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SCSL-03-01-T

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THE SPECIAL COURT FOR SIERRA LEONE

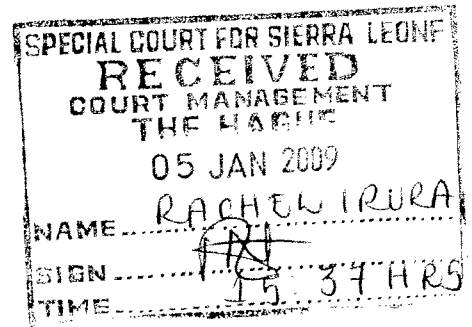
In Trial Chamber II

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

Registrar: Mr. Herman von Hebel

Date: 05 January 2009

Case No.: SCSL-2003-01-T



THE PROSECUTOR

-v-

CHARLES GHANKAY TAYLOR

PUBLIC

**DEFENCE RESPONSE TO PROSECUTION MOTION FOR ADMISSION
OF DOCUMENTS OF CERTAIN NON-GOVERNMENTAL ORGANISATIONS
AND ASSOCIATED PRESS RELEASES**

Office of the Prosecutor:

Ms. Brenda J. Hollis
Ms. Julia Baly
Ms. Kathryn Howarth

Counsel for Charles G. Taylor:

Mr. Courtenay Griffiths, Q.C.
Mr. Terry Munyard
Mr. Andrew Cayley
Mr. Morris Anyah

I. Introduction

1. On 12 December 2008, the *Prosecution Motion for Admission of Documents of Certain Non-Governmental Organisations and Associated Press Releases* (“Motion”) was filed with related Annexes,¹ seeking the admission of certain NGO documents (“the NGO Documents”). The relief sought by the Motion was requested 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 submits that:
 - a. Rule 89(C) cannot be used in isolation to admit the NGO Documents (or portions thereof) which are the subject of the Motion.²
 - b. The NGO Documents are only admissible under Rule 89(C) in conjunction with Rule 92*bis* and not Rule 89(C) alone; any evidence within the NGO 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 filed seven similar motions which rely on the same legal principles as does the present Motion.³ In its Responses⁴ to those motions, the Defence articulated its

¹ *Prosecutor v. Taylor*, SCSL-03-01-T-684 *Motion for Admission of Documents of Certain Non-Governmental Organisations and Associated Press Releases*, 12 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. *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. *Prosecutor v. Taylor*, SCSL-03-01-T-681, *Prosecution Motion for Admission of Liberian Search Documents*, 1 December 2008, *Prosecutor v. Taylor*, SCSL-03-01-T-695, *Prosecution Motion for Admission of Certain Documents of Intergovernmental Organisations & Certain Governments*, 02 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*,

views regarding the correct legal principles to be applied when a party seeks admission of a document without a witness. In order not to repeat the same arguments herein, the Defence respectfully refers the Chamber to paragraphs three through nineteen of the UN Documents Response, substituting any reference to “UN Documents” with “NGO Documents” for purposes of the present Motion. A few additional observations and submissions are made below.

NGO evidence is not sufficiently reliable therefore should not be admitted

4. There has been specific guidance in relation to NGO Documents in the case of *Milutinovic* which states that statements taken by NGOs which were not “prepared for the purpose of legal proceedings before the Tribunal” were only potentially admissible under Rule 89(C) provided that sufficient indicia of reliability was evident in the excerpts of the reports themselves. That decision specifically refers to Human Rights Watch reports which are also contained in the current Prosecution Motion numbers 1-5 and 12. The jurisprudence indicates that in the event that no such indicia of reliability are contained in the reports, it would be the case that an insufficient showing of reliability should be made and the evidence therefore should be found to be inadmissible.⁵ The trial chamber excluded two reports by Human Rights Watch on the basis that:

‘With regard to the excerpts of the challenged reports that are based on interviews and statements of persons who were reporting alleged crimes during the indictment period these organisations’ careful methods can best assure the accuracy of the process for recording the information contained in the eventual report, not the reliability of the material contents for the purposes of criminal proceedings. While both the challenged reports use extensive footnotes throughout these excerpts, they do not identify the persons interviewed, leaving the sources of this critical information largely anonymous. Moreover, Ms. Mitchell testified that she was in a supervisory role with regards to the collection and analysis of the information gathered from the persons...she did not state

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; *Prosecutor v. Taylor*, SCSL-03-01-T-688, Defence Response to the Prosecution Motion for Admission of Liberia Search Documents; 8 December 2008, *Prosecutor v. Taylor*, SCSL-03-01-T-695, Defence Response to the Prosecution Motion for Admission of Certain Documents of Intergovernmental Organisations & Certain Governments, 12 December 2008.
⁵ *Prosecutor v. Milutinovic et al*, No. IT-05-87-T, *Decision on Evidence Tendered through Sandra Mitchell and Frederick Abrahams* (1 September 2006) at paras. 19, 22; *Prosecutor v. Milutinovic et al*, No. IT-05-87-T, *Decision on Evidence Tendered Through Fuat Hazhibeqiri* (8 September 2006); *Prosecutor v. Milutinovic et al*, IT-05-87-T, *Decision Denying Prosecution’s Second Motion for Admission Evidence Pursuant to Rule 92 bis* (13 September 2006).

that she ever took any of these statements herself...Not having had the opportunity of hearing any of the persons upon whose statements these excerpts are based the Chamber is not in a position to assess the reliability of the factual contentions contained therein.⁶

5. In respect of the NGO Documents which are the subject of the Motion, the Defence avers that the documents are not reliable material for the purposes of criminal proceedings. All documents do not identify the persons interviewed, leaving the sources of this critical information largely anonymous. Furthermore, the writers of these reports were in supervisory roles with regards to the collection and analysis of the information gathered from the persons. They did not generally take statements themselves.⁷ Not having had the opportunity of hearing any of the persons upon whose statements these excerpts are based, the Defence submits that the Chamber is not in a position to assess the reliability of the factual contentions contained therein.
6. The evidence contained in the NGO Documents were created with the purpose of highlighting human rights abuses for the individual needs of the NGOs and not for creating an objective factual account of what actually happened at the time of the event that is being depicted. Indeed, the mission statement of "Human Rights Watch" states that it is an "organization dedicated to defending and protecting human rights. By focusing international attention where human rights are violated, we give voice to the oppressed and hold oppressors accountable for their crimes... Human Rights Watch has worked tenaciously to lay the legal and moral groundwork for deep-rooted change"⁸

Arguendo: the NGO Documents as expert evidence

7. Further, and alternatively, the Defence submits that the NGO Documents should be viewed as expert evidence and the authors as expert witnesses.⁹

⁶ *Prosecutor v Milutinovic et al*, No. IT-05-87-T, *Decision on Evidence Tendered Through Sandra Mitchell and Frederick Abrahams* (1 September 2006) at para. 21.

⁷ See Document number 5 page 23190, also see **Annex C**

⁸ See website: <http://www.hrw.org/en/about>

⁹ Document 1,2 ,3 and 5 are based on interviews with witnesses and/or victims and investigation conducted by Corinne Dufka, who was an Expert Prosecution Witness in this case and testified from 21 January 2008 to 22 January 2008. During her testimony various reports have been marked for identification and amongst those these two with the Prosecution intended to admit into evidence: Human Rights Watch Publication "We'll kill you if you cry, Sexual violence in the Sierra Leone Conflict" Vol.15 No.1 (A) January 2003 was already marked for identification as MFI-11, see *Prosecutor v Taylor*, SCSL-2003-01-TT, 22 January 2008, page 1824-1825. Also Human Rights Watch Report: Sowing Terror, Atrocities against civilians in Sierra Leone, Vol.10, No.3 (A) July

8. In this regard, the Defence respectfully refers the Trial Chamber to submissions regarding the legal tests for expert evidence as made in its Response to the Prosecution's Motion to admit documents from the Truth and Reconciliation Commission¹⁰. In summary, the key points of the test are: the material is of a technical nature and it requires a specific knowledge of field. Moreover, and even if the documents do qualify as expert evidence, they cannot go to the guilt of the Accused.
9. Annex C to this Response provides an analysis of several documents that satisfy the standards of this test.¹¹

III. Submissions

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

Acts and conduct of accused are not admissible

10. 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.¹² The Defence submits that the documents in many instances speak directly about the Accused and his involvement in the Sierra Leonean conflict.¹³
11. 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.

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

1998 was also marked for identification as MFI-2 *Prosecutor v Taylor*, SCSL-2003-01-TT, 21 January 2008, page 1789. The Defence would like to remind the Chamber that the Defence objected to have these documents admitted and Corinne Dufka to be considered as an expert witness, *See Prosecutor v Taylor*, SCSL-2003-01-TT, 22 January 2008, page 1941 to 1944.

¹⁰ *Prosecutor v Taylor*, SCSL-2003-01-663, Defence Response to Prosecution Motion for Admission of Extracts of the Report of the Truth and Reconciliation Commission of Sierra Leone, 10 November 2008, paras 5-8.

¹¹ See **Annex C** – Example document 8 and 18 fulfil both criteria in being of a technical nature and it requiring a specific knowledge of field.

¹² *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.

¹³ See **Annex A**

12. The Prosecution cannot rely on 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.¹⁴
13. Many of the documents refer to other alleged subordinates of the Accused, such as Foday Sankoh, Sam Bockarie, and Johnny Paul Koroma¹⁵. 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.”¹⁶
14. The very nature of the documents relate to critical and proximate elements of the case against the accused. Additionally, the Defence submits that within the NGO documents there are additional extracts apart from those identified by the Prosecution which fall under acts and conducts of the Accused, but which have not been identified by the Prosecution.
15. As such, and in the attached Annex A, the Defence highlights *all* information that goes to the acts and conducts of the accused (emphasis added). Thus, if admitted, a witness who is knowledgeable about the contents of the documents should be provided for cross-examination.¹⁷

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

16. The Defence submits that if the documents were admitted it would be essential to have available someone who could speak to the contents and relevance of the documents.
17. Where the Prosecution does not intend to offer the documents through a witness, the Trial Chamber may not be able to decipher the context of the documents and thus determine their

¹⁴ 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.

¹⁵ See **Annex A**

¹⁶ Pgs 4 *Prosecutor v Taylor*, SCSL-03-01-556, “Decision on Prosecution Notice Under 92bis for the Admission of Evidence Related to *Inter Alia* 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**”)

¹⁷ *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.

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 As a pre-condition to admission, the Prosecution should have produced a witness to decipher, explain, and provide context to the Documents.

18. The fact that these documents are being produced at such a late stage of the proceedings means that witnesses that have already testified cannot be challenged regarding the content or accuracy of the documents. The Prosecution has already called a number of witnesses who might have been capable of commenting on the contents of the documents.

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

19. Based on all of the foregoing, the Defence submits that the Chamber should exclude these documents for the additional reason that admitting them would be prejudicial to the Accused, due to the fact that witnesses who could have testified and possibly brought some clarity to the content of the documents have already taken the stand at trial. Therefore, these documents cannot be tested in cross-examination without the time and expense of recalling witnesses. Furthermore, the Defence submits that it is prejudicial to the Accused that the Prosecution has had these documents in its possession for such a long time and certainly had the opportunity to introduce them through various witnesses, and having failed (or intentionally elected not) to do so, are trying instead to have them admitted 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.
20. 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

21. All documents must be relevant, must not violate Rule 95, and their probative value must outweigh their potential prejudice. If the Chamber was minded to admit the documents under

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).

- Rule 89C alone, then the tests under *Kordic and Cerkez*²⁰ may be applied as in former submissions. Annex B of this Response outlines the Defence objections in this regard.
22. The Defence makes the following response to the Prosecution's assertion that the exclusionary conditions set out in the *Kordic and Cerkez* test are irrelevant to the considerations regarding the admission of documents in the Special Court.²¹ In fact, prongs of the exclusionary test have been applied in the subsequent ICTY case of *Prosecutor v. Milutinovic*,²² thus demonstrating the case's impact on later jurisprudence. In that case, the Prosecution attempted to admit a plethora of documents through Rule 89(C) well before the close of the Prosecution case. In its deliberations, the Trial Chamber considered, among other things, the documents' cumulative nature²³ and deemed them inadmissible.
23. These include the following considerations: the document has already been considered by the Court, it is not sufficiently significant, it is cumulative of other evidence already admitted and is based on anonymous sources.

Already admitted

24. The ICTY Appeals Chamber upheld the *Kordic and Cerkez* Trial Chamber's Decision to admit the documents under Rule 89(C). The relevant exclusionary condition for the documents was that:
- 'the material had already been produced in other proceedings before the International Tribunal and therefore had been available to the Prosecution when it presented its case'²⁴
25. All 20 documents in the NGO Documents were produced and were in the public domain before the case commenced and were available to Prosecution when it presented its case. Therefore they should now be excluded.

²⁰ Appeals Judgment, Case No. IT-95-14/2-A, Para 190.

²¹ *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, para. 7; *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, para. 17.

²² *Prosecutor v. Milutinovic et al*, No. IT-05-87-T.

²³ Paras. 23 and 24 (refusing to admit maps that would only serve to flood the Chamber with repetitive information).

²⁴ *Prosecutor v Kordic and Cerkez*, Appeals Judgment, Case No. IT-95-14/2-A, Para 190.

Not sufficiently significant: crime-base or outside Indictment²⁵

26. Several of the documents refer to crime-base evidence²⁶ that is arguably of insufficient significance at this stage of the trial. Many other documents²⁷ refer to events outside the scope of the Indictment, which the Defence asserts is also of insufficient significance.

Cumulative

27. All of the documents, except for 11, 12, 14 and 17, refer to matters which have already been spoken to by numerous witnesses and in documentary evidence before the Court. The following are illustrative examples:

- a. Document 7 is identical in source, content and time period to Exhibit P-79;
- b. Document 8's main findings, statistical data, methodology, peer review, identifiable trends, specific examples, hearsay evidence and descriptions of attackers are "copied verbatim" in Exhibit P-73; and,
- c. Documents 9 and 10's conclusions on the widespread use of child soldiers, their abduction, training and arming by Liberians, and use by the RUF and AFRC, and in the Liberian civil war are already covered in detail in Exhibit P-43.

Based on anonymous or hearsay sources

28. All of the documents are based on anonymous or hearsay sources, which are incapable of being tested in cross-examination. The following are illustrative examples:

- a. The witnesses who provide evidence on which several of the NGO's documents²⁸ are based are not identifiable because either their names are not provided, or only their first name or they are given a pseudonym;
- b. Documents 14 and 15 do not identify sources for their information or leave witnesses nameless or cite other reports made by the same organisation; and

²⁵ *Prosecutor v Taylor*, SCSL-03-01-PT-263, Prosecution's Second Amended Indictment, 29 May 2007 ("the Indictment").

²⁶ Documents 1, 4, 5, 6, 7, 8, 9, 10, and 18.

²⁷ Documents 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19 and 20.

²⁸ The Human Rights Watch reports (Documents 1-5), Amnesty International reports (Documents 6, 9), Physicians for Human Rights report (Document 8), Coalition for Child Soldiers report (Document 10) and Women Waging Peace and The Policy Commission (Document 18).

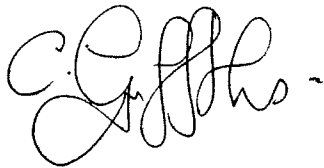
- c. Other documents simply do not identify their hearsay sources at all: "Hassan Bility was reportedly slapped and kicked before being shoved into a car and driven away."²⁹

IV. Conclusion

29. In conclusion, the Defence submits as follows:

- a) The proper gateway for admitting the documents is Rules 89(C) and 92*bis*. Under these rules, the NGO Documents should be excluded because they go to the acts and conduct of the Accused, or to those of individuals and/ or groups allegedly subordinate to the Accused, and/or their probative value is outweighed by their prejudicial effect;
- b) Should the Chamber elect to consider the documents solely under Rule 89(C), then the documents should still be excluded in the discretion of Chamber, pursuant to its inherent jurisdictional power. Furthermore, the documents should be excluded because it fails the *Kordic and Cerkez* test.

Respectfully Submitted,



Courtenay Griffiths, Q.C.
Lead Counsel for Charles G. Taylor
Dated this 5th Day of January 2009
The Hague, The Netherlands

²⁹ Document 16, Amnesty International: Liberia: Hassan Bility Incommunicado detention without charge, p.23459.

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ICTY

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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

23844

ANNEX A

Annex A: Objection to Admission of Certain NGO Documents through Rules 89(C) and 92bis

23845

Doc.	Title/Date	Objection	Explanation
1	Human Rights Watch Report: Sierra Leone Getting Away with Murder, Mutilation, Rape – Part I. Summary	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> No information as to the author of the document Extracts in the document intended to be admitted by the Prosecution lists that during the Freetown invasion arm amputations, killings and massacres were committed by Liberians. [page 23002, 3rd paragraph]
2	Human Rights Watch Report: Sierra Leone: Getting Away with Murder, Mutilation, Rape – Part III. Background	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> No information as to the author of the document This document intended to be admitted by the Prosecution lists that the RUF entered Sierra Leone from Liberia – RUF being supported by Liberian fighters from Charles Taylor’s NPFL which developed into a campaign of violence whose principal aim appeared to be to gain access to the country’s diamond and mineral wealth [page 23007] – Charles Taylor’s NPFL and later the Liberian Government assisted the RUF by means of training, personnel, logistical support and supply of arms [page 23009] The document further lists Foday Sankoh and Johnny Paul Koroma considered to be subordinates of Mr. Taylor [page 23007 and 23008]
3	Human Rights Watch Report: Sierra Leone: Getting away with Murder, Mutilation, Rape – Part IV. Human Rights Abuses Committed by RUF Rebels	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> No information as to the author of the document Extracts in the document intended to be admitted by the Prosecution lists a number of witnesses and victims talking of crimes committed or done to them. Witnesses and/or victims are only identifiable by first name and no further information therefore not susceptible of confirmation and entirely unreliable Witness ‘Mani’ states that one of the commanders who ordered the execution of civilians introduced himself as a Liberian [page 23041]
4	Human Rights Watch Report: Sowing Terror, Atrocities against civilians in Sierra Leone, Vol.10, No3 (A) – July 1998	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> Extracts in the document intended to be admitted by the Prosecution explains and refers that the AFRC/RUF who were involved in a number of gross violations of human rights comprise of Charles Taylor’s NPFL. Therefore any mention of AFRC/RUF in this document committing

Annex A: Objection to Admission of Certain NGO Documents through Rules 89(C) and 92bis

23846

Doc.	Title/Date	Objection	Explanation
			<p>crimes etc. indirectly goes to the NPFL and consequently to the acts and conducts of the Accused [page 23079, footnote 1]</p> <ul style="list-style-type: none"> The document also lists Foday Sankoh, Major Johnny Paul Koroma considered to be subordinates of Mr. Taylor [page 23079, footnote 1] Witness ' Ruth B' states that she knew that some of the soldiers were Liberian by the language they spoke – it is described in footnote 26 that many refugees interviewed described their captors as having spoken with the Liberian accent but where not able to say if they were Liberian fighters. Many believe them to be Liberian anyway. This goes to the acts and conducts of the accused and the critical element of the prosecution case which is additionally not susceptible of confirmation as it refers to 'many' unidentified refugees [page 23087 and footnote 26 on the same page] Witness ' Alice M' states that the room next to hers where she was captured was a Liberian commando room, in footnote 37 it is further stated that the interviewee claimed that there were Liberian fighters among the AFRC/RUF [page 23090 and footnote 37 on the same page] This particular extract talks of the Human Right Watch interviewing Liberians, Sierra Leoneans and foreign agency staff, who claimed to have witnessed interactions between Liberian military and members of the AFRC/RUF [page 23100]
5	Human Rights Watch Publication – "We'll kill you if you cry, Sexual violence in Sierra Leone Conflict" Vol.15 No. 1 (A), January 2003	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> Extracts in the document intended to be admitted by the Prosecution explains and refers to the Accused directly, it refers to Mr. Taylor and the NPFL sponsoring the RUF in Sierra Leone – in addition there is reference to: <ul style="list-style-type: none"> - violence and looting by the Liberians [23125] - RUF being assisted by Liberian forces, who also committed rape and sexual violence [page 23141]

Annex A: Objection to Admission of Certain NGO Documents through Rules 89(C) and 92bis

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Doc.	Title/Date	Objection	Explanation
6	Amnesty International: 'Sierra Leone: Rape and other forms of sexual violence against girls and women' AFR 51/53/00	<input checked="" type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input type="checkbox"/> Acts/Conduct of Accused, Subordinates <input type="checkbox"/> Critical element of Pros case	<p>- the rebels being a mix of Sierra Leoneans and Liberians [page 23144]</p> <p>- rape victim 'M.P.' states that the rebels spoke Liberian English [page 23146 and 23147]</p> <p>- witness 'A.B.' states that one of the rebels included a Liberian [page 23152</p> <p>- mention of Commander Patrick being a Liberian [page 23158]</p> <ul style="list-style-type: none"> • The extracts intended to be admitted by the Prosecution also refer to Foday Sankoh [page 23125, 23148,23151] and Superman [page 23147,23148] considered to be subordinates of Mr. Taylor • Through this documents the Prosecution is trying to bring in crime based evidence which is completely not susceptible of confirmation as the witnesses and victims names are unidentifiable • The document is irrelevant because it is predominantly opinion based • The document is irrelevant and not susceptible to confirmation because the victims are unnamed and unidentifiable • The documents contain wide sweeping statements about 'rebels' which is merely speculative • The document contains statistic evidence but does not explain the methodology of how the figures are calculated • The report is based on hearsay evidence without any of the safeguards provided by the court i.e. a witness available for cross examination
7	(MSF) Medecins Sans Frontieres MSF 1998 Report, "Atrocities against civilians in Sierra Leone" 1 st May 1998	<input checked="" type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> • The victims are unidentified • The document refers to an alleged direct subordinate, Johnny Paul Koroma. [page 23204] • The document goes to the critical element of the Prosecutions case when it refers to the RUF supported

Annex A: Objection to Admission of Certain NGO Documents through Rules 89(C) and 92bis

Doc.	Title/Date	Objection	Explanation
8	Physicians for Human Right report, War Related Sexual Violence in Sierra Leone, A Population Based Assessment	<input checked="" type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	AFRC [page 23204] <ul style="list-style-type: none"> There is an issue with the compilation of the statistics and how far general statistics are relevant to the Prosecutions case and how far these statistics are susceptible to confirmation The report contains speculation [page 23206]
9	Amnesty International Report on Child Soldiers – Sierra Leone: Childhood – a casualty of conflict 31.08.2000	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> The statistics within the document are not susceptible to confirmation as the victims are unidentifiable There is no methodology sought for admission as to how the statistics were compiled therefore the statistics are irrelevant The document is based on opinions of the interviewees, especially with reference to the punishment The statistics can not be entirely accurate as they only provide two options either agree or disagree. The nature of the statistics provides no opportunity for explanation The document refers to persons whom are alleged subordinates to Charles Taylor. The document refers to Rambo, Foday Sankoh, Superman and Issay Sesay [page 23308] The document refers to Liberians in conjunction to the war in Sierra Leone. This is a critical element of the Prosecution case In addition, all references to Liberians should be taken to go to the acts and conduct of the accused
			<ul style="list-style-type: none"> Hearsay given by unnamed victims not susceptible of confirmation [pg 23347,23348] Extracts contain information going directly to the acts and conducts of the accused including reference to: <ul style="list-style-type: none"> The RUF being ordered to kill any civilian they came across after hearing of Foday Sankoh being tried [pg 23345] Johnny Paul Koroma, Liberia, Col. Gabriel Mani, and West Side Boys [pg 23345, 23346, 23348, 23349, 23359, 23360 & 23361].

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Annex A: Objection to Admission of Certain NGO Documents through Rules 89(C) and 92bis

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Doc.	Title/Date	Objection	Explanation
10	Coalition to Stop the Use of Child Soldiers: Child Soldiers Global Report 2001 01.05.2001	<input type="checkbox"/> Irrelevant <input type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> - Also direct reference to Charles Taylor and him 'orchestrating the activities of the RUF'. Prosecution have failed to underline this reference [pg 22361] • Critical elements of the Prosecution case include reference to: <ul style="list-style-type: none"> - Camp Lion and Liberian trainers; - arms and ammunition crossing into Sierra Leone from Liberia; - Charles Taylor providing support to the RUF [pg 23346, 23347, 23359, 23360 & 23361] • Extracts contain information going directly to the acts and conduct of the accused including reference to: <ul style="list-style-type: none"> - Liberia and its support for the RUF [pg 23393] - Johnny Paul Koroma and West Side Boys [pg 23394] - Prosecution have also erroneously stated that the extract refers to "SYB Rogers" when in fact the extract refers to "SWB Rogers" [pg 23400] • Critical elements of the Prosecution case include references to: <ul style="list-style-type: none"> - Child Soldiers; and - Support for the RUF coming from Liberia. [pg 23393]
11	Associated Press release: U.S. – based groups urges United Nations to extend sanction against Liberia 02.05.2002	<input type="checkbox"/> Irrelevant <input type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> • Extracts contain information going directly to the acts and conducts of the accused as identified and underlined by the Prosecution [pg 23406]
12	Associated Press release: U.S. – based groups urges United Nations to extend sanction against Liberia 19.07.2002	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> • No information about the author of the document • Extracts contain information going directly to the acts and conducts to the accused as identified and underlined by the Prosecution. [pg 23409] • Critical element of the Prosecution includes reference to the use of child soldiers in order to demonstrate a consistent pattern of conduct [pg 23409]

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Doc.	Title/Date	Objection	Explanation
13	News article from Agence France-Presse: Liberia denies human rights abuses 20.7.2002	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> No information about the author of the document Extracts contain information going directly to the acts and conducts to the accused as identified and underlined by the Prosecution [pg 23411] Critical elements of the Prosecution case are referred to: <ul style="list-style-type: none"> - child soldiers; and - Liberia supporting the Sierra Leonean rebels [pg 23411, 23412]
14	Human Rights Watch Press Release: Deteriorating Human Rights Situation in Liberia 19.07.2002	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> No information about the author of the document Identity of the alleged victims is not identified [pg 23418, 23423-23424] Cannot verify the information as the author is unknown [pg 23420] Extracts contain information going directly to the acts and conducts to the accused as identified and underlined by the Prosecution <ul style="list-style-type: none"> - Reference to Charles Taylor government committing war crimes [pg 23414]. However Prosecution have failed to underline these references to Charles Taylor government [pg 23415, 23418 – 23420] Critical element of the Prosecution case is referred to by reference to war crimes committed in the Liberian war including use of child soldiers in order to establish a consistent pattern of conduct [pg 23414]
15	Amnesty International: Towards a future founded on human rights (AI Index: AFR 51/05/1996). September 1996	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> No information about the author of the document Extracts contain information going directly to the acts and conducts to the accused including reference to: <ul style="list-style-type: none"> - Foday Sankoh stating that the RUF were responsible for committing atrocities and Amnesty International writing a letter to Foday Sankoh [pg 23446, 23450]
16	Amnesty International: Liberia; Hassan Bility incommunicado and	<input checked="" type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates	<ul style="list-style-type: none"> Not susceptible of confirmation unless Hassan Bility is called Hassan Bility is reserve witness and these documents

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Doc.	Title/Date	Objection	Explanation
	detention without charge. 08.2002	<input type="checkbox"/> Critical element of Pros case	<p>should be adduced through the witness in order for the witness to attest to their veracity</p> <ul style="list-style-type: none"> • Not relevant because these refer to events in Liberia and not to the Sierra Leonean conflict • Charles Taylor directly implicated • The nature of the report is not for legal proceedings but as part of a campaign by Amnesty International to bring awareness to the situation in Liberia
17	Amnesty International: "Fear for safety/Fear of torture or ill-treatment/incommunicado detention/health concern" 28.10.2002	<input checked="" type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input type="checkbox"/> Acts/Conduct of Accused, Subordinates <input type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> • Not susceptible of confirmation unless Hassan Bility is called • Hassan Bility is reserve witness and these documents should be adduced through the witness in order for the witness to attest to their veracity • The nature of the report is not for legal proceedings but as part of a campaign by Amnesty International to bring awareness to the situation in Liberia
18	Women Waging Peace and The Policy Commission, "From Combat to Community: Women and Girls of Sierra Leone.	<input type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input checked="" type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> • Alleged subordinate of the accused Foday Sankoh referred to in the document • Critical element of the Prosecution case because page 2 states Foday Sankoh led attacks from Liberia • Not susceptible of confirmation because the victims are unknown
19	Updated No. 36/2000 on ICRC activities in West Africa: Sierra Leone – Guinea – Liberia 15.12.2000	<input type="checkbox"/> Irrelevant <input type="checkbox"/> Not Susceptible of Confirmation <input type="checkbox"/> Acts/Conduct of Accused, Subordinates <input checked="" type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> • Seeks to link Sierra Leone and Liberia
20	Amnesty International: Liberia Action Must be Taken Now to Protect Lives of Civilians Threatened by Armed Conflict (AFR 34/01/96) 04.12.1996	<input checked="" type="checkbox"/> Irrelevant <input checked="" type="checkbox"/> Not Susceptible of Confirmation <input type="checkbox"/> Acts/Conduct of Accused, Subordinates <input type="checkbox"/> Critical element of Pros case	<ul style="list-style-type: none"> • Incomplete copy provided by the Prosecution. Irrelevant as it simply discusses the Liberian conflict

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ANNEX B

Annex B: Objection to Admission of Documents of Certain Non-Governmental Organisations and Associated Press Releases Pursuant to Rule 89C OR, in the Alternative, Rules 89C and 92bis

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Doc.	Title/Date	Objection	Explanation
1	Human Rights Watch Report: Sierra Leone Getting Away with Murder, Mutilation, Rape- Part I. Summary	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> • Crime-base evidence- January 6, 1999 <ul style="list-style-type: none"> ◦ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188 (details crimes of killings, use of civilians as shields, amputations, rape, child soldiers, abductions, burning) ◦ Exhibit P-205A p.29-59 Transcript, SCSL, Prosecutor v Alex Tamba Brima, Brima Bazzy Kamara & Santigie Borbor Kanu 9 & 10 March 2005, (sexual slavery) ◦ [Need something about Liberian speaking people] • “The names of all witnesses and survivors, except where noted, have been changed in order to protect their identity” 23004 • “Witnesses described rebels throwing civilians, sometimes children into burning houses and shooting at those trying to escape...” 23001 • “By June 1999, the ministry of Social Welfare Gender, and Children’s Affairs had registered 573 adults who had either been abducted or gone missing, UNICEF had classed as abducted some 1.500 children registered as having gone missing during the offensive” 23001 • “Victims of arm amputation s, killings, and massacres said some their assailants, were from Liberia and Burkina Faso” 23002
2	Human Rights Watch Report: Sierra Leone Getting Away with Murder, Mutilation, Rape- Part III. Background	<input 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"> • Motive of the campaign to gain access to diamonds- outside scope of the Indictment¹ • Background of the war in Sierra Leone <ul style="list-style-type: none"> ◦ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, p.1-3 (section on political context describes AFRC coup and period up to ECOMOG intervention in February 1998) ◦ Exhibit P-60 AFRC/RUF Junta Military Command Structure Circa May 25 1997 – February 1998 as indicated by TF1-371

¹ *Prosecutor v Taylor*, SCSL-03-01-PT-263, Prosecution’s Second Amended Indictment, 29 May 2007 (“the Indictment”).

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Doc.	Title/Date	Objection	Explanation
			<ul style="list-style-type: none"> ○ RUF joins the AFRC Junta ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – (rebel attack on Freetown 00015182 – 00015183) ○ Prosecutor v Taylor, Transcript p. 8257:22-8258:23, 22 April 2008 (capture of Kono by rebels) • Liberian fighters from NPFL joined the RUF <ul style="list-style-type: none"> ○ Exhibit P-18, Report of the panel of experts established by resolution 1306 – S/2000/1195, adopted on 20 December 2000, p.35 ○ Exhibit P-31, "Charles Taylor and the War in Sierra Leone", Report of Stephen Ellis & Corrigenda p.11 ○ Exhibit P-32, Report of the Panel of Experts Pursuant to Security Council Resolution 1343 (2001) p.22 • RUF campaign of violence aimed to acquire access to mineral wealth <ul style="list-style-type: none"> ○ Exhibit P-18, Report of the Panel of Experts Established by Resolution 1306 - S/2000/1195, Adopted on 20 December 2000 para 67 (diamond areas become primary military focus of RUF) • The document is part of the above document which does not identify its sources by name: "The names of all witnesses and survivors, except where noted, have been changed in order to protect their identity" 23004 (see above)
3	Human Rights Watch Report: Sierra Leone Getting Away with Murder, Mutilation, Rape- Part IV. Human Rights Abuses committed by the RUF Rebels	<input checked="" type="checkbox"/> Anonymous/hearsay <input 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"> • Crime-base evidence- January 6, 1999 • Under crimes, reports use of drugs by the RUF and forced drugging of civilians - outside scope of the Indictment • Crimes in Freetown January 1999: <ul style="list-style-type: none"> ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188 (details crimes of killings, use of civilians as shields, amputations, rape, child soldiers, abductions, burning) ○ Exhibit P-205A p.29-59 Transcript, SCSL, Prosecutor v Alex

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Doc.	Title/Date	Objection	Explanation
			<p>Tamba Brima, Brima Bazzy Kamara & Santige Borbor Kanu 9 & 10 March 2005, (destruction & killing in eastern Freetown)</p> <ul style="list-style-type: none"> o Prosecutor v Taylor, Transcript 24/6/08, p.12612:27-12613:14 (burning house, killings, abductions) o Exhibit P-204B, Trauma and Disease Pattern of Rebel-abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20590 (abductions, sexual violence) o Prosecutor v Taylor, Transcript 13/10/08, p18116:4-18116:11(amputations, rape, burnt houses)
		<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> • “According to numerous survivors interviewed by Human Rights Watch, the massacre within the Rogbalan Mosque was an organized, premeditated operation, involving two groups of rebels...” 23016 • The names of all witnesses and survivors, except where noted, have been changed in order to protect their identity regarding: <ul style="list-style-type: none"> o use of games to maximize terror 23023 o targeting of Particular groups 23026 o use of civilians as human shield 23033 o the use of drugs by the RUF and forced drugging of civilians 23037 o rape and sexual assault 23044 o abduction 23054 o treatment of prisoners 23057
		<input type="checkbox"/> Other	
		<input type="checkbox"/> Already Produced/admitted	
		<input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> • Crime-base evidence- Kono district, 1998
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> • Reports of a war of Terror against civilians in Sierra Leone being carried out by the AFRC/RUF involving physical mutilation, torture, murder, amputations, rape and beatings; <ul style="list-style-type: none"> o Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, p.8,9 &11 o Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015175-00015196 o Exhibit P-130 UN Security Resolution, 5th Report of the
4	Human Rights Watch Report: Sowing Terror, Atrocities against civilians in Sierra Leone, Vol. 10, No.3 (A)- July 1998		

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Doc.	Title/Date	Objection	Explanation
			<p>Secretary-General on the situation in Sierra Leone, 9 June 1998, pp.3, 5-9</p> <ul style="list-style-type: none"> ○ Exhibit P-79, MSF Press Release- Mutilations of Civilians on the increase in Sierra Leone, 5 May 1998 ● Reports of attacks in Koidu area (Kono District) since February 1998 and “Operation No Living Thing” and “Operation Pay Yourself”. <ul style="list-style-type: none"> ○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, p.10&11 ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 0001517 ○ Exhibit P-79, MSF Press Release- Mutilations of Civilians on the increase in Sierra Leone, 5 May 1998 ● Detailed reports of killings and mutilations in Kono district in 1998, including in Tombodu. <ul style="list-style-type: none"> ○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, p.10&11 ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015176,para-19 ○ Exhibit P-79, MSF Press Release- Mutilations of Civilians on the increase in Sierra Leone, 5 May 1998 ● Reports of targeting of children by the AFRC/RUF and that children are murdered, mutilated, tortured, beaten, raped, enslaved for sexual purposes, forced to work and forced to become soldiers. <ul style="list-style-type: none"> ○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, p.14&15 ○ Exhibit P-204B, Trauma and Disease Pattern of Rebel-abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20589 ○ Exhibit P43 Children associated with the fighting forces in Sierra Leone, Report for OTP 4/5/07 p 23-24 ● Reports of widespread sexual violence, including rapes and abductions of women and girls and their use as wives by the AFRC/RUF and the use of these crimes to terrorize the community. Also records that witnesses referred to perpetrators with Liberian accents.

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Annex B: Objection to Admission of Documents of Certain Non-Governmental Organisations and Associated Press Releases Pursuant to Rule 89C OR, in the Alternative, Rules 89C and 92bis

Doc.	Title/Date	Objection	Explanation
			<ul style="list-style-type: none"> ○ Exhibit P-73, Expert Report of Beth Vann- Conflict-related Sexual Violence in Sierra Leone, 14 May 2007 p2,4,7&8 – Girls as young as 13 and women ip to age 55 described being abducted while fleeing fighting or gathering food or firewood, and then raped, often repeatedly, and often by several men. Some were held for only a day, others were held for months before they were able to escape..All described seeing many other captives who were also raped, forced to serve as “wives”. ○ Exhibit P-130 UN Security Resolution, 5th Report of the Secretary-General on the situation in Sierra Leone, 9 June 1998, pp.3, 5-9 ○ Exhibit P-203 p.2 Adoption of Statement by Witness and Interview Notes, 4 July 2008 ○ Exhibit P-43 Children associated with the fighting forces in Sierra Leone, Report for OTP 4/5/07 p. 23-24 ○ Exhibit P-204B, Trauma and Disease Pattern of Rebel-abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20589 ● Reports that abductions of civilians by the AFRC/RUF are common place and that women and girls are used as “wives” and that civilians are used as human shields. <ul style="list-style-type: none"> ○ Exhibit P-204B, Trauma and Disease Pattern of Rebel-abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20589 ○ Exhibit P-73, Expert Report of Beth Vann- Conflict-related Sexual Violence in Sierra Leone, 14 May 2007 p2,4,7&8 ○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, P.13& 15 ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015178,para 25, 00015179, Para 28, 00015183,para 41 ● Reports of civilians having been abducted by the AFRC/RUF and forced to carry loads and perform other tasks. <ul style="list-style-type: none"> ○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities

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Annex B: Objection to Admission of Documents of Certain Non-Governmental Organisations and Associated Press Releases Pursuant to Rule 89C OR, in the Alternative, Rules 89C and 92bis

Doc.	Title/Date	Objection	Explanation
			<ul style="list-style-type: none"> ○ against civilians, Amnesty International Report, P.15 ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015180, para 34 ○ Exhibit P-204B, Trauma and Disease Pattern of Rebel-abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20589 ● Reports of the abduction of women and girls by the AFRC/RUF and their use as sex slaves, including in Koidu during “Operation Pay Yourself” <ul style="list-style-type: none"> ○ Exhibit P-73, Expert Report of Beth Vann- Conflict-related Sexual Violence in Sierra Leone, 14 May 2007 p2, 4,7&8 ○ Exhibit P-43 Children associated with the fighting forces in Sierra Leone, Report for OTP 4/5/0 p.23-24 ○ Exhibit P-204B, Trauma and Disease Pattern of Rebel-abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20589 ○ Reports of the AFRC/RUF forcibly recruiting children and young men. ○ Exhibit P-43 Children associated with the fighting forces in Sierra Leone, Report for OTP 4/5/07- whole document ○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, P.14&15 ● Reports of the looting and burning of civilian’s homes by the AFRC/RUF as they retreated from ECOMOG forces, including in Port Loko District as part of “Operation Pay Yourself” <ul style="list-style-type: none"> ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188
		<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> ● “Human Rights Watch compiled information regarding the experiences of more than 500 survivors of atrocities...” 00011237 ● “According to international humanitarian groups...” 00011238 ● “Information from ECOMOG...” 00011238 ● “International observers in Sierra Leone...” 00011238 ● “Human Rights Watch took testimony from dozens of survivors and

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Doc.	Title/Date	Objection	Explanation
			<ul style="list-style-type: none"> • witnesses... " 00011244 • "One witness who..." 00011245 • "Although the attackers claim to be..." 00011246 • "Ike C. was a reporter for the Herald Guardian newspaper in Koidu town, Kono..." 00011248 • "Helen C. was a fish seller in Koidu." 00011248 • "Franklin M., a farmer from Sinegoro town, Kabalah District..." 00011248 • "Timothy C., a history teacher from Koidu..." 00011249 • "Catherine M., an administrator from Sebwema..." 00011249 • "Human Rights Watch received documentation on dozens of similar cases..." 00011250
5	Human Rights Watch Publication- "We'll kill you if you cry, Sexual violence in the Sierra Leone conflict" Vol.15 No.1(A), January 2003	<input 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"> • Submitted Annex A, p.12, Motion 241² • Crime-base evidence across whole of Sierra Leone throughout the war; some maybe outside scope of the Indictment • Motive of the campaign to gain access to diamonds- outside scope of the indictment • Reports of an RUF campaign of terror (which included widespread and systematic sexual violence and sexual slavery) with the principal aim of gaining access to the country's diamond wealth. <ul style="list-style-type: none"> ○ Exhibit P-73, Expert Report of Beth Vann- Conflict-related Sexual Violence in Sierra Leone, 14 May 2007 p2, 4,7&8 • Records the testimony of numerous victims of sexual violence, who were subjected to rape, sexual slavery and other forms of sexual violence in locations across Sierra Leone and throughout the conflict. Refers to the involvement of rebels from Liberia. Refers to the use of sexual violence to terrorise the population. Records the involvement of commanders in crimes of sexual violence. <ul style="list-style-type: none"> ○ Exhibit P-73, Expert Report of Beth Vann- Conflict-related Sexual Violence in Sierra Leone, 14 May 2007 p2, 4,7,8 &13-16

² *Prosecutor v Taylor*, SCSL-03-01-PT-241, 'Prosecution Motion for Admission of Material Pursuant to Rules 92bis and 89C', 17 May 2007.

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Doc.	Title/Date	Objection	Explanation
			<ul style="list-style-type: none"> ○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, p.8 ○ Exhibit P-130 UN Security Resolution, 5th Report of the Secretary-General on the situation in Sierra Leone, 9 June 1998, pp.3, 5-9 ○ Exhibit P-203 p.2 Adoption of Statement by Witness and Interview Notes, 4 July 2008 ○ Exhibit P-43 Children associated with the fighting forces in Sierra Leone, Report for OTP 4/5/0 p23-24 ○ Exhibit P-204B, Trauma and Disease Pattern of Rebel-abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20589
		<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> • “Human Rights Watch has documented...” 23119, 23141, 23142, 23143 • Under “Methodology”: “Over three hundred woman and girls were interviewed by Human Rights Watch...” 23124 • “In addition to the survivors, government officials, law enforcement officers, lawyers, key figures from the rebel forces, health personnel, religious leaders, and representatives of local and international nongovernmental organizations (NGOs) working in the areas of human rights, women’s rights, and health, as well as U.N. officials were interviewed”. 23124
		<input type="checkbox"/> Other	<ul style="list-style-type: none"> • “A survey of 991 female heads of households in communities of displaced persons carried out by Physicians for Human Rights (PHR) in 2002...” 23140 • “D.T., a twenty-five-year-old woman raped by...” 23141 • “A.B., a thirty-year-old who was raped by...” 23141 • “According to MSF...” 23142 and footnote 105 “Human Rights interview with MSF, Freetown, March 2000”. • “M.B., a fifteen-year-old girl from Freetown...” 23143 • “M.W., a thirty-eight-year-old nurse who...” 23143
6	Annesty International: “Sierra Leone: Rape and	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> • Crime-based evidence- Freetown

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Annex B: Objection to Admission of Documents of Certain Non-Governmental Organizations and Associated Press Releases Pursuant to Rule 89C OR, in the Alternative, Rules 89C and 92bis

Doc.	Title/Date	Objection	Explanation
	other forms of sexual violence against girls and women" AFR 51/53/00		<ul style="list-style-type: none"> • Outside scope of the Indictment - Port Loko and Bombali area in 2000
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> • Reports widespread sexual violence including rape on family members and particular reference to January 6 1999 invasion of Freetown and Port Loko and Bombali in 2000: <ul style="list-style-type: none"> ○ Exhibit P-204B, Trauma and Disease Pattern of Rebel-abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20589 (describes medical treatment of 1,189 civilians, the majority of whom were abducted from Freetown, and suffered physical, psychological and sexual trauma) ○ Exhibit P-73, Expert Report of Beth Vann- Conflict-related Sexual Violence in Sierra Leone, 14 May 2007, whole document (refers to evidence from 60 interviews with victims of sexual violence who fled Freetown in 1999 and witness of public rape of 20-25 girls a day for three days in Freetown from January 8 1999 – 00031566; report concludes sexual violence was widespread and systematic – 00031569)
		<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> • "Mariatu (not her real name)..." 23193 • "Studies by the United Nations Children's Fund (UNICEF) have shown..." 23194 • "A high incidence of rape was also reported..." 23194 • "A policeman in Kingtom witnessed..." 23194 • "An 11-year-old abducted from Freetown in January 1999..." 23194 • "One rape victim quoted the combatant..." 23195 • "On 1 February 2000 the human rights section of the UN Mission in Sierra Leone (UNAMSIL)... reported that..." 23195 • "According to health care workers, pregnancies resulting from rape..." 23195 • "Among those reported to have been raped..." 23196 • "Two women were reported to have been raped..." 23196 • "During June 2000 an Amnesty International delegation in Sierra Leone met a number of women who had been raped..." followed by quotations of "a woman aged 29 years who fled Makeni on 30 May

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Annex B: Objection to Admission of Documents of Certain Non-Governmental Organizations and Associated Press Releases Pursuant to Rule 89C OR, in the Alternative, Rules 89C and 92bis

Doc.	Title/Date	Objection	Explanation
7	(MSF) Medecins Sans Frontieres, MSF 1998 Report, "Atrocities against civilians in Sierra Leone", 1 May 1998	<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"> • 2000" and "A woman aged 45 years..." 23196-7 • Will be covered by previous documents above (Human Rights Watch) • Crime-based evidence -Kono District • Interview of patients by Medecins Sans Frontieres showing high incidence of mutilations from Kono attending Connaught Hospital from April 1998 including reports of killings, burning houses, rapes and civilians being told to take messages to ECOMOG and President Kabbah <ul style="list-style-type: none"> ○ Exhibit P-79, Medecins Sans Frontieres Press Release- Mutilations of Civilians on the increase in Sierra Leone, 5 May 1998 (1998), (document virtually identical – same source, same content, same time period) • Based on the observations of "the surgical teams of the international medical aid agency Medecins Sans Frontieres (MSF) at Connaught Hospital, Freetown, started recording..." 23204 • And interviews with 70 unnamed patients 23205-7
8	Physicians for Human Rights report, War Related Sexual Violence in Sierra Leone, A population Based Assessment	<input 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"> • Crime-based evidence - for whole of Sierra Leone 1997-1999 • Sexual violence widespread during 1997-1999 and principal perpetrators were RUF including statistics on prevalence of sexual violence – the findings of this report are "copied verbatim" (note 12 at 00035144) in Exhibit P-73, Expert Report of Beth Vann- Conflict-related Sexual Violence in Sierra Leone, 14 May 2007, including the following references to the "PHR Report": <ul style="list-style-type: none"> ○ Methodology described and peer review mentioned - 00031555 ○ Sexual violence common practice among rebel groups - 00031556 ○ Statistics cited - 00031558 ○ Specific types of rape mentioned from PHR report – 00031557-8 ○ Hearsay evidence from PHR report on the identity and

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Pursuant to Rule 89C OR, in the Alternative, Rules 89C and 92bis**

Doc.	Title/Date	Objection	Explanation
			<ul style="list-style-type: none"> ○ affiliation of attackers including references to Sankoh, Issa Sesay, Commander Superman – 00031561 ○ Wearing red cloths on foreheads and Tupac Shakur t-shirts – 00031561 ○ Included Liberians – 00031561 ○ Victims told to go to Pa Kabbah – 00031561 ○ Main perpetrators RUF – 00031561 <p>Exhibit P-73 similarly concludes that sexual violence was widespread and systematic – 00031569</p>
		<p><input checked="" type="checkbox"/> Anonymous/hearsay</p>	<ul style="list-style-type: none"> ● Under “Methods of Investigation”: “PHR sampled 1,048 households in three IDP camps (near Freetown, Port Loko, and Kenema) and one community with a large number of IDPs, Mile 91 Township”. 23229 ● Referred to “Katmara B, a 13-year-old girl...” 23230 ● “A young woman, Marie K...” 23231 ● “Some of the women who reported...” 23231 ● “PHR interview a fifteen-year-old girl, Bola N...” 23231 ● “Isata, a 15-year-old girl...” 23232 ● “Sixty five percent of respondents...” 23232 ● “There are reports of pregnant women disemboweled...” 23250 ● “Based on interviews with victims and witnesses...” 23250 ● “The extent of the rebel’s signature mutilations reportedly declined...” 23251 ● “Subjects of the PHR survey consisted of female heads of household...” 23262 ● Unnamed “participants” and “respondents” 23266-23286 ● “All participants were informed of the purpose of the interview...” 23288 ● Interviewees included: “Bola N” 23289-90, “Sampa K” 23290-1, “Aminata K” 23291-2, “Kadiatu S” 23292-3, “Katmara B” 23293-4, “Isata” 23294-5, “Zainab K” 23295 continued at 23304 ● “interviews a Sierra Leonean woman” 23298, and “Aminata B” 23305 and “Musu” 23305-6 ● “About a fourth of these reported that...” 23310 ● “The majority of women did not reply or stated that...” 23311

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Annex B: Objection to Admission of Documents of Certain Non-Governmental Organizations and Associated Press Releases Pursuant to Rule 89C OR, in the Alternative, Rules 89C and 92bis

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Doc.	Title/Date	Objection	Explanation
9	Amnesty International Report on Child Soldiers-Sierra Leone Childhood-a casualty of conflict	<input 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"> • Crime-based evidence • Some aspects outside scope of the Indictment as it refers to the whole war period • Reports of the widespread use of children during the Sierra Leone conflict: <ul style="list-style-type: none"> ○ Exhibit P-43 Children associated with the fighting forces in Sierra Leone, Report for OTP 4/5/07- whole document • Reports of child combatants about their abductions, training by Liberians with Liberian weapons and use to terrorize the civilian population during the junta: <ul style="list-style-type: none"> ○ Exhibit P-43 para. 182 • Reports of the abduction and use of child combatants by the RUF after May 2000: <ul style="list-style-type: none"> ○ Exhibit P-43 - whole document, p.15-16 ○ Exhibit P-31 Charles Taylor and the War in Sierra Leone, Report for OTP 05/12/2006 p.18 • Reports the involvement of the government of Liberia and Charles Taylor in providing military assistance to rebel forces in Sierra Leone: <ul style="list-style-type: none"> ○ Exhibit P-18, Report of the panel of experts established by resolution 1306 -- S/2000/1195, adopted on 20 December 2000, p.35 ○ Exhibit P-31, p.11 ○ Exhibit P-32, Report of the Panel of Experts Pursuant to Security Council Resolution 1343 (2001) p.22 • Especially in relation to Liberia and Accused: <ul style="list-style-type: none"> ○ "Abdul [name changed to protect identity] ... was taught how to use a variety of weapons...AK47 and AK58 rifles which had come from Liberia" 23346 ○ "The government of Liberia had been consistently cited as violating the embargo on military assistance to rebel forces in Sierra Leone" 23359

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Doc.	Title/Date	Objection	Explanation
			<ul style="list-style-type: none"> ○ “In April 1999 the commander of ECOMOG...accused Liberia...” 23359-23360 ○ “Accusations against Liberia have continued and intensified.....” 23360 • In relation to crimes <ul style="list-style-type: none"> ○ “Peter [name changed to protect identity] a former child combatant, said: ‘When I was killing, I felt like it wasn’t met doing these things. I had to because the rebels threatened to kill me’” 23345 ○ “Ibrahim [name changed to protect identity]... was captured by the RUF...and taught how to use weapons, how to advance and attack the enemy and how to ambush” 23345 ○ “Ibrahim [name changed to protect identity]...told Amnesty International that on 19 June 2000 when RUF forces ...heard that RUF leader Foday Sankoh was going to be tried in 1998..[was] ordered to kill any civilian...[and] any fighter of children...reluctant to do the killings were severely beaten. We were aksed...to do everything possible to terrorize the civilians. It was during this period that people’s hands and limbs were cut off, in Kono, Masingbi, Matatoka, Magburaka and Makeni” 23345 ○ “Abdul [name changed to protect identity] ...was abducted buy the RUF...in Kenema [1997]...taught how to use a variety of weapons [at Camp Lion] including AK47 and AK58 rifles” 23346 ○ “David [name changed to protect identity]... was abducted in 1996 by RUF and together with another 40 children, was trained to fight at Camp Lion... otherwise the RUF people would beat [him] or kill [him]....those killed by the RUF [included] a boy aged...1. He was beaten to death because he refused to continue training...another child aged 14 was also beaten and killed” 22347 ○ “Komba [name changed to protect identity]... was captured buy the RUF in Bombali District” 22347 ○ Anonymous former child combatants’ testimonies of

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Doc.	Title/Date	Objection	Explanation
10	Coalition to Stop the use of Child Soldiers: Child Soldiers Global Report 2001	<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay	abduction, enslavement and being used as child soldiers by the AFRC during the Junta period. 23348 para 3 – 23349 <ul style="list-style-type: none"> o Anonymous reports from Kambia District, Northern Province, during May 2000 regarding the continuing forced recruitment of children by the RUF after May 2000 of child combatants’ testimonies of abduction, enslavement and children being used as child soldiers on pain of death 23356-23357 <ul style="list-style-type: none"> • • • Crime-based evidence • Some aspects outside scope of the Indictment as it refers to the whole war period • Use of child soldiers in Liberia outside scope of the Indictment • Report on the use of child combatants by the AFRC and RUF: <ul style="list-style-type: none"> o Exhibit P43 Children associated with the fighting forces in Sierra Leone, Report for OTP 4/5/07- whole document o Exhibit P18 Security Council Report 20/12/00- para. 182 • Report on the use of child soldiers during their civil war in Liberia particularly in the NPFL which is reported to have included SBU’s: <ul style="list-style-type: none"> o Exhibit P-31, “Charles Taylor and the War in Sierra Leone”, Report of Stephen Ellis & Corrigenda p.15 • “Liberia also supports the Revolutionary United Front (RUF)...” 23393 • “In 1999 Liberian authorities denied recruitment...” • “It is well known that... There are no precise figures but it is believed that...” • Quotes from “Mr. George” and “Robert” about being conscripted into the fighting forces 23394 • “According to disarmament/demobilization data collected by UNICEF...” • “According to UNICEF...” 23395 • In the entire section on Sierra Leone there is no mention of particular sources, at least none that could be produced for cross-examination

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Doc.	Title/Date	Objection	Explanation
			<p>23397-23403</p> <ul style="list-style-type: none"> Quote from "Brima, a 12-year-old who became a soldier with the CDF..." 23399 Quotes from "Isatu" and "Sayo" 23400 Quote from "David, abducted by the RUF..." 23401 "Human Rights Watch...said it has compelling evidence..." (the entire article is based on the HRW report, but names no one who could be cross-examined) 23405-23407 HRW letter lists no sources other than "recent victims," so there is no one who can be cross-examined. 23416-23422 HRW gives testimonies from unnamed witnesses, such as "an elderly woman from a village..." 23423-23425 The Amnesty International report headed "Sierra Leone: Towards a future founded on human rights" has no sources whatsoever. The lengthy document, detailing the history of the Sierra Leonean conflict, is based on hearsay, statements from anonymous sources, and the reports of other organizations. None of the information contained within is susceptible to confirmation by cross-examination. 23427-23457
		<input checked="" type="checkbox"/> Other	<ul style="list-style-type: none"> Will be covered by previous documents above (Amnesty International report)
11	Associated Press release: US-based groups urges United Nations to extend sanction against Liberia	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> Outside scope of the Indictment and indictment period- Crimes in Liberia in Feb 2002 Repeats findings of above reports Cited reports based on anonymous and hearsay evidence "Human Rights Watch...said it has compelling evidence..." 23405-23406 "Human Rights Watch also accused President Charles Taylor's government..." 23405-23406 "...the Brussels-based advocacy group said." 23405-23406
12	Associated Press Newswires article:	<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> Outside scope of indictment and indictment period- Crimes in

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Doc.	Title/Date	Objection	Explanation
	Liberia government forces committing scores of war crimes, Human Rights Watch says	<input checked="" type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay	Liberia in April & May 2002 • Repeats findings of above reports • Cited reports based on anonymous and hearsay evidence • "...an international human rights organization charged Friday." 23409 • "Recent victims described how members..." 23409 • "...the group said." 23409 • "Human Rights Watch said it collected..." 23409 • "The group also received 'credible reports' that..." 23409 • •
13	News article from Agence France- Presse: Liberia denies human rights abuses	<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	• Outside scope of the Indictment - crimes in Liberia • Government of Liberia accuses rebels of perpetrating human rights abuses in northwestern Liberia: Exhibit D-35, United Nations Security Council, Letter Dated 22 March 2001 from the Permanent Representative of Liberia to the United Nations Addressed to the Secretary-General, S/2001/264, 23 March 2001, p.4 • "The report said that..." 23411 • "It said that testimonies collected between April and June..." 23411 • "The Human Rights Watch report also alleged..." 23411 • •
14	Human Rights Watch Press Release: Deteriorating Human Rights Situation in Liberia	<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay	• Outside scope of the Indictment - crimes in Liberia • Tab 14 consists of two letters and a report from Human Rights Watch sent to the UN in 2002. Much of the information HRW presents in these documents is given without any reference to a source. There is a section headed "Testimonies" that features victim's statements, but these victims remain nameless. • Will be covered by previous documents above (No.11 and 12,)
15	Amnesty International: Towards a future founded on human rights (AI)	<input checked="" type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	• Crime-based evidence and outside the Indictment period (Sept 96)

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Doc.	Title/Date	Objection	Explanation
	Index: AFR 51/05/1996)	<input checked="" type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> • Prosecutor v Taylor, Trial transcript 29/09/2008 P. 17504:12-17507:17 (rape, amputations in Kenema) • Prosecutor v Taylor, Trial transcript 21/05/2008, P. 10426:28-10429:20 (amputations in Kenema) • None of the information conveyed in the report is referenced to a person or any source that could be subjected to cross-examination. Only a few previous AI reports are cited.
16	Amnesty International: Liberia: Hassan Bility Incomunicado detention without charge	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> • Outside scope of the Indictment - arrest of journalist in Liberia in June 2002 • Especially in relation to Liberia and Accused: <ul style="list-style-type: none"> ○ "Hassan Bility was reportedly slapped and kicked before being shoved into a car and driven away [Monrovia]" 23459 ○ "The Liberian government's treatment of Hassan Bility has already been publicly condemned by civil society in Liberia and other West African countries, by the European Union, the US government" 23459 ○ "Charles Taylor... was elected President of the Republic. Since then, the government has indiscriminately associated Mandingos with armed opposition groups and, as a result, they have been disproportionately subjected to human rights violations by government forces" 23461
17	Amnesty International: "Fear for safety/ Fear of torture or ill-treatment/ incomunicado detention/ health concern"	<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> • Outside scope of the Indictment - arrest of journalist in Liberia in June 2002 • Especially in relation to Liberia and Accused: <ul style="list-style-type: none"> ○ "The detainees have been held solely because of real or perceived criticism of the government and their legitimate activities, including journalism and defence of human rights" 23464

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Doc.	Title/Date	Objection	Explanation
18	Women Waging Peace and The Policy Commission, "From Combat to Community: Women and Girls of Sierra Leone"	<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"> • Tenuous link to acts/conduct of accused in relation to charges (see No.16) • Crime-based evidence • Some aspects outside scope of the Indictment as it refers to the whole war period e.g. reference to early stages of the war (March 1991 at 23474) and to 1995 (23483) • Exhibit P-204B, Trauma and Disease Pattern of Rebel- abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20589 (abducted females) • Exhibit P-73, Expert Report of Beth Vann- Conflict-related Sexual Violence in Sierra Leone, 14 May 2007 (Nov 96- Jan 2002) • Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150 • Prosecutor v Taylor, Trial transcript 1/2/2008, P.2232:3-2232:27 (1991 bush wives, rape) • Prosecutor v Taylor, Trial transcript 24/4/08, P. 8465:22-8466:18 (bush wives) • Especially in relation to Liberia and Accused: <ul style="list-style-type: none"> ○ "Recruits from Liberia continued to enter the country, facilitation RUF control over the Resource-rich region" 23488 ○ "RUF forces consisted of three groups: those trained in Libya with fighting experience in Liberia, young men from Liberia and Sierra Leone who had little or no work and seasoned fighters from Taylor's army" 23483 • Regarding crimes: <ul style="list-style-type: none"> ○ "Table 1" Estimated figures of the number of child soldiers in the RUF 22,500. The figures in the table were generated from anonymous interviews obtained in August/September 2002. 23484 ○ "Ten-year-old Maria [name changed to protect identity]... was captured... [and] told to carry looted items for the rebels and was given a five-gallon container of palm oil; anytime she tried to rest she was beaten " 23484

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Doc.	Title/Date	Objection	Explanation
			<ul style="list-style-type: none"> ○ “Agnes V [name changed to protect identity] was nine years old when rebels attacked her village, the rebels rounded up around 50 people, locked them in a building and began to set it on fire[and burnt]. Agnes was forced to be the captive ‘wife’ of the commander for the next nine years” 23484 ○ “Mariama [name changed to protect identity] was seven years old when she was captured and spent 10 years with the AFRC/RUF...she was trained with...50 other girls and 100 boys” 23484 ○ “Saramba M [name changed to protect identity] spent five years with the RUF as a captive ‘wife’...she distributed weapons to boy and girl fighters prior to village raids” 23486 ○ “Lynette S. [name changed to protect identity] distributed loot to groups of boy fighters within her RUF compound” 23486 ○ “RUF commanders believed that a separation of camps would prevent civilians from witnessing atrocities committed by soldiers” 23486 ○ “Esther A [name changed to protect identity]... was captured by the RUF...she watched a her [3] siblings were killed” 23495
19	Updated No. 36/2000 on ICRC activities in West Africa: Sierra Leone-Guinea- Liberia	<input 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"> • • • Outside scope of the Indictment - alleged attacks by Liberia against Guinea in September 2000 • Liberia aids attacks into Guinea in latter part of 2000 <ul style="list-style-type: none"> ○ Prosecutor v Taylor, Transcript p.15163:18 -15164:19, 2 September 2008 ○ Prosecutor v Taylor, Transcript p.9509:6-9513:3, 12 May 2008 ○ Prosecutor v Taylor, Transcript p.5339:8-5340:4, 5 March 2008 • Especially in relation to Liberia and Accused: <ul style="list-style-type: none"> ○ “Guinean accuses Liberia of aiding attacks launched across

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Doc.	Title/Date	Objection	Explanation
			<p>its border with Liberia and Sierra Leone in which is says more than 600 people have been killed since early September [2000]" 23515</p> <ul style="list-style-type: none"> • And in relation to crimes: <ul style="list-style-type: none"> ○ "The conflict in Sierra Leone has affected millions of civilians in many ways: death, injury, mutilation, abduction,...loss of personal property, recruitment of child soldiers" 23515 ○ "Most [civilians] fled the northern area and the eastern diamond- fields occupied by the RUF" 23515-23516 ○ "Clashes in Kailahun region in July [2000] resulted in a large increase in the number of new war-wounded" 23519
20	<p>Amnesty International: Liberia Action Must be Taken Now to Protect Lives of Civilians Threatened by Armed Conflict (AFR 34/01/96)</p>	<input 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"> • • • Outside scope of the Indictment - alliance between NPFL and ULIMO-K in Liberia • NPFL and ULIMO-K alliances in 1996: <ul style="list-style-type: none"> • Prosecutor v Taylor, Transcript p.1952:12-1952:29, 22 January 2008 (describes ULIMO-K and NPFL joining forces against ULIMO-J in Monrovia April 2006) • Prosecutor v Taylor, Transcript p.13763:25-13764:11, 15 July 2008 (close subordinates of Taylor dealing arms with ULIMO-K in 1996) • Especially in relation to Liberia and Accused: <ul style="list-style-type: none"> ○ "The brutal civil war in Liberia, which began in December 1989, has been characterized by the killing of civilians and a blatant disregard for international humanitarian standards and human rights law" 23522 •

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ANNEX C

Annex C: Expert Evidence – Analysis of Documents

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Doc.	Title/Date	Objection	Explanation
1 to 3	Human Rights Watch Report: Sierra Leone Getting Away with Murder, Mutilation, Rape	<input checked="" type="checkbox"/> Technical Nature <input checked="" type="checkbox"/> Specific knowledge in a specific field <input checked="" type="checkbox"/> Usurping role of the judge	No technical information: “Several hundred witnesses and victims were interviewed, within their homes and centers for the displaced, in hospitals and clinics, market places, churches, mosques, and places of work. Interviews were conducted with government and United Nations officials, journalists, human rights activists, social workers, and members of national and international nongovernmental organizations.” Written and researched by Corinne Dufka, edited by legal counsel for Human Rights Watch
4	Human Rights Watch Report: Sowing Terror atrocities against civilians in Sierra Leone, Vol. 10, No.3 A	<input checked="" type="checkbox"/> Technical Nature <input checked="" type="checkbox"/> Specific knowledge in a specific field <input checked="" type="checkbox"/> Usurping role of the judge	<ul style="list-style-type: none"> • Part 1. Summary P6 “the unthinkable atrocities described in this report constitute war crimes and crimes against humanity” • Part IV. Human Rights Abuses committed by the RUF rebels. • P1 Para 1 “the rebel occupation of Freetown was characterized by the systematic and widespread perpetration of all classes of gross human rights abuses against the civilian population.” • P1 Para 4 “It is difficult to ascertain the level of seniority within the RUF at which the perpetration... was ordered, though the widespread participation in abuses suggests that they must have been authorized at a high level within the RUF’s command structures” No technical information, based on compilation of experiences of more than 500 survivors [Page 4] Written by Scott Campbell and Jane Lowicki, consultants (no information on their qualifications)
			<ul style="list-style-type: none"> • P12 Para 2 [00011245] “This war is being waged through attacks on the civilian population. AFRC/RUF soldiers typically capture civilians...and commit atrocities against them in an effort to instil terror. The AFRC/RUF appears to use this

Annex C: Expert Evidence – Analysis of Documents

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Doc.	Title/Date	Objection	Explanation
5	Human Rights Watch Publication – “We’ll kill you if you cry, Sexual violence in the Sierra Leone Conflict” Vol.15 No.1 (A), January 2003	<input type="checkbox"/> Technical Nature <input checked="" type="checkbox"/> Specific knowledge in a specific field <input type="checkbox"/> Usurping role of the judge	campaign of fear as a means of exerting political and military control” • P17 Para 2 “women and girls are the primary targets of widespread rape, sexual slavery and other forms of sexual violence” Used info from Doc 8 Physicians for human rights report; Also from MSF data- not based on its own original analysis. Written by Louise Taylor, consultant
8	Physicians for Human Rights report, War Related Sexual Violence in Sierra Leone, A Population Based Assessment	<input checked="" type="checkbox"/> Technical Nature <input type="checkbox"/> Usurping role of the judge <input checked="" type="checkbox"/> Specific knowledge in a specific field <input checked="" type="checkbox"/> Usurping role of the judge	P5 “participants were selected using systematic random sampling or a combination of systematic random sampling and cluster sampling”. P41 “findings... represent the most comprehensive population-based assessment to data of war-related sexual violence ... in Sierra Leone” Page ix & x- written by trained physicians and reviewed by human rights experts. Analysis using statistical software [Page 40-41] • P2 makes comment that “war-related sexual violence experiences perpetrated by armed combatants (RUF) are widespread among IDPS IN Sierra Leone; based on 991 households in 3 IDP camps and a township (Freetown, Port Loko, Kenema, Mile 91- p4), Also p37, registered IDP’s were living in 21 camps • P3 Based on percentages, extrapolates that approx 50,000 to 64,000 may have suffered such sexual abuses

Annex C: Expert Evidence – Analysis of Documents

Doc.	Title/Date	Objection	Explanation
18	Women Waging Peace and The Policy Commission "From Combat to Community: Women and Girls of Sierra Leone".	<input checked="" type="checkbox"/> Technical Nature <input checked="" type="checkbox"/> Specific knowledge in a specific field <input checked="" type="checkbox"/> Usurping role of the judge	<ul style="list-style-type: none"> P56 Findings that combatants "have committed widespread human rights abuses ... including: abductions, beatings, killings, sexual violence against women and men... <p>P34 Para 3 "A survey using quota sampling was used". Findings compared to previously published data, including historical facts [Para 5]</p> <p>Carlson- research specialist; Mazurana senior researcher [Page 23471]</p> <ul style="list-style-type: none"> P2 Para 3 "violence against women and children, and general terror in rural and urban centres quickly became cornerstones of the RUF movement and were encouraged by its leadership"

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