertain as to whether your statement is correct,
7 so I have to disagree.

8 Q. And as the Court goes through these cables they can see the
9 word "Only" on some of them, so we won't waste time going through
16:59:04 10 those just to show the word "Only".

11 But now, Mr Taylor, some of these cables that have been
12 provided to this Court, cables given to you by RSG Downes-Thomas,
13 were cables that were requesting his observations or comment on
14 various things. Isn't that correct?

16:59:27 15 A. I don't know, counsel. You have to refer to a specific
16 document and get my opinion on it.

17 Q. Well, Mr Taylor, you've read these. You've seen these.

18 A. I know, counsel, but I am not just going to make a general
19 statement. I would have to look at your reference to a
16:59:42 20 particular document and then give an opinion if that's what is
21 requested. I am not going to make a general statement.

22 MS KAMUZORA: Your Honour, now we are advised that the tape
23 has run out.

24 PRESIDING JUDGE: I apologise. I thought I had some few
16:59:57 25 more minutes the last time I checked, but I am told the tape has
26 run out so this is a good time to take a break. We will
27 reconvene at 5.30.

28 [Break taken at 5.00 p.m.]

29 [Upon resuming at 5.30 p.m.]

1 PRESIDING JUDGE: Ms Hollis, please.

2 MS HOLLIS: Madam President, if we could please look at
3 MFI-70. That was DCT-48:

4 Q. And if we could bring this down so we can see - this is an
17:32:22 5 outgoing code cable from RSG Downes-Thomas to Prendergast, United
6 Nations New York, reported withdrawal of ECOMOG troops from
7 Liberia. And if we could look at paragraph 1:

8 "I refer to your code cable of 20 January which requested
9 my comments on a PANA news article of 15 January 1999 on the
17:32:51 10 withdrawal of Nigerian ECOMOG contingent from Monrovia as well as
11 my views on the implications of that move on the security
12 situation in Liberia and on the ECOWAS/Liberia relationship. I
13 have also taken due note of the additional requests for my
14 analysis of the impact of developments in Sierra Leone on Liberia
17:33:16 15 and on relations between the two countries. I respond to these
16 requests and those related to UNOL's strategy and clarification
17 of the use of the term 'militia units' in the statement from the
18 Ministry of State for Presidential Affairs as follows."

19 So, Mr Taylor, this cable is a response to requests for RSG
17:33:45 20 Downes-Thomas's comments, views and analysis, correct?

21 A. That is correct.

22 Q. And this is one of the cables that RSG Downes-Thomas
23 provided to you based on your agreement with him. Is that
24 correct?

17:34:08 25 A. That is correct. It involves the Ministry of State
26 matters, yes.

27 Q. And if we could also please look at MFI-82, which is
28 DCT-117. And we see from RSG Downes-Thomas to Prendergast,
29 United Nations New York with the word "Only". Then subject,

1 "Observations on Sierra Leone and Liberia". Then if we look at
2 number 1:

3 "With reference to your code cable number 658 of 25 March
4 1999, I wish to thank you for providing me with a copy of special
17:35:33 5 envoy Okelo's CSN-136/99 of 29 March 1999, together with the note
6 on his political officer's unannounced visit to Monrovia during
7 the period between 5 and 11 March 1999."

8 Then if we look at the last two sentences of that paragraph
9 number 1:

17:36:11 10 "But before responding to your request for comments on the
11 officer's note, I would like to formally convey to you my overall
12 views on the matter."

13 So, Mr Taylor, this is a response to a request for
14 comments, correct?

17:36:41 15 A. I see the subject here, counsel. To be fair to you, I see
16 the subject of "Observations on Sierra Leone". I see what the
17 first paragraph says. But if you are asking me questions about -
18 my answers in this Court have been based on the full document.
19 So, in direct answer to your question, there is an issue here of
17:37:01 20 a request for comments, yes.

21 Q. And also, Mr Taylor, he is formally conveying his overall
22 views on the matter as well, yes?

23 A. It depends. What matters are you talking about? We are
24 talking about Sierra Leone and Liberia, right? Am I right about
17:37:17 25 assuming that?

26 Q. No:

27 "Before responding to your requests for comments on the
28 officer's note, I would like to formally convey to you my overall
29 views on the matter."

1 So he is conveying his views, correct, according to his --

2 A. On the officer's note on the matter, so for me the subject
3 is "the matter" and we still don't know what the matter is. And
4 I'm proposing that the matter is Liberia and Sierra Leone.

17:37:44 5 Q. And, Mr Taylor, were you provided with a copy of special
6 envoy Okelo's cable 136/99?

7 A. I don't recall. I had relationship not with Okelo. The
8 Government of Liberia had relationship with the UNOL
9 representative in Liberia.

17:38:07 10 Q. And did RSG Downes-Thomas provide you with a copy of
11 special envoy Okelo's CSN 136/99?

12 A. I don't recall every specific document. I would have to go
13 through the documents based on what were represented to see. I
14 don't recall any - this specific number and specific cable.

17:38:28 15 PRESIDING JUDGE: Did Mr Taylor say, "I had a relationship
16 with Okelo"?

17 THE WITNESS: No.

18 PRESIDING JUDGE: You said the exact opposite?

19 THE WITNESS: I said the exact opposite, your Honours. I
17:38:37 20 had no relationship with Ambassador Okelo.

21 PRESIDING JUDGE: Thank you. I hope the record will pick
22 that up.

23 MS HOLLIS: Thank you, Madam President:

24 Q. Mr Taylor, did RSG Downes-Thomas provide you with a copy of
17:38:49 25 the note on special envoy Okelo's political officer's unannounced
26 visit to Monrovia?

27 A. I don't recall the specific of the different documents. I
28 would have to see a document. I don't recall, counsel.

29 Q. Now, Mr Taylor, you refer - do you recall talking about

1 this - the contents of this cable? Do you recall that,

2 Mr Taylor, talking about PAO Zongwe and special envoy Okelo?

3 A. That is correct.

4 Q. And, Mr Taylor, you had a negative reaction to learning

17:39:34 5 that this political officer had made this unannounced visit to
6 Monrovia. Isn't that correct?

7 A. Could you ask that again?

8 Q. Yes. You had a negative reaction to learning that this

9 political officer had made an unannounced visit to Monrovia.

17:39:53 10 Isn't that correct?

11 A. Yes, I had a negative reaction that a political officer
12 from Sierra Leone would come to Liberia and pack up whatever he
13 did, yes.

14 Q. And you also had some negative reaction to special envoy

17:40:06 15 Okelo. Isn't that correct?

16 A. Oh, definitely.

17 Q. Mr Taylor, it's the situation, is it not, that this
18 political officer was sent on this unannounced visit to Monrovia
19 because of concerns that RSG Downes-Thomas was too close to you?

17:41:03 20 A. I can't say that. I cannot say that. I do not know what
21 was going through the mind of what Ambassador Thomas's colleague
22 in Freetown was thinking. I can't comment on that. I don't
23 know.

24 Q. And also that because he was too close to you, there was

17:41:27 25 concern about whether his observations were impartial. Isn't
26 that correct?

27 A. I have no idea, counsel. It's important for ambassadors to
28 be close to Heads of State that they represent their Presidents
29 from. Such a relationship is good. So I can't comment on what

1 closeness is. I think he operated within the framework of his
2 diplomatic assignment in Liberia.

3 Q. Now, if we could please look at MFI-51, which is DCT-176.

17:42:30

4 JUDGE DOHERTY: May I clarify the last answer? I find it
5 somewhat ambiguous. Is Mr Taylor saying that it's good for an
6 ambassador to be close to the Head of State that they represent,
7 i.e. their home country, or close to the Head of State of the
8 country in which they are accredited to?

17:42:51

9 THE WITNESS: Your Honour, the Head of State of the country
10 that they are accredited to.

11 JUDGE DOHERTY: Thank you.

12 MS HOLLIS:

13 Q. Indeed, Mr Taylor, they are expected to work closely with
14 that country. Isn't that correct?

17:43:04

15 A. Yes, and in the case of Ambassador Thomas he was a 30-year
16 veteran of the United Nations. He was very well respected in the
17 system. He had strong credentials, yes.

18 Q. Mr Taylor, they are still expected to remain impartial.
19 Isn't that right?

17:43:21

20 A. It is expected and I think he did, yes.

21 Q. In their reporting?

22 A. Definitely.

23 Q. And their assessments?

24 A. Yes.

17:43:28

25 Q. And their analyses?

26 A. Definitely, and I think he did.

27 Q. And again we have before us MFI-51. Now, Mr Taylor, you
28 recall this. This is a code cable from RSG Downes-Thomas and it
29 is reporting about the Camp Johnson Road incidents and subsequent

1 developments. And you remember talking about this in Court, yes,
2 Mr Taylor?

3 A. Yes, I do.

17:44:08

4 Q. Now, Mr Taylor, it's true, is it not, that in this code
5 cable, which is sent by RSG Downes-Thomas, he relays the
6 substance of meetings he had with various entities. Isn't that
7 right?

8 A. That is correct.

9 Q. Including meeting with the force commander --

17:44:25

10 A. That is correct.

11 Q. -- of ECOMOG?

12 A. That is correct.

17:44:39

13 Q. And then a joint meeting with the force commander of
14 ECOMOG, Ghani an ambassador and senior staff of ECOMOG, and that
15 is shown at paragraph 7 on page 2?

16 A. Yes.

17 Q. And he also had meetings with the charge d'affaires of the
18 US embassy, John Bauman. Isn't that right?

19 A. That is correct.

17:45:03

20 Q. And so these meetings - you were not present at these
21 meetings, were you?

22 A. No, I was not present at these meetings but he had been
23 asked to mediate and so he reported to all parties. I was not
24 present.

17:45:16

25 Q. Mr Taylor, you were not present, nor were any
26 representatives of your government present at these meetings,
27 were they, Mr Taylor?

28 A. To the best of my knowledge, no.

29 Q. Indeed, these were internal and sensitive meetings that

1 should not have been provided to you. Isn't that right?

2 A. I would disagree. Once he had been selected as mediator,
3 which he was asked to mediate, I think he had a responsibility to
4 report to all parties, and he did.

17:45:47 5 Q. Now, Mr Taylor, if we look at this at page 2, and this is
6 in relation to the contact he had with charge d'affaires of the
7 US embassy John Bauman, and he is indicating John Bauman's
8 information to him. And if we look at paragraph 5 on page 2:

9 "Since ECOMOG troops assigned to that area had withdrawn,
17:46:24 10 he was left with no option but to rely on the cooperation of the
11 director of the Liberia National Police, Joe Tate."

12 And that is correct, is it not, Mr Taylor, that ECOMOG
13 troops assigned to the area around the embassy, the US embassy,
14 had withdrawn?

17:46:41 15 A. That is correct.

16 Q. And indeed the charge d'affaires had to rely on the
17 cooperation of your director of Liberian National Police, Joe
18 Tate?

19 A. Well, counsel, I will answer that. He had to rely on the
17:46:59 20 director of the Liberian National Police, not my director.

21 Q. And Joe Tate, Mr Taylor, was he related to you in any way?

22 A. Yes, he was related to me.

23 Q. What was his relationship to you?

24 A. Joe Tate was a first cousin of mine.

17:47:13 25 Q. Now, he does go on to say that Joe Tate did an admirable
26 job in separating the Liberian security forces from the Krahn who
27 had converged in front of the American embassy that morning.
28 Mr Taylor, did you receive a report of these admirable efforts of
29 Joe Tate to separate these two groups?

1 A. Yes, in a way. During that particular time, yes, I did,
2 through my Minister of State that had spoken I think to someone
3 at the US embassy.

17:47:53 4 Q. It goes on to say: "However, Tate had to leave the scene
5 when he received a call from the President." That's correct,
6 isn't it, Mr Taylor?

7 A. That is correct.

8 Q. And it was after Joe Tate left that, in the words of the
9 ambassador, or the charge d'affaires, all hell broke loose. And
17:48:09 10 it's true that after he left the scene is when matters escalated,
11 isn't that right, Mr Taylor?

12 A. That's about right.

13 Q. In fact, you withdrew him from the scene with the knowledge
14 that you were imperilling the security of that situation. Isn't
17:48:26 15 that right, Mr Taylor?

16 A. That's total nonsense.

17 Q. Now, Mr Taylor, if we can look at page 4 of 7 and this is a
18 continuation of the RSG's reporting about his first meeting with
19 you. You see on page 3 it says, "First meeting with President
17:49:04 20 Taylor," and then on page 4 --

21 A. I'm sorry, counsel, I didn't see that.

22 Q. Page 3 says, "First meeting with President Taylor." See
23 that, Mr Taylor?

24 A. Yes, I do.

17:49:18 25 Q. Then if we move to page 4, and if we look at four lines
26 from the bottom of that first paragraph:

27 "Alluding to the departure of police director Joe Tate from
28 the vicinity of the American embassy, he" - and that is referring
29 to you, Mr Taylor - "made it clear that he wanted to avoid any

1 mistakes on the part of law enforcement personnel regarding the
2 inviolability of the premises of foreign embassies. It was that
3 consideration, he explained, that led to his call for Joe Tate."

4 And that's what you told RSG Downes-Thomas, correct?

17:50:06 5 A. That is correct.

6 Q. But, Mr Taylor, you knew that by withdrawing Joe Tate, it
7 would have just the opposite effect on the situation, didn't you?

8 A. I've just said it's total nonsense. Total, total nonsense.
9 When you are playing with the Americans we always are careful.

17:50:23 10 Every little country. I was very careful and once we had been
11 fighting in Monrovia and this situation had occurred and Joe had
12 brought it under control, I asked the Ministry of State to call
13 the police director and I wanted to say to him unequivocally that
14 nothing should be done to annoy the Americans by violating

17:50:44 15 international law. That's the only reason why I called Joe and
16 no other. Any conclusion to the contrary is total nonsense.

17 Q. Mr Taylor, you could have told him over the phone what you
18 just told this Court. Isn't that right?

19 A. Of course one can conclude that. Anybody can do anything
17:50:59 20 with the phone.

21 Q. Yet you chose to withdraw him from the area?

22 A. Well, if you call the word withdrawal, I ordered that the
23 police director should come. The police director is one person
24 in the line of thousands of police officers. And I must say,
17:51:14 25 counsel, it was unfortunate what happened at the embassy but it
26 was done with no intent of malice on my part. I wanted to
27 emphasise in our little countries these things happen. Call the
28 police director and say, "Make sure you don't mess with the
29 Americans because it will become a bigger issue. Make sure that

1 nobody enters that compound." And these were my orders.

2 Q. Mr Taylor, when you were receiving these cables from Felix
3 Downes-Thomas, you were aware that you were not supposed to be
4 given copies of these cables, weren't you?

17:51:48 5 A. What are you talking about? No.

6 Q. You were aware of that?

7 A. Again, counsel, when we say "you" maybe we should correct
8 the records here. I hope we're using "you" in the plural, my
9 government.

17:52:01 10 Q. No, Mr Taylor, I'm talking about you, Charles Taylor.

11 A. No, but Downes-Thomas didn't walk into my office and say,
12 "Mr President, here is a cable." I'm talking about my
13 government.

14 Q. Mr Taylor, you knew that you were not supposed to be
17:52:14 15 receiving these cables, didn't you?

16 A. I did not know that. In fact, if it had been so I think he
17 would not have done it.

18 Q. You knew that these were internal communications that were
19 not meant for you to be a recipient. Isn't that right?

17:52:26 20 A. I disagree.

21 Q. On all of these code cables that have been presented to
22 this Court, do you appear as a recipient on any of those code
23 cables?

24 A. I don't see that. Like I say, my government was the
17:52:43 25 recipient and not me personally. No, I'm not.

26 Q. Is the Government of Liberia listed as a recipient on any
27 of the code cables --

28 A. No, I don't see --

29 Q. -- that you presented?

1 A. I don't see it being listed that the Government of Liberia.

2 Q. Are you listed as a cc, as an entity that should be
3 provided with a copy?

4 A. For me that's not important. No, that's not important.

17:53:08 5 Q. And you are not listed as a cc on any of these code cables,
6 are you?

7 A. No, I'm not.

8 Q. Not you individually?

9 A. The United Nations is an international organisation. My
17:53:18 10 concern would be the authenticity of these documents, so.

11 Q. Mr Taylor, not you as an individual, correct?

12 A. No. I said my government.

13 Q. And not the Government of Liberia?

14 A. My government received these documents. Now for me the
17:53:30 15 authenticity, are they forged, would be my only concern, not that
16 I received them. That's how we looked at it in my government.

17 Q. Now, Mr Taylor, you were given these code cables because
18 indeed RSG Downes-Thomas had become too closely associated with
19 your government. Isn't that correct?

17:53:49 20 A. No, I fully disagree and in fact I think for a man that
21 spent more than 35 years in the US system it is disgraceful to
22 try to malign his character as being close. I think he was a
23 diplomat to the core.

24 Q. And in effect, Mr Taylor, he had become your intermediary.
17:54:09 25 Isn't that correct?

26 A. No, Ms Hollis. That's totally - I disagree. Totally
27 incorrect.

28 Q. And he had operated in such a way that he had virtually no
29 contact with opposition parties in your country. Isn't that

1 right?

2 A. That's totally incorrect. Totally incorrect.

3 Q. And he had virtually no contact with civil society
4 organisations in your country. Isn't that correct?

17:54:33 5 A. That's totally incorrect. Totally.

6 Q. And he had virtually no independent contact with the media
7 in your country. Isn't that correct?

8 A. That's totally incorrect.

9 Q. And indeed, Mr Taylor, the expression of his views and his
17:54:51 10 observations in his cables were the result of this closeness to
11 you and your government. Isn't that right?

12 A. I disagree.

13 Q. And did not reflect the impartiality that would have been
14 efficient as the RSG in your country. Isn't that right?

17:55:14 15 A. I totally disagree. Ambassador Thomas retired with dignity
16 after 35 years I think with the United Nations system, as a man
17 of honour, and anything to the contrary I think is just
18 disgraceful. That is not so. He was an honourable
19 representative that served in many capacities. No, I disagree
17:55:36 20 with you.

21 Q. Mr Taylor, were you aware that the Department of Public
22 Affairs of the United Nations Development Programme sent a
23 mission to Liberia and other countries in May and June 2001?
24 Were you aware of that?

17:55:50 25 A. The United Nations development agency, you said?

26 Q. Department of Public Affairs of the United Nations
27 Development Programme. Were you aware of that, Mr Taylor? This
28 was in May and June 2001 they came to Liberia?

29 A. I cannot recollect. There was a UNDP representative - if

1 they visited Liberia maybe it was an interagency movement. I
2 can't recall.

3 Q. And they came to Liberia to assess the performance of the
4 UN post-conflict peace building offices. Do you remember that?

17:56:30 5 A. No. I think that would be internal to the UN. They do
6 that all the time. I don't know.

7 Q. And that mission prepared a report of its findings?

8 A. I don't --

9 Q. Were you ever provided with that report?

17:56:41 10 A. No, no, no.

11 Q. Now, Mr Taylor, that report has been disclosed and marked.
12 It should have been among the materials provided to you around 11
13 December. Have you seen that report, Mr Taylor?

14 A. No, I don't recall going through the report.

17:56:56 15 Q. If we could please look at tab 81 in annex 3. If you could
16 bring that down so we can see this. We see "Report of the joint
17 review mission on the United Nations post-conflict peace-building
18 support offices, department of political affairs/United Nations
19 development programme" and then down at the bottom we see the
17:58:04 20 date 20 July 2001?

21 A. Uh-huh.

22 Q. Then if we could go to page 2 of the text. It is the page
23 with the number 2 in the bottom. Could you bring it down so we
24 can see top of that page, please. We see "United Nations
17:58:30 25 department of political affairs and UNDP, report of the joint
26 review mission on United Nations post-conflict peace-building
27 support offices, summary". Then under "Introduction":

28 "A joint department of political affairs/UNDP review
29 mission undertook visits to the Central African Republic, Guinea

1 Bissau, Liberia and Tajikistan during May and June 2001."

2 A. Yes.

3 Q. "Its objective was to assess the performance of the United
4 Nations post-conflict peace-building offices, and to recommend
17:59:11 5 changes to improve their operation and enhance the effectiveness
6 of the United Nations system as a whole in the consolidation of
7 peace and stability in post-conflict environments."

8 Then if we could please move to page 14 of that report, and
9 under "Relations with political actors, institutions and civil
17:59:47 10 society":

11 "Peace-building offices are established with the agreement
12 of the elected authorities and are intended to support the
13 efforts of these authorities to foster a national reconciliation
14 and to establish a lasting peace. This has presented
18:00:08 15 representatives of the Secretary-General with a significant
16 dilemma and a challenge; to what extent should they work
17 independently with other - opposition and civil society - groups?
18 This has been interpreted to mean that the representative of the
19 Secretary-General must work with all political actors, but must
18:00:33 20 work particularly closely with government and especially the head
21 of its Executive branch. It has involved a complex balancing act
22 to avoid perceptions of partiality."

23 If we could then go to the bottom of that paragraph
24 beginning four lines up:

18:00:57 25 "This has resulted in fairly frequent, if not fully justified,
26 charges that the representative of the Secretary-General - and
27 the United Nations by extension - are too closely associated with
28 the government and even that they tend to favour the government."

29 And then the next paragraph:

1 "Only in Liberia could such accusations - beyond being a
2 matter for continuous monitoring - be a matter of legitimate
3 concern. Indeed, UNOL was perceived by all those consulted to be
4 too close to the government. Discussions with the staff of UNOL
18:01:46 5 and the government alike suggested strongly that both the office
6 and the government viewed the role of UNOL as being an
7 intermediary between the government and the 'outside world', a
8 role perhaps likely to be viewed as all the more important with
9 the recent imposition of sanctions."

18:02:11 10 Mr Taylor, it is true, is it not, that your government
11 viewed the role of UNOL as being an intermediary between your
12 government and the outside world?

13 A. I would say yes.

14 Q. Then we go on:

18:02:27 15 "Opposition parties, civil society organisations and the
16 press all indicated that they had virtually no interaction with
17 the representative of the Secretary-General and UNOL, thereby
18 seriously putting into question its objectivity as a political
19 actor. Some went so far as to suggest that UNOL was an apologist
18:02:52 20 for the government. Nevertheless, it was pointed out by both the
21 representative of the Secretary-General and the government that
22 on occasion the representative of the Secretary-General had
23 delivered messages that were highly unpalatable to the
24 government, and that such interventions were not known by the
18:03:17 25 other actors. Examples cited included insistence by UNOL on the
26 destruction of a cache of small arms contrary to the wishes of
27 the government."

28 So, Mr Taylor, this destruction of this cache of small
29 arms, what are they referring to there? Do you know?

1 A. I'm not too sure. There was an ongoing discussion as to
2 whether all arms should be destroyed, especially those that were
3 in top notch conditions. I can only guess that this may be what
4 they could be referring to. And once those arms had been
18:04:08 5 assessed as being in good condition, the government's position
6 was that, "Look, after everything is over and an army is trained,
7 instead of going out to buy new arms and spend money, why don't
8 you just keep the good arms until it is practical to give it to
9 government." This is all I can remember about small arms and the
18:04:32 10 government wishes that they do not be destroyed.

11 Q. Are we talking about the arms that were destroyed in July
12 and onwards in 1999?

13 A. Yes. In fact, that could be the case because they even
14 referred to the Camp Johnson Road situation. That occurs in '98.
18:04:52 15 So I just suspect, counsel, that this is just a general
16 conversation just helping the Court with.

17 Q. And, Mr Taylor, it indicates that the destruction of these
18 arms was contrary to the wishes of your government. So you were
19 opposed to the destruction of these arms. Is that correct?

18:05:07 20 A. In the first instance. But don't let's forget now, we've
21 already had documents showing that eventually we agreed. I think
22 they are talking - they are giving a general report as to the
23 attitude of government. Finally we agreed that everything should
24 be destroyed.

18:05:24 25 Q. And then the other example that is given of the RSG
26 bringing messages that were highly unpalatable to the government
27 was the role that the RSG played in the camp Johnson incident.
28 Mr Taylor, in the Camp Johnson incident, did the RSG bring you
29 messages that were unpalatable to your government?

1 A. Yes, he - we didn't blame the messenger. He did his job.

2 Q. Mr Taylor, it is true, is it not, that indeed there was a
3 very close and special relationship between you and
4 RSG Downes-Thomas?

18:06:02 5 A. I wouldn't say. I will say that - I wouldn't put it that
6 way. I would disagree. When you say "close and special", that's
7 two questions. I would say that it was in the interests of the
8 United Nations Secretary-General to have the - his ambassador
9 have the ear of the Government of Liberia and I think that he did
18:06:24 10 that very well. I wouldn't call it "close and special". But I
11 would say that it was close enough that he could get the messages
12 across the government and he could get responses. There are
13 times that things get very negative and ambassadors cannot break
14 through the system, but I wouldn't call it "close and special",
18:06:45 15 no. I would disagree.

16 Q. He gave you these cables because in fact he was much too
17 close to your government. Isn't that right?

18 A. I disagree, no.

19 Q. And his views and observations that he sent back to the
18:06:58 20 United Nations were influenced by the fact that he was too close
21 to your government. Isn't that right?

22 A. I disagree.

23 Q. Mr Taylor, you have testified to these judges that all of
24 these cables were in your archives, yes?

18:07:15 25 A. Well, again, it depends now. The UN cables - there are two
26 sets of cables here. All of these cables are that - that we have
27 are not - are cables that came directly from Liberia. I also
28 talk about investigations. For example, a part of the documents
29 that we have exposed here, I told you, had three components, but

1 most of the Liberian-based documents are all from our - from our
2 archives.

3 Q. So, Mr Taylor, of these cables that the judges have before
4 them, how many of them are not from your Liberian archives?

18:08:00 5 A. They are from a part of my archives, but, remember, there
6 was an investigation. Our investigators in Sierra Leone at the
7 time came up with some Sierra Leonean documents. That's why I
8 say the documents presented have three components. The
9 Downes-Thomas documents are from my archives. There are some
18:08:21 10 documents that we received through investigation that have a
11 Sierra Leonean origin and those were from investigations.

12 Q. Now, I'm talking about these code cables --

13 A. From Downes-Thomas.

14 Q. -- so we're clear. So the code cables from Downes-Thomas
18:08:43 15 you say were all part of your archives. Is that right?

16 A. Well, to the best of my knowledge, and I will have to look
17 at them to tell which ones, yes.

18 Q. Now, let's look at some of these that appear to have stamps
19 on them and see what we can determinate about them. If we could
18:08:58 20 look please at MFI-99. This is DCT-65.

21 MS HOLLIS: Before we go on, Madam President, I'm helpfully
22 reminded, could I ask that the document at tab 81 in annex 3 be
23 marked for identification: The report of joint review mission on
24 UN post-conflict peace-building support offices?

18:09:33 25 PRESIDING JUDGE: The document as described is marked
26 MFI-398.

27 MS HOLLIS: Thank you, Madam President:

28 Q. Mr Taylor, this is an outgoing code cable marked only -
29 this is from Prendergast, United Nations New York to

1 Downes-Thomas. Now, this was sent to Downes-Thomas. Is this one
2 of the cables that Downes-Thomas provided to you?

3 A. To my government? More than likely.

4 Q. Do you have any specific recollection of that, Mr Taylor?

18:11:04 5 A. The only way I would get it would be if he provided it to
6 my - so I would say yes.

7 Q. Well, you could make a request of the United Nations for
8 it, couldn't you, Mr Taylor?

9 A. I guess one could.

18:11:14 10 Q. Mr Taylor, you know what this stamp is that is - if you're
11 looking at it, it's on the right side of the document as you look
12 at it under the signature. There appears to be a stamp "United
13 Nations" --

14 A. Did you say under a signature?

18:11:33 15 Q. There is a signature next to "Prendergast" and then there
16 is a stamp "United Nations" something "operations". Do you know
17 what that stamp is, Mr Taylor?

18 A. No, I don't.

19 Q. And we see that this is a request to RSG Downes-Thomas to
18:11:55 20 receive an analysis of the overall situation in Liberia as he
21 sees it, together with an account of how UNOL is helping Liberia
22 to manage this difficulty post-conflict peace-building phase.
23 And then he is asked for his views on what the UN system could
24 realistically do to help stabilise the situation in Liberia.

18:12:21 25 Mr Taylor, were you given any cables from RSG Downes-Thomas that
26 he sent in response to this request?

27 A. He very well could have. Maybe we didn't display that. He
28 very well could have. All I - what I - what my government
29 received and what the Defence chose to use is what you have here.

1 Q. And if we could please look at MFI-126. This is DCT-166.
2 We see again, Mr Taylor, that this is another code cable that is
3 sent from Prendergast to RSG Downes-Thomas, and we see that stamp
4 again on the side - right side below that signature "United
18:14:13 5 Nations" something "operations". Mr Taylor, is this one of the
6 cables that was given to you by RSG Downes-Thomas?

7 A. Very well. I said the only way I got them if my government
8 received them. This must be one of them.

9 Q. And, Mr Taylor, we see that this is number 430 and the
18:14:37 10 subject is "Recent cables". Then if we see paragraph 1, it
11 indicates that:

12 "We took note of the message that President Taylor wished
13 to convey to the Secretary-General, namely that he would be
14 'agreeable to the deployment, inside Liberia, and along the
18:14:58 15 Sierra Leone-Liberia border, of UN observers/monitors'."

16 Mr Taylor, you've told this Court that you made many
17 requests for such a deployment, yes?

18 A. That is correct.

19 Q. Now, it goes on to say in this paragraph 1, the last
18:15:16 20 sentence:

21 "We have discussed the content of this message with DPKO
22 and it was suggested that one practical way to approach this
23 issue could be for the GOL to set out in writing exactly what it
24 wants the UN to do."

18:15:35 25 Then in paragraph 2, Mr Taylor, you see that they set out
26 particular topics that you should address - the Government of
27 Liberia should address, yes?

28 A. That is correct.

29 Q. Now, if we could please then look at MFI-130 and this is

1 DCT-136. Now, if we could look at the top. Again we see this is
2 an outgoing code cable from Prendergast to Downes-Thomas. This
3 is dated 12 April, "Subject: Proposed deployment of UN observers
4 on Liberia-Sierra Leonean border". And again we have their
18:17:25 5 reference to Downes-Thomas CLN 96 of 6 April providing a report
6 of President Taylor's comments made in Monrovia on 5 April, and
7 it says:

8 "We noted that President Taylor reiterated his willingness
9 to allow UN observers to monitor the Sierra Leonean-Liberia
18:17:51 10 border."

11 And then it goes on to say:

12 "In your CLN of 468 of 14 February, you had indicated that
13 you would seek appointments to discuss the matter with concerned
14 authorities, including President Taylor. We would appreciate it
18:18:14 15 if you could let us know whether any progress has been made along
16 the lines suggested in our CSN 430."

17 And, Mr Taylor, you recall that is the one we just looked
18 at previously where they are setting out specific information
19 they would like from your government about this deployment, yes?

18:18:36 20 A. That is correct.

21 Q. And then if we look at this MFI-130, subpart C, that should
22 be the third page of this MFI. If we could bring it down to the
23 top, please. Now, this is a cable from Downes-Thomas to
24 Prendergast and it is dated 14 April 2000, "Subject: Proposed
18:19:11 25 deployment of UN observers on Liberia-Sierra Leone border."

26 Number 1:

27 "Thank you for your 1208 of 12 April on the subject. I
28 raised the matter with the Foreign Minister yesterday afternoon."

29 Mr Taylor, you have told this Court that your Foreign

1 Minister speaks on behalf of your government, correct?

2 A. That is correct.

3 Q. Speaks on behalf of you, in fact?

4 A. Speaks on behalf of the Government of Liberia.

18:19:44 5 Q. Including the President, correct?

6 A. Including the President.

7 Q. "He provided me with a clarification to the effect that the
8 GOL was not desperately inviting UN monitors/MILLOBS or observers
9 to Liberia. The request, he said, was made against the

18:20:08 10 background of what appeared to be the international community's
11 belief that Liberia was privy to, permitted, and sometimes
12 orchestrated, various untoward cross-border activities that were

13 inimicable to peace and stability in Sierra Leone. Since the
14 GOL's denials of such activities fell on deaf ears, the minister

18:20:39 15 stated, the GOL's request was made simply to assist the UN and
16 the international community to engage in their own verification
17 exercise. The minister concluded by saying that it was up to the
18 UN to decide whether it was necessary for it to take advantage of
19 the opportunity offered by the request.

18:21:03 20 I apologise for inadvertently failing to relay the
21 President's reaction to the main elements of your CSN 430. It
22 was not very different from the Foreign Minister's explanation as
23 described above. He felt, however, that the matters raised in
24 para 2 of your 430 reflected a measure of foot dragging on the
18:21:27 25 part of the UN."

26 Mr Taylor, you recall that para 2 in 430 was where they set
27 out the types of information they wanted from your government,
28 yes, Mr Taylor?

29 A. That is correct.

1 Q. And then in number 3, RSG Downes-Thomas gives his view on
2 the questions raised in CSN 430, yes? His view that they can be
3 easily addressed and comprehensively so by a UN technical survey
4 team. And he goes on to note:

18:22:25 5 "Most important to note that to date there has been
6 absolutely no tension at the Sierra Leonean-Liberia border. In
7 this regard I share very fully SRSR Adeniji's accurate
8 observation that there is no cause for alarm."

9 So, Mr Taylor, the situation is, is it not, that when the
18:22:48 10 United Nations comes back to you and says, "Tell us exactly what
11 you need for this deployment," you in fact back off your request
12 for a deployment? Isn't that right, Mr Taylor?

13 A. That is incorrect, counsel. You can see the frustration on
14 the part of the minister. Anybody reading these documents will
18:23:07 15 see the frustration, foot dragging. They asked us. We supplied
16 the information. They come back from 2002. There was nothing.
17 This just - no, that's totally incorrect. I disagree with you,
18 counsel.

19 Q. Mr Taylor, there is nothing in this to indicate you ever
18:23:24 20 supplied the information they requested?

21 A. Maybe if you look at some other documents. In this
22 document up to this time you can see the frustration. I don't
23 need for us to argue about this.

24 Q. In fact, Mr Taylor, your request was simply a way to give
18:23:38 25 you plausible deniability, wasn't it?

26 A. No, but that would be silly. That would be silly. Okay,
27 so the UN takes up the request. Then if the UN takes up the
28 request and then we say, "No, you can't go," then you can talk
29 about plausible deniability. No, that --

1 Q. This is just what you're doing here, isn't it, Mr Taylor?

2 A. Ms Hollis, that's total nonsense. We made a request to the
3 United Nations. My minister is expressing his - I mean the
4 frustration on the part of the government in typical UN

18:24:05 5 activities, they always want to do and when you ask them to do
6 they never get to it. Never get to it. They will promise and
7 promise and never get to it. This is just the frustration on the
8 part of our government that - and then they make it appear as
9 though we are the ones that are so desperate. So we are saying
18:24:25 10 to them, "Look, you need to do this. You're talking about it.
11 You need to do this." So I disagree with your proposition,
12 counsel.

13 Q. But in fact, Mr Taylor, this response doesn't tell them
14 they need to do this at all, does it?

18:24:37 15 A. No, no, no. I'm saying this is the government's - you are
16 seeing a situation here of a frustrated government because of the
17 foot dragging on the part of the United Nations. The minister is
18 saying, "Look, I'm saying that we are saying internally you need
19 to get this done and it's all falling on deaf ears." They are
18:25:01 20 just foot dragging. Typical of the UN bureaucracy. I disagree
21 with you.

22 Q. If we could please look at MFI-236, please. It's DCT-231.
23 Mr Taylor, you see this is a much earlier code cable and it is to
24 Annan/Goulding/Gharekhan, United Nations, New York, and it is
18:26:10 25 from Nyakyi SRSG, UNOMIL, Monrovia, November 1996. You see that
26 there is a stamp above, "United Nations" something "operations".
27 Now, Mr Taylor, how did you get this code cable?

28 A. This probably could be one of our investigations that I
29 told you about from our Sierra Leonean area.

1 Q. And when would that have been that you got this code cable
2 from your Sierra Leonean investigations?

3 A. Oh, somewhere during the trial. I don't remember when.

4 Q. I'm sorry?

18:26:48 5 A. I said somewhere during the trial. I don't remember when.

6 Q. During this trial?

7 A. That is correct.

8 Q. So this wasn't part of your archives that you took with you
9 from Liberia?

18:26:59 10 A. No, but it - you know, once it came it formed a part of our
11 papers. I said there are three categories and this could be one
12 of those areas.

13 Q. And how is it you got this in Sierra Leonean when it was
14 sent from the SRSG, UNOMIL, Monrovia?

18:27:19 15 A. You say it was sent from the SRM, UNOMIL, Monrovia? No.
16 If you look at the top of that paper it is saying "Liberia"
17 there, which means that it went to Liberia.

18 Q. Actually, it says "from", Mr Taylor.

19 A. Yeah, from --

18:27:37 20 Q. Very top, "From UNOMIL/Liberi" [phon] and then "From Nyakyi
21 SRSG, UNOMIL, Monrovia". So, Mr Taylor, how did you get this in
22 Sierra Leone?

23 A. I said from our investigator, okay. One of the
24 investigators in our case did obtain some UN documents.

18:27:56 25 Q. In Sierra Leone?

26 A. A Sierra Leonean investigator. I don't know whether they
27 got it from Sierra Leone or went to UN headquarters, but this
28 could be one of those documents. Once - the documents that I
29 have in my archives originate from Downes-Thomas during his tour

1 in Monrovia. If it was not involving Downes-Thomas, this was one
2 of those that we got through one of our principal investigators.

3 Q. And who was this investigators that got you this cable?

4 A. Our international investigator at the time.

18:28:26 5 Q. Do you recall the name?

6 A. Yes, one part of the name. What was that? Adiatu?
7 Kadiatu? I think Adiatu I think was the correct name. The
8 international investigator did obtain some UN papers, I think,
9 even from UN headquarters, but the international investigators
10 did accumulate some non-Liberian UN papers.

11 Q. So was this obtained from UN headquarters, do you know?

12 A. No, I don't, counsel. I'm just saying that our
13 international investigator, from the best of my knowledge, did
14 obtain some documents from UN headquarters that were
15 non-Liberian, but I don't know if this is one of them.

16 Q. And do you know when those were obtained?

17 A. No, counsel. I'm not going to lie. I don't know. I said
18 some time during this trial, the international investigator at
19 the time obtained some documents.

18:29:21 20 Q. And if we could please look at MFI-245. That is DCT-297.

21 Now, Mr Taylor, if we look at this, we see this is to Prendergast
22 from Downes-Thomas, 14 April 1999. We see there are some stamps
23 on this. Again, on the right side, there's a stamp that's very
24 hard to read. It looks like United Nations something. Very hard
25 to read. If we look at the left side, "Received DPKO Registry
26 1999 April 16". Mr Taylor, how did you come into possession of a
27 cable that was stamped being received by the DPKO Registry?

28 A. From the special representative in Liberia.

29 Q. Mr Taylor, when he sent it it wouldn't have been stamped by

1 DPKO, would it?

2 A. Maybe when they sent him back a received copy, that's when
3 it probably got stamped. I don't know what DPKO means, really.

18:31:12

4 Q. Mr Taylor, you are saying probably. Do you remember how
5 you got this document?

6 A. The office of the special representative in Liberia
7 provided this document. I remember that.

8 Q. Mr Taylor, we suggest that's not correct.

9 A. I see.

18:31:25

10 Q. And that in fact you didn't have this in your archives.

11 A. I see.

12 Q. And that in fact you received this by other means.

13 A. Well, I disagree, so we can - I disagree.

18:31:49

14 Q. Now, Mr Taylor, could we also look at MFI-248, which is
15 DCT-302. You see, Mr Taylor, again we have an outgoing code
16 cable. The date is 27 April 1999, subject is "Voinjama
17 incidents". It is from RSG Downes-Thomas to Prendergast and
18 others in UN New York. You see again, Mr Taylor, at the top we
19 have this - what we can see appears to be "received". Then we
20 see "PKO Registry". On the left we have that stamp, and then on
21 the right we have another illegible stamp. Mr Taylor, how did
22 you get this copy of this code cable?

18:33:00

23 A. This code cable is the same as the others. Once it
24 originated in Monrovia and contains Liberian situation, we got it
25 from the offices of the deputy in Monrovia.

18:33:23

26 Q. Mr Taylor, do you have an independent recollection of how
27 you got this particular cable?

28 A. There's no other way we got cables except from
29 Downes-Thomas. Any cable relating to Liberia from the special

1 representative in Liberia, there is no other way we got it except
2 through that office. No other way. We don't have spies in the
3 UN office in New York. No. So that's my recollection of that.

18:33:54

4 Q. Mr Taylor, in fact, you didn't have this in your archive,
5 did you?

6 A. Once this document came from there, it was a part of it.

7 Q. And you received this by other means. Isn't that correct,
8 Mr Taylor?

18:34:08

9 A. I did not receive this by any other means. I disagree with
10 you.

11 Q. And if we could look at page 2 of this document,
12 "Preliminary and partial report on the events of 21-22 April in
13 Voinjama", dated April 26, 1999. "Dear Mr Kakonge" - who is
14 Mr Kakonge?

18:34:40

15 A. Kakonge was the UNDP representative in Liberia.

16 Q. And let me apologise for my poor pronunciation of his name.

17 A. It's okay, counsel. I don't mind.

18 Q. And it is not signed, but do you know who prepared this
19 cover on page 2?

18:35:03

20 A. No, I don't know.

21 Q. And it indicates:

22 "I hasten to submit to you the report referred to above in
23 order to assist you with your presentation to the government."

24 So this report was to assist Mr Kakonge with his report to
25 your government, is that the purpose of this report?

18:35:21

26 A. Counsel, I can do no better than you on this matter. I
27 just have to take the face of it and interpret it as any normal
28 person would.

29 Q. All right, Mr Taylor. Thank you for that.

1 And if we could please next look at MFI-249. Again, this
2 is from RSG Downes-Thomas to Prendergast, 5 May 199. And, again,
3 up in the top on the left we see "Received DPKO Registry" and
4 again, Mr Taylor, how do you happen to have this copy with this
18:36:57 5 stamp "Received DPKO Registry"?

6 A. From the office of the special representative
7 Downes-Thomas.

8 Q. Indeed, Mr Taylor, you received this by other means. Isn't
9 that correct?

18:37:09 10 A. I disagree with you. That is not correct.

11 Q. And if we could also look at MFI-252, which is DCT-308.

12 And this is another document, Mr Taylor. This time it is to

13 Okelo, UNOMSIL, Freetown, with an info to Downes-Thomas from

14 Mi yet, UNations New York. Mr Taylor, this also has the stamp

18:38:23 15 "Received DPKO Registry". Again, Mr Taylor, how do you happen to
16 have a copy of this cable that has the DPKO Registry stamp?

17 A. Well, there's a possibility - there are two possibilities
18 here. I would never be able to remember all of the documents.

19 The first possibility is that our investigator could have

18:38:42 20 obtained this document. The second possibility is that, because

21 it involves the arms situation in Liberia after it gets to

22 Mr Thomas, because it is about the arms destruction, we are

23 provided copies of the documents. This is what I can help with.

24 Q. Mr Taylor, we suggest that these documents that have the

18:39:06 25 "Received DPKO" stamp were not part of your archive when you left
26 Liberia in 2003.

27 A. I disagree with you.

28 Q. And we suggest that you received these by other means.

29 A. I disagree with you.

1 PRESIDING JUDGE: Ms Hollis, what is MFI-252? Is that also
2 DCT-308 or 307?

3 MS HOLLIS: MFI-252, Madam President?

4 PRESIDING JUDGE: Yes, 252.

18:39:56 5 MS HOLLIS: MFI-252 I have as DCT-308. That's what my note
6 has.

7 PRESIDING JUDGE: I'm afraid our records show differently,
8 but perhaps there's an error in our Court files somewhere. The
9 DCT number doesn't tally. Our MFI-252 in Chambers is DCT-307,
18:40:28 10 not 308.

11 MS KAMUZORA: Your Honours, if I may be of assistance.
12 MFI-252 has DCT number 308.

13 PRESIDING JUDGE: Thank you. Then the error is with our
14 privately kept record in Chambers. We will look into that.

18:40:57 15 MS HOLLIS: On the screen we did have the document to which
16 I was referring, on the overhead before.

17 PRESIDING JUDGE: Yes, thank you.

18 MS HOLLIS: If I could have just a moment, Madam President:
19 Q. Mr Taylor, do you recall on 28 January being asked by
18:41:40 20 Mr Koumjian if you were aware of a demand to have the Lome Accord
21 re-examined in Monrovia?

22 A. Yes, I do.

23 Q. I believe this may have been in relation to a letter of
24 Issa Sesay?

18:41:58 25 A. Something like that. I don't - I remember the issue came
26 up in Mr Koumjian's - yes.

27 Q. This was at page 34325, and you said, "According to the
28 letter I was aware of this demand that would never happen."

29 A. Uh-huh.

1 Q. And perhaps, so everyone can follow, we should have 34325
2 displayed. And we see: "I was aware of this demand that would
3 never happen." Then at line 6:

4 "Q. According to you, what was the reason that the RUF
5 wanted Lome re-examined?

6 A. I have no idea. You have to ask them. I have no idea.
7 That would not happen because my official position on this
8 matter even reported by the Secretary-General, even when
9 Sankoh was arrested, was that there would be no quid pro
10 quo about Sankoh's release and that is widely reported by
11 the Secretary-General in his documents presented here. So
12 whatever they thought was their thinking, but Lome I had
13 said to Johnny Paul Koroma and everybody else would not be
14 revisited. That was my position."

15 Yes, Mr Taylor; you told the Court that on 28 January?

16 A. That is correct.

17 Q. So, Mr Taylor, you are telling the Court it was your
18 position that Lome would not be revisited. Is that what you are
19 telling the Court?

20 A. That is correct.

21 Q. Now, if we could please look at MFI-170. This is DCT-128,
22 according to my records. And we see, Mr Taylor, this is from
23 Downes-Thomas RSG, to Prendergast, United Nations, New York. And
24 if we could look at the very top of this cable, please.

25 Mr Taylor, we see no stamp that it was received by DPKO, do we?

26 A. I don't see - I don't even know what DPKO stands for. I
27 don't know.

28 Q. Now, Mr Taylor, let's look at page 4 of 8 of this document.
29 It is "4/8" at the top right-hand corner of the document. And we

1 see - if we could move down, please, so that we can see the
2 bottom portion of the page. Stop with 9, please. And we see at
3 9:

4 "With respect to the accusations against him of providing
18:46:13 5 arms to the RUF, he warned that 'the peacekeepers need to be
6 careful.' He declared that the NPFL had bought many of its
7 weapons from the peacekeepers during Liberia's civil conflict,
8 and advised that Liberia has 'no tanks here' but that the RUF,
9 which is 'not a machete group' has its own."

18:46:38 10 So again, Mr Taylor, that's a reflection of what you have
11 told the Court; that you bought weapons from the peacekeepers
12 during your civil conflict, yes?

13 A. Yes, I have said that, yes.

14 Q. And indeed here it says "bought many of its weapons from
18:46:54 15 the peacekeepers" and that's correct, is it not, Mr Taylor?

16 A. During the civil war, yes.

17 Q. Now, if we move on to paragraph 10, "President Taylor then
18 made the following proposals to the mission." If we look at the
19 third bullet point down beginning with, "While he is not
18:47:18 20 opposed." Do you see that, Mr Taylor?

21 A. Yes.

22 Q. "While he is not opposed to revisiting Lome, only those who
23 negotiated Lome should take part in its revisiting. There should
24 be no extraneous parties involved. He would welcome an
18:47:33 25 opportunity to review Lome's provisions with a view to changing
26 some of them."

27 So, Mr Taylor, in fact you did indicate that you would
28 welcome the chance to review Lome's provisions with a view to
29 changing some of them, correct?

1 A. But you're wrong. You're wrong. We're talking about two
2 different audiences here.

3 Q. I'm not talking about the audiences. I'm talking about
4 what you said.

18:48:02 5 A. No, no, no, but then that means I disagree with you because
6 speaking to United Nations people that were insisting - I don't
7 know, maybe it depends on your question. After Lome the major
8 powers, the United States, Britain and other international
9 organisations, were insisting on revisiting Lome. I said I was
18:48:28 10 opposed to it and I could not encourage the RUF or Johnny Paul
11 Koroma along those lines and I told them this is out of the
12 question.

13 In dealing with the United Nations with all of the
14 pressure, one thing the United Nations was opposed to was the
18:48:40 15 issue of amnesty and they kept pressing this issue that there
16 should be no amnesty and there should be trial for crimes. I'm
17 speaking to this audience of United Nations people and saying,
18 "Well, fine. If you people insist, I would not be opposed to
19 it." But this is not the view I'm giving to the RUF because it
18:48:59 20 would have caused big confusion. So really what I'm doing is
21 playing the role speaking to the international community and
22 telling them what is possible and speaking to the RUF and telling
23 them it is not possible because this would have led them to
24 pressing more for changes in Lome. That's the context.

18:49:18 25 Q. So you change your story depending on who you are talking
26 to?

27 A. No, no, no, no, no. This is why governmental matters don't
28 come to courts. We're talking with the international community.
29 You give an impression to the United Nations of what you are

1 prepared to accept. But if you reveal that to the parties
2 involved they take hard lines, so you have to be careful in how
3 you deal with these matters. And this is why - I'm explaining
4 this so the Court can understand. It's not that you are changing
18:49:43 5 stories depending on the audience, no. The parties to this
6 agreement could not be told by me or any President that, "We'll
7 support you if you want to change it." No.

8 Q. Mr Taylor, where you say that only those who negotiated
9 Lome should take part in its revisiting, you were including your
18:50:01 10 negotiating team as well, weren't you?

11 A. Well, we did not negotiate Lome. The Liberian delegation
12 did not negotiate Lome. Lome was negotiated by Tejan Kabbah and
13 the RUF. All other groups - and there were many, many
14 governments were helping in the process. So I disagree with you.

18:50:21 15 Q. Mr Taylor, we've gone over this before. In fact you said
16 that you sent a negotiating team to Lome?

17 A. We sent a negotiating team to Lome to assist the process,
18 if I recall my evidence to this Court. I've always said that I
19 did not negotiate, neither did Eyadema, neither did Obasanjo, or
18:50:41 20 Blaise Compaore, or the United Nations, or the United States
21 embassy that was represented. We were there to help the process,
22 period.

23 Q. And, Mr Taylor, should there have been a revisitation of
24 Lome, which you say here you do not oppose, then you would have
18:50:58 25 had a negotiating team there for that revisitation as well,
26 wouldn't you, Mr Taylor?

27 A. Most probably. If I had been invited, most probably, yes.

28 Q. Mr Taylor, as we have gone through these cables given to
29 you - most of them given to you by RSG Downes-Thomas, you tell

1 the Court, how many of these cables can you say from your
2 independent memory were actually part of your archive when you
3 left Liberia in 2003?

4 A. I've already said that. I said because of the three
18:51:52 5 groups, all cables that involved Downes-Thomas was given and it
6 was part of my archives. There's some other documents that were
7 put together by international investigator. That I cannot
8 account for. They came throughout the currency of this case.
9 I've answered that question.

18:52:09 10 Q. Mr Taylor, we suggest that indeed that is not correct.

11 A. Then I disagree with your proposition.

12 Q. Mr Taylor, during your direct examination you were referred
13 to a document, a letter, that was prepared by a man by the name
14 of Lester Hyman and that was marked for identification as number
18:52:51 15 93. If we could see that letter, please. We have MFI-93 as
16 DCT-209. Do you remember this letter, Mr Taylor? This was
17 Lester S Hyman. This was a letter to President Bill Clinton with
18 a date July 28, 1999?

19 A. I remember this letter, yes.

18:53:55 20 Q. And it was this letter in which Mr Hyman requested that
21 President Clinton meet with you while you were in the United
22 States to address the United Nations, correct?

23 A. That is correct.

24 Q. And if we could see the rest of that letter, please. Move
18:54:19 25 it up so we can see the rest of the text, please. Now,
26 Mr Taylor, you indicated that the letter was not at your request.
27 Do you recall telling the judges that?

28 A. More or like, yeah.

29 Q. And this was on 12 August at page 26653.

1 A. That is correct.

2 Q. You said it was not at your request, not at all?

3 A. That is correct.

4 Q. Remember that?

18:54:42 5 A. Yes.

6 Q. But indeed that's not really true, is it, Mr Taylor?

7 A. It's true.

8 Q. The author of this letter, Lester Hyman, was your close
9 ally, was he not?

18:54:59 10 A. Well, no. I don't know what you mean, but I would disagree
11 that he was a close - he was a close ally. I disagree.

12 Q. Indeed, Mr Taylor, he was your close ally in a public
13 relations and lobbying firm of which he was a member. Isn't that
14 right?

18:55:19 15 A. Well, as you put it I would disagree. I would disagree
16 because that question contains about three questions. One, was
17 he a close ally? Two, was he in a public relations outfit? Now
18 maybe I can help a little better if you broke that down and I
19 will answer them one by one.

18:55:38 20 Q. Mr Taylor, you are familiar with the firm Swidler & Berlin,
21 aren't you?

22 A. Yes, I am.

23 Q. It's a law firm, yes?

24 A. That is correct.

18:55:46 25 Q. It also engages in public relations work. Isn't that
26 right?

27 A. That is correct.

28 Q. And in lobbying work. Isn't that right?

29 A. That is correct.

1 Q. This firm was later known as Swidler Berlin Shereff and
2 Friedman. Is that correct, Mr Taylor?

3 A. I don't know. I'll take your word for it, because you say
4 was it later known. At the time I dealt with it I only remember
18:56:11 5 it being called Swidler & Berlin. Maybe at some other time it
6 could have expanded. That's possible. I don't fight you about
7 that.

8 Q. And my spellings for these names that I have given just now
9 are S-W-I-D-L-E-R. Berlin is the normal spelling. Shereff
18:56:38 10 Friedman, S-H-E-R-E-F-F. Friedman, F-R-I-E-D-M-A-N. And,
11 indeed, Mr Taylor, in September 1997 you had entered into a
12 relationship with that firm to assist you in public relations
13 matters, yes?

14 A. That is correct, yes.

18:57:05 15 Q. And Mr Hyman was a member of that firm, wasn't he?

16 A. That is correct.

17 Q. And, indeed, during your presidency the Government of
18 Liberia paid this firm almost \$630,000 to assist you in various
19 public relations matters. Isn't that correct?

18:57:30 20 A. I would say yes. I don't recall the exact figure, but I
21 would say yes. I'm sure you've done your math right. I would
22 say yes.

23 Q. In fact, Mr Taylor, we would suggest that it was \$627,937,
24 so just short of \$630,000.

18:57:47 25 A. That sounds right. Like I say, counsel, I don't have a
26 problem with that.

27 Q. And we're talking here about US dollars, yes?

28 A. That is correct.

29 Q. And you, as I said, entered into this arrangement in

1 September, in fact, of 1997, just after you had become President.

2 Yes, Mr Taylor?

3 A. I tell you, quite frankly, counsel, I don't remember the
4 exact month, but I'm sure you may have some documents. We did
18:58:19 5 enter into an agreement in 1997. I cannot recollect the exact
6 month, but I'll take your word for this one.

7 Q. Indeed, Mr Taylor, this was at a time when you told these
8 judges you could not even pay civil servants. Isn't that right?

9 A. That is correct. In September 199 - I'm just in office,
18:58:41 10 yes.

11 Q. Now, you made payments to this Swidler company until about
12 April 1999. Isn't that right?

13 A. I would with say that's about right.

14 Q. So a few months before this July 1999 letter to President
18:58:56 15 Clinton, yes?

16 A. Yes.

17 Q. Now, in addition to Lester Hyman working on your behalf
18 with this letter to President Clinton, he worked on your behalf
19 in other matters as well. Isn't that right?

18:59:12 20 A. Well, when you say on my behalf, counsel, would you help?
21 Are you talking about on behalf of the Government of Liberia or
22 me personally?

23 Q. Well, let's start with the Government of Liberia,
24 Mr Taylor.

18:59:25 25 A. The Government of Liberia, yes.

26 Q. As well as your own behalf. Isn't that right?

27 A. No. I don't - Mr Hyman had no personal - he carried out no
28 personal functions for me as President.

29 Q. And at one point your wife at the time, Jewel Howard-Taylor

1 --

2 PRESIDING JUDGE: Ms Hollis, sorry to interrupt again. The
3 record shows the opposite of what the witness said. "He carried
4 out no personal functions for me as President" is what the
18:59:55 5 witness said. We have the opposite on the transcript. Please
6 continue.

7 MS HOLLIS:

8 Q. You did say, "He carried out no personal functions for me,"
9 yes?

19:00:15 10 A. Yes, counsel.

11 Q. Now, do you recall your wife Jewel Howard-Taylor meeting
12 with Hillary Clinton?

13 A. Yes.

14 Q. That was arranged by Lester Hyman. Isn't that correct?

19:00:25 15 A. I don't recall. It's possible. That would be something
16 that that firm would help to arrange because she was First Lady
17 of Liberia. That's possible.

18 Q. Now, you also testified that Lester Hyman knew the former
19 Secretary of State Madeleine Albright, correct?

19:00:49 20 A. That is correct.

21 Q. And you said he knew her very well?

22 A. That is correct.

23 Q. And in 1998 it was the State Department under Madeleine
24 Albright that requested that the charges related to your prison
19:01:04 25 escape be dropped. Isn't that right?

26 A. I'm not sure of the procedures over there, because - but
27 I'm sure State has something to do with it. I'm not sure if it
28 was Secretary Albright personally. I would say she was Secretary
29 of State at the time. I'm not sure if she was personally

1 involved in that intervention or through the State Department
2 mechanism.

3 Q. Now, Mr Taylor, Lester Hyman assisted in those efforts with
4 the State Department. Isn't that right?

19:01:34 5 A. I would suspect, yes.

6 Q. Now, your relationship with the Swidler firm ended, as we
7 talked about, in about April 1999, but your relationship with
8 Lester Hyman continued on from there. Isn't that right?

9 A. That is correct.

19:01:52 10 Q. And, indeed, Mr Hyman reported pro bono relationship with
11 you in October 2000, correct, Mr Taylor?

12 A. Again, I want to move on quickly. As long as we're talking
13 about the Government of Liberia, yes.

14 Q. Okay. I accept that answer. Now, in addition to being a
19:02:16 15 partner in - for a time in this public relations - do we have a
16 problem, Madam President?

17 PRESIDING JUDGE: Please continue. It's only my computer
18 that's disappeared, the text has disappeared, but you may
19 continue.

19:02:34 20 MS HOLLIS: Thank you:

21 Q. Mr Taylor, in addition to being a partner in this public
22 relations firm, or I shall say a member in this public relations
23 firm, Lester Hyman was also a shareholder and a nominal chairman
24 of LISCR, wasn't he?

19:02:51 25 A. Yeah, but it's good to - that is true. It's good to
26 understand, counsel, Lester Hyman is a lawyer. I think it's good
27 for the records. He is lawyer. Even though he worked in this
28 firm, I think once we get to understand, he was not just a - he
29 is a lawyer and a long time, very powerful Washington lawyer and

1 lobbyist. And I would say, yes, he held a position. I cannot be
2 certain as to whether what you just quoted was the title of that
3 position, but I do know - what I can testify to is that he did
4 hold a high level position in the outfit that you just mentioned.

19:03:31 5 As to whether it was what you said exactly, I'm in no position to
6 dispute that, but I know he held a high position in the firm.

7 Q. Mr Taylor, we talked about LISCR before. Isn't that
8 correct?

9 A. That is correct.

19:03:43 10 Q. That was the American company that took over from IRI --

11 A. That is correct.

12 Q. -- in managing the Liberian Shipping and Corporate
13 Registry, yes?

14 A. That is correct.

19:03:52 15 Q. And it took over in January 2000, yes?

16 A. Yeah. I'm saying, yes, January 2000, but I think there is
17 a space in between - between the time that they started
18 operating, but January sounds fine.

19 Q. And the space in between the time they started operating,
19:04:16 20 this transition period, who actually was in charge of the
21 Shipping and Corporate Registry during the transition? Do you
22 remember?

23 A. I'm not sure, but I would - I would think it's the - I
24 think it had to be done in cooperation with the old firm. I
19:04:32 25 think they worked together during the period of transition. But
26 legally, Lester takes over at the beginning of the year, so I can
27 almost say, technically, the old firm had a lot to do with the
28 day-to-day running in cooperation with LISCR.

29 Q. And up to the time that LISCR took over, IRI was the first

1 and only company that had managed the Shipping and Corporate
2 Registry for Liberia. Isn't that correct?

3 A. Yes, for too long. Yes.

19:05:14

4 Q. And you took the opportunity to get out of the IRI
5 contract. Isn't that right?

6 A. My government did, yes.

7 Q. And you took the opportunity to get out of this IRI
8 contract because IRI happened to raise funds for you during the
9 war. Isn't that right?

19:05:26

10 A. No, that is not correct. They could not have. They were
11 registered in Monrovia. They could not have. No. That's
12 incorrect. I disagree.

13 Q. Could we please look at P-32, which is S/2001/1015?

19:05:48

14 Madam President, do we need to pause while you are getting
15 assistance there?

16 PRESIDING JUDGE: Two of the judges don't have the records.
17 I don't know what has happened, but I think you may go ahead.
18 Please go ahead.

19 MS HOLLIS:

19:06:37

20 Q. If you could put the first page of that document up,
21 please, so we see what we're looking at. I don't see it on my
22 screen for some reason.

23 A. Security Council document.

19:07:12

24 Q. Yes, there we go. So S/2001/1015, 26 October 2001. Now,
25 if we could please turn to paragraph 396 of that document,
26 please. That should be on page 85 of the document. And we look
27 at paragraph 396, we see that there is a discussion about an
28 out-of-court settlement agreement and that the Government of
29 Liberia IRI and its affiliates and LISCR signed a settlement

1 agreement claiming to have resolved all their outstanding
2 disputes:

3 "The agreement specified that LISCR would assume total
4 management of the Liberian Maritime Registry and Corporate
19:08:17 5 Programmes on 1 January 2000 and IRI would fulfil its contractual
6 obligations to Liberia until then."

7 Then we skip a line:

8 "The agreement was effective from 1 January 2000, although
9 the company was required to operate during a transition period
19:08:36 10 beginning 1 June 1999."

11 Mr Taylor, when it says "although the company was required
12 to operate during a transition period," do you know, is that a
13 reference to LISCR or IRI?

14 A. I would suggest IRI. I would suggest IRI.

19:08:58 15 Q. Now, if we could please go to paragraph 398, which is on
16 the next page. And we see:

17 "Charles Taylor began to seek a replacement to IRI in 1996
18 while he was still only a member of a six-person Council of State
19 established to run Liberia under the Abuja Accord."

19:09:20 20 That's correct, is it not, Mr Taylor --

21 A. That sounds about right.

22 Q. -- that you began your efforts in 1996?

23 A. Yes.

24 Q. "Taylor had failed to raise funds during the war from IRI
19:09:31 25 and wished to replace them."

26 That's also correct, isn't it, Mr Taylor?

27 A. That is not correct, and this is very shameful of this
28 panel of experts to take this propaganda. It's a lie. No.

29 Q. "He began with seeking the assistance of a close friend,

1 United States attorney Lester Hyman, to seek a new company to run
2 the Registry."

3 And that is correct, is it not, Mr Taylor?

4 A. That's correct.

19:09:54 5 Q. And, indeed, he was your close friend, wasn't he?

6 A. No. I mean, there are two questions. That's why I don't
7 like to argue about these. We have to move. I've already said,
8 you've referred to him as an ally, I have said no. Lester, I can
9 say he was a friend. We can get into qualification. I don't

19:10:09 10 want to waste time. He was a friend. He developed - it
11 developed into a friendship. Close is another issue. But that -
12 I wouldn't put it that way. Did I seek his assistance? Yes.

13 Q. "On 18 December 1998 an agreement was signed between the
14 Government of Liberia and Lester Hyman for the creation of

19:10:30 15 LISCR."

16 That's correct, isn't it, Mr Taylor?

17 A. That's about correct, yes.

18 Q. "This was further approved by an Act enacted by the
19 Liberian Senate and House of Representatives on 18 March 1999."

19:10:42 20 That's correct, yes, Mr Taylor?

21 A. That sounds right. I don't quite recall, but it sounds
22 right.

23 Q. "Lester Hyman had fallen in and out of favour with Charles
24 Taylor a number of times." That's correct also, is it not?

19:10:56 25 A. That's why when you say he was a close friend, you see why
26 I said no.

27 Q. "Hyman assisted Taylor's cause during the lengthy Abuja
28 peace negotiations." And that's correct as well, isn't it,
29 Mr Taylor?

1 A. I don't remember Mr Hyman being involved in the Abuja
2 negotiations. No, I don't have any recollection of that.

3 Q. Mr Taylor, he gave you assistance in relation to public
4 pronouncements, public relations type aspects of your position at
19:11:32 5 Abuja. Is that correct, Mr Taylor?

6 A. Well, now, when you say "at Abuja", we're talking about -
7 I'm looking at the Liberian peace process.

8 Q. Abuja peace negotiations.

9 A. Yes, okay, now this is outside of my government. We're
19:11:48 10 talking about pre-1997.

11 Q. Yes.

12 A. Like I said I really - I don't remember an American lawyer
13 Lester being involved in negotiating. I doubt it very much. I
14 don't have any recollection of that.

19:12:02 15 Q. "He also succeeded in getting the United States record on
16 Taylor's escape from a Massachusetts jail expunged." Mr Taylor,
17 he did have some involvement in those efforts?

18 A. To your question, yes, he did have some involvement in
19 dealing with the legal matters about the escape, yes.

19:12:25 20 Q. Then it talks about Mr Hyman and his law firm registered
21 under the United States Foreign Agent Registration Act on behalf
22 of the Republic of Liberia?

23 A. Yes.

24 Q. We talked about their public relations and lobbying
19:12:40 25 efforts?

26 A. That's true.

27 Q. "He also became a shareholder of LISCR and was the nominal
28 chair of the LISCR board until January 2001." And that's
29 correct, is it not, Mr Taylor?

1 A. Quite frankly I don't know. It could very well be true,
2 but I have no idea personally of the inner workings of LISCR and
3 its shareholders. I really don't know.

4 Q. "Yoran Cohen, the chief executive officer of LISCR, had
19:13:05 5 worked for Hyman previously and had been recruited by him to
6 manage LISCR."

7 Mr Taylor, Yoran Cohen took over from Lester Hyman when
8 Lester Hyman left the chairmanship. Isn't that correct?

9 A. I don't know if he took over as chairman. I know Cohen
19:13:28 10 continued to run it. As to whether he was running it as manager,
11 I really don't know if he took over as chairman. But I think
12 Cohen still runs the registry until today.

13 Q. So in fact, Mr Taylor, when you testified that Lester Hyman
14 was helping to do some work with the maritime programme, that was
19:13:55 15 something of an understatement, wasn't it?

16 A. Oh, counsel. That was not an under - really I could ask
17 you what you mean by understatement. I'm not going there. I
18 told the Court the truth. So I will disagree with your
19 proposition that it was an understatement.

19:14:12 20 Q. As the LISCR shareholder and nominal chair and former chair
21 he was benefiting from his pro bono relationship with you, wasn't
22 he?

23 A. No, I wouldn't say that. I would disagree with your
24 proposition.

19:14:29 25 Q. Mr Taylor, we also talked about a retired General Robert
26 Yerks. Do you recall that?

27 A. That is correct, I do.

28 Q. And we talked about retired General Robert Yerks in
29 relation to a letter, or two letters actually. Yes, Mr Taylor?

1 A. That is correct.

2 Q. One of those letters was MFI-79 which was a letter to you
3 from General Yerks. Do you recall, Mr Taylor?

4 A. That is correct, I do.

19:15:10 5 Q. Now, in relation to General Yerks you testified that small
6 countries try to find friends?

7 A. Uh-huh.

8 Q. And that he was, "Just as a friend of Liberia, we asked him
9 to talk to some of his friends at State that he knew very well."

19:15:29 10 Yes, Mr Taylor?

11 A. That is correct.

12 Q. And you said that he was to help you in getting your
13 country going and making sure you would receive the assistance
14 from the international community that you needed so badly. Yes?

19:15:44 15 A. That is correct.

16 Q. And that he was sending out feelers on your behalf?

17 A. That is correct.

18 Q. And indeed, if you recall, in the letter he was also giving
19 you advice as to public positions to take on certain matters,
19:16:00 20 yes?

21 A. Yes.

22 Q. Perhaps we could look at MFI-79, which by my record is
23 DCT-19. Mr Taylor, if we could go to the last page of this
24 letter. At the very bottom of the page, please. We see, "Most

19:17:15 25 respectfully, General Yerks." Now, Mr Taylor, this letter is not
26 signed. Do you have a copy of the signed letter that was sent to
27 you?

28 A. No, this is what we have. I don't know how - maybe
29 throughout the photocopying process, but this is all we have.

1 Q. Now, if we could please go back and look at the first page
2 of the letter, please. In handwriting at the very top we see,
3 "24/02/99 received". Mr Taylor, that's the date that it was
4 received by your government; is that what that notation is?

19:18:04 5 A. That is correct.

6 Q. And we see the efforts that he has made on your behalf. If
7 we look at the first paragraph where he indicates contacts have
8 been made with Secretary Rice, Ambassador Jeter, Deputy Secretary
9 Huddleston and Liberian desk officer List?

19:18:30 10 A. That is correct.

11 Q. Then he goes on in the second paragraph to tell you that:

12 "The key to success in our mutual task" - and that's how he
13 is characterising this, yes, Mr Taylor, our mutual task - "is to
14 show by action not rhetoric on both sides the sincerity of each
15 one's purpose."

19:18:50

16 Yes?

17 A. That is correct.

18 Q. And then he talks about his personal opinion on the
19 disposition of arms in the next paragraph.

19:19:01

20 A. Uh-huh.

21 Q. "I seriously suspect the recovered arms will be of minimal
22 usability given the lack of maintenance, et cetera. It would be
23 a magnanimous gesture on your part to agree to their total
24 destruction, which in turn could lead to an early lifting of the
25 arms embargo."

19:19:18

26 So basically, Mr Taylor, he is telling you, "Look, these
27 arms are going to be of minimum use to you anyway, so why don't
28 you make a gesture and agree to their total destruction?" That's
29 basically what he is telling you, yes, Mr Taylor?

1 A. That is correct. That's what he said there. And may I
2 add, counsel, that Secretary Rice is not Condoleezza, it's Susan
3 Rice, just for the records.

19:20:00

4 Q. Yes. In fact I don't think Condoleezza Rice had assumed
5 her position in '99, had she?

6 A. That's true. That's true.

7 Q. Then if we look at the bottom of this page:

19:20:16

8 "To State's credit they were prior to the Sierra Leone
9 crisis championing the effort to provide you with US Department
10 of Defence assistance teams. I will follow up on this with
11 Secretary Cohen."

12 Who is he talking about there, do you know, Mr Taylor?

13 A. Cohen. That could be Secretary Herman Cohen. To the best
14 of my knowledge I think it's Herman Cohen.

19:20:35

15 Q. And then Mr Taylor he talks about:

16 "The avoidance of even the perception of monopolies was a
17 single major point of their concern."

18 And then he talks about bringing Mobil back in country?

19 A. Yes.

20 Q. Yes, Mr Taylor?

21 A. That is correct.

22 Q. Then on the second page he suggests some actions for you to
23 take. Yes, Mr Taylor?

24 A. That is correct.

19:21:01

25 Q. So he is giving you his assessment of the situation and he
26 is giving you suggestions?

27 A. That is correct.

28 Q. Mr Taylor, you told the Court that he was doing this purely
29 as a friend. That was what you told them, yes?

1 A. That is correct.

2 Q. That he was not hired by the Liberian government?

3 A. That is correct.

4 Q. He was not paid any fees?

19:21:31 5 A. To my recollection we didn't pay General Yerks.

6 Q. He was just a friend of Liberia?

7 A. That is correct.

8 Q. But --

9 A. To the best of my recollection.

19:21:40 10 Q. But that wasn't really an accurate depiction of his
11 relationship with you or Liberia, was it?

12 A. That was an accurate depiction. I wouldn't lie. The
13 general was not hired or paid by the Government of Liberia.

14 Q. Mr Taylor, in fact General Yerks's name occurred frequently
19:22:00 15 in discussions about Liberian diamond transfers. Isn't that
16 right?

17 A. I don't - I don't have - maybe through one of the shell
18 companies, but I have no knowledge of General Yerks dealing in
19 diamonds.

19:22:19 20 Q. Mr Taylor, General Yerks was involved with a company known
21 as ITC, correct?

22 A. That's possible. But let's get - you know ITC now,
23 counsel, ITC, the International Trust Company, is an arm of
24 what's it? IRI? Remember the firm that we - that was replaced
19:22:41 25 by LISCR and so ITC - I don't know who he worked for, but that's
26 possible.

27 Q. And, Mr Taylor, do you recall on 25 August telling this
28 Court on direct examination when a document was read to you in
29 reference to Robert Yerks saying, "He was involved with ITC and

1 is currently a senior official in LISCR" and then you were asked
2 by your counsel, "Was he?" And then your answer was:

3 "Yes. ITC, I have told this Court before, was established
4 for mostly retired United States armed forces generals."

19:23:32 5 Do you recall telling the Court that --

6 A. Yes.

7 Q. -- on 25 August, Mr Taylor?

8 A. Yes, ITC - that's correct.

9 Q. So he was involved with ITC and, Mr Taylor, he was also
19:23:43 10 involved with LISCR, wasn't he?

11 A. That's possible. But just to help, counsel, ITC was an arm
12 of IRI. It's a subsidiary of IRI, the International Registry
13 Incorporated, that was taken over by LISCR. ITC is not a
14 separate entity, it's a part of IRI that was taken over by LISCR
19:24:09 15 and most of these retired generals worked through that programme.

16 Q. Mr Taylor, you recall mentioning shell companies?

17 A. Yes.

18 Q. ITC in fact was one of these companies that was implicated
19 in illegal diamond transfer schemes in Liberia. Isn't that
19:24:26 20 correct?

21 A. That is correct. That is correct. It's the company that
22 held all of the shell companies. There were dozens of shell
23 companies that - in fact that are still being operated. Dozens
24 of them that was being shown in the report as being registered at
19:24:45 25 80 Broad Street. These are shell companies and I think that
26 address was given in one of the reports.

27 Q. And, Mr Taylor, after LISCR took over duties in relation to
28 your registries, General Yerks was a senior official in LISCR,
29 wasn't he?

1 A. I don't know the details of LISCR. That very well could
2 have been. Any or most of the retired generals that were
3 involved with IRI I'm sure were involved with LISCR in one way or
4 the other. In fact, I take that back, I'm sorry. I can't say
19:25:26 5 involved. I would say could have been involved because I can't
6 say for certain, I think that would be misleading.

7 Q. If we could please look at P-18, which is S/2000/1195 and
8 if we could show the first page of that document, please. At the
9 very top of the page, please. We see "United Nations Security
19:26:17 10 Council S/2000/1195" and the date is 20 December 2000. Then if
11 we could please look at page 25 of that document. You see,
12 Mr Taylor, in paragraph 125 --

13 A. Yes.

14 Q. The report is discussing change that occurred in Belgium,
19:26:57 15 and it now requires each import shipment state the country of
16 provenance?

17 A. Yes.

18 Q. As well as the country of origin?

19 A. That is correct.

19:27:05 20 Q. And then it says:

21 "A review of selected Company A import licenses showed that
22 diamonds far in excess of the quality or quantity available in
23 Liberia had been imported as Liberian in provenance and origin."

24 Then it says invoices from Liberian firms, none on the list
19:27:26 25 of licensees provided by the Liberian government accompanied the
26 Belgian import licence. And then under paragraph 126 we see:

27 "Physical check of the Monrovia street addresses given by
28 most of these firms revealed there were no such companies and no
29 such addresses. Courier firms, however, have, in the past, been

1 instructed to route correspondence for these addresses to the
2 international trust company ITC, which in January 2000 changed
3 its name to the International Bank of Liberia Limited. Since
4 then mail addressed to the companies in question has been
19:28:11 5 forwarded to the newly established Liberian International Ship
6 and Corporate Registry LISCR, which now handles the Liberian
7 Maritime Registry."

8 A. Yes.

9 Q. So indeed, these shell companies, as you called them, the
19:28:29 10 mail was forwarded to LISCR once LISCR was created?

11 A. That is correct. What happens here, at 80 Broad Street
12 these shell companies are operating under the ITC. After the
13 contract starts in January the name is changed from ITC, but the
14 shell companies are existing and they changed their name; that's
19:28:52 15 correct.

16 PRESIDING JUDGE: Ms Hollis, I've just been told that the
17 tape has run out on us, so we will have to stop there for today.

18 Before I adjourn, I thought I might point this out; that
19 the proceedings today have been problematic in that we have not
19:29:11 20 been able to access LiveNote on the Bench; to access the record
21 on the Bench readily. We've had to limp along sometimes when the
22 record has completely disappeared.

23 Now, tomorrow I'm hoping that the technicians will take
24 time to ensure that we minimise the problems on the Bench once
19:29:34 25 the trial begins. I'm not blaming anybody. I appreciate the
26 difficulties of having to switch from one Court's using - one
27 Court using the premises in the morning and us in the afternoon.
28 I appreciate the difficulties are there. But I think if you come
29 early and do the necessary tests, we may minimise the

1 difficulties. It's impossible trying to run a trial and to
2 preside with no proceedings visible. As we would like to keep
3 the trial going, there's a limit to what we can do.

19:30:13

4 Mr Taylor, I would like to remind you of the standing order
5 not to discuss your evidence. The case is adjourned to tomorrow
6 at 3 o'clock.

7 [Whereupon the hearing adjourned at 7.30 p.m.
8 to be reconvened on Tuesday, 2 February 2010 at
9 3.00 p.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DANKPANNAH DR CHARLES GHANKAY TAYLOR	34440
CROSS-EXAMINATION BY MS HOLLIS	34440