



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 27 AUGUST 2009
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Doreen Kiggundu
Ms Kate Gibson

For the Registry:

Ms Rachel Irura
Mr Benedict Williams

For the Prosecution:

Mr Mohamed A Bangura
Mr Christopher Santora
Ms Maja Dimitrova

**For the accused Charles Ghankay
Taylor:**

Mr Courtenay Griffiths QC
Mr Morris Anyah
Mr Terry Munyard

1 Thursday, 27 August 2009

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:30:59 5 PRESIDING JUDGE: Good morning. We'll take appearances,
6 please.

7 MR BANGURA: Good morning, Mr President, your Honours and
8 counsel opposite. For the Prosecution this morning are myself
9 Mohamed A Bangura, Mr Christopher Santora, Ms Maja Dimitrova.
09:31:19 10 Thank you, your Honours.

11 PRESIDING JUDGE: Thank you, Mr Bangura. Yes,
12 Mr Griffiths.

13 MR GRIFFITHS: Good morning, Mr President, your Honours,
14 counsel opposite. For the Defence today, myself Courtenay
09:31:30 15 Griffiths, assisted by my learned friends Mr Morris Anyah and
16 Mr Terry Munyard and also with us is Ms Priyanka Reddy.

17 PRESIDING JUDGE: Thank you, Mr Griffiths. Just before we
18 begin, Mr Taylor, I'll remind you that you are still bound by
19 your declaration to tell the truth.

09:31:49 20 DANKPANNAH DR CHARLES GHANKAY TAYLOR:

21 [On former affirmation]

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

23 Q. Mr Taylor, yesterday when we concluded for the day we were
24 still looking at the preliminary reaction of the Government of
09:32:01 25 Liberia to the panel of experts report. Do you recall that?

26 A. Yes, I do.

27 Q. And we had reached paragraph 144 of this document. Now,
28 Mr Taylor, you told us yesterday that one of your concerns was
29 that the panel of experts report had made no reference to the

1 efforts you had made towards building peace in Sierra Leone. Is
2 that right?

3 A. That is correct.

4 Q. We see now here at page 31 commencing at paragraph 145 the
09:33:31 5 heading "Contributions by the Government of Liberia towards the
6 resolution of the Sierra Leonean crisis and the building of peace
7 and stability within the Mano River Union":

8 "The Government of Liberia has remained a constructive
9 member of the international effort to bring an end to the
09:33:51 10 bloodshed, brutality and destruction inflicted on the people of
11 Sierra Leone by the nearly ten-year-old fratricidal war. From
12 her active participation at Heads of State level to her full
13 participation at the level of the mediation committee of ECOWAS,
14 coupled with her numerous persuasive interventions to prevent
09:34:15 15 renewal of hostilities, Liberia has committed time and resources,
16 the latter of which is very scarce, and as well as provided
17 refuge to the numerous brothers and sisters fleeing the fighting.

18 Drawing on experiences gained in the resolution of its own
19 crisis which covered a seven year period, the government has
09:34:39 20 often found itself at odds with some influential nations in
21 mapping out strategies that would enhance a speedy resolution.
22 Most often than not, however, the Government of Liberia,
23 demonised at the onset of these discussions, has prevailed to the
24 extent that it is repeatedly invited to remain actively seized of
09:35:07 25 the Sierra Leonean matter.

26 What appears to be the foremost point of divergence between
27 the Government of Liberia and some members of the international
28 mediation effort is the desire of some respected members of the
29 international community to pursue a military conquest as opposed

1 to dialogue as the basis of the resolution of the conflict in
2 Sierra Leone."

3 Pause there. What did you mean by that, Mr Taylor?

4 A. I'm referring to the British action, the delay in making
09:35:45 5 sure that they start the process as has been laid out by the new
6 RUF leadership. I'm also talking about the six months delay that
7 is recommended by the United States in getting additional ECOWAS
8 forces placed in the military theatre. I see these actions as
9 obstructionist and feel that from all of the diplomatic points
09:36:16 10 coming to us - and in these discussions you find diplomats from
11 different countries coming in and saying, look, we think that
12 this is going to happen and that is going to happen. It is very
13 clear that the big powers, Britain and America, have decided on
14 the military option and I'm opposed to that and I will even say
09:36:36 15 the committee because this is not the mandate of ECOWAS. ECOWAS
16 is not mandating a military option, rather dialogue.

17 Q. "The government's repeatedly stated opposition is that a
18 military conquest considerably dampens the process of
19 reconciliation which is necessary to ensure that whatever
09:37:01 20 settlement is derived will be long lasting. More importantly,
21 the possibility of a spillover into Liberia and Guinea of such a
22 military operation would continue to undermine the peace,
23 security and stability of the Mano River Union states. The
24 government remains fully cognisant of the fact that for these and
09:37:24 25 other reasons stated above, it will continue to be the focus of
26 hostility and condemnation by those members who wish to pursue
27 their military adventurism at the expense of additional
28 bloodshed, loss of lives, destruction of properties, and the
29 insecurity of the entire sub-region.

1 In pursuit of the objectives of dialogue and an amicable
2 resolution of the conflict, the Government of Liberia has
3 maintained contacts with all the belligerent parties, often times
4 at the behest of ECOWAS, the Sierra Leonean government, and the
09:38:08 5 United Nations hosted and facilitated meetings between the
6 parties to the conflict and even between elements of one
7 belligerent group when it was self-evident that their quarrel had
8 adverse effects on the peace process in Sierra Leone. The
9 government also most hosted numerous mini summits of ECOWAS Heads
09:38:35 10 of State in Monrovia attended by the chairman of ECOWAS and
11 President Obasanjo, amongst others. A milestone achievement of
12 one of these summits was the evolution of an interlocutory
13 leadership of the RUF which pledged to unconditionally return
14 weapons and other materiel seized from UN peacekeepers with a
09:38:58 15 further commitment to enhance the building of confidence between
16 the RUF and UNAMSIL, on the one hand, and the RUF and the Sierra
17 Leonean government on the other.

18 But previously, in Lome, Togo, when peace talks under the
19 auspices of the then chairman of ECOWAS, President Eyadema,
09:39:19 20 appeared to be faltering, the Liberian leader was summoned to
21 salvage the process. The role of the President and his
22 participation in the ensuing discussions remains memorable in the
23 annals of ECOWAS's history as the peace process was restored and
24 sighs of relief permeated the talks. Most importantly, the
09:39:46 25 notion was debunked that Africans lacked the capacity to resolve
26 their own problems. Prior to the return of the estranged leader
27 of the RUF, Mr Foday Sankoh, and the former chairman of the AFRC,
28 Mr Johnny Paul Koroma, in line with the provisions of the Lome
29 agreement, the government elicited and obtained their commitment

1 that they would work together to ensure the smooth and unabated
2 process of disarmament and demobilisation of their forces, a
3 further strengthening of the process of peace and reconciliation
4 in their country.

09:40:26 5 When 500 UN peacekeepers were abducted by the RUF, the
6 Government of Liberia was again called upon by ECOWAS, the United
7 Nations and other members of the international community to
8 intervene and mediate the unconditional release of the detainees.
9 Having successfully concluded this assignment, the benefit of
09:40:52 10 hindsight and the circumstances thereafter impose on the
11 Government of Liberia the notion that this effort has not been
12 fully appreciated by some members of the international community
13 since, in fact, it substantiates their allegation that the
14 Government of Liberia is the prime sponsor of the RUF.

09:41:14 15 Notwithstanding, all 500 abductees have been returned to their
16 country of origin and reunited with their families.

17 It is instructive to observe that at the Silver Jubilee
18 celebrations of ECOWAS, the authority of Head of States,
19 including the Liberian President, spent considerable time in
09:41:37 20 discussion on matters affecting the peace process in
21 Sierra Leone. There was renewed hostilities taking place in that
22 neighbourly country. At the close of its deliberations, the
23 Heads of State resolved to announce a ceasefire, the withdrawal
24 of all forces to lines established when the Lome agreement was
09:42:01 25 signed, and the deployment of its troops under UNAMSIL into areas
26 under the control of the RUF. The reasoned consideration of the
27 Head of State was that a ceasefire would allow the mediation
28 committee to investigate the basis for the breakdown and
29 recommend remedial actions to ensure a compliance with the Lome

1 agreement.

2 This effort was opposed by some officials of the Clinton
3 administration and Her Majesty's government and precipitated the
4 visit to the region of Ambassador Thomas Pickering, US

09:42:43 5 Under-Secretary for Political Affairs. After his meeting with
6 the Liberian President, Mr Pickering, in a letter to the
7 Government of Liberia, expressed support of his government for a
8 ceasefire and a negotiated settlement of the Sierra Leonean
9 crisis. The Clinton administration had earlier issued a
09:43:09 10 demarche" - what is that, Mr Taylor?

11 A. It's a diplomatic note that borders on a warning.

12 Q. "... in which it objected to ceasefire in Sierra Leone
13 which was earlier declared by the authority of Heads of State of
14 ECOWAS.

09:43:34 15 In response, the Government of Liberia provided proposals
16 and suggestions to further the shared objective and requested
17 assistance specifically to monitor its ports of entering and
18 activities along the Liberia-Sierra Leonean-Guinean borders. No
19 such assistance has reached the government, nor is there any
09:44:00 20 reason to believe from the recent experiences from the Government
21 of Liberia that the United States intended to fulfil this or any
22 of the other promises made to the government and people of
23 Liberia.

24 As a consequence of numerous consultations and diplomatic
09:44:17 25 shuttles in the region, especially by and between the Presidents
26 of Nigeria, Mali and Liberia, and after considerable delays
27 awaiting the promised assistance, a ceasefire agreement was
28 signed in Abuja, Nigeria, by the parties and international
29 facilitators on 10 November 2000, establishing a new basis for

1 the continuation of the peace process. Again, and
2 notwithstanding this achievement, assistance to facilitate the
3 movement of troops from ECOWAS into areas controlled by the RUF
4 to commence the withdrawal of the RUF from diamond mines under
09:45:03 5 its control and the disarmament and demobilisation of all
6 belligerent forces is yet to be provided to ECOWAS.

7 Additionally, the Government of Liberia, in an attempt to
8 reduce the high level of suspicion prevailing on its frontier
9 with Sierra Leone, undertook a mission to Freetown to hold
09:45:25 10 consultations with the Sierra Leonean authorities on joint
11 measures that could be taken to enhance mutual security,
12 especially along the border. The two countries resolved that it
13 would undertake joint patrols along the border commencing with
14 the exchange and establishment of guard posts in each country to
09:45:46 15 be manned by personnel of the security service of the other
16 country. The two nations have appealed to the international
17 community, especially the United States, for the essential
18 logistical assistance to facilitate this important initiative."

19 Can I pause there, please, Mr Taylor. When had that
09:46:09 20 agreement been made with the Sierra Leonean authorities?

21 A. I would put this - it's not a written agreement. I would
22 put this to 1999 going - late 1999, early 2000, where we
23 discussed and agreed verbally that this would be a good thing to
24 do, where Liberians would operate across the border in
09:46:40 25 Sierra Leone, they would operate across our border at security
26 checkpoints too.

27 Q. "The response of the international community and the United
28 States government remain the same as previously stated. Again,
29 in an attempt to reduce mutual suspicion within the Mano River

1 Union, the Government of Liberia attended a one-day Mano River
2 Union summit in Conakry, Guinea, under the auspices of the
3 chairman of ECOWAS, the Malian President, Alpha Konare. Dr Ahmad
4 Tejan Kabbah, President of Sierra Leone, was also in attendance.
09:47:18 5 A communique to improve relations within the context of the Mano
6 River Union and assuage mutual suspicions was issued at the end
7 of the summit. Regrettably, a third and most invidious invasion
8 by Liberian insurgents from Guinea occurred soon thereafter.

9 Through it all, sensing the urgent imperatives to
09:47:49 10 re-establish and strengthen bonds of friendship and good
11 neighbourliness, especially within the context of the Mano River
12 Union, the Government of Liberia hosted a Parliamentary summit in
13 Monrovia. Although the absence of a Guinean Parliamentary
14 delegation was conspicuous and while a number of positive
09:48:07 15 attributes were derived necessitating a continuation of this
16 intercourse, the desire of the Parliamentarians and the
17 Government of Liberia is undermined by the unavailability of
18 financial and other resources.

19 Returning to the imposition of UN Resolution 1306, the
09:48:32 20 Government of Liberia wholeheartedly welcomes the resolution and
21 informed the Security Council of the United Nations through its
22 Secretary-General that it would ensure its fullest compliance and
23 further recommended additional initiatives which the government
24 believes would operate in favour of enhancing the compliance and
09:48:52 25 monitor of the said resolution.

26 Cognisant of the responsibility of nation states for the
27 protection of their territorial integrity and the maintenance of
28 peace and security within the confines of its territorial limits
29 as prescribed and accepted under the UN charter and international

1 norms and standard, Liberia was constrained to request the
2 lifting of the arms embargo, which had been imposed prior to the
3 holding of democratic elections.

4 It must be noted that the refusal of the United Nations to
09:49:30 5 lift the said embargo after the elections precipitated ECOWAS to
6 grant Liberia the right to purchase arms for self-defence
7 following repeated armed incursions from without, in the face of
8 international indifference to the aforesaid violations of
9 Liberia's territorial integrity."

09:49:56 10 Mr Taylor, could you explain that part, "precipitated
11 ECOWAS to grant Liberia the right to purchase arms for
12 self-defence"?

13 A. Well, if we recall, all the way back in 1997, following my
14 being elected President, ECOWAS lifted the arms embargo and all
09:50:19 15 sanctions that she had imposed because it was ECOWAS that
16 requested the sanctions in the first instance from the Security
17 Council. ECOWAS then instructed the executive secretary to
18 request from the Security Council that the arms embargo be
19 lifted. The Security Council did not follow suit, but ECOWAS had
09:50:44 20 not revoked her lifting of the arms embargo that she had imposed
21 on Liberia, so we used that to the best of your abilities.

22 Q. So what is the situation then, Mr Taylor, where ECOWAS
23 lifts the embargo but the United Nations embargo is still in
24 place? Does that still allow you to purchase arms, or what?

09:51:14 25 A. Well, what we did at that particular time, in fact, a
26 little later on, in fact, we are thinking about it at this time,
27 is to look at the charter of the United Nations which provides
28 for member states to defend themselves in the face of aggression.

29 Now, if New York is saying that the region doesn't know

1 what its doing, that they know it all, what we did was to invoke
2 our rights under the United Nations charter under Article 51, the
3 legitimate right to self-defence, and we actually informed the
4 Security Council that we were going to bring in material for
09:52:00 5 self-defence and that they had no right under the charter to deny
6 us legitimate self-defence that they themselves have realised
7 that Liberia was under attack from an invading force. And so
8 what we did was, using what ECOWAS had done, we wrote them, we
9 sent a list of the weapons that we wanted, and we told them that
09:52:24 10 we are going to bring it in for self-defence, and they could send
11 and verify.

12 JUDGE SEBUTINDE: Mr Griffiths, could we have an indication
13 of a time frame when this happened?

14 MR GRIFFITHS:

09:52:36 15 Q. When are we talking about, Mr Taylor?

16 A. We are talking about 2001, where we are now.

17 Q. Can you give us a month in 2001?

18 A. Oh, I would say, this is a decision after consultation that
19 happens about January, February, at the beginning of the year,
09:53:00 20 2001.

21 MR GRIFFITHS: Now, before we move on, can I deal with a
22 matter of housekeeping, please, Mr President. You recall
23 yesterday that there were questions asked about the appendices to
24 this document. Well, I do have the original in Court and I
09:53:19 25 caused copies of the appendices to be made which have been
26 checked now, and we have complete sets of those copies now which
27 we can use to replace what is in your Honours' bundles.

28 PRESIDING JUDGE: Thank you, Mr Griffiths. We may as well
29 do that now.

1 MR BANGURA: Mr President, may I say that I have - well,
2 what appears to be the original of the document that we were
3 referring to and I have compared it with the copy that we were
4 served with and they compare favourably.

09:53:58 5 PRESIDING JUDGE: I see. You've already seen the copy
6 that's going to be distributed to us now.

7 MR BANGURA: The original of the response, public copies of
8 some part of it is what has been copied out and is being
9 circulated now, I'm not so sure, but what I have is the original
09:54:21 10 of the response which we were served with originally.

11 PRESIDING JUDGE: I see. That was the whole response, was
12 it?

13 MR BANGURA: That's right.

14 PRESIDING JUDGE: I take it that's what we are now going to
09:54:32 15 get.

16 MR GRIFFITHS: What we've done is we've checked now with
17 the original and we've produced faithful copies now of what was
18 the original document.

19 PRESIDING JUDGE: All right, thank you for that,
09:54:49 20 Mr Bangura.

21 MR GRIFFITHS: I don't know if your Honours would like to
22 have a look at the original copy. I don't know if that assists.

23 PRESIDING JUDGE: We'll take a look at the distributed
24 appendices first. Was one of those available for the Prosecution
09:56:27 25 as well?

26 MR GRIFFITHS: Yes, we have copies for everyone. So what I
27 suggest is that we discard what was initially provided and
28 replace it with this verified copy.

29 Now, Mr President, I think what you will find is that many

1 of the difficulties identified by Mr Bangura quite correctly
2 yesterday remain, but can I just invite attention to the index to
3 the appendices, which is the page immediately after page 34 of
4 34. Mr President, you'll see that in relation to each of the
09:59:28 5 appendices, following the description of the item it tells you
6 which pages of the original document have been appended. So
7 that, for example, in relation to the Heart of the Matter you
8 will see pages 5 and 13 and then when we look at the extracts
9 from the Heart of the Matter article you see that indeed it's
09:59:50 10 page 5 and then page 13. So that's the scheme of the document.
11 I hope that assists.

12 PRESIDING JUDGE: I see. I understand.

13 MR GRIFFITHS: Now, bearing that in mind, could I ask,
14 please, that the preliminary response of the Liberian government
10:00:11 15 to the report of the panel of experts appointed pursuant to UN
16 Security Council resolution 1306 be marked for identification
17 MFI-193, please.

18 PRESIDING JUDGE: It's actually termed "preliminary
19 reaction".

10:00:31 20 MR GRIFFITHS: Preliminary reaction, yes.

21 PRESIDING JUDGE: Yes, that document is marked for
22 identification MFI-193.

23 MR GRIFFITHS:

24 Q. Now, Mr Taylor, what was done with that document?

10:01:00 25 A. This document was circulated to ECOWAS member states, OAU
26 member states, diplomatic missions accredited near Monrovia, to
27 as many sources as we could get them to.

28 Q. What about the Security Council?

29 A. We wrote a letter to the Secretary-General, detailing the

1 important aspects of our response along with the response and
2 sent it to the United Nations.

3 Q. So you wrote a letter to the Secretary-General?

4 A. That is correct.

10:01:38 5 Q. But before we come to that letter, so far as the
6 preliminary response is concerned, did that in turn elicit any
7 kind of response from any international body?

8 A. ECOWAS became very, very concerned about this and they read
9 the report, they read our response, had technical people in the
10:02:10 10 secretariat look at it and they themselves - and I don't speak
11 for ECOWAS, but most of the leaders questioned and actually
12 agreed with some of the points that we had raised in our
13 preliminary response. And then ECOWAS got prepared, because it
14 was very certain then that something was coming down and we would
10:02:31 15 get to know later on after they imposed sanctions, ECOWAS reacts
16 because they are aware of their report and our response.

17 Q. Now, you say you wrote to the Secretary-General?

18 A. That is correct.

19 Q. Can you recall when that was, Mr Taylor?

10:02:51 20 A. That letter to the Secretary-General, to the best of my
21 recollection, went out, I would say, late January or early
22 February - late January of 2001.

23 MR GRIFFITHS: Could we look, please, in binder 3 of 4 for
24 week 33. So if we put away now binder 2 and take up, please,
10:03:21 25 binder number 3 for week 33.

26 MR BANGURA: Mr President, can we have an indication which
27 tab the document can be found?

28 MR GRIFFITHS: Tab 105. Behind tab 105:

29 Q. Is this the letter, Mr Taylor?

1 A. This is the letter.

2 Q. We see that it's dated 22 January 2001. It's addressed to
3 His Excellency Kofi Annan, Secretary-General of the United
4 Nations:

10:04:51 5 "Mr Secretary-General, I have the honour to present my
6 compliments and on behalf of the Government of Liberia refer to
7 the allegations as contained in the report of the panel of
8 experts appointed pursuant to UN Security Council resolution 1306
9 (2000) paragraph 19 in relation to Sierra Leone. The report
10:05:22 10 alleges that I and my government are engaged in and profiting
11 from the sale of illicit diamonds from the Republic of Sierra
12 Leone in exchange for the supply of arms and related war materiel
13 to the Revolutionary United Front. According to the report,
14 amounts received from these sales have been in excess of US \$200
10:05:47 15 million annually for the last few years.

16 These allegations are grave, especially as they are
17 directed against both the President and the Republic of Liberia,
18 a respected member of the international community. Liberia is a
19 founding member of both the League of Nations and the United
10:06:15 20 Nations, the successor body to the League of Nations. My country
21 is also a founding member of continental and regional
22 organisations including the Organisation of African Unity, the
23 Economic Community of West African States, the Mano River Union,
24 and the non-aligned movement.

10:06:34 25 But most significantly, Liberia, the oldest independent
26 African republic, has remained in the vanguard of the liberation
27 and independence of the African continent and has maintained an
28 active posture of resistance to acts of injustice, oppression,
29 and tyranny, not only in Africa, but the rest of the world. This

1 historical struggle impelled Liberia to institute legal
2 proceedings against the apartheid regime of South Africa at the
3 International Court of Justice in The Hague. This is a proud
4 legacy that I, the 21st President of the republic, will never
10:07:22 5 besmear.

6 In December of 1989, cognisant of this legacy, I, along
7 with other compatriots, launched a civil insurrection to
8 overthrow a military regime which had earlier dethroned the
9 constituted government and orchestrated the retardation of our
10:07:46 10 nation. This action was one designed and executed when it was
11 obvious that the junta was determined to maintain their hold on
12 power against the wishes of the majority of the population. This
13 movement, which commenced with less than 100 civilians,
14 galvanised momentum and eventually engulfed the entire country
10:08:09 15 and gained the support of the people.

16 The discipline and commitment with which we led the
17 national revolt ultimately ensured our success at the national
18 plebiscite in July 1997. Although Liberia's civil strife
19 obtained over a period of seven years and assumed broader
10:08:32 20 dimensions than we imagined, our leadership of the movement was
21 firmly opposed to any act of mayhem, maiming, rape, and the
22 amputation of individuals. Along similar lines the Government of
23 Liberia is, therefore, opposed to and condemns all acts of mayhem
24 perpetrated by the RUF or any other belligerent group in the
10:08:58 25 Sierra Leonean conflict. It is the view of the Government of
26 Liberia that those individuals engaged in such inhumane acts be
27 brought to justice.

28 This government has never denied our knowledge of the RUF.
29 However, we have always rejected, and continue to reject, any

1 claims that this contact is commercial or economic in nature.
2 Quite to the contrary. Our relationship with the RUF and our
3 corresponding security concerns have been both publicly and
4 privately expressed to the British and the United States
10:09:44 5 government, the United Nations and ECOWAS. Our contact with the
6 RUF is an expected response to successive Sierra Leonean
7 governments' active support and arming of Liberian dissident
8 groups resident in Sierra Leone. Indeed, at the time of this
9 writing armed Liberian dissidents are members of the official
10:10:08 10 Sierra Leone Army and constitute almost 50 per cent of the
11 Kamajors."

12 Pause there. Mr Taylor, where did you get that figure of
13 50 per cent from?

14 A. Well, if the - we estimated that some 2,000 plus Liberians
10:10:32 15 had been recruited by ECOMOG to join the Kamajors, and the
16 estimated amount of Kamajors were about 4,000 or 5,000, so we
17 think that most of those were Liberians that had been recruited.

18 Q. "... a pro-Sierra Leone government militia headed by
19 Mr Hinga Norman, Sierra Leone's Deputy Minister of Defence.

10:10:56 20 These dissidents have stated and demonstrated that their
21 objective is to overthrow the Liberian government by force of
22 arms.

23 Since 1998, Liberia has sustained four massive attacks from
24 these same insurgents, now from the Guinean side, in
10:11:17 25 collaboration with the Guinean government. The loss of lives,
26 displacement of the population, and destruction of the entire
27 northern region of Liberia, have occurred without any
28 condemnation from the international community. At the same time,
29 an arms embargo, originally imposed by the Security Council in

1 1992 at ECOWAS' behest, is still in existence, although in 1997,
2 with the inauguration of the democratically elected government in
3 Liberia, ECOWAS lifted the arms embargo, and despite ECOWAS'
4 recommendation to do so, the United Nations has refused. It is
10:12:04 5 important to emphasise that the initial attack from Guinea
6 occurred immediately after we complied with the international
7 community demands, and under UN supervision, destroyed all our
8 arms and ammunition left over from our civil war.

9 Mr Secretary-General, the well-known historical fact is
10:12:29 10 that Liberia has always been a commercial point for Guinean,
11 Sierra Leonean, and Liberian diamonds, attracted by the fact that
12 the US dollar is legal tender in Liberia. This trade has never
13 been government controlled, sponsored, or organised; it is
14 carried out by the Lebanese, Indians, tourists, Mandingos, Julas
10:13:00 15 and Fulas, ethnic groups with family links in Guinea, Mali,
16 Liberia, Sierra Leone, Gambia and the Ivory Coast, who interact
17 without regard to colonially established national boundaries.
18 Liberia is indeed also a victim of this illicit trade and derives
19 absolutely no benefit from same.

10:13:30 20 As earlier stated, the report claims the value of the trade
21 by Liberia of illicit Sierra Leone diamonds to be in excess of US
22 \$200 million annually for the past few years. Clearly, the
23 movement of such large amounts of money over a period of time
24 would necessarily leave a trail because the transactions would
10:13:49 25 involve either cash, cheques or bank transfers. Each of these
26 would have to be documented in the tradition of the venerated and
27 reputable European banking system. It is reasonable to assume
28 that if indeed I was or am involved in the sale of any diamonds,
29 for that matter, the money trail would inevitably lead to me.

1 Consequently, I request the United Nations Security Council
2 establish a blue ribbon panel to investigate and determine my
3 ownership, if any, of any large personal funds as a result of
4 diamond trade in banks of any member state up to the time of
10:14:39 5 publication of the report by the panel of experts and, by this
6 declaration, waive all rights of non-disclosure to all banking
7 institutions. In the event it is determined that I own large
8 personal funds in any foreign accounts, the information should be
9 made public, the funds confiscated and transferred to the
10:15:03 10 Liberian people. I have informed the Liberian national
11 legislature and the people of Liberia that in the event this is
12 found to be true, I shall resign my position as President of the
13 Republic of Liberia."

14 Pause there. Mr Taylor, did the United Nations ever set up
10:15:24 15 such a blue ribbon panel?

16 A. No, they did not.

17 Q. And you are saying there that you were effectively waiving
18 any right to non-disclosure of your private banking details?

19 A. Everything, yes. That's what I'm saying.

10:15:42 20 Q. And tell me, since this date, 22 January 2001, when you
21 made this declaration, are you aware of any investigation being
22 conducted with regard to your finances?

23 A. Yes, I am aware. Subsequent to this letter and some time
24 later, not a blue ribbon panel, but what the Security Council

10:16:08 25 passed a resolution what they say putting a freeze on all assets
26 and bank accounts and to search for this money, which they
27 started doing since 2001. And until today, you only hear the
28 flag of "He's got billions." But until today - and I'm still
29 waiting for it - there's not been one iota of evidence. But that

1 panel --

2 Q. Eight years later?

3 A. Yes. Yes.

4 Q. "However and correspondingly, I would expect and assume
10:16:41 5 that having provided the United Nations Security Council this
6 unique and unprecedented authorisation, the council will utilise
7 this opportunity and expeditiously confirm the allegations of the
8 panel of experts or publicly exonerate me and the Government of
9 Liberia.

10:17:03 10 I request that you circulate this letter to members of the
11 Security Council as a document of council."

12 Yes, Mr Taylor.

13 A. Yes.

14 Q. Now, did you obtain a response from the Secretary-General
10:17:15 15 to that letter?

16 A. No, I did not.

17 MR GRIFFITHS: Can I have a moment, please, Mr President.

18 PRESIDING JUDGE: Yes.

19 MR GRIFFITHS:

10:17:41 20 Q. Now, the panel of experts report, Mr Taylor, implicated
21 other countries apart from Liberia in the events taking place and
22 unfolding in Sierra Leone, did it not?

23 A. Yes, it did.

24 Q. Including, in particular, certain eastern European
10:18:03 25 countries which were said to be the source of the arms being used
26 by the RUF in Sierra Leone?

27 A. That is correct.

28 Q. Now, was there any reaction from any of those countries to
29 that allegation?

1 A. Yes. One of the countries involved, the Ukraine, had its
2 ambassador at the United Nations respond officially before the
3 council in dealing with the accusation.

4 Q. Yes. And did you see that response?

10:18:35 5 A. Yes, I have a copy of the response as part of my papers.

6 Q. Have a look behind divider 106, please. What is that
7 document, Mr Taylor?

8 A. This is the response of the permanent representative of
9 Ukraine to the United Nations before the council on the issue of
10:19:04 10 arms.

11 Q. Now, we see that the document is entitled --

12 MR GRIFFITHS: Before I move on, could I ask, please, that
13 the letter to Kofi Annan from Charles Taylor, President, as he
14 then was, dated 22 January 2001, be marked for identification
10:19:36 15 MFI-194.

16 PRESIDING JUDGE: Yes, that document is marked for
17 identification MFI-194.

18 MR GRIFFITHS: I'm grateful:

19 Q. Let's go back behind divider 106, Mr Taylor. We see that
10:20:17 20 this document is entitled "Statement by Ambassador Mr Valeriy
21 Kuchinsky, Acting Permanent Representative of Ukraine to the
22 United Nations, at the Meeting of the Security Council on the
23 Report of the Panel of Experts on Sierra Leone Diamonds and
24 Arms", and it's dated 25 January 2001:

10:20:43 25 "Thank you, Mr President.

26 At the outset, we would like to thank the Presidency for
27 convening this meeting. It provides an important opportunity for
28 the council to listen to the views of the member states and to
29 take them duly into account before it takes appropriate action.

1 Our thanks also go to Ambassador Chowdhury, chairman of the
2 Sierra Leone sanctions committee, for presenting the report. I
3 wish to take this opportunity to reassure that Ukraine will
4 continue to support the activities of the committee and to
10:21:26 5 contribute to the collective efforts of the international
6 community to ensure that the measures taken by the Security
7 Council produce tangible results.

8 We particularly welcome the participation of the members of
9 the panel of experts on Sierra Leone arms and diamonds at this
10:21:43 10 meeting. We would also like to commend their work in preparing
11 an extensive and comprehensive report, which embraces important
12 aspects of the implementation of the Sierra Leone sanctions. At
13 all stages of the panel's work, including during the visit of a
14 member of the panel to Ukraine, our government fully cooperated
10:22:08 15 with the panel of experts in the fulfillment of their mandate.
16 Ukraine is prepared to continue maintaining such level of
17 cooperation in the sanctions committee.

18 My delegation attaches particular importance to the
19 consideration of the report of the panel of experts on
10:22:29 20 Sierra Leone, both by the sanctions committee, which is entrusted
21 to consider the information concerning violations, and to
22 recommend appropriate measures in response thereto by the
23 Security Council. We also believe that active involvement of
24 other member states in this process will be extremely useful for
10:22:52 25 the comprehensive, all-around examination of various issues
26 raised in the report.

27 The report and the findings of the experts represent an
28 important source of information with regard to the ways and means
29 of sanctions violations and the sources of illegal financing of

1 the RUF activities. We commend the efforts of the panel to
2 address these issues and consider the recommendations of the
3 experts as valuable terms of reference for consideration by the
4 council. We also note as a positive development that a number of
10:23:34 5 measures and initiatives stemming from the recommendations of the
6 experts, including in the field of diamonds certification and
7 trade, arms, air traffic control, have already been taken by the
8 countries in the region. In this connection, I would like to
9 draw the attention to the recent decisions by the Liberian
10:23:58 10 government to ground all Liberian registered aircraft and its
11 proposal to establish for Liberia a United Nations-supervised
12 monitoring regime for diamonds and arms trade."

13 Pause there. Mr Taylor, had all Liberian registered
14 aircraft been grounded?

10:24:22 15 A. Yes.

16 Q. "As we understand, further measures are being considered at
17 the regional level by ECOWAS member states. All these
18 developments clearly demonstrate that the work of the panel and
19 its report has already had a visible effect on the turn of events
10:24:55 20 around the Sierra Leone conflict, and there is hope that these
21 developments, coupled with the responsible approach by the
22 Security Council, will help to advance the peace process in
23 Sierra Leone."

24 Now, Mr Taylor, help us, when were all the Liberian
10:25:19 25 registered aircraft grounded?

26 A. The report comes out in around about December, so almost
27 immediately thereafter we, that would be by early January - we
28 then order that all aircrafts bearing the EL number globally be
29 grounded and the process is a process of announcements where we

1 inform our embassies in all of these countries of origin of the
2 aircrafts, where the aircrafts are. They are registered under
3 Liberia but they are stationed in those countries, that
4 effectively they are grounded until the process is served. So I
10:26:02 5 would put that to early 2001.

6 Q. And why was that decision taken?

7 A. Well, we admit that a lot of the registrations that people
8 were claiming were registrations that were done not during my
9 administration, but were still functioning and some of them in
10:26:22 10 fact were bogus that people were using so we did not know the
11 legitimate ones issued by my government as opposed to the
12 illegitimate ones that had been issued by preceding national
13 unity governments during the crisis.

14 So what we sought to do to figure it all out was to say,
10:26:46 15 "Fine, we'll ground everything then order the Ministry of
16 Transportation to review each aircraft certificate individually."
17 And so it was necessary to ground everyone until we figured out
18 which were the good ones and which were the bad certificates.

19 Q. Well, I guess the obvious question which follows then,
10:27:05 20 Mr Taylor, is this: Why had it taken your government so long to
21 take action on that?

22 A. Well, we had received no reports of any violation. It's
23 not a matter of long. Once there are no complaints, what they
24 say is if it's not broken don't fix it. We had received no
10:27:28 25 complaints of any violation of the Liberian licence anywhere. In
26 case there is a complaint we investigate. If there's no
27 complaint then we do not investigate. But once there is a
28 complaint we move in and this is a situation where the Ministry
29 of Transport has jurisdiction over this matter, so we did.

1 Q. And who issued the directive that the planes be grounded?

2 A. I as President.

3 Q. And, as a practical matter, could Liberia enforce the
4 grounding of those aircraft?

10:27:58 5 A. Yes.

6 Q. How?

7 A. Under the aviation agreements with member states in Africa,
8 if we say that all Liberian EL numbers must be grounded the air
9 traffic control of those countries, any time there is a call for
10 any of those aircrafts to take off they would not give them the
11 right to take off.

10:28:19

12 Q. Now, explain to us, please, EL number, does that denote a
13 Liberian aircraft?

14 A. Yes. All aircrafts in the world have these numbers. I
15 don't know what the other countries did. I don't know many of
16 the other countries, but EL stands for Liberia. I know the
17 Liberian one. All of these countries have the first

10:28:36

18 documentation of aircrafts preceded by letters. There are two
19 letters and those letters will state the country. If you know -
20 if you look on a chart, it will tell you. It may be - if it's MO
21 it would be a particular country. You would know almost
22 immediately.

10:28:58

23 Q. Right.

24 A. Yes.

10:29:09

25 Q. Let's go back to the document, please:

26 "At the same time I have to state that a number of the
27 experts' recommendations have rather controversial character and
28 they should be looked at from the point of view of their
29 consistency with both the original mandate of the panel and with

1 the work being done in other fora."

2 What did you understand that to mean, Mr Taylor?

3 A. That even the Ukraine is questioning some of the
4 recommendations that are contained and even the information
10:29:49 5 contained in the report. They too are concerned that there's
6 inconsistency.

7 Q. "As an example, let me refer to the recommendation
8 contained in paragraph 262, which suggests that consideration
9 could be given to the Security Council's embargo on weapons
10:30:09 10 exports from specific producer countries until internationally
11 acceptable certification schemes have been developed. We are
12 convinced that this issue, as well as a number of other issues of
13 general or global nature, should be dealt with in the specific
14 competent forums. In this regard, we would like to recall the
10:30:34 15 idea that was initially put forward by Ukraine regarding the
16 convening of an international experts' meeting of major
17 arms-producing countries with a view to elaborating effective
18 measures to prevent the reselling of arms from end-users to third
19 parties."

10:30:57 20 And again, Mr Taylor, what did you understand by that point
21 the ambassador is seeking to make?

22 A. Well, my understanding is that the ambassador is actually
23 saying that this panel of experts and this group that is out -
24 it's not clothed with the expertise to deal at depth with the
10:31:17 25 issues that they have dealt with and come up with these kinds of
26 recommendations when there are really expert groups in different
27 fora that can better do it. And in fact, that the mandate in
28 fact we still hold was not to go as far as they went. So I think
29 they also see that additional work must be done to get to the

1 bottom of this thing and come up with a reasonable set of
2 recommendations. That's why he talks about specific competent
3 forum.

4 Q. Over the page, please:

10:31:55 5 "I should also note in this context the ongoing work in the
6 preparatory committee for the United Nations conference on the
7 illicit trade in small arms and light weapons as well as the
8 anticipated convening in Budapest this April of a meeting on
9 small arms. A similar observation could be made with regard to
10:32:22 10 the recommendation regarding the establishment of a global
11 certification scheme for diamonds as well as some other
12 recommendations.

13 Let me now turn to several points in the report where my
14 country is specifically referred to. The relevant comments were
10:32:37 15 made by our delegations in the sanctions committee, so I will
16 just briefly recall some of them.

17 The panel extensively looked into the case of Burkina Faso
18 delivery of Ukrainian weapons in 1999. The report confirms that
19 a Ukrainian licence for sale of the weaponry was granted after
10:33:00 20 the Ukrainian authorities had received an authentic end-user
21 certificate from the Ministry of Defence of Burkina Faso. In
22 this regard, I wish to recall that as far as in April 1999
23 Ukraine, on its own initiative, and later on in June 1999,
24 provided to the Sierra Leone sanctions committee, following
10:33:24 25 thorough investigation in Ukraine, a detailed information related
26 to the above shipment. The results of the investigation
27 undertaken by the competent authorities of Ukraine, proved that
28 the above delivery was made in full compliance with the
29 legislation of Ukraine and the relevant requirements of the

1 Security Council resolution. The Government of Ukraine on
2 several occasions expressed its grave concern at the reports that
3 that shipment had been subsequently re-exported in violation of
4 the respective resolutions of the Security Council.

10:34:03 5 As to the references in the report to the mercenary
6 activities of the Ukrainian nationals, I wish to confirm that my
7 delegation formally requested the committee's assistance in
8 obtaining all information in possession of the panel to
9 facilitate criminal investigation of the facts by Ukraine. The
10:34:23 10 committee has also been informed that mercenary activities are
11 prohibited under Ukrainian law" - and they were also prohibited
12 under Liberia law, weren't they, Mr Taylor?

13 A. That's correct.

14 Q. "... which provides for criminal Prosecution against
10:34:44 15 offenders. In this context I wish to recall that my government
16 is providing over 500 peacekeepers and 400 APCs and trucks to the
17 UN mission in Sierra Leone."

18 APCs, armoured personnel carriers?

19 A. That is correct.

10:35:04 20 Q. "This is a concrete illustration of Ukraine's commitment to
21 assist the Government of Sierra Leone and the international
22 community in bringing peace and stability to this war-torn
23 country.

24 A few words regarding the working methods of the panel. My
10:35:20 25 delegation strongly believes that in order to ensure the highest
26 standards of credibility and effectiveness of the work of the
27 experts, the following aspects should be given the highest
28 priority: The mandate should be pursued in close cooperation and
29 consultations with the governments concerned. In other words,

1 all relevant evidence should be brought to the attention of the
2 governments so that they would have the opportunity to provide
3 their replies and other relevant information to the experts at
4 the time the report is being prepared."

10:36:03 5 What do you understand by that paragraph, Mr Taylor?

6 A. Well, my understanding is that one should be confronted
7 with any accusation and given an opportunity to respond to it.
8 And that was not done in our case.

9 Q. And this is the point being made by the Ukrainian
10:36:22 10 ambassador?

11 A. Exactly.

12 Q. "Any statements or reports should be based on thoroughly
13 investigated and corroborated facts; the highest degree of
14 credibility should be extended to governments that bear the main
10:36:37 15 responsibility for compliance with the charter of the United
16 Nations and the resolutions of the Security Council.

17 I would like to reiterate Ukraine's adherence to
18 strengthening the effectiveness of the sanctions regime as an
19 important tool to curtail the RUF's abilities to wage war. We
10:37:02 20 are ready to work closely and actively in the council on the
21 elaboration of workable measures to achieve this objective."

22 Now, Mr Taylor, tell me, was Liberia the only nation
23 concerned by the import of the panel of experts report?

24 A. Well, so far I'm not aware of any other nations. They
10:37:32 25 could have, but we were only aware of this official one by the
26 Ukraine. And I'm sure they protested. I'm sure they did.

27 Q. And tell me, what was the attitude of ECOWAS leaders to the
28 recommendations of the report?

29 A. The ECOWAS leaders did not hesitate. Immediately they

1 requested that the council take no action against Liberia and
2 requested time to further consult on the matter.

3 JUDGE SEBUTINDE: What council would that be?

4 THE WITNESS: The Security Council, your Honour. The
10:38:14 5 Security Council of the United Nations.

6 MR GRIFFITHS:

7 Q. When you say that they requested time to further consult on
8 the matter, who is "they"?

9 A. ECOWAS requested the executive secretary to convey to the
10:38:32 10 Security Council of the United Nations that no action be taken to
11 Liberia. In fact saying, "We are on the ground. We're looking
12 at this. If there's anything, we will give you our input on what
13 we think should be the appropriate action."

14 MR GRIFFITHS: Now, before I move on could I ask, please,
10:38:54 15 that the statement by ambassador Mr Valeriy Kuchinsky, acting
16 permanent representative of the Ukraine to the United Nations at
17 the meeting of the Security Council on the report of the panel of
18 experts on Sierra Leone diamonds and arms dated 25 January 2001
19 be marked for identification, please, MFI-195.

10:39:17 20 PRESIDING JUDGE: Yes, that document is marked MFI-195.

21 MR GRIFFITHS:

22 Q. Now you say, Mr Taylor, that ECOWAS tried to secure a
23 delay, yes?

24 A. That is correct.

10:39:41 25 Q. How do you know this?

26 A. That was discussed in a meeting but it was subsequently
27 reported by the ECOWAS and the Pan-African - it was copied from
28 ECOWAS by the Pan-African News Agency.

29 Q. And have you seen a report prepared by them?

1 A. Yes, I have seen it. I had a copy of it.

2 Q. Have a look behind divider 107, please. Have you seen that
3 document before, Mr Taylor?

4 A. Yes, this is the document.

10:40:22 5 Q. So this is the Pan-African News Agency report, right?

6 A. That is correct.

7 Q. Rather challenging on the eyesight, but let's try and do
8 our best. "West Africa: ECOWAS asks UN to delay sanctions on
9 Liberia." This is dated 13 February 2001.

10:40:55 10 Can we just pause there, Mr Taylor. Now, following the
11 publication of the panel of experts report in December, what had
12 the United Nations or the Security Council decided to do about
13 the recommendations in the report?

14 A. Impose sanctions.

10:41:14 15 Q. And when did you first become aware that they had decided
16 to take such action?

17 A. By mid to late January, it was all being crafted. It was
18 all being crafted. Different levels of the document were being
19 circulated. What happens at the UN, when the resolution or
10:41:41 20 important document is coming out, they would circulate drafts, so
21 the drafts were being circulated. At that time, if you were a
22 member state, you know that you are in - there is action right
23 around the corner. We had seen the draft. We had brought this
24 matter before our colleagues in ECOWAS, so they decided to act
10:42:03 25 immediately. But we had seen the draft.

26 Q. Okay:

27 "New York, United Nations. A ministerial delegation of the
28 West African regional grouping, ECOWAS, met with the UN Security
29 Council in New York on Monday and asked for a two-month delay of

1 a resolution proposing sanctions on Liberia."

2 Tell me, Mr Taylor, had the ECOWAS ministerial delegation
3 who made this proposal discussed the matter with you before they
4 made this request at the United Nations?

10:42:48 5 A. Not directly, no. This is an ECOWAS decision. No, they
6 did not discuss it with me personally, but they discussed it with
7 all of us.

8 Q. And the reason I ask is this: Was there a particular basis
9 for the request for a two-month delay?

10:43:08 10 A. Well, what normally happens in these diplomatic
11 arrangements, this two-months delay will be sufficient time for
12 diplomatic manoeuvres, where heads of governments and Heads of
13 State will individually contact the members of the permanent
14 five. Within that two months, this is just buying time to calm
10:43:33 15 the storm. This is what - it could have been one month, it would
16 have been three months, but they just figured that it would take
17 about two months. This is a ministerial delegation.

18 After that, the Heads of State would then get involved by
19 directly calling and lobbying - I would really call it lobbying -
10:43:55 20 permanent members, and especially the two members that are
21 pushing this, to leave us. "We are on the ground. We don't
22 agree with what is being said in this report. Let's cool it and
23 do some more work." I think is why they suggest two months, but
24 it could be any number of months.

10:44:15 25 Q. "But Pan-African News Agency learned that many Security
26 Council members, particularly the five permanent members, spoke
27 strongly in support of sanctions against Liberia."

28 Was that your understanding, Mr Taylor?

29 A. That was not my understanding. That was not my

1 understanding. Some of these countries are not aggressive like
2 that, no.

3 Q. Well, just for the assistance of a wider audience outside
4 who might not be aware of these things, Mr Taylor, who are the
10:44:47 5 five permanent members of the Security Council?

6 A. You have the - in Europe, there are three. You have
7 Britain, France and Russia. In North America, you have one;
8 United States. In an Asia, you have one; China. That's the five

9 Q. That is the five permanent members?

10:45:10 10 A. That is correct.

11 Q. "The British ambassador to the United Nations, Jeremy
12 Greenstock, who sponsored the sanctions resolution ..."

13 Now, let's pause there. Again, Mr Taylor, just for the
14 assistance and education of everyone, someone wants to make -
10:45:34 15 pass a resolution in the United Nations, what's the procedure?

16 A. To the best of my knowledge, there is always a sponsor, and
17 that sponsor is an individual that is proposing certain actions.
18 They would do a draft of their proposition. That draft is then
19 circulated amongst the members for addition or subtraction,
10:46:00 20 participation, whatever they want to do. In most cases, there
21 are little deals cut. They cut deals. "Okay, well, don't put
22 this part. Soften the language here, then I will support it."

23 They begin a bargaining process of how it will go. So at this
24 particular point, the proposition for sanction is being proposed
10:46:19 25 by Britain.

26 Q. "... who sponsored the sanctions resolution, told reporters
27 after the meeting that Liberia's continued support to
28 Sierra Leone's Revolutionary United Front rebels had made the
29 sanctions necessary.

1 To avert the sanctions, Greenstock said Liberia needed to
2 take urgent steps to cut off ties with the rebel group, get its
3 members out of Liberia, and stop the trafficking of diamonds from
4 Sierra Leone and arms into the country."

10:46:56 5 Pause there. But, Mr Taylor, had Liberia not, right at the
6 beginning of that preliminary response, set out a number of
7 bullet points regarding your withdrawal from the whole process?

8 A. Yes.

9 Q. To your knowledge, were the British, who were sponsoring
10:47:22 10 this, aware of this?

11 A. Oh, yes. Oh, yes. They were aware. These people's minds
12 were set, and it really didn't make any difference what anybody
13 said. Their minds were bent on the fact, without any evidence,
14 that we could stop diamonds, that we could - that we were sending
10:47:45 15 arms. They had made up their minds. It really didn't matter.

16 They knew.

17 Q. "The ECOWAS delegation, led by Mali's Foreign Minister,
18 Modibe Sodiobe, and which included the ECOWAS Executive Secretary,
19 Lansana Kouyate; Nigeria's Minister of State for Foreign Affairs,
10:48:08 20 Dubem Onyia; and Togo's Foreign Minister, Koffi Panou, was in
21 New York to brief the council on the situation in Sierra Leone,
22 Liberia and Guinea.

23 Foreign Ministers Monie Captan of Liberia and Sama Banya of
24 Sierra Leone, as well as Guinea's ambassador to the United
10:48:29 25 Nations, Francois Lonseny Fall, attended the meeting as
26 observers.

27 The council had decided in January to wait for
28 consultations with ECOWAS before moving forward with the
29 resolution that would ban Liberian diamonds from the

1 international market.

2 Kouyate told reporters that ECOWAS was not opposed to
3 sanctions against Liberia but had decided to ask for the delay to
4 allow Liberia to take certain measures to show its commitment to
10:49:03 5 ending support for the RUF.

6 ECOWAS, he said, has demanded that Liberia fulfil certain
7 conditions during the interim, including cutting off links with
8 the RUF.

9 Captan said Liberia, aware of international skepticism, was
10:49:23 10 ready to prove that it can meet its commitment.

11 Already, he said, the Liberian government had taken some
12 measures and would be introducing more in the next few weeks to
13 end links with the RUF.

14 He explained that ECOWAS wants Liberia to regulate its
10:49:40 15 diamond business and cut off ties with the RUF.

16 'We want to prove to the world that Liberia will meet its
17 commitment,' Captan added.

18 He said there was need for the verification and
19 confirmation of Liberia's compliance by ECOWAS and the UN.

10:50:02 20 Sierra Leone's Banya said his country was comfortable with
21 discussions during the meeting, particularly considering that
22 everybody, including the ECOWAS delegation, spoke in support of
23 sanctions against Liberia.

24 Liberia has been accused of supporting the RUF with arms
10:50:19 25 and serving as a conduit for the rebel group's illegally mined
26 diamond that continued to fuel the war.

27 The RUF, then led by Foday Sankoh, a former soldier in the
28 Sierra Leonean army, began a rebel war against the Freetown
29 government of deposed President Joseph Momoh in March 1991.

1 It is believed that the Liberian leader, Charles Taylor,
2 who launched his own rebel war in Liberia in 1989, was behind
3 Sankoh's rebellion.

4 Kouyate said, the ECOWAS delegation also briefed the
10:50:55 5 council on its plan to deploy troops to the common borders of
6 Liberia, Sierra Leone and Guinea.

7 ECOWAS leaders, he said, had resolved the countries
8 contributing troops to the deployment would finance their
9 participation for 90 days, and that the United Nations would work
10:51:13 10 out arrangements for its involvement in the mission.

11 Nigeria, Senegal and Mali are contributing some 1,700
12 troops for the operation."

13 Now, Mr Taylor, just explain to us what the situation is
14 then. We have, on the one hand, the United Kingdom sponsoring
10:51:39 15 this sanctions resolution and, on the other hand, ECOWAS asking
16 for this delay of two months. What did you make of that
17 situation?

18 A. Well, you have to look at this from the position of trying
19 to buy time. If you look at here where Kouyate told reporters
10:52:05 20 that ECOWAS was not opposed to sanctions against Liberia but had
21 decided to ask for the delay to allow Liberia to take certain
22 measures, in diplomacy, what is he doing? Lansana Kouyate is a
23 seasoned diplomat who retired as Under-Secretary-General of the
24 United Nations also; Lansana Kouyate. Now, this is diplomatic
10:52:30 25 English. They have asked for two months. They say, "We are not
26 opposed to sanctions, but we want you to give Liberia a time to
27 comply with what you are saying."

28 Now, in this vein, my understanding of this whole thing is
29 that what they want for the UN to do is to put in place a

1 mechanism based on our request that within that two-months period
2 there is no longer a need for sanction. You understand me? So
3 the language being used here, you must look at it from a
4 diplomatic standpoint where we are not opposed to this, but give
10:53:03 5 them two months and let them straighten up their house. So, in
6 other words, they are talking about compliance.

7 So the UN is saying, "We want you to get rid of these
8 people." ECOWAS knows that at this period, who is in Liberia
9 from Sierra Leone? Sam Bockarie. But ECOWAS knows how
10:53:19 10 Sam Bockarie got there. So what they want to us do, fine. The
11 UN - the principal panel members say that you should cut off
12 links with the RUF, throw them out of the country, put them out.
13 So they are trying to help Liberia to buy time to comply with the
14 resolution. This is my understanding of this process.

10:53:39 15 Q. Well, why is ECOWAS doing that?

16 A. Well, once a decision is taken by the Security Council
17 under Chapter VII, it becomes mandatory. So even - there are
18 cases in UN history where resolutions passed under Chapter VII
19 are not taken. There's so many cases of 242, 338, and we can go
10:54:13 20 on and on in naming resolutions. But, under most circumstances,
21 member states tend to comply.

22 Now, even though ECOWAS may know different, and which they
23 know differently from what is being suggested, they will be
24 subjected to and be compelled to, under their own laws, to follow
10:54:31 25 a Security Council resolution, whether there is a mistake or not.
26 You understand me? So what ECOWAS is trying to do is prevent the
27 resolution from being put into place. So, immediately, if they
28 can, within the two or three weeks, come back and say, "Well,
29 listen, council, Liberia has complied to stop it," but they need

1 time because this train is moving.

2 Q. But when you say ECOWAS know differently, know differently
3 what?

4 A. Well, they know that most of the issues contained here -

10:55:04 5 let's say cutting off ties with the RUF. ECOWAS is aware, the UN
6 is aware that those RUF individuals that are in Liberia were
7 brought there under their auspices, the UN and everybody, so why
8 would the council pass a resolution knowing very well that these
9 people were brought there with their knowledge, acquiescence and
10 consent? So at this particular point it really doesn't matter
11 from a regional organisation. You go before the council, you
12 speak. After you're through you leave the room and the council
13 decides.

14 And the way it works, and I'm sure across the world

10:55:41 15 listening to this they know what I'm talking about. The five
16 permanent members of the Security Council sit. There are other
17 members, but the voice that really matters are the permanent
18 five. In most cases some of these countries do not let
19 themselves get bogged down in some of these nitty gritty issues.

10:56:03 20 So if Britain and American push a resolution, except it hinges on
21 their direct national security concerns, they go along or
22 sometimes when you see in some cases where resolutions are passed
23 and you see a member abstain. They just say, "I wash my hands.
24 I don't want to have anything to do with it." But abstention
10:56:30 25 does not mean that a resolution will not get passed. So it's a
26 very complicated process in the United Nations. ECOWAS cannot
27 stop this, but she is trying to slow it down until she can come
28 back and say, "Well, look, we see progress. Will you stop it."

29 Q. Now, were you in discussion with other ECOWAS Presidents at

1 this time, Mr Taylor?

2 A. Oh, yes. I was speaking to all of my colleagues.

3 Q. Well, tell me, did they take the view that sanctions were
4 necessary against Liberia?

10:57:06 5 A. No. No. They did not take that view. They did not take
6 that view.

7 Q. So what was their view?

8 A. Their view that there were two powerful nations that were
9 bent on hurting Liberia that they really could not stop. They
10:57:30 10 had individually tried to stop it, but that these two nations
11 were moving at a speed that they were not able to stop. They
12 raised the example of, "Look, what can we do?" Let's nobody joke
13 around here about believing that these, the regional
14 organisations, make any real difference. Remember in 1997 ECOWAS
10:57:52 15 lifted arms embargo, saying, "We've lifted it, we've lifted all
16 sanctions. Security Council, will you do it?" "No, we're not
17 going to do it." So the individual approach to this matter
18 sometimes is even better than the regional approach because when
19 one of these major countries decide that they want to do
10:58:10 20 something, they will do it.

21 Q. So in terms of ECOWAS members, Mr Taylor, and their desire
22 or lack of it for sanctions against Liberia, what was
23 Sierra Leone's attitude?

24 A. Well, I would say that publicly - I would say that
10:58:35 25 Sierra Leone would support sanctions. Sierra Leone didn't have a
26 choice in this matter. Sierra Leone wouldn't have --

27 Q. I'm not interested in publicly. Did you speak to Tejan
28 Kabbah about it?

29 A. No, not directly about the sanctions issue. No, I never

1 spoke to him about it but they would support it. They wouldn't
2 have a choice.

3 Q. So we have this situation then, do we, that ECOWAS, your
4 neighbours on the ground, are not supporting sanctions, but the
10:59:05 5 United Kingdom are sponsoring this resolution nonetheless,
6 contrary to the wishes of your neighbours to impose sanctions on
7 Liberia?

8 A. Yes.

9 PRESIDING JUDGE: Just to clarify what Mr Taylor has said.
10:59:30 10 You asked Mr Taylor what was Sierra Leone's attitude to the
11 sanctions and he said, "Well, I would say that publicly - I would
12 say that Sierra Leone was opposed to sanctions." And then you
13 asked, "Did you speak to Tejan Kabbah about it?" Answer, "No,
14 not directly about the sanctions issue. I never spoke to him
11:00:01 15 about it, but they would support it." So within two answers he
16 is saying Sierra Leone is opposed to sanctions and then they
17 would support the sanctions.

18 MR GRIFFITHS:

19 Q. Would you explain and clarify, Mr Taylor?

11:00:18 20 A. I would think there's something wrong with the transmission
21 because I said that publicly Sierra Leone, okay, would not be
22 opposed to the sanctions. That's what I'm saying. Publicly they
23 would not be opposed to the sanctions.

24 PRESIDING JUDGE: I see. The LiveNote record reads, "I
11:00:34 25 would say that Sierra Leone was opposed."

26 THE WITNESS: No, would not be opposed to the sanctions.

27 MR GRIFFITHS:

28 Q. And why would they be not opposed to the sanctions,
29 Mr Taylor?

1 A. If these actions are being taken within the interests of
2 Sierra Leone, it would be foolish for them to come out publicly
3 and say they are opposed to what the UN is doing. If you look at
4 this report, what the Sierra Leonean ambassador says, he is being
11:01:12 5 very diplomatic here. He says his country was comfortable with
6 discussions during the meeting, particularly considering that
7 everybody including ECOWAS delegations spoke in support. So what
8 he does right now, he groups himself with ECOWAS and says, "Well,
9 I'm happy with the outcome", okay. But there's no way a member
11:01:37 10 state, seeing that the United Nations is supposed to be acting in
11 the interests, would come out publicly and say, "I do not support
12 your actions." No, that wouldn't happen.

13 Q. Now, Mr Taylor, we've had your preliminary response. We've
14 also had your letter to the Secretary-General of the United
11:02:05 15 Nations on 22 January, yes?

16 A. Yes.

17 Q. Did your government take any further action in terms of
18 responding to the panel of experts report?

19 A. Yes, we just did an open document. We got some of our
11:02:27 20 lawyers to - from both the Foreign Ministry and others to look at
21 what the lawyers call the motives and opportunities that were
22 used in coming up with this decision and to look at the motives
23 and both the opportunities of the United Nations panel in
24 recommending these sanctions. It was a legal document that was
11:02:53 25 done in February on the legal basis probably for this whole
26 action being proposed by the Security Council.

27 MR GRIFFITHS: Before we come to that document, could I
28 ask, please, that the Pan-African News Agency report, "West
29 Africa: ECOWAS asks United Nations to delay sanctions on

1 Liberia", dated 13 February 2001, be marked for identification,
2 please, MFI-196.

3 PRESIDING JUDGE: Yes, that document is marked MFI-196.

4 MR GRIFFITHS:

11:03:40 5 Q. Have a look behind divider 108, please, Mr Taylor. Do you
6 recognise that document?

7 A. Yes.

8 Q. What is it?

9 A. This is the document done by Liberian government lawyers.
11:03:57 10 The only thing absent here, I don't see the front page with the
11 date, but it's in February.

12 Q. So it's February what year?

13 A. 2001.

14 Q. We see that the document is headed "Motive and opportunity
11:04:21 15 for United Nations panel of experts recommended sanctions against
16 Liberia":

17 "Historical overview. During the past convulsive decade, a
18 sustained, well-organised, and orchestrated assault has been
19 waged against Liberia, the intent of which seemed designed to
11:04:46 20 impair the aspirations of Charles Ghankay Taylor, the man that
21 officials in the outgoing Clinton State Department have loved to
22 hate. The latest efforts of certain members of the Security
23 Council to recommend inter alia the intensification of sanctions
24 against Liberia based on allegations of diamond smuggling and
11:05:13 25 gun-running are but the latest in continuing concerted attempts.

26 From the start of the civil offensive launched in Gbutuo,
27 Nimba County, by the then NPFL in December/January (1989/90),
28 duplicitous initiatives were commenced by certain officials of
29 the American government to ensure contacts with the NPFL

1 authorities, while at the same time advising foreign embassies
2 and consulates near Monrovia to withhold any diplomatic and
3 consular intercourse with the NPFL, even in some instances
4 suggesting that their offices be closed down and their personnel
11:06:03 5 returned home."

6 What's that about, Mr Taylor?

7 A. Well, they were doing business with us. They had given us
8 communication. We were talking to them. In the meantime, I
9 guess as a way of what they call applying pressure, and we can go
11:06:20 10 back to Herman Cohen's book where he talks about certain measures
11 that they put into place along the way when they want things
12 done, they were asking some of these missions to close down as a
13 way of putting pressure on. So they were dealing both sides.

14 Q. "Regular visits of United States ambassadors resident in
11:06:43 15 Abidjan, United States embassy diplomats resident in Monrovia, as
16 well as State Department officials, including Chester Crocker and
17 Herman Cohen, two former Assistant Secretaries of State for
18 Africa who travelled all the way to the Ivorian-Liberian border
19 to hold meetings, exchange ideas and further suggestions as to
11:07:12 20 the objectives of the NPFL. Throughout these exercises the
21 United States embassy never closed down its mission, but remained
22 in Liberia thereby making sure of the continuation of its
23 diplomatic operations. Throughout these periods promises of
24 assistance were proffered to the NPFL authorities and these
11:07:33 25 authorities were advised to suspend military advance to Monrovia
26 with the assurance that the United States would negotiate the
27 departure of President Samuel Doe, deserted by his government and
28 besieged in the Executive Mansion, from Liberia. As the NPFL
29 forces progressed from Tappita to Gbarnga to the outskirts of

1 Monrovia, high level United States officials continued these
2 frequent visits and held long, productive discussions with the
3 Taylor officials.

4 To the surprise of many, with the ascendancy of the Clinton
11:08:17 5 administration obstructing mechanisms were suddenly placed
6 between the NPFL authorities and these frequent interactions with
7 the NPFL changed course. It is believed by many that the rebel
8 leader, Taylor's decision to run for the presidency of Liberia
9 following the cessation of hostilities, must have upset the grand
11:08:43 10 design of erstwhile friends in Washington DC at the time who
11 might have wanted to install a hand-picked leader for Liberia."

12 Pause there. Where did you get that idea from?

13 A. Well, we saw the handwriting on the wall from the Banjul
14 meeting where it was apparent that the - they had in mind someone
11:09:12 15 that they felt should take over the leadership of Liberia.

16 Q. And who was that?

17 A. That person was Ellen Johnson-Sirleaf.

18 Q. So from then you say?

19 A. Oh, yes. We knew then that they had - in fact they had
11:09:29 20 mentioned to me that the best thing --

21 Q. Who is "they"?

22 A. The United States government had suggested to me.

23 Q. That what?

24 A. That I not stand to take the leadership during the
11:09:41 25 transition that I had insisted on and that it be given to her and
26 that I could come around and run later and I said no, I was not
27 prepared to take that chance.

28 Q. "It appears that this decision triggered a negative
29 reaction, and from this point on, a series of schemes were

1 devised to stop the political aspirations of Mr Taylor. One of
2 the earliest such moves in this grand design was the imposition
3 of sanctions, arms embargo and travel restrictions against the
4 NPFL and its supporters for what was described as 'incalcitrant
11:10:24 5 behaviour and obstruction to the peace process'. Concurrently,
6 special arrangements were concluded by the State Department for
7 the release of millions of dollars from the maritime Registry
8 funds to the Interim Government of National Unity (IGNU) in
9 Monrovia. Surreptitiously, European and other capitals were
11:10:50 10 urged to abort all contacts with the NPFL authorities. Virtually
11 every possible area of NPFL cooperation with the outside world
12 was thwarted."

13 Is that true?

14 A. That is true. That is true.

11:11:08 15 Q. "A purely internal conflict within the NPFL hierarchy was
16 exploited by the American embassy in Monrovia. Arms, ammunition,
17 communication equipment, GI camouflaged uniforms and funding were
18 made available to Prince Johnson who had earlier defected from
19 the NPFL to further his rebellion."

11:11:32 20 Is that true?

21 A. That is correct. That's true.

22 Q. What, they were given GI camouflaged uniforms?

23 A. Yes. Remember, according to evidence here, Prince Johnson
24 entered Monrovia when the Americans asked me, in evidence here
11:11:45 25 that we've given, to leave the road open to Sierra Leone, the
26 Sierra Leonean border. Prince Johnson comes in Monrovia. He
27 cuts it off. And there's also a document that was presented with
28 the frequency of his meeting at the Chancery of the United States
29 embassy in Monrovia. They form a connection and really pull

1 Prince Johnson to them, and it was Prince Johnson that was in
2 charge of an area of Monrovia called Bushrod Island in Monrovia
3 central following his murder of Samuel Doe.

4 Q. "With this massive backing, General Johnson's breakaway
11:12:23 5 faction, the INPFL, joined forces with the intervention force
6 ECOMOG to drive Taylor's NPFL out of the vicinity of Monrovia,
7 thereby allowing ECOMOG to establish a formidable beachhead in
8 Monrovia. As a result of a clever sequence of events, President
9 Doe was lured to the free port of Monrovia with the promise of
11:12:47 10 evacuation. Unfortunately for him, General Johnson received a
11 coded call on his American supplied radio set, rushed to the
12 Freeport, ambushed Doe and tortured him to death on 9 September
13 1990."

14 How do you know that he was - Johnson received a coded call
11:13:08 15 on his American supplied radio?

16 A. Well, Johnson supporters subsequently wrote about it. And,
17 in fact, at the time of this writing, one of the individuals that
18 were involved in the arrest of Doe talked about it, that Johnson
19 received a call. That they did not know that Doe was scheduled
11:13:29 20 at the place but he received a call that Doe was coming into that
21 area, and that, in fact, he was advised not to interfere, and so
22 Johnson even betrayed them. They were trying to protect Doe to
23 get him out. I do not think and I wouldn't even allege for a
24 minute that the Americans supported the killing of Doe. No.

11:13:49 25 They had warned Johnson, apparently, that, "President Doe
26 is coming. He is leaving. Do not interfere with that process."
27 He used that information to attack.

28 Q. So where did the call come from?

29 A. It came from, from what we were told, the American embassy.

1 Q. "Far from the expectation of many Liberians, the war did
2 not end with the death of Doe, but rather a half dozen new
3 factions emerged with external support to oppose the NPFL. This
4 turn of events created a new set of complications in the Liberian
11:14:27 5 contemporary military, political and social psyche that this
6 generation of leaders is saddled with for better or worse. This
7 burden is made no less bearable with the latest barrage of
8 threats to the same group of individuals, products of the NPFL
9 era, now leaders of a legitimately elected government.

11:14:52 10 The hard questions. The recent accusation of diamond
11 smuggling and gun-running channelled through the Security Council
12 have, however, galvanised the Liberian people and led them to
13 wonder about the sincerity and objectivity of the United States
14 and the United Kingdom towards Liberia. The unsupported
11:15:16 15 accusation has raised many questions, including the issues of
16 social justice and moral principles as practiced by these two
17 Anglo-Saxon countries towards Liberia. It has aroused the
18 national consciousness of Liberia and has awakened the Liberian
19 people's sense of national patriotism. They are indignant about
11:15:44 20 the self-appointed missionaries of international reform who, in
21 fulfilling their assignment against Liberia, have left themselves
22 out of these reforms.

23 Many Liberian citizens are asking: Can the Security
24 Council expect a small nation to deprive itself of its inherent
11:16:02 25 legitimacy to protect its own national rights of survival while
26 two world powers practice muscular diplomacy against it? Is it
27 reasonable to expect that Liberia's proud heritage as a founding
28 member of the League of Nations, the United Nations, the
29 Organisation of African Unity, and ECOWAS, and the Mano River

1 Union, as well as her role as a key player in the liberation and
2 independence movements in Africa, will count for nothing? Can
3 such spotless credentials be swept under the rug while the rest
4 of Africa stands by idly? Where is Nelson Mandela? Where is Sam
11:16:47 5 Ujoma? Where is Nigeria? Where is the OAU? Where is ECOWAS?
6 Where is Africa when Liberia is in need of a friend to come to
7 her rescue?

8 Why is it that these vituperations originating from only
9 two nations of the Security Council, directed against President
11:17:09 10 Taylor and the innocent Liberian people, are falling on deaf
11 ears? Why is he being targeted with a torrent of proofless
12 accusations? What are the sources of these injustices? What are
13 the real reasons?

14 Does it make any sense at all for any Liberian, least of
11:17:29 15 all the President of Liberia, to be involved in trading diamonds
16 from Sierra Leone when Liberia has so much diamonds of its own;
17 or are the detractors insinuating that Liberia is smuggling its
18 own diamonds? Is it not like saying that a person is stealing
19 his own car?

11:17:50 20 The Liberian people have conviction that any well-meaning
21 citizen of the world will see through this false accusation.
22 Liberians believe that the ordinary decent people of the United
23 States and the United Kingdom will impress upon their respective
24 governments to refrain from condemning Liberia at a mock trial in
11:18:14 25 the United Nations Security Council. They should urge their
26 governments not to dispense with or dismiss the Anglo-Saxon
27 tradition of fairness.

28 Motives and opportunities. In the aftermath of the
29 publication of the draft report by the United Nations Security

1 Council panel of experts, the people of Liberia remain
2 unimpressed by the latest campaign orchestrated by detractors in
3 the outgoing Clinton administration and the present Tony Blair
4 government to deal a death knell to the government and people of
11:18:59 5 an impoverished country such as Liberia. Having repeatedly
6 denied the allegations levelled against Liberia in the illicit
7 diamond trade and supply of arms to the RUF, it would serve the
8 conscience of an objective observer to consider a case-by-case
9 analysis of events that may have formed part of the general
11:19:21 10 misconceptions that have probably led to the current efforts at
11 selectively targeting Liberia for paralysing sanctions that could
12 derail the post-war development aspirations of the Liberian
13 people.

14 On reflection, it is noteworthy to mention that motive and
11:19:44 15 opportunity for negatively targeting Charles Ghankay Taylor and
16 concurrently his democratically elected government, dates back to
17 the genesis of the civil war, when the National Patriotic Front
18 of Liberia rebelled against a brutal and inhumane regime of
19 President Samuel K Doe.

11:20:09 20 Although the NPFL uprising was overwhelmingly welcomed and
21 popularly supported by the Liberian people, the international
22 community, assisted by their surrogates in the Interim Government
23 of National Unity, initiated at the outset a process of
24 demonisation and image battering to cast the aspirations of the
11:20:36 25 NPFL in a negative position.

26 One of the early signals in this grand design was the
27 scenario surrounding the 1993 Carter Camp Massacre in Harbel,
28 Margibi County, where more than 600 innocent civilians were
29 butchered with machetes and other forms of blunt weapons.

1 Without any prior investigation, the US State Department joined a
2 chorus with IGNU and others to point an accusing finger at the
3 NPFL.

4 Eventually, a special commission established by the United
11:21:18 5 Nations, known as the WACO Commission, conducted a thorough
6 investigation of the massacre and exonerated the NPFL of these
7 false charges. The WACO Commission provided convincing evidence
8 that the Armed Forces of Liberia, which was then controlled by
9 the interim government of Dr Amos Sawyer, was held responsible
11:21:41 10 for the massacre."

11 Now, that report into the massacre near Harbel, Mr Taylor,
12 have you read that report?

13 A. Oh, in full, yes, I have.

14 Q. And did you have a copy of that report in your archives?

11:22:02 15 A. Yes, I have a copy in my archives.

16 Q. Have a look behind divider 115 - let's pause for a moment -
17 in this volume. Mr Taylor, is that the report?

18 A. This is the report.

19 Q. And we see that it's headed "Executive Summary. The Carter
11:22:54 20 Camp Massacre. Results of an Investigation by the Panel of
21 Inquiry Appointed by the Secretary-General into the massacre near
22 Harbel, Liberia, on the nights of June 5/6, 1993." We see that
23 the panel members were: The Honourable S Amos Wako, Chairman,
24 Mr Robert Gersony and Ambassador Mahmoud Kassem. Yes, Mr Taylor?

11:23:26 25 A. That is right, yes.

26 Q. Let's just pause for a minute just to take a quick glance
27 at this document:

28 "This document summarises the essential elements of a
29 75-page report of the panel of inquiry established on 4 August

1 1993 by the Secretary-General of the United Nations to
2 investigate the massacre of nearly 600 displaced persons which
3 occurred near Harbel, Liberia, on the night of June 5/6, 1993."

4 It then goes on to deal with the number of people who had
11:24:05 5 died, the principal parties in the conflict, ECOMOG's
6 intervention at paragraph 4; paragraph 5, numbers displaced, and
7 "just over 1,800 of these displaced persons were assigned to live
8 in Carter Camp, one of the Firestone facilities, located just 1
9 kilometre from the centre of Harbel town."

11:24:32 10 "At about midnight, on the night of Saturday/Sunday, June
11 5/6, 1993, armed soldiers attacked and systematically massacred
12 and mutilated the bodies of nearly 600 Carter Camp residents,
13 mainly women, children and elderly persons. Some 45 bags of rice
14 and beans and other loot were removed from the camp, apparently
11:24:55 15 carried by 100 or more survivors abducted by the attackers.

16 About 1,100 terrified survivors managed to escape the massacre
17 and fled in all directions.

18 The next morning, ECOMOG security forces who visited the
19 camp discovered a trail of rice, beans, clothing and eight bodies
11:25:19 20 leading to a nearby abandoned AFL Black Beret Camp adjacent to an
21 iron bridge called Du Bridge. Following the same trail, they
22 discovered 14 more bodies at a place called 'Camp A', 3
23 kilometres further along.

24 Within hours of its discovery, Liberia's Interim Government
11:25:43 25 of National Unity, IGNU, ECOMOG, the AFL and the international
26 media had attributed the massacre to the NPFL. By June 10, two
27 well-known international human rights groups repeated the
28 allegation in public statements and testimony. But strong NPFL
29 denials, coupled with the testimony of some survivors reported in

1 the Liberian press, raised the possibility of AFL negligence or
2 even complicity in the incident. By June 6, the
3 Secretary-General special representative for Liberia had begun a
4 preliminary investigation.

11:26:18 5 On 9 June, the Security Council strongly condemned this
6 massacre and requested that the Secretary-General conduct a
7 thorough and full investigation."

8 It goes on to describe the "Assessment Procedures" adopted.

9 Over the page, description of the camp, which we need not
11:26:40 10 bother with. And then the "Narrative Account" of the incident
11 thereafter follows. And when we continue at paragraph 35, we
12 have account of the "Execution of the Massacre Operation" and
13 thereafter "Massacre Accounts". And then when we go to paragraph
14 48:

11:27:30 15 "All reports agree that the 14 recently murdered adult
16 bodies were discovered that Sunday morning at Camp A by the same
17 ECOMOG unit which followed the trail of rice and beans which led
18 there from Carter Camp. One person had been murdered by gunshot
19 wounds, 13 apparently with sharp or blunt instruments. By the
11:27:51 20 time the government pathologist arrived on the scene on June 11,
21 the bodies were said to be in an advanced state of
22 decomposition."

23 Go to paragraph 50:

24 "The scene described by the pathologist was inconsistent
11:28:08 25 with the Carter Camp massacre where the victims had been randomly
26 killed and found only half clothed and the food and houses had
27 been looted. The pathologist report concluded that NPFL soldiers
28 had passed through Camp A en route to Carter Camp on Saturday,
29 June 5. Finding residents in possession of liberty notes, they

1 tried and executed them without looting their homes, then
2 proceeded to conduct the massacre and return along the same route
3 the next morning, leaving a trail of rice and beans behind them.

4 The AFL August 31 official report, corroborated by another
11:28:46 5 credible source, contradicted the pathologist. It concluded that
6 the 14 persons murdered at Camp A were in fact abducted as
7 porters from Carter Camp on the night of the massacre and then
8 murdered. The Ministry of Justice report stated that the rooms
9 found at Camp A were in complete disarray. Furthermore, both
11:29:07 10 ECOMOG and AFL commanders stated that military commonsense
11 dictates that the attacking party would not use the same route to
12 enter and withdraw from the attack location."

13 MR GRIFFITHS: I note the time, Mr President.

14 PRESIDING JUDGE: Yes. Thank you, Mr Griffiths.

11:29:24 15 We'll take the morning break now and resume at 12 o'clock.

16 [Break taken at 11.30 a.m.]

17 [Upon resuming at 12.00 p.m.]

18 PRESIDING JUDGE: Yes, please continue, Mr Griffiths.

19 MR GRIFFITHS: May it please your Honours:

12:00:58 20 Q. Mr Taylor, just before the short adjournment we had taken a
21 diversion to look at the executive summary of the investigation
22 by the panel of experts set up by the Secretary-General into the
23 Carter Camp massacre, yes?

24 A. Yes.

12:01:16 25 Q. Now, before I continue briefly with that document, because
26 I don't want to dwell overlong on it, can I ask you this: From
27 your viewpoint what was the significance of that incident,
28 Mr Taylor, and the subsequent appointment of this panel of
29 experts to investigate it?

1 A. The Carter Camp was a very sad situation where, as has been
2 mentioned, 600 or more Liberians got slaughtered. But if we
3 reflect a little bit, this is happening in 1993. In 1992 we had
4 gone through a series of negotiations, both in Cotonou where
12:02:09 5 these agreements had faltered, followed - in fact, preceded by
6 Yamoussoukro in 1991. Now, for the records that is stated
7 already, in late 1992 there is this famous operation called
8 Operation Octopus that is on the record of the NPFL's attempt to
9 take Monrovia to end the war.

12:02:35 10 With that background occurring late 1992, we now see in
11 1993 where these innocent civilians are murdered of this number.
12 This is an opportunity for Taylor and the NPFL to be stopped. In
13 fact, it was very clear. It was said that whoever is responsible
14 for this is going to be charged with war crimes and crimes
12:03:05 15 against humanity. It was said in diplomatic circles, "We are
16 going to bring Charles Taylor to justice and this NPFL. This is
17 going to be the end of the war." They were so certain. So
18 within a matter of days the Security Council had taken a decision
19 that a panel should be appointed, legal people, experts in
12:03:28 20 forensic and all were sent down to Liberia to conduct this
21 investigation to bring Charles Taylor and the NPFL people to
22 justice for war crimes and crimes against humanity. That was the
23 significance of this report.

24 Q. Okay. Now, as I say, I don't want to dwell overlong on
12:03:46 25 this. This is just a sideshow to fill in some gaps for us so
26 that we can go back to the other document. But in order to
27 conclude it as quickly as possible can we go to paragraph 68 on
28 page 13, please. Do you it have, Mr Taylor?

29 A. Yes.

1 Q. "All investigations which identified the massacre
2 perpetrator as the NPFL did not satisfactorily explain why the
3 NPFL would have massacred and mutilated the bodies of its own
4 former combatants and/or adherents."

12:04:44 5 Those killed were who, Mr Taylor?

6 A. They were mostly former NPFL combatants and sympathisers.

7 Q. "The ad hoc nature of the response of the panel's question
8 on this matter, and their contradictions of a fundamental fact to
9 which all sides agreed, reinforced the panel's view that this
10 issue had not been given sufficient attention in previous
11 investigations."

12:05:03

12 Can I pause to mention that Mr Munyard has left us.

13 PRESIDING JUDGE: Yes. Thank you. That's noted. Thank
14 you, Mr Griffiths.

12:05:16

15 MR GRIFFITHS: I'm grateful:

16 Q. Over the page, please:

17 "The reported NPFL pattern of atrocities in the three
18 months prior to the Carter Camp massacre was given significant
19 weight by official and independent investigators. In its
20 absence, at least one important investigator would have concluded
21 that the AFL conducted the Carter Camp massacre.

12:05:32

22 Both principal organisations suspected of perpetuating the
23 massacre had engaged in a pattern of atrocities against civilians
24 in their areas of authority and were deemed capable of carrying
25 out the Carter massacre. The polarised political environment of
26 Liberia mooted the objectivity of many of those who participated
27 in investigations of the Carter incident.

12:05:52

28 The AFL successfully deceived public opinion regarding
29 responsibility for another recent atrocity by using the pattern

1 argument to shift the responsibility to the NPFL for an act which
2 AFL soldiers had committed."

3 Over the page, please, paragraph 79:

4 "Eyewitness accounts received by the panel, including
12:06:36 5 signifying messages spoken by the attackers during the massacre,
6 which tended to point to the participation of AFL soldiers, and
7 in one case to the possibility of a ULIMO soldier."

8 Again let's go over the page, please. Page 16:

9 "Because of an early apparent assumption that the NPFL was
12:06:59 10 responsible for the massacre, many kinds of important physical
11 and other evidence were systematically ignored or overlooked by
12 other investigations."

13 Paragraph 86:

14 "Most previous investigations discarded eyewitness accounts
12:07:20 15 pointing to the AFL as perpetrators of the massacre based on
16 sociological/political factors which did not apply to testimony
17 they reported receiving which tended to confirm the theory that
18 the NPFL was the perpetrator.

19 The panel concurs with previous investigations that
12:07:37 20 eyewitness testimony could be perverted by fear of reprisals by
21 the party such witnesses would identify as having conducted the
22 massacre.

23 However, the most immediate threat to the eyewitnesses was
24 posed by AFL soldiers in Harbel, under whose authority the
12:07:53 25 survivors were living, and whom survivors in Harbel (as in all
26 interview locations) identified as having conducted the massacre.
27 These survivors said they'd seen in Harbel after the massacre AFL
28 soldiers who they had witnessed participating in the massacre.
29 This underlined the courage and conviction which characterised

1 the survivor accounts and, in the panel's view, enhanced their
2 credibility.

3 The argument that the political loyalty of the survivors to
4 the NPFL had not been affected by their knowledge that the NPFL
12:08:31 5 had conducted the slaughter strains credibility."

6 Over the page, please. Paragraph 93:

7 "Reports indicated that several AFL soldiers risked their
8 lives to protect Carter survivors from their AFL peers. It was
9 alleged that one of those who defended the survivors was killed
12:08:54 10 by AFL elements after the incident."

11 And finally page 18, paragraph 97:

12 "The massacre at Carter Camp was planned and executed by
13 units of the Armed Forces of Liberia.

14 The murders at Camp A were carried out following the Carter
12:09:16 15 Camp massacre by the same party which carried out the massacre
16 itself: The AFL. The trails of rice and the torn Liberty notes
17 were part of a scheme of deception.

18 The NPFL, ECOMOG and ULIMO had no role in the Carter Camp
19 massacre and the murders at Camp A. However, evidence suggests,
12:09:44 20 but it is not conclusive, concerning the possibility that a few
21 ULIMO stragglers or deserters who found themselves in Harbel may
22 have, on their individual initiative, participated with the AFL
23 soldiers in the massacre operation."

24 Until this report came out, Mr Taylor, who was the finger
12:10:08 25 being pointed out?

26 A. Oh, me and the NPFL. We were the individuals that had
27 massacred them and we would be brought to justice.

28 MR GRIFFITHS: Now, before we move on can I ask, please,
29 that that executive summary, "The Carter Camp massacre, results

1 of an investigation by the panel of inquiry appointed by the
2 Secretary-General into the massacre near Harbel, Liberia on the
3 night of 5/6 June 1993" be marked for identification MFI-197,
4 please.

12:10:40 5 PRESIDING JUDGE: That document is marked MFI-197.

6 MR GRIFFITHS: I'm grateful. Can we now go back to behind
7 divider 108 and pick up the account at page 6, please.

8 MR BANGURA: Mr President.

9 PRESIDING JUDGE: Yes, Mr Bangura.

12:11:02 10 MR BANGURA: Mr President, your Honours, the Prosecution
11 would object to further use of this document with the witness on
12 the basis that there has not been sufficient foundation laid,
13 one, as to the source of the document. The witness, you will
14 recall, had said that this document was prepared by lawyers of
12:11:28 15 the Government of Liberia and it was at the instance of the
16 President.

17 Your Honours, the document does not have a cover and
18 nothing on the face of it says that. Besides, there's no date on
19 the document. The witness has said it was prepared in February
12:11:49 20 2001, I believe, but nothing in the document indicates this.

21 Furthermore, if your Honours take a quick look at the
22 document, it doesn't even seem to be a complete document. It
23 ends at page 19 and there is nothing beyond that page, some
24 endorsement by the makers or preparers of the document. And
12:12:18 25 beyond that, your Honours, the witness has said that this was a
26 document prepared by lawyers, which suggests - raises the issue
27 of privilege. We do not know what the relationship clearly was
28 and whether, in fact, the witness has such authority - if it was
29 prepared for the Government of Liberia, whether he could waive or

1 he has a right to waive any privilege which that government has.

2 PRESIDING JUDGE: Do you wish to reply to that,
3 Mr Griffiths?

4 MR GRIFFITHS: Well, firstly, as to the issue of privilege,
12:12:56 5 Mr President, the witness has stated that this is a document
6 prepared by government lawyers in response to the report prepared
7 by the panel of experts. Consequently, in those circumstances,
8 it's difficult to see how an issue of privilege arises.

9 Secondly, so far as the preparation of the document is
12:13:21 10 concerned, the fact that it's prepared by lawyers is of little
11 moment for this reason: It may be that had this been prepared
12 with litigation in mind, my learned friend would have a valid
13 objection, but let us remind ourselves that no indictment had
14 been issued or drawn up against Mr Taylor at the time this
12:13:46 15 document was prepared. On the face of it, it's quite clear the
16 document is prepared as a response to a recent event, which is
17 the publication of the panel of experts report at a time when no
18 litigation, such as that upon which we are currently engaged, was
19 contemplated.

12:14:05 20 So it seems to us, in the circumstances, that the objection
21 has no foundation, because if there is an issue of privilege, it
22 belongs to the Government of Liberia, and that government has no
23 standing in these proceedings. And, furthermore, as President,
24 it seems to us that Mr Taylor is perfectly entitled to waive such
12:14:28 25 privilege, if, indeed, it exists. So we do conclude that this
26 objection lacks foundation and that sufficient foundation has
27 been laid by the witness for the use of the document.

28 PRESIDING JUDGE: Yes. I agree with you, Mr Griffiths. I
29 think you've established that the witness is competent to give

1 evidence about this document and I'll overrule the objection.

2 MR GRIFFITHS: I'm grateful:

3 Q. We had concluded the second paragraph on that page,
4 Mr Taylor, so let us pick it up where it says:

12:15:13 5 "It is surprising that the result of the WACO Commission's
6 investigation did not elicit any calls for condemnation or
7 censure of the interim government and the matter was left to
8 conveniently fizzle out."

9 Now, was that the case, Mr Taylor?

12:15:30 10 A. That was the case. Following the WACO report, nothing was
11 done thereafter. There were no arrests. There were no further
12 investigation. Nothing, no Prosecution. Nothing. The case -
13 because Taylor and the NPFL were not involved, case was closed,
14 until today.

12:15:50 15 Q. But I thought you told us that when that panel of inquiry
16 was set up, it was envisaged that trials for war crimes would
17 ensue.

18 A. Definitely.

19 Q. So what happened? And who was making that suggestion, that
12:16:05 20 trials for war crimes would ensue?

21 A. This was pursued by the American government. In fact, if
22 you look at the - in fact, the document explains that. The
23 American government was pushing that "We are going to pursue this
24 to the end." The British government pursued it. And other NGOs,
12:16:27 25 non-governmental organisations, human rights groups, were all
26 saying, "Whoever is responsible for this must be brought to
27 justice. This is outrageous." And I agreed. But we kept
28 maintaining that, look - by the way, if you look at the report,
29 it refers to other reports.

1 What the Government of Liberia did at the time, the interim
2 government under Amos Sawyer, they did a report implicating the
3 NPFL. That's what the report - the United Nations document here
4 refers to as other reports. It was signed, sealed, and they were
12:17:06 5 just waiting now for the ursine on it by bringing in a UN panel
6 of appropriate people to come and just nail it and Taylor and the
7 NPFL will be finished. And it did not turn out that way because
8 of the intensive investigation done with forensic studies and all
9 of this.

12:17:27 10 Once it was said the NPFL was not responsible - and this
11 report goes further to name names of those - I remember. This is
12 only the executive summary, but the report names the names and
13 identifies who carries out - who participates in the massacre.
14 No arrests are made. Nothing happens after that.

12:17:47 15 Q. "Other attempts by the outgoing officials of the State
16 Department and their surrogates to prevent the NPFL winning an
17 outright victory went from the cunning to the subliminal and on
18 to more overt tactics. Such tactics included a well-orchestrated
19 anti-NPFL campaign through local and major international news
12:18:15 20 networks, support, funding and arming of over half a dozen
21 warring factions including ULIMO-K, ULIMO-J, LPC, AFL, INPFL,
22 NPFL-CRC" - who are they?

23 A. The NPFL-CRC now are the new group of three breakaway
24 ministers at that particular time, Samuel Dokie, Tom Womeiyu,
12:18:51 25 that break away. They called them NPFL/CRC.

26 Q. "... IGNU's Black Beret, all opposed to the NPFL.

27 The basis for this anti-NPFL stance problem was the
28 widespread notion that Taylor was backed by Libya's Muammar
29 Gaddafi who at the time was in a diplomatic and security wrangle

1 with the United States over the bombing of the Pan Am flight over
2 Lockerbie in 1983. It was believed that with Libya's backing,
3 any victory by the NPFL would pull Liberia, a traditional ally of
4 the United States, away from the orbit of US influence into a
12:19:35 5 radical alliance with Gaddafi.

6 Fortunately, the NPFL's mission, philosophy and integrity
7 as a revolutionary movement was embraced by the population.
8 Hence no amount of foreign intervention and trickery was able to
9 derail the progressive agenda of the movement.

12:20:02 10 With diplomatic dexterity, the NPFL was instrumental in
11 forging ahead with the peace plan in Abuja, growing out of
12 efforts initiated in other West African capitals that culminated
13 in disarmament, demobilisation and eventually elections.

14 The crux of the Clinton State Department's opposition to
12:20:21 15 the NPFL came during the visit of Madeleine Albright, then US
16 Ambassador to the United Nations, to Monrovia in 1996 during the
17 transitional period when the affairs of the country were run by a
18 Council of State. It appears that Ms Albright arrived in
19 Monrovia with preconceived animosities against council member
12:20:48 20 Charles Ghankay Taylor, who was then representing the NPFL on the
21 council.

22 In the course of a lengthy meeting with members of the
23 council, according to an unimpeachable source who was present,
24 Taylor did not take kindly to arrogant instructions and nuances
12:21:07 25 by Ms Albright and made his feelings known by asking her to show
26 more respect for the authority of the Council of State.

27 Albright's animosity towards Taylor, who she saw as an upstart
28 and a culprit in the Liberian conflict, was evident in her body
29 language during the photo opportunity that followed the meeting.

1 Ms Albright eventually went on to become Secretary of State
2 in the second term of the Clinton Presidency. Through her
3 Assistant Secretary of State for Africa, Susan Rice, Albright
4 convinced the administration that because of Taylor's alleged
12:21:52 5 record he had no chance of winning the elections. Taylor
6 confounded everyone by winning 75.3 per cent of the vote against
7 the United States-sponsored candidate Ellen Johnson-Sirleaf.

8 It is no surprise then that the State Department, under the
9 leadership of Ms Albright, has made every effort to demonise
12:22:21 10 President Taylor personally and destabilise his government by
11 floating the policy of 'ABT', Anyone But Taylor, for leadership
12 in Liberia.

13 Some of these attempts include the barrage of accusations
14 of human rights violations against the Taylor government; and
12:22:38 15 maintenance of a negative travel advisory which has discouraged
16 and prevented investors from visiting Liberia. Other actions
17 include the maintenance of the arms embargo on Liberia in spite
18 of the fact that ECOWAS has recommended lifting it, and despite
19 external threats to the security of the country through several
12:23:01 20 armed incursions from Guinea; interference in the internal
21 affairs of Liberia through channelling substantial resources and
22 direct support to opposition presidential candidates during the
23 1997 elections and wide publication of the State Department
24 Annual Human Rights Report on Liberia, to name a few. Of course,
12:23:28 25 lately the State Department has applauded the human rights record
26 of Liberia since they are convinced that the new allegations of
27 diamond smuggling and gun-running are sufficient to undermine the
28 Liberian government. "

29 Pause, Mr Taylor. "Lately the State Department has

1 applauded the human rights regard of Liberia"?

12:24:12 2 A. Yes. Yes. What happened is that, Liberia was voted on the
3 Human Rights Commission of the United Nations stationed in
4 Geneva, in Geneva, Switzerland, and after we sat on that Human
5 Rights Commission, and that was a commission that was widely
6 contested, the United States did reduce her criticism of Liberia
7 because on that commission we were asked to cooperate with that
8 country, the United States, on so many other human rights issues.
9 So I guess as a give and take, they just lowered the temperature
12:24:39 10 against Liberia.

11 Q. "In the intervening period, Ms Albright's protege at the
12 United Nations, Ambassador Richard Holbrooke, has publicly
13 expressed disdain for the President of Liberia by referring to
14 him as the 'Milosevic of Africa'."

12:25:02 15 Did he do that?

16 A. Oh, yes. Holbrooke did that, yes.

17 Q. "No clear justification was given for this bizarre
18 characterisation. Holbrooke has also worked furiously within the
19 United Nations system to not only maintain the arms embargo on
12:25:18 20 Liberia but to tarnish Liberia's image diplomatically and to
21 prevent meaningful international assistance from coming to the
22 country for reconstruction, rehabilitation and reconciliation.

23 Furtherer to that, the United States Senator Judd Gregg is
24 on the record to have publicly called for the assassination of
12:25:42 25 President Taylor, and Ms Albright's State Department did not even
26 the decency to distance the Government of the United States from
27 such a reckless statement. Can any objective observer not be
28 left with the impression that there was a concerted effort to
29 destabilise Liberia?

1 The Roosevelt Johnson Debacle.

2 On at least two occasions, the State Department
3 orchestrated covert military intervention in Liberia. It can be
4 recalled that in the wake of the 6 April 1996 crisis, US Navy
12:26:21 5 helicopters from the Atlantic fleet were seen openly supplying
6 the LPC and ULIMO-J factions at the BTC military barracks in
7 Monrovia as well as the Schefflein military base outside of
8 Monrovia."

9 Is that true?

12:26:39 10 A. Yes, that is true.

11 Q. "A military surveillance aircraft overflew the positions of
12 the government forces, mostly comprised of NPFL commandos and the
13 Congo Town home of Council of State member Charles Taylor.
14 Simultaneously, a massive gunboat pulled up on the shores just
12:26:59 15 behind the home of Taylor in Congo Town with the obviously
16 intimidating posture to influence the outcome of the fracas.

17 The US embassy in Monrovia airlifted the murderous rebel
18 leader Roosevelt Johnson and his close associates to safety after
19 they had used a fire canon to burn down the city. He was brought
12:27:24 20 back surreptitiously into Monrovia at midnight aboard an unmarked
21 helicopter following the elections in 1997.

22 The presence in Monrovia of Roosevelt Johnson, leader of
23 the erstwhile ULIMO-J faction, and the apparent backing that he
24 received from external sources, emboldened him to believe that he
12:27:47 25 could challenge the authority of the newly elected Government of
26 Liberia.

27 The carving out of an arms-infested enclave by Johnson and
28 his associates on Camp Johnson Road, a few blocks away from the
29 seat of government, and the harassment, intimidation, abduction

1 and torturing of innocent citizens, created not only an unsafe
2 environment, but prevented the smooth operation of business and
3 commerce in Monrovia that challenged the authority of the
4 Liberian government.

12:28:23 5 The decoration of his Camp Johnson Road office with the
6 Seal of the Republic, and posting the national colours, and the
7 presidential flag behind his desk, and frequent visits to that
8 office by United States embassy personnel, raised suspicion about
9 the motive of the United States embassy vis-a-vis Johnson's
10 authority.

11 An attempt by the Taylor government, assuming the
12 constitutional authority to maintain law and order and prevent
13 the recurrence of the 6 April fracas, led to the outbreak of the
14 18 September 1998 shootout in Monrovia when Roosevelt Johnson's
12:29:08 15 forces humiliated and opened fire on law enforcement officers
16 who had been dispatched to restore order to the area.

17 The unsuspecting police officers sustained death and
18 injury. The government sent in reinforcement to calm the
19 situation. In the ensuing melee, which claimed the lives of
12:29:36 20 dozen of Liberian citizens, Johnson and his associates
21 miraculously arrived at the front gate of the United States
22 embassy in Mamba Point, several miles away from his Camp Johnson
23 Road hideout. Eyewitnesses, who observed his getaway through a
24 ghetto corridor of Sonywein, reported that he was accompanied or
12:29:57 25 guided by United States embassy personnel (African Americans).
26 Johnson and entourage were reportedly met out the embassy gate by
27 the United States charge d'affaires John Bauman, who invited them
28 into the embassy and granted them sanctuary.

29 In the critical moments that preceded Johnson being given

1 refuge by his American hosts, some shots from pursuing forces of
2 the government hit the outer walls of the United States embassy.
3 Albright's State Department again used the incident to accuse the
4 Liberian government of attacking its embassy in Monrovia, which
12:30:39 5 was proven untrue. She exerted extreme diplomatic pressure for
6 an apology from the government, with a threat to close down the
7 embassy.

8 A close associate of Roosevelt Johnson, Madison Wion, was
9 inadvertently gunned down by American Marines who had surrounded
12:30:57 10 the perimeter of the embassy's fence to give Johnson safe haven.

11 Although repeated requests were made by the Liberian
12 government and family members for the body of Madison Wion, those
13 requests were never honoured, thus creating the appearance that
14 the US embassy conveniently disposed of the corpse.

12:31:21 15 Subsequently the US embassy airlifted Roosevelt Johnson,
16 his immediate family and close associates into neighbouring
17 countries. Later these same fugitives surfaced and formed part
18 of dissident forces that are being trained in Sierra Leone and
19 Guinea and have carried out five incursions into Liberia over the
12:31:44 20 past two years from Guinean territory.

21 Bauman was an important cog in the State Department's
22 tussle with the government and people of Liberia. He cunningly
23 authored the provocative statement, 'There are more good people
24 than bad people in Liberia. The one million good people will
12:32:08 25 win, and the bad people will lose.' This statement was made in
26 reference to the erroneous assumption that over one million
27 people lived in Monrovia, one and a half million displaced as
28 refugees in neighbouring countries. With a population of 2.5
29 million, it was speculated that hardly anyone, except Taylor and

1 his NPFL fighters, lived in Greater Liberia. This statistic was
2 fed to the State Department in Washington DC and gave rise to the
3 conclusion that Taylor would lose in the ensuing election. As
4 has been stated, this calculation was wrong. Bauman was recalled
12:32:55 5 by his government in the wake of the September 18th incident,
6 apparently embarrassed over bad judgment that he exercised in
7 handling the situation.

8 Throughout this period Liberia submitted itself to all
9 international norms and diplomacy in the interest of security at
12:33:18 10 home, on the one hand, and peace in Sierra Leone and the
11 sub-region on the other.

12 Burning of civil war arms and attacks from Guinea.

13 In an effort to shed the image of warmongering that had
14 been successfully planted by Liberia's detractors, the Taylor
12:33:40 15 administration, in July 1998, cooperated with the United Nations
16 in destroying all of its civil war arms and ammunition.

17 Among the arms and ammunition destroyed were 18,000 small
18 arms, dozens of heavy weapons and artillery pieces, hundreds of
19 rounds of rocket-propelled grenades, and three million rounds of
12:34:08 20 ammunition.

21 The United Nations, ECOWAS, the Organisation of African
22 Unity and the international community at large applauded the
23 decision of the Liberian government, and pledges were made by the
24 United States government to assist Liberia in her reconstruction
12:34:27 25 efforts. It is sadly noted that the promise of assistance was
26 mere lip service and has never materialised.

27 Barely two weeks after the burning of those arms in August
28 1998, Liberia came under attack by armed dissidents based in
29 Guinea, destroying Voinjama and a number of strategic towns in

1 Lofa County. The dissidents occupied Voinjama and the
2 aforementioned towns along the Guinean border, abducted United
3 Nations personnel, destroyed farms, properties and created
4 mayhem.

12:35:09 5 In spite of Liberia's protestations, no one, including the
6 United Nations, the prominent members of the Security Council,
7 nor other members of the international community, who had barely
8 three weeks earlier applauded the government's decision to
9 destroy the arms, condemned the wanton act of violation of the
12:35:33 10 territorial integrity of Liberia.

11 Since that first attack, there have been four subsequent
12 attacks on Voinjama and Zorzor in Lofa County and Nimba County by
13 dissidents operating out of Guinea, with clear and convincing
14 evidence that they had been given sanctuary, assistance and
12:35:57 15 artillery support from the Guinean armed forces.

16 In spite of clear evidence that the dissidents were getting
17 support from Guinea, backed by calls to the news media by their
18 supporters in the United States (Alhaji Kromah, Joe Wylie and
19 others) who have sought, and been given, asylum by the US
12:36:20 20 government, and with further evidence of dozens of wounded
21 soldiers being evacuated out of the war zone, corroborated by
22 independent media, the US embassy near Monrovia informed
23 Washington DC that they were not convinced of rebel incursions
24 into Lofa County and termed the brutal incursions as propaganda."

12:36:46 25 Is that true, Mr Taylor?

26 A. Oh, yes, that's true.

27 Q. "Shocking to many observers in Liberia was the disclosure
28 by the United States State Department that American forces have
29 been, and continue, to train the Guinean military to deal with

1 the imminent danger to instability in Guinea.

2 The people of Liberia are saddened by this turn of events
3 in view of the two centuries old relationship she has had with
4 the United States. It is hypocritical, to say the least, that
12:37:26 5 the United States did not deem it necessary to come to the aid of
6 a traditional ally that is defenceless and has come under five
7 attacks, but would deem it expedient to train the Guinean army
8 and supply it with arms. These same arms have been resupplied to
9 Liberian dissidents, who have vowed to destabilise Liberia and
12:37:49 10 overthrow a democratically elected government.

11 Several months ago, Guinean authorities rounded up,
12 humiliated and brutalised hundreds of Liberian and Sierra
13 Leonean refugees in the capital city, Conakry, and other parts of
14 the country, in contravention of the Geneva Convention. These
12:38:15 15 refugees were accused of complicity in the emergent dissident
16 activities in Guinea.

17 Without notice to the Liberian government, the American
18 embassy in Conakry arranged for the selective airlifting of
19 dozens of Liberian refugees to the United States on the basis of
12:38:35 20 undisclosed criteria, leaving hundreds of others stranded."

21 Did that occur, Mr Taylor?

22 A. Yes.

23 Q. What, they were airlifted directly to the United States of
24 America?

12:38:50 25 A. Exactly. Hundreds of them. In fact, most of them are
26 still there.

27 Q. "Reports from the Liberian embassy has indicated that the
28 Liberian refugees airlifted are close relatives, siblings, and
29 family members of the leaders and members of the dissident forces

1 that are operating in Guinea and attacking Liberian territory.
2 The airlift was apparently organised after Liberian government
3 forces liberated Voinjama from the insurgents and routed their
4 bases along the border. This operation is said to have claimed
12:39:27 5 the lives of many of the commanders of the insurgency.

6 The issue of diamond smuggling and gun-running.

7 In the aftermath of the breakdown in the implementation of
8 the Sierra Leone peace process (Lome Peace Plan) a new pressure
9 was mounted against Liberia and the issue of diamond smuggling
12:39:52 10 and gun-running surfaced.

11 These false allegations had their genesis in the State
12 Department in Washington DC and the Foreign Office in London. As
13 if to trivialise the substantive issue of peace and stability in
14 Sierra Leone and the West African sub-region, it appears that
12:40:14 15 Monrovia's detractors have finally discovered a new twist in the
16 demonisation process against the Liberian people.

17 While, on the one hand, President Taylor has been
18 instrumental in the freeing of over 500 United Nations hostages
19 held by the RUF in May and June 2000; the salvaging of the Lome
12:40:40 20 Peace Plan, with the hosting of the Monrovia conciliatory talks
21 in October 1999 - which broke the ice between factional rivals
22 Corporal Foday Sankoh of the RUF and Major General Johnny Paul
23 Koroma of the AFRC - to ensure that peace returns to Sierra
24 Leone. Hardly anyone gives Liberia credit for these constructive
12:41:05 25 endeavours.

26 The now infamous visit to Liberia in the latter part of
27 2000 by United States Under-Secretary of State Thomas Pickering,
28 and further bellicose remarks against Liberia made by British
29 Foreign Minister Robin Cook, are proof of the special agenda

1 against the success of the current Government of Liberia. Thomas
2 Pickering came to Monrovia to, in his words, 'deliver an
3 ultimatum to the Liberian government', because, as he indicated,
4 there was overwhelming evidence of President Taylor's complicity
12:41:51 5 in the diamond trade and indirect supply of arms to the RUF in
6 Sierra Leone.

7 Meanwhile, there appeared to be serious attempts by the US
8 State Department and the British Foreign Office to circumvent the
9 ECOWAS effort in respect of the peace process in Sierra Leone.

12:42:13 10 In the first instance, the outgoing US administration in
11 Britain flatly refused for a ceasefire to take effect between the
12 RUF and UNAMSIL forces, in spite of indications that the RUF had
13 been ready for months for a ceasefire had unilaterally created a
14 lull in the fighting. In the second instance, the British
12:42:45 15 military dispatched a contingent of their forces to Freetown and
16 proceeded to train the so-called Sierra Leone in contravention of
17 the Lome Peace Accord.

18 To the utter dismay of the Liberian people, hundreds of
19 the recruits that form part of the so-called Sierra Leone Army,
12:43:02 20 have been identified through photographs as members of former
21 warring factions that participated in the Liberian civil war.
22 Many of them are fugitives who were airlifted along with
23 Roosevelt Johnson by the United States embassy near Monrovia.

24 Consequently, arms and ammunition supplied by the British
12:43:26 25 military to the so-called Sierra Leone Army have found their way
26 into the hands of Liberian dissidents based in Guinea.

27 Many of these arms were captured by Liberian government
28 forces and a British made rifle was displayed and presented to
29 the current ECOWAS Chairman, Malien President Alpha Oumar Konare,

1 and Nigerian President Olusegun Obasanjo when they visited
2 Monrovia in July 2000.

3 In the wake of these developments, the United States State
4 Department dispatched its Under-Secretary of State, Thomas
12:44:15 5 Pickering, to Monrovia. The Liberian people were certain that
6 the State Department had patented their motive and were now
7 searching for an opportunity to deal Liberia its heaviest blow -
8 crippling sanctions.

9 As if the people's premonition was accurate, the US State
12:44:36 10 Department, just weeks following Pickering's ultimatum,
11 reinforced its travel ban on Liberia by declaring to its citizens
12 that the country is unsafe for travel. Subsequently, the State
13 Department imposed a comprehensive visa restriction on the
14 President of Liberia, his family, close associates and selected
12:44:55 15 government officials.

16 Thomas Pickering's visit to Liberia sent more signals than
17 was immediately apparent. The composition of his delegation left
18 many wondering as to the real intent of his message. Far from
19 being a merely diplomatic delegation, Pickering was accompanied
12:45:16 20 by ten top military and intelligence officers including Mr Bred
21 McConnel, Deputy Assistant Secretary for Defence; Brigadier
22 General Leslie Lawrence Fuller, Commanding General, Special
23 Operations Command of the US army; Colonel Volney James Warner,
24 United States Navy Commander; Richard Heirncue and Major James
12:45:48 25 Moeller, among the others.

26 Clearly the level of military and intelligence expertise
27 floated into the sub-region by the Albright State Department must
28 have had a specific agenda, beside just accompanying Pickering to
29 deliver an ultimatum. It is the belief that such an ultimatum

1 could have been sent through diplomatic channels. Therefore, it
2 is no surprise that critical information about the alleged
3 involvement of Liberia vis-a-vis the diamond trade and military
4 operation of the RUF has been compiled in so convincing a
5 fashion.

12:46:30

6 More specifically, during the period, the Liberian
7 government documented a series of violations of diplomatic
8 immunity by United States embassy staff members and military
9 attaches. Some of these violations included snooping around the
10 residence of the President in Congo Town and attempting to bribe
11 Special Security Service personnel manning the guard posts;
12 attempts to photograph the Executive Mansion from the vicinity of
13 the University of Liberia; attempts to observe the formation of
14 the SSS Protective Service in the convoy of President Taylor at
15 the Antoinette Tubman Stadium and attempts to carry out
16 surveillance activities at sensitive Liberian government
17 installations."

12:46:51

12:47:14

18 Is all of that true, Mr Taylor?

19 A. All of it true. All.

12:47:33

20 Q. "In spite of Liberian government protestations through
21 diplomatic notes to the United States embassy, according to
22 foreign ministry sources, these unorthodox activities continued.
23 This led to the decision by the Liberian government to expel from
24 the country a top US military attache."

12:47:59

25 Do you recall who that was, Mr Taylor?

26 A. No, I do not recall the name. And, in fact, that was
27 arranged. He was not subsequently expelled. We withdrew it
28 after they promised not to continue, and we led that evidence
29 before the Court before.

1 Q. "This decision was only reversed when the military attache
2 pleaded mercifully with the authorities and indicated that his
3 career would be in jeopardy if the decision were to hold. After
4 he promised that such surveillance would cease, the Liberian
12:48:33 5 government reversed its decision.

6 The Four Foreign Journalists Episode.

7 Perhaps the most unnerving situation in the whole scheme of
8 attempts to demonise the Liberian government came with the arrest
9 of four foreign journalists in Monrovia in August 2000 on charges
12:48:54 10 of espionage.

11 The journalists, Sorious Samura, a Sierra Leonean and
12 producer of the 'Cry Freetown' film; David Barre, a British
13 citizen and the alleged script writer; Timothy Lambon and
14 Gugulakhe Radebe, South African cameramen, purportedly came to
12:49:23 15 Liberia to produce a documentary. In the course of things, the
16 Liberian government, through a tip-off from the security
17 apparatus, uncovered a 'pre-manufactured' script, which was
18 clearly intended to corroborate the false allegations against
19 President Taylor and the Liberian government on diamond
12:49:37 20 smuggling, gun-running and support to the RUF.

21 Clearly, the debacle of the journalists must have unmasked
22 the diabolical intent of powerful interests in London and
23 Washington DC, given the outpour of appeals that came from
24 influential members of the international community. Those who
12:50:01 25 called the government to plead for the release of the journalists
26 included the Reverend Jesse Jackson, former South African
27 President Nelson Mandela, Nigerian President Olusegun Obasanjo,
28 the British Foreign Office, London's Channel Four TV, as well as
29 the CNN.

1 The Liberian people applauded the government, which, in
2 accordance with its laws, exercised restraint, patience and
3 maturity in dealing with the four journalists issue, thereby
4 preventing it from creating an international crisis.

12:50:35 5 Following the charge against the journalists and a day
6 before their appearance in a court of competent jurisprudence,
7 the British ambassador accredited to Liberia with residence in
8 Abidjan and Special Counsel representing Channel Four TV in
9 London, flew to Monrovia. They were joined by the Sierra Leone
12:50:59 10 ambassador accredited to Monrovia to 'find a way out of the
11 mess'.

12 In the wake of the legal procedures, Channel Four TV faxed
13 an unreserved apology to the Liberian government for any offence
14 that the actions of the journalists, who were in their employ,
12:51:17 15 might have caused the Liberian government and people.

16 Subsequently, the four journalists, while in prison, issued
17 a similar handwritten unreserved apology. They were eventually
18 released by the courts and permitted by the government to depart
19 the country following their apology.

12:51:36 20 Perhaps what is more unnerving about the entire episode is
21 the intelligence information uncovered about the true identity of
22 the so-called journalists. Through Interpol cooperation, it was
23 revealed that one of the so-called journalists, Timothy John
24 Lambon, the assumed TV cameraman, was a soldier of fortune who
12:51:59 25 once offered his service in Rhodesia during its civil war years
26 and has been involved in wars throughout southern Africa,
27 including Angola and South Africa during the apartheid era.
28 Aside from attempts to corroborate the false allegations against
29 the Taylor government, what then could have been the motive of a

1 potential assassin parading as a TV cameraman among a media crew,
2 several of whom are also suspected to have been impersonating
3 real journalists? Suspicion of their deadly motive was further
4 revealed from their desperate, tenacious and persistent efforts
12:52:44 5 to interview the President of Liberia at all cost.

6 The four journalists' episode was a clear indication that
7 their intention to produce a documentary on Liberia and link
8 President Taylor to blood 'diamonds and gun-running charges was
9 connected to the motive of the outgoing US State Department and
12:53:06 10 the British Foreign Office.

11 Also, following this episode, an avalanche of allegations
12 against Liberia ceased for a considerable period, until October
13 (2000) when the Greenstock delegation and a panel of experts from
14 the United Nations Security Council visited Liberia to
12:53:24 15 investigate the diamond trade and its effects on the Sierra Leone
16 conflict.

17 All in all, it is the view of the Liberian people that the
18 draft report of the panel of experts, which has selected Liberia
19 out of more than a dozen countries mentioned, resembles the plot
12:53:46 20 of a very thrilling Ian Fleming novel with James Bond as the
21 central figure. The people of Liberia appeal to the sensibility
22 of the good people of Britain and the United States to see
23 clearly the litany of schemes that have been devised over the
24 past decade by a select number of officials within the US State
12:54:08 25 Department and the British Foreign Office respectively to deny
26 the government and people of Liberia their God-given right to
27 enjoy the fruits of their peace and stability, the cornerstones
28 of democracy and the prerequisites for the reconstruction of
29 their war-torn country."

1 Now, Mr Taylor, what was done with this document following
2 its creation?

3 A. This document was really kept by the government as the
4 basis for arguments and the presentation of our arguments to
12:54:55 5 foreign diplomats in detailing that there was a motive for this
6 and they were trying to seek an opportunity. So as we presented
7 the case, it was something like a working document for government
8 officials in having what I would call notes in the presentation
9 of the case from a legal perspective as we lobbied other
12:55:19 10 diplomatic missions.

11 Q. But, Mr Taylor, given the precarious situation you were in
12 at the time, sanctions being threatened by the Security Council,
13 did you not think that some of the language in this document was
14 rather bellicose?

12:55:39 15 A. Well, yes, in a way, but what do we go for? Do we - are we
16 after truth? Here is an attempt to kill me. And let me just
17 mention, I think the Sorious report is available, and why it was
18 - I mean, they were arrested, those journalists were arrested.
19 In fact, the camera - we were told that the camera that was
12:56:09 20 supposed to be used for this so-called documentary where they
21 insisted on interviewing me contained some beam or something that
22 fired at me would, over a period of time, lead to cancer that -
23 we were told by a major western intelligence source. In fact,
24 the tip-off not to talk to them came from a particular western
12:56:35 25 intelligence source that said, "Do not meet that group. The
26 camera is going to be your demise." So we were prepared for them
27 when they arrived. We get there - so what we are talking about,
28 yes, it's bellicose, but we're talking about the truth. We have
29 a situation where everything is being done to destroy the

1 government. Now they're trying to kill me, so why wouldn't they
2 be bellicose? Of course they would have to be. I mean, for me,
3 truth - I mean, is there no dignity that must be left in a man
4 that he must be so afraid that he cannot speak the truth? So
12:57:11 5 everything that we see - I mean, that was said here by these
6 government lawyers are all true, and they were never refuted from
7 the issue with Secretary Albright, the statement made by
8 Holbrooke, all of those things are factual. They never contested
9 it up until today. These are not secret documents. These were
12:57:27 10 public pronouncements that had been made even. Besides this
11 internal memo we had spoken publicly about these, and I'll tell
12 you, if Mandela didn't get involved, we would have gone ahead
13 with the trial. But after he called me personally and we talked
14 about it and they had hired a lawyer - by "them" I'm referring to
12:57:52 15 the TV Four people - copies of the documents seized from them
16 were sent to all diplomatic missions. So this was very, very
17 serious, so I think there is a reason to bellicose.

18 Q. Interestingly, a little aside, the lawyer hired for them is
19 now a judge in the ICC.

20 A. No kidding.

21 Q. Justice Fulford.

22 A. Is that right?

23 Q. Now, Mr Taylor - before we move on, can I ask, please --

24 JUDGE DOHERTY: Mr Griffiths, I presume you're going to ask
12:58:36 25 to have it marked. Could I clarify one particular paragraph.
26 It's at page 9, and it's about the third to fourth line, and it's
27 said: "It can be recalled in the wake of the 6 April 1996
28 crisis," et cetera. "US Navy helicopters were seen openly
29 supplying," but it doesn't say what they were supplying, and I'm

1 not clear what was supplied.

2 THE WITNESS: Okay, that's true, your Honour. Normally
3 they would be referring to ammunition to the Barclay Training
4 Centre.

12:59:14 5 JUDGE DOHERTY: Thank you.

6 MR GRIFFITHS: Can I therefore ask that this document,
7 "Motive and Opportunity For United Nations Panel of Experts
8 Recommended Sanctions Against Liberia", dated, we are told by the
9 witness, February 2001, be marked for identification MFI-198,
10 please.

11 PRESIDING JUDGE: That document is marked MFI-198.

12 MR GRIFFITHS:

13 Q. Now, Mr Taylor, just to recap now on the steps taken by the
14 Liberian government in the aftermath of the publication of the
15 panel of experts' report, we had first of all the preliminary
16 response. Is that right?

17 A. That is correct.

18 Q. We then had the letter written to Kofi Annan dated 22
19 January 2001. Is that right?

13:00:15 20 A. Yes.

21 Q. Was there any further steps taken by the Liberian
22 government in that regard?

23 A. Yes. After that preliminary report and all that you
24 mentioned, late in February we did an official response to the
25 sanctions imposed on Liberia.

26 Q. Now, when you say an "official response", what do you mean?

27 A. The Liberian government did an official letter - official
28 document responding to the sanctions.

29 JUDGE SEBUTINDE: Mr Griffiths, I'm sorry to ask. I might

1 have missed this. This document we've just marked 198, what
2 became of it? Where did it go? Did I just miss it?

3 MR GRIFFITHS: I think the witness dealt with it, but we'll
4 revisit it:

13:01:09 5 Q. What happened to that document that we just looked at,
6 Mr Taylor?

7 A. That document was kept and maintained as a working document
8 by the government - by my government in how officials would
9 approach the general issue in dealing with other diplomatic
10 missions, your Honour. What I mean, your Honour, is before
11 positions are stated by various agencies of governments, whether
12 -let's take, for example, defence, foreign affairs, and those
13 agencies of government that may have to make public
14 pronouncements, a document is constructed. Each of those
15 agencies is provided a copy, and that serves as the guidepost for
16 their pronouncements and their interactions. That's what this
17 document is.

18 JUDGE SEBUTINDE: So, in other words, it was retained
19 internally?

13:02:17 20 THE WITNESS: That is correct.

21 MR GRIFFITHS:

22 Q. Now, you were speaking of an official response, Mr Taylor.
23 Is that right?

24 A. Yes.

13:02:25 25 Q. And you said that response came in late February of 2001?

26 A. That is correct.

27 Q. Have a look behind divider 109, please. Do you recognise
28 that document, Mr Taylor?

29 A. Yes, this is the statement.

1 Q. This is the statement, is it?

2 A. That is correct.

3 Q. And we see it's headed, "Statement of the Government of
4 Liberia on the Imposition of Sanctions By the United Nations
13:03:03 5 Security Council", and it's dated 27 February 2001:

6 "The government and people of Liberia are labouring under
7 threats of the imposition of sanctions by the United Nations
8 Security Council on charges of support to the Revolutionary
9 United Front and complicity in the trade of illegal diamonds for
10 guns. A fortnight ago, acting under Chapter VII of the Charter
11 of the United Nations, and in consonance with the rules of the
12 Security Council, the Economic Community of West African States
13 requested a recess of two months within which the regional body
14 would monitor and verify measures announced by the Government of
13:03:57 15 Liberia in lieu of the allegations.

16 This intervention by the sub-region is extremely relevant
17 to Liberia. The ECOWAS intervention underscores the desire of
18 the West African sub-region and its leadership to remain seized
19 of developments in the region, as it has ably demonstrated in the
13:04:18 20 past in the development of mechanisms suitable to the solution of
21 problems confronting the region. Additionally, the intervention
22 of ECOWAS avails the opportunity to the Government of Liberia to
23 have its commitments tested and its measures verified.
24 Accordingly, the Government of Liberia reiterates its commitment
13:04:44 25 to the full implementation of the measures announced and further
26 commits to work with ECOWAS and the United Nations Security
27 Council to disengage from the RUF."

28 When you say "disengage from the RUF", Mr Taylor, can you
29 elaborate on that, please?

1 A. This is English used in the resolution that we are really
2 using; that is, to - for us, we interpret it as getting away from
3 the whole process.

4 Q. What process?

13:05:17 5 A. The process of being active in the peace in Sierra Leone.

6 Q. And whilst we're on that topic, Mr Taylor, we're now in
7 February - late February of the year 2001. To what extent have
8 you been engaged, during the months of January and February of
9 that year, with events in Sierra Leone?

13:05:41 10 A. Not hardly. We're busy trying to - you know, to work
11 against these sanctions since everybody is hell bound on putting
12 them. So we are not that involved in any of the activities going
13 on in Sierra Leone, but we are aware of the disarmament process
14 beginning to take shape.

13:06:04 15 Q. So that leads me to my second question. What is actually
16 happening on the ground in Sierra Leone during these months?

17 A. Well, we have to then reflect to November of 2000. If my
18 recollection is recollect, November 2000 the ceasefire agreement
19 is signed between Issa Sesay, now the new interim leader, and the
20 government.

13:06:31 21 Q. That was in Abuja? Was that in Abuja?

22 A. Exactly. That's November of 2000. So between November,
23 December, going into the new year of 2001, that whole process now
24 of beginning the disarmament and the movement of UNAMSIL soldiers
13:06:54 25 into those areas is now underway and that's --

26 Q. Go on?

27 A. That's how we follow it. But we are not involved in any of
28 the day-to-day actions on the ground, no.

29 Q. And in terms of those events unfolding in Sierra Leone, is

1 there any hostility at this point?

2 A. Where?

3 Q. In Sierra Leone?

4 A. Oh, yes. Yes, there is hostility. They do have some
13:07:26 5 little hiccups from our understanding, but they do not last too
6 long.

7 Q. Okay. Going back to this document:

8 "The policy of disengagement is being construed as proof of
9 complicity with the RUF in the perpetration of the madness
13:07:45 10 attending the Sierra Leonean crisis. This misunderstanding of
11 the intentions and actions of the Government of Liberia is most
12 unfortunate. Notwithstanding, the Government of Liberia believes
13 that it is no longer productive to dissuade international opinion
14 determined to will it into guilt. What is important is the
13:08:16 15 establishment of verifiable indicators that would vindicate the
16 people of Liberia, restore the integrity of the government, and
17 enhance peace and security in the sub-region. Towards this
18 constructive engagement and cooperation, the Government of
19 Liberia renews its fullest support.

13:08:41 20 Already the Government of Liberia has undertaken, in
21 collaboration with ICAO" - what does that stand for?

22 A. I really - this is one of those international civil - I
23 don't really know the - but it has to do with international
24 aviation, but I don't know the real --

13:08:59 25 Q. It's to do with international aviation?

26 A. That is correct.

27 Q. "... the immediate grounding of all aircraft under the
28 Liberian registry, most of which were registered prior to the
29 election of this government. In partnership with ICAO, the

1 government wishes to have those planes grounded until an
2 acceptable registration regime is in place and airworthiness
3 assured in accordance with acceptable international standards.
4 An additional request to ICAO has been made to provide for an
13:09:36 5 effective air control system that would especially serve to
6 modernise and enhance air traffic control in the region."

7 ICAO, International Civil Aviation Organisation.

8 "In similar light, the Government of Liberia has concluded
9 investigation into the earlier registration of aircraft owned by
13:10:04 10 a Victor Bout. The investigation confirmed that Mr Bout, working
11 through his agents, did register aircraft during the period of an
12 interim administration of Liberia. The contracts between the
13 agents of Mr Bout and the interim administration, of which the
14 sitting President was not a party, was disclaimed and voided by
13:10:41 15 the Ministry of Transport after the inauguration of the current
16 leadership of the country. The result of this investigation and
17 evidence of the transactions and its subsequent nullification are
18 being forwarded to the leadership of ECOWAS, ICAO and the United
19 Nations Security Council for its cognisance.

13:11:00 20 On the trade in diamonds, the Government of Liberia
21 welcomes the establishment of a certification regime similar to
22 that of Sierra Leone for the export of diamonds. Most
23 importantly, legislation requiring the centralised export of
24 diamonds through the Central Bank of Liberia has been enacted and
13:11:31 25 promulgated. Requests have already been made to the World
26 Diamond Council to second experts to the bank, who will assist in
27 the establishment of an internationally acceptable standard of
28 certification. On the other hand, the Government of Liberia has
29 proposed to the United Nations Security Council to have the World

1 Diamond Council present at least two companies acceptable to the
2 World Diamond Council to undertake the purchase of diamonds in
3 Liberia under the scrutiny of the United Nations Security
4 Council. The diamonds must be certificated, while any trade in
13:12:16 5 diamonds outside this arrangement is to be considered illegal and
6 embargoed. The second proposal would accelerate the
7 establishment of a certification regime from which the Government
8 of Liberia would immensely benefit. Although the Liberian
9 government has received no response to its proposal, it implores
13:12:40 10 ECOWAS to facilitate the response of the World Diamond Council
11 and the United Nations Security Council so as to have these
12 measures immediately instituted in Liberia."

13 Pausing there, Mr Taylor. Now, this is the third public
14 response?

13:13:02 15 A. Yes.

16 Q. Following the preliminary response, the letter to Kofi
17 Annan, we now have this public statement. Has there been any
18 reply from the United Nations?

19 A. Not official. None. None. No official responses.

13:13:23 20 Q. Now, these proposals that the Liberian government are
21 making, for example, regarding diamonds, is there any response to
22 that?

23 A. There is no response. There is no response. We even send
24 our minister to Brussels, our ambassador. We attend all of the
13:13:44 25 meetings in Brussels, South Africa. There are about three or
26 four meetings in different places. But the die is cast. They -
27 just as normal, they ignore these. They've taken a decision and
28 that's it.

29 Q. "Furthermore, the waiver requested by the President of

1 Liberia for disclosure of personal information as to bank
2 accounts and assets remains enforceable and the Liberian leader
3 renews his call on the United Nations Security Council to
4 establish a blue ribbon panel to investigate this matter, a
13:14:30 5 result of which should be made public and, should it be
6 determined that there is a money trail from the sale of diamonds
7 to the President of Liberia, all such accounts and properties
8 related thereto must be confiscated and returned to the Liberian
9 people. The Liberian leader renews his promise to resign
13:14:52 10 immediately thereafter. Contrarily, however, should the results
11 of the investigation reveal otherwise, the Liberian leader and
12 government would expect to be forthrightly cleared of the
13 accusations of diamond smuggling and gun-running.

14 Returning to the presence in Liberia of RUF officials and
13:15:20 15 their spouses, the Government of Liberia unreservedly requested
16 the departure of all RUF individuals and the closure of its
17 contact office in Monrovia. With the acquiescence of ECOWAS, the
18 contact office was established to facilitate accessibility to and
19 contacts within the sub-region for the enhancement of the Sierra
13:15:55 20 Leonean peace process. All RUF individuals have departed Liberia
21 in line with a 72-hour ultimatum issued by the Liberian
22 government and the contact office closed. The Government of
23 Liberia eagerly awaits the verification by the United Nations and
24 ECOWAS of the implementation of this measure to finally debunk
13:16:18 25 speculations as to the seriousness of the government to implement
26 its own measures."

27 Pause. "All RUF individuals have departed Liberia", is
28 that true?

29 A. That is true.

1 Q. Does that include Sam Bockarie?

2 A. Sam Bockarie departed Liberia in 2001, yes.

3 Q. When?

13:16:50

4 A. We - that's in February of 2001, early February. Early to
5 mid-February, Sam Bockarie leaves.

6 Q. And goes where?

7 A. Well, he goes through La Cote d'Ivoire, and we do not know
8 where he goes beyond that.

9 Q. Who else leaves with him?

13:17:02

10 A. I think Sam Bockarie took a handful of individuals. I
11 don't think not more than five or ten persons. But the rest of
12 the people are in Liberia, they are Liberians. So, for us,
13 that's not our problem. They are Liberians.

13:17:23

14 Q. Well, I was coming to deal with that. What about those who
15 had been inducted into the ATU?

16 A. Well, they were Liberian citizens. And unless they did
17 something for us to withdraw their citizenship, as in the case of
18 Sam Bockarie, we saw no reason to expel them.

13:17:44

19 Q. Well, what had Sam Bockarie done to justify you in
20 withdrawing his citizenship?

21 A. Well, Sam Bockarie had become the centre of an allegation
22 that was bringing untold harm to the republic. And since he was
23 born in Liberia and had been granted this citizenship by virtue
24 of the rights of the President under the constitution, that harm
25 that was coming to the republic was sufficient to withdraw it.

13:18:08

26 Q. What allegation?

27 A. That Sam Bockarie was in Liberia planning to carry out
28 additional strikes and that he was training men in Liberia to
29 re-enter Sierra Leone.

1 Q. But, Mr Taylor, was there any truth in those allegations?

2 A. There was no truth, but we had sanctions imposed on it. In
3 the absence of it, there was no truth. None. But, still,
4 sanctions are on us and they are hurting the entire citizenry.

13:18:44 5 Q. Yes. But, you know, what about your much vaunted sense of
6 principle? The man hasn't done anything. And despite these
7 accusations, there's no truth in it. So why bend to that
8 pressure?

9 A. Well, you know, that has got nothing to do with our sense
13:19:03 10 of dignity, no. Here is a situation, this - you have to look at
11 these in individual cases. Here is a situation that there is an
12 individual who is affecting the good of all, who is naturally not
13 a Liberian, that his continued stay in Liberia will only lead to
14 additional hardship. And a decision had to be taken at that
13:19:28 15 particular time regarding safeguarding Sam Bockarie as an
16 individual or the good of the Liberian nation, and the government
17 took a decision that if this was going to remove the very, very
18 black clouds over Liberia, that that should be taken in the
19 interest of all of the people of Liberia.

13:19:56 20 Q. "On the issue of the supply of arms and ammunition to the
21 RUF, the government rejects recent claims by the British
22 ambassador to the United Nations, Sir Jeremy Greenstock, that it
23 facilitated in January a meeting between RUF officials and a
24 Leonid Minin in La Cote d'Ivoire where diamonds were exchanged
13:20:22 25 for weapons. The ambassador is aware that the individual with
26 whom the RUF allegedly transacted has been in Italian custody
27 since last year. Perhaps a more useful purpose could be best
28 served if we commit ourselves to the pursuit of the truth."

29 Now, this meeting between RUF officials and a Leonid Minin

1 in January, January of which year, Mr Taylor?

2 A. If I look at Jeremy Greenstock, he could be talking about
3 January 2001, I would suppose. We are referring to what he says.

13:21:15

4 Q. Now, were you aware or were you informed of this meeting in
5 the Cote d'Ivoire?

6 A. No, we were not informed of this meeting in La Cote
7 d'Ivoire.

8 Q. Was Liberia involved in setting up that meeting in any way?

13:21:33

9 A. No, Liberia was not involved in setting up this so-called
10 meeting, but we get to know later on that the period in which
11 Jeremy Greenstock is speaking, Leonid Minin is in custody in
12 Italy. So, in fact, there was no such meeting. It was a lie.
13 That's what we are talking about. So this whole thing is just -
14 Minin was then under custody in Italy. He was being

13:21:52

15 investigated, and they are claiming that a meeting was set up
16 between Leonid Minin and the RUF in La Cote d'Ivoire, and we are
17 saying that it could not be possible.

18 Q. I see:

13:22:08

19 "However, the Government of Liberia welcomes the
20 strengthening of measures by ECOWAS aimed at reinforcing the
21 ECOWAS's protocol on the moratorium of small arms in the region.
22 Additionally, the Liberian government renews its call to the
23 international community, especially the United Nations Security
24 Council, to have its air, land and sea entryways placed under
25 international observation and scrutiny.

13:22:33

26 It is the desire of the Government of Liberia to live in
27 peace with her neighbours. It was this conviction that
28 predicated the destruction of arms and ammunition collected by
29 peacekeepers in the aftermath of Liberia's own tragic experience.

1 Unfortunately, reasons abound which demand that the Government of
2 Liberia remains conscious of and attentive to the intentions,
3 threats and actions of some states in a relatively volatile and
4 hostile neighbourhood. Four unprovoked attacks, at least two of
13:23:19 5 which witnessed the capture of European Union ambassadors and
6 international aid workers and their subsequent release in
7 Conakry, Guinea, have rendered the entire northern region of
8 Liberia desolate. Known Liberian dissidents continue to redefine
9 their stated objective to oust the Liberian government by force
13:23:41 10 of arms from safe havens in one neighbouring country, while
11 remnants of a defunct Liberian warring faction (ULIMO) espousing
12 to similar objective are not only allowed to roam and wreck havoc
13 on Liberia with apparent impunity but some elements are being
14 recruited and armed as members of another country's military.

13:24:13 15 The Government of Liberia believes that serious and honest
16 dialogue within the context of the Mano River Union and ECOWAS
17 could reverse the sense of insecurity prevalent along the Guinea,
18 Liberia and Sierra Leone border. The Liberian government desires
19 dialogue with her neighbours and requests interested members of
13:24:36 20 the international community to bring their influence to bear on
21 the other leaders of the Mano River Union to have us embark upon
22 this high road to restoration, peace and good neighbourliness.

23 In the same vein, Liberia welcomes the immediate deployment
24 of the interposition force of ECOWAS to enhance security along
13:25:04 25 the border with Guinea, Liberia and Sierra Leone, and guarantee
26 the safe movement of refugees and individuals trapped by the
27 unfortunate turn of events in Guinea. The citizens of Guinea,
28 Liberia and Sierra Leone, bonded by common sociology and history,
29 demand a leadership in the direction of peace, security and

1 sustained development of their nations and welfare.

2 The Government of Liberia remains a stakeholder in the
3 peace process in Sierra Leone. The interest of Liberia
4 translates into a conviction towards the success of UNAMSIL and
13:25:49 5 ECOWAS in the resolution of the Sierra Leonean conflict. To this
6 end, the Government of Liberia is pleased with the current
7 efforts underway to deploy, disarm and demobilise the
8 belligerents. At the same time, in keeping with terms of the
9 recent ceasefire agreement signed in Abuja, Nigeria, the

13:26:17 10 Government of Liberia calls on the parties to the agreement and
11 its facilitators to accelerate steps that would lead to the
12 realisation of the ultimate objective of the agreement, the
13 restoration of sustainable peace to Sierra Leone. The process of
14 building confidence, accessibility to the entire country, return
13:26:33 15 of UNAMSIL weapons, release of prisoners and deployment of
16 peacekeepers, especially in the diamond districts, must continue
17 as a guaranteed path towards the total disarmament and
18 demobilisation of the RUF and all other belligerents.

19 The horrific intensity of sheer evil that has attended the
13:27:04 20 Sierra Leonean crisis leaves much to be desired in terms of
21 reconciling the entire country. The Liberian experience has
22 shown that often times the path of reconciliation is laden with
23 thorns, but one which must be ultimately threaded in the
24 long-term interest and survival of one's patrimony.

13:27:28 25 Additionally, human nature imposes upon man the likelihood to
26 forgive himself by blaming others. However true, leadership,
27 especially under crisis, demands that we place the interests of
28 our people above self and assume those actions that would ensure
29 that our people, the real victims, are never made to follow the

1 same path of destruction twice. The maiming and amputation of
2 brothers and sisters in the name of a cause is unconscionable and
3 incomprehensible. The perpetrators of such dastardly acts must
4 certainly be brought to the full force of justice. Equally,
13:28:11 5 those who seek to exploit and pander the sad state of the victims
6 to suit their political objectives must realise that this is
7 equally wrong.

8 Finally, the Government of Liberia wishes to reassure
9 ECOWAS, the United Nations, and other interested members of the
13:28:29 10 international community that it shall continue to seek dialogue
11 as a means of resolving common problems, cooperate with the
12 international community to evolve solutions to these problems,
13 and resolves to continue to work steadfastly within the context
14 of this renewed spirit of constructive engagement. The interests
13:28:54 15 of the people of Liberia, Sierra Leone and Guinea will not be
16 served with the imposition of sanctions on Liberia, a country
17 that is grappling with the harsh realities of the recovery from
18 seven years of a devastating civil war."

19 Can I ask, please - I note the time - if we have sufficient
13:29:11 20 time to mark this for identification MFI-199, Mr President.

21 PRESIDING JUDGE: That document --

22 MR GRIFFITHS: Entitled "The statement of the Government of
23 Liberia on the Imposition of Sanctions by the United Nations
24 Security Council", dated 27 February 2001.

13:29:44 25 PRESIDING JUDGE: Yes, that document is marked for
26 identification MFI-199. We will take the lunch break now and
27 resume at 2.30.

28 [Lunch break taken at 1.30 p.m.]

29 [Upon resuming at 2.30 p.m.]

1 PRESIDING JUDGE: Yes, please continue, Mr Griffiths.

2 MR GRIFFITHS:

3 Q. Mr Taylor, just before the luncheon adjournment, we were
4 looking at that statement issued by your government. Do you
14:30:32 5 recall that?

6 A. Yes, I do.

7 Q. Now, did that statement elicit any kind of response?

8 A. No.

9 Q. So, did your government take any further steps?

14:30:53 10 A. Yes.

11 Q. Yes?

12 A. Yes, we did.

13 Q. And what was that?

14 A. While this is going on at the United Nations, remember the
14:31:06 15 Clinton administration has already imposed certain travel bans on
16 Liberia. These preceded the United Nations security sanctions.
17 While this is going on, the United States congress gets into
18 motion and is holding a hearing on the different charges that are
19 being alleged against Liberia. And these committee hearings are
14:31:38 20 being presided over by a former congressman Ed Royce. And so we
21 cause to be written an open letter from the embassy of Liberia in
22 the United States to Congressman Royce to give him a few words of
23 advice on what we felt we could do to help to bring a very
24 credible result to the hearings that he was holding on Liberia.

14:32:13 25 Q. Have a look behind divider 111, please. Do you have it,
26 Mr Taylor?

27 A. Yes, I do.

28 Q. Is that the letter?

29 A. This is the letter.

1 Q. Now, you see that it is headed "Open letter to the house of
2 international affairs committee Africa subcommittee", yes?

3 A. That is correct.

4 Q. And it's from the embassy of the Republic of Liberia in
14:32:58 5 Washington, addressed to the honourable Edward R Royce, chairman,
6 subcommittee on Africa, with the address:

7 "Dear Chairman Royce, the Government of Liberia is aware of
8 the concern, which the Africa subcommittee attaches to Liberia as
9 is demonstrated by the holding of this hearing. The Government
14:33:26 10 of Liberia welcomes and appreciates the subcommittee's concern.

11 It is hoped that thereafter the subcommittee will have a
12 better understanding and appreciation of the complex problems
13 presently existing in the West African sub-region, especially
14 those involving the countries comprising the Mano River Union.
14:33:55 15 Namely, the neighbouring countries of Liberia, Guinea, and
16 Sierra Leone.

17 It is unfortunate that the title of this hearing has been
18 designated 'Confronting Liberia'. Liberia has no intention of,
19 and indeed cannot and should not be perceived as to 'confronting'
14:34:20 20 the United States or any government.

21 It is regrettable that the subcommittee did not see fit to
22 invite officials of the governments concerned to participate in
23 these hearings and to have been given an opportunity to be heard.
24 Perhaps this would have enabled the subcommittee to arrive at a
14:34:41 25 balanced and more objective conclusion in respect of the problems
26 facing not only Liberia, but also its immediate neighbours.

27 The Government of Liberia shares the pains as well as the
28 unspeakable brutality and destruction the prolongation of the
29 conflict is reaping for the people of the Mano River Union. The

1 memories of similar circumstances are fresh in the mind of the
2 Liberian government and people, having just endured more than
3 seven years of war. Accordingly, Liberia has condemned the RUF
4 and all other groups responsible for the violation and horrific
14:35:27 5 crimes committed against innocent civilians in Sierra Leone.

6 The ongoing conflict in the region has resulted in untold
7 suffering to hundreds of thousands of people. It has created an
8 exodus of refugees as well as internally displaced persons in all
9 three countries. Liberia has been and continues to be host to
14:35:52 10 tens of thousands of Sierra Leoneans.

11 Mr Chairman, the temptation is obvious to find a scapegoat
12 for the anger, which the suffering of the innocent people in
13 Sierra Leone have engendered worldwide. It would, however, be
14 grossly unfair to put Liberia in this role as the convenient
14:36:15 15 scapegoat to assuage and purge the conscience of the powerful.

16 The Government of Liberia acknowledges and shares the
17 concerns of Sierra Leoneans to end the destruction of their
18 country and the retrieval of their mines from the hands of
19 foreigners to the benefit of ordinary Sierra Leoneans. It is a
14:36:43 20 historical fact that the ordinary Sierra Leonean has not
21 benefitted from the country's immense endowments of diamonds;
22 rather the beneficiaries have been and continue to be expatriate
23 brokers and buyers.

24 Mr Chairman, permit me to offer several additional points
14:37:06 25 for the committee to ponder:

26 Liberia in the past has repeatedly requested the help and
27 cooperation of friendly governments in finding a solution to the
28 Sierra Leone conflict. The Liberian government has stressed that
29 peace and stability in Liberia is to a large extent dependent on

1 the existence of peace and stability in Sierra Leone given the
2 close historical and cultural ties between the two countries and
3 peoples. We have renewed this request and hope that the required
4 help and assistance will be forthcoming.

14:37:43 5 Liberia has been accused of fuelling the conflict in
6 Sierra Leone by trading guns to the RUF in exchange for diamonds.
7 Not only has the Liberian government denied and rejected these
8 charges, but also it has gone further by offering the use of its
9 territory to the United Nations and the United States government
14:38:05 10 to monitor its borders, airports and seaports, including the
11 stationing of personnel there. These offers have not been acted
12 upon.

13 The Liberian government has been accused of trading in
14 so-called 'blood diamonds' without any evidence being presented
14:38:24 15 to support these allegations. If there were any basis in fact
16 for them, surely, the sale of millions of dollars worth of
17 diamonds over the years would have left a money trail in Europe
18 where diamond sales are made. President Taylor has made an
19 unprecedented offer in a the letter to the Secretary-General of
14:38:46 20 the United Nations waiving all rights of privacy to investigate
21 and make public if any evidence can be found anywhere in the
22 world that he has benefitted from any diamond sales. Moreover,
23 he has affirmed that any such evidence would result in his
24 immediate resignation from the presidency.

14:39:05 25 President Taylor has never denied having a relationship
26 with the RUF in the early years of its establishment. And this
27 relationship became helpful when President Taylor was requested
28 by the United Nations and mandated by ECOWAS to negotiate the
29 release of the 500 UN hostages held by the RUF. He was initially

1 applauded by the United Nations, by the United States government
2 as well as ECOWAS only later to be accused of having some sort of
3 direct control over the RUF.

4 However, President Taylor has denied providing weapons or
14:39:51 5 other war materiel to the RUF. Indirect confirmation of this
6 denial can be found in the recent United Nations experts report
7 on Liberia which details the large quantities of arms acquired
8 over the years by the RUF - not from Liberia or other external
9 sources - but all entirely from internal sources in Sierra Leone.

14:40:18 10 To avoid the persistent claims of Liberia's close
11 association to the RUF, the Government of Liberia announced in
12 December 2000 its decision to disengage from the Sierra Leone
13 peace process and implemented its compulsion of all RUF members
14 from Liberia and the closure of their liaison offices in the
14:40:46 15 country.

16 What should be noted is that the smuggling of diamonds is
17 endemic to the diamond industry worldwide and is not limited to
18 Sierra Leone or the West African sub-region. Historically,
19 Liberia itself has always faced this problem and previous
14:41:06 20 governments have been unable to adequately deal with this
21 problem. The present government find itself less able to do so
22 given the fact that the country has recently emerged from a
23 disastrous seven year civil war, which completely destroyed the
24 basic national infrastructure. The problem cannot be adequately
14:41:26 25 addressed due to the highly porous nature of the border,
26 government's lack of adequate resources and personnel, including
27 customs and immigration personnel, transport and communications.

28 The Liberian government itself estimates that between 80 to
29 90 per cent of its domestic production of diamonds is illegally

1 smuggled out of the country. It is obvious that since the
2 Liberian government lacks the resources and capability to prevent
3 its own locally produced diamonds from being smuggled out of the
4 country, it is also and equally unable to prevent diamonds from
14:42:06 5 being smuggled from neighbouring countries.

6 The Government of Liberia has in the past requested the
7 assistance of the international community in helping to install a
8 credible certificate regime to monitor the exportation of
9 diamonds from the country. In the interim, the Liberian
14:42:27 10 government has imposed a ban on the exportation of diamonds from
11 the country for a period of 120 days to permit the installation
12 of a credible and internationally verifiable certification
13 regime.

14 For the same reasons why it is unable to prevent the
14:42:46 15 prevent the smuggling of diamonds, the Liberian government is
16 also unable to effectively monitor the registration procedures of
17 its aircraft registry. The problem has been compounded by the
18 fragmented nature of the Liberian government prior to the
19 election and inauguration of the present administration. The
14:43:06 20 Liberian government is now attempting to address these problems
21 and has revoked all registrations previously granted as well as
22 requested all governments worldwide to ground all Liberian
23 registered aircrafts operating in their territories. Henceforth,
24 no aircraft will be registered that does not provide required
14:43:29 25 information, stipulate strict adherence to the Liberian civil
26 aviation regulations and conforms to the standards and
27 recommended practices of the International Civil Aviation
28 Organisation.

29 The Government of Liberia is particularly troubled by the

1 successive wave of dissident attacks from Guinea. Those attacks
2 continue to threaten the sovereignty and territorial integrity of
3 the Republic of Liberia. It has been shown that on six different
4 occasions between April 1999 and February 2001, Liberian
14:44:06 5 insurgents harboured, and operating with the knowledge and
6 support of the Government of Guinea, has launched military
7 operations against the government and people of Liberia.
8 Presently, dissident forces are occupying sections of Lofa
9 County. There has been massive loss of Liberian life and
14:44:27 10 destruction of properties as a result of these continuous
11 violations of the territorial integrity of Liberia."

12 Now, Mr Taylor, that assertion, "Presently dissident forces
13 are occupying action sections of Lofa County." Now, the last
14 incursion you told us about was in July of 2000.

14:44:49 15 A. That is correct.

16 Q. So is that incursion still continuing until this time?

17 A. That is correct, yes.

18 Q. So since July of the year 2000 until - we are now in March
19 2001?

14:45:01 20 A. That is correct.

21 Q. There has been conflict in Lofa County with these
22 insurgents?

23 A. Yes.

24 Q. "There has been massive loss of Liberian lives and
14:45:09 25 destruction of properties as a result of these continuous
26 violations of the territorial integrity of Liberia.

27 The denial of complicity by the Guinean authorities and the
28 frightening indifference shown by major western powers, as well
29 as the United Nations, are a source of deep concern to the

1 Government of Liberia. On 17 August 2000, the Government of
2 Liberia intimated to then US Under-Secretary of State Thomas
3 Pickering, during his visit to Monrovia, the blatant acts of
4 violation of Liberian territory by dissident attacks launched
14:45:51 5 from Guinea and implored the United States government to condemn
6 these attacks. Similar representation was made to the United
7 Nations Security Council through the Secretary-General. Neither
8 the United Nations nor the United States government is yet to
9 condemn the acts of aggression against Liberia by Guinea. The
14:46:11 10 Liberian government also called on the United States government
11 to 'facilitate the deployment of international observers to be
12 stationed at our borders and to provide technical assistance to
13 improve monitoring of all its ports of entry'. All of these
14 invitations have gone unanswered.

14:46:35 15 Today, there are thousands of Liberian dissidents that have
16 been trained by the British military mission in Sierra Leone and
17 are fighting alongside the Civil Defence Force, or Kamajors, the
18 Sierra Leonean Army, the British troops, and other militias in
19 that country. Most of these men were members of the Armed Forces
14:46:57 20 of Liberia who fled Liberia in 1990 at the height of the civil
21 war in the country. Conclusive proof was obtained when the
22 Liberian government forces captured a stock of weapons from the
23 Liberian dissidents in Lofa County which were a part of those
24 supplied by the British government to pro-government militias in
14:47:20 25 Sierra Leone. Some of the weapons were publicly delivered to the
26 Chairman of ECOWAS, President Alpha Oumar Konare, and President
27 Olusegun Obasanjo of the Federal Republic of Nigeria,
28 respectively.

29 The Government of Liberia acknowledges that there is room

1 for improvement in its continuing efforts to build democratic
2 institutions in the country, foster genuine reconciliation and
3 respect for the rule of law. It has reached out to other
4 political parties by establishing a government of inclusion.

14:47:56 5 Scarce resources are being utilised to organise by-elections to
6 ensure a more broadly based representative government.

7 The welfare of the people of Liberia is a pressing and
8 urgent concern of the government. The imposition of sanctions
9 against any of the major export earning industries of Liberia

14:48:18 10 would result in the strangulation of the economy, the curtailment
11 of basic services, and exacerbate the suffering of the people.

12 The Government of Liberia is committed to the full
13 implementation of all of the measures it has undertaken to
14 address the concerns of the international community as outlined

14:48:39 15 in the United Nations experts' report on Liberia. Consequently,
16 Liberia has requested that a monitoring regime be established to
17 verify its compliance with the terms of the United Nations
18 Security Council resolution of 7 March 2001, which calls for
19 imposition of sanctions against Liberia after 60 days if the

14:49:05 20 country is found to be in non-compliance.

21 The propensity of Liberia's neighbours over the past 20
22 years to permit their territory to be used by dissident groups to
23 launch attacks against Liberia; the suspicion and distrust among
24 leaders of the Mano River Union countries; the attempts by

14:49:26 25 nationals of some of the countries to redress inequities in their
26 society by military rather than political means; and the designs
27 of external powers to retain exclusive control over the resources
28 of some of these countries, are some of the root causes of the
29 continuous strife and instability in the sub-region.

1 As the oldest independent republic in Africa with long
2 historical ties to the United States of America, which was
3 instrumental in the founding of Liberia, it is the sincere desire
4 of the Government of Liberia to engage and work closely with the
14:50:05 5 United States government and the US Congress in addressing issues
6 of common concern.

7 A sincere attempt must be made not to demonise,
8 economically strangulate, or isolate one country, but to
9 critically look at the actions of all of the countries comprising
14:50:25 10 the Mano River Union, taking into account their acts of omission
11 and commission. An acknowledgement of past shortcomings would be
12 a solid foundation upon which to reconstruct and build confidence
13 among the leaders of the West Africa sub-region, particularly
14 Liberia, Guinea and Sierra Leone.

14:50:49 15 The leadership role of the United States in pursuing this
16 approach, while seeking to address in a comprehensive way some of
17 the root causes of the currently instability and civil strife in
18 the region, would prove most beneficial.

19 It is my hope that this hearing, and future ones, will help
14:51:08 20 to identify and establish goals which the international community
21 could pursue, under the United States leadership, in the building
22 of democratic institutions and the promotion of peace, stability
23 and economic development in West Africa and elsewhere on the
24 continent.

14:51:29 25 I welcome the opportunity to work with you and your
26 committee in pursuing these objectives and respectfully request
27 that this letter forms a part of your records."

28 Now, Mr Taylor, what was the outcome of that hearing by the
29 Africa subcommittee?

1 A. What Ed Royce and his committee ended up doing was to
2 sustain the actions on the part of his government, and really we
3 were pushing for at least our foreign minister to appear at these
4 hearings because they are very important. The Africa
14:52:15 5 subcommittee is responsible for appropriations in the
6 United States Congress, as Congress is responsible now. Just as
7 a point of information, these foreign policy issues are really
8 the authority of the executive branch of government. So what
9 they finally tell the embassy is that they cannot interfere in
14:52:46 10 foreign affairs. And all they do is to sustain what their
11 administration has told them: Do not accept our invitation to
12 have our foreign minister. We volunteered and said, "Well look,
13 we are prepared to send our ambassador or foreign minister to
14 testify before this committee," but they did not accept it and
14:53:05 15 they sustained their government's position.

16 Q. And did the US government thereafter take any specific
17 steps against you, Mr Taylor?

18 A. Oh, yes. Oh, yes they did.

19 Q. What was that?

14:53:23 20 A. In an executive order issued by former President Bush,
21 Liberia was declared a threat to the national security interest
22 of the United States and under that executive order could
23 have - asked Congress to permit it to act in line with the
24 national security threat that they saw coming out of Liberia.

14:53:55 25 Q. What, Liberia posed a security threat to the United States
26 of America?

27 A. That is correct. It's contained in the executive order.

28 Q. Have a look behind divider 112, please.

29 And whilst we are looking at that document, can I ask,

1 please, that open letter to the House International Affairs
2 Committee, Africa Subcommittee, dated 14 March 2001, be marked
3 for identification MFI-200, please.

4 PRESIDING JUDGE: Yes, that document is marked MFI-200.

14:54:41 5 There are, at least in the documents that I have here - I've got
6 some other documents behind that letter. I've got executive
7 order 13213.

8 MR GRIFFITHS: That should be behind the following divider,
9 Mr President.

14:54:57 10 PRESIDING JUDGE: It is. I think there has just been some
11 filing mistake. And then I have got - no, I think it's just an
12 error. In any event, I've only marked the letter.

13 MR GRIFFITHS: I am only interested in the letter,
14 Mr President. You can discard any other document behind it.

14:55:23 15 PRESIDING JUDGE: Thank you.

16 MR GRIFFITHS:

17 Q. Now, Mr Taylor, you need to go through this document with
18 care, because we've not encountered one of these before. Now, we
19 see it's headed "Executive Order 13213" and it provides as
14:55:56 20 follows:

21 "By the authority vested in me as President by the
22 constitution and the laws of the United States of America,
23 including the International Emergency Economic Powers Act, the
24 National Emergencies Act, section 5 of the United Nations
14:56:17 25 Participating Act of 1945, and section 301 of Title 3,
26 United States Code, and in view of the national emergency
27 described and declared in executive order 13194 of January 18,
28 2001, and the United Nations Security Resolutions 1306 of 5 July
29 2000 and 1343 of 7 March 2001."

1 Now, Mr Taylor, 1343 of 7 March 2001, which one is that?

2 A. That's the actual imposition of - that's the sanctions
3 resolution.

14:57:13

4 Q. Right. So on 7 March 2001, sanctions are imposed on
5 Liberia?

6 A. That is correct.

7 Q. By the United Nations?

8 A. Exactly.

14:57:22

9 Q. Just so that we get the sequence correct, the sanctions are
10 imposed on 7 March, then that open letter is sent to the House
11 International Affairs Committee a few days later - well, a week
12 later on 14 March. Is that right?

13 A. That is correct.

14:57:57

14 Q. "I George W Bush, President of the United States of
15 America, take note that in executive order 13194 the President
16 responded to, among other things, the insurgent Revolutionary
17 United Front's illicit trade in diamonds to fund its operations
18 in the civil war in Sierra Leone by declaring a national
19 emergency consistent with the United Nations Security Council

14:58:20

20 Resolution 1306 by prohibiting the importation into the
21 United States of all rough diamonds from Sierra Leone except for
22 those importations controlled through the certificate of origin
23 regime of the Government of Sierra Leone. United Nations
24 Security Council resolution 1343 takes note that the bulk of RUF

14:58:50

25 diamonds leaves Sierra Leone through Liberia and that such
26 illicit trade cannot be conducted without the permission and
27 involvement of Liberian government officials at the highest
28 levels; determines that the active support provided by the
29 Government of Liberia for the RUF and other armed rebel groups in

1 neighbouring countries constitutes a threat to international
2 peace and security in the region; and decides that all states
3 shall take the necessary measures to prevent the importation of
4 all rough diamonds from Liberia, whether or not such diamonds
14:59:34 5 originated in Liberia. The Government of Liberia's complicity in
6 the RUF's illicit trade in diamonds and other forms of support
7 for the RUF are direct challenges to United States foreign policy
8 objectives in the region as well as to the rule-based
9 international order that is crucial to the peace and prosperity
14:59:57 10 of the United States."

11 Now, Mr Taylor, from your vantage point, what challenge did
12 this pose to the United States' policy objectives in the region?
13 What were those objectives? Did you know?

14 A. No, I did not. We were stunned as you can imagine. We did
15:00:21 15 not understand it. And I write to him to find out what this is
16 all about.

17 Q. We will come to that in a moment, but did you pause and
18 consider what US objectives in West Africa were?

19 A. I guess - yes, we did. Yes, we did pause to consider.

15:00:45 20 Q. And what did you surmise?

21 A. That they were economic, they were military and other. You
22 know, that's all we can put it to because --

23 Q. Economic in what sense?

24 A. That probably they had an interest in economic activities
15:01:00 25 in West Africa, Sierra Leone to be particular.

26 Q. "Therefore, I find these actions by the Government of
27 Liberia contribute to the unusual and extraordinary threat to the
28 foreign policy of the United States described in executive order
29 13194 with respect to which the President declared a national

1 emergency. In order to deal with that threat and to ensure
2 further that the direct or indirect importation into the
3 United States of rough diamonds from Sierra Leone will not
4 contribute financial support to further aggressive actions by the
15:01:49 5 RUF or to the RUF's procurement of weapons; to implement
6 United Nations Security Council resolution 1343; and to
7 counteract, among other things, the Government of Liberia's
8 facilitation of and participation in the RUF's illicit trade in
9 diamonds through Liberia, I hereby order the following additional
15:02:16 10 measures to be taken with respect to prohibiting the importation
11 of rough diamonds from Sierra Leone."

12 So, Mr Taylor, are we to understand that the measures now
13 being adopted by the United States through this executive order
14 are in addition to the sanctions imposed by the United Nations on
15:02:40 15 7 March 2001?

16 A. Oh, yes. Oh, yes, yes.

17 Q. "Section 1. Except to the extent provided in regulations,
18 orders, directives, or licences issued pursuant to this order,
19 and notwithstanding the existence of any rights or obligations
15:03:01 20 conferred or imposed by any international agreement or any
21 contract entered into or any licence or permit granted prior to
22 the effective date of this order, the direct or indirect
23 importation into the United States of all rough diamonds from
24 Liberia, whether or not such diamonds originated in Liberia, on
15:03:26 25 or after the effective date of this order is prohibited.

26 Section 2. Any transaction by a United States person or
27 within the United States that evades or avoids, or has the
28 purpose of evading or avoiding, or attempts to violate, any of
29 the prohibitions set forth in this order is prohibited. Any

1 conspiracy formed to violate any of the prohibitions set forth in
2 this order is prohibited."

3 And then there is a definitional clause and then section 4:

4 "The secretary of the treasury, in consultation with the

15:04:13 5 Secretary of State, is hereby authorised to take such actions,

6 including the promulgation of rules and regulations, and to

7 employ all powers granted to the President by IEEPA and UNPA, as

8 may be necessary to carry out the purposes of this order. The

9 secretary of the treasury may re-delegate any of these functions

15:04:39 10 to other officers and agencies of the United States government.

11 All agencies of the United States government are hereby directed

12 to take all appropriate measures within their authority to carry

13 out the provisions of this order, including modifications,

14 suspension or termination of licences or authorisations in effect

15:05:02 15 as of the date of this order.

16 This order is not intended to create, nor does it create,

17 any right, benefit, or privilege, substantive or procedural,

18 enforceable at law by a party against the United States, its

19 agencies, officers, or any other person."

15:05:24 20 And the order is effective as at one minute past midday,

21 eastern daylight time on the 23 May 2001. And we see that --

22 PRESIDING JUDGE: Is that midday or morning? The a.m. is

23 the morning, isn't it?

24 MR GRIFFITHS: It's morning, sorry. Yes, one minute past

15:05:51 25 midnight, eastern daylight time on 23 May 2001 and it bears then

26 the name of George W Bush:

27 Q. Now, tell us, Mr Taylor, how does an executive order like

28 this bite?

29 A. Well, in the first place, executive orders once written are

1 automatically sent to congress, in our case the legislature, and
2 it is passed. It becomes law. So executive orders become law.
3 And what this would do, this is a - we took this seriously
4 because it's a lot tied up into these kinds of orders and they
15:06:50 5 can affect you politically. In this case, it's also economic.
6 It could also affect you militarily. Because when there is an
7 extraordinary threat posed, as is mentioned here, so it could
8 really - it is a very serious situation.

9 Even military action is taken, as you look on page 2 where
15:07:14 10 it refers to that the secretary of treasury may re-delegate any
11 of these functions to other officers or agencies of the United
12 States government, all agencies of the - so it could go whatever
13 other way. And if you look at page 1, the top, when you talk
14 about the different areas of concern, they talk about the
15:07:41 15 National Emergencies Act. So what happens at this time, this
16 whole thing is couched in language that Liberia really right now
17 is sitting on a time bomb. That any reason could be found to act
18 against Liberia.

19 Q. Act in what way?

15:08:02 20 A. Militarily, redefine or add, they could add maybe - for
21 example, they could say even though it includes diamonds, but
22 they could stop maybe rubber importation, timber importation.
23 This is, once passed by congress, given the scope of this, the
24 administration can then begin to tie you up as much as they want.

15:08:29 25 Q. So, Mr Taylor, did you take this as being tantamount to a
26 declaration of war against you by the United States?

27 A. Regime change, declaration of war, yes.

28 Q. So you took it to mean that they were intending to get you
29 out of office?

1 A. That is correct.

2 Q. So what did you do about it, Mr Taylor?

3 A. I immediately wrote to George Bush.

15:09:00 4 MR GRIFFITHS: Now, before we come to the letter you wrote
5 to George Bush can I ask, please, that the executive order 13213
6 be marked for identification MFI-201, please.

7 PRESIDING JUDGE: Yes, that document is marked MFI-201.

8 MR GRIFFITHS:

15:09:27 9 Q. Now, we note that the order is dated 23 May 2001 and you
10 say you wrote to him immediately, Mr Taylor?

11 A. Yes, is that the 22nd? The order is - is it the 23rd or
12 22nd?

13 Q. It's signed the 22nd, but effective as of the 23rd.

15:09:50 14 MR BANGURA: I just need clarification here regarding the
15 document that has just been marked for identification. I have
16 the first two pages which my learned friend has been reading to
17 the Court, but then there are others. They all come under the
18 same tab, I should say. I am not sure whether we are dealing
19 with more than just those two pages.

15:10:07 20 MR GRIFFITHS: Can I explain, Mr President. You will see
21 that the pages are numbered consecutively and basically it was
22 downloaded from a US government website and this is the complete
23 document. But I am quite happy to discard pages 3 et sequentes.

24 PRESIDING JUDGE: All you want marked is the order itself?

15:10:37 25 MR GRIFFITHS: The order itself will suffice for our
26 purposes.

27 PRESIDING JUDGE: All right. We can discard pages 3 to 7
28 then.

29 MR GRIFFITHS:

1 Q. Now, you said say that you wrote to him virtually
2 immediately, yes?

3 A. Yes, that is correct.

4 Q. Have a look behind divider 113. Is that the letter?

15:11:12 5 A. This is the letter, yes.

6 Q. And to whom is it addressed?

7 A. To President George W Bush.

8 Q. And it's dated when?

9 A. 29 May 2001.

15:11:44 10 Q. "Mr President, I have read with serious concern the
11 executive order of 22 May 2001 on additional measures with
12 respect to prohibiting the importation of rough diamonds from
13 Sierra Leone. I am deeply troubled by the conclusion that the
14 Government of Liberia poses an 'unusual and extraordinary threat
15:12:03 15 to the foreign policy objectives of the United States'. May I
16 assure the government and great people of the United States that
17 Liberia will never knowingly act to threaten the interest, peace
18 and prosperity of the United States, a nation with which Liberia
19 shares more than 180 years of unfailing friendship. The history
15:12:27 20 of Liberia is enriched by the traditional bonds that have
21 subsisted between our governments and people since the founding
22 of the Liberian nation by American philanthropists under the
23 aegis of the American colonisation society and the subsequent
24 adoption by Liberia of the political, social and economic values
15:12:51 25 of the United States. Today, grappling with the realities of
26 national recovery and reconciliation, born out of a devastating
27 civil conflict of more than seven years, Liberia, a nation of
28 less than four million inhabitants and classified by the World
29 Bank as least developed, stands in need of support and

1 assistance, particularly from the United States. This is why,
2 Mr President, the Liberian nation is troubled by such perception
3 and pronouncement from the United States of America.

4 Doubtless you may have heard many unkind things about me
15:13:31 5 and a devilish portrayal of my government as the destabilising
6 factor in West Africa. This is simply not true. Over-burdened
7 by the scarcities of our post-war situation, a ten-year-old arms
8 embargo, the absence of development aid or donor funding for the
9 rehabilitation and reconstruction of damaged national

15:13:56 10 infrastructures, compounded by various forms of selective
11 sanctions that have undermined foreign investments, the portrayal
12 of Liberia as a super aggressive warmongering nation is unfair,
13 unjustified and heaps additional hardship on a war-weary,
14 traumatised and destitute population. The truth remains that

15:14:20 15 Liberia harbours no intent, nor do we have the means to engage,
16 in hegemonic aspirations as the allegation presupposes.

17 Contrarily, however, the Liberian government has, and will
18 continue to, invest in peace, security and stability at home, in
19 the Mano River Basin, and the West African sub-region. Indeed,

15:14:49 20 Mr President, even following a brutal civil war, and except for
21 the northern province of Liberia, which has been invaded and
22 occupied by dissident forces with overt support from the
23 neighbouring Republic of Guinea, Liberia remains amongst the
24 safest nations in the West African sub-region. Armed robbery,

15:15:12 25 rape, murder and many of the social ills that plague
26 post-conflict nations are absent in Liberia. We are a
27 peace-loving people with a long tradition of hospitality towards
28 foreigners and peaceful co-existence with our neighbours.

29 Notwithstanding Guinea's proven support of insurgency

1 against our peaceful sovereign, the Government of Liberia
2 continues to prevail on the Guinean government for dialogue as a
3 means of resolving this grave threat to the peace, security and
4 stability of our countries and the entire sub-region. The plight
15:15:54 5 of Liberian, Guinean and Sierra Leonean refugees, exacerbated by
6 this ill-advised military adventure, must remain the shared
7 responsibility of the leadership of the Mano River Union and
8 inspire us to redirect our energies and resources to the
9 maintenance of peace and security along our common frontier. In
15:16:19 10 neighbouring Sierra Leone I am particularly heartened that a
11 sustained process of dialogue, to which the Liberian government
12 has always remained committed and for which we have sustained a
13 barrage of false accusations, is recording unparalleled success
14 in the evolution of the peace process."

15:16:40 15 Pause there. So what are you reflecting there, Mr Taylor,
16 in that passage? How are things developing in neighbouring
17 Sierra Leone? We are now in May 2001.

18 A. We are beginning to see the peace dividend.

19 Q. And is the DDR programme in Sierra Leone underway at this
15:17:08 20 stage?

21 A. That's what I am saying. Yes, that's the part of the
22 dividend. The DDR is put together. The meeting with UNAMSIL and
23 the Government of Sierra Leone, they have signed the DDR
24 agreement on what is going on. So the dividends of peace are
15:17:27 25 beginning to take shape.

26 Q. And help us, Mr Taylor - and I am diverting at this point
27 in order, bearing in mind the nature of the indictment, to seek
28 your assistance on what's happening in Sierra Leone. At this
29 time are you still in contact with Issa Sesay?

1 A. Yes, we are still in contact with Issa Sesay, yes.

2 Q. So I must ask you, Mr Taylor, in the preliminary response
3 to the panel of experts' report you spoke of disengagement, so
4 why are you still speaking to Issa Sesay?

15:18:07 5 A. Well, because we were persuaded not to disengage. What
6 became the crucial point was to remove Sierra Leoneans that were
7 in Liberia. That was more crucial to them than totally getting
8 out of the process.

9 Q. So why are you still speaking to Issa Sesay?

15:18:26 10 A. Because Issa Sesay is not living in Liberia. He is in
11 Sierra Leone and I am still on the Committee of Six. That
12 disengagement is from the RUF as they are in Liberia. Now, they
13 are operating in Sierra Leone now as the RUF, but I am
14 encouraged to remain engaged with them, but expel those that were
15 in Liberia, and those that were in Liberia was Sam Bockarie that
16 they felt was a threat to peace.

17 Q. All of that I understand, Mr Taylor. Maybe it's my fault
18 in the way in which I am asking the question. If things, to
19 borrow a phrase, are all hunky-dory in Sierra Leone and a peace
15:19:08 20 process is ongoing, why do you still need to speak to Issa Sesay;
21 do you follow me?

22 A. I understand you. Because I am discouraged from totally
23 withdrawing from the peace process, okay? That's what I am
24 saying.

15:19:25 25 Q. But, Mr Taylor maybe it is my fault. If things are all
26 fine and dandy in Sierra Leone, why do you need to be in contact
27 with him? To achieve what?

28 A. But things are not fine and dandy yet. That process is
29 taking shape, but it has not ended. It ends with an electoral

1 process. It hasn't ended, okay? So we are looking at the
2 process of disarmament, demobilisation in preparation for
3 elections. So things are not fine in Sierra Leone yet. That's
4 why I still have to remain engaged.

15:20:04 5 Q. Okay. Now, you say you had been discouraged. Who by?

6 A. By ECOWAS. Remember, ECOWAS is not in favour of the
7 sanctions anyway. So ECOWAS will - they have just encouraged me
8 to - the members of the committee - to stay on because the job is
9 not yet finished.

15:20:25 10 Q. Well, you will understand that I need to ask you the
11 obvious question then, Mr Taylor: Were you retaining contact
12 with Issa Sesay for selfish commercial reasons?

13 A. No. How could I? No, I was only maintaining contact with
14 Issa Sesay because the committee wanted that to continue until we
15 got the job done, that's all.

15:20:46 16 Q. Well, I need to ask you, Mr Taylor, in light of the
17 accusation you face. Despite the fact that you are now under the
18 spotlight following the publication of the panel of experts'
19 report, yes?

15:21:07 20 A. Yes.

21 Q. Was it the case that the financial returns you were
22 receiving from diamonds was such that you found it impossible to
23 disengage from contact with the RUF? Do you follow me?

24 A. I follow you. I follow you. No, there is no such thing.
15:21:28 25 There is no such thing, no. There is no such thing.

26 Q. Very well. Let's go back to the letter:

27 "The Government of Liberia, an immediate and direct
28 beneficiary of peace in Sierra Leone, has recommitted itself to
29 do whatever is required within the framework of ECOWAS to

1 accelerate this process, culminating into the total disarmament,
2 demobilisation and reintegration of the belligerents.

3 Mr President, even a cursory review of the report of the United
4 Nations panel of experts will show that the conclusions reached

15:22:09 5 by the panel against the government and people of Liberia are

6 largely unsupported, uncorroborated and unsubstantiated by the

7 facts. An objective eye will find the report to be based

8 entirely on conjectures, rumours, and other subjective

9 considerations. What is even more disturbing is the fact that

15:22:32 10 the Government of Liberia was provided no opportunity to answer

11 the gossips and misrepresentations contained in the report, an

12 aberration of the standards set by the panel in pursuit of its

13 work. Prior to, during, and after the publication of the report,

14 the Liberian government, its people and I have remained the

15:22:55 15 unfortunate victims of massive and successful disinformation

16 campaigns, devolving upon us the onus of proving ourselves

17 innocent before an international court of public opinion

18 determined to will us into guilt. The government, its people and

19 I are yet to be confronted with any evidence of wrongdoing or

15:23:18 20 proven complicity in the commission of any international wrong.

21 Notwithstanding, I clearly understand the obligation of the

22 United States to comply with United Nations Security Council

23 Resolution 1343. However, while fully recognising the authority

24 of your wise leadership to judge said compliance as warranting a

15:23:40 25 national state of emergency, or that actions allegedly undertaken

26 by this government represent an unusual and extraordinary threat

27 to the peace, prosperity and foreign policy objectives of the

28 United States, I hasten to reassure you, Mr President, that

29 Liberia has always been, and intends to remain, a faithful and

1 reliable ally of the United States. Although small and
2 impoverished, our abiding faith in freedom, justice, the rule of
3 law and democracy, virtues that have been nourished and
4 strengthened by our close association with your great nation,
15:24:19 5 shall remain the unshakable pillars upon which the Liberian
6 government will continue to strive.

7 In closing, I wish to confirm the strong desire of the
8 government and people of Liberia for a close and friendly
9 relationship with the United States and its great people."

15:24:40 10 Did you get a response to that letter, Mr Taylor?

11 A. Not that I recall, no. I did not get a response to this,
12 no.

13 Q. So in the absence of a response, what did you do?

14 A. There were two quick letters fired off to President Bush.

15:25:07 15 I did this and I did a second quick one.

16 Q. You did a second letter to him, did you?

17 A. Yes, I did.

18 Q. Have a look behind divider 114. Do you recognise that
19 document?

15:25:22 20 A. Yes, this is it.

21 MR GRIFFITHS: Now, before we go any further, can I ask,
22 please, that the letter from President Taylor to President Bush
23 of the United States America, dated 29 May 2001, be marked for
24 identification MFI-202, please.

15:25:43 25 PRESIDING JUDGE: Yes, that document is marked MFI-202.

26 MR GRIFFITHS:

27 Q. Now, this letter is dated 1 June 2001, Mr Taylor, so within
28 a couple of days of the first letter we looked at, yes?

29 A. Yes.

1 Q. "I have read with grave concern the executive order of 22
2 May 2001 on additional measures with respect to prohibiting the
3 importation of rough diamonds from Sierra Leone. I am deeply
4 troubled by the conclusions that alleged actions of the
15:26:33 5 Government of Liberia pose an 'unusual and extraordinary threat
6 to the foreign policy objectives of the United States'. May I
7 assure the government and great people of the United States that
8 Liberia will never knowingly act to threaten the interest, peace
9 and prosperity of the United States, a nation with which Liberia
15:26:54 10 shares more than 180 years of unfailing friendship."

11 Now, pause, Mr Taylor. Now, some of the language here used
12 is virtually identical to the previous letter, isn't it?

13 A. That is correct.

14 Q. So why are you writing again so quickly?

15:27:13 15 A. Well, we are talking to diplomatic sources. The first
16 letter is a very long letter, and most times Presidents don't
17 like reading long letters. So some of our diplomatic friends who
18 write the President a letter just condense the first letter as
19 much as you can. He might just read it himself and in most
15:27:34 20 cases, if you really want leaders to read, don't go two pages; do
21 it in one. So we tried to cut it down to two now. This is just
22 condensing the first letter, hopefully that he would say, "Okay,
23 let me look at it."

24 Q. "The portrayal of Liberia by some as a super aggressive,
15:27:52 25 warmongering nation is unfair, unjustified and heaps additional
26 hardship on an already war-weary, traumatised and destitute
27 population. The truth remains that Liberia harbours no intent,
28 nor do we have the means to entertain any hegemonic aspirations
29 as the allegation presupposes. Contrarily, however, the Liberian

1 government has and will continue to invest in peace, security and
2 stability at home, in the Mano River basin and the West African
3 sub-region. Indeed, Mr President, even following a brutal civil
4 war and except for the northern province of Liberia which has
15:28:39 5 been invaded and occupied by dissident forces, with overt support
6 from the neighbouring Republic of Guinea, Liberia remains amongst
7 the safest nations in the West African sub-region. Armed
8 robbery, rape, murder and many of the social ills that plague
9 post conflict nations are absent in Liberia. We are a peace
15:29:01 10 loving people with a long tradition of hospitality towards
11 foreigners and peaceful co-existence with our neighbours.

12 With respect to Sierra Leone our position has been made
13 clear. The civil war in that neighbouring state has been brutal,
14 characterised by many atrocities, not to mention the evil
15:29:20 15 amputations. We have not minced words in expressing our disgust
16 and condemnation for these outrageous and appalling acts on the
17 part of the belligerents and have called on the RUF to lay down
18 their arms and support the peace process. I am particularly
19 heartened by reports that the process of dialogue to which
15:29:41 20 Liberian government has always remained committed is achieving
21 some success in the evolution of the peace process. The
22 Government of Liberia, an immediate indirect beneficiary of peace
23 in Sierra Leone, will continue to support the initiatives of
24 ECOWAS and the international community at large in restoring
15:29:59 25 stability and peace to the Mano River Union basin.

26 Notwithstanding, I understand the obligation of the
27 United States to comply with the United Nations Security Council
28 resolution 1343. However, while fully recognising the authority
29 of your wise leadership to judge said compliance as warranting a

1 national state of emergency or that actions allegedly undertaken
2 by this government represents an unusual and extraordinary threat
3 to the peace, prosperity and foreign policy objectives of the
4 United States, I hasten to reassure you, Mr President, that
15:30:36 5 Liberia has always been and intends to remain a faithful and
6 reliable ally of the United States. Although small and
7 impoverished, our abiding faith in freedom, justice, the rule of
8 law and democracy, virtues that have nourished and strengthened
9 by our close association with your great nation shall remain the
15:31:00 10 unshakable pillars upon which the Liberian government will
11 continue to strive.

12 In closing, I wish to reaffirm the strong desire of the
13 government and people of Liberia for a close and friendly
14 relationship with the United States and its great people."

15:31:14 15 Now, help us. Did you get a reply or response to that
16 letter?

17 A. No, we did not get a response to this letter.

18 Q. Now, so far as the disarmament process in Sierra Leone,
19 which is hinted at in that first paragraph on that page,
15:31:38 20 Mr Taylor, to what extent were you still involved with that?

21 A. Not on a very regular basis because things were moving on
22 smoothly, but we were involved to the extent that we were
23 constantly briefed by our colleagues of the activities and if
24 there was a need to make a call for anything - by making a call,
15:32:11 25 I mean if there was a need to talk to Issa, or, you know, to get
26 moving, get moving, fine, that would happen. But other than
27 that, there was no real need for even the committee to be
28 involved on a daily or weekly basis.

29 Q. But did that involvement, for example, include you being

1 served with relevant documentation from that theatre of conflict?

15:32:53 2 A. Yes. That's what I mean we were being briefed, yes. For
3 example, the DDR documents that were signed between the RUF and
4 UNAMSIL, we were supplied copies. All members of the committee
5 were supplied copies. We got ours.

6 Q. And who was that signed by?

7 A. On the Sierra Leonean side that was signed, if I am not
8 mistaken, by Gibril Massaquoi. He signed one of those.

9 MR GRIFFITHS: Right. We will come and have a look at that
15:33:12 10 in a moment, but before we do can I ask, please, that letter from
11 President Taylor to President George W Bush of the United States
12 of America dated 1 June 2001 be marked for identification
13 MFI-203.

14 PRESIDING JUDGE: Yes, that letter is marked MFI-203.

15:33:40 15 MR GRIFFITHS:

16 Q. Now, Mr Taylor, you spoke of a document signed by Gibril
17 Massaquoi?

18 A. That is correct.

19 Q. Have a look behind divider 116, please. Is that the
15:34:05 20 document?

21 A. That is it, yes.

22 Q. Now, we see it's a communique issued by the Joint
23 Government of Sierra Leone, RUF and UNAMSIL committee on
24 disarmament, demobilisation and reintegration, yes?

15:34:21 25 A. Yes.

26 Q. And it's signed by, for the Revolutionary United Front,
27 Gibril Massaquoi, spokesman, and by the Attorney-General and
28 Minister of Justice of the Government of Sierra Leone, one
29 Solomon Berewa and it is also signed by the special

1 representative of the Secretary-General, Oluyemi Adeniji, yes?

2 A. Yes.

3 Q. "The joint committee on disarmament, demobilisation and
4 reintegration comprising representatives of the government, the
15:34:58 5 RUF and UNAMSIL held its fourth meeting in Kenema on 10 August
6 2001 under the chairmanship of the special representative of the
7 Secretary-General to Sierra Leone, Ambassador Oluyemi Adeniji.

8 The government delegation was led by the Attorney-General and
9 Minister of Justice, the Honourable Solomon Berewa and the RUF

15:35:22 10 delegation was headed by Mr Gibril Massaquoi, RUF spokesman. The
11 meeting took place in an atmosphere of cordiality and
12 constructive dialogue even more remarkable than in earlier
13 meetings."

14 Now, is that reflective, Mr Taylor, of your understanding
15:35:43 15 of how things were developing; becoming increasingly more cordial
16 between the parties?

17 A. That was my understanding, yes.

18 Q. And how did you view that development?

19 A. As positive. Welcomed.

15:36:00 20 Q. And what impact did you think it had for Liberia?

21 A. Well, we were happy that the sooner they got it over with,
22 got peace going, the better it would be for Liberia. So that was
23 a welcomed development.

24 Q. "The committee reviewed the conduct of disarmament in the
15:36:24 25 Kambia and Port Loko Districts and expressed its satisfaction at
26 its success. Therefore, the joint committee formally declared
27 the end of disarmament in the two districts.

28 The committee noted that whilst disarmament in Kono and
29 Bonthe Districts has proceeded through the month of July, there

1 are still pockets of combatants in Kono District that are yet to
2 disarm. The joint committee therefore decided to extend
3 disarmament in Kono until 17 August 2001 and called upon the CDF
4 and RUF leadership to ensure that all their combatants in the
15:37:10 5 district disarm by that date.

6 In pursuance of its earlier decision, that the new stage of
7 disarmament should take place in Koinadugu and Moyamba Districts,
8 the joint committee decided that the disarmament in Moyamba
9 should start on 15 August and in Koinadugu on 20 August 2001, to
15:37:34 10 be completed on 31 August 2001.

11 On completion of the two districts mentioned in paragraph 3
12 above, disarmament will take place in Bombali and Bo Districts in
13 September 2001.

14 The next meeting will be held in Makeni on Thursday, 6
15:37:53 15 September 2001."

16 So it would appear, according to that, Mr Taylor, that
17 things were going rather swimmingly next door in Sierra Leone?

18 A. That is correct.

19 MR GRIFFITHS: Can I ask, please, Mr President, that that
15:38:12 20 communique issued by the Joint Government of Sierra Leone, RUF,
21 UNAMSIL committee on disarmament, demobilisation and
22 reintegration dated 10 August 2001 be marked for identification
23 MFI-204, please.

24 PRESIDING JUDGE: Yes, marked MFI-204.

15:38:35 25 MR GRIFFITHS: I'm grateful:

26 Q. Now, Mr Taylor, you had caused your ambassador in
27 Washington to write to that Senate committee, didn't you?

28 A. Yes.

29 Q. And, help us, who was your ambassador in Washington at the

1 time?

2 A. At this time it's Ambassador William Bull.

3 Q. And given your concerns about the deterioration in
4 relations between your two countries, was he actively engaged in
15:39:56 5 trying to build bridges in the United States?

6 A. Oh, yes. As a part of all ambassadors' functions they try
7 to build bridges. During this particular period in particular,
8 following my letters to President Bush, you know sometimes in
9 diplomacy this happens, he does not respond directly. But the
15:40:29 10 desk officer at the State Department responsible for Liberia is
11 changed and the desk officer decides that he is going to pay a
12 courtesy call on Ambassador Bull to talk about the problems. So
13 he comes over to the embassy from the State Department to have a
14 chat with Ambassador Bull.

15:41:02 15 Now, when you look at that, that's a little, I would say,
16 unusual, and that is not just done on the sole decision of a
17 State Department official to just walk over to an embassy that
18 way. So we were happy. We viewed that as a sign that someone
19 coming into the administration was interested in looking at the
15:41:30 20 problems of the Liberia. So Ambassador Bull used this
21 opportunity to listen to him and to put across the Liberian
22 government's case and to then report back to Monrovia faithfully
23 what had transpired on the visit from the visit of the desk
24 officer to the embassy.

15:41:51 25 Q. Right. Have a look behind divider 117, please. Do you
26 recognise that document?

27 A. Yes, that is the faithful report sent back to Monrovia by
28 Ambassador Bull.

29 Q. And we see it's dated 3 September 2001?

1 A. That is correct.

2 Q. "Mr Minister, I have the honour to present my compliments
3 and to inform you that on Friday, 31 August 2001, the newly
4 assigned Liberian desk officer at the United States Department of
15:42:35 5 State, Mr Andrew Silski, paid me a courtesy visit at the embassy.
6 The meeting, which Iist lasted about 30 minutes, was
7 characterised by frankness and allowed us to reflect on a wide
8 range of issues centring on improving US-Liberia relations.
9 Minister Plenipotentiary Aaron Kollie and first secretary Abdul ai
15:43:06 10 Dunbar joined me during the meeting.

11 I welcomed Mr Silski to the embassy and congratulated him
12 on his new assignment, highlighting the historical ties binding
13 our two countries. I reviewed political developments in the
14 country over the past seven years and reiterated the desire of
15:43:27 15 President Taylor's government to constructively engage the
16 United States government.

17 In response, Mr Silski said that during his tenure, he
18 would seek to influence US policy towards Liberia in promotion of
19 'US interests'. He said a convincing argument or case could be
15:43:49 20 made that the United States has lost its ability to influence
21 Liberia because of the very hostile and negative approach which
22 it has adopted towards the country. The desk officer underscored
23 the urgent need for the US to adopt a constructive posture
24 towards the people of Liberia. He opined that even if the US has
15:44:18 25 problems with President Taylor, that did not justify the current
26 United States policy of 'benign neglect' of Liberia which was
27 impacting negatively on the people."

28 Let's pause, Mr Taylor. Tell me, when this letter
29 recording this meeting first arrived on your desk, tell me, what

1 was your feeling after reading those first few paragraphs?

2 A. May I just say vindication.

3 Q. In what sense?

4 A. Well, this was for us - from our analyst this was, at that
15:45:03 5 level, an admission that they were a little too heavy-handed in
6 dealing with Liberia and that they were not - they themselves
7 were not fully convinced that some of the actions that they were
8 taking were justified and this, for us, appeared to be a low
9 intensity of saying, "Look, we want to turn a new page."

15:45:27 10 JUDGE SEBUTINDE: Mr Griffiths, before you continue and
11 before this goes off the page, at page 145, line 2, the witness
12 has recorded as having said, "This faithful letter." "This
13 faithful report sent back to Monrovia." Did you say "faithful"
14 or "fateful"?

15:45:52 15 THE WITNESS: Faithful report. That is, concise with
16 accuracy in diplomacy. It's a faithful report.

17 MR GRIFFITHS:

18 Q. "He concurred with my assertion that President Taylor was
19 democratically elected and has legitimacy, having won over 75
15:46:21 20 per cent of the popular votes in 1997. Mr Silski also discounted
21 the notion in some quarters that President Taylor was elected by
22 the people out of fear."

23 Now, do you see that?

24 "Mr Silski also discounted the notion in some quarters that
15:46:40 25 President Taylor was elected by the people out of fear."

26 Mr Taylor, were you conscience that that was a perception held by
27 some people?

28 A. Yes, counsel. Yes. Remember that some people had
29 construed something that came before the Court: You killed my

1 Ma; you killed my Pa; I will vote for him. Some people had
2 construed that in a different way as saying that the people had
3 said that I had killed their fathers and their mothers, so they
4 will vote to for me. What we have already explained is that they
15:47:14 5 were saying: Even if he did it, we think this is the right man.
6 What you people are saying about him is wrong. So yes, it was
7 construed that way in some quarters.

8 Q. "He said the US ought to come forth with financial and
9 economic assistance to help Liberia's democracy to develop as
15:47:32 10 well as provide assistance to the people to alleviate their
11 suffering. He said a policy which focused on only the President
12 is not the right approach."

13 Now, Mr Taylor, "a policy which focused on only the
14 President", what did you understand that to mean?

15:47:52 15 A. It appears to mean that he is saying that, look, we - and I
16 am being earnest about this - it is Taylor that we want, and so
17 if we - so just focusing on Taylor, fine, do that, but still help
18 the country, okay? So this was behind the curve an indication
19 that, look, we have a problem with Taylor, but we don't need to
15:48:19 20 make it a countrywide problem. This is how I interpreted it.

21 Q. So it was personal?

22 A. It was personal, yes.

23 Q. Over the page, please:

24 "Continuing, the desk officer said he could empathise with
15:48:36 25 the concerns and perhaps frustration of President Taylor,
26 especially in the wake of the devastating effects of the seven
27 years of civil crisis, the ongoing incursions by dissident forces
28 resulting from Liberia's porous borders, and the problem of
29 winning of loyalty of individuals, amidst the lack of

1 international assistance. In his view, these should warrant the
2 US doing something positive, instead of dwelling on the notion of
3 the good people verses the bad people.

4 The desk officer expressed optimism that various benchmarks
15:49:15 5 could shortly be identified that would help to move US-Liberian
6 relations forward, reminiscent of the past. In this connection,
7 he referred to the European Commission's discussion with
8 officials of government and requested information on the
9 benchmarks identified to enhance EU-Liberian cooperation. In his
15:49:40 10 opinion, the US has adopted a far too strict view on Liberia
11 which is not correct, noting that the US cannot expect to go into
12 the country and control everything 100 per cent. 'We have to
13 make Liberia a little America in Africa, while at the same time
14 being mindful of the fact that its sovereignty should remain
15:50:06 15 intact. We have removed ourselves from the game to the extent
16 that we have lost our ability to play when it comes to Liberia.'

17 Reflecting on his experience as desk officer for Estonia
18 and Latvia and the approach adopted to strengthen US relations
19 with these countries, he suggested that a strategic investor
15:50:31 20 ought to be identified for Liberia. This investor would not only
21 pursue its business interest, but would use its resources to help
22 lobby the US Congress and administration on behalf of Liberia."

23 Now, just pause there.

24 "This investor would not only pursue its business interest,
15:50:55 25 but will use its resources to help lobby the US Congress and
26 administration on behalf of Liberia."

27 Mr Taylor, remember yesterday we were talking about the
28 issuance of diplomatic passports?

29 A. Uh-huh.

1 Q. Is this the kind of situation in which a diplomatic
2 passport might be provided to someone?

3 A. That is correct. That is correct.

4 Q. "He cited Angola as another case in point, where
15:51:24 5 involvement by American investors extended beyond the economic
6 dimension. He said a well-known US hydroelectric company in
7 Minnesota could be approached to develop Liberia's hydroelectric
8 capability.

9 At this juncture I referred to Liberia's abundant natural
15:51:48 10 resources, noting the very encouraging interpretation of data
11 which suggests that Liberia has oil of commercial quantity. In
12 this connection, I informed him of President Taylor's keen desire
13 to see increased US investment in Liberia, particularly in the
14 oil sector.

15:52:09 15 Continuing, I referred to the close historical ties of
16 friendship between Liberia and the United States and noted that
17 the rest of the world will judge America by its treatment of
18 Liberia. I wondered why the United States could not make Liberia
19 a show case of its benevolence in Africa.

15:52:32 20 Responding, the desk officer acknowledged US strategic
21 interest in Africa, especially as America's European partners
22 appeared to be losing their traditional regard for their
23 strategic partnership. He said with Liberia's small population
24 of about three million, there is no reason why Liberia could not
15:52:53 25 be a showcase, not so much of American benevolence, but
26 'institutions' in Africa as a fitting mark of the close
27 historical ties which bind our two countries and peoples.

28 On the question of the US-British sponsored UN travel ban
29 on Liberian officials, Mr Silski admitted that the list appeared

1 to have been unfairly drawn up, since there are some individuals
2 who ought not to be on the list. I then noted that the Liberian
3 government has officially challenged the list, since no criteria
4 appeared to have been used in its constitution.

15:53:38 5 Touching on Foreign Minister Captan's pending visit to the
6 United Nations, I suggested that it would be useful if meetings
7 could be arranged with Secretary of State Colin Powell and other
8 senior officials which would facilitate the continuation of
9 discussion aimed at improving US-Liberia relations. The desk
15:54:05 10 officer concurred and said he would draw up a proposed itinerary
11 as well as identify issues to be discussed during the visit,
12 which would be shared with the embassy for its inputs.

13 The desk officer referred to a recent meeting which
14 maritime officials held with senior officials in the African
15:54:27 15 department and reaffirmed that the United States is not
16 contemplating further imposition of sanctions as being suggested
17 to include the time better and maritime programmes. He said that
18 the present measures are already posing serious hardship for the
19 people of Liberia."

15:54:47 20 Were they, Mr Taylor?

21 A. Oh, yes. Uh-huh.

22 Q. "As long as the process of disarmament and elections go
23 unhindered in neighbouring Sierra Leone, the issue of sanctions
24 against Liberia will die a natural death, he averred.

15:55:06 25 Another issue" - this is a fax and this is unintelligible.

26 "The desk officer agreed that Liberia was at a disadvantage
27 because of its exclusion from the group of participating
28 sub-Saharan African countries. He pledged to work with the
29 embassy to ensure Liberia's inclusion, since he feels 'US

1 economic interests' are not being served by his decision.

2 JUDGE SEBUTINDE: Mr Griffiths, I think that's "African
3 Growth and Opportunity Act".

4 MR GRIFFITHS: I am grateful. I am grateful.

15:56:08 5 Q. "He pledged to work with the embassy to ensure Liberia's
6 inclusion since he feels 'US economic interests' are not being
7 served by this decision.

8 On the issue of the US travel advisory on Liberia, he
9 agreed that it needed to be amended, but said he would
10 recommended that certain parts of Liberia, especially where there
11 are armed conflicts, should be still off limits to US citizens.
12 Regarding the relaxation of visa restrictions between Liberia and
13 the United States, the desk officer pledged to review the matter,
14 consistent with the existing agreements between our two
15 countries. He revealed the recent decision by the United States
16 to extend the deferred enforcement departure for Liberians
17 indefinitely. It should be observed that this is a most
18 interesting development, especially since legislation is pending
19 in Congress to grant permanent resident status to Liberians who
15:56:50 20 have resided in the US for more than ten years.

21 Other areas of interests discussed were the activation of
22 USAID's programme in Liberia and the United States military
23 mission in the country. I referred to previous requests made by
24 government for their reactivation. I mentioned also my recent
15:57:42 25 meeting held with the Deputy Assistant Secretary of Defence and
26 the current legislation which was cited as preventing US
27 assistance to Liberia even though they were providing so-called
28 'non-lethal assistance to neighbouring Guinea'. Mr Silski felt
29 that the US government should also extend non-lethal military

1 assistance to Liberia. He expressed surprise that the US would
2 complain about indiscipline at some levels within the Liberian
3 security forces when it has not helped to provide the kind of
4 assistance and training needed to enhance cordial
15:58:28 5 military-civilian relations. He said he would revisit this
6 matter with the defence authorities and he was confident some way
7 would be found to resume our cooperation.

8 Our discussion also centred on other non-governmental
9 actors, which could be approached to assist Liberia's
15:58:52 10 reconstruction efforts. As a practicing Mormon, he promised to
11 introduce me to Mr JW Marriott and officials of his church at a
12 gathering to be hosted later this month by Mr Marriott. He
13 believes that the Church of the Latter Day Saints could be very
14 helpful in providing assistance in the development of our health
15:59:15 15 delivery service."

16 Mr Taylor, did that in due course pay off?

17 A. No, not really. Not really.

18 Q. But is that church linked in any way with Liberia today?

19 A. Yes. They went in, did some little work, built a couple of
15:59:39 20 churches for the Mormons.

21 Q. "I thanked Mr Silski for the visit, which I characterised
22 as a very productive one. I observed that if our discussion was
23 a reflection of the fresh new approach in the way our two
24 governments would deal with each other, then it was certainly a
15:59:59 25 most welcomed development since this had been the constant
26 advocacy and/or appeal by government. I assured him that
27 Liberia, as America's oldest ally in Africa, remains committed to
28 working closely with the United States. All that we desire is
29 America's empathy and support.

1 In response, Mr Silski said many of the views expressed
2 were his own, but as desk officer for Liberia, it is his
3 determination to help bring them to fruition. He noted that he
4 is a civil servant and not a foreign service officer and that he
16:00:38 5 served as desk officer for Latvia and Estonia for 11 years. He
6 said he has 17 years to go before retirement and he would not
7 mind remaining at the Liberian desk. He expressed enthusiasm
8 about his new assignment and his determination to do things a
9 little differently, aimed at improving the relations between the
16:01:01 10 two countries and peoples to our mutual benefit.

11 It is my considered view, Mr Minister, that policy changes
12 do not occur overnight or in a vacuum. In spite of the desk
13 officer's caution that we should not expect a miracle overnight
14 and even his disavowal that this represents a new policy to
16:01:27 15 towards Liberia, the mere fact that he could make these
16 assertions and proposals to us clearly indicate that a new
17 thinking is emerging in the Bush administration about Liberia.

18 To be sure this should not be attributed to a single
19 initiative or to mere US altruism, but should be viewed as a
16:01:49 20 cumulative effort over the past several months, through various
21 diplomatic initiatives and persistent advocacy that such a review
22 be undertaken. It is also the result of the pragmatic policy
23 changes by government which are beginning to have very beneficial
24 effects. While it would be prudent to maintain continuity in our
16:02:14 25 current policy responses to domestic and sub-regional issues,
26 every effort should be deployed by government to address these
27 additional issues that will be identified in our continuing
28 dialogue with the US administration. Needless to observe, should
29 this trend continue, I am cautiously optimistic that by God's

1 grace, the long awaited light at the end of the tunnel may not be
2 too far in sight."

3 Now, Mr Taylor, how did you greet this letter overall?

16:03:00

4 A. For us, there was a sigh of relief, at least that, as the
5 ambassador rightly puts it, there appears to be some new
6 thinking. But you can only hope. But we had a sigh of relief
7 that at least we were about to turn the corner.

16:03:26

8 Q. Now, help us, on that last page, "It is also a result of
9 the pragmatic policy changes by government, which are beginning
10 to have very beneficial effects". What are they?

16:03:53

11 A. More engagement with them. Remember the letters - we have
12 written several letters. We never stop. Even we write letters,
13 we do not get responses, we will still write. I guess they all
14 viewed that as positive developments. We invited them to review
15 some of the policy restrictions that we also had imposed. There
16 was nothing extra beyond that that the government did, just
17 encouraged more contacts with them.

16:04:33

18 MR GRIFFITHS: Can I ask, please, that this letter from the
19 Liberian ambassador in Washington to His Excellency Monie Captan,
20 Ministry of Foreign Affairs, dated 3 September 2001, be marked
21 for identification MFI-205.

16:05:00

22 Now, Mr President, can I indicate, you will see that there
23 are some succeeding pages, but what is clear is this is a fax and
24 the pagination is sequential and for my purposes I am merely
25 interested in the five pages of the letter.

26 PRESIDING JUDGE: Yes, actually the extra pages look to be
27 a different letter altogether and they are a different date as
28 well. So I will simply remove those from my binder. The letter
29 that you have just described, Mr Griffiths, will be marked for

1 identification MFI-205.

2 MR GRIFFITHS: I'm grateful:

3 Q. Now, Mr Taylor, you will recall that on 22 January of this
4 year, 2001, you had written to the Secretary-General of the
16:05:48 5 United Nations. The letter we've just looked at is dated the
6 beginning of October of 2001. Had you received a response from
7 him by then?

8 A. Secretary-General Annan - I'm sure, yes, the
9 Secretary-General wrote, but at this particular time of the year
16:06:16 10 my government is doing most of the writing and so I write him at
11 this time.

12 Q. You write Kofi Annan?

13 A. Yes.

14 Q. What about?

16:06:26 15 A. You know, the sanctions are in place and the sanction
16 resolution and all of the pressure on the Liberian government is
17 about removing RUF personnel from Liberia, and so we engage in
18 the process of moving those individuals that do not have
19 citizenship. In fact, there are some people that come subsequent
16:06:57 20 to the arrival of Sam Bockarie that are still there. We complete
21 that process under the resolution and then we write him, finally,
22 during this period to tell him that we have completed that
23 process and that we are in full compliance with the resolution
24 13 - the sanctions resolution. I just forgot the number there.

16:07:20 25 Q. Have a look behind divider 118, please. Yes, Mr Taylor?

26 A. Yes.

27 Q. This is a letter dated 29 October 2001 addressed to His
28 Excellency Kofi Annan, Secretary-General of the United Nations:

29 "Mr Secretary-General, having complied with the demands of

1 the United Nations Security Council, the Government of Liberia
2 avails itself of this opportunity to renew its call for the
3 lifting of the regime of sanctions imposed under resolution 1343.

4 The government and people of Liberia were assured that
16:08:14 5 sanctions were to be applied in an even-handed, non-porous way
6 and that, having complied with the demands of the
7 Security Council, the council will be prepared to fulfil its
8 commitments and have the sanctions lifted. The council demanded
9 that the Liberian government expel all RUF members, cease all
16:08:39 10 financial and military support to the RUF, prohibit the
11 importation of uncertificated Sierra Leonean diamonds, freeze all
12 assets of the RUF in Liberia and ground aircraft under the
13 Liberian registry."

14 Mr Taylor, is that a full list of the sanctions that were
16:09:00 15 imposed?

16 A. 1343, yes.

17 Q. So let's just go through and just list them. One, expel
18 all RUF members, yes?

19 A. Yes.

16:09:12 20 Q. Two, cease all financial and military support. Three,
21 prohibit the importation of uncertificated Sierra Leonean
22 diamonds, yes?

23 A. Yes.

24 Q. Four, freeze all assets of the RUF in Liberia and, five,
16:09:31 25 ground aircraft under the Liberian registry, yes?

26 A. That is correct, yes.

27 Q. Now, before we continue with the letter, Mr Taylor, can I
28 just ask you about a couple of those. Firstly, did the RUF have
29 any assets in Liberia?

1 A. None, no.

2 Q. Let's continue:

3 "The Government of Liberia has expelled all RUF members,

4 there is no financial and military support provided RUF, a

16:10:17 5 moratorium on the export of Liberian diamonds is being enforced,

6 assets identified to be owned by individuals associated with the

7 RUF have been frozen and licences of aircraft operators under the

8 Liberian registry have been revoked. Confirmation of these and

9 other measures taken by the Government of Liberia, in full

16:10:47 10 compliance with the demands of the Security Council, has been

11 documented and forwarded to the United Nations. More

12 importantly, the report of the panel of experts pursuant to

13 Security Council resolution 1343 concerning Liberia revealed no

14 violations attributable to the Government of Liberia since the

16:11:08 15 effective date of the resolution. Paragraph 11 of resolution

16 1343 provides for the immediate termination of the measures

17 imposed if the council determines that the Government of Liberia

18 has complied with its demands. Clearly, there exists no further

19 basis for the continued application of the regime of sanctions

16:11:32 20 imposed by resolution 1343.

21 Furthermore, paragraph 3 of the resolution stresses the

22 intent of the demands of the Security Council as beings to 'lead

23 to further progress of the peace process in Sierra Leone'. The

24 Government of Liberia is particularly pleased to note the success

16:11:56 25 of the United Nations Mission in Sierra Leone in achieving the

26 substantial disarmament, demobilisation and reintegration of the

27 RUF and other militias; the deployment of UNAMSIL and the

28 extension of the authority of the Sierra Leonean government into

29 areas formerly under the control of the RUF; the return of

1 weapons and other equipment seized from UNAMSIL and the release
2 of abductees."

3 So, Mr Taylor, to repeat a phrase, things are still going
4 swimmingly next door in Sierra Leone, yes?

16:12:39 5 A. Yes.

6 Q. Has all hostility effectively ended in Sierra Leone by this
7 time, Mr Taylor?

8 A. You can virtually say so, yes.

9 Q. We're at the end of the October 2001?

16:12:59 10 A. Yes, yes. You know, I am saying virtually you can say so,
11 because "all" is another word, but I would say virtually all of
12 the hostilities have ceased.

13 Q. "30 November 2001 and 14 May 2002 are dates set for the
14 completion of the disarmament process and the conduct of national
16:13:27 15 elections. It is our understanding from recent reports that all
16 sides have expressed optimism that these dates are realisable and
17 that the peace process is irreversible. Reaffirming the
18 continued support of the Liberian government to the
19 Sierra Leonean peace process and the mandate of UNAMSIL, the
16:13:51 20 Government of Liberia believes that the intent of the
21 Security Council has been realised and all moral basis further
22 removed for the continued application of the regime of sanctions.

23 Of equal importance is the progress attained in the level
24 of confidence, peace and security among member states of the
16:14:15 25 Mano River Union. High-level discussions have taken place in the
26 three capitals, resulting into the reconstitution of the MRU
27 Joint Security Committee, essentially dedicated to resolve the
28 plague of dissidents operating to render our common frontier
29 unsafe. A summit meeting of the three heads of state, scheduled

1 for January 2002, attests to the commitment of the MRU leadership
2 to live in peace and resolve their problems through dialogue.
3 The government remains firmly committed to this process of
4 dialogue and is reasonably assured that these initiatives will
16:15:03 5 form the basis for sustainable peace, security and the
6 realisation of the objectives of the Mano River Union. To this
7 end, the Government of Liberia renews its request to the
8 international community for assistance and support in the
9 repatriation and resettlement of refugees and internally
16:15:26 10 displayed persons and the revitalisation of the various organs of
11 the union.

12 However, it is imperative to note that inequities in the
13 administration of Resolution 1343, especially paragraph 4, which
14 states that:

16:15:45 15 "All states in the region take action to prevent armed
16 individuals and groups from using their territory to prepare and
17 commit attacks on neighbouring countries and refrain from any
18 action that might contribute to further destabilisation of the
19 situation on the borders between Guinea, Liberia, and
16:16:07 20 Sierra Leone",

21 could undermine the ongoing efforts to consolidate peace
22 and security in the Mano River Union and the West African
23 sub-region.

24 Your Excellency, seemingly oblivious to these numerous
16:16:24 25 positive developments and the intent of Resolution 1343, Global
26 Witness, a British-based propaganda outfit, has launched a
27 devious campaign, assisted by Liberian political opponents, to
28 extend and expand the current regime of sanctions and prolong the
29 suffering of the Liberian people. Politically motivated, Global

1 Witness accuses the Government of Liberia essentially of the
2 'reckless exploitation' of the Liberian rainforest and the use of
3 revenues therefrom to provide arms and ammunition to the RUF".

4 Was that the case, Mr Taylor?

16:17:11 5 A. Yes. This was the case, yes. We couldn't understand how
6 Global Witness could say that the sovereign Republic of Liberia
7 was recklessly engaging in forest work in the country. This is
8 like saying that somebody is pulling oil from underground too
9 fast. I don't - we didn't understand it. But these are all
16:17:49 10 personal things that they do when they want to keep things in
11 place. Well, no, do not remove it. Similar to the situation
12 that you have now in probably Zimbabwe, for example. Things are
13 moving, but keep the sanctions on. And sanctions continue to
14 hurt people; they don't hurt the big government officials. So
16:18:14 15 it's strange for us.

16 Q. "The capacity of Liberia's rainforest is widely documented
17 by more credible international research. The German forestry
18 mission to Liberia concluded in a report that Liberia has an
19 estimated annual allowable cut of 3.2 million cubic metres
16:18:37 20 without endangering the environment. The total production and
21 export volumes for fiscal year 2000 are below one million;
22 896,586.108 and 626,657.090 cubic metres. Three hundred thousand
23 trees out of a total of one million are being grown for
24 replanting. This active reforestation exercise would also cover
16:19:15 25 grounds victimized by shifting cultivation and slash and burn,
26 traditional methods employed by local farmers.

27 A new national forestry law enacted in April 2000 forbids
28 clear felling, introduces environmental impact studies, increases
29 the national forest reserves, strengthens the protection thereof,

1 and reinforces the regulatory and monitoring administration of
2 the Forestry Development Authority. Logging companies are by law
3 only permitted to operate annually, land areas not exceeding 4
4 per cent of the total area of land mapped out in the concession
16:20:03 5 agreement, and only trees which have matured to a specified
6 diameter and have been identified, inspected, and approved by the
7 Forestry Development Authority are felled.

8 Evidently, the larger proportion of the West African
9 tropical rainforest exists in Liberia because of public policy,
16:20:28 10 as well as the commitment of the government and logging companies
11 to sustainable forest management practices.

12 More importantly, available statistics will reveal that the
13 timber industry in Liberia provides employment opportunities for
14 more than 10,000 individuals. It is further estimated that each
16:20:49 15 employee provides livelihood for a minimum of ten dependents. A
16 total of 100,000 individuals are directly dependent on the timber
17 industry for their livelihood. This is achieved by the
18 payment of over \$10 million annually for salaries and benefits.
19 This in addition to the provision of free primary and secondary
16:21:13 20 school facilities for children of all employees, while assisting
21 substantially in the rehabilitation of public schools in rural
22 Liberia. Timber concerns operate clinics and hospitals at their
23 various operational sites, catering to the health needs of
24 employees and other Liberians. In maverick agreements with the
16:21:36 25 Liberian government, timber companies have improved major roads
26 and highways across Liberia, ensuring their accessibility
27 throughout the year and improving the constant movement of goods
28 and services throughout the country.

29 Revenues from the timber sector account for more than 8

1 per cent of the national budget; however, effective fiscal year
2 2001-2002, the Government of Liberia has instituted a policy
3 which ensures that 100 per cent of revenue from timber is
4 retained in the various political subdivisions for rural
16:22:14 5 development. Unarguably, in the absence of the iron ore sector,
6 the entire economy of rural Liberia, the home of at least 80
7 per cent of the population, is depend on the aggro-forest
8 industry.

9 Additionally, as part of its programme to improve the value
16:22:33 10 of its export, the government has mandated the Liberian timber
11 industry to install saw and plywood milling facilities and veneer
12 plants. These measures will minimise the future export of round
13 logs and increase the value of timber products. Additional and
14 much needed jobs will also be created. Implementation of this
16:22:56 15 policy has already commenced with the ongoing installation in
16 Buchanan of one of the largest plywood mills in West Africa,
17 which should become operational in December 2001.

18 That the Liberian nation has been under attack from
19 dissidents in Lofa County, northern Liberia, since April 1999, is
16:23:18 20 an undeniable fact known to the United Nations Security Council.
21 The unfortunate loss of Liberian lives, the wanton destruction of
22 property, and the massive displacement of inhabitants of the
23 area, are well documented and have been repeatedly brought to the
24 attention of the international community by the Government of
16:23:38 25 Liberia. It must be expected that the Liberian government,
26 acting under Article 51 of the Charter of the United Nations,
27 would utilise every available means to defend its sovereignty,
28 protect its territorial integrity, and preserve its people. To
29 this end, the Government of Liberia renews its request to the

1 Security Council to permit the Government of Liberia to
2 adequately provide for the defence of the Liberian nation the
3 sacred preservation its heritage. It must be clearly emphasised
4 that the Government of Liberia has neither the will, the means,
16:24:22 5 nor the desire to engage in hegemonic aspirations; however,
6 preserving the State and defending the republic are obligations
7 the Liberian government will not compromise.

8 Returning to additional measures taken by the Government
9 Liberia to ensure compliance with the demands of the

16:24:40 10 Security Council, the government risked severe political and
11 economic consequences when it banned the export of domestically
12 produced diamonds. This action has left a considerable number of
13 Liberians without a source of livelihood. But more importantly,
14 the request of the Government of Liberia to the Security Council
16:25:02 15 for assistance in the establishment of an internationally
16 credible certificate of origin regime, alleviating the hardship
17 imposed by the ban, is yet to be answered.

18 The issue of the centralization of revenues of the Liberian
19 government, evidentially an exclusive prerogative of the
16:25:28 20 Government of Liberia, is, however, well settled. By legislative
21 enactment, the Central Bank of Liberia is the depository of all
22 revenues of the government. While the Government of Liberia will
23 react favourably to international support and other technical
24 assistance, the international supervision or monitoring of its
16:25:47 25 expenditure will impugn on the sovereignty of the Liberian
26 nation. The Liberian government will find such actions
27 unacceptable.

28 Finally, Mr Secretary-General, the severe social,
29 humanitarian, and economic effects of the sanctions on the

1 Liberian government and the general population are well
2 documented in the report of the Secretary-General in pursuance of
3 paragraph 13A of Resolution 1343 (2001) concerning Liberia. The
4 United Nations Humanitarian Impact Study Report leaves little
16:26:19 5 doubt that sanctions imposed under Resolution 1343 are
6 engendering punitive effects. The resilience of the
7 Liberian people, having just endured more than seven years of
8 civil strife, more than two years of ongoing insurgency, a
9 paralyzed economy recording little or no international assistance
16:26:43 10 and damaged national infrastructure, is being stretched beyond
11 its limits with continued application of these sanctions. It
12 would seem a matter of profound obligation to have these
13 sanctions lifted or suspended. Contrarily, it will be unfair and
14 unjust for the United Nations to be led into an extension and/or
16:27:01 15 expansion of the application of the sanctions regime in achieving
16 other and unrelated ends.

17 In the final report of the Secretary-General pursuant to
18 Security Council Resolution 1343 (2001) concerning Liberia, the
19 Secretary-General strongly suggested that 'the international
16:27:21 20 community remain engaged with Liberia and its people'. The
21 Secretary-General reasoned correctly that 'external pressure
22 without dialogue may not have a lasting impact on a country that
23 is battling its own armed insurgency and is mired in deep
24 political, economic and social problems'. It was the hope of such
16:27:42 25 a constructive engagement between the Government of Liberia and
26 the international community, which, in spite of the disagreements
27 with, and denials of, accusations of gunrunning and diamond
28 smuggling, catalysed the policy of compliance with the demands of
29 the United Nations Security Council, faithfully undertaken by the

1 Government of Liberia.

2 Recommitting the Government of Liberia and looking forward
3 to a more positive and rewarding engagement with the
4 international community, particularly the various organs of the
16:28:13 5 United Nations, I request the United Nations, the moral
6 conscience of the international community, to empathise with the
7 suffering people of Liberia and have these sanctions lifted or
8 suspended."

9 Were they, Mr Taylor?

16:28:26 10 A. No.

11 MR GRIFFITHS: Could I ask that that letter to the
12 Secretary-General of the United Nations, Kofi Annan, from
13 President Taylor be marked for identification MFI-206, please.

14 PRESIDING JUDGE: Yes, that letter is marked MFI-206.

16:28:49 15 MR GRIFFITHS: I wonder whether that would be a convenient
16 point, Mr President.

17 PRESIDING JUDGE: Yes, I think that's a convenient point.

18 We are going to adjourn, Mr Taylor. Once more I will remind you
19 that you are ordered not to discuss your evidence with any other
16:29:03 20 person. The Court will adjourn now until 9.30 next Monday
21 morning.

22 [Whereupon the hearing adjourned at 4.30 p.m.
23 to be reconvened on Monday, 31 August 2009 at
24 9.30 a.m.]

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29

I N D E X

WITNESSES FOR THE DEFENCE:

DANKPANNAH DR CHARLES GHANKAY TAYLOR	27830
EXAMINATION-IN-CHIEF BY MR GRIFFITHS	27830