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SCSL-03-01-T  
(23523 - 23538)

23523



**THE SPECIAL COURT FOR SIERRA LEONE**

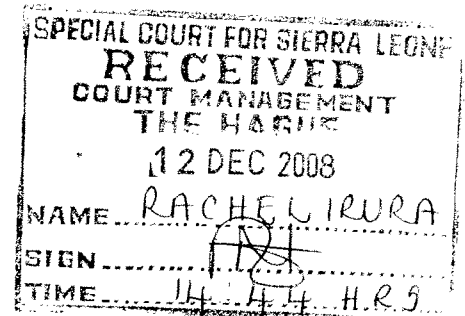
**In Trial Chamber II**

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

**Registrar:** Mr. Herman von Hebel

**Date:** 12 December 2008

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



**THE PROSECUTOR**

-v-

**CHARLES GHANKAY TAYLOR**

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PUBLIC

**DEFENCE RESPONSE TO PROSECUTION MOTION FOR ADMISSION  
OF DOCUMENTS OF CERTAIN INTERGOVERNMENTAL ORGANISATIONS & OF  
CERTAIN GOVERNMENTS**

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**Office of the Prosecutor**

Ms. Brenda J. Hollis  
Ms. Leigh Lawrie

**Counsel for Charles G. Taylor**

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

## I. Introduction

1. On 2 December 2008, the Prosecution filed a *Motion for Admission of Certain Documents of Intergovernmental Organisations & of Certain Governments* (“Motion”) with related Annex<sup>1</sup> (“the Documents”). The application was made pursuant to Rule 89(C), or alternatively under Rules 89(C) and 92*bis*, of the Special Court Rules of Procedure and Evidence (“Rules”).
2. Defence opposes the Motion and submit that:
  - a. Rule 89(C) cannot be used in isolation to admit the Documents included in the Motion.<sup>2</sup>
  - b. The Documents are only admissible under Rule 89(C) in conjunction with Rule 92*bis* provided that any evidence in the Documents that goes to the acts and conduct of the accused is inadmissible absent the opportunity for cross-examination.

## II. Applicable Legal Principles

3. The Prosecution recently submitted six similar motions which rely on the same legal principles as in the present Motion.<sup>3</sup> The Defence have filed Responses<sup>4</sup> to those motions, wherein it articulates the correct legal principles to be applied when a party seeks admission

<sup>1</sup> *Prosecutor v. Taylor*, SCSL-03-01-T-684 *Motion for Admission of Certain Intergovernmental Organisations & of Certain Governments*, 2 December 2008 (“**Motion**”).

<sup>2</sup> Motion, Annexes A and B.

<sup>3</sup> *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. *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.

<sup>4</sup> *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-659, Defence Response to Prosecution Motion for Admission of Documents from RUF OFFICE. *Prosecutor v. Taylor*, SCSL-03-01-T-682, Defence Response to Prosecution Motion for Admission of Newspaper articles obtained from the Catholic Justice and Peace Commission archive in Monrovia, Liberia 1 December 2008. *Prosecutor v. Taylor*, SCSL-03-01-T-688, Defence Response to the Prosecution Motion for Admission of Liberia Search Documents.

of a document without a witness. So as to not repeat the same argument, the Defence respectfully refers the Chamber to paragraphs three through nineteen of the UN Documents Response, substituting any reference to UN Documents with a reference to Documents from certain intergovernmental organisations and certain governments. A few additional observations and submissions are made below.

### III. Submissions

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

##### Acts and conduct of accused are not admissible

4. 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.<sup>5</sup> The Defence submits that the documents, in many instances, talk directly about the Accused and his involvement in the Sierra Leonean conflict.<sup>6</sup>
5. 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

6. The Prosecution cannot use Rules 89(C) and 92bis to seek admission of 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 therefore “proximate” to the accused – without giving the Defence a genuine opportunity for cross-examination of the evidence.<sup>7</sup>

<sup>5</sup> *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.

<sup>6</sup> Tab 1 ( page 17,25), Tab 3, Tab 4 ( page 00122820,00122824)

<sup>7</sup> UN Documents Response, para. 19; *Prosecutor v. Sesay et al*, SCSL-04-15-T-1049, Decision on Defence Application for the Admission of the Witness Statement of DIS-129 Under Rule 92bis, or in the Alternative, Under Rule 92ter, 12 March 2008, pgs. 1 and 3.

7. Many of the Documents refer to other alleged subordinates of the Accused such as Foday Sankoh<sup>8</sup>, Sam Bockarie<sup>9</sup>, Johnny Paul Koroma<sup>10</sup>. 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”.<sup>11</sup>
8. Additionally, the very nature of the documents relate to critical and proximate elements of the case against the accused. The Defence draws particular attention to Document 1, 3, 4 and 7, which directly go to the central matter in issue. Thus, if admitted, a witness who is knowledgeable about the contents of the documents should be provided for cross-examination.<sup>12</sup>

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

9. The Defence submits that if the documents were admitted, it would be essential to have available someone who could speak to their contents and relevance.
10. Where the Prosecution does not intend to offer the documents through a witness, the Trial Chamber would not be able to decipher the context of the documents and thus determine their usefulness to the proceedings. Consequently, they should be excluded.<sup>13</sup> A lack of context can render documents inadmissible as lacking sufficient indicia of reliability.<sup>14</sup>
11. As a pre-condition to admission, the Prosecution should have produced a witness to decipher, explain and provide context to the Documents. Specifically in regards to Document 1.
12. The fact that these documents are produced at such a late stage in the proceedings means that witnesses who have previously testified can not be challenged on the contents or accuracy of the documents. To date, the Prosecution has already called a number of witnesses who could have commented on the contents of the documents.

<sup>8</sup> Documents 1 and 5

<sup>9</sup> Documents 1, 2 and 4

<sup>10</sup> Document 1

<sup>11</sup> 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**”)

<sup>12</sup> *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.

<sup>13</sup> *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**”).

<sup>14</sup> *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).

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

13. On the basis of the foregoing submissions, the Chamber should exclude the documents for their prejudice to the Accused due to the fact that witnesses who could have testified and possibly brought clarity to the contents of the document have already taken the stand in this trial. The documents therefore can longer be tested in cross-examination without the time and expense of recalling witnesses. Furthermore, the Defence submits that it is itself prejudice to the Accused that the Prosecution has had these documents in its possession for such a long time and had ample opportunity to introduce them through various witnesses but are only trying to admit them now at such a late stage in the trial and without an opportunity for the Defence to challenge the evidence through a witnesses in court.
14. 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**

15. All Documents must be relevant, must not violate Rule 95, and their probative value must outweigh their potential prejudice. If the Chamber is minded to admit the document under Rule 89C alone, then the tests under the *Kordic and Cerkez*<sup>15</sup> must be applied per table Annex B.
16. The following factors must be considered: that the document has already been considered by the Court; that the evidence is not sufficiently significant; or that the evidence is cumulative of other evidence already admitted and is based on anonymous sources. In this case, one of the documents submitted has already been considered by the Court<sup>16</sup> (document 1); several of the documents pertain to matters outside the scope of the Indictment<sup>17</sup> (documents 1, 4 and 7); all of the documents, except document 5, are cumulative of matters already in evidence; and documents 1 and 2 are based on anonymous sources. The Documents must therefore be excluded per the *Kordic and Cerkez* test as more appears in Annex. B.

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<sup>15</sup> Appeals Judgment, Case No. IT-95-14/2-A, Para 190.

<sup>16</sup> *Prosecutor v Taylor*, SCSL-03-01-PT-241, 'Prosecution Motion for Admission of Material Pursuant to Rules 92bis and 89C', 17 May 2007.

<sup>17</sup> *Prosecutor v Taylor*, SCSL-03-01-PT-263, Prosecution's Second Amended Indictment, 29 May 2007.

#### IV. Conclusion

17. The Defence therefore submits as follows:

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

Respectfully Submitted,



SILAS CERKEZ

 **Courtenay Griffiths Q.C.**

**Lead Counsel for Charles G. Taylor**

Dated this 12<sup>th</sup> Day of December 2008

The Hague, the Netherlands

**Table of Authorities**

**Prosecutor v. Taylor**

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

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

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

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

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

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

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

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

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

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

**Prosecutor v. Sesay et al**

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

**ICTY**

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

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

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

**ICTR**

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

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

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



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**Annex A**

**Annex B: Objection to Admission of Documents of Certain Intergovernmental Organisations  
and of Certain Governments**

23532

Doc.	Title/Date	Objection	Explanation
1	Sierra Leone, Forgotten Crisis	<input checked="" type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> <li>• Submitted Annex A, p.3, Motion 241<sup>1</sup></li> <li>• Relates to crime-based evidence                         <ul style="list-style-type: none"> <li>○ Atrocities against women and children</li> <li>○ Rebel attacks during Abidjan peace process</li> <li>○ Crimes committed after 1999 invasion of Freetown</li> <li>○ Amputations, looting and child soldiers</li> </ul> </li> <li>• Outside scope of Indictment<sup>2</sup>: arms purchased from Burkina Faso and Libya</li> </ul>
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> <li>• Atrocities in Freetown 1999 and in retreat:                         <ul style="list-style-type: none"> <li>○ Exhibit P-111, BBC News Article, World Africa Battle for Sierra Leone, January 6 1999</li> <li>○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188</li> <li>○ Exhibit P-205A p.29-59 Transcript, SCSL, Prosecutor v Alex Tamba Brima, Brima Bazzy Kamara &amp; Santige Borbor Kanu 9 &amp; 10 March 2005,</li> <li>○ Exhibit P-206 p.7-20 Transcript, SCSL, Prosecutor v Issa Sesay, Morris Kallon &amp; Augustine Gbao, 28 November 2005</li> <li>○ Exhibit P-207 p.38-59, Transcript, SCSL, Prosecutor v Alex Tamba Brima, Brima Bazzy Kamara &amp; Santige Borbor Kanu, 6 April 2005</li> <li>○ Exhibit P-204B, Trauma and Disease Pattern of Rebel-abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20589</li> <li>○ Exhibit P-73, Expert Report of Beth Vann- Conflict-related Sexual Violence in Sierra Leone, 14 May 2007 p2</li> <li>○ Exhibit P43 Children associated with the fighting forces in Sierra Leone, Report for OTP 4/5/07- whole document</li> </ul> </li> <li>• Liberian Government statement on and denial of involvement in diamond trade and supply of arms to RUF:                         <ul style="list-style-type: none"> <li>○ Exhibit P-23 Letter to the UN Security Council Dated 24 January 2001 From the Permanent Representative of Liberia</li> </ul> </li> </ul>

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

<sup>2</sup> *Prosecutor v Taylor*, SCSL-03-01-PT-263, Prosecution's Second Amended Indictment, 29 May 2007.

**Annex B: Objection to Admission of Documents of Certain Intergovernmental Organisations  
and of Certain Governments**

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Doc.	Title/Date	Objection	Explanation
		<p><input checked="" type="checkbox"/> Anonymous/hearsay</p>	<p>to the United Nations Addressed to the Secretary-General</p> <ul style="list-style-type: none"> <li>o Exhibit D-34 Liberia's Response to Allegations of her Involvement in the Sierra Leone Civil War, Ministry of Information, Defence Cultural Affairs and Tourism Monrovia, Liberia, January 26 1999 261999 - 00028759 - 00028766 <i>passim</i></li> </ul> <p>o Especially in relation to Liberia and Accused:</p> <ul style="list-style-type: none"> <li>o "There is clear evidence that Liberia... supporting the rebels" 00020914</li> <li>o "What is known is that arms... continue on to Liberia" 00020914</li> <li>o "There is evidence of foreign military involvement in the RUF from Liberia" 00020927</li> <li>o "There is ample evidence that Liberian fighters are an integral part of the rebel [RUF] force and that the rebels have been receiving substantial support from Liberia and President Charles Taylor" 00020932</li> <li>o "solid evidence exists that firmly implicates both nations [Burkina Faso and Liberia in small arm trafficking]" 00020935</li> </ul> <ul style="list-style-type: none"> <li>• And in relation to crimes: <ul style="list-style-type: none"> <li>• "The doctor also explained that during the crisis in January [1999] Connaught Hospital [Freetown] was flooded with victims [amputees]" 00020944</li> <li>• "Many reports both by the media and international agencies have corroborated instances of individual and gang rape of girls and young women who have been rounded up by the rebels" 00020948</li> </ul> </li> </ul>
2	Report of the US Department of State "Human Rights Practices for 1998 Report", Sierra Leone	<p><input type="checkbox"/> Other</p> <p><input type="checkbox"/> Already Produced/admitted</p> <p><input checked="" type="checkbox"/> Not sufficiently significant</p>	<ul style="list-style-type: none"> <li>• Relates to crime-based evidence: <ul style="list-style-type: none"> <li>o Crimes in Freetown and Koidu including killings, mutilations, rape, abductions, sexual slavery, forced labour, child soldiers and looting</li> </ul> </li> </ul>

**Annex B: Objection to Admission of Documents of Certain Intergovernmental Organisations  
and of Certain Governments**

23534

Doc.	Title/Date	Objection	Explanation
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> <li>○ Killings of civilians in other locations</li> <li>● Crimes committed in Freetown (as above for document 1):             <ul style="list-style-type: none"> <li>○ Exhibit P-111, BBC News Article, World Africa Battle for Sierra Leone, January 6 1999</li> <li>○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188</li> <li>○ Exhibit P-205A p.29-59 Transcript, SCSL, Prosecutor v Alex Tamba Brima, Brima Bazzy Kamara &amp; Santige Borbor Kanu 9 &amp; 10 March 2005,</li> <li>○ Exhibit P-206 p.7-20 Transcript, SCSL, Prosecutor v Issa Sesay, Morris Kallon &amp; Augustine Gbao, 28 November 2005</li> <li>○ Exhibit P-207 p.38-59, Transcript, SCSL, Prosecutor v Alex Tamba Brima, Brima Bazzy Kamara &amp; Santige Borbor Kanu, 6 April 2005</li> <li>○ Exhibit P-204B, Trauma and Disease Pattern of Rebel-abducted Victims by Dr S Gassama, March – December 1999, pp. 20587-20589</li> <li>○ Exhibit P-73, Expert Report of Beth Vann- Conflict-related Sexual Violence in Sierra Leone, 14 May 2007 p2</li> <li>○ Exhibit P43 Children associated with the fighting forces in Sierra Leone, Report for OTP 4/5/07- whole document</li> </ul> </li> <li>● Crimes in Koidu:             <ul style="list-style-type: none"> <li>○ Prosecutor v Taylor, Trial Transcript, p.1256:22-1257:2 (TF1-114)</li> <li>○ Exhibit P-197, Transcript, SCSL, p.77, Prosecutor v Issa Sesay, Morris Kallon &amp; Augustine Gbao, 20 July 2004</li> </ul> </li> </ul>
		<input type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> <li>● “Humanitarian organizations estimated that...”00025073</li> </ul>
3	Final Communique of ECOWAS Extraordinary Meeting of the Committee of Five on Sierra Leone	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> <li>● Relates to crime-based evidence: mutilations against civilians</li> <li>● Atrocities against civilians in 1998:             <ul style="list-style-type: none"> <li>○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, <i>passim</i></li> <li>○ Exhibit P-130 UN Security Resolution, 5th Report of the</li> </ul> </li> </ul>

**Annex B: Objection to Admission to Documents of Certain Intergovernmental Organisations  
and of Certain Governments**

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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"> <li>○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, <i>passim</i></li> <li>• Liberian Government statement on and denial of cooperation with RUF: <ul style="list-style-type: none"> <li>○ Exhibit P-23 Letter to the UN Security Council Dated 24 January 2001 From the Permanent Representative of Liberia to the United Nations Addressed to the Secretary-General</li> <li>○ Exhibit P-24 Letter from the Charge D'Affaires of the Permanent Mission of Liberia to the UN Addressed to the President of the Security Council, dated 18 May 2001</li> <li>○ Exhibit D-34 <i>passim</i></li> </ul> </li> <li>• Alleged Liberian support for rebels: <ul style="list-style-type: none"> <li>• Exhibit P-18, Report of the panel of experts established by resolution 1306 – S/2000/1195, adopted on 20 December 2000, p.35</li> <li>• Exhibit P-31, "Charles Taylor and the War in Sierra Leone", Report of Stephen Ellis &amp; Corrigan p.11</li> <li>• Exhibit P-32, Report of the Panel of Experts Pursuant to Security Council Resolution 1343 (2001) p.22</li> </ul> </li> </ul>
		<input type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	
4	US Department of State, Country Reports on Human Rights Practices: Liberia 2001	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant  <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> <li>• Outside the scope of the Indictment: <ul style="list-style-type: none"> <li>○ relates to events after 18 January 2002</li> <li>○ alleged human rights abuses in Liberia</li> <li>○ RUF attacks on Guinean border towns</li> </ul> </li> <li>• Role and composition of SSS <ul style="list-style-type: none"> <li>○ Prosecutor v Taylor, Trial Transcript, p.2963:22-2964:12 (TF1-360) (made up of civil war veterans)</li> <li>○ Prosecutor v Taylor, Trial Transcript, p.13461:10-13461:29</li> </ul> </li> </ul>

<sup>3</sup> Ibid.

**Annex B: Objection to Admission of Documents of Certain Intergovernmental Organisations  
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Doc.	Title/Date	Objection	Explanation
			<p>(TF1-338) (personal security for President Taylor)</p> <ul style="list-style-type: none"> <li>• Role and composition of ATU               <ul style="list-style-type: none"> <li>◦ Prosecutor v Taylor, Trial Transcript, p.10381:20-10382:2 (TF1-561) (personal security for President Taylor and lawless group)</li> </ul> </li> <li>• Alleged Liberian support for rebels (as above):               <ul style="list-style-type: none"> <li>• Exhibit P-18, p.35</li> <li>• Exhibit P-31, p.11</li> <li>• Exhibit P-32, p.22</li> </ul> </li> <li>• Liberian denial of support for rebels (as above)               <ul style="list-style-type: none"> <li>◦ Exhibit P-23 Letter to the UN Security Council Dated 24 January 2001 From the Permanent Representative of Liberia to the United Nations Addressed to the Secretary-General</li> <li>◦ Exhibit P-24 Letter from the Charge D'Affaires of the Permanent Mission of Liberia to the UN Addressed to the President of the Security Council, dated 18 May 2001</li> </ul> </li> <li>• Liberia announces intent to expel Bockarie               <ul style="list-style-type: none"> <li>◦ Exhibit P-24 Letter from the Charge D'Affaires of the Permanent Mission of Liberia to the UN Addressed to the President of the Security Council, dated 18 May 2001 (acknowledges Bockarie's presence and then departure from Liberia)</li> </ul> </li> <li>• Denial of training of RUF fighters               <ul style="list-style-type: none"> <li>◦ Exhibit P-23 Letter to the UN Security Council Dated 24 January 2001 From the Permanent Representative of Liberia to the United Nations Addressed to the Secretary-General (p.3 explains relationship with RUF)</li> </ul> </li> <li>• RUF remain part of Liberian government forces in 2002:               <ul style="list-style-type: none"> <li>◦ Prosecutor v Taylor, Trial Transcript, p.13469:18- 13476:5 (TF1-388) (witness was former RUF who became member and served in ATU)</li> <li>◦ Prosecutor v Taylor, Trial Transcript, p.12636:3, and 14817:29-14819:15 (TF1-375) (witness was former RUF who became member of SSS)</li> </ul> </li> </ul>

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**Annex B: Objection to Admission of Documents of Certain Intergovernmental Organisations  
and of Certain Governments**

23537

Doc.	Title/Date	Objection	Explanation
		<input checked="" type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> <li>o Prosecutor v Taylor, Trial Transcript, p.13035:5-13036:13 (TF1-567) (witness said Bockarie brought men to be trained in ATU and RUF were enticed by the higher pay in ATU)</li> <li>• “There continued to be reports during the year...” 00101977</li> </ul>
5	US Department of State, Sierra Leone: Country Reports on Human Rights Practices – 2000	<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> <li>• Human rights abuses in 2001:             <ul style="list-style-type: none"> <li>o Prosecutor v Taylor, Transcript p.5350:19 – 5351:13, p.5353:1-18, p.5357:23 – p.5360:3, 5 March 2008</li> <li>o Prosecutor v Taylor, Transcript p.5398:26 – p.5401:17, p.5477:19 – p.5490:14, 6 March 2008</li> <li>o Prosecutor v Taylor, Transcript p.5398:26 – p.5460:11-5460:14, p.5343:1-5344:3 and p.5357:23-5360:3 (TF1-337) (killing, looting, raping, enslavement and other inhumane acts)</li> <li>o Exhibit P43 Children associated with the fighting forces in Sierra Leone, Report for OTP 4/5/07</li> </ul> </li> </ul>
6	African (Banjul) Charter on Human and People’s Rights; Ratification/Accession by Liberia	<input type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input type="checkbox"/> Cumulative <input type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> <li>• Unclear how this relates to the Indictment<sup>4</sup></li> </ul>
7	US Department of State: Liberia Country Report on Human Rights Practices for 1999	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> <li>• Outside the scope of the Indictment<sup>5</sup>: alleged human rights abuses in Liberia</li> <li>• Role and composition of SSS (as above)</li> </ul>

<sup>4</sup> Ibid.  
<sup>5</sup> Ibid.

**Annex B: Objection to Admission of Documents of Certain Intergovernmental Organisations  
and of Certain Governments**

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Doc.	Title/Date	Objection	Explanation
			<ul style="list-style-type: none"> <li>○ Prosecutor v Taylor, Trial Transcript, p.2963:22-2964:12 (TF1-360) (made up of civil war veterans)</li> <li>○ Prosecutor v Taylor, Trial Transcript, p.13461:10-13461:29 (TF1-338) (personal security for President Taylor)</li> <li>• Role and composition of ATU (as above)               <ul style="list-style-type: none"> <li>○ Prosecutor v Taylor, Trial Transcript, p.10381:20-10382:2 (TF1-561) (personal security for President Taylor and lawless group)</li> </ul> </li> <li>• Camp Gbatata as a place of torture               <ul style="list-style-type: none"> <li>○ Prosecutor v Taylor, Trial Transcript, p. 11963:19-11965:2 and p.11985:16-11991:10 (TF1-590) (including held in holes in the ground filled with water and detailed description of methods of torture including burning, beatings and stabbings)</li> </ul> </li> </ul>
		<input type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>