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SCSL-03-01-T
(23878-23902)

23878



THE SPECIAL COURT FOR SIERRA LEONE

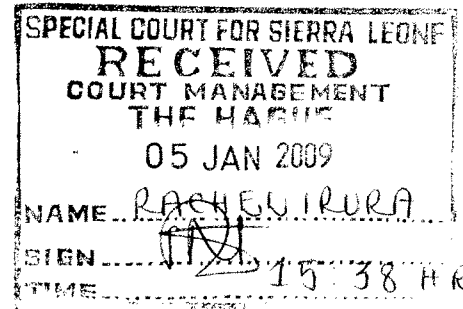
In Trial Chamber II

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 BBC RADIO BROADCAST**

Office of the Prosecutor
Ms. Brenda J. Hollis

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 filed a *Motion for Admission of BBC Radio Broadcast* (“Motion”) with related Annexes,¹ seeking the admission of certain BBC Transcripts and Clips (“the BBC Material”). The application was made pursuant to Rule 89(C), or alternatively under Rules 89(C) and 92*bis*, of the Special Court Rules of Procedure and Evidence (“Rules”).
2. In summary, the Defence submit that:
 - a. Rule 89(C) cannot be used in isolation to admit the Documents included in the Motion.²
 - b. The Report is only admissible under Rule 89(C) in conjunction with Rule 92*bis* and not Rule 89(C) alone; any evidence within the BBC Material 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 eight similar motions which rely on the same legal principles as in the present Motion.³ The Defence have filed Responses⁴ to those motions,

¹ *Prosecutor v. Taylor*, SCSL-03-01-T-698, Motion for Admission of BBC Radio Broadcast, 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; *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; *Prosecutor v. Taylor*, SCSL-03-01-T-684, Prosecution Motion for Admission of Documents of Certain Non-Governmental Organisations and Associated Press Releases, 12 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**”); *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-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, 24 November 2008; *Prosecutor v. Taylor*, SCSL-03-01-T-682, Defence Response to Prosecution Motion for Admission of Newspaper articles obtained from the Catholic Justice and Peace Commission archive in Monrovia, Liberia, 1 December 2008; *Prosecutor v. Taylor*, SCSL-03-01-T-688, Defence Response to the Prosecution Motion for Admission of Liberian 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; *Prosecutor v.*

wherein the Defence articulates the correct legal principles to be applied when a party seeks admission of a document without a witness. So as to not repeat the same argument, the Defence respectfully refers the Chamber to paragraphs three through nineteen of the UN Documents Response, substituting any reference to UN Documents with a reference to BBC Material. A few additional observations and submissions are below.

III. Submissions

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

Acts and conduct of accused are not admissible

4. Portions of the BBC Materials go directly to the acts and conduct of the Accused.⁵ 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.⁶ The Defence submits that the documents in many instances talk directly about the Accused and his involvement in or knowledge of the Sierra Leonean conflict.⁷
5. Thus, it would be highly prejudicial for the Documents to be admitted into evidence without a witness who could speak to their contents.

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

6. The Prosecution cannot use Rules 89(C) and 92bis to seek to admit evidence that is material to the command responsibility or joint criminal enterprise allegations in the Indictment, which go to a "critical element" of the Prosecution's case and is therefore "proximate" to the

Taylor, SCSL-03-01-T, Defence Response to the Prosecution Motion for Admission of Documents of Certain Non-Governmental Organisations and Associated Press Releases, 05 January 2009.

⁵ See, ex. D0000533/15.12.98, Extracts in the document intended to be admitted by the Prosecution lists: "Recruitment of teenagers into the military and training program outside Monrovia and their involvement in military activities".

⁶ *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.

⁷ See, ex. D0000525/24.12.98, Extracts in the document intended to be admitted by the Prosecution lists: "That Charles Taylor's government in Liberia is helping Foday Sankoh's RUF rebels".

accused, without giving the Defence a genuine opportunity for cross-examination of the evidence.⁸

7. Many of the Documents refer to other alleged subordinates of the Accused such as Foday Sankoh, Sam Bockarie, Gullit.⁹ 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".¹⁰

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

8. 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.
9. 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 usefulness to the proceedings, so they should be excluded.¹¹ A lack of context can render documents inadmissible as lacking sufficient indicia of reliability.¹² As a pre-condition to admission, the Prosecution should have produced a witness to decipher, explain and provide context to the Documents.
10. The fact that these documents are produced at such a late stage at the proceedings means that witnesses whom have previously testified can not be challenged on the content or accuracy of the documents. The Prosecution have called a number of witnesses who might have been capable of commenting on the contents of the documents.

⁸ 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.

⁹ See, ex. D0000524/22.12.98, D0000525/24.12.98, and D0000514/08.01.99.

¹⁰ *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, pg. 4 ("**Kenema Decision**").

¹¹ *Prosecutor v. Milutinovic et al*, No. IT-05-87-T, Decision on Prosecution Motion to Admit Documentary Evidence, v20 October 2006, paras. 25 and. 27 ("**Milutinovic Decision**").

¹² *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

11. Based on the above submissions, the Chamber should exclude these documents for its prejudice to the Accused, due to the fact that witnesses who could have maybe testified and possibly brought some clarity to the content of the document have already taken the stand in this trial. Therefore these documents cannot be tested in cross-examination without the time and expense of recalling witnesses, despite the fact that the Prosecution have had these documents in their possession for a long time.
12. More significantly, the probative value of the BBC Material would be outweighed by its prejudicial effect. The probative value of media reports is diminished during a conflict where the media is manipulated for purposes of propaganda. Thus its reliability is of questionable value to the Chamber, especially in light of the fact that the public condemned Charles Taylor years ago. Prosecution witness Stephen Ellis states that media reports should not be considered reliable information in court proceedings: "I have written extensively elsewhere about the problems of using the press and oral information as sources in circumstances like these [for use as evidence in a trial] including with a view to assessing how empirically verifiable facts may be identified amid unreliable media reporting and pervasive rumour. In these publications, I have also pointed out the significance of oral communication for politics."¹³
13. Additionally, witnesses have testified that the Rebels manipulated the media on more than one occasion and frequently sought to portray one set of facts when in truth the reality was very different.¹⁴

B. *If only Rule 89(C) is applied*

14. 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 document under Rule 89(C) alone then the tests under the *Kordic and Cerkez* Judgement¹⁵ may be applied, as detailed in former submissions. The tests include the following considerations: the document has already been considered by the Court, it is not sufficiently significant, it is cumulative of

¹³ Prosecution Admitted Exhibit P-31, Reports for the Special Court for Sierra Leone: Charles Taylor and the War in Sierra Leone, by Stephen Ellis, 5 December 2006, page 2, para 2.

¹⁴ *Prosecutor v. Taylor*, Trial Transcript, 23 January 2008, page 2020, lines 4 -15.

¹⁵ *Prosecutor v. Kordic and Cerkez*, Appeals Judgement, Case No. IT-95-14/2-A, para. 190.

other evidence already admitted and is based on anonymous sources. Annex A of this Response outlines the specific Defence objections in this regard.

15. 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.¹⁶ In fact, prongs of the exclusionary test have been applied in the subsequent ICTY case of *Prosecutor v. Milutinovic*,¹⁷ thus demonstrating the case's impact on later jurisprudence. In that case, the Prosecution attempted to admit a wealth 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 nature and deemed them inadmissible.

Already admitted

16. In the *Kordic and Cerkez* case the ICTY Appeals Chamber upheld the Trial Chamber's Decision not to admit the documents under Rule 89(C). The relevant exclusionary condition for these 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”.¹⁸

17. All 29 documents in the BBC Material 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 be excluded.

Not sufficiently significant: crime-base or outside Indictment¹⁹

18. Several of the documents in the BBC Material refer to crime-based evidence²⁰, which is arguably of insufficient significance at this stage of the trial. Many other documents²¹ refer to

¹⁶ *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.

¹⁷ *Prosecutor v. Milutinovic et al*, No. IT-05-87-T, Decision on Prosecution Motion to Admit Documentary Evidence, paras. 23 and 24 (refusing to admit maps that would only serve to flood the Chamber with repetitive information).

¹⁸ *Prosecutor v. Kordic and Cerkez*, Appeals Judgement, Case No. IT-95-14/2-A, para. 190.

¹⁹ *Prosecutor v Taylor*, SCSL-03-01-PT-263, Prosecution's Second Amended Indictment, 29 May 2007.

²⁰ Transcripts 2 – 6, 11 – 26 and 28.

²¹ Transcripts 1, 3, 6, 9, 11 and 29.

events outside the scope of the Indictment, which is also of insufficient significance. These should be excluded.

Cumulative

19. All of the documents in the BBC Material, except for 1, 3, 8, 17, 28 and 29, refer to matters which have already been spoken to by numerous witnesses and in documentary evidence before the Court. Thus it is cumulative and should be excluded.

Based on anonymous or hearsay sources

20. All of the transcripts in the BBC Material, except 16, 17, 19 and 27, are based on anonymous or hearsay sources, which are incapable of being tested in cross-examination and should therefore be excluded. The following are illustrative examples:


- a. Most transcripts refer to sources of information including:
 - i. unnamed ECOMOG officials (transcript 2: "ECOMOG officers in Freetown admitted... They said they would..." p.23587),
 - ii. survivors/victims (transcript 2: "Survivors of the fighting said there were numerous bodies..." p.23587);
 - iii. villagers who provide detailed accounts of rebel movements and attacks, without any questions of how they got this information (transcript 5: interview with Abubakar Sesay a forest guard for Waterloo district from p.23590);
 - iv. passers-by on the street (transcript 15: "Everybody suspects that they are regrouping... This is why they are shooting, burning down houses" p.23609);
 - v. rebels (transcript 10: "Rebels say they are poised to attack the capital Freetown" p.23599 and transcript 25: "the rebels called us to deny that they are committing the atrocities" p.23628); or,
 - vi. are simply unidentified (transcript 11: "There have been unconfirmed reports coming out of Sierra Leone..." p.23600 or transcript 14: "reports coming to Freetown last night indicate" p.23605) etc.
- b. Other transcripts provide quite detailed information without any substantial information to show the source. For example, in transcript 12 the reporter provides estimates of large numbers of people (e.g. 8,000, 13,527, 117) at pages 23602-3.

IV. Conclusion

21. In conclusion, the Defence submits as follows:

- a) The proper gateway for admitting the Documents is a combination of 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 its probative value is outweighed by its prejudicial effect;
- b) If the Chamber is minded to consider the Documents solely under Rule 89(C) then the Documents should still be excluded under the Chamber's inherent jurisdiction. Further, it 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

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 A: Objection to Admission of BBC Radio Broadcasts Pursuant to Rule 89 C OR, in the Alternative, Rule 89C and 92bis

Doc.	Title/Date	Objection	Explanation
1	D0000533/ 15.12.98	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> Outside the scope of the Indictment¹: Conflict between the Government of Liberia and two Liberian newspapers claiming 500 children between ages of 10-17 undergoing basic military training at Schefflin Barracks. “The story published by The Enquirer quoted a group known as The Children Information Bureau as saying...” 23585
2	D0000510/ 20.12.98	<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"> Relates to crime-based evidence Fighting between the government forces and the AFRC/RUF for control of Koidu. ECOMOG withdrawing to limit civilian casualties. <ul style="list-style-type: none"> Exhibit P93- Revolutionary United Front of Sierra Leone, January 1999, p. 3 (Evidence of an attack in Koidu town) Prosecutor v. Taylor, Transcript, p.16153:13-16155 Prosecutor v. Taylor, Transcript p.2008:10-2009:22 <p>All at 23587:</p> <ul style="list-style-type: none"> “According to witnesses of a battle for Kono’s main town, Koidu...” “According to survivors and aid workers who say ECOMOG forces...” “ECOMOG officers in Freetown admitted... They said they would...” “Survivors of the fighting said there were numerous bodies...” “Medical sources said dozens of wounded civilians...”
3	D0000509/ 21.12.98	<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> Relates to crime-based evidence

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

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Annex A: Objection to Admission of BBC Radio Broadcasts Pursuant to Rule 89 C OR, in the Alternative, Rule 89C and 92bis

23890

Doc.	Title/Date	Objection	Explanation
		<input type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> • Outside scope of the Indictment: ECOMOG shelling of an AFRC/RUF rebel base in Occra Hills
4	D0000524/ 22.12.98	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> • “a senior official of the Adventist Development and Relief Agency, ADRA, told journalists...” 23588 • Relates to crime-based evidence <ul style="list-style-type: none"> ○ Attack on Waterloo. ○ Prosecutor v. Taylor, Transcript, p.11404:22-11405:16 ○ Prosecutor v. Taylor, Transcript, p.2020:1-2021:21 ○ Prosecutor v. Taylor, Transcript, p.866:4-866:13 • “Rebels loyal to the ousted military regime in Sierra Leone say...” 23589
5	D0000523/ 22.12.98	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> • Relates to crime-based evidence <ul style="list-style-type: none"> ○ Attacks on Kono, Masiaka and Waterloo ○ Burning and killings in Waterloo ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188 ○ Prosecutor v. Taylor, Transcript, p.8242:8-8242:23 & p.8242:25-8244 (rebel attacks on Waterloo in December 2008) ○ Prosecutor v. Taylor, Transcript, p. 17766:28-17770:12 • Interview with Abubakar Sesay a forest guard for Waterloo district 23590 • Unclear how forest guard was an “eyewitness” to what was mentioned in the report (YELLOW TAB)
6	D0000523/ 23.12.98	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> • Relates to crime-based evidence

Annex A: Objection to Admission of BBC Radio Broadcasts Pursuant to Rule 89 C OR, in the Alternative, Rule 89C and 92bis

Doc.	Title/Date	Objection	Explanation
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> • Outside scope of the Indictment: attacks by remnants of the AFRC junta and RUF rebels close to Freetown as Waterloo. • Attacks by rebels close to Magburaka and Makeni: people fleeing. • Rebel attacks around Freetown <ul style="list-style-type: none"> ○ Prosecutor v. Taylor, Transcript, p. 12262:23-12272 (Kono attack in December 1998). ○ Prosecutor v. Taylor, Transcript, p.5809:28-5810:18 ○ Prosecutor v. Taylor, Transcript, p. 4073:20-4074 ○ 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"> • “there was a report about rebel skirmishes eleven miles of Makeni” • “a report of rebel attacks close to Magburaka” • Reports coming from ECOMOG: “I have been speaking here to ECOMOG... ECOMOG is saying...” 23592
7	D0000525/ 24.12.98	<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> ○ Exhibit D-34-Liberia’s Deputy Information Minister, Milton Teahjay, denying all military involvement in the Sierra Leonean conflict. This is essentially what he says in the BBC interview in Document 7. <ul style="list-style-type: none"> ○ Exhibit P31 – “Charles Taylor and the war in Sierra Leone”, Report of Stephen Ellis. pp 1, 11, 12, 18. ○ Exhibit P32 – Report of the panel of Experts pursuant to SC Resolution 1343 (2001). p. 27. ○ Exhibit P35 – News paper item (IRIN News.org), p. 1. ○ Exhibit P54 – NPFL Command structure (Date of this command structure is actually outside the indictment). ○ Exhibit P55 – RUF Command structure after the invasion of S/L.

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Annex A: Objection to Admission of BBC Radio Broadcasts Pursuant to Rule 89 C OR, in the Alternative, Rule 89C and 92bis

Doc.	Title/Date	Objection	Explanation
8	D0000537/ 27.12.98	<input checked="" type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input type="checkbox"/> Cumulative <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"> o Exhibit P65 – Letter from Foday Sankoh to Charles Taylor. o Exhibit P66 – Letter from Sam Bockarie (RUF) to Charles Taylor o Exhibit P27 – RUF situation report to Foday Sankoh. p. 3 • The whole report concerns Liberia’s official response to unsourced allegations: “The recent upsurge in rebel activity... sparked a fresh round of allegations that President Taylor’s government in Liberia is helping Foday Sankoh’s RUF rebels. Farai Sevenzo asked Liberia’s Deputy Information Minister, how they reacted to these claims” 23594 • “The West African intervention force, ECOMOG, says it is in control...” • “The rebels say <i>they</i> have taken the town” 23596 • Outside scope of the Indictment: rebel attack on Daru – no crimes mentioned <ul style="list-style-type: none"> o Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150,ERN 00015176 • BBC reporter does not mention the sources for any of his detailed information e.g. RUF intentions, number of casualties, involvement of Kamajors, destruction of “one of the largest RUF bases at Tanema”, arrival of buses in Bo and Kenema 23597-8
9	D0000550/ 30.12.98 (Track 1)	<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"> • BBC reporter does not mention the sources for any of his detailed information e.g. RUF intentions, number of casualties, involvement of Kamajors, destruction of “one of the largest RUF bases at Tanema”, arrival of buses in Bo and Kenema 23597-8
10	D0000550/ 30.12.98 (Track 2)	<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> • BBC reporter does not mention the sources for any of his detailed information e.g. RUF intentions, number of casualties, involvement of Kamajors, destruction of “one of the largest RUF bases at Tanema”, arrival of buses in Bo and Kenema 23597-8

23892

Annex A: Objection to Admission of BBC Radio Broadcasts Pursuant to Rule 89 C OR, in the Alternative, Rule 89C and 92bis

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Doc.	Title/Date	Objection	Explanation
11	D0000549/ 30.12.98	<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> ○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, p.3
		<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> ● "Correspondents say Liberia has been accused by several regional countries of backing the rebels" 23599 ● "Rebels say they are poised to attack the capital Freetown" 23599
		<input type="checkbox"/> Other	
		<input type="checkbox"/> Already Produced/admitted	
		<input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> ● Relates to crime-based evidence ● Outside scope of the Indictment: reports of attack by the AFRC/RUF junta on Lunsar – no crimes mentioned
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150,ERN 00015181
12	D0000539/ 31.12.98	<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> ● "There have been unconfirmed reports coming out of Sierra Leone..." 23600 ● "Militarily, I am informed that the northern half of the country..." 23600
		<input type="checkbox"/> Other	
		<input type="checkbox"/> Already Produced/admitted	
		<input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> ● Relates to crime-based evidence ○ Reports about the attack on Segbwema: over 8,000 people fled to Kenema.
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150,ERN 00015176-00015177 ○ Prosecutor v Taylor, Transcript 06/02/08, p.3212:19-3212:24 ○ Prosecutor v Taylor, Transcript, p.4077:1-4077:26
		<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> ● "there are reports of increased tension in the Kenema region..." 23602 ● Reporter does not mention sources for his information on movements of rebel forces, rebel intentions, estimates of large

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Doc.	Title/Date	Objection	Explanation
13	D0000528/ 04.01.99	<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	numbers of people (e.g. 8,000, 13,527, 117), refugees resurfacing in Kenema, ECOMOG intentions 23602-3 <ul style="list-style-type: none"> • Relates to crime-based evidence <ul style="list-style-type: none"> ○ Reports on attacks by rebels at Foamex junction. ○ Fierce battle between ECOMOG and rebels for four days at Port Loko. ○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report, p.13 ○ Prosecutor v Taylor, Transcript, p.1810:1-1811:12 (TF1-326 DUFKA)
14	D0000528/ 04.01.99	<input checked="" type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay	On 23604: <ul style="list-style-type: none"> • "The latest round of fighting in Sierra Leone is reported..." • "I was told by both eyewitnesses and police officers that..." • "I contacted ECOMOG and the Minister of Information when I returned back to Freetown, I was told that..." • "that is what government is saying, the government minister and ECOMOG officers I spoke to at Calaba Town are saying..." On 23605: <ul style="list-style-type: none"> • "reports coming to Freetown last night indicate"
		<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> • Relates to crime-based evidence <ul style="list-style-type: none"> ○ Reports about 3,000 refugees fleeing from Makeni, Lunsar and Port Loko into Guinea. ○ Evidence of burning, looting terror, forced military conscription. ○ Evidence of killing in Port Loko, including the Paramount Chief. ○ Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities

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Doc.	Title/Date	Objection	Explanation
		<p><input checked="" type="checkbox"/> Anonymous/hearsay</p>	<p>against civilians, Amnesty International Report, p.20-21</p> <ul style="list-style-type: none"> ○ Prosecutor v Taylor, Transcript, p.1810:1-1811:12 (TFI-326 DUFKA) ○ Prosecutor v Taylor, Transcript, p. 12262:23-12272:23 (TFI-584) <p>At 23606:</p> <ul style="list-style-type: none"> ● “UNHCR officials in Guinea say...” ● “according to the UNHCR...” ● “UNHCR officials say...” ● “UN officials here tell me...” ● “they say quite a number of people...” <p>At 23607:</p> <ul style="list-style-type: none"> ● “UNHCR officials I spoke to this afternoon and they said yes...”
15	D0000513/07.01.99	<p><input type="checkbox"/> Other</p> <p><input type="checkbox"/> Already Produced/admitted</p> <p><input checked="" type="checkbox"/> Not sufficiently significant</p> <p><input checked="" type="checkbox"/> Cumulative</p>	<ul style="list-style-type: none"> ● Relates to crime-based evidence <ul style="list-style-type: none"> ○ Evidence of burnings and Terror in Freetown ● Reports of rebels from the SLA and RUF in the centre, Eastern part, in State House and around Pademba Road, burnt buildings and fleeing civilians: <ul style="list-style-type: none"> ○ Exhibit P-111, BBC News Article, World Africa Battle for Sierra Leone, January 6 1999 ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188 ○ Exhibit P-123, BBC News Article ‘Freetown Bears the Scars’ 27 January 1999 ○ Prosecutor v Taylor, Transcript, SCSL, p. 12612:27-12613:5, 24 June 2008 ○ Prosecutor v Taylor, Transcript, SCSL, p. 8279:14-8280:16, 22 April 2008 ○ Prosecutor v Taylor, Transcript, SCSL, p. 19297:17-

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Doc.	Title/Date	Objection	Explanation
			<p>19306:5, 27 October 2008</p> <ul style="list-style-type: none"> o Prosecutor v Taylor, Transcript, SCSL, p. 8286:6-8292:13, 22 April 2008 • Reports relevant to intent, knowledge of accused as to above actions in Freetown including foresee ability of crimes and plurality of persons: <ul style="list-style-type: none"> o Exhibit P-111, BBC News Article, World Africa Battle for Sierra Leone, January 6 1999 o Prosecutor v Taylor, Transcript, SCSL, p. 16177:8-16178:27, 15 September 2008 o Prosecutor v Taylor, Transcript, SCSL, p. 8286:6-8292:13, 22 April 2008
		<input checked="" type="checkbox"/> Anonymous/hearsay	<p>At 23609:</p> <ul style="list-style-type: none"> • ‘Journalist Daddy K is in the rebel-held area... Robin White asked him who the invaders were...’ • ‘I was talking to one of the commanders, he called himself Ranger’ <p>At 23609:</p> <ul style="list-style-type: none"> • ‘‘Everybody suspects that they are regrouping... This is why they are shooting, burning down houses’’ • ‘‘Witnesses say...’’ • ‘‘Journalists say...’’ • ‘‘Where they are is controlled by rebels’’ – unclear how the witness knows this <p>At 23610</p> <ul style="list-style-type: none"> • ‘‘other people say there are more buildings that have been burned down in other parts of the city’’
		<input type="checkbox"/> Other	
16	D0000514/ 08.01.99 (track 2)	<input checked="" type="checkbox"/> Already Produced/admitted	<ul style="list-style-type: none"> • Identical evidence already admitted under P-85B (apart from introduction by interviewer ‘Bickerton’)
		<input type="checkbox"/> Not sufficiently significant	
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> • Prosecutor v Taylor, Transcript 2/02/08, p.4555:8-4555:17

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Doc.	Title/Date	Objection	Explanation
17	D0000554/ 08.01.99	<input 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"> • Relates to crime-based evidence • Reports about sporadic explosions and gun fire in Freetown by the rebels despite the Ceasefire
18	D0000555/ 10.01.99	<input type="checkbox"/> Cumulative <input 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"> • Relates to crime-based evidence <ul style="list-style-type: none"> ○ Evidence of burnings in Freetown and civilians been trapped. ○ Prosecutor v Taylor, Transcript 23/6/08, p.12612:27-12613:5 ○ Prosecutor v Taylor, Transcript 23/4/08, p.8369:4-8370:16 ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188 • “Reports say that the Nigerians” 23615
19	D0000515/ 11.01.99 (track 1)	<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"> • Relates to crime-based evidence <ul style="list-style-type: none"> ○ Evidence of burnings in Freetown and civilians been used by the rebels as shields against the ECOMOG. ○ Prosecutor v Taylor, Transcript 23/6/08, p.12612:27-12613:5 ○ Prosecutor v Taylor, Transcript 23/4/08, p.8369:4-8370:16 ○ Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188
20	D0000515/ 11.01.99 (track 2)	<input 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"> • Relates to crime-based evidence

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Doc.	Title/Date	Objection	Explanation
21	D0000516/ 12.01.99 (track 2)	<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> o Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188, p.14 o Prosecutor v Taylor, Transcript 23/4/08, p.8369:4-8370:16 o Prosecutor v Taylor, Transcript, p.1451:27-1452:7, Stephen Ellis
		<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> • “Eye witnesses in the capital of Sierra Leone, Freetown, have reported that rebels...” • “The BBC correspondent there said...”
		<input type="checkbox"/> Other	
		<input type="checkbox"/> Already Produced/admitted	
22	D0000522/ 16.01.99	<input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> • Relates to crime-based evidence o Evidence of burnings and destruction as rebels retreat from Freetown o Evidence of killings
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> o Prosecutor v Taylor, Transcript 23/4/08, p.8369:4-8370:16 o Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188 o Prosecutor v Taylor, Transcript, p.1451:27-1452:7, Stephen Ellis
		<input checked="" type="checkbox"/> Anonymous/hearsay	<p>All on 23620:</p> <ul style="list-style-type: none"> • “It appears the struggle for the Sierra Leonean capital, Freetown, is continuing...” • “two people did manage to cross the lines... They’ve been speaking to Reuters correspondent...” • “The couple walked some ten kilometres... They said...”
		<input type="checkbox"/> Other	
22	D0000522/ 16.01.99	<input type="checkbox"/> Already Produced/admitted	
		<input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> • Relates to crime-based evidence o Reports of fighting and destruction by rebels in the East of Freetown. <u>Burning</u> as they retreat.
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> o Prosecutor v Taylor, Transcript 23/06/08, p.12457:5-12458:10

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Doc.	Title/Date	Objection	Explanation
23	D0000542/ 18.01.99 (track 2)	<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> o Prosecutor v Taylor, Transcript 28/1/08, p2428:8-2429:1 o Prosecutor v Taylor, Transcript 23/4/2008, p.8330:23-8331:10
		<input type="checkbox"/> Other	<ul style="list-style-type: none"> • No source given for “The rebels in retreat were ordered to burn everything” 23621 • “they insist that whatever the rebels’ offers of ceasefire terms may or may not be” 23621-2
		<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> • Relates to crime-based evidence <ul style="list-style-type: none"> o Reports of killings in Freetown o Evidence of an attack in Tongeh Town and rebels killing civilians. Burning houses and looting. o Killings at Mondema and Peyama. o Exhibit P-77, Human Rights in Sierra Leone 1998-2000 by TF-150, ERN 00015182 – 00015188 o Prosecutor v Taylor, Transcript, p.1451:27-1452:7, Stephen Ellis o Prosecutor v Taylor, Transcript 24/6/08, p.8297:14-8297:29
24	D0000542/ 18.01.99 (track 1)	<input checked="" type="checkbox"/> Anonymous/hearsay	At 23623: <ul style="list-style-type: none"> • “The Nigerian-led ECOMOG force....say...” • “ECOMOG today claimed that...” • “When I asked one ECOMOG soldier...he told me...” • “According to people fleeing the area...” • “Those who managed to escape...said” • “Francis Alpha, a school teacher...told me... The teacher said that...”
		<input type="checkbox"/> Other	
		<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> • Relates to crime-based evidence <ul style="list-style-type: none"> o Reports about heavy firing by rebels at Kissy in Freetown

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Doc.	Title/Date	Objection	Explanation
25	D0000507/ 22.01.99	<input type="checkbox"/> Cumulative	during ceasefire <ul style="list-style-type: none"> ○ Reports of burning in Freetown. ○ Prosecutor v Taylor, Transcript 23/4/2008, p. 8369:4-8370:16 ○ Prosecutor v Taylor, Transcript 24/6/08, p.12612:27-12613:5 ○ Prosecutor v Taylor, Transcript 23/4/08, p.8274:26-8275:22 (TF1-334)
		<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> ● “The government here says...” 23625 ● “People coming out say that they’re...” 23626 ● “they have made it clear that they intend... as one officer put it to me” 23626 ● The reporter gives an overview of the destruction in Freetown even though he had been on a ship stationed off the coast – it is unclear what his sources of information are 23626
		<input type="checkbox"/> Other	
		<input type="checkbox"/> Already Produced/admitted	
		<input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> ● Relates to crime-based evidence ● Reports of burning and amputations in Freetown.
		<input checked="" type="checkbox"/> Cumulative	<ul style="list-style-type: none"> ● Prosecutor v Taylor, Transcript, p.12612:27 – 12613:5 (TF1-375) ● Prosecutor v Taylor, Transcript, p.8274:26-8275:22 (TF1-334) ● Prosecutor v Taylor, Transcript, p.12457:5 – 12458:10 (TF1-506)
26	D0000508/ 23.01.99	<input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> ● “we were told the rebels were actually further down the road”23627 ● “the rebels called us to deny that they are committing the atrocities”23628
		<input type="checkbox"/> Other	
		<input type="checkbox"/> Already Produced/admitted	
		<input checked="" type="checkbox"/> Not sufficiently significant	<ul style="list-style-type: none"> ● Relates to crime-based evidence ○ Reports of burning and terror in Freetown

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Doc.	Title/Date	Objection	Explanation
		<input checked="" type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay	<ul style="list-style-type: none"> Prosecutor v Taylor, Transcript, p.12612:27 – 12613:5 (TF1-375) Prosecutor v Taylor, Transcript, p.8274:26-8275:22 (TF1-334) Prosecutor v Taylor, Transcript, p.12457:5 – 12458:10 (TF1-506) “They’re apparently leaving a trail of destruction behind them” 23629 “There have been reports that one Roman Catholic nun has been killed by the rebels” 23630
27	D0000519/ 26.01.99	<input type="checkbox"/> Other <input type="checkbox"/> Already Produced/admitted <input type="checkbox"/> Not sufficiently significant <input checked="" type="checkbox"/> Cumulative <input type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> Exhibit P-78 Sierra Leone - 1998 - A Year of Atrocities against civilians, Amnesty International Report
28	D0000532/ 28.01.99	<input type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> Relates to crime-based evidence <ul style="list-style-type: none"> Evidence of killings and burning at Wellington-Calaba Town area in Freetown. Killing of a journalist at statehouse in Freetown Evidence of physical violence in Freetown: plucking out the right eye of a civilian.
		<input checked="" type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	At 23633: <ul style="list-style-type: none"> “According to the Secretary General of the Sierra Leone Association of Journalists [unnamed]” “Eyewitnesses told the SLAJ Secretary General...” “A veteran journalist said...” “Several newspaper publishers and editors I spoke to today”

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Doc.	Title/Date	Objection	Explanation
29	D0000545/ 01.02.99	<input type="checkbox"/> Already Produced/admitted <input checked="" type="checkbox"/> Not sufficiently significant <input type="checkbox"/> Cumulative <input checked="" type="checkbox"/> Anonymous/hearsay <input type="checkbox"/> Other	<ul style="list-style-type: none"> • Outside scope of the Indictment – conditions in maternity hospital in Freetown • Report includes accounts of pregnant women and their partners “what else do the pregnant women and their partners say to you...” followed by “they are appealing to government... they want support... they want government” 23635 • And accounts of nurses: “What about the nurses? ... did you talk to them... they find it difficult to move from one end of the capital to another... it is very difficult for them to go to work... most of them have got their homes burnt down” 23636