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SCSL-03-01-T
(22901-22915)

22901



THE SPECIAL COURT FOR SIERRA LEONE

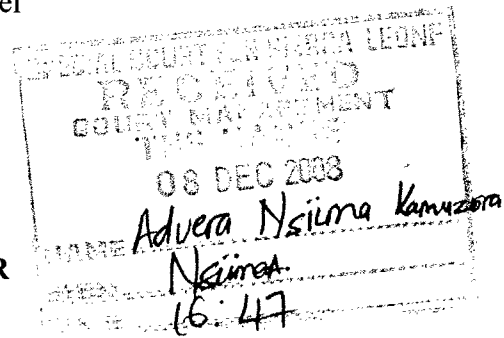
In Trial Chamber II

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

Registrar: Mr. Herman von Hebel

Date: 08 December 2008

Case No.: SCSL-2003-01-T



THE PROSECUTOR

-v-

CHARLES GHANKAY TAYLOR

PUBLIC

**DEFENCE RESPONSE TO PROSECUTION MOTION FOR ADMISSION
OF LIBERIA SEARCH DOCUMENTS**

Office of the Prosecutor

Ms. Brenda J. Hollis

Ms. Leigh Lawrie

Counsel for Charles G. Taylor

Mr. Courtenay Griffiths Q.C.

Mr. Terry Munyard

Mr. Andrew Cayley

Mr. Morris Anyah

I. Introduction

1. On 1 December 2008, the Prosecution filed a *Motion for Admission of Liberian Search Documents* (“Motion”) with related Annexes,¹ seeking the admission of documents allegedly seized from White Flower, the former residence of the Accused, in Monrovia (“the Documents”). The Application was made pursuant to Rule 89(C), or alternatively under Rules 89(C) and 92*bis*, of the Special Court Rules of Procedure and Evidence (“Rules”).
2. In summary, the Defence submit that:
 - a. The Defence opposes the Motion and submits that Rule 89(C) cannot be used in isolation to admit the Documents included in the Motion.²
 - b. The Documents are only admissible under Rule 89(C) in conjunction with Rule 92*bis* provided that any evidence in the Documents that goes to the acts and conduct of the accused is inadmissible absent the opportunity for cross-examination.

II. Applicable Legal Principles

3. The Prosecution recently submitted five similar motions which rely on the same legal principles as in the present Motion.³ The Defence have filed Responses⁴ to those Motions, wherein it articulates the correct legal principles to be applied when a party seeks admission of a document without a witness. So as to not repeat the same argument, the Defence

¹ *Prosecutor v. Taylor*, SCSL-03-01-T-681 *Motion for Admission of Liberia Search Documents*, 1 December 2008 (“**Motion**”).

² Motion, Annexes A and B.

³ *Prosecutor v. Taylor*, SCSL-03-01-T-650, Prosecution Motion for Admission of Documents of the United Nations Bodies, 29 October 2008; *Prosecutor v. Taylor*, SCSL-03-01-T-652, Prosecution Motion for Admission of Extracts of the Report of the Truth and Reconciliation Commission of Sierra Leone, 31 October 2008; and *Prosecutor v. Taylor*, SCSL-03-01-T-659, Prosecution Motion for Admission of Documents Seized from Foday Sankoh’s House, 6 November 2008. *Prosecutor v. Taylor*, SCSL-03-01-T-667, Prosecution Motion for Admission of Documents from RUF Office, 13 November 2008 (“**RUF Office Motion**”). *Prosecutor v. Taylor*, SCSL-03-01-T-682, Prosecution Motion for Admission of Newspaper articles obtained from the Catholic Justice and Peace Commission archive in Monrovia, Liberia 1 December 2008.

⁴ *Prosecutor v. Taylor*, SCSL-03-01-T-664, Defence Responses to Prosecution Motion for the Admission of Documents of the United Nations and United Nations Bodies, 10 November 2008 (“**UN Documents Response**”), and *Prosecutor v. Taylor*, SCSL-03-01-T-663, Defence Response to Prosecution Motion for Admission of Extracts of the Report of the Truth and Reconciliation Commission of Sierra Leone, 10 November 2008; and *Prosecutor v. Taylor*, SCSL-03-01-T-672, Defence Response to Prosecution Motion for Admission of Documents Seized from Foday Sankoh’s House, 17 November 2008. *Prosecutor v. Taylor*, SCSL-03-01-T-677, Defence Response to Prosecution Motion for Admission of Documents from RUF Office, 24 November 2008. *Prosecutor v. Taylor*, SCSL-03-01-T-682, Defence Response to Prosecution Motion for Admission of Newspaper articles obtained from the Catholic Justice and Peace Commission archive in Monrovia, Liberia 1 December 2008.

respectfully refers the Chamber to paragraphs three through nineteen of the UN Documents Response, substituting any reference to UN Documents with a reference to Documents seized by Liberian Officials in March 2004 from White Flower. A few additional observations and submissions are below.

III. Submissions

4. The Prosecution refers to the documents collected as part of the Liberia search as “Taylor Documents” even though the Documents were allegedly seized after Taylor had left Liberia. There is no witness available to testify as to the circumstances in which the documents were purportedly seized from White Flower. The seizure of the documents was post Mr Taylor’s Indictment by the Special Court and there is no forensic link between Mr Taylor and the Documents. Therefore the Defence would require the authenticity of the Documents to be tested if they are to be admitted.

A. If both Rules 89(C) and 92bis are applied

Acts and conduct of accused are not admissible

5. The Documents go directly to the acts and conduct of the Accused. Under Rule 92bis jurisprudence, the acts or conduct of the accused includes any act or conduct which the Prosecution seeks to rely on to establish that the accused was a superior to those who actually may have committed the crimes, or that the accused knew or had reason to know of the crimes.⁵ The Defence submits that the fact that the Documents were purportedly seized from Charles Taylor's Residence, White Flower in Monrovia, as well as the content of the Documents themselves go to the joint criminal enterprise and superior responsibility modes of liability charged in the Indictment. Thus, it would be highly prejudicial for the Documents to be admitted into evidence without a witness who could speak to their contents and authenticity.

⁵ *Prosecutor v. Oric*, No. IT-03-68-T, Decision on Defence Motion for the Admission of the Witness Statement of Avdo Husejnovic Pursuant to Rule 92bis, 15 September 2005.

Actions of subordinates and elements going to a critical element in the Prosecution's case are not admissible absent cross-examination

- 6. The Prosecution cannot use Rules 89(C) and 92bis to seek to admit evidence that is material to the command responsibility or joint criminal enterprise allegations in the Indictment, which go to a "critical element" of the Prosecution's case and is therefore "proximate" to the accused, without giving the Defence a genuine opportunity for cross-examination of the evidence.⁶
- 7. The Documents are purportedly from residence of the Accused. Many of the Documents refer to other alleged subordinates of the Accused such as Yeatin⁷ Musa Cisse⁸, Issac Musa⁹, Momoh Jibba¹⁰ and Sam Bockarie¹¹. In the *Kenema Decision*, the Court held that where documentary evidence is close to subordinates of the Accused, "it would not be fair to the accused to permit the evidence to be given in written form".¹²
- 8. Additionally, the very nature of the Documents, in conjunction with the fact that they were purportedly seized from White Flower, relate to critical and proximate elements of the case against the accused. The Defence draws particular attention to Tab 6, Tab 7, Tab 8 and 9 which when compounded with the purported location of the documents directly go to the central matter in issue. Thus, if admitted, a witness who is knowledgeable about the contents of the Documents should be provided for cross-examination.¹³

A witness must be available to explain the contents and relevance of the documents

- 9. The Defence submits that if the Documents were admitted, it would be essential to have available someone who could speak to their contents and relevance. Many of the

⁶ UN Documents Response, para. 19; *Prosecutor v. Sesay et al*, SCSL-04-15-T-1049, Decision on Defence Application for the Admission of the Witness Statement of DIS-129 Under Rule 92bis, or in the Alternative, Under Rule 92ter, 12 March 2008, pgs. 1 and 3.

⁷ Tab 3, Tab 4, Tab 8

⁸ Tab 4

⁹ Tab 8

¹⁰ Tab 4

¹¹ Tab 9

¹² Pgs 4 *Prosecutor v Taylor*, SCSL-03-01-556, "Decision on Prosecution Notice Under 92bis for the Admission of Evidence Related to *Inter Alia* the Kenema District and on Prosecution Notice Under 92bis for the Admission of Prior Testimony of TF1-036 into Evidence", 15 July 2008 (the "**Kenema Decision**").

¹³ *Prosecutor v. Taylor*, SCSL-03-01-T-556, Decision on Prosecution Notice Under Rule 92bis for the Admission of Evidence Related to *Inter Alia* Kenema District and on Prosecution Notice Under Rule 92bis for the Admission on the Prior Testimony of TF1-036 into Evidence, 15 July 2008.

Documents, especially Tab 7¹⁴ Tab 8¹⁵, Tab 5¹⁶ and Tab 11¹⁷, are not decipherable on their own and are thus of questionable relevance to the proceedings.

10. Where the Prosecution does not intend to offer the Documents through a witness, the Trial Chamber would not be able to decipher the context of the Documents and thus determine their usefulness to the proceedings, so they should be excluded.¹⁸ A lack of context can render documents inadmissible as lacking sufficient indicia of reliability.¹⁹
11. As a pre-condition to admission, the Prosecution should have produced a witness to decipher, explain and provide context to the Documents. Further, the Defence would request that someone should be made available who can attest to the signatures on the Documents.
12. The fact that these Documents are produced at such a late stage in the proceedings means that witnesses whom have previously testified can not be challenged on their content or accuracy. The Prosecution has already called a number of witnesses who could have commented on the contents of the Documents.

The Prosecution have not shown a clear chain of custody

13. The Prosecution alleges that all the Documents annexed to this Motion were taken from White Flower by Liberian Officials in 2004. However, in its Motion the Prosecution has offered no evidence as to who the Liberian Officials were and under what conditions the documents were seized, etc.
14. Thus, as a pre-condition to admission on this basis, the Prosecution should have provided a clear chain of custody record showing how these specific documents were taken from the White Flower and how they found their way into the hands of the Prosecution. A clear chain of custody is necessary in order for the Prosecution to show that the Documents are authentic and have a “sufficient indicia of reliability” warranting admission.²⁰ The burden is on the

¹⁴ Pen-Tab Steno Notebook

¹⁵ Gregg Ruled Green Tint Steno Book

¹⁶ Meaning of U-50 and U-52

¹⁷ Purportedly document concerning immunity

¹⁸ *Prosecutor v. Milutinovic et al*, No. IT-05-87-T, Decision on Prosecution Motion to Admit Documentary evidence, 20 October 2006, paras 25 and. 27 (“**Milutinovic Decision**”).

¹⁹ *Milutinovic Decision*, para. 41 (for instance, the ICTY has held as regards authenticity that a Rule 92bis/ter statement from a military analyst, the investigator who produced these documents, or some other appropriate person may procedurally assist admission).

²⁰ See, for ex, *Prosecutor v. Bagosora et al*, ICTR-98-41-T, Decision on Ntabakuze Motion to Deposit Certain United Nations Documents, 19 March 2007, para. 3 (stating that factors considered when evaluating the authenticity

22906

moving party to provide indications that a document is authentic – that is, that the document is actually what the party purports it to be [from White Flower].²¹ Absent such a clear showing, the admission of these documents would bring the administration of justice into disrepute contrary to Rule 95.

15. In its Motion, the Prosecution states that they can make available the Chief of the Evidence Unit who can testify as to how the OTP obtained the Documents. However, the Defence query why, at a minimum, the Chief of the Evidence Unit did not simply make an affidavit for the Prosecution to attach to the Motion. Alternatively, the Chief of Evidence should have been called to testify prior to the filing of this Motion, so that the Defence and the Trial Chamber could have a full and complete understanding of the origin of the Documents. The Defence brings to the Chambers attention that the Documents were purportedly seized from White Flower in March 2004. The Defence finds it inexcusable that the Prosecution have only sought to introduce these documents at this extremely late stage of the Proceedings. The Defence submit that the Prosecutions ambush tactics are a gross violation of the rights of the accused²².
16. Furthermore, the Defence submit that if the Documents are to be admitted into evidence, then someone who was present during the seizure of the Documents in 2004 should be made available. If the Prosecution is unable to produce a witness who can attest to the seizure of the Documents, then they should not be admitted. This is confirmed in the jurisprudence of *Prosecutor v. Bagosora et al* in the ICTR, where documents purportedly copied by the FBI in Rwanda in September 1994 were not admitted as the Prosecution did not provide any indication of where the documents were found, by whom they were found, or the chain of custody between their discovery and production in court.²³
17. Therefore the Defence submit that as a pre-condition to admission, the Prosecution must produce a witness to testify as to the chain of custody, which should show that the Documents are in fact from White Flower. Absent this, the admission of the documents would undermine the integrity of the proceedings.

of documents include the extent to which the document's content is corroborated by other evidence, the place where it was obtained, whether it is an original, etc).

²¹ *Prosecutor v. Bagosora et al*, ICTR-98-41-T, Decision on the Prosecutor's Motion for the Admission of Certain Materials Under Rule 89(C), 14 October 2004, para. 22.

²² Article 17

²³ *Prosecutor v. Bagosora et al*, ICTR-98-41-T, Decision on Admission of Tab 19 of Binder Produced in Connection With Appearance of Witness Maxwell Nkole, 13 September 2004.

The probative value of the evidence is outweighed by its prejudicial effect

18. Based on the above submissions, namely that there is no proper chain of custody so it is unclear whether the Documents actually came from White Flower and that the Prosecution is not calling a witness to explain or give relevance to the contents of the Documents, the Chamber should exclude these documents under its inherent jurisdiction because their probative value is outweighed by its prejudicial effect. The second ground for excluding these documents for their prejudice to the Accused is that, as mentioned above, witnesses who could have testified and possibly brought some clarity to the content of the Document have already taken the stand in this trial. Therefore these documents can longer be tested in cross-examination. Furthermore, the Defence submits that it is itself prejudice to the Accused that the Prosecution have had these documents in its possession for such a long time and have had the chance to introduce them through various witnesses but chose to admit them only now at such a late stage in the trial and without an opportunity for the Defence to challenge the evidence through the Prosecution's witnesses in court.
19. For the above reasons the Documents should be excluded because their probative value is outweighed by their prejudicial effect.

B. If only Rule 89(C) is applied

20. All Documents must be relevant, must not violate Rule 95, and their probative value must outweigh their potential prejudice.
21. At the outset, the Defence notes that it does not accept that the Document at Tab 4 is relevant to "planning of various operations at the end of 1998 including Kono – Freetown and Segbwema – Kenema".²⁴ There is no mention of this in the document and there are no submissions on which to base this prejudicial contention.
22. The rest of this section summarises the application of the relevant test for admitting new documents under Rule 89(C) as approved by the ICTY Appeals Chamber in *Prosecutor v. Kordic and Cerkez*.²⁵ This summary is based on a full detailed analysis, which can be found in Annex B of this Response. These include the following considerations: the documents

²⁴ Motion, Annex A, p.3.

²⁵ *Prosecutor v. Kordic and Cerkez*, Appeals Judgment, No. IT-95-14/2-A, 17 December 2004, para. 190.

22908

have already been considered by the Court (documents 1, 2, 3, 5 and 9)²⁶, they are not sufficiently significant (documents 3, 6, and 11 concern events outside the scope of the Indictment) and they are cumulative of other evidence already admitted (all documents except 7 and 11).

IV. Conclusion

23. In conclusion, the Defence submits as follows:

- a) The proper gateway for admitting the Documents is Rules 89(C) and 92bis. Under these rules the Documents should be excluded because they go to the acts and conduct of the accused or his alleged subordinate groups, and/or their probative value is outweighed by their prejudicial effect;
- b) If the Chamber is minded to consider the Documents solely under Rule 89(C) then the Documents should still be excluded under the Chamber's inherent jurisdiction. Further, they should be excluded because they fail the *Kordic and Cerkez* test.

Respectfully Submitted,



SILAS O'HARA



Courtenay Griffiths Q.C.

Lead Counsel for Charles G. Taylor

Dated this 8th Day of December 2008

The Hague, The Netherlands

²⁶ *Prosecutor v Taylor*, SCSL-03-01-PT-241, 'Prosecution Motion for Admission of Material Pursuant to Rules 92bis and 89C', 17 May 2007.

Table of Authorities

Prosecutor v. Taylor

Prosecutor v. Taylor, SCSL-03-01-T-369, Decision on Prosecution's Motion for Admission of Material Pursuant to Rules 89(C) and 92bis, 7 December 2007

Prosecutor v. Taylor, SCSL-03-01-T-556, Decision on Prosecution Notice Under Rule 92bis for the Admission of Evidence Related to *Inter Alia* Kenema District and on Prosecution Notice Under Rule 92bis for the Admission on the Prior Testimony of TF1-036 into Evidence, 15 July 2008

Prosecutor v. Taylor, SCSL-03-01-T-650, Prosecution Motion for Admission of Documents of the United Nations Bodies, 29 October 2008

Prosecutor v. Taylor, SCSL-03-01-T-652, Prosecution Motion for Admission of Extracts of the Report of the Truth and Reconciliation Commission of Sierra Leone, 31 October 2008

Prosecutor v. Taylor, SCSL-03-01-T-659, Prosecution Motion for Admission of Documents Seized from Foday Sankoh's House, 6 November 2008

Prosecutor v. Taylor, SCSL-03-01-T-663, Defence Response to Prosecution Motion for Admission of Extracts of the Report of the Truth and Reconciliation Commission of Sierra Leone, 10 November 2008

Prosecutor v. Taylor, SCSL-03-01-T-664, Defence Response to Prosecution Motion for the Admission of Documents of the United Nations and United Nations Bodies, 10 November 2008

Prosecutor v. Taylor, SCSL-03-01-T-672, Defence Response to Prosecution Motion for Admission of Documents Seized from Foday Sankoh's House, 17 November 2008

Prosecutor v. Taylor, SCSL-03-01-T-670, Prosecution Reply to Defence Response to Prosecution Motion for Admission of Documents of the United Nations and United Nations Bodies, 17 November 2008

Prosecutor v. Taylor, SCSL-03-01-T-667, Prosecution Reply to Defence Response to Prosecution Motion for Admission of extracts of the Report of the Truth and Reconciliation Commission of Sierra Leone, 17 November 2008

Prosecutor v. Taylor, SCSL-03-01-T-677, Defence Reply to Prosecution Motion for Admission of Documents from RUF Office, 24 November 2008

Prosecutor v. Sesay et al

Prosecutor v. Sesay et al, SCSL-04-15-T-1049, Decision on Defence Application for the Admission of the Witness Statement of DIS-129 Under Rule 92bis, or in the Alternative, Under Rule 92ter, 12 March 2008

22910

ICTY

Prosecutor v. Kordic and Cerzek, No. IT-95-14/2-A, Judgment, 17 December 2004
<http://www.un.org/icty/kordic/appeal/judgement/cer-aj041217e.pdf>

Prosecutor v. Milutinovic et al, No. IT-05-87-T, Decision on Prosecution Motion to Admit Documentary evidence, 20 October 2006

Prosecutor v. Oric, No. No. IT-03-68-T, Decision on Defence Motion for the Admission of the Witness Statement of Avdo Husejnovic Pursuant to Rule 92bis, 15 September 2005

ICTR

Prosecutor v. Bagosora et al, ICTR-98-41-T, Decision on the Prosecutor's Motion for the Admission of Certain Materials Under Rule 89(C), 14 October 2004

Prosecutor v. Bagosora et al, ICTR-98-41-T, Decision on Admission of Tab 19 of Binder Produced in Connection With Appearance of Witness Maxwell Nkole, 13 September 2004

Prosecutor v. Bagosora et al, ICTR-98-41-T, Decision on Ntabakuze Motion to Deposit Certain United Nations Documents, 19 March 2007

22911

Annex A

Annex B: Objection to Admission of Liberia Search Documents

Doc.	Title/Date	Objection	Explanation
1	Blank stationery entitled "Combined Junta and RUF Forces of the Republic of Sierra Leone", Randall Street, Zone 2, PO Box 5261	<input checked="" type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> • Submitted Annex A, p.39, Motion 241¹ • Exhibit P-59 AFRC/RUF Junta Command Structure Circa May 25 1997 – February 1998 as indicated by TF1-371; • Exhibit P-60 AFRC/RUF Junta Military Command Structure Circa May 25 1997 – February 1998 as indicated by TF1-371; and, • Exhibit P-62 AFRC/RUF Command Structure After the Fall of the Junta Circa March 1998 as indicated by TF1-371.
2	Picture ID card of Jean Michel Sore	<input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> • Original not available for inspection • Submitted Annex A, p.38, Motion 241² • Accused's alleged connections to Burkina Faso <ul style="list-style-type: none"> ○ Prosecutor v Taylor, Transcript, p.10031:17-10031:20, (TF1-561) ○ Prosecutor v Taylor, Transcript, p.12747:18-12750:29, (TF1-375) ○ Prosecutor v Taylor, Transcript, p.5793:15-5798:1, (TF1-532)
3	Situation Report & Recommendation from Lt Gen Samuel G Varney, Sr Military Advisor, Armed Forces of the NPFL to Charles G Taylor Chairman & C-I-C of NPFL	<input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other <input checked="" type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> • Original not available for inspection • Submitted Annex A, p.38, Motion 241³ • Outside the period of the Indictment • Position of Samuel Varney in NPFL <ul style="list-style-type: none"> ○ Prosecutor v Taylor, Transcript, p.9919:3-9919:6, (TF1-561) • Original not available for inspection
4	Republic of Liberia, Ministry of Foreign Affairs, Officials of	<input type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<p align="center">Command structure in 1998</p>

¹ *Prosecutor v Taylor*, SCSL-03-01-PT-241, 'Prosecution Motion for Admission of Material Pursuant to Rules 92bis and 89C', 17 May 2007.

² *Ibid.*

³ *Ibid.*

229/2

Annex B: Objection to Admission of Liberia Search Documents

22913

Doc.	Title/Date	Objection	Explanation
	Government accompanying their Excellencies The President of the Republic of Liberia and Mrs Taylor on their Official Visit to the Republic of France, September 28 thru (sic) October 1, 1998	<input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other	<ul style="list-style-type: none"> Prosecutor v Taylor, Transcript, p.10251:16-10252:21, (TF1-561) (positions of Captain and Jibba) Prosecutor v Taylor, Transcript, p.6999:28 – 7002:3, p.7755:8 – 7756:11 (TF1-516) (position of Yeaten)
5	Memo from U-50 to U-52	<input checked="" type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> Submitted Annex A, p.38, Motion 241⁴ Command structure and plurality of persons 1999 <ul style="list-style-type: none"> Prosecutor v Taylor, Transcript, p.6999:28 – 7002:3, p.7755:8 – 7756:11 (TF1-516) (position of Benjamin Yeaten) Prosecutor v Taylor, Transcript, p.9885:22-9886:5 (TF1-561) (position of Joseph Montgomery) Exhibit P-31, Charles Taylor and the War in Sierra Leone, ERN 00026609, (position of Adolphous Taylor) Ongoing links to Libya <ul style="list-style-type: none"> Prosecutor v Taylor, Transcript, p.6958:26-6959:22, (TF1-516) Prosecutor v Taylor, Transcript, p.6648:24-6652:29, (TF1-532) Prosecutor v Taylor, Transcript, p.1993:7-1993:28, (TF1-276)
6	Deployment Report to Charles G Taylor Jr, ATU Commander, from the Office of the S-3 ATU Base	<input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> Original not available for inspection Unclear how this relates to the Indictment Command structure of ATU in 1999 <ul style="list-style-type: none"> Prosecutor v Taylor, Transcript, p.8498:17-8499:26, (TF1-334) Prosecutor v Taylor, Transcript, p.11800:4-11800:28, (TF1-590)

⁴ Ibid.

Annex B: Objection to Admission of Liberia Search Documents

22914

Doc.	Title/Date	Objection	Explanation
		<input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other	<ul style="list-style-type: none"> There is no mention in the document of intelligences sources saying that insurgent forces are massing on the Guinea border as contended by the Prosecution on page 3 of Annex of the Motion⁵ Original not available for inspection
7	Entry from "Pen Tab Steno Notebook"	<input type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input type="checkbox"/> Cumulative <input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other	
8	Selected Entries from Gregg Ruled Green Tint Steno Book with "U-176 - Col Beer, Chief for Highway Patrol" written on the front cover	<input type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> Guest house in Monrovia <ul style="list-style-type: none"> Prosecutor v Taylor, Transcript, p.13024:13-13033:28, (TF1-567) Prosecutor v Taylor, Transcript, p.10313:19-10314:3, (TF1-561) Supplies to Sam Bockarie <ul style="list-style-type: none"> Prosecutor v Taylor, Transcript, p.13424:15-13425:22, (TF1-388) (including drums of petrol, diesel and engine oil, bags of rice, salt, Maggi and batteries)
		<input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other	<ul style="list-style-type: none"> Original not available for inspection Parts of document illegible: 00029060-61, 00029064-65, 00029081, 00029085-86 Top parts of document cut off by photocopy 00029062, 00029094 Whole page illegible 00029096 and 00029098 Submitted Annex A, p.39, Motion 241⁶
9	Letter from Ahmad Tejan Kabbah to Charles Taylor dated 29 Jan 2001 with	<input checked="" type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> Bockarie in Monrovia in 2001

⁵ *Prosecution v Taylor*, SCSL-03-01-T681, 'Admission of Liberia Search Documents', 1 December 2008.

⁶ *Ibid.*

Annex B: Objection to Admission of Liberia Search Documents

22915

Doc.	Title/Date	Objection	Explanation
	cover letter	<input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other	<ul style="list-style-type: none"> o Prosecutor v Taylor, Transcript, p.2451:27-2452:5, (TF1-371) o Prosecutor v Taylor, Transcript, p.9469:9-9471:17, (TF1-571) (May 2000) o Prosecutor v Taylor, Transcript, p.13455:23-13457:16, (TF1-388) (March 2000)
10	2 Letters from Jonathan C Taylor, Minister of State for Presidential Affairs and Chairman of the Cabinet to the Minister of Finance	<input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> • Original not available for inspection • Ongoing links with Libya <ul style="list-style-type: none"> o Prosecutor v Taylor, Transcript, p.6958:26-6959:22, (TF1-516) o Prosecutor v Taylor, Transcript, p.6648:24-6652:29, (TF1-532) o Prosecutor v Taylor, Transcript, p.1993:7-1993:28, (TF1-276)
11	Handwritten document regarding immunity	<input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input type="checkbox"/> Cumulative <input type="checkbox"/> Anonymous/hearsay <input checked="" type="checkbox"/> Other	<ul style="list-style-type: none"> • Original not available for inspection • Outside scope of Indictment (Rule 93 evidence) • Parts of the handwriting are illegible • Original not available for inspection