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SCSL-03-01-T
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SPECIAL COURT FOR SIERRA LEONE

OFFICE OF THE PROSECUTOR

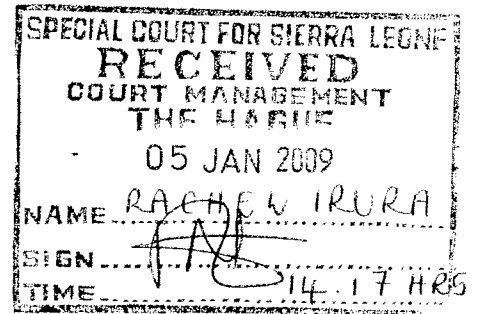
Freetown – Sierra Leone

APPEALS CHAMBER

Before: Justice Renate Winter, Presiding
Justice Emmanuel Ayoola
Justice Jon M. Kamanda
Justice George Gelaga King

Registrar: Herman von Hebel

Date filed: 05 January 2009



THE PROSECUTOR

Against

Charles Ghankay Taylor

Case No. SCSL-03-01-T

PUBLIC

**PROSECUTION NOTICE OF APPEAL AND SUBMISSIONS CONCERNING THE DECISION
REGARDING THE TENDER OF DOCUMENTS**

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I. TITLE AND DATE OF FILING OF APPEALED DECISION

1. Pursuant to Rules 73(B) and 108(C)¹ and the Practice Direction of 30 September 2004,² the Prosecution files this Notice of Appeal and Submissions to appeal Trial Chamber II's 21 August 2008 oral decision holding that documents tendered under Rule 89(C) must be tendered through a witness after sufficient foundation is laid and in the instant case no sufficient foundation had been laid, and that if a document is tendered without a witness, application should be made under Rule 92bis.³

II. SUMMARY OF PROCEEDINGS RELATING TO APPEALED DECISION

2. On 21 August 2008, the Prosecution attempted to have a document⁴ shown to witness TF1-367, who had been a diamond mining commander. The Defence requested that certain foundation be laid before placing the document before the witness. The Prosecution thereafter sought to tender the document under Rule 89(C).
3. After hearing Prosecution and Defence submissions regarding conditions of admissibility of documents and whether Rule 89(C) or Rule 92bis applied, the Trial Chamber held that if the Prosecution wishes to tender a document under Rule 89(C) through a witness, the Prosecution must lay foundation and in the instant case there was no sufficient foundation. The Trial Chamber further held that if a document is to be tendered without a witness, then the application should be made under 92bis of the Rules.⁵

¹ Rules of Procedure and Evidence of the Special Court for Sierra Leone, as amended ("**Rules**").

² Practice Direction for Certain Appeals Before the Special Court, 30 September 2004.

³ *Prosecutor v. Taylor*, SCSL-03-01-T, Trial Transcript, 21 August 2008 ("**Transcript**"), page 14253, lines 1-6 ("**Impugned Decision**"). A copy of the ruling (being an extract from the Court Transcript) is provided in the **Annex**.

⁴ Brown Ledger Logbook of RUF diamond transactions comprised of 95 pages (ERN 00013318-00013412) at Tab 10 of Prosecution binder produced in connection with appearance of Witness TF1-367, Transcript, page 14245, lines 8-10 ("**the document**").

⁵ Impugned Decision, *supra*.

4. On 25 August 2008, the Prosecution filed “Public Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents”⁶. On 8 September 2008, the Defence filed “Public Defence Response to Prosecution Application for Leave to Appeal Decision regarding the Tender of Documents”.⁷ The Prosecution filed its Reply on 15 September 2008.⁸
5. By Decision dated 10 December 2008, a majority of Trial Chamber II, Justice Sebutinde dissenting, granted leave for the Prosecution to appeal the oral decision.⁹
6. On 12 December 2008, the Prosecution filed a request that the President order: (a) expedited filing of Prosecution Notice of Appeal and Submissions and that the Prosecution be permitted to file this pleading on 19 December 2008; (b) that the Court Management Section of the Registry in The Hague accept the Prosecution filing on that date and effect service on the Defence on the same date; (c) that the Defence accept service of the filing on 19 December; and (d) that the Defence file its Response on 5 January 2009.¹⁰ By decision dated 15 December 2008, the President denied the Prosecution request.¹¹

⁶ *Prosecutor v. Taylor*, SCSL-03-01-T-568, “Public Prosecution Application for Leave to Appeal Decision regarding the Tender of Documents”, 25 August 2008.

⁷ *Prosecutor v. Taylor*, SCSL-03-01-T-577, “Public Defence Response to Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents”, 8 September 2008.

⁸ *Prosecutor v. Taylor*, SCSL-03-01-T-593, “Public Prosecution Reply to Defence Response to Prosecution Application for Leave to Appeal Decision regarding the Tender of Documents”, 15 September 2008.

⁹ *Prosecutor v. Taylor*, SCSL-03-01-T-691, “Decision on Public Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents”, 10 December 2008.

¹⁰ *Prosecutor v. Taylor*, SCSL-03-01-T-697, “Prosecution Request for Expedited Filings and for Leave to File Notice of Appeal and Submissions During Judicial Recess”, 12 December 2008.

¹¹ *Prosecutor v. Taylor*, SCSL-03-01-T-699, “Decision on Prosecution Request for Expedited Filings and for Leave to File Notice of Appeal and Submissions During Judicial Recess”, 15 December 2008.

III. GROUNDS OF APPEAL

Ground 1: In the Impugned Decision, the Trial Chamber erred as a matter of law by holding that if the Prosecution wishes to tender a document under Rule 89(C) through a witness, they need to lay foundation and in the instant case there was no sufficient foundation and holding that if a document is to be tendered without a witness, the application should be made under 92bis of the Rules.

Ground 2: To the extent that the Trial Chamber correctly determined that there must be sufficient foundation before a document may be tendered through a witness under Rule 89(C), the Trial Chamber erred in fact and law in determining that no sufficient foundation had been laid in the instant case.

IV. RELIEF SOUGHT

7. (a). The Impugned Decision should be set aside. The Trial Chamber should be ordered to admit the document which was the subject of the Impugned Decision based on its relevance pursuant to Rule 89(C). In the alternative, the Trial Chamber should be ordered to evaluate the admissibility of the document based on its relevance alone.

(b). To the extent a foundation beyond relevance is required before a document can be admitted through or in conjunction with a witness pursuant to Rule 89(C), the Trial Chamber should be ordered to admit the document which was the subject of the Impugned Decision as a sufficient foundation had been established through witness TF1-367: the witness' knowledge of diamond mining, of who kept records of diamond mining and the content of those records, and of certain diamond mining locations and names of commanders involved in diamond mining operations.

SUBMISSIONS ON THE GROUNDS OF APPEAL

PART A. STATEMENT OF FACTS

8. On 21 August 2008, witness TF1-367 testified regarding his experiences and knowledge as a former diamond mining commander. The witness testified regarding records which were kept of diamonds mined under the control of the AFRC/RUF.¹² The witness testified in general terms regarding who kept such records and the content of such records.¹³ The witness testified regarding one such record, Defence exhibit D-54, of which he had personal knowledge.¹⁴ The witness provided information regarding some of the names which appeared in that record and other categories of information in the record, including caratage and pieces of diamonds. The Prosecution then asked the witness how long he had remained as a mining commander, to whom he had given diamonds after Foday Sankoh returned to Sierra Leone, about certain locations which the witness identified as mining sites and about certain named individuals, one of whom the witness recognized and another whom he did not recognize.¹⁵
9. The Prosecution subsequently asked that another document be shown to the witness – another record of AFRC/RUF diamond mining.¹⁶ Before the document could be shown to the witness, Defence Counsel requested “some foundation as to the basis upon which [the] particular document [was] being placed before the witness.”¹⁷ Defence Counsel then specifically identified two questions he wished answered: “One, is the witness in a position to speak to [the] document. Secondly, what is the foundation for placing [the] particular document before [the] witness?”¹⁸ The Prosecution responded that the document need not be placed before the witness, that the document was relevant as RUF mining records

¹² Transcript, page 14210, line 17 to page 14225, line 14, and page 14241, line 10 to page 14253, line 6.

¹³ Transcript, page 14210, line 17 to page 14212, line 11.

¹⁴ Transcript, page 14212, line 12 to page 14225, line 14.

¹⁵ Transcript, page 14241, line 10 to page 14245, line 7.

¹⁶ Transcript, page 14245, lines 8-10. See footnote 4, *supra* (“the document”).

¹⁷ Transcript, page 14245, lines 11-13.

¹⁸ Transcript, page 14245, lines 19-22.

and moved the document into evidence under Rule 89(C).¹⁹

10. Nonetheless, the Prosecution clearly pointed out that the locations mentioned in the mining records were locations directly tied to the witness' testimony and that some of the names of commanders mentioned therein were persons the witness had mentioned as having been involved in mining.²⁰ The Prosecution argued that the witness' testimony would help corroborate the authenticity of the document and assist the Trial Chamber to understand the content of the document because the document was very similar to Defence exhibit D-54, the record which had earlier been shown to the witness.²¹ Therefore, while the document was *prima facie* relevant to the current proceedings in and of itself, the document was also immediately relevant when considered in the context of the testimony of witness TF1-367.
11. Defence Counsel noted the "width" of Rule 89(C) but argued that there were one or two *a priori* conditions which must be met before the document could go to the Court, i.e., evidence of where [the document] came from, who wrote the document, where was the original and was it available for inspection?²² The Defence argued that if these conditions are not met, the Prosecution could effectively download a document from the internet and present it through any witness, which in the Defence submission was beyond the width of Rule 89(C).
12. The Prosecution argued that:
 - (a) none of the alleged preconditions must be met for a document to be admitted into evidence under Rule 89(C), but nonetheless, as to the third alleged precondition, the document which the Prosecution was seeking to have admitted

¹⁹ Transcript, page 14245, lines 24-26.

²⁰ Transcript, page 14245, line 27 to page 14246, line 5.

²¹ Transcript, page 14245, lines 6-15.

²² Transcript, page 14246, line 28 to page 14247, line 1. It should be noted that the original was being used and had been available for inspection, but the Defence had not requested to inspect the document.

was the original;²³

(b) relevance was the requirement for admission, authenticity goes to weight, to be decided later, and other evidence, either documentary or testimonial, may authenticate a document; and

(c) the document was relevant, and was tied to the testimony of the witness, who had talked about diamond mining, the sites and the commanders.²⁴

13. Justice Lussick raised the issue of *lex specialis*, stating that in his opinion, if the document cannot be linked to the evidence of the witness, then the party is not seeking to prove any facts by oral evidence. Rather, the party is seeking to prove them by documentary evidence. If that is so, then the provisions of Rule 92bis apply and cannot be evaded by simply putting those documents to witnesses who know nothing about them and trying to admit them through Rule 89(C). Judge Lussick then pointed out that Rule 89(C) is a general rule giving the Court some right to admit evidence if it sees fit and if the evidence is relevant, but that Rule 92bis is *lex specialis* dealing with information in documents.²⁵

14. The Prosecution argued that Rule 92bis applies only to testimonial evidence of witnesses who are not called to give *viva voce* evidence, not to all documentary evidence.²⁶ The Prosecution submitted as further evidence that Rule 92bis was never meant to apply to all documentary evidence the fact that, by its terms, the rule precludes the use of evidence that goes to the acts and conduct of the accused, often the most probative and relevant evidence to key issues in a case.²⁷ The Prosecution noted that at the ICTY and the ICTR, from which the SCSL rule originated, the use of the rule in practice was limited to the admission of witness statements, rather than documentary evidence. The Prosecution noted that the judges of the SCSL had modified the rule taken from the ICTY and ICTR, and the

²³ Transcript, page 14247, lines 12-22.

²⁴ Transcript, page 14248, lines 12-29.

²⁵ Transcript, page 14249, lines 2-16.

²⁶ Transcript, page 14249, lines 26-27.

²⁷ Rule 92bis(A).

Fofana Judicial Notice Decision explained that the intent of these amendments was to facilitate the efficient admission of documentary evidence, not to add technical hurdles.²⁸ The Prosecution concluded, “So our position is that 92*bis* was never meant to make it more difficult in the Special Court to get documents into evidence than they are in other tribunals, and it would not make sense to say it applies to every document because then it would preclude any document that goes to the acts and conduct of the accused from being admitted into evidence.”²⁹

15. Defence Counsel argued that the Prosecution had accepted the witness had no relation to the document, so in effect the Prosecution was attempting to use the witness to circumvent Rule 92*bis*, and that “absent ... foundation ... Rule 89 does not allow for the admission of this document through this witness”.³⁰
16. Following the above submissions, the Trial Chamber issued the Impugned Decision.³¹
17. As a result of the Impugned Decision, the Prosecution did not request that the document be marked for identification, nor did the Prosecution renew its tender of the document under Rule 89(C).

PART B. STANDARD OF REVIEW

Error of Law

18. For the reasons given below, the Trial Chamber erred in law by holding that if the Prosecution wishes to tender a document under Rule 89(C) through a witness, they need to lay foundation and in the instant case there was no sufficient foundation, and that if a document is to be tendered without a witness, then the

²⁸ See *Prosecutor v. Norman et al.*, SCSL-04-14AR73, “Fofana – Decision on Appeal Against ‘Decision on Prosecution’s Motion for Judicial Notice and Admission of Evidence’”, 16 May 2005 (“*Fofana Judicial Notice Decision*”), para. 26.

²⁹ Transcript, page 14251, lines 5-10.

³⁰ Transcript, page 14252, lines 18-28.

³¹ See footnote 3, *supra*.

application should be made under 92bis of the Rules.³² To the extent this error of law was committed in the exercise of its discretion, the Trial Chamber erred in such exercise as it “misdirected itself either as to the principle to be applied, or as to the law which is relevant to the exercise of the discretion....”³³ Further, the exercise of the discretion was one that was not “reasonably open” to the Trial Chamber,³⁴ and the Trial Chamber “abused its discretion”,³⁵ or “erred and exceeded its discretion”,³⁶ and committed a “discernible error” in the exercise of its discretion.³⁷

Error of Fact and Law

19. To the extent the Impugned Decision involved a matter of fact and law, the Trial Chamber erred in fact and law by failing to properly apply the law to the facts before them and thereby finding that no sufficient foundation had been laid. Further, to the extent the error was in the exercise of its discretion, the Trial Chamber erred in that it “...has failed to give weight or sufficient weight to relevant considerations, or ... made an error as to the facts upon which it has

³² *Ibid.*

³³ *Prosecutor v. Norman et al.*, SCSL-04-14-688, “Decision on Interlocutory Appeals on Trial Chamber Decision Refusing to Subpoena the President of Sierra Leone,” 11 September 2006, para. 6; *Prosecutor v. Milosević*, IT-99-37-AR73, “Reasons for Decision on Prosecution Interlocutory Appeal from Refusal to Order Joinder”, Appeals Chamber, 18 April 2002, para. 5. See also *Prosecutor v. Milosević*, IT-02-54-AR73.6, “Decision on the Interlocutory Appeal by the *Amici Curiae* Against the Trial Chamber Order Concerning the Presentation and Preparation of the Defence Case”, 20 January 2004, para. 7; *Prosecutor v. Bizimungu*, ICTR-99-50-AR50, “Decision on Prosecutor’s Interlocutory Appeal Against Trial Chamber II Decision of 6 October 2003 Denying Leave to File Amended Indictment”, 12 February 2004, para. 11; *Prosecutor v. Karemera*, ICTR-98-44-AR73, “Decision on Prosecutor’s Interlocutory Appeal Against Trial Chamber III Decision of 8 October 2003 Denying Leave to File Amended Indictment”, 19 December 2003, para. 9.

³⁴ *Prosecutor v. Delalić et al.*, IT-96-21-A, Appeals Chamber, “Judgement”, 20 February 2001, paras. 274–275 (see also para. 292, finding that the decision of the Trial Chamber not to exercise its discretion to grant an application was “open” to the Trial Chamber).

³⁵ *Ibid.*, para. 533 (“... the Appeals Chamber recalls that it also has the authority to intervene to exclude evidence, in circumstances where it finds that the Trial Chamber abused its discretion in admitting it”), and see also at para. 564 (finding that there was no abuse of discretion by the Trial Chamber in refusing to admit certain evidence, and in refusing to issue a subpoena that had been requested by a party at trial).

³⁶ *Ibid.*, para. 533.

³⁷ *Prosecutor v. Naletilić and Martinović*, IT-98-34-A, Appeals Chamber, “Judgement,” 3 May 2006, paras. 257-259; *Prosecutor v. Međakić et al.*, IT-02-65-AR11bis.1, “Decision on Joint Defence Appeal Against Decision on Referral Under Rule 11bis,” 7 April 2006 (“**Međakić Rule 11bis Appeal Decision**”), para. 10.

exercised its discretion”.³⁸ The exercise of the discretion was one that was not “reasonably open” to the Trial Chamber,³⁹ and the Trial Chamber “abused its discretion”,⁴⁰ or “erred and exceeded its discretion”,⁴¹ and committed a “discernible error” in the exercise of its discretion.⁴²

PART C. GROUND OF APPEAL AND SUBMISSIONS

20. The Trial Chamber erred in law, or alternatively in fact and law, in holding that documentary evidence tendered under Rule 89(C) must be tendered through a witness, that before the documentary evidence may be tendered through a witness a sufficient foundation beyond relevance must be laid and such foundation was not laid in this case, and that if a document is to be tendered without a witness then an application must be made under Rule 92*bis*.

Ground 1: In the Impugned Decision, the Trial Chamber erred as a matter of law by holding that if the Prosecution wishes to tender a document under Rule 89(C) through a witness, they need to lay foundation beyond showing the relevance of the document to issues in the case and ruling that in the instant case there was no sufficient foundation and by holding that if a document is to be tendered without a witness, then the application should be made under 92*bis* of the Rules.

21. The Trial Chamber erred in its determination of the requirements for admission of a document under Rule 89(C). First, the Trial Chamber ruled in effect that Rule 89(C) may only be the basis for admission of a document which is tendered through or with a witness. That this interpretation of the Trial Chamber ruling is correct is demonstrated by the last sentence of the ruling, which mandates that a document which is tendered without a witness should be tendered under Rule 92*bis* of the Rules. Hence, the Trial Chamber erroneously held that the only mode of admission of documentary evidence under Rule 89(C) is through or in

³⁸ *Prosecutor v. Norman et al.*, SCSL-04-14-688, para. 6.

³⁹ *Prosecutor v. Delalić et al.*, IT-96-21-A, Appeals Chamber, “Judgement”, 20 February 2001.

⁴⁰ *Ibid.*, para. 533

⁴¹ *Ibid.*, para. 533.

⁴² *Mejakić* Rule 11*bis* Appeal Decision, para. 10.

conjunction with a witness. This ruling is contrary to the plain language of the Rule and jurisprudence of the Special Court for Sierra Leone (“SCSL”) which has allowed documents to be tendered pursuant to this Rule absent a witness. Second, the Trial Chamber erroneously held that some foundation beyond relevance must be laid before a document can be tendered through or in conjunction with a witness, thus adding conditions of admissibility to Rule 89(C) which are not expressly prescribed by the Rule. The Trial Chamber had no discretion to add additional requirements for admission of evidence under Rule 89(C). Assuming, *arguendo*, the Trial Chamber had such discretion and that this error of law was committed in the exercise of the discretion of the Trial Chamber, the Trial Chamber misdirected itself either as to the principle to be applied, or as to the law which is relevant to the exercise of the discretion; nor was this exercise of discretion “reasonably open” to the Trial Chamber. The Trial Chamber committed a “discernible error” in the exercise of its discretion.

Admission under Rule 89(C) through or in conjunction with a witness

22. Neither the plain language nor the spirit of Rule 89(C) establishes a requirement that documentary evidence must be tendered through or in conjunction with a witness to be admitted pursuant to that Rule. As noted above, the Impugned Decision is contrary to the practice of the SCSL as documents have, in the absence of a witness, been admitted under Rule 89(C) alone.⁴³ Indeed, this Appeals Chamber has held admissible under Rule 89(C) unsigned submissions from the Government of Sierra Leone, an unsigned statement and a declaration, with no requirement that such documents be tendered through or in conjunction with a witness.⁴⁴
23. Rule 89(C) allows experienced professional judges to receive into evidence relevant written material without “compulsory resort to a witness serving only to

⁴³ *Prosecutor v. Norman et al.*, SCSL 04-14-T-371, “Fofana – Appeal against Decision Refusing Bail”, 11 March 2005, (“**Fofana Bail Appeals Decision**”); *Prosecutor v. Sesay et al.*, SCSL-04-15-T-620, “Decision on Prosecution Motion to Admit into Evidence a Document Referred to in Cross-Examination”, 2 August 2006, (“**Sesay 89(C) Decision**”).

⁴⁴ *Fofana Bail Appeals Decision*, paras. 3, 5, 6, 7, 25, 28 & 29.

present documents”,⁴⁵ subject to the necessary safeguards to prevent any undue prejudice to the Defence.⁴⁶ Indeed, “there is no requirement in international criminal law to produce documents through a witness.”⁴⁷

24. Ruling that to tender a document under Rule 89(C) it must be done through a witness, having laid sufficient “foundation” - which, in context, must have meant sufficient foundation beyond relevance, adds conditions of admissibility to Rule 89(C) which are not expressly prescribed by the Rule. The sole requirement for admission under Rule 89(C) at the SCSL is that the evidence be relevant, whether it be through or with a witness or without a witness. The fact that a document is relevant means it should be admitted.
25. SCSL jurisprudence clearly establishes that the Rules “favour a flexible approach to the issue of admissibility of evidence.”⁴⁸ Therefore, unlike the equivalent ICTY and ICTR Rules, the test for admissibility of evidence under Rule 89(C) is relevance only. There is no requirement that the evidence be both relevant and probative.⁴⁹ This flexible approach to admissibility has been found to be the one best suited to trials where the proceedings are conducted by professional judges.⁵⁰

⁴⁵ *Prosecutor v. Blaskić*, IT-95-14, Judgment, 3 March 2000, “In this respect, it is appropriate to point out that the Trial Chamber authorised the presentation of evidence without its being submitted by a witness. The Trial Chamber relied on various criteria for this. ... the proceedings were conducted by professional Judges with the necessary ability for first hearing a given piece of evidence and then evaluating it so as to determine its due weight with regard to the circumstances in which it was obtained, its actual contents and its credibility in light of all the evidence tendered. Secondly, the Trial Chamber could thus obtain much material of which it might otherwise have been deprived. Lastly, the proceedings restricted the compulsory resort to a witness serving only to present documents. In summary, this approach allowed the proceedings to be expedited whilst respecting the fairness of the trial and contributing to the ascertainment of the truth”, para. 35.

⁴⁶ *Sesay* 89(C) Decision, p. 4.

⁴⁷ *Sesay* 89(C) Decision, p. 3. See also *Prosecutor v. Delalić et al.*, IT-96-21-T, “Decision on the Motion of the Prosecution for the Admissibility of Evidence”, 19 January 1998, para. 22: “there is no blanket prohibition on the admission of documents simply on the ground that their purported author has not been called to testify.” This approach was endorsed in *Prosecutor v. Brđjanin & Talić*, IT-99-36-T, “Order on the Standards Governing the Admission of Evidence”, 15 February 2002, para. 20.

⁴⁸ *Sesay* 92bis Decision, p. 3, quoting with approval *Prosecutor v. Sesay et al.*, SCSL-04-15-T-391, “Ruling on Gbao Application to Exclude Evidence of Prosecution Witness Mr. Koker”, 23 May 2005 (“**Gbao Ruling**”), para. 4.

⁴⁹ *Prosecutor v. Brima et al.*, SCSL-04-16-T, “Decision on Joint Defence Motion to Exclude all Evidence from Witness TF1-277 Pursuant to Rule 89(C) and/or Rule 95”, 24 May 2005, para. 13.

⁵⁰ A flexible approach conforms to one of the basic principles underlying the admissibility of evidence in large international trials: the applicable rules must “promote a fair and expeditious trial and the Trial

The SCSL Appeals Chamber has found that:

“Rule 89(C) ensures that the administration of justice will not be brought into disrepute by artificial or technical rules, often devised for jury trial, which prevent judges from having access to information which is relevant. Judges sitting alone can be trusted to give second hand evidence appropriate weight, in the context of the evidence as a whole and according to well-understood forensic standards. The Rule is designed to avoid sterile legal debate over admissibility ...”⁵¹

26. To the extent the Trial Chamber accepted the Defence submissions⁵² regarding foundational requirements – evidence establishing where [the document] came from, who wrote the document, the location and availability of the original document⁵³, the Trial Chamber erred in law. As noted above, it is well established at the SCSL that that there is no requirement that the evidence be both relevant and probative.⁵⁴ The Defence arguments regarding foundational requirements equate to issues of reliability and probativity, issues properly considered by the Trial Chamber at the end of the trial as “[e]vidence is admissible once it is shown to be relevant: the question of its reliability is determined thereafter, and is not a condition for its admission.”⁵⁵ The authenticity and accuracy of the document are to be assessed by the Trial Chamber at the close of the case in assigning weight to the document, in context of all other evidence.⁵⁶ To the extent the Trial Chamber concluded it had no discretion to admit a relevant document absent a “foundation” that the witness on the stand had knowledge of the origin or authenticity of the document, the Trial Chamber erred. Under Rule

Chambers must have the flexibility to achieve this goal.” (See *Prosecutor v. Aleksovski*, IT-95-14/1, “Decision on Prosecutor’s Appeal on Admissibility of Evidence”, 16 February 1999, para. 19).

⁵¹ *Fofana* Bail Appeals Decision, para. 26.

⁵² See para. 11 above, where questions, the purpose of which were to establish the origin, authenticity and reliability of the document, were identified by Defence Counsel as being ones which must be asked before a document could be considered for admission.

⁵³ Transcript, page 14246, line 28 to page 14247, line 1. It should be noted that the original was being used and had been available for inspection but the Defence had not requested to inspect the document.

⁵⁴ *Prosecutor v. Brima et al.*, SCSL-04-16-T, 24 May 2005, para 13.

⁵⁵ *Fofana* Bail Appeals Decision, para. 24.

⁵⁶ *Ibid.*, paras. 24 and 25.

89(C), relevant evidence is clearly admissible.⁵⁷

27. The relevance of the document in question was never a matter of dispute. The Defence never objected based on relevance, nor did the Trial Chamber question the relevance of the document. Therefore, in finding that the Prosecution had not laid sufficient foundation to tender the document through witness TF1-367, the Trial Chamber erred as a matter of law in requiring more than relevance for foundation.

Foundation Requirements – admission in conjunction with a witness

28. There is no requirement that relevant documents be tendered or admitted only at certain times or stages in the proceedings; a relevant document may be tendered and admitted at any time. Assuming *arguendo*, foundation beyond relevance is required to tender a document in conjunction with the testimony of a witness, such additional foundation is only that the document be related in some way to the testimony of the witness. In addition, admitting documents along with relevant witness testimony rather than in isolation assists the Trial Chamber to better understand the document and allows the opposing party to ask relevant questions concerning the document in cross-examination.
29. There was a legal and logical basis for tendering this document in conjunction with the testimony of this witness. As the Prosecution argued, the document is related to and relevant to the substance of the witness' testimony. The Defence would have had the opportunity to question this witness on the contents of the document about which he was familiar as well as to establish for the record any parts of the document which were not consistent with the witness' experience. The Trial Chamber erred as a matter of law in denying the Prosecution the ability to tender the document in conjunction with this witness, whose testimony included information relevant to understanding the AFRC/RUF practice relating to records of diamond mining and the kind of information recorded and whose

⁵⁷ *Ibid.*, para. 27.

own experience would have been able to assist the Trial Chamber in better understanding the document.

30. For example, the document in dispute included columns labeled “number of white,” “number of industrial,” “caratage” and “percentage”.⁵⁸ The testimony of witness TF1-367 explained the significance of these terms. The witness explained that the RUF weighed the stones and recorded the weight in terms of carats and percentage, and that “percentage” meant a portion of a carat.⁵⁹ So for example, a stone that weighed one and a quarter carats would be recorded as “1” in the column for carats and “25” in the “percentage” column. This would not be self-evident without the testimony of the witness. The witness also explained that the RUF practice was to separate the colourless or “white” stones from those which were coloured or “industrial.”⁶⁰ Thus the witness’ testimony provided information which was essential to understand the document the Prosecution sought to admit into evidence.

Foundational requirements – shown to and tendered through a witness

31. The Trial Chamber did not set out what additional foundation was required before a document could be shown to a witness or tendered through a witness. Assuming *arguendo* that additional foundation was required as a matter of law before the document could be shown to and tendered through the witness, that additional foundation was not that the witness has personal knowledge of the specific document itself. A document which is relevant may be shown to and tendered through a witness where, for example, the witness has knowledge of the subject matter of the document, or of the events described in a document, or of similar documents, or of a signature on a document, or can explain the contents of a document.⁶¹ A sufficient foundation is laid where the witness’ testimony was in

⁵⁸ See for example the Document at ERN page 00013323 listing these headings.

⁵⁹ Transcript, pages 14220 to 14222.

⁶⁰ Transcript, pages 14208 to 14209.

⁶¹ See for example *Prosecutor v. Taylor*, SCSL-03-01-T, Transcripts of 5 February 2008, page 3077, line 22 to page 3081, line 8, Radio Log Book No3 – P49 shown to TF1-360; 22 May 2008, page 10584, line 27 to page 10590, line 3, Minutes of the Family Reunion, P 134A & B shown to TF1-597; and 14 July 2008,

some way relevant to understanding or evaluating the document or that the document was in some way relevant to the witness's testimony.

Lex Specialis

32. The doctrine of *lex specialis* is not dispositive of this issue. First, documents may be admitted under Rule 89(C) absent a witness. Second, Rule 92bis, as amended, only applies to documents which are offered *in lieu of oral evidence*.
33. At the SCSL the admission of documentary evidence has not been limited to Rule 92bis. While no Rule specifically governs the admission of documentary evidence, as noted above, Rule 89(C) has been used to admit such evidence alone.⁶² Further, when the Appeals Chamber issued the *Fofana* Bail Appeals Decision, Rule 92bis was in existence. Yet that Decision made no mention of Rule 92bis, even though the documentary evidence at issue in that instance was truly *in lieu of oral testimony* of a witness – a statement of a potential witness, a declaration of a potential witness and submissions made by the Government of Sierra Leone and subscribed Joseph Kobba, Senior State Council, for the Attorney General and Minister of Justice, though not signed.⁶³ Rather, the Appeals Chamber grounded its decision in Rule 89(C), without requiring that the documentary evidence be admitted through or in conjunction with a witness. It is clear, then, that the Appeals Chamber did not view Rule 92bis as precluding the admission under Rule 89(C) of relevant evidence not tendered through or in conjunction with a witness.
34. In addition, the document in question in this instance does not fall within the purview of Rule 92bis as it has been amended. Certainly, Rule 92bis has also been used at the SCSL to admit documentary evidence pursuant to the stated intention that Rule 92bis at the SCSL be deliberately different from the corresponding

page 13583, line 15 to page 13620, line 11, Lists of ATU Graduates - P161 A, B & C shown to TF1-388.

⁶² *Sesay* 89(C) Decision, page 4.

⁶³ *Fofana* Bail Appeals Decision, paras. 4, 5 & 6.

ICTY and ICTR Rules.⁶⁴ However, the amendments made to the SCSL Rule in May 2007 appear to have their origin in the jurisprudence and practice of the *ad hoc* tribunals and, thus, have had the effect of narrowing the scope of the SCSL Rule.⁶⁵

35. Prior to May 2007, Rule 92*bis* permitted the reception of “information” into evidence; there was no prohibition on admission of “information” which went to proof of the acts and conduct of the accused.⁶⁶ In May 2007, Rule 92*bis* was amended, in terms similar to the *ad hoc* tribunals’ rules, to refer to the reception of witness statements and transcripts and to exclude the admission of information including written statements and transcripts that go to proof of the acts and conduct of the accused. The SCSL Rule’s assimilation with the equivalent rules at these tribunals, which deal with the admission of statements or testimony in lieu of *viva voce* evidence, has had the effect of narrowing its scope within the practice of the SCSL.
36. Thus, consistent with Rule 92*bis* in the *ad hoc* tribunals, the amendments to Rule 92*bis* which have narrowed its focus now make the Rule more suited to the admission of witness statements and trial transcripts, not with other types of documentary evidence. Rule 89(C) is now the rule more suited to the admission of such other documents. Such approach is also consistent with the similar but more

⁶⁴ As noted by the Appeals Chamber, “SCSL Rule 92*bis* is different to the equivalent Rule in the ICTY and ICTR and deliberately so. The judges of this Court, at one of their first plenary meetings, recognized a need to amend ICTR Rule 92*bis* in order to simplify this provision for a court operating in what was hoped would be a short time-span in the country where the crimes had been committed and where a Truth and Reconciliation Commission and other authoritative bodies were generating testimony and other information about the recently concluded hostilities. The effect of the SCSL Rule is to permit the reception of “information” – assertions of fact (but not opinion) made in documents or electronic communications – if such facts are relevant and their reliability is “susceptible of confirmation.” (*Fofana Judicial Notice* Decision, para. 26, footnotes omitted).

⁶⁵ Prior to May 2007, Rule 92*bis*(A) read: “A Chamber may admit in evidence, in whole or in part, information in lieu of oral testimony”. Rule 92*bis*(A) now provides: “In addition to the provisions of Rule 92ter, a Chamber may, in lieu of oral testimony, admit as evidence in whole or in part, information including written statements and transcripts, that do not go to the proof of the acts and conduct of the accused.”

⁶⁶ Until 14 May 2007, Rule 92*bis* “in contrast to its counterpart in the Rules of the ICTY and ICTR, [did] not limit the type of evidence admissible under [it] to mere background evidence that does not go to proving the acts and conduct of the Accused” (see *Prosecutor v. Sesay et al.*, SCSL-04-15-T-557, “Decision on the Prosecution Notice under 92*bis* to Admit the Transcripts of Testimony of TF1-256”, 23 May 2006, p. 4).

restrictive Rule 89⁶⁷ in the *ad hoc* tribunals, where evidence such as public documents which have not been prepared for legal proceedings and are not being offered as a substitute for live testimony, are received into evidence under Rule 89(C).

37. Assuming *arguendo* the requirements of Rule 92bis are pre-emptive of those of Rule 89(C) within the narrowed scope of amended Rule 92bis, they are not pre-emptive in this instance where the Prosecution did not seek to tender this document *in lieu of oral testimony*.

Ground 2: To the extent that the Trial Chamber correctly determined that there must be a sufficient foundation before a document may be tendered through or with a witness under Rule 89(C), the Trial Chamber erred in fact and law in determining that no sufficient foundation had been laid in the instant case.

38. To the extent the Trial Chamber's ruling is interpreted to be a mixed finding of fact and law, the Trial Chamber erred as a matter of fact and law in applying the requirements of Rule 89(C) to the facts before them. To the extent the error regarding foundational requirements for a document to be tendered in conjunction with or through a witness was in the exercise of its discretion, the Trial Chamber erred in that it failed to give weight or sufficient weight to relevant considerations including the facts before it or made an error as to the facts upon which it has exercised its discretion or made an error as to the facts upon which it exercised its discretion.
39. No reasonable finder of fact, when faced with the evidence of the witness and knowing the type of document to be shown the witness could have determined that relevance was not established – both of the document and in relation to the

⁶⁷ ICTY and ICTR Rules of Procedure and Evidence, Rule 89 (C): "A Chamber may admit any relevant evidence which it deems to have probative value"; See also, for example, *Prosecutor v. Prlić*, IT-04-74-T, "Public Decision on Motion to Dismiss Certain Prosecution Motions for Admission of Documentary Evidence as an Abuse of Process", 27 September 2007 which rejected the Defence motion requesting that the Chamber dismiss the Prosecution's seven motions for admission of documentary evidence under Rule 89(C). The documentary evidence which the Prosecution sought to admit amounted to 1,667 documents.

witness' testimony.

Foundation under Rule 89(C)

40. As discussed above, the only foundation required for admission of evidence under Rule 89(C) is relevance, whether the document is to be introduced through or in conjunction with a witness or absent a witness. However, lack of relevance was not raised. There was no objection from the Defence based on relevance, nor did the Trial Chamber question the relevance of the document to these proceedings. The evidence before the Trial Chamber satisfied the foundational requirement of relevance for admission under Rule 89(C).

Foundational Requirements- in conjunction with or through a witness

41. Assuming *arguendo* other foundational requirements must be met before a document can be tendered in conjunction with or through a witness under Rule 89(C), such foundational requirements were met. To the extent that the additional foundation included that the document was related to the testimony of the witness, two points must be made. First, contrary to the Defence claims⁶⁸, the Prosecution, although conceding that the document in question was created after the witness had left the position of mining commander, consistently pointed out that the document was relevant to the testimony of the witness.⁶⁹
42. Second, the evidence before the Trial Chamber clearly established that the document was relevant and related to the witness' testimony. The document, a record of AFRC/RUF diamond mining, was very similar to a document of which the witness had personal knowledge, Defence Exhibit D-54. The evidence of record makes it clear that the witness had knowledge of AFRC/RUF diamond mining activities and the recordkeeping associated with such AFRC/RUF activities. He had provided the Trial Chamber with information showing such knowledge, including his familiarity with and explanation of the contents of

⁶⁸ Transcript page 14252, lines 18-21.

⁶⁹ Transcript page 14245, line 24 to page 14246, line 15, and page 14249, lines 17 – 20.

Defence exhibit D-54. He had testified regarding categories of persons who kept records of such mining activities, and regarding mining locations and names of some of the commanders noted in the document in question. The witness had provided the Trial Chamber with more foundational evidence than was required. No reasonable fact finder could have concluded on those facts that sufficient foundation had not been laid.

Foundational Requirements - tendered through a witness

43. As noted above, there is no foundational requirement that a witness have personal knowledge of the specific document to be shown to him or her, or tendered through or with the witness. It is sufficient if the witness has knowledge of the subject matter of the document, or of the events described in a document, or of similar documents, or of a signature on a document, or can explain the contents of a document.⁷⁰ In this instance, the witness had such knowledge and had shown he could explain the contents of the document.⁷¹
44. No reasonable finder of fact, when faced with the evidence of the witness and knowing the type of document to be shown the witness could have determined that relevance was not established – both of the document and in relation to the witness' testimony. To the extent it is argued the additional foundation was required before the document could be tendered in conjunction with or through the witness, no reasonable finder of fact could have concluded that there had been an insufficient showing of the witness' familiarity with the relevant recordkeeping, including content of the records, locations and persons involved so as to allow the document to be tendered with or through the witness.

⁷⁰ See footnote 61, *supra*.

⁷¹ On 20 August 2008, prior to delivering the Impugned Decision, the Trial Chamber refused to allow two documents to be placed before the witness, based on a finding that the Prosecution had not established the requisite foundation required by the Trial Chamber. One of these documents described the distribution of ammunition for the attack on Kono in late 1998 in which the witness participated; and the other document described a forum held by RUF commanders planning the attack which the witness had attended and described in his testimony. The Trial Chamber ruled that the documents could not be shown to the witness as the proper foundation had not been laid to do so. The Trial Chamber held that a foundation beyond relevance must be shown before a document could be shown to a witness but declined to explain orally what foundation was required. See Transcript, page 14162, line 11 to page 14180, line 29.

PART D. PREJUDICE

45. As a consequence of the Impugned Decision, (a) the Prosecution was precluded from tendering the document in question in conjunction with or through TF1-367; (b) the Prosecution is precluded from using Rule 89(C) to tender relevant evidence in conjunction with or through a witness absent establishing additional foundation beyond relevance; (c) the Prosecution is also precluded from using Rule 89(C) to tender a document in those cases where the evidence is not being tendered through a witness and where such evidence goes to proof of the acts and conduct of the Accused or is evidence which is considered sufficiently proximate to the Accused. Further, the Impugned Decision precludes the admission of a document under Rule 89(C) where there is no witness either available or readily identifiable to testify to a document (i.e. a UN Security Council Resolution which is the product of the consensus of many States). In such instances, the Prosecution will be prevented from tendering otherwise relevant evidence through or in conjunction with a witness or absent a witness.

PART E. RELIEF SOUGHT

46. (a) The Impugned Decision should be set aside. The Trial Chamber should be ordered to admit the document which was the subject of the Impugned Decision based on its relevance pursuant to Rule 89(C). In the alternative, the Trial Chamber should be ordered to evaluate the admissibility of the document based on its relevance alone.
- (b) To the extent a foundation beyond relevance is required before a document can be admitted through or in conjunction with a witness pursuant to Rule 89(C), the Trial Chamber should be ordered to admit the document which was the subject of the Impugned Decision, as a sufficient foundation had been established through witness TF1-367: the witness' prior knowledge of AFRC/RUF diamond mining, of who kept records of diamond mining and the content of those records,

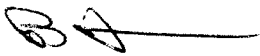
23661

of certain diamond mining locations and names of commanders involved in
diamond mining operations.

Filed in The Hague,

05 January 2009

For the Prosecution,



Brenda J. Hollis
Principal Trial Attorney

ANNEX

RECORD ON APPEAL

1. *Prosecutor v. Taylor*, SCSL-03-01-T, Trial Transcript, 21 August 2008, page 14253, lines 1 to 6.
2. *Prosecutor v. Taylor*, SCSL-03-01-T-568, “Public Prosecution Application for Leave to Appeal Decision regarding the Tender of Documents”, 25 August 2008.
3. *Prosecutor v. Taylor*, SCSL-03-01-T-577, “Public Defence Response to Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents”, 8 September 2008.
4. *Prosecutor v. Taylor*, SCSL-03-01-T-593, “Public Prosecution Reply to Defence Response to Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents”, 15 September 2008.
5. *Prosecutor v. Taylor*, SCSL-03-01-T-691, “Decision on Public Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents”, 10 December 2008.
6. *Prosecutor v. Taylor*, SCSL-03-01-T-697, “Prosecution Request for Expedited Filings and for Leave to File Notice of Appeal and Submissions During Judicial Recess”, 12 December 2008.
7. *Prosecutor v. Taylor*, SCSL-03-01-T-699, “Decision On Prosecution Request for Expedited Filings and for Leave to File Notice of Appeal and Submissions During Judicial Recess”, 15 December 2008.

INDEX OF AUTHORITIES**A. ORDERS, DECISIONS AND JUDGEMENTS****SCSL Cases*****Prosecutor v. Norman, Fofana and Kondewa, SCSL-04-14-T***

1. *Prosecutor v. Norman et al.*, SCSL 04-14-T-371, “Fofana – Appeal Against Decision Refusing Bail”, 11 March 2005.
2. *Prosecutor v. Norman et al.*, SCSL-04-14AR73, “Fofana – Decision on Appeal Against ‘Decision on Prosecution’s Motion for Judicial Notice and Admission of Evidence’”, 16 May 2005.
3. *Prosecutor v. Norman et al.*, SCSL-04-14-688, “Decision on Interlocutory Appeals on Trial Chamber Decision Refusing to Subpoena the President of Sierra Leone,” 11 September 2006.

Prosecutor v. Sesay, Kallon and Gbao, SCSL-04-15-T

1. *Prosecutor v. Sesay et al.*, SCSL-04-15-T-391, “Ruling on Gbao Application to Exclude Evidence of Prosecution Witness Mr. Koker”, 23 May 2005.
2. *Prosecutor v. Sesay et al.*, SCSL-04-15-T-557, “Decision on the Prosecution Notice under 92bis to Admit the Transcripts of Testimony of TF1-256”, 23 May 2006.
3. *Prosecutor v. Sesay et al.*, SCSL-04-15-T-620, “Decision on Prosecution Motion to Admit into Evidence a Document Referred to in Cross-Examination”, 2 August 2006.

Prosecutor v Brima et al, SCSL-04-16-T

1. *Prosecutor v. Brima et al.*, SCSL-04-16-T, “Decision on Joint Defence Motion to Exclude all Evidence from Witness TF1-277 Pursuant to Rule 89(C) and/or Rule 95”, 24 May 2005.

ICTY Cases

1. *Prosecutor v. Delalić et al.*, Case No. IT-96-21-T, Decision on the Motion of the Prosecutor for the Admissibility of Evidence, 19 January 1998.
<http://www.un.org/icty/celebici/trialc2/decision-e/80119EV21.htm>
2. *Prosecutor v. Aleksovski*, IT-95-14/1, “Decision on Prosecutor’s Appeal on Admissibility of Evidence”, 16 February 1999.
<http://www.un.org/icty/aleksovski/appeal/decision-e/90216EV36313.htm>
3. *Prosecutor v. Blaskić*, IT-95-14, Judgment, 3 March 2000.
<http://www.un.org/icty/blaskic/trialc1/judgement/bla-tj000303e.pdf>
4. *Prosecutor v. Delalić et al*, IT-96-21-A, Appeals Chamber, “Judgement”, 20 February 2001.
<http://www.un.org/icty/celebici/appeal/judgement/index.htm>
5. *Prosecutor v. Milosević*, IT-99-37-AR73, “Reasons for Decision on Prosecution Interlocutory Appeal from Refusal to Order Joinder”, Appeals Chamber, 18 April 2002.
<http://www.un.org/icty/milosevic/appeal/decision-e/020418.htm>
6. *Prosecutor v. Brđanin & Talić*, IT-99-36-T, “Order on the Standards Governing the Admission of Evidence”, 15 February 2002.
<http://www.un.org/icty/brdjanin/trialc/order-e/020215.pdf>
7. *Prosecutor v. Milosević*, IT-02-54-AR73.6, “Decision on the Interlocutory Appeal by the *Amici Curiae* Against the Trial Chamber Order Concerning the Presentation and Preparation of the Defence Case”, 20 January 2004.
<http://www.un.org/icty/milosevic/appeal/decision-e/040120.htm>

8. *Prosecutor v. Međakić et al.*, IT-02-65-AR11bis.1, “Decision on Joint Defence Appeal Against Decision on Referral Under Rule 11BIS,” 7 April 2006
<http://www.un.org/icty/mejakic/appeal/decision-e/060407.htm>
9. *Prosecutor v. Naletilić and Martinović*, IT-98-34-A, Appeals Chamber, “Judgement,” 3 May 2006.
<http://www.un.org/icty/naletilic/appeal/judgement/index.htm>
10. *Prosecutor v. Prlić*, IT-04-74-T, “Public Decision on Motion to Dismiss Certain Prosecution Motions for Admission of Documentary Evidence as an Abuse of Process”, 27 September 2007.
<http://www.un.org/icty/prlic/trialc/decision-e/070927.pdf>

ICTR cases

1. *Prosecutor v. Karemera*, ICTR-98-44-AR73, “Decision on Prosecutor’s Interlocutory Appeal Against Trial Chamber III Decision of 8 October 2003 Denying Leave to File Amended Indictment”, 19 December 2003
<http://69.94.11.53/ENGLISH/cases/Karemera/decisions/191203.htm>
2. *Prosecutor v. Bizimungu*, ICTR-99-50-AR50, “Decision on Prosecutor’s Interlocutory Appeal Against Trial Chamber II Decision of 6 October 2003 Denying Leave to File Amended Indictment”, 12 February 2004
<http://69.94.11.53/ENGLISH/cases/Bizimungu/decisions/120204.htm>

B. RULES OF PROCEDURE AND EVIDENCE AND PRACTICE DIRECTIONS

1. Rules of Procedure and Evidence of the Special Court, Rules 73(B), 89(C), 92bis, and 108(C), as amended.
2. Practice Direction for Certain Appeals Before the Special Court of 30 September 2004.
3. ICTY and ICTR Rules of Procedure and Evidence, Rule 89(C).

C. OTHER DOCUMENTS

1. TRANSCRIPTS

Prosecutor v. Taylor, SCSL-03-1-T

Transcript, 5 February 2008, page 3077, line 22 to page 3081, line 8.

Transcript, 22 May 2008, page 10584, line 27 to page 10590, line 3.

Transcript, 14 July 2008, page 13583, line 15 to page 13620, line 11.

Transcript, 20 August 2008, page 14162, line 11 to page 14180, line 29.

Transcript, 21 August 2008, pages 14208 to 14209.

Transcript, 21 August 2008, page 14210, line 17 to page. 14212, line 11.

Transcript, 21 August 2008, page 14210, line 17 to page 14225, line 14.

Transcript, 21 August 2008, page 14212, line 12 to page 14225, line 14.

Transcript, 21 August 2008, pages 14220 to 14222.

Transcript, 21 August 2008, page 14241, line 10 to page 14245, line 7.

Transcript, 21 August 2008, page 14241, line 10 to page 14253, line 6.

Transcript, 21 August 2008, page 14245, lines 8-10.

Transcript, 21 August 2008, page 14245, lines 11-13.

Transcript, 21 August 2008, page 14245, lines 19-22.

Transcript, 21 August 2008, page 14245, lines 24-26.

Transcript, 21 August 2008, page 14245, lines 6-15.

Transcript, 21 August 2008, page 14245, line 24 to page 14246, line 15.

Transcript, 21 August 2008, page 14245, line 27 to page 14246, line 5.

Transcript, 21 August 2008, page 14246, line 28 to page 14247, line 1.

Transcript, 21 August 2008, page 14247, lines 12-22.

- Transcript, 21 August 2008, page 14248, lines 12-29.
- Transcript, 21 August 2008, page 14249, lines 2-16.
- Transcript, 21 August 2008, page 14249, lines 17-20.
- Transcript, 21 August 2008, page 14249, lines 26-27.
- Transcript, 21 August 2008, page 14251, lines 5-10.
- Transcript, 21 August 2008, page 14252, lines 18-21.
- Transcript, 21 August 2008, page 14252, lines 18-28.
- Transcript, 21 August 2008, page 14253, lines 1-6.
2. Tab 10 of Prosecution Binder produced in connection with appearance of Witness TF1-367: Brown Ledger Logbook of RUF diamond transactions comprised of 95 pages (ERN 00013318-00013412).

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PROVISION OF AUTHORITIES REFERRED TO IN RECORD OF APPEAL

1. *Prosecutor v Taylor*, SCSL-03-01-T, Trial Transcript, 21 August 2008, page 14253, lines 1-6.

1 PRESIDING JUDGE: We have considered the submissions in
2 this case. If the Prosecution wishes to tender a document under
3 Rule 89 (c) through a witness, they need to lay foundation and in
4 the instant case there is no sufficient foundation. If a
12:51:50 5 document is to be tendered without a witness, then the
6 application should be made under 92 bis of the rules.

7 MR KOUMJIAN:

8 Q. Mr witness, in relation to diamonds, does white have any
9 meaning? Can you explain what it means when you talk about white
12:52:23 10 in relation to diamonds?

11 A. The weight means when it has been weighed. When we weigh
12 it on the scale, that is where we know if weight.

13 Q. Sorry, perhaps the interpreter didn't understand me. I am
14 just talking about the colour. I'm sorry if I was not clear.

12:52:46 15 The colour white.

16 A. Okay.

17 Q. Does "white" mean anything to you?

18 A. The colour by which you mean white, as you are all English
19 people, when we say something is white it means it is purely
12:53:05 20 white and it has no other colour mixed with it. It is purely
21 white.

22 Q. Mr witness, for the record we are not all English people.
23 Thank you. Sir, you have talked about the Guinea operation. Can
24 you tell us what year that occurred?

12:53:37 25 PRESIDING JUDGE: Mr Koumjian, the witness used the term
26 "Guinea war". Now is Guinea war and Guinea operation --

27 MR KOUMJIAN: I apologise:

28 Q. Sir, you said something about Guinea. Were you ever in
29 Guinea yourself?

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2. *Prosecutor v. Taylor*, SCSL-03-01-T-568, “Public Prosecution Application For Leave To Appeal Decision Regarding The Tender Of Documents”, 25 August 2008.

S68)

SCSL-03-01-T
(18370-18382)

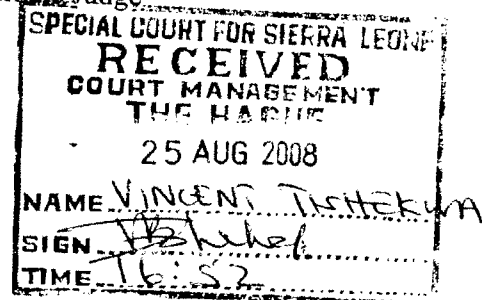
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SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
Freetown – Sierra Leone

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

Registrar: Mr. Herman von Hebel

Date filed: 25 August 2008



THE PROSECUTOR

Against

Charles Ghankay Taylor

Case No. SCSL-03-01-T

PUBLIC

PROSECUTION APPLICATION FOR LEAVE TO APPEAL DECISION REGARDING THE TENDER OF DOCUMENTS

Office of the Prosecutor:

Ms. Brenda J. Hollis
Mr. Nicholas Koumjian
Ms. Leigh Lawrie

Counsel for the Accused:

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

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I. INTRODUCTION

1. Pursuant to Rule 73(B) of the Rules of Procedure and Evidence (“**Rules**”), the Prosecution hereby applies for leave to appeal the Trial Chamber’s oral ruling of 21 August 2008 regarding the tender of documents in the current proceedings (“**Decision**”).¹ The Chamber did not indicate that written reasons for the Decision would follow. Therefore, the Prosecution files this application on the basis of the oral ruling.
2. The Prosecution seeks leave to appeal the Decision as the Trial Chamber erred in law by ruling that it was impermissible for the Prosecution to move into evidence from the bar table under Rule 89(C) a document that was relevant on its face to issues in the case and to the testimony of the witness then testifying. This error gives rise to exceptional circumstances and irreparable prejudice, thus satisfying the standard specified in Rule 73(B) for leave to appeal to be granted.
3. The document which was the subject of the Decision and indeed the two other documents which the Prosecution was not permitted to show witness TF1-367 during proceedings on 20 August 2008 are not documents which would be excluded by the restrictions contained in Rule 92bis. However, notwithstanding this fact, the Prosecution seeks leave to appeal this issue at this time in order to ensure that it is not foreclosed from seeking the admission of documents under Rule 89(C) in instances where it would be prevented from seeking admission under Rule 92bis.

II. BACKGROUND

4. During court proceedings on 21 August 2008, the Prosecution sought to refer witness TF1-367 to a document.² Before the document could be shown to the witness, Defence Counsel requested “some foundation as to the basis upon which [the] particular document [was] being placed before the witness.”³ Defence Counsel then specifically identified two questions he wished answered: “One, is the witness in a position to speak to [the] document. Secondly, what is the foundation for placing [the] particular document before

¹ *Prosecutor v. Taylor*, SCSL-03-01-T, Trial Transcript, 21 August 2008 (“**Transcript**”), page 14253, lines 1-6.

² *Transcript*, page 14245, lines 8-10.

³ *Transcript*, page 14245, lines 11-13.

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[the] witness?”⁴

5. In response, Prosecution Counsel stated that he no longer wished to place the document before the witness but, instead, wished to move it into evidence as a relevant document under Rule 89(C).⁵ Regarding relevance, Prosecution Counsel identified the document to be RUF mining records prepared after witness TF1-367 was a mining commander, that the locations mentioned therein were locations directly tied to the witness' testimony and that the commanders named therein were commanders who the witness had identified in his testimony as being involved in mining.⁶ Therefore, while it was submitted that the document was *prima facie* relevant to the current proceedings in and of itself, the document was also immediately relevant when considered in the context of the testimony of witness TF1-367.
6. In response, Defence Counsel noted the width of Rule 89(C) but stated that “one or two *a priori* conditions [had] not been met. Where did [the document] come from? Who wrote the document? Where is the original? Is it available for inspection?”⁷ Defence Counsel then observed that “If none of those one would have thought necessary conditions are met, effectively what my learned friend is arguing for is a position whereby the OTP could download any document from the internet and present it to this tribunal through any witness and in our submission Rule 89 cannot be that wide.”⁸
7. In reply, Prosecution Counsel noted that none of the preconditions identified by Defence Counsel were required for the admission of a document under Rule 89(C)⁹ and that the authenticity of the document is a matter of weight not of admissibility.¹⁰
8. Following the exchange regarding the requirements of Rule 89(C), Justice Lussick observed that: “If the document cannot be linked to the evidence of the witness, then you are not seeking to prove any facts by oral evidence. You are seeking to prove them by documentary evidence. And it seems to me that if that is so the conditions of Rule 92*bis*

⁴ Transcript, page 14245, lines 19-22.

⁵ Transcript, page 14245, lines 24-26.

⁶ Transcript, pages 14245, line 27 to page 14246, line 5.

⁷ Transcript, page 14246, line 28 to page 14247, line 1. It should be noted that the original was being used and had been available for inspection but the Defence had not requested to inspect the document.

⁸ Transcript, page 14247, lines 2-6. It should also be noted that there is no Rule *per se* against the admission of documents from the internet, as was done by the defence itself during the testimony of witness TF1-334 (see exhibits D.19 – D.24).

⁹ Transcript, page 14247, lines 12-22.

¹⁰ Transcript, page 14248, lines 12-15.

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apply and you cannot attempt to evade those provisions by simply dumping documents on witnesses who know nothing about them and trying to admit them through Rule 89(C).”¹¹

9. Prosecution Counsel noted that Rule 92bis applies to documents offered *in lieu of oral testimony* and thus was not meant to apply to all forms of documentary evidence.¹² The Prosecution submitted as further evidence that Rule 92bis was never meant to apply to all documentary evidence the fact that by its terms the rule precludes the use of evidence that goes to the acts and conduct of the accused, often the most probative and relevant evidence to key issues in a case.¹³ The Prosecution noted that in the ICTY and the ICTR, from where the SCSL rule originated, the use of the rule in practice was limited to the admission of witness statements, rather than documentary evidence. The Prosecution noted that the judges of the SCSL had modified the rule, and the *Fofana* Judicial Notice Decision explained that the intent of these amendments was to facilitate the efficient admission of documentary evidence, not to add technical hurdles.¹⁴ The Prosecution concluded, “So our position is that 92bis was never meant to make it more difficult in the Special Court to get documents into evidence than they are in other tribunals, and it would not make sense to say it applies to every document because then it would preclude any document that goes to the acts and conduct of the accused from being admitted into evidence.”¹⁵ To this, Defence Counsel maintained “absent ... foundation ... Rule 89 does not allow for the admission of this document through this witness”.¹⁶
10. Following the above submissions, the Trial Chamber issued the Decision:

We have considered the submissions in this case. If the Prosecution wishes to tender a document under Rule 89(C) through a witness, they need to lay foundation and in the instant case there is no sufficient foundation. If a document is to be

¹¹ Transcript, page 14249, lines 6-12.

¹² Transcript, page 14249, lines 26-27

¹³ Rule 92bis(A)

¹⁴ See *Prosecutor v. Norman et al.*, SCSL-04-14AR73, “Fofana – Decision on Appeal Against ‘Decision on Prosecution’s Motion for Judicial Notice and Admission of Evidence’”, 16 May 2005 (“**Fofana Judicial Notice Decision**”) the Appeals Chamber noted at paragraph 26: “The judges of this Court, at one of their first plenary meetings, recognised a need to amend ICTR Rule 92bis in order to simplify this provision for a court operating in what was hoped would be a short time-span in the country where the crimes had been committed and where a Truth and Reconciliation Commission and other authoritative bodies were generating testimony and other information about the recently concluded hostilities. The effect of the SCSL Rule is to permit the reception of “information” - assertions of fact (but not opinion) made in documents or electronic communications – if such facts are relevant and their reliability is “susceptible of confirmation” (footnotes omitted).

¹⁵ Transcript, page 14251, lines 5-10.

¹⁶ Transcript, page 14252, lines 26-28.

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tendered without a witness, then the application should be made under Rule 92bis of the Rules.¹⁷

III. APPLICABLE LAW

11. Rule 73(B) provides that leave to appeal may be granted in exceptional circumstances and to avoid irreparable prejudice to a party. As noted by this Chamber:

“the overriding legal consideration in respect of an application for leave to file an interlocutory appeal is that the applicant’s case must reach a level of exceptional circumstances and irreparable prejudice. Nothing short of that will suffice having regard to the restrictive nature of Rule 73(B) of the Rules and the rationale that criminal trials must not be heavily encumbered and consequently unduly delayed by interlocutory appeals.”¹⁸

However, as recognised by the Appeals Chamber, “the underlying rationale for permitting such appeals is *that certain matters cannot be cured or resolved by final appeal against judgement.*”¹⁹

12. The two limbs to Rule 73(B) – exceptional circumstances and irreparable prejudice – are conjunctive and both must be satisfied if an application for leave to appeal is to succeed. The jurisprudence of the Special Court establishes that an erroneous ruling does not of itself constitute exceptional circumstances.²⁰
13. In relation to the first limb of the standard set out in Rule 73(B), what constitutes exceptional circumstances “must necessarily depend on, and vary with, the circumstances of each case.”²¹ However, as Trial Chamber I has observed “exceptional circumstances” may exist where a question of general legal principle is to be decided for the first time, where the cause of justice might be interfered with, or the question raises serious issues

¹⁷ Transcript, page 14253, lines 1-6. A copy of the ruling (being an extract from the Court Transcript) is provided in the Annex.

¹⁸ *Prosecutor v. Brima et al.*, SCSL-04-16-T-4-83, “Decision on Joint Defence Request for Leave to Appeal from Decision on Defence Motions for Judgement of Acquittal pursuant to Rule 98 of 31 March 2006”, 4 May 2006, page 2.

¹⁹ *Prosecutor v. Norman et al.*, SCSL-04-14-T-319, “Decision on Prosecution Appeal against Trial Chamber Decision of August 2004 Refusing Leave to File an Interlocutory Appeal”, 17 January 2005, para. 29 (emphasis added); see also *Prosecutor v. Sesay, Kallon and Gbao*, SCSL-2004-15-T-357, “Decision on Defence Applications for Leave to Appeal Ruling of the 3rd February 2005 on the Exclusion of Statements of Witness TF1-141”, 28 April 2005 (“*Sesay Decision*”), para. 21.

²⁰ *Prosecutor v. Norman et al.*, SCSL-04-14-T-669, “Decision on Application by First Accused for Leave to Appeal against the Decision on their Motion for Extension of Time to Submit Documents pursuant to Rule 92bis”, 17 July 2006.

²¹ *Sesay Decision*, para. 25, which was noted in *Prosecutor v. Brima et al.*, SCSL-04-16-T-588, “Decision on Prosecution Application for Leave to Appeal Decision on Confidential Motion to call Evidence in Rebuttal”, 23 November 2006, at page 3.

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of fundamental legal importance to the Special Court for Sierra Leone, in particular, or international criminal law, in general.²² This Trial Chamber has also considered whether an issue is likely to arise again as a relevant factor in determining whether to grant leave to appeal.²³

IV. SUBMISSIONS

Error of Law

14. As a preliminary, it is necessary to identify the error of law in respect of which leave to appeal is sought, although it is appreciated that the fact that an error in law has occurred does not mean that leave to appeal must be granted.
15. The Decision involves two errors of law. First, the Decision is contrary to the practice of the SCSL as documents have, in the absence of a witness, been admitted under Rule 89(C)²⁴ alone, and to the jurisprudence of the Appeals Chamber which has confirmed that documents may be so tendered under Rule 89(C).²⁵ Parties have not previously been limited to Rule 92bis to tender documents without a witness. Secondly, by ruling that to tender a document under Rule 89(C) it must be done through a witness, having laid sufficient “foundation”, adds conditions of admissibility to Rule 89(C) which are not expressly prescribed by the Rule. As for the requirement to lay a foundation, the Defence submissions²⁶ lead to the conclusion that “foundation” equates to information establishing the origin, authenticity and reliability of a document. However, it is well established at the SCSL that relevance is the only condition of admission of evidence

²² *Sesay* Decision, 28 April 2005, para 26.

²³ *Prosecutor v. Brima et al.*, SCSL-04-16-T-414, “Decision on Prosecution Application for Leave to Appeal Decision on Oral Application for Witness TF1-150 to Testify without being Compelled to Answer Questions on Grounds of Confidentiality”, 12 October 2005, page 3.

²⁴ *Prosecutor v. Sesay et al.*, SCSL-04-15-T-620, “Decision on Prosecution Motion to Admit into Evidence a Document Referred to in Cross-Examination”, 2 August 2006.

²⁵ *Fofana* Bail Appeals Decision, para. 26. In this Appeals Chamber decision it was found that “the Judge erred in law in refusing to admit the [unsigned] statement” of an individual who could not attend court to give testimony under Rule 89(C) (see para. 45). Notwithstanding the fact that the statement was tendered *in lieu of the oral testimony* of the individual, the Appeals Chamber did not state that the statement should have been admitted Rule 92bis but instead stated that there was nothing in Rule 89(C) which precluded its admission as evidence as it was relevant to the question at issue.

²⁶ See paragraph 6 above, where questions, the purpose of which were to establish the origin, authenticity and reliability of the document, were identified by Defence Counsel as being ones which must be asked before a document could be considered for admission.

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under Rule 89(C)²⁷ and that there is no requirement that the evidence be both relevant and probative.²⁸ Nor is there a requirement under Rule 89(C) that evidence tendered under that Rule must be tendered through a witness.

Exceptional Circumstances

Issue of fundamental legal importance

16. The addition of two conditions of admissibility to Rule 89(C) which are not expressly prescribed by the Rule raises an issue of fundamental legal importance. According to the Rules and the jurisprudence, evidence may be admitted under Rule 89(C) once it is shown to be relevant. There is no requirement that Rule 89(C) be used to tender documents through or in conjunction with a witness. Further, to the extent “foundation” equates to issues of reliability and authenticity²⁹ requiring such “foundation” to be established before a document can be tendered through a witness is also a condition not prescribed by Rule 89(C). As stated above, the Prosecution is cognizant that errors of law do not themselves constitute exceptional circumstances. However, when the error imputes conditions to the admission of evidence, which error will be repeated on each occasion that the Prosecution seeks to tender documents in court in conjunction with or through a witness, then this error gives rise to exceptional circumstances. This is particularly so if proof of reliability and authenticity, which has previously been rejected by the Appeals Chamber, is encapsulated within the condition of “foundation”.³⁰

²⁷ The Appeals Chamber has confirmed that when dealing with the admission of evidence under Rule 89(C) issues regarding reliability and probativity are properly considered by the Trial Chamber at the end of the trial as “[e]vidence is admissible once it is shown to be relevant: the question of its reliability is determined thereafter, and is not a condition for its admission.” (see *Fofana* Bail Appeals Decision, para. 24).

²⁸ *Prosecutor v. Brima et al.*, SCSL-04-16-T, “Decision on Joint Defence Motion to Exclude all Evidence from Witness TF1-277 Pursuant to Rule 89(C) and/or Rule 95”, 24 May 2005, para. 13.

²⁹ See footnote 26 above.

³⁰ It is instructive to consider the following extracts from the *Fofana* Bail Appeals Decision: (i) at para. 23 “... Although the probative value of particular items in isolation may be minimal, the very fact that they have some relevance means they must be available for counsel to weave into argument and for the Judge to have before him in deciding what to make of the overall factual matrix.”; (ii) at para. 24 “... There is no rule that requires, as a precondition of admissibility, that relevant statements or submissions must be signed. That may be good practice, but it is not a rule about admissibility of evidence. Evidence is admissible once it is shown to be relevant: the question of its reliability is determined thereafter, and is not a condition of its admission.”; and (iii) at para. 25 “... The fact that both documents were relevant meant that they should both have been admitted, for what they were worth when their probative value could be assessed in the context of all the other evidential material.”

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Issue of general principle to be decided for the first time

17. The question whether documents tendered in the absence of a witness may only be so tendered under Rule 92bis and not under Rule 89(C) alone, even where the documentary evidence is not being admitted *in lieu of oral testimony*, is a question of general principle to be determined for the first time at the SCSL. As the Decision will have a significant impact on the Prosecution and its ability to have relevant evidence admitted, this question of general principle gives rise to exceptional circumstances.
18. It is acknowledged that Rule 92bis has been used at the SCSL to admit documentary evidence in the absence of a witness. However, Rule 89(C) has also been used for this purpose.³¹ The relationship between Rule 89(C) and Rule 92bis and the interpretation to be given to the language contained in Rule 92bis - "in lieu of oral testimony" - in conjunction with the restrictive language which prohibits the admission of evidence going to proof of that acts and conduct of the accused has not been considered before at the SCSL. In view of the potential prejudice which the Prosecution considers it may suffer as a result of the Chamber's view of the relationship between these two Rules, an important issue of general principle requiring immediate consideration at the appellate level is raised.

Cause of justice might be interfered with

19. The Prosecution is required to present its case in the most efficient manner possible. This is one of the original purposes underlying rules such as Rules 92bis. If the Prosecution is to be required to tender documents under Rule 92bis where it does not wish to call a witness or is unable to do so,³² then it will be prevented from seeking the admission of evidence going to the acts and conduct of the accused. The limiting language of Rule 92bis has been interpreted to include documents containing information which is proximate to the Accused, so the Prosecution will be denied the admission of such relevant documents as well.³³ This will interfere with the cause of justice as the Prosecution will potentially be prevented from using the Rules as they have been applied and interpreted at the SCSL to

³¹ See *Prosecutor v. Sesay et al.*, SCSL-04-15-T-620, "Decision on Prosecution Motion to Admit into Evidence a Document Referred to in Cross-Examination", 2 August 2006.

³² For example, the author of a UN or other public source document may not be readily identifiable or may be too numerous to realistically call to testify live.

³³ *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 of the Prior Testimony of TF1-036 into Evidence", 15 July 2008, page 4.

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lead evidence supporting the Prosecution's case that the Accused was on notice of the atrocities being perpetrated in Sierra Leone, an important element of proof. By seeking to maintain access to Rule 89(C) the Prosecution is not causing undue prejudice to the Accused as Rule 89(C) is subject to Rule 95 which provides that "[n]o evidence shall be admitted if its admission would bring the administration of justice into *serious* disrepute".³⁴

Irreparable prejudice

20. Irreparable prejudice will occur if the Prosecution is precluded from using Rule 89(C) to tender relevant evidence in those cases where the evidence is not being tendered through a witness and where such evidence goes to proof of the acts and conduct of the Accused or is evidence which is considered sufficiently proximate to the Accused. Further, the Decision precludes the admission of a document under Rule 89(C) where: (i) there is no witness either available or readily identifiable to testify to a document (i.e. a UN Security Council resolution which is the product of the consensus of many States); or (ii) the foundational requirements equating to reliability and authenticity cannot be met in respect of any witness. In such instances, the Prosecution will be prevented from putting otherwise relevant evidence through or in conjunction with a witness.

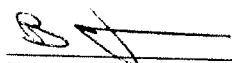
V. CONCLUSION

21. The Prosecution has satisfied the threshold required by Rule 73(B) in order for leave to appeal to be granted in respect of the Decision. The Prosecution, therefore, requests that the Trial Chamber grant leave to appeal the Decision.

Filed in The Hague,

25 August 2008

For the Prosecution,



Brenda J. Hollis
Principal Trial Attorney

³⁴ Emphasis added.

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LIST OF AUTHORITIES

SCSL Cases

Prosecutor v. Taylor, Case No. SCSL-03-01-T

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 of the Prior Testimony of TF1-036 into Evidence”, 15 July 2008

Prosecutor v. Taylor, SCSL-03-01-T, Trial Transcript, 21 August 2008

Prosecutor v Brima et al, SCSL-04-16-T

Prosecutor v. Brima et al., SCSL-04-16-T, “Decision on Joint Defence Motion to Exclude all Evidence from Witness TF1-277 Pursuant to Rule 89(C) and/or Rule 95”, 24 May 2005

Prosecutor v. Brima et al., SCSL-04-16-T-414, “Decision on Prosecution Application for Leave to Appeal Decision on Oral Application for Witness TF1-150 to Testify without being Compelled to Answer Questions on Grounds of Confidentiality”, 12 October 2005

Prosecutor v. Brima et al, SCSL-04-16-T-4-83, “Decision on Joint Defence Request for Leave to Appeal from Decision on Defence Motions for Judgement of Acquittal pursuant to Rule 98 of 31 March 2006”, 4 May 2006

Prosecutor v. Brima et al, SCSL-04-16-T-588, “Decision on Prosecution Application for Leave to Appeal Decision on Confidential Motion to call Evidence in Rebuttal”, 23 November 2006

Prosecutor v. Norman, Fofana and Kondewa, SCSL-04-14-T

Prosecutor v. Norman et al., SCSL-04-14-T-319, “Decision on Prosecution Appeal against Trial Chamber Decision of August 2004 Refusing Leave to File an Interlocutory Appeal”, 17 January 2005

Prosecutor v. Norman et al., SCSL-04-14AR73, “Fofana – Decision on Appeal Against ‘Decision on Prosecution’s Motion for Judicial Notice and Admission of Evidence’”, 16 May 2005

Prosecutor v. Norman et al., SCSL-04-14-T-669, “Decision on Application by First Accused for Leave to Appeal against the Decision on their Motion for Extension of Time to Submit Documents pursuant to Rule 92bis”, 17 July 2006

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Prosecutor v. Sesay, Kallon and Gbao, SCSL-04-15-T

Prosecutor v. Sesay, Kallon and Gbao, SCSL-2004-15-T-357, “Decision on Defence Applications for Leave to Appeal Ruling of the 3rd February 2005 on the Exclusion of Statements of Witness TF1-141”, 28 April 2005

Prosecutor v. Sesay et al., SCSL-04-15-T-620, “Decision on Prosecution Motion to Admit into Evidence a Document Referred to in Cross-Examination”, 2 August 2006

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ANNEX

COPY OF THE RULING APPEALED

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CHARLES TAYLOR
21 AUGUST 2008

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OPEN SESSION

1 PRESIDING JUDGE: We have considered the submissions in
2 this case. If the Prosecution wishes to tender a document under
3 Rule 89 (c) through a witness, they need to lay foundation and in
4 the instant case there is no sufficient foundation. If a
12:51:50 5 document is to be tendered without a witness, then the
6 application should be made under 92 bis of the rules.

7 MR KOUMJIAN:

8 Q. Mr witness, in relation to diamonds, does white have any
9 meaning? Can you explain what it means when you talk about white
12:52:23 10 in relation to diamonds?

11 A. The weight means when it has been weighed. When we weigh
12 it on the scale, that is where we know if weight.

13 Q. Sorry, perhaps the interpreter didn't understand me. I am
14 just talking about the colour. I'm sorry if I was not clear.

12:52:46 15 The colour white.

16 A. Okay.

17 Q. Does "white" mean anything to you?

18 A. The colour by which you mean white, as you are all English
19 people, when we say something is white it means it is purely
12:53:05 20 white and it has no other colour mixed with it. It is purely
21 white.

22 Q. Mr witness, for the record we are not all English people.
23 Thank you. Sir, you have talked about the Guinea operation. Can
24 you tell us what year that occurred?

12:53:37 25 PRESIDING JUDGE: Mr Koumjian, the witness used the term
26 "Guinea war". Now is Guinea war and Guinea operation --

27 MR KOUMJIAN: I apologise:

28 Q. Sir, you said something about Guinea. Were you ever in
29 Guinea yourself?

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3. *Prosecutor v. Taylor*, SCSL-03-01-T-577, "Public Defence Response To Prosecution Application For Leave To Appeal Decision Regarding the Tender of Documents", 8 September, 2008.

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SCSL-03-01-T
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THE SPECIAL COURT FOR SIERRA LEONE

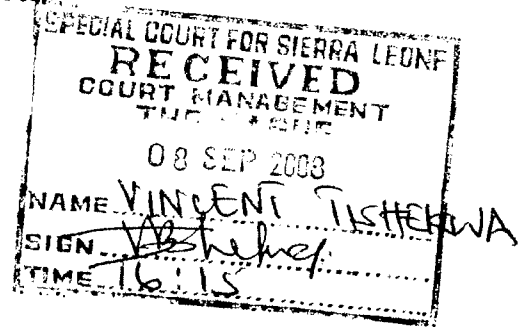
In Trial Chamber II

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

Registrar: Mr. Herman von Hebel

Date: 8 September 2008

Case No.: SCSL-2003-01-T



THE PROSECUTOR

-v-

CHARLES GHANKAY TAYLOR

PUBLIC

DEFENCE RESPONSE TO "PROSECUTION APPLICATION FOR LEAVE TO APPEAL DECISION REGARDING THE TENDER OF DOCUMENTS"

Office of the Prosecutor:

Ms. Brenda J. Hollis
Mr. Nicholas Koumjian
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. The Defence files this response to the "*Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents*" dated 25 August 2008 (the "Application")¹.

II. BACKGROUND

2. On 25 August 2008, the Prosecution filed an Application pursuant to Rule 73(B) of the Rules of Procedure and Evidence (the "Rules"), seeking leave to appeal the Trial Chamber's oral decision of 21 August 2008 regarding the tender of documents in the current proceedings (the "Decision").
3. During court proceedings on 21 August 2008, the Prosecution sought to place a document before witness TF1-367.² Defence Counsel asked the Court for "some foundation as to the basis upon which this particular document [was] being placed before the witness."³ The Prosecution Counsel did not provide foundation and instead replied by stating; "I don't need to place it before the witness, but I would move it now into evidence as a relevant document under 89(C)."⁴
4. Consequently, the Prosecution applied "to admit [the document] along with the testimony".⁵[emphasis added] In response, the Defence concluded, "Absent [of] such foundation we submit that Rule 89 does not allow for the admission of this document through this witness..."⁶

¹ *Prosecutor v. Taylor*, SCSL-03-01-T-568, "Confidential Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents", 25 August 2008 ("the Application")

² *Prosecutor v. Taylor*, SCSL-03-01-T, Trial Transcript, 21 August 2008 ("Transcript"), page 14245, lines 8-10.

³ Transcript, page 14245, lines 11-13.

⁴ Transcript, page 14245, lines 24-26. This differs from the Application's account at, para. 5.

⁵ Transcript, page 14251, lines 20-21. The Defence submits that the Prosecution's request to admit the document along with the testimony of the witness confused matters and moreso by stating that they were not sure 'about the words *through* the witness'. Furthermore, by stating that they intended to submit the document along with the testimony, it is evident that they did not have in mind admitting the documents without a witness.

⁶ Transcript, page 14252, lines 26-28.

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5. The Trial Chamber then issued the decision:

“We have considered the submissions in this case. If the Prosecution wishes to tender a document under Rule 89(C) through a witness, they need to lay foundation and in the instant case there is no sufficient foundation. If a document is to be tendered without a witness, then the application should be made under 92bis of the rules.”⁷

6. The Defence submits that the Application should be denied as it fails to meet the Rule 73(B) threshold for granting leave to appeal in that:

- i. The issue raised in the Application is purely an evidential and procedural issue; therefore one that cannot be dealt with under Rule 73(B).
- ii. Further/alternatively The Prosecution has failed to establish an error of law in the Trial Chamber’s decision;
- iii. Further/alternatively, the Prosecution has failed to establish *exceptional circumstances* as required under Rule 73(B) of the Rules;
- iv. Further/alternatively, the Prosecution has failed to establish *irreparable prejudice* as required under Rule 73(B) of the Rules.

III. LEGAL STANDARD

7. The Defence agrees with the Prosecution’s articulation of the applicable legal standard when considering an application for leave to file an interlocutory appeal in paragraphs 11 - 13 of the Application. The Defence however emphasises that whether to grant leave for an interlocutory appeal or not is a discretionary exercise and the threshold is very high.⁸ This is designed to ensure that interlocutory appeals only proceed in very limited and exceptional circumstances to avoid encumbering and unduly delaying trials.⁹ As Trial

⁷ Transcript, page 14253, lines 1-6.

⁸ *Prosecutor v. Sesay et al*, SCSL-2004-15-PT-357, “Decision on Defence Application for Leave to Appeal Ruling of the 3 February 2005, on the Exclusive Statements of Witness TF1-141” 28 April 2005, para.17.

⁹ *Prosecution v Sesay et al* SCSL 04-15-PT-150 “Decision on Prosecution Application for Leave to File an Interlocutory Appeal against Decision on Motion for Concurrent Hearing of Evidence Common to cases SCSL-2004-15-PT and SCSL-2004-16-PT”, 1 June 2004, para 21.

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Chamber I, *Sesay* decision demonstrates, Rule 73(B) is a restrictive provision.¹⁰

8. Further, the Defence notes that when the Prosecution cites the Appeals Chamber decision that ‘certain matters cannot be cured or resolved by final appeal against judgment’ it omits the consideration that ‘most decisions will be capable of effective remedy in final appeal’.¹¹

IV. ARGUMENTS

a) Prosecution fails to establish ‘Error of Law’

9. The Prosecution alleges that the Trial Chamber misinterpreted Rule 89(C) of the Rules in that:
 - a) the Chamber’s interpretation of Rule 89(C) is inconsistent with the established practice of the court; and
 - b) the Chamber’s interpretation imports additional requirements to the sole condition of relevance under Rule 89(C).
10. The Defence submits that the Prosecution has failed to establish any error of law in the Trial Chamber’s decision. Firstly, it not correct, as the Prosecution contends, that the Trial Chamber ruled that in order “to tender a document under Rule 89(C) it must be done through a witness”¹² [emphasis added]. This assertion misstates the Trial Chamber’s ruling entirely. The Trial Chamber’s ruling addressed a contingent situation “*if*” the Prosecution sought to admit a document under Rule 89(C) through a witness, or without a witness. [emphasis added] This arose from the uncertainty on the Prosecution’s part as to how it sought to admit the particular document at issue. It was not clear whether the Prosecution sought to introduce the document in question

¹⁰ *Prosecutor v. Sesay*, SCSL-01-03-T-1001, “Decision on Prosecution Application for Leave to Appeal Decision on the Sesay Defence Motion Requesting the Lifting of Protective Measures in Respect of Certain Prosecution Witnesses”, 25 February 2006, para.12.

¹¹ *Prosecutor v Norman* SCSL-04-14-T-319 “Decision on Prosecution Appeal Against the Trial Chamber’s Decision of 2 August 2004 Refusing leave to file an Interlocutory Appeal”, 17 January 2005, para 29.

¹² Application para.15

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through the witness or as Counsel for the Prosecution stated, *along* with the testimony of the witness, or *without* a witness¹³. [emphasis added]

11. Secondly, the Defence disputes the Prosecution's assertion that the Trial Chamber in ruling that if the Prosecution sought to introduce the document at issue through the witness, then they ought to lay foundation first, amounted to an importation of additional requirements to interpretation of Rule 89(C). It is established in law and in practice that before a witness is questioned on the content of a document, it must be established that the witness has some knowledge of the contents of the document. Otherwise to admit a document through a witness without sufficient foundation would be tantamount to leading the witness contrary to the rules of evidence of this court.¹⁴
12. Further, the Defence submits that the 'compartmentalised' interpretation of Rule 89(C) advocated by the Prosecution is not tenable. While relevance might be the only express legal requirement in terms of the Rule, this provision is not couched in exclusive terms and may be read in conjunction with other rules of evidence as the Trial Chamber did in this case. The Prosecution's argument overlooks the inherent jurisdiction of the court to interpret any provision of the Rules in a manner that is consistent with the Accused's fair trial rights or the proper administration of justice.
13. As Trial Chamber I has ruled, the court has an "inherent jurisdiction to exclude evidence where its probative value is outweighed by its prejudicial effect".¹⁵ In that case, the Chamber held that "the Accused [would] be unfairly prejudiced if documents pertaining to their acts and conduct [were] admitted into evidence without giving the Defence the opportunity of cross-examination".¹⁶ There was therefore nothing wrong in the Trial Chamber exercising its discretion to ensure a fair trial by ruling that if the Prosecution

¹³ Transcript, pg.24245, line 8-10

¹⁴ *Prosecution v Sesay et al*, SCSL-04-15-T-313, "Ruling on the Admission of Command Structure Chart as an Exhibit", 4 February 2005, para 14. See also Transcript, pg.14251. 11-25.

¹⁵ *Prosecutor v Sesay et al*, "Ruling on Gbao Application to Exclude Evidence of Prosecution Witness Mr Koker", 23 May 05 para 7. *Prosecutor v Norman*, "Decision on Prosecution's Request to Admit Evidence into Evidence Certain Documents Pursuant to Rules 92bis and 89(C)", 14 July 2005 p.3.

¹⁶ *Ibid* p.4.

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sought to tender the document at issue through the witness under Rule 89(C), it ought to lay foundation with the witness first. Most importantly, that interpretation does not import additional requirements to Rule 89(C). It is merely an interpretation that is consistent with the inherent powers of the court in terms of the Rules.

14. Thirdly, the Defence submits that there was nothing wrong in the Trial Chamber's ruling that if a party seeks to tender a document through a witness under Rule 89(C), then it ought to lay sufficient foundation with the witness first, and if on the other hand, it seeks to introduce a document without a witness, then the available recourse would be the procedure under Rule 92bis.¹⁷ Quite to the contrary, it is the Prosecution's interpretation of Rule 89(C) which is fundamentally flawed both in principle and in logic. Pursued to its illogical conclusion, the Prosecution's argument is that any document which is *prima facie* relevant should automatically be admitted into evidence with or without a witness. This interpretation of Rule 89(C) widens the scope of the provision beyond recognition and opens the floodgates for a wholesale admission of any evidence that has a semblance of relevance. Further, the interpretation makes a mockery of the safeguards in Rule 92bis and renders that Rule obsolete. Evidence that fails the restrictive Rule 92bis standard could easily find its way onto the record via Rule 89(C) merely on a *prima facie* showing of relevance.

15. Further, the Prosecution's interpretation of Rule 89(C) opens the door for counsel to lead evidence from the bar contrary to established rules of evidence. If documents were admitted under Rule 89(C) without a witness simply on the basis of relevance, as Prosecution Counsel sought to do, then the party tendering the document would have to speak on the relevance of the document, thus leading evidence from the bar. This would be problematic where the other party challenges the relevance of the document as they could not cross-examine counsel opposite on the issue. The Prosecution's interpretation of Rule 89(C) is therefore not tenable as it would deny the

¹⁷ Transcript, pg. 14249, ln. 6-16

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Defence its fundamental right to challenge evidence against it. As Trial Chamber I has ruled, the Accused would be unfairly prejudiced if documents pertaining to their acts and conduct were admitted into evidence without giving the Defence the opportunity of cross-examination”.¹⁸

16. The Defence also disputes the contention by the Prosecution that Trial Chamber’s interpretation of Rule 89(C) is inconsistent with the practice of this court.¹⁹ The Defence submits that the Prosecution’s argument in this regard is based on a misreading of the relevant cases. In the *Sesay* decision cited by the Prosecution,²⁰ the relevance, and thereby the admissibility of the relevant document in that case was established *through* a witness.²¹ [emphasis added] In the Appeals Chamber’s *Fofana* decision,²² which is also cited by the Prosecution, while the court noted that the document at issue in that case should have been admitted under Rule 89(C) without a witness, it noted that witnesses would then have to be made available for purposes of further clarification and cross-examination in relation to the documents.²³ In both cases the respective documents at issue were therefore not without a witness *per se*. There is therefore nothing in the Trial Chamber’s ruling in the present case which is inconstant with those cases.

17. The Prosecution has therefore failed to establish any error of law in the Trial Chamber’s ruling and therefore, leave to appeal must be denied.

b) The Prosecution fails to establish Exceptional Circumstance

18. As the Prosecution rightly concedes, for leave to appeal to be granted under Rule 73(B), it is not enough to merely establish an error of law in the Trial Chamber’s decision. The alleged error of law must give rise to exceptional circumstances and results in irreparable prejudice. In the Application, the

¹⁸ Ibid

¹⁹ Application, para 15.

²⁰ *Prosecutor v Sesay et al*, SCSL-04-15-T-620, “Decision on Prosecution Motion to Admit into Evidence a Document Referred to Cross-Examination”, 2 August 2006.

²¹ Ibid p.3.

²² *Prosecutor v Norman et al*, SCSL-04-14-AR65-371, “Fofana – Appeal Against Decision Refusing Bail”, 11 March 2005.

²³ Ibid para 28-30.

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Prosecution contends that the alleged errors of law in the Trial Chamber's interpretation of Rule 89(C) give rise to exceptional circumstances and occasion irreparable prejudice in that:

- a) the addition of new conditions to the admission of evidence under Rule 89(C) raises an issue of fundamental legal importance;
- b) the question of the admission of documents without a witness under Rule 89(C) is a general principle to be decided for the first time at the Appellate level; and
- c) the Chamber's interpretation of Rule 89(C) restricts the Prosecution's ability to present documentary evidence which go to the acts and conduct of the accused, and thus interferes with the cause of justice.

Issue of fundamental legal importance

19. The Prosecution contends that the Trial Chamber's ruling adds new conditions to the admission of evidence under Rule 89(C) and that this creates an issue of fundamental legal importance.²⁴ As argued above, the Trial Chamber did not add new conditions *per se* to the requirement of relevance under Rule 89(C). The Chamber merely read the rule in conjunction with other established rules of evidence where a document is sought to be tendered through a witness. Secondly, the Prosecution has not established that documents have previously been submitted without witnesses and therefore that the Trial Chamber's decision is contrary to the practice of this court. The Prosecution therefore fails to establish an error of law in the Trial Chamber's decision, let alone, one that raises an issue of fundamental legal importance.

Issue of General Principle to be decided for the first time

20. The Defence disputes that the Trial Chamber's decision raises a general principle to be determined for the first time by this court. The general principle of admissibility of documents tendered in the absence of a witness was discussed at length in *Prosecutor v Norman et al.*²⁵ The general principle

²⁴ Application, para 16.

²⁵ *Prosecutor v Norman et al* SCSL-04-14-T-447 "Decision on Prosecution's Request to Admit into Evidence Certain Documents Pursuant to Rules 92bis and 89(C)", 14 July 2005, p.4.

relevant to present purposes was also discussed at the appellate level in the *Fofana* Appeals decision. As discussed above, in that case; while the Appeals Chamber suggested that the document at issue in that case could have been admitted under Rule 89(C) without a witness, the court left the window open for a witness who could speak on the document to be called for clarification purposes, and for cross examination.²⁶ Therefore, the point at issue in this case does not broach a novel legal issue of any fundamental importance which would require further articulation.

21. Further, the Defence submits that the question of the admissibility of evidence is settled in international criminal law jurisprudence. The issue therefore does not necessarily require further articulation at the appellate level as guidance could also be sought from the jurisprudence of other tribunals.²⁷ The Prosecution's case in this instance therefore does not rise to the standard of exceptional circumstances and the Application should be denied.

Cause of justice might be interfered with

22. The essence of the Prosecution's argument under this heading is that it should have access to Rule 89(C) for documents that go to the acts and conduct of the Accused where it does not wish to call a witness or is unable to do so and that denying it the opportunity to do so would interfere with the cause of justice. As argued above, it is untenable that Rule 89(C) could be used to subvert the safeguards under Rule 92bis. Quite to the contrary, the cause of justice would be interfered with if documents pertaining to their acts and conduct are admitted into evidence without giving the Defence the opportunity of cross-examination.²⁸ Therefore, the cause of justice would be interfered with if the Prosecution were not prevented from tendering documents that go to the conduct of the Accused without a witness through Rule 89(C).

²⁶ *Prosecutor v Norman et al*, SCSL-04-14-AR65-371, "Fofana – Appeal Against Decision Refusing Bail", 11 March 2005, para. 28 -30.

²⁷ *Op cit. Prosecutor v. Sesay et al*, 28 April 2005 para.19. See also *Nyiramasuhuko* Decision Case No. ICTR 98 42 AR 73.2, Decision on Pauline *Nyiramasuhuko's* Appeal on Admission of Evidence, 4 October 2004, para 5.

²⁸ *Ibid* p.4.

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23. The Prosecution has therefore failed to establish exceptional circumstances as required under Rule 73(B) and leave to appeal must be refused.

c) Failure to establish Irreparable Prejudice

24. The Defence submits that the Prosecution contention that it would suffer irreparable prejudice if the Decision were allowed to stand in that certain documents could no longer be tendered is exaggerated and ill-conceived.²⁹ The Prosecution would still be able to tender any document through Rule 89(C) or other provisions in the Rules of the Court if proper procedures are followed. The document that Counsel for the Prosecution sought to introduce into evidence for instance could have been admitted into evidence had counsel led proper foundation with the witness. Further, as the Chamber opined, the document could still be admitted under Rule 92*bis*, subject to the requirements therein. The Prosecution's failed attempt to take the easy way out in view of the objections by the Defence on foundation could not by any stretch of imagination be considered irreparable prejudice. What the Prosecution alleges to be irreparable prejudice in this case results from its own reluctance to take appropriate alternative recourse on the admission of documentary evidence. The Prosecution therefore cannot be heard to complain.
25. Further, the Prosecution's contention that the Trial Chamber's decision will now prevent all documents without a witness going to the acts or conduct of the accused being tendered as evidence³⁰ is untenable as it is based on a misunderstanding of the application of Rule 89(C). The submission confirms the ill-conceived perception by the Prosecution that Rule 89(C) could be used to sidestep the fair trial safeguards in Rule 92*bis* on the admission of documentary evidence. Further, the Defence submits that these documents would still be inadmissible anyway on the basis of the court's inherent jurisdiction to exclude documents whose probative value is outweighed by

²⁹ Application, Para 20.

³⁰ Application, Para 20 Lines 1-4.

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their prejudicial effect, as considered above. The Prosecution has therefore failed to establish irreparable prejudice as required under Rule 73(B) and leave to appeal must be refused.

26. The Defence submits further that the question raised in this case is purely an evidential and procedural issue on the admission of documents into evidence. As a matter of law, wrongful admission [or non-admission] of evidence cannot result in irreparable prejudice as a reversal can be made after the final judgment.³¹ Therefore other than failing the irreparable prejudice test, the Prosecution has pursued the wrong procedure. An application for leave to appeal under Rule 73(B) is not the correct procedure under the circumstances as the issue is capable of effective remedy in the final appeal.³²

V. CONCLUSION

27. For any one or more of the foregoing reasons, the Defence respectfully submits that the Prosecution has failed to satisfy the conjunctive standard of Rule 73(B), requiring a demonstration of both *exceptional circumstances* and *irreparable prejudice* in order for the leave to appeal the Decision to be granted. Leave to appeal must therefore be denied.

Respectfully Submitted,

Shel

SILAS CHEKERO

for Courtenay Griffiths, Q.C.

Lead Counsel for Charles G. Taylor

Dated this 8th Day of September 2008

The Hague. The Netherlands

³¹ Op. cit. *Prosecutor v Sesay et al* 28 April 2005, para. 30.

³² *Prosecutor v Norman* SCSL-04-14-T-319 "Decision on Prosecution Appeal Against the Trial Chamber's Decision of 2 August 2004 Refusing leave to file an Interlocutory Appeal", 17 January 2005, para 29.

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Table of Authorities

SCSL Cases

Prosecutor v. Taylor, SCSL-03-01-T

Prosecutor v. Taylor, SCSL-03-01-T-568, “Confidential Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents”, 25 August 2008

Prosecutor v. Taylor, SCSL-03-01-T, Trial Transcript, 21 August 2008

Prosecutor v. Sesay et al, SCSL-2004-15-PT

Prosecutor v. Sesay et al, SCSL-2004-15-PT-357, “Decision on Defence Application for Leave to Appeal Ruling of the 3 February 2005, on the Exclusive Statements of Witness TF1-141” 28 April 2005

Prosecution v Sesay et al SCSL 04-15-PT-150 “Decision on Prosecution Application for Leave to File an Interlocutory Appeal against Decision on Motion for Concurrent Hearing of Evidence Common to cases SCSL-2004-15-PT and SCSL-2004-16-PT”, 1 June 2004

Prosecution v Sesay et al, SCSL-04-15-T-313, “Ruling on the Admission of Command Structure Chart as an Exhibit”, 4 February 2005

Prosecutor v Sesay et al, “Ruling on Gbao Application to Exclude Evidence of Prosecution Witness Mr Koker”, 23 May 05

Prosecutor v Sesay et al, SCSL-04-15-T-620, “Decision on Prosecution Motion to Admit into Evidence a Document Referred to Cross-Examination”, 2 August 2006

Prosecutor v. Sesay, SCSL-01-03-T

Prosecutor v. Sesay, SCSL-01-03-T-1001, “Decision on Prosecution Application for Leave to Appeal Decision on the Sesay Defence Motion Requesting the Lifting of Protective Measures in Respect of Certain Prosecution Witnesses”, 25 February 2006

Prosecutor v Norman SCSL-04-14-T

Prosecutor v Norman SCSL-04-14-T-319 “Decision on Prosecution Appeal Against the Trial Chamber’s Decision of 2 August 2004 Refusing leave to file an Interlocutory Appeal”, 17 January 2005

Prosecutor v Norman, “Decision on Prosecution’s Request to Admit Evidence into Evidence Certain Documents Pursuant to Rules 92bis and 89(C)”, 14 July 2005

Prosecutor v Norman et al, SCSL-04-14-AR65-371, “Fofana – Appeal Against Decision Refusing Bail”, 11 March 2005

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Prosecutor v Norman et al SCSL-04-14-T-447 “Decision on Prosecution’s Request to Admit into Evidence Certain Documents Pursuant to Rules 92bis and 89(C)”, 14 July 2005

Prosecutor v Norman SCSL-04-14-T-319 “Decision on Prosecution Appeal Against the Trial Chamber’s Decision of 2 August 2004 Refusing leave to file an Interlocutory Appeal”, 17 January 2005

ICTR Cases

Nyiramasuhuko Decision Case No. ICTR 98 42 AR 73.2, Decision on Pauline Nyiramasuhuko’s Appeal on Admission of Evidence, 4 October 2004

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4. *Prosecutor v. Taylor*, SCSL-03-01-T-593, “Public Prosecution Reply to Defence Response To Prosecution Application For Leave To Appeal Decision Regarding the Tender of Documents”, 15 September, 2008.

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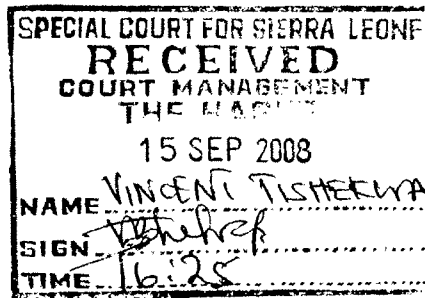
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SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
Freetown – Sierra Leone

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

Registrar: Mr. Herman von Hebel

Date filed: 15 September 2008



THE PROSECUTOR

Against

Charles Ghankay Taylor

Case No. SCSL-03-01-T

PUBLIC

PROSECUTION REPLY TO "DEFENCE RESPONSE TO 'PROSECUTION APPLICATION FOR LEAVE TO APPEAL DECISION REGARDING THE TENDER OF DOCUMENTS'"

Office of the Prosecutor:
Ms. Brenda J. Hollis
Mr. Nicholas Koumjian

Counsel for the Accused:
Mr. Courtenay Griffiths Q.C.
Mr. Andrew Cayley
Mr. Terry Munyard
Mr. Morris Anyah

I. INTRODUCTION

1. The Prosecution files this Reply to the "*Defence Response to 'Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents'*".¹
2. The Response identifies three grounds on which the Defence assert that the threshold for leave to appeal has not been met by the Prosecution: failure to establish an error of law, failure to establish exceptional circumstances, and failure to establish irreparable prejudice. In relation to these three grounds, the Prosecution replies as follows.

II. ARGUMENTS

"Establish" an Error of Law

3. The Defence Response erroneously argues that the Prosecution has failed to "establish" an error of law. In an application for leave to appeal an interlocutory decision it is necessary for the moving party to *identify* the alleged error of law, but inappropriate for the parties to re-litigate the substance of the Chamber decision.
4. The Prosecution in its Application identified two alleged errors of law for which it sought leave to appeal.² The first alleged error of law was the Chamber's ruling that "If the Prosecution wishes to tender a document under Rule 89(C) through a witness, they need to lay foundation and in the instant case there is no sufficient foundation."³ The Prosecution in both its oral arguments during court proceedings and in its Application made clear its position that if a document is relevant, no further foundation is required for the admission of a document.⁴
5. The second alleged error of law identified by the Prosecution is the Chamber's ruling that "If a document is to be tendered without a witness, then the application should be made under Rule 92*bis* of the Rules."⁵ The Prosecution's position is that relevant documents can be admitted under Rule 89(C) without testimony from a witness who has seen the document before or has knowledge relevant to its authenticity or reliability as long as the

¹ *Prosecutor v. Taylor*, SCSL-03-01-T-577, "Defence Response to 'Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents'", 8 September 2008 ("**Response**").

² *Prosecutor v. Taylor*, SCSL-03-01-T-568 'Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents', 25 August 2008 (the "Application"), para. 15

³ *Ibid*, para. 10

⁴ *Ibid*, para 15

⁵ *Ibid*, para. 10

document is capable of corroboration. In relation to a document such as that in the instant case, a witness may have evidence that is relevant to understanding the document and/or the document may corroborate the witness' testimony or the witness may corroborate the contents of the document. The Prosecution position is that such a document should be admitted under Rule 89(C) so that the document can be considered in relation to the relevant testimony.

Exceptional Circumstances

6. The Response concedes that the Prosecution has accurately stated standards for consideration of leave to appeal.⁶ As stated in the Application, jurisprudence from the Special Court recognizes that one of the situations in which exceptional circumstances exist is where the uncertainty as to the point of law could interfere with the cause of justice.⁷ The cause of justice is affected if the parties are operating under differing standards for the presentation of their evidence. To date, the Prosecution has taken a consistent position as to both Defence and Prosecution exhibits, based upon its understanding of the jurisprudence of the Special Court. This understanding is that all relevant documents are to be admitted and foundational issues of reliability and authenticity go to weight to be considered by the Chamber at the end of the case in light of all the evidence. The Defence, on the other hand, has taken inconsistent positions. Contrary to its argument that Prosecution documents cannot be admitted or even discussed with a witness without the witness providing "foundation" for the document, the Defence has itself sought the admission of many documents where the witness has stated unequivocally that they have no knowledge of the document or contents, arguing in these cases that the standard is relevance.⁸
7. The Prosecution is now approaching the latter part of the presentation of its case. It is thus important that the standards for the admission of documents be clarified in order that all

⁶ Response, para, 7

⁷ Application, para, 13

⁸ Examples of documents where the Defence sought admission based on relevance only include D-7, a letter that the witness testified he had never seen (Transcript page 3835, lines 11-29); D-50, a Personal Statement not authored by the witness and which the witness said he had no knowledge of (Transcript page 10827, lines 11-12 and 10831, lines 19-21); D-46, an autopsy report which the lay witness had no knowledge of and D-47, an Affidavit of a person not testifying which was prepared during the testimony of the witness (see Defence argument for admission, Transcript, page 10408 line 22-10409 line 7).

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relevant and admissible documents are presented to the Trial Chamber for consideration and that the documents be presented in such a way that the relevant documents can be considered in conjunction with related testimony. This second point is particularly important where the evidence is as complex and voluminous as in the current trial. In such a situation, all parties benefit when documents are presented in conjunction with relevant testimony.

8. The Defence further argue that the issues addressed in the Application do not raise an issue of general principle to be decided for the first time. According to the Response, the principles raised in the application have already been decided in a decision in *Prosecutor v. Norman*.⁹ In fact, this Decision¹⁰ does not concern the issues raised in the Application. The cited Decision involved an application to admit documents under Rule 92bis and does not address in any way either the foundation required for the admission of documents during the testimony of a witness or under Rule 89 (C) or the issue of admission of documentary evidence outside the framework of Rule 92bis. The Defence has cited no jurisprudence on these issues, which further demonstrates that the issues addressed in the Application are, in fact, general principles to be decided for the first time in an International Criminal Tribunal.

Irreparable Prejudice

9. The Response relies upon dictum from a decision of Trial Chamber I to argue that irreparable prejudice cannot result from a decision on the admissibility of evidence.¹¹ However, the decision from Trial Chamber I involved a very different situation - a Defence motion to exclude statements of a witness on the basis of violations of disclosure obligations.¹² In that Decision, the Trial Chamber found that exceptional circumstances had not been established but then noted - in *dictum* - that the denial of admission of relevant evidence cannot result in irreparable prejudice since reversal can be made in the

⁹ Response, para. 20

¹⁰ *Prosecutor v. Norman et al* SCSL-04-14-T-447, "Decision on Prosecution's Request to admit into Evidence Certain Documents Pursuant to Rules 92bis and 89 (C)", 14 July 2005, p.4 .

¹¹ Response, para. 26

¹² *Prosecutor v. Sesay et al.* "Decision on Defence Application for Leave to Appeal Ruling of the 3rd of February, 2005 on the Exclusion of Statements of Witness TF1-141", 28 April 2005.

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final judgment¹³ The Response conflates the situation where a document is wrongfully admitted with the issue for determination in the current Application, where the Prosecution submits that the Chamber erred in failing to admit a relevant document. In the former situation, the Court does not have the evidence before it; in the latter, it has the evidence but can later refuse to consider it or find it inadmissible. These are very different situations given the distinct burdens on appeal that the parties face in order to reverse a final judgment.¹⁴ An Appeal Chamber could reverse a conviction that relied on such wrongfully admitted evidence and enter an acquittal. However, the situation is different where the Prosecution is denied the admission of relevant evidence during the trial stage. Should acquittals be entered in a final judgement, the burden would be on the Prosecution to show that if the relevant documents had been admitted, no reasonable Chamber would have found the charges not proven beyond a reasonable doubt.

10. Moreover, the Defence Response fails to appreciate that the fundamental issues arising in this ruling affect not only the document in question but also the ability of the Prosecution to present to the Chamber all relevant documents in a way that efficiently ties the documents to relevant points in the presentation of *viva voce* evidence. Many documents can be particularly relevant to a witness' testimony although the witness has never before seen the document and can provide no evidence as to its authenticity or reliability, (both of which may be established through other evidence).

III. CONCLUSION

11. The arguments and assertions set out in the Response are without merit.

¹³ *Ibid.* para 30

¹⁴ In order to reverse an acquittal on any charge, the Appeal Court would have to find that no reasonable Trial Chamber would find a reasonable doubt that the charges were proven.

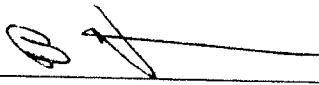
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12. As the Prosecution has satisfied the threshold required by Rule 73(B) in order for leave to appeal to be granted, it respectfully requests that the Trial Chamber grant leave to appeal the Decision.

Filed in The Hague,

15 September 2008

For the Prosecution,



Brenda J. Hollis

Principal Trial Attorney

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LIST OF AUTHORITIES

SCSL Cases

Prosecutor v. Taylor, Case No. SCSL-03-01-T

Prosecutor v. Taylor, SCSL-03-01-T-568, “Confidential Prosecution Application for Leave Regarding the Tender of Documents”, 25 August 2008

Prosecutor v. Taylor, SCSL-03-01-T-577, “Defence Response to ‘Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents’”, 8 September 2008

Prosecutor v. Norman et al, SCSL-04-14-T-447, “Decision on Prosecution’s Request to admit into Evidence Certain Documents Pursuant to Rules 92bis and 89 (C)”, 14 July 2005

Prosecutor v. Sesay et al, “Decision on Defence Application for Leave to Appeal Ruling of the 3rd of February, 2005 on the Exclusion of Statements of Witness TF1-141”, 28 April 2005

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5. *Prosecutor v. Taylor*, SCSL-03-01-T-691, “Decision on Public Prosecution Application For Leave to Appeal Decision Regarding The Tender Of Documents”, 10 December 2008.

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SPECIAL COURT FOR SIERRA LEONE

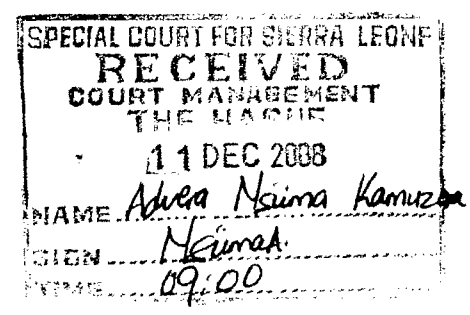
TRIAL CHAMBER II

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

Registrar: Herman von Hebel

Case No.: SCSL-03-1-T

Date: 10 December 2008



PROSECUTOR

v.

Charles Ghankay TAYLOR

DECISION ON PUBLIC PROSECUTION APPLICATION FOR LEAVE TO APPEAL DECISION REGARDING THE TENDER OF DOCUMENTS

Office of the Prosecutor:
Brenda J. Hollis
Nicholas Koumjian
Leigh Lawrie

Defence Counsel for Charles G. Taylor:
Courtenay Griffiths, Q.C.
Terry Munyard
Andrew Cayley
Morris Anyah

TRIAL CHAMBER II ("Trial Chamber") of the Special Court for Sierra Leone ("Special Court");

SEISED of the "Public Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents", filed on 25 August 2008 ("Motion"),¹ wherein the Prosecution seeks leave to appeal an oral decision of the Trial Chamber rendered on 21 August 2008 ("Impugned Decision"), which held that documentary evidence not presented through a witness must be tendered pursuant to Rule 92bis of the Rules of Procedure and Evidence ("Rules") rather than Rule 89(C), on the grounds:

- i. that the Trial Chamber erred in law in concluding that documentary evidence not tendered through a witness must be tendered pursuant to Rule 92bis rather than Rule 89(C), this being contrary to the practice of the Special Court, since documents have been admitted under Rule 89(C) alone in the absence of a witness, and parties have not previously been limited to Rule 92bis in order to tender documents without a witness;²
- ii. that the Trial Chamber erred in law by ruling that the tender of a document under Rule 89(C) must be done through a witness, after sufficient foundation has been laid;³
- iii. that the Impugned Decision constitutes an error of law giving rise to exceptional circumstances in that (a) it sets conditions to the admission of evidence, which error will be repeated on each occasion that the Prosecution seeks to tender documents in court in conjunction with or through a witness;⁴ and (b) it gives rise to an issue of fundamental legal importance, in that "[t]he question whether documents tendered in the absence of a witness may only be so tendered under Rule 92bis and not under Rule 89(C) alone, even where the documentary evidence is not being admitted in lieu of oral testimony, is a question of general principle to be determined for the first time at the SCSL";⁵
- iv. that irreparable prejudice will occur if the Prosecution is precluded from using Rule 89(C) to tender relevant evidence in those cases where the evidence is not being tendered through a witness and where such evidence goes to proof of the acts and conduct of the Accused or where the evidence is proximate to the Accused;⁶

NOTING the "Public Defence Response to 'Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents'", filed on 8 September 2008 ("Defence Response"),⁷ which was filed outside of the time limit prescribed by Rule 7(C) without good cause being shown for the late filing, and which will therefore not be considered;

NOTING the "Public Prosecution Reply to the Defence Response to the Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents", filed on 15 September 2008 ("Prosecution Reply"),⁸ which, as a consequence of the Defence Response having been ruled out of time, will also not be considered;

¹ SCSL03-01-T-568.

² Motion, paras 15, 17-19.

³ Motion, paras 15-16.

⁴ Motion, para. 16.

⁵ Motion, paras 11-18.

⁶ Motion, para. 20.

⁷ SCSL03-01-T-577.

⁸ SCSL03-01-T-593.

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RECALLING the Impugned Decision where the Trial Chamber held as follows:

If the Prosecution wishes to tender a document under Rule 89(C) through a witness, they need to lay foundation and in the instant case there is no sufficient foundation. If a document is to be tendered without a witness, then the application should be made under 92bis of the Rules.⁹

MINDFUL of Rules 26bis, 54, 73(B), 89(C) and 92bis of the Rules;

NOTING that the conditions which must pertain for the Trial Chamber to grant leave to appeal are set out in Rule 73(B), which provides that:

Decisions rendered on such motions are without interlocutory appeal. However, in exceptional circumstances and to avoid irreparable prejudice to a party, the Trial Chamber may give leave to appeal. Such leave should be sought within 3 days of the decision and shall not operate as a stay of proceedings unless the Trial Chamber so orders.

RECALLING the jurisprudence of this Court¹⁰ regarding the principles of law governing interlocutory appeals pursuant to Rule 73(B), which may be summarised as follows-

- i. As a general rule, interlocutory decisions are not subject to appeal;
- ii. Rule 73(B) involves a high threshold that must be met before the Chamber can exercise its discretion to grant leave to appeal;
- iii. A party seeking leave to appeal against an interlocutory decision must show “exceptional circumstances” and “irreparable prejudice”;
- iv. The two-pronged test prescribed under Rule 73(B) is conjunctive and not disjunctive;
- v. The rationale of Rule 73(B) is to avoid international criminal trials becoming encumbered by a multiplicity of interlocutory appeals thereby causing protracted delays in such trials.

CONSIDERING that the Impugned Decision addresses two issues of fundamental legal importance namely:

- i. whether a party can tender a document under Rule 89(C) in the absence of a witness; and,
- ii. when tendering a document through a witness under Rule 89(C), whether the tendering party must first lay sufficient foundation;

NOTING that the jurisprudence of the Appeals Chamber addresses this aspect of Rule 89(C) in a different context,¹¹ and that Rule 92bis has been amended by the Plenary since the Appeals Chamber last directed its attention to it;¹²

⁹ Transcript 21 August 2008, p. 14253.

¹⁰ See *Prosecutor v. Brima, Kamara, Kanu*, SCSL-4-16-T, Decision on Joint Defence Request for Leave to Appeal from Decision on Defence Motions for Judgement of Acquittal Pursuant to Rule 98 of 31 March 2006, dated 4 May 2006; see also *Prosecutor v. Brima, Kamara, Kanu*, SCSL-04-16-T, Decision on Prosecution Application for Leave to Appeal Decision on Confidential Motion to Call Evidence in Rebuttal; see also *Prosecutor v. Sesay et al.*, SCSL-2004-15-PT, Decision on the Prosecutor's Application for Leave to File an Interlocutory Appeal Against the Decision on the Prosecution Motion for Joinder, 13 February 2004.



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NOTING FURTHER that Rule 92bis in the Rules of Procedure and Evidence of the International Criminal Tribunals for Rwanda and the Former Yugoslavia differs in many respects from the Special Court Rule 92bis;

CONSIDERING that evidence admitted through Rule 92bis excludes evidence which goes to the acts and conduct of the Accused, and that evidence admitted through Rule 89(C) is received in its entirety provided it is relevant;

NOTING that subsequent to the filing of the Motion the Prosecution has filed eight (8) formal motions requesting the admission of documentary evidence through Rule 89(C);¹³

FINDING that a continued erroneous interpretation of Rules 89(C) and 92bis on this issue could result in irreparable prejudice to the Parties and that the absence of clear legal authority on this point of law constitutes exceptional circumstances;

SATISFIED that the Prosecution has met the conjunctive conditions of exceptional circumstances and irreparable prejudice as prescribed by Rule 73(B);

FOR THE ABOVE REASONS, BY A MAJORITY

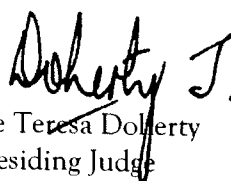
GRANTS the Motion;

The Honourable Justice Julia Sebutinde appends a Separate Dissenting Opinion.

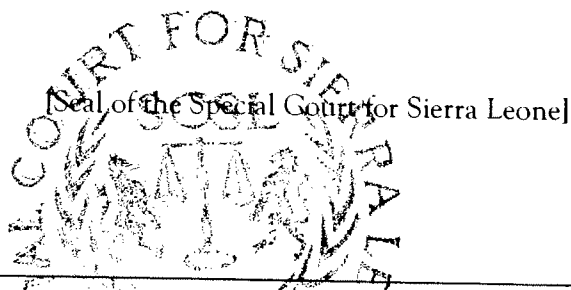
Done at The Hague, The Netherlands, this 11th day of December 2008.



Justice Richard Lussick



Justice Teresa Dolerty
Presiding Judge



¹¹ See *Prosecutor v. Norman, Fofana and Kondewa*, SCSL-04-14-T-17, Fofana - Appeal against Decision Refusing Bail, 11 March 2005

¹² *Prosecutor v. Norman, Fofana and, Kondewa*, Fofana- Decision on Appeal against 'Decision on Prosecution's Motion for Judicial Notice and Admission of Evidence', 16 May 2005

¹³ SCSL-03-01-T-650, SCSL-03-01-T-652, SCSL-03-01-T-659, SCSL-03-01-T-667, SCSL-03-01-T-678, SCSL-03-01-T-681, SCSL-03-01-T-682, SCSL-03-01-T-684; Admission under a combination of Rules 89(C) and 92bis is requested in the alternative;

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SEPARATE DISSENTING OPINION OF JUSTICE JULIA SEBUTINDE

Introduction

1. During the hearing of the evidence-in-chief of Prosecution Witness TF1-367, Counsel for the Prosecution attempted to place a document before the witness¹⁴. This procedure was objected to by Counsel for the Defence on the ground that no basis had been provided by the Prosecution for seeking to introduce the document through that particular witness, nor had the Prosecution established that the witness was “in a position to speak to this document”¹⁵. Counsel for the Defence contended that the Prosecution, by not providing some foundation as to how the witness was able to give evidence of the document, was either leading the witness or was arguing for “a position whereby the OTP could download any document from the internet and present it to this tribunal through any witness and in our submission Rule 89 cannot be that wide.”¹⁶ Counsel for the Defence submitted that the Prosecution was in effect “seeking to use this witness to circumvent the provisions of Rule 92bis”, and that, without foundation, Rule 89 alone does not allow the document to be admitted through this witness¹⁷.
2. In response, Counsel for the Prosecution conceded that he had not laid any foundation for placing the document before the witness and instead, maintained that regardless of whether or not the witness knew anything about the document, it contained information relevant to the trial and was therefore admissible under Rule 89(C)¹⁸. Counsel further submitted that “clearly this witness has not – we are not saying that he saw this document, it was created after he was the mining commander but he recognises the places, he recognises some of the names he has told you about in his testimony of – he stated of these places that were mining sites and the names and he has told you how records were kept...So it is directly relevant and it would make more sense when your honours and the parties consider the evidence at the end that this document goes along with this witness’s testimony, because it is most relevant of all the witnesses that we have heard to this witness’s testimony”.¹⁹
3. After considering the submissions, the Trial Chamber delivered the following oral ruling, which has now become the Impugned Decision:

“If the Prosecution wishes to tender a document under Rule 89(C) through a witness, they need to lay foundation and in the instant case there is no sufficient foundation. If a document is to be tendered without a witness, then the application should be made under 92bis of the Rules.”²⁰

¹⁴ Prosecutor v. Taylor, SCSL-03-01-T, Transcript, 21 August 2008 (“Transcript”), page 14245, lines 8 - 10.

¹⁵ Transcript, page 14245, lines 11 - 22.

¹⁶ Transcript, p. 14247, lines 3 - 6.

¹⁷ Transcript, p. 14252, lines 18 - 28.

¹⁸ Transcript, p. 14245, lines 24 - 29, page 14249, lines 17 - 19.

¹⁹ Transcript, p. 14252, lines 1 - 12.

²⁰ Transcript 21 August 2008, p. 14253.

The Prosecution seeks leave to appeal from the above decision, pursuant to Rule 73(B). The submissions of the parties with respect to this Motion as well as the applicable law, have been accurately recited in the Majority decision.

Merits of the Motion:

4. It is my considered opinion that the Prosecution misconstrued the nature of the issue that was considered by the Trial Chamber in arriving at the Impugned Decision. In my view, no profound legal principle was involved and it certainly did not warrant protracted argument in court followed by a formal motion. All the Trial Chamber asked Prosecution Counsel to do in court was to lay a foundation which would qualify the witness to give evidence about the document concerned. What the Trial asked of Prosecution Counsel was no more than what Counsel routinely do when examining their witnesses in order to avoid suggesting answers to a witness, otherwise known as "leading" the witness. Prosecution Counsel apparently misunderstood the Trial Chamber's ruling as going to the relevance and admissibility of the document in question under Rule 89(C). Such misunderstanding has carried over to the filing of the present Motion.

5. As mentioned above, Prosecution Counsel conceded in court that the witness knew nothing about the document. Accordingly, any attempt by Counsel to place the document before the witness and then to ask him about its contents would be nothing short of leading the witness. It is plain from the wording of the Impugned Decision that the Trial Chamber simply over-ruled the Prosecution's attempt to "lead" the witness, Counsel having failed to demonstrate how the witness was qualified to answer questions about the document that was shown to him. Nothing in the Impugned Decision would entitle any reasonable reader to come to any other conclusion. Had Prosecution Counsel complied with the Chamber's ruling by demonstrating how the witness was qualified to speak about the document in question, Counsel would have been permitted to place the document before the witness and to continue with that line of questioning. Prosecution Counsel having chosen not to so proceed, opting instead to tender the document in evidence in lieu of oral evidence, the Trial Chamber was justified in advising Counsel to proceed under the provisions of Rule 92bis. The Trial Chamber did not at that stage consider the relevance or admissibility of the document under Rule 89(C) and made no findings in that regard.

6. In my view, the fact that the Prosecution has, since the Impugned Decision, filed several other motions seeking the admission into evidence of various documents in lieu of oral testimony, is beside the point of this particular application for leave to appeal. Each of those subsequent Motions will in any event, be determined on its own merits. It is my considered view that the Rules of Procedure and Evidence of this Court regulating the admission of information or other documentary evidence in lieu of oral testimony are plain and clear in their meaning and application.²¹ In any event, both the Trial Chambers and the Appeals Chamber have already laid down clear guidelines as to the application of Rule 92bis as well as Rule 89(C)²².

²¹ See Rules 92bis, 92ter and 92quater.

²² See *Prosecutor v. Hinga Norman et al*, SCSL-04-14-AR65, Fofana-Appeal Against Decision Refusing Bail, 11 March 2005; *Prosecutor v. Hinga Norman et al*, SCSL-04-14-AR73, Fofana- Decision on Appeal Against "Decision on Prosecution's Motion For Judicial Notice And Admission of Evidence", 16 May 2005; *Prosecution v. Sam Hinga Norman et al.*, SCSL-04-14-T-371, Fofana-Appeal against Decision Refusing Bail, 11 March 2005, para. 24; *Prosecution v. Hinga Norman et al.*, SCSL-04-14-T-714, Decision on Fofana Request to Admit Evidence Pursuant to Rule 92bis, 9 October 2006; *Prosecution v. Sesay, Kallon and Gbao*, SCSL-04-15-T-605, Decision on Prosecution Notice Under Rule 92Bis and 89 to Admit the Statement of TF1-150, 20 July 2006; *Prosecutor V. Brima et al.*, SCSL-04-16-T-431, Decision on Prosecution tender for Admission into Evidence of Information Contained in Notice Pursuant to Rule 92bis, 18 November 2005; *Prosecutor v Norman et al.*, Case No. SCSL-03-1-T

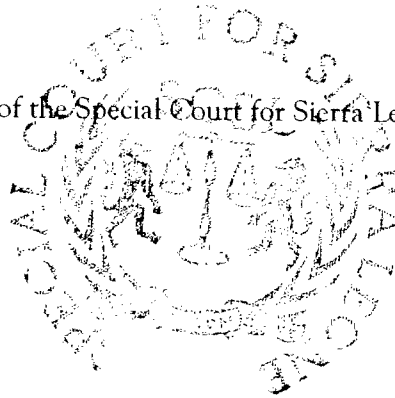
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7. In conclusion, I am of the opinion that the Prosecution has failed to meet the requirements of Rule 73(B) in that it has failed to establish any exceptional circumstances or irreparable prejudice. I would dismiss the Motion in its entirety.



Justice Julia Sebutinde

[Seal of the Special Court for Sierra Leone]



SCSL-2004, 14-T-447, Decision on Prosecution's Request to Admit into Evidence Certain Documents Pursuant to Rule 92bis and 89(C), 14 July 2005.

23714

6. *Prosecutor v. Taylor*, SCSL-03-01-T-697, "Prosecution Request For Expedited Filings And For Leave To File Notice Of Appeal And Submissions During Judicial Recess", 12 December 2008.

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SCSL-03-01-T
(23549-23552)

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SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
Freetown – Sierra Leone

APPEALS CHAMBER

Before: Justice Renate Winter, President

Registrar: Herman von Hebel

Date filed: 12 December 2008

SPECIAL COURT FOR SIERRA LEONE
RECEIVED
COURT MANAGEMENT
THE HAGUE
12 DEC 2008
NAME RACHEL IRURA
SIGN [Signature]
TIME 14:53 HRG

THE PROSECUTOR **Against** **Charles Ghankay Taylor**

Case No. SCSL-03-01-T

PUBLIC
PROSECUTION REQUEST FOR EXPEDITED FILINGS AND FOR LEAVE TO FILE NOTICE OF APPEAL AND SUBMISSIONS DURING JUDICIAL RECESS

Office of the Prosecutor:
Ms. Brenda J. Hollis
Ms. Leigh Lawrie

Counsel for the Accused:
Mr. Courtenay Griffiths Q.C.
Mr. Andrew Cayley
Mr. Terry Munyard
Mr. Morris Anyah

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I. INTRODUCTION

1. The Prosecution requests an order: (a) for expedited filing of Prosecution Notice of Appeal and Submissions and that the Prosecution be permitted to file this pleading on 19 December 2008; (b) that the Court Management Section of the Registry in The Hague accept the filing on that date and effect service on the Defence on the same date; (c) that the Defence accept service of the filing on 19 December; and (d) that the Defence be ordered to file its Response on 5 January 2009.
2. On 12 September 2008 the President issued an order declaring the observation of a judicial recess from Monday, 15 December 2008 until Friday, 2 January 2009, inclusive, and further ordering that during this period the Court Management Section of the Registry will not accept any documents for filing¹.
3. On 21 September Trial Chamber II issued an oral decision that documentary evidence not presented through a witness must be tendered pursuant to Rule 92*bis* of the Rules of Procedure and Evidence rather than Rule 89(C). On 25 September 2008, the Prosecution filed a motion seeking leave to appeal that oral decision. By Decision dated 10 December 2008, a majority of Trial Chamber II, Justice Sebutinde dissenting, granted leave for the Prosecution to appeal the oral decision².
4. Pursuant to Rule 108(C), the Prosecution has seven (7) days to from the date of receipt of the Decision to file its notice and grounds of appeal. Because of the judicial recess, the Prosecution must file its notice and grounds of appeal on 5 January 2009.
5. Pursuant to paragraph 12, SCSL Practice Direction for Certain Appeals Before the Special Court, 30 September 2004, the Defence Response will be due within seven (7) days of service of the Prosecution Notice of Appeal and Submissions.

¹ Order Scheduling Judicial Recess, SCSL-03-01-T-590, 12 September 2008.

² Decision on Public Prosecution Application For Leave to Appeal Decision Regarding The Tender of Documents, *Prosecutor v. Taylor*, SCSL-03-01-T-691, 10 December 2008.

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II. SUBMISSIONS

6. The Prosecution anticipates it will have called all the witnesses currently scheduled to testify by the end of January 2009. However, the date of the close of our case will also depend on decisions on outstanding evidentiary motions. There are several motions currently before the Trial Chamber which raise the issue which is the subject of appeal. Therefore, an expeditious appellate decision on this issue will help ensure an orderly and timely conclusion to the Prosecution case in chief.
7. For this reason, the Prosecution seeks to expedite its filing of the Notice of Appeal and Submissions, and requests permission to file its pleading on 19 December 2008.
8. The Prosecution also requests that the Defence be ordered to file its Response on 5 January 2009. The Prosecution is not seeking that the regular time period for a Response be ordered, which would be seven (7) days from the date of service of the Prosecution filing. Rather, the Prosecution requests an order that the Defence Response be filed on 5 January 2009, the date on which Responses falling due during the judicial recess would be filed and some 17 days after service of the Prosecution filing.

III. REQUEST

9. For the reasons stated above, the Prosecution requests the President to order as follows:
 - (a) expedited filing of the Prosecution Notice of Appeal and Submissions on 19 December 2008;
 - (b) that the Court Management Section of the Registry in The Hague accept the Prosecution filing on 19 December 2008 and effect service on the Defence on that date;
 - (c) that the Defence accept service of the filing on 19 December 2008; and

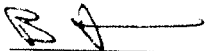
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(d) that the Defence file its Response on 5 January 2009.

Filed in The Hague,

12 December 2008

For the Prosecution,



Brenda J. Hollis
Principal Trial Attorney

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7. *Prosecutor v. Taylor*, SCSL-03-01-T-699, “Decision On Prosecution Request For Expedited Filings And For Leave To File Notice Of Appeal And Submissions During Judicial Recess”, 15 December 2008.

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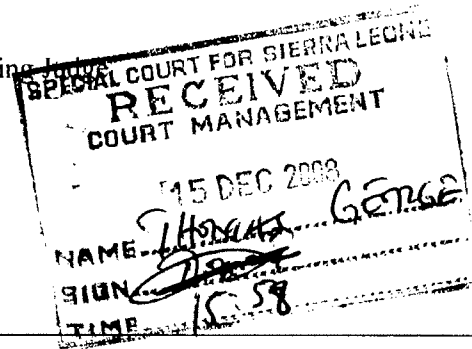
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SPECIAL COURT FOR SIERRA LEONE

OFFICE OF THE PRESIDENT

Before Justice Renate Winter, Presiding Judge
Registrar Herman von Hebel
Date 15 December 2008



**DECISION ON PROSECUTION REQUEST FOR EXPEDITED FILINGS AND FOR
LEAVE TO FILE NOTICE OF APPEAL AND SUBMISSIONS DURING JUDICIAL
RECESS**

Office of the Prosecutor:
Mr. Stephen Rapp

Principal Defender:
Ms. Elizabeth Nahamya

**Defence Counsel for the Charles Ghankay
Taylor:**
Mr. Courtney Griffiths Q.C.

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Justice Renate Winter, President of the Special Court for Sierra Leone ("Special Court"),

NOTING the Order Scheduling Judicial Recess, filed on 12 September 2008 ("Scheduling Order"), which stated that "the Court Management Section of the Registry will not accept any documents for filing submitted before the Appeals Chamber and Trial Chamber II" from , 15 December 2008 until Friday, 2 January 2009, inclusive;

NOTING Trial Chamber II's Decision on Public Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents, filed on 11 December 2008,¹ which grants the Prosecution's application for leave to appeal;

NOTING that pursuant to the Scheduling Order and Rule 7(B) of the Rules of Procedure and Evidence ("Rules"), as amended on 19 November 2007, time limits for filing documents run during the judicial recess; however, because the time limit for the Prosecution to file its notice and grounds of appeal pursuant to Rule 108(C) of the Rules expires on a day falling within the judicial recess, the time limit is automatically extended to the subsequent working day, 5 January 2009;

NOTING the Prosecution's request to file its notice and grounds of appeal on 19 December 2008 rather than 5 January 2009;

NOTING that the Defence have not filed a response to the Prosecution's request;

NOTING HOWEVER that by email dated 12 December 2008, the Defence indicated that it opposes the Prosecution's request on the grounds that it will prejudice their ability to prepare submissions in response during the winter recess;

CONSIDERING that even though the email from the Defence does not constitute a response in accordance with the Practice Direction on Filing Documents before the Special Court for Sierra Leone of 27 February 2003, and the Practice Direction for Certain Appeals Before the Special Court of 30 September 2004, I nevertheless accept the Defence position on the Prosecution request contained in the said email due to the urgency of the matter;

NOTING that even though it provides for an "Expedited Procedure", Rule 117 of the Rules does not expressly permit the Appeals Chamber or its Presiding Judge to order expedited time limits except in

¹ *Prosecution v Taylor*, SC/SL-03-01-1-691, Decision on Public Prosecution Application for Leave to Appeal Decision Regarding the Tender of Documents, 10 December 2008.

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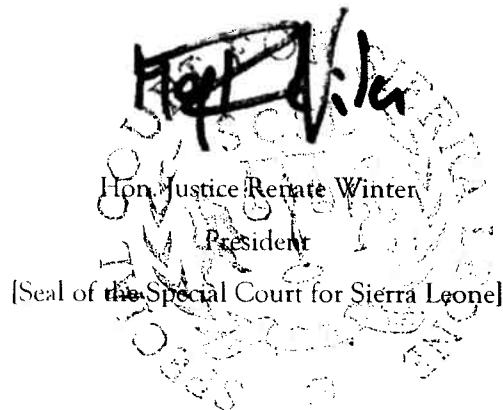
the form of a practice direction issued by the Presiding Judge pursuant to Rule 107, in the absence of an agreement between the Parties:

FURTHER NOTING that the Practice Direction for Certain Appeals Before the Special Court of 30 September 2004, specifies the time limits permitted to the Parties to file their appeals, responses and replies but does not contain such express permission:

CONSIDERING ALSO that even though Rule 107 provides that the President may issue practice directions on detailed aspects of the conduct of proceedings before the Appeals Chamber in consultation with the Vice-President, it will be inconsistent with basic rules of fairness to issue one on the matter during judicial recess:

HEREBY DENY the Prosecution's request and **ORDER** the Office of the Registrar to accept this Request as duly filed

Done in Freetown, this 15th Day of December 2008.



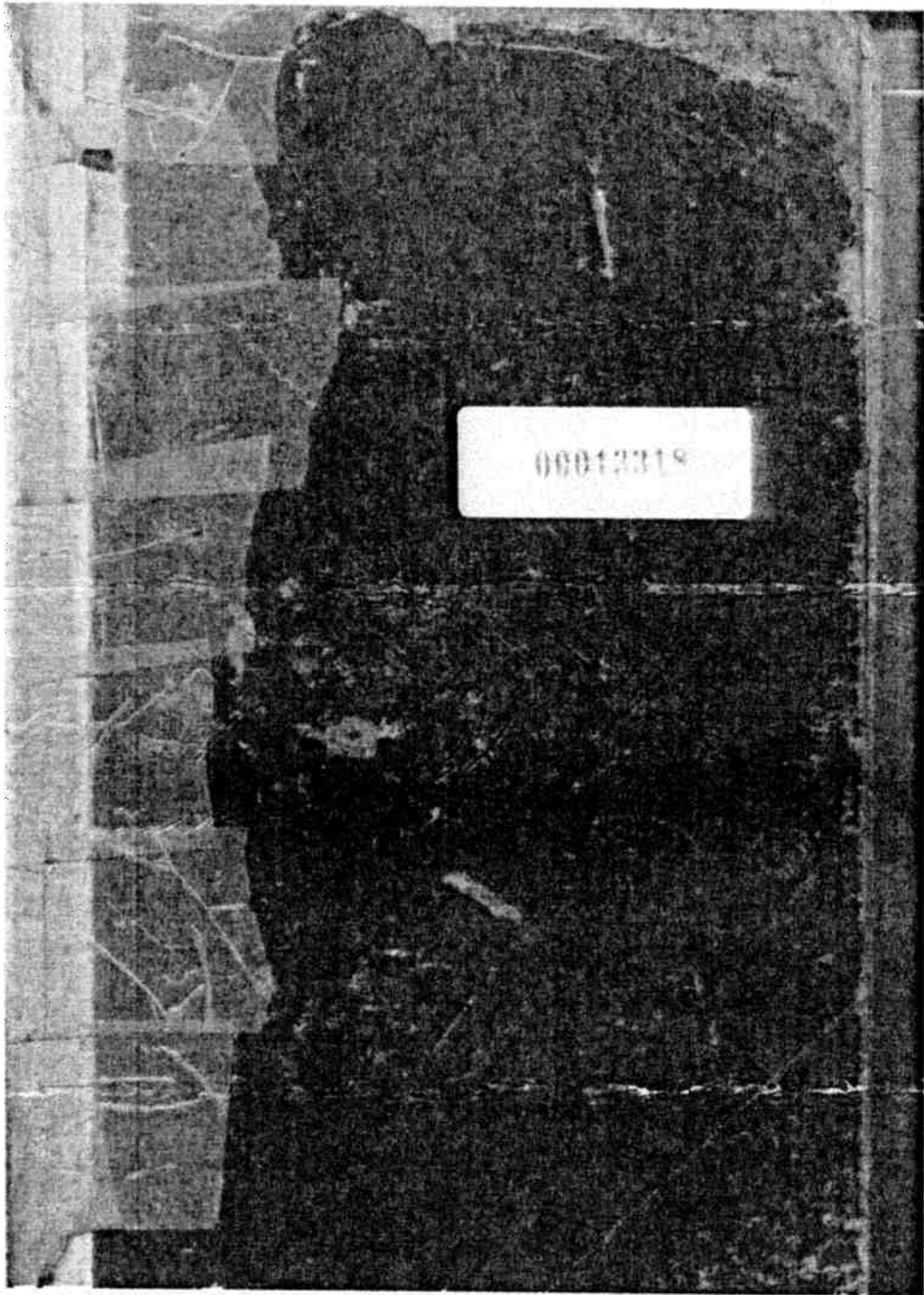
Prosecutor v. Taylor, SC/SL-03-01-T, Prosecution Request For Expedited Filings and For Leave to File Notice of Appeal and Submissions During Judicial Recess, 12 December 2008.

23723

OTHER DOCUMENTS

2. Tab 10 of Prosecution Binder produced in connection with appearance of Witness TF1-367: Brown Ledger Logbook of RUF diamond transactions comprised of 95 pages (ERN 00013318-00013412).

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ISSUED TO.
DATE 12-12-12 TO FRIDAY
CUTTER AND SKATING TIE
SHIRT AND SKATE DATE SKATING TIE

00013319

Handwritten scribbles on the left margin.

Handwritten scribbles in the center margin.

Handwritten scribbles on the right margin.

DATE 16th - 1-2013
2 WHITE SKATE SKATING TIE

10 pieces of industrial diamonds
from Anderson Industrial Diamonds A/A

DATE 20th - 12-2012
from Industrial Diamonds A/A

148^{pieces} of industrial diamonds
DATE 24th - 12-2012

1 KATANA
2 TO PROTECTO

DATE 24th - 12-2012

DATE 24th - 12-2012

Large handwritten scribbles and signatures covering the bottom half of the page.

Handwritten numbers and scribbles: 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2, 1.

5 SKATES

23727

DATE 28-11-2007 108
2 pieces industrial has been handover
to the small mining adviser cord H.B.
FROM BUREAU VISITED ~~Atabulלה~~
RECEIVED 27/12/2007

2A-W

00019324

[Handwritten signature]
27/12/2007

DATE	DAY	OPERATION	NUMBER OF WHITE PEGS	NUMBER OF PINS IN BUCKLE	CHARTAGE PERCENT	TOTAL	WORKING IN CHARGE	OTHER IN RECEIPT
22-11-00	FRIDAY	BANKSLEY OPS	1	12	-	13	O/A MINES ← Comm.	O/A MINES ← Comm.
22-12-00	FRIDAY	ALBERTA	-	17	-	17	O/A MINES ← Comm.	O/A MINES ← Comm.
22-12-00	FRIDAY	FRECKON	8	48	-	56	O/A MINES ← Comm.	O/A MINES ← Comm.
23-12-00	FRIDAY	CLASCO	-	12	100	112	EXPLORATORY LINDRUM	O/A MINES ← Comm.
23-12-00	FRIDAY	RAVENS	11	17	-	28	CAPT ALBERTA	O/A MINES ← Comm.
23-12-00	FRIDAY	MIDLAND	1	15	-	16	MR. STONE KAPPA	O/A MINES ← Comm.
23-12-00	SATURDAY	ZONE 4	3	1	-	4	MR. HOPKIN THUR	O/A MINES ← Comm.
23-12-00	SATURDAY	ADAMANT	-	11	-	11	MR. MONAGHAN SAND	O/A MINES ← Comm.
23-12-00	SATURDAY	O/A MINES	-	2	-	2	MR. JACK SAND	O/A MINES ← Comm.
23-12-00	SATURDAY	KALIS	-	6	-	6	MR. JACK SAND	O/A MINES ← Comm.
23-12-00	SUNDAY	WIDE MOUTH	-	3	-	3	MR. JACK SAND	O/A MINES ← Comm.
24-12-00	SUNDAY	KALIS	-	1	-	1	MR. JACK SAND	O/A MINES ← Comm.

DATE	DAY	AREA OF OPERATION	NO. OF WORKERS	NO. OF DISTRICTS	DAMAGE	TOTAL	COMMENTS	LIFE RECEIVED
24/12/20	SUNDAY	SPRING	3			3	WORKING	
24/12/20	SUNDAY	ALFAIA	22			22	ALFAIA	
24/12/20	SUNDAY	BANDS			90013325		WORKING	
24/12/20	SUNDAY	TRUCKS	148			148	TRUCKS	
24/12/20	SUNDAY	TRUCKS	10			10	TRUCKS	
25/12/20	MONDAY	NO 9	7			7	NO 9	
25/12/20	MONDAY	TRUCKS	117			117	TRUCKS	
25/12/20	MONDAY	NO 6	16			16	NO 6	
26/12/20	TUESDAY	BANK	21			21	BANK	
26/12/20	TUESDAY	BANDS	26			26	BANDS	
26/12/20	THURSDAY	ALFAIA	3			3	ALFAIA	
28/12/20	FRIDAY	GEN-11	2			2	GEN-11	

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DATE	DAY	AREA OF OPERATION	NO OF WHITE	NO OF INDUSTRIAL	UNIT AGE	%	TOTAL	Commander - and Charge	Office RECEIVE	RECEIVE FROM (SPECIAL)
31-12-2000	SUN	Jac Ferri	-2-	-1-	-	-	3	Capt Samsah Fornal	↑	31-12-2000
31-12-2000	SUN	CIK gale	1	-	-	-	1	Maj Wahan Jatrad		31-12-2000
31-12-2000	SUN	Cage Gek	1	2	0101:3427	-	3	Comdr Kanan		31-12-2000
31-12-2000	SUN	Johore	-	3	-	-	3	Capt Kaki Kanan		31-12-2000
31-12-2000	SUN	Kedondong	-	1	-	-	1	Per Fornal		31-12-2000
31-12-2000	Sunday	Marska	-16-	-21-	-	-	37	Co Bpkie Fornal		31-12-2000
31-12-2000	SUN	Adomedia	-13-	-22-	-	-	35	Marsden Fornal		31-12-2000
31-12-2000	SUN	Saputran	-1-	-1-	-	-	2	Capt Rukba		31-12-2000
31-12-2000	SUN	NO9	-1-	-3-	-	-	4	Maj Wahan Fornal		31-12-2000
31-12-2000	Sun	Opera	-6-	-4-	-	-	10	Maj Wahan Fornal		31-12-2000
31-12-2000	SUN	Alga	-6-	-8-	-	-	14	Capt John Alga		31-12-2000
31-12-2000	SUN	Banilefac	-2-	-3-	-	-	5	Maj Wahan Fornal		31-12-2000
31-12-2000	SUN	Armed	1	1	-	-	2	Co - Fornal		31-12-2000

DATE	DAY	Area of operation	No of white	No of Industrial	No of Captiv	%	Total	Com/da Incharge	Office Receiver	Receive From - Sign
4-1-2001	THUR	Cikupa	1	1	-	-	1	Capt. Suroyo	PT PINDA	4/1/2001
4-1-2001	THUR	Nyirya	2	2	-	-	4	Capt. Suroyo	PT PINDA	4/1/2001
4-1-2001	THUR	Sigandu	5	6	-	-	11	Maj. Suroyo	PT PINDA	4/1/2001
4-1-2001	THUR	Ndombin	9	7	0001:329	-	16	Maj. Suroyo	PT PINDA	4/1/2001
4-1-2001	THUR	OPERA	4	5	-	-	9	Maj. Suroyo	PT PINDA	4/1/2001
4-1-2001	THUR	Bongora	9	1	-	-	10	Maj. Suroyo	PT PINDA	4/1/2001
4-1-2001	THUR	KUYOK	1	1	-	-	2	Capt. Suroyo	PT PINDA	4/1/2001
5-1-2001	FRID	Mutema	6	-	-	-	6	Capt. Suroyo	PT PINDA	4/1/2001
5-1-2001	FRID	KUYOK	1	1	-	-	2	Capt. Suroyo	PT PINDA	4/1/2001
5-1-2001	FRID	OPERA	3	4	-	-	7	Capt. Suroyo	PT PINDA	4/1/2001
5-1-2001	FRID	Ndombin	19	74	-	-	93	Capt. Suroyo	PT PINDA	4/1/2001
5-1-2001	FRID	Ndombin	14	11	-	-	25	Capt. Suroyo	PT PINDA	4/1/2001
6-1-2001	SAT	Marpis	9	2	-	-	11	Capt. Suroyo	PT PINDA	4/1/2001
6-1-2001	SAT	Sherung	1	2	-	-	3	Capt. Suroyo	PT PINDA	4/1/2001

6-1-2001 Sat	Opera	-3-	-3-	-	-	61	My Hassan	Director Mina Col. Am	0001-0130
6-1-2001 Sat	Kyer	-1-	-	-	-	1	My Hassan		
6-1-2001 Sat	John Kelle Street	-	-	-	-	98	My Hassan Sande	Col-Amara	
7-1-2001 Sun	OPERA	-	-	-	-	3	My Hassan Kamara	Director Mina	
8-1-2001 Mon	Nganga	-6-	-3-	-	-	9-	My Hassan Kamara	Director Mina	5/1-2001
8-1-2001 Mon	Bumpel	-8-	-17-	-	-	25-	My Hassan Kamara	Director Mina	5/1-2001
8-1-2001 Mon	Ndombus	-	-	-	-	152-	My Hassan Kamara	Director Mina	5/1-2001
9-1-2001 Tue	OPERA	-	-	-	-	2	My Hassan Kamara	Director Mina	
9-1-2001 Tue	YARDU	-	-	-	-	1	My Hassan Kamara	Director Mina	
11-1-2001 Thurs	Kpukor	-9-	-65-	-	-	74	My Hassan Kamara	Director Mina	
11-1-2001 Thurs	OPERA	-3-	-1-	-	-	4.	My Hassan Kamara	Director Mina	
11-1-2001 Thurs	Motens	-4-	-3-	-	-	7	My Hassan Kamara	Director Mina	
12-1-2001 F	John Kelle Street	25	23	-	-	46	My Hassan Kamara	Director Mina	

DATE	DAY	NO. OF OPS	NO. OF WHITE	NO. OF DEFINED	CURRY	%	TOTAL	Commander- in-Charge	Office Receipts	Receipts month begin.
12-1-2001	FRID.	ANGARA	10	-	-	-	10	Maj P. Lambing		12-1-2001
12-1-2001	FRID.	ANGARA	1	2	-	-	3	M. N. Lambing		12-1-2001
12-1-2001	FRID.	Yandya	2	1	-	-	3	Cpl A. Carter		12-1-2001
12-1-2001	FRID.	Bongama	19	7	-	-	26	Maj T. Proton		12-1-2001
13-1-2001	SAT	Jekunelle	1	3	00013381	-	4	Cpl A. Carter		12-1-2001
14-1-2001	SUN	C/FRAX	2	2	-	-	4	Cpl A. Carter		12-1-2001
14-1-2001	SUN	Ngaya	2	9	-	-	12	Cpl A. Carter		12-1-2001
15-1-2001	MON	Ngaya	4	3	-	-	7	Cpl A. Carter		12-1-2001
15-1-2001	MON	Sangaba	1	4	-	-	5	Cpl A. Carter		12-1-2001
"	"	Kreyon	1	-	-	-	1	Cpl A. Carter		12-1-2001
"	"	Opera	2	2	-	-	4	Cpl A. Carter		12-1-2001
16-1-2001	Tues	Kabay	1	2	-	-	3	Cpl A. Carter		12-1-2001
16-1-2001	TUE	BANDITIC	7	13	-	-	20	Cpl A. Carter		12-1-2001
16-1-2001	TUES	ONTO	-	1	-	-	1	Cpl A. Carter		12-1-2001
16-1-2001	TUE	BRIDGE	2	2	-	-	4	Cpl A. Carter		12-1-2001
16-1-2001	TUE	DEER	1	1	-	-	2	Cpl A. Carter		12-1-2001
16-1-2001	TUE	MICHA	1	1	-	-	2	Cpl A. Carter		12-1-2001
16-1-2001	TUE	BURMA	2	2	-	-	4	Cpl A. Carter		12-1-2001

Date	Day	Area of Ops	No. of White	No. of Glass	Carriage	Total	Comdr	Officer	Account
21-2001	SUN	NGATA	73-1	8	-	-21-	Major Raymond Ch. Call	21-2001	21-2001
22-2001	MON	C/cock	-	1	10:30	1	Major K. Mann	22-2001	22-2001
22-2001	MON	BANKEND	-	2	-	2	C/PT A. J. H. FENGAT	22-2001	22-2001
22-2001	MON	Bumpel	158-	117-	-	-275-	Major Raymond Ch. Call	22-2001	22-2001
22-2001	MON	John Kelle Street	-1-	4-	-	-5-	Major Ch. Call	22-2001	22-2001
23-2001	TUE	ARKETED STREET	-2-	-	-	-2-	Major Ch. Call	23-2001	23-2001
23-2001	TUE	JOHN KELLE STREET	-	4-	-	-4-	Major Ch. Call	23-2001	23-2001
24-2001	WED	STREET	-1-	1-	-	-2-	Major Ch. Call	24-2001	24-2001
24-2001	WED	JOHN KELLE STREET	-2-	2-	-	-4-	Major Ch. Call	24-2001	24-2001
24-2001	WED	McGona	11	10	-	21	Major Ch. Call	24-2001	24-2001
25-2001	THURS	C/cock	1	-	-	1	Major Ch. Call	25-2001	25-2001
25-2001	THURS	John Kelle Street	-	1	-	1	Major Ch. Call	25-2001	25-2001
25-2001	THURS	Bumpel	-1-	1	-	2	Major Ch. Call	25-2001	25-2001
25-2001	THURS	JOHN KELLE STREET	-2-	1	-	-3-	Major Ch. Call	25-2001	25-2001
25-2001	THURS	John Kelle Street	-2-	2	-	-4-	Major Ch. Call	25-2001	25-2001
26-2001	FRID	Bumpel	142-	84-	-	176-	Major Ch. Call	26-2001	26-2001

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Date	Day	Area	Species	White	Grey	Conty	%	Total	Remarks	Signature
30 Jun 2001	Tues	DUGENT OPS		2	0	8 conty	60%	2	2 birds	
30/1/2001	Tues	Nyannda		28	156			184		
30/1/2001	Tues	Bumpel		5	6			11		
31-1-2001	Wed	Kentley		3	1			4		
31-1-2001	Wed	Bumpel		2		1	30%	2		
1-2-2001	Thurs	Nyannda		1	22			22		
1-2-2001	Thurs	Bumpel		3	5	001:025		8		
1-2-2001	Thurs	Kraeker		16	47			63		
1-2-2001	Thurs	Bakenda		2	3			5		
1-2-2001	Thurs	G. c. Gae		1				1		
1-2-2001	Thurs	Chapfack		4				4		
1-2-2001	Thurs	Mysaka		11	14			25		
1-2-2001	Thurs	Dugent		1				1		
1-2-2001	Thurs	Kuyra		2	2			4		
1-2-2001	Thurs	Mtara		5	2			7		

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Date	Day	Activity	Start	End	Duration	Personnel	Remarks
2-2-2001	FRID	Maintenance				1	
2-2-2001	FRID	W/Works				1	
2-2-2001	FRID	Backwash				2	
2-2-2001	FRID	MaraKa Campud.	15	15		15	
2-2-2001	FRID	KPOKIN	7	58	01013325	65	
2-2-2001	FRID	Kensay.				1	
3-2-2001	SAT.	MaraKa Campud.	1		2	70	
3-2-2001	SAT.	MaraKa Campud.	10	16		26	
3-2-2001	SAT.	Joko Kellie Street	1	2		13	
3-2-2001	SAT	MARU. WORK	8	2		10	
4-2-2001	Sun	MaraKa Campud.	4	19		23	
4-2-2001	Sun	MaraKa Camp.	1		2	1	
4-2-2001	Sun	MaraKa Camp.	4			4	
4-2-2001	SUN	OPERA	5	11		16	
11-2-2001	Sun	Campud.				1	

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Date	Day	Station	Program	Time	Length	Spots	Rate	Total	Comments
7-2-2001	Wed	Antena				3	6		
8-2-2001	THURSDAY	OPERA				2	5		
8-2-2001	THURS	C/Sate				1	1		
8-2-2001	THURS	S468		00:33:38		2	1		
8-2-2001	THURS	Bangka		9-20		1	9		
8-2-2001	THURS	Bangka		2-60		1	2		
8-2-2001	THURS	Bangka		1-75		1	1		
8-2-2001	THURS	Bangka		2-		2	2		
8-2-2001	THURS	Bangka		3-		3	3		
8-2-2001	THURS	Bangka		107-		1	107		
8-2-2001	THURS	Karya				1	1		
9-2-2001	FRID	OPERA				3	4		
9-2-2001	FRID	Bangka				13	74		
9-2-2001	FRID	KYOR				1	2		
10-2-2001	SAT	Sistem Senda				3	3		

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Date	Day	Area	White	Coloured	Company	%	Total	Contractor	Officer
10-2-2001	SAT	Kensington	1	-	-	-	1	Maj. Sankar	
11-2-2001	SAT	Bokkoro	2	2	-	-	4	Scout High	
10-2-2001	SAT	Kwasa	1	276	-	-	277	Col. A. Sankar	
11-2-2001	SUN	Congo Creek	11	12	-	-	23	Col. A. Sankar	
11-2-2001	SUN	K/Works	18	4	-	-	22	Col. A. Sankar	
11-2-2001	SUN	Ndimalu	1	4	-	-	5	Col. A. Sankar	
11-2-2001	SUN	Mwana	6	2	-	-	8	Col. A. Sankar	
11-2-2001	SUN	K-Slab	1	3	04013330	-	4	Col. A. Sankar	
11-2-2001	SUN	Opera	1	11	-	-	12	Col. A. Sankar	
12-2-2001	MON	Kaloy	1	1	-	-	2	Col. A. Sankar	
12-2-2001	MON	S. N. K.	1	-	-	-	1	Col. A. Sankar	
12-2-2001	MON	Ngoya	20	14	-	-	34	Col. A. Sankar	
12-2-2001	MON	Fransfontein	2	40	1	60	44	Col. A. Sankar	
12-2-2001	MON	C. J. G. R.	1	-	1	-	2	Col. A. Sankar	
12-2-2001	MON	Opera	1	7	-	-	8	Col. A. Sankar	
12-2-2001	MON	K/Works	28	1	-	-	29	Col. A. Sankar	
12-2-2001	MON	K/Works	1	1	-	-	2	Col. A. Sankar	
12-2-2001	TUES	C. J. G. R.	1	1	-	-	2	Col. A. Sankar	
12-2-2001	TUES	K/Works	1	2	-	-	3	Col. A. Sankar	

Handwritten notes and signatures at the top of the page, including dates like '10-2-2001', '11-2-2001', and '12-2-2001', and names like 'Maj. Sankar'.

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DATE	DRYS	AREA OF	NO. OF	NO. OF	NO. OF	NO. OF	TOTAL	COMMISSIONER	OFFICE	REMARKS
		OPERATION	WATER	COLLECTED	CONSUMED	WATER		ADDRESS	RECEIVED	
19-2-2001	MON	BAKUNDI	3	1	-	-	4	S/O P. Singh	19/2/01	19/2/01
19-2-2001	MON	OPERA	8	7	-	-	15	19/2/01	19/2/01	19/2/01
19-2-2001	MON	Mandla camp	1	-	-	-	1	19/2/01	19/2/01	19/2/01
20-2-2001	TUE	Kusok	2	2	-	-	4	19/2/01	19/2/01	19/2/01
20-2-2001	Tue	BAKUNDI	1	-	-	-	1	19/2/01	19/2/01	19/2/01
20-2-2001	Tue	BAKUNDI	1	3	0001354	4	4	19/2/01	19/2/01	19/2/01
20-2-2001	Tue	Manka	-	1	-	-	1	19/2/01	19/2/01	19/2/01
21-2-2001	Wed	Kusok	-	1	-	-	1	19/2/01	19/2/01	19/2/01
21-2-2001	Wed	Bakundi	1	3	-	-	4	19/2/01	19/2/01	19/2/01
21-2-2001	Wed	Kusok	-	7	-	-	7	19/2/01	19/2/01	19/2/01
21-2-2001	Wed	OPERA	1	7	-	-	8	19/2/01	19/2/01	19/2/01
22-2-2001	Thurs	Motera	3	7	-	-	10	19/2/01	19/2/01	19/2/01
23-2-2001	FRID	Bakundi	1	3	-	-	4	19/2/01	19/2/01	19/2/01
23-2-2001	FRID	C/Freek	-	1	-	-	1	19/2/01	19/2/01	19/2/01
24-2-2001	SAT	S/Sejadh.	10	3	-	-	13	19/2/01	19/2/01	19/2/01
24-2-2001	SAT	Karamba	2	2	-	-	4	19/2/01	19/2/01	19/2/01
24-2-2001	SAT	Karamba	1	4	-	-	5	19/2/01	19/2/01	19/2/01
25-2-2001	SUN	BAKUNDI	1	5	-	-	6	19/2/01	19/2/01	19/2/01
25-2-2001	SUN	Kusok	1	3	-	-	4	19/2/01	19/2/01	19/2/01

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Date	Days	Activity	No. of Pts	No. of Colours	Country	%	Total	Comander	Office No.	Remarks
5-03-2001	MON	Bakunda	1	1			1	S/pt Koye	14	
5-03-2001	MON	Massabendu	1	6			7	Lt Col M.G. Col. bar.	14	
5-03-2001	MON	Massabendu	90th	90th			5	S. Col. bar.	14	
6-03-2001	TUES	Motema	3	1			4	Maj. T. G. Kombo	14	
6-03-2001	TUES	Bakunda	3	5			8	S/pt Koye	14	
6-03-2001	Tueo	Opera	4	3			7	A.A. Mnyor	14	
7-03-2001	WEDS.	Congo area	1	2	1001349		3	Capt. M. Kombo	14	
7-03-2001	WED	Bakunda	2	3			5	S/pt Koye	14	
7-03-2001	WED	38 pts	2	5			7	MAJOR S/pt Koye	14	
7-3-2001	WED	MUYOR	1	2			2	S/pt Koye	14	
8-03-2001	THU	C. Koye	1	1			1	CAPT. M. Kombo	14	
8-3-2001	THURS	Winkulu	11	12			23	MR. S/pt Koye	14	
8-3-2001	Fri	38 pts	2	3			5	MAJOR S/pt Koye	14	
9-3-2001	FRI	OPERA	1	4			4	MR. S/pt Koye	14	
9-3-2001	FRI	OPERATION	1	5			6	MAJOR S/pt Koye	14	

DATE	DAY	AREA OF INTEREST	NO OF MINUTE COLLECTED	CHARGE	TOTAL	OFFICE RECEIVER	RECEIVE FROM
9-3-2001	FRI	IRAN	3	-	-5		
9-3-2001	FRID	Kimberly	-12	-	12		
9-3-2001	FRID	38ops	-2	001:141	-2		
9-3-2001	FRID	OH Jensen Ad	2	-	-2		
9-3-2001	FRID	Kainambo	-28	-	-45		
9-3-2001	FRID	Moging	5	-	5		
10-3-2001	SAT	Kimberly	9	-	9		
10-3-2001	SAT	Saguestan	2	-	2		
10-3-2001	SAT	Bakunda	1	-	1		
11-3-2001	SUN	SEAN/INVA	3	-	3		
11-3-2001	SUN	SEAN/INVA	6	-	6		
11-3-2001	SUN	Dugunya	1	-	1		
11-3-2001	SUN	Kabaly	5	-	5		
11-3-2001	SUN	Bakunda	2	-	2		
11-3-2001	SUN	Kimberly	7	-	7		
11-3-2001	SUN	Nkashina	2	-	2		

DATE	DAY	AREA	NO OF SHP	NO OF COLLECTED	CASE NO	NO	STATUS	COMPLAINT NUMBER	OFFICER	OFFICER NAME
11-3-2007	FRI	JOHN KEENE STREET	25	39	-	-	64	MONOR SHUBI BRAMA	A	CELENE RINA
11-3-2007	SUN	JOHN KEENE STREET	7	8	-	-	15	MADYK SHUBI BRAMA	A	CELENE RINA
12-3-2007	MON	NGAYA	27	20	-	-	47	MAY MATHA MAYANG	A	CELENE RINA
12-3-2007	MON	Bakunda	2	5	-	-	7	TAMPAK SENG (2 days)	A	CELENE RINA
12-3-2007	MON	GBEROR	7	21	-	-	28	MAY KEMAS KEMAS	A	CELENE RINA
12-3-2007	MON	JOHN KEENE STREET	4	4	-	-	8	SPATIUM SPATIUM	A	CELENE RINA
12-3-2007	MON	Ngotang	5	2	04013145	-	7	SPATIUM KEMAS	A	CELENE RINA
13-3-2007	TUE	KENYAN	1	-	-	-	-	MAS SHUBI BRAMA	A	CELENE RINA
13-3-2007	TUE	KERUBORO	64	78	-	-	145	MAS SHUBI BRAMA	A	CELENE RINA
13-3-2007	TUE	STARBUCK KAMP	1	-	-	-	1	PA KONO BOY	A	CELENE RINA
13-3-2007	TUE	BATUNDU	-	7	-	-	7	SPATIUM FENKAT	A	CELENE RINA
13-3-2007	TUES	MuyDR	-	1	-	-	1	CAPT. YONG SOLING	A	CELENE RINA
13-3-2007	TUES	Bongama	11	3	-	-	14	MAY MATHA KEMAS	A	CELENE RINA
14-3-2007	WEDS	Bamuda	-	3	-	-	3	SAPT. KEMAS	A	CELENE RINA
14-3-2007	WEDS	Bongama	12	2	-	-	14	MAY MATHA KEMAS	A	CELENE RINA
14-3-2007	WED	JOHN KEENE STREET	3	-	-	-	3	CAPT. ALHATI	A	CELENE RINA
14/3/2007	WEDS	JOHN KEENE STREET	3	3	-	-	6	A.R.M. JUN JUN	A	CELENE RINA

DATE	DAY	PLACES VISITED	NO. OF VISITS	NO. OF CHANGES	CHANGES	%	COST	NAME	REMARKS	FROM
15-3-2001	THURS	C/Creck	17	16	-	-	-33	Cap. P. P. N. N. N.		
15-3-2001	THURS	Bakunda	-	3	-	-	3	U. N. N.		
15-3-2001	THURS	Opera	-	2	-	-	2	AA. M. N. N.		
15-3-2001	THURS	S/Sofala	2	4	-	-	6	M. N. N.		
16-3-2001	FRID	C/Creck	9	10	00113345	19	19	Cap. P. N. N.		
16-3-2001	FRID	Bakunda	1	2	-	-	3	AA. M. N. N.		
16-3-2001	FRID	Opera	1	1	-	-	2	AA. M. N. N.		
16-3-2001	FRID	N. N. N.	1	-	-	-	1	Mr. N. N. N.		
16-3-2001	FRID	Kuyur	1	-	-	-	1	Cap. P. N. N.		
16-3-2001	FRID	W/Work	-	8	-	-	8	Col. A. N. N.		
16-3-2001	FRID	N. N. N.	-	13	-	-	13	Col. A. N. N.		
17-3-2001	SAT	G. N. N.	1	27	-	-	28	Major P. N. N.		
17-3-2001	SAT	S. N. N.	3	4	-	-	7	Mr. N. N. N.		
17-3-2001	SAT	B. N. N.	22	39	-	-	11	MSJ P. N. N.		
18-3-2001	SUN	Y. N. N.	1	3	-	-	4	Mr. N. N. N.		
18-3-2001	SUN	B. N. N.	-	29	-	-	29	Mr. N. N. N.		

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Date	DAYS	Area of pop	NP of White Glens	Counting	%	Total	Commander In Charge	Office Key no	Account Form
19-3-2007	MON	Ngata	6-5	-	-	11	Capt Travis Stone		9 Feb 19/03/07
19-3-2007	MON	Bakunda	2-1	-	-	3	Sgt Fungai		
19-3-2007	MON	Opera	2-2	-	-	2	A.R. Mawira		
19-3-2007	MON	C/GAK	3-6	-	-	9	Capt Akayi Munguira		
19-3-2007	Mon	Notera	3-3	-	-	3	May NICO		
19-3-2007	Mon	Khyor	1-2		17	3	Capt Yigah Tesab		
20-3-2007	Tue	Bongava	2-2	-	-	4	May Mufandu Kamanu		
20-3-2007	Tue	Mimikoro	3-2	-	-	5	May Madame S Kamanu		
20-3-2007	Tue	DPEKA	1-1	-	-	2	MR ATI MUTHO		
20-3-2007	Tue	Mbandu	2-2	-	-	2	Atah Jimmy		
21-3-2007	Weds	Kelisy	4-2	-	-	6	May Mufandu Samoch		
21-3-2007	WED	Teich	1-1	-	-	1	Atah Jimmy		
22-3-2007	THU	Bekundu Mubhara	9-8	-	-	17	S/Capt. AMH TESIEN		
22-3-2007	THU	MOTOTIA	1-5	-	-	8	MRS NICOLE MORTIMER		
22-3-2007	Thurs	S/Sepadu	15-5	-	-	20	Miss. Mufandu Samoch		
22/3/2007	THUR	ota	2-2	-	-	4	A.R. Mawira		

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Date	Day	Location	1	2	3	4	5	6	7	8	9	10	11	12	Officer	Signature	Date
22-03-2001	THUR	Bengkang	6					6						12	Maj Mikand	[Signature]	22/3/2001
22-3-2001	THUR	Karang Kebay												1	[Signature]	[Signature]	23/3/2001
23-3-2001	FRID	Yogbela	4					9						13	Maj Monitor	[Signature]	23/3/2001
24-3-2001	SAT	Mangkamp	19					33						52	Maj. Brimani	[Signature]	24/3/2001
24-3-2001	SAT	OPera	7					7						8	A. R. Manjor	[Signature]	24/3/2001
25-3-2001	SUN	Johar Kelisek	3					15						18	Cpt. Carter A.	[Signature]	25/3/2001
25-3-2001	SUN	TAEOL	1											1	Maj. Masingol	[Signature]	25/3/2001
25-3-2001	SUN	BKoumpu												13	Sgt. M. A. H.	[Signature]	25/3/2001
25-3-2001	SUN	Ken. V. O. P.												1	Cpt. M. H. K.	[Signature]	25/3/2001
25-3-2001	SUN	Mangka Comp.	19					39						58	Maj. Engone	[Signature]	25/3/2001
26-3-2001	MON	C/Creck	9					9						18	Dept. Director	[Signature]	26/3/2001
26-3-2001	MON	C/Creck	1											1	Com. Kankun	[Signature]	26/3/2001
26-3-2001	MON	Ngaya	8					23						31	Maj. Martin	[Signature]	26/3/2001
26-3-2001	MON	Kankun	1					1						2	P. Furnak	[Signature]	26/3/2001
26-3-2001	MON	Miptema	3					2						5	Maj. N. D. C.	[Signature]	26/3/2001
26-3-2001	MON	Bakunda	5					3						8	Supt. A. F. J.	[Signature]	26/3/2001

DATE	DAY	Area of OPS	No of White Columns	No of Columns	Cash	%	Total	Commander In Charge	Special Reserve	Receipt From
26-3-2001	MON	OPERA.	4	13	-	-	17	A/R Major	[Signature]	24/3/2001 Major
26-3-2001	MON	KUYOR	1	-	-	-	1	Capt Munn	[Signature]	25/3/2001 MUN
26-3-2001	MON	Kykor Renellu	2	4	-	-	6	Lt Col M.W. Nwagwu	[Signature]	[Signature]
26-3-2001	MON	Biy- Biy- Biy- Biy-	1	3	-	-	4	Lt Col M.W. Nwagwu	[Signature]	[Signature]
26-3-2001	MON	N/WORKE	3	-	01043149	-	3	MR Nwagwu	[Signature]	25/3/2001 [Signature]
27-3-2001	Tues.	Bongand Bongand	2	4	-	-	6	S/Capt Stefan Kogbe	[Signature]	27/3/2001 Staf
27-3-2001	TUES	Bokundu	5	3	-	-	8	S/Capt Stefan Kogbe	[Signature]	[Signature]
27-3-2001	Tues	Kuyor	1	-	-	-	1	Capt Munn	[Signature]	27/3/2001 MUN
28-3-2001	Wed	Bokundu	1	4	-	-	5	Asst. Com Kamara	[Signature]	28/3/2001 Kamara
28-3-2001	WEDS	CKREEK	7	10	-	-	17	Go. Bostic Rogers	[Signature]	28/3/2001 Rogers
28-3-2001	WEDS	KUYOR	1	-	-	-	1	Capt Munn	[Signature]	28/3/2001 MUN
29-3-2001	Thurs	Kamsay	-	1	-	-	1	My. Rufanad J. N. K.	[Signature]	[Signature]
29-3-2001	THURS	Bokundu	4	5	-	-	9	S/Capt Stefan Kogbe	[Signature]	29/3/2001 Kogbe
29-3-2001	Thurs	OPERA.	1	2	-	-	3	M.A. K.	[Signature]	29/3/2001 Kogbe

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Date	Day	Location	Time	Count	Remarks
29-3-2001	THUR	WUMA	5-1	-	Mr. Ndu
29-3-2001	THUR	Bakamba	15-39	-	5:30 PM KAMUKA
29-3-2001	THUR	OPERA	1-13	-	MAJOR AK MUNIER
29-3-2001	THUR	S/Sepadu	11-9	-	Maj. Makam Jedayo
29-3-2001	THUR	Bumpel	2-9 (Nine)	-	Lt Col M. W. Nwagwu
29-3-2001	THUR	Bandafae	-6	-	Lt Col M. W. Nwagwu
29-3-2001	THUR	Bingama	9-3-01 (Nine)	-	Col Alpha Appt. 3-2001
30-3-2001	FRI	BAKINDU	6-4	-	3:30 PM FRI SAT
30-3-2001	FRI	W/WORKS	4-1	-	Maj. Sahr Njima
30-3-2001	FRI	John Kelle	4-32	-	Lt Col. Same (W. H.)
30-3-2001	FRI	CLERK	1-1	-	Lt Col. A. Oka Jalle
31-3-2001	SAT	SELDU	6-2	-	Lamin Nwagwu
31-3-2001	SAT	BAKINDU	5-3	-	Major F. O. Oka
31-3-2001	SAT	Bumpel	3-8	-	Lt Col. Nwagwu Nwagwu

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Date	Day	Event	Time	Location	Notes
4-4-2001	WED	OPERA	1		
4-4-2001	WED	Bakamba	3		
4-4-2001	WED	Kuyor	4		
4-4-2001	WED	OPERA	2		
4-4-2001	WED	Robin Kelle	6		
5-4-2001	THURS	Some Sogod	2		
5-4-2001	THURS	C/Book	2		
5-4-2001	THURS	BAKamba	4		
5-4-2001	THURS	Nov 9	3		
5-4-2001	THURS	Kuyor	1		
6-4-2001	FRI	Kasumba	1		
6-4-2001	FRI	Kasumba	33-174		
6-4-2001	FRI	Boh Kamba	3		
6-4-2001	FRI	W/Kamba	2		
6-4-2001	FRI	Bakamba	5		
6-4-2001	FRI	OPERA	2		
6-4-2001	FRI	Small separate	3		
6-4-2001	FRI	Bakamba	1		

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Date	Day	REP OF	NO OF MINE	NO OF COPPER	NO OF SILVER	NO OF GOLD	NO OF PLAT	COMMENTS
6-4-2001	FRI	GBS Koro	-1	-12	-	-	-13	...
6-4-2001	FRI	C.S. Gade	-	-1	-	-	-1	...
7-4-2001	FRI	Mokemo	-1	-4	-	-	-5	...
7-4-2001	SAT	C. Creede	-1	-	0001:153	-	1	...
7-4-2001	SAT	Syngma	2	-4	-	-	6	...
7-4-2001	SAT	OPERA	9	14	-	-	13	...
7-4-2001	SAT	Kuyin	-	-1	-	-	-1	...
8-4-2001	SUN	Baisambo	-24	-39	-	-	-63	...
8-4-2001	SUN	CKreede	-1	4	-	-	-5	...
8-4-2001	SUN	Bakunda	-	-5	-	-	-5	...
8-4-2001	SUN	John A. G.	-1	-	-	50	-1	...
8-4-2001	SUN	John A. G.	104	-180	-	-	-224	...
9-4-2001	MON	Kai Samba	-1	-	-	-	-1	...
9-4-2001	MON	Kai Samba	21	-30	-	-	51	...
9-4-2001	MON	Nyanga	-5	-15	-	-	20	...
9-4-2001	MON	Bakunda	-	-4	-	-	4	...

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Date	Day	Location	Time	Count	Notes	Observer
7/4-2001	MON	1111111111	4-5	-		Mr. Tom
9-4-2001	MON	Bungoma	9-10	-		Mr. Tom
9-4-2001	MON	OPERA	2-8	-		Mr. Tom
10-4-2001	Tues	Kericho	3	-		Mr. Tom
10-4-2001	Tues	Bungoma	5-6	-		Mr. Tom
10-4-2001	Tues	Creek	2-2	-		Mr. Tom
11-4-2001	WED	Gberoh	8-8	-		Mr. Tom
11-4-2001	WED	Mogwila	1-2	-		Mr. Tom
11-4-2001	WED	Bumach	3-8	-		Mr. Tom
11-4-2001	WED	GBEROH	8-8	-		Mr. Tom
11-4-2001	WED	BABUNON	3-4	-		Mr. Tom
11-4-2001	WED	GBEROH	1-1	-		Mr. Tom
11-4-2001	WED	OPERA	2-4	-		Mr. Tom
12-4-2001	THURS	Bungoma	4	-		Mr. Tom
12-4-2001	THURS	Bumach	2	-		Mr. Tom
12-4-2001	THURS	GBEROH	8	-		Mr. Tom
12-4-2001	THURS	OPERA	1	-		Mr. Tom

DATE	DAY	AREA OF	NO OF WHITE	NO OF COLLECTED	COMPTON	Q10	PLATE	SPONSORING	OFFICER	REMARKS
13-4-2001	FRI	MADIRI	4	-	-	-	4	LI CO. M. 59	[Signature]	13-02-01
13-4-2001	FRI	KALINGGA	7	-	-	14	-	LI CO. M. 59	[Signature]	13-02-01
13-4-2001	FRI	C. EGARE	-	1	-	-	1	LI CO. M. 59	[Signature]	13-02-01
13-4-2001	FRI	KAISAMBO	1	-	-	-	1	LI CO. M. 59	[Signature]	13-02-01
13-4-2001	FRI	KAISAMBO	107	82	-	-	183	LI CO. M. 59	[Signature]	13-02-01
13-4-2001	FRI	BANDUKE	3	-	-	5	-	LI CO. M. 59	[Signature]	13-02-01
13-4-2001	FRI	BINGEMIA	2	-	1401	3	-	LI CO. M. 59	[Signature]	13-02-01
13-4-2001	FRI	Small Syadu	10	8	-	18	-	LI CO. M. 59	[Signature]	13-02-01
15-4-2001	Monday	Cham Kelle	-	16	-	8	-	LI CO. M. 59	[Signature]	13-02-01
15-4-2001	Sun	Joon Kelle	2	6	-	8	-	LI CO. M. 59	[Signature]	13-02-01
15-4-2001	Sun	B. Kelle	-	7	-	7	-	LI CO. M. 59	[Signature]	13-02-01
15-4-2001	Sun	OPERA	2	11	-	13	-	LI CO. M. 59	[Signature]	13-02-01
17-4-2001	TUES	TRADU	1	-	-	1	-	LI CO. M. 59	[Signature]	13-02-01
17-4-2001	TUES	B. Kelle	-	5	-	5	-	LI CO. M. 59	[Signature]	13-02-01
17-4-2001	TUES	B. Kelle	2	5	-	7	-	LI CO. M. 59	[Signature]	13-02-01
17-4-2001	TUES	Johan Kelle	36	45	-	81	-	LI CO. M. 59	[Signature]	13-02-01
18-4-2001	TUES	C. Kelle	1	3	-	4	-	LI CO. M. 59	[Signature]	13-02-01
18-4-2001	WED	APRISATAN	4	5	-	9	-	LI CO. M. 59	[Signature]	13-02-01
18-4-2001	WED	TRADU	-	5	-	5	-	LI CO. M. 59	[Signature]	13-02-01

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DATE	DAY	AREA OF OPS	NO OF WHITE	UP OF CAPTURED	CARRIED CAP	OP	TOTAL	COMANDER IN CHARGE	CAPTURE RECEIVED	RECEIVED FOR INFO
18/4/2001	WED	C/Chib	4	5	only 70's	90	9	Commander		
18/4/2001	WED	M/P/CA	-	23	-	-	23A	Maj. Muzuni		
19/4/2001	THURS	C/Chib	10	21	-	-	31	Lt. Benjamin Kumbira		
19/4/2001	THURS	John Kede/7	7	26	-	-	43	M. M. Bore		
19/4/2001	THURS	Ken Simb-80	80	35	-	-	53	Co. Raymond		
19/4/2001	THURS	Small's/Chib	-	4	-	-	4	Maj. Bore		
20/4/2001	FRI	Sambira	9	4	-	-	4	Maj. Bore		
20/4/2001	FRI	SAMBIRA	2	4	-	-	6	Maj. Azeo		
20/4/2001	FRI	C/Chib	1	3	50	50	7	Lt. Strami		
20/4/2001	FRI	Chib	25	25	-	-	50	Co. Benjamin Kumbira		
20/4/2001	FRI	John Betic	3	9	-	-	12	M. M. Bore		
20/4/2001	FRI	Small's/Chib	2	3	001:355	355	5	Maj. Bore		
21/4/2001	SAT	Kaisamb	24	23	-	-	47	M. M. Bore		
21/4/2001	SAT	B. Sambira	11	18	-	-	29	Co. Kaymud.		
21/4/2001	SAT	C/Chib	6	3	-	-	9	Lt. Benjamin Kumbira		
21/4/2001	SAT	Mozim	5	5	-	-	10	Commander		
21/4/2001	SAT	Mozim	5	5	-	-	5	Lt. Col. Muzim		

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DATE	DAY	LOCATION	NO OF WORKERS	NO OF CATERING	TIME	PER	COMMENTS	REMARKS
21-4-2001	SAT	Bungo mo	16	2		18	Muchamad	Kecamatan
22-4-2001	SUN	SIMPANAN	1			1	S/daftar	Militer
22-4-2001	SUN	Bakumpu	4			4	di	Si
22-4-2001	SUN	OPERA	1		12	75%	Col	Si
22-4-2001	SUN	KARUKA			040	13:52	100%	Si
22-4-2001	SUN	C/Crek					Comari	Si
22-4-2001	SUN	John Keli	3	8			R. w	Si
23-4-2001	MON	GGERON	6	20		26	100%	Si
23-4-2001	MON	SASAN		2		2	my	Si
23-4-2001	MON	SANDRA	4	26		27	Facey	Si
23-4-2001	MON	W/Marki	2	1		3	Shor	Si
23-4-2001	MON	C/Crek		1		1	Uman	Si
23-4-2001	MON	C/TC Gate		2		2	di	Si
23-4-2001	MON	Ny mng	8	7		15	di	Si
23-4-2001	MON	SATEM		4		4	di	Si
23-4-2001	MON	OPERA	4	8		12	A R	Si
23-4-2001	MON	Kayin	1	1		2	S/daftar	Si
24-4-2001	TUES	SID	7	12		19	di	Si

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DATE	DAY	NAME OF OPS	NO OF LUBRIC	NO OF LITERS	COSTING	QTY	TOTAL	CURRENTING CHARGE	DATE	REMARKS
24-4-2001	TUES	KARISIMA	-	-1-	-	-	-1-	PMSOR FORTNIGHT	24/4/2001	
24-4-2001	TUES	C/GROVE	-	-4-	-	-	-1-	General Kammas	24/4/2001	
24-4-2001	TUES	KAMSAY	-	-7-	-	-	-1-	Maj. Samin	24/4/2001	
24-4-2001	TUES	JOHN KELLIS	34	59	-	-	-93-	A.W. BOMIC	24/4/2001	
25-4-2001	WED	MATERIA	4-	-	-	-	-4-	M/CO MILK	24/4/2001	
25-4-2001	WED	JOE BAIN MATERIA	-	5-	-	-	-5-	M/CO MILK	24/4/2001	
25-4-2001	WED	BAKAND	1-	1-	-	-	-2-	SICOP PITCH FERTILIZER	24/4/2001	
26-4-2001	THURS	BUNGWAN	2	5-	-	-	-7-	M/CO MILK	24/4/2001	
26-4-2001	THURS	MR. S. S. S.	1-	1-	-	-	-2-	M/CO MILK	24/4/2001	
26-4-2001	THURS	KARISIMA	24	26	-	-	50	MR. JASON BOMIC	24/4/2001	
26-4-2001	THURS	Bakanda	1-	2-	-	-	3	S/COOP PINK FERTILIZER	24/4/2001	
26-4-2001	THURS	JOHN KELLIS STREET	3-	12-	-	-	-15-	M/CO MILK	24/4/2001	
26-4-2001	THURS	KAMNATI	10	10	-	-	20	Maj. Samin	24/4/2001	
26-4-2001	THURS	Small Kofeadei	4-	6	-	-	10	M/CO MILK	24/4/2001	
27-4-2001	FRI	JOHN KELLIS	-	-2-	-	-	2	A.W. BOMIC	27/4/2001	
27-4-2001	FRI	OPERA	1-	3-	-	-	4-	General Kammas	27/4/2001	

DATE	DAY	OPERATOR	No of Units	No of Canned	Amount	Rate	Company	Other	Remarks
28/4/2001	FRI	BANKING	2	1		3	S/Opt. Phil		
28/4/2001	SAT	BENZ-MAK	4	2		6	ABDUL COOR		
28/4/2001	SUN	BANKING	4	2		6	S/Opt. Phil		
28/4/2001	SUN	BANKING	8	5		23	P. W. Bona		
28/4/2001	SUN	BANKING		1		1	Co Raymond		
28/4/2001	SUN	BANKING	2	1		13	Co Raymond		
28/4/2001	SUN	BANKING		2		2	Co Raymond		
28/4/2001	SUN	NETAYA		1		7	Co Raymond		
29/4/2001	SUN	C.I.C. GATE		2		2	LI. COL MUSA		
29/4/2001	SUN	STROM 627		2		2	LI. COL MUSA		
29/4/2001	SUN	BANKING	1	3		4	Po Kono Bay		
29/4/2001	SUN	KEBAH-KEMAS		2		2	LI. Sahr Kumba		
29/4/2001	SUN	C/OPER		1		1	MARQUEL KORMAN		
29/4/2001	SUN	OPERA		10		10	Umari Ramon		
29/4/2001	SUN	Small School	13	13		20	P. R. Meryn		
30/4/2001	MON	BANKING	5	6		11	my Deblo		
30/4/2001	MON	C/ Creek	2	2		4	Mr. Shan Danda		
30/4/2001	MON	OPERATOR	11	11		16	Timon Korman		

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DATE	DAY	AREA OF CONC	NO OF WHIT	NO OF COLORED	CONVAYS	QTY	FORM	COMMUNDS IN CHARGE	OFFICE	REVENUE SIGN
30/4/2001	MON	MENARA	-	-5-	-	-	-5-	my. my. my.	REVENUE	APR 15/2001
1/5/2001	TUES	GABERON	2-	8-	-	-	10-	my. my. my.	REVENUE	15/2001
1-5-2001	TUES	BUMPER	-	9-	-	-	9-	my. my. my.	REVENUE	15/2001
1-5-2001	TUES	JOHN KELLS	20-	24-	-	-	4-4-	A.W. BARRIE	REVENUE	15/2001
1-5-2001	TUES	BANKUA	-	9-	-	-	9-	3 Capt. B. J. AMY	REVENUE	15/2001
1-5-2001	TUES	ALUMINA	-	4-	-	-	4-	M. M. M.	REVENUE	15/2001
1-5-2001	TUES	C/COLEK	-	3-	-	-	3-	L. P. M.	REVENUE	15/2001
1-5-2001	TUES	BANKUA	10-	4-	-	-	14-	K. J. F. C.	REVENUE	15/2001
1-5-2001	TUES	OPERA	2-	2-	-	-	4-	3 Capt. CHAM	REVENUE	15/2001
1-5-2001	TUES	K. C. J. P.	-	1-	-	-	1	3 Capt. M. M.	REVENUE	15/2001
2nd-5-2001	TUE	BANANIA SULTAN	1	-	-2	25-	1	B. J. F.	REVENUE	15/2001
2nd-5-2001	TUE	BANANIA SULTAN	1	-	1	80-	1	W. J. F.	REVENUE	15/2001
2nd-5-2001	TUE	BANANIA SULTAN	3-	8-	104	110	11	W. J. F.	REVENUE	15/2001
2/5/2001	TUES	KAWANBO	-	1-	-8-	-	1	C. B. R.	REVENUE	15/2001
2/5/2001	TUES	KALUMBO	-	1	4	100	1	C. B. R.	REVENUE	15/2001
2/5/2001	TUES	KAWANBO	9	16	-	-	25	C. B. R.	REVENUE	15/2001

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DATE	DAY	NAME OF OPS	NO OF WHITE	NO OF CHAIRS	COMMENTS	TOTAL	COMMANDER	OFFICER	REMARKS
7-5-2001	MON	Bangkudu	9	10		19	S/Asst P/Asst		
7-5-2001	MON	Banyan		5		5	Co. Kayman		
7-5-2001	MON	Bancong		2		2	Co. Kayman		
7-5-2001	MON	Bumpek		4		4	Co. Kayman		
8-5-2001	TUE	NAGA		10		10	S/Asst P/Asst		
9-5-2001	WED	NAGAH	1			1	Contel		
9-5-2001	WED	Ndenim		3		3	Mag. Subang		
9-5-2001	WED	40 Kiteb	1	1		2	DS/Kom Kum		
9-5-2001	WED	Bangkudu	10	6		16	S/Asst P/Asst		
9-5-2001	WED	C/Asst	7	2		9	Company Kamayan		
9-5-2001	WED	OPERA	1	1		2	Asst. Manjor		
10-5-2001	THU	S/Du	2	20		22	S/Asst P/Asst		
10-5-2001	THU	Bangkudu	1	1	0013362	2	Asst. Manjor		
10-5-2001	THURS	C/Asst		8		8	Mag. Subang		
10-5-2001	THURS	Bancong	2	2		4	Co. Kayman		
10-5-2001	THURS	ALYANG	2	3		5	Co. Kayman		
10-5-2001	THURS	Bancong	3	12		15	Asst. Manjor		
10-5-2001	THURS	OPERA		2		2	Asst. Manjor		

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DATE	DAY	MINER OR GR. OR	N. OF MINES	N. OF WORKERS	No. OF Coloured	Carriage	No. of	Commodity	Remarks
10-5-2001	THURS	MATERING	1	3				Capt Spence	Recd. for
10-5-2001	THURS	SINGI		4				Maj. D. S.	
11-5-2001	FRI	MISTINA		5				CO. RAYMON	
11-5-2001	FRI	BURAPDA		8				CO. RAYMON	
11-5-2001	FRI	C/CRACK		2				CO. RAYMON	
11-5-2001	FRI	KANUSA		4				CO. RAYMON	
11-5-2001	FRI	Bakindu	3	7				CO. RAYMON	
12-5-2001	SAT	C/CRACK		4				CO. RAYMON	
13-5-2001	SUN	W/VE BRIDGE	1	9				CO. RAYMON	
13-5-2001	SUN	W/VE BRIDGE	2	9				CO. RAYMON	
13-5-2001	SUN	KANUSA	3	6				CO. RAYMON	
13-5-2001	SUN	C/CRACK		2				CO. RAYMON	
13-5-2001	SUN	Bakindu		15				CO. RAYMON	
13-5-2001	SUN	KABRI		3				CO. RAYMON	
13-5-2001	SUN	W/VE BRIDGE		13				CO. RAYMON	
13-5-2001	SUN	OPERA		2				CO. RAYMON	
14-5-2001	MON	CONGO BRIDGE		2				CO. RAYMON	
14-5-2001	MON	KANUSA	3	15				CO. RAYMON	

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DATE	DAY	AREA OF OPS.	NO OF WHITE	NO OF COLOURED	Correction	%	Total	Commander in Charge	OFFICER - Receiver	Receiver's No.
14-5-2001	MON	Kugyer	1	—	—	—	1	S Capt Mridul	[Signature]	[Signature]
14-5-2001	MON	Bakunda	3	8	—	—	11	Lt. Shri Ram	[Signature]	[Signature]
14-5-2001	MON	OPERA	1	2	—	—	3	Major P. Singh	[Signature]	[Signature]
14-5-2001	MON	BIMMER	—	2	—	—	2	Co. Rajendra	[Signature]	[Signature]
15-5-2001	TUES	METRA	2	2	—	—	4	Capt. P. Singh	[Signature]	[Signature]
15-5-2001	TUES	Nyasa	—	21	—	—	21	Lt. Col. M. B. Singh	[Signature]	[Signature]
15-5-2001	TUES	Nyasa	—	8	—	—	8	Co. Manoj	[Signature]	[Signature]
15-5-2001	TUES	Bakunda	—	6	—	—	6	Lt. Shri Ram	[Signature]	[Signature]
15-5-2001	TUES	Joint Area	1	5	—	—	6	Lt. Col. B. Singh	[Signature]	[Signature]
15-5-2001	TUES	CLERK	—	2	—	—	2	Commander	[Signature]	[Signature]
15-5-2001	TUES	Kansay	1	9	0001364	—	10	Lt. Shri Ram	[Signature]	[Signature]
15-5-2001	TUES	BIMMER	1	4	—	—	5	Co. Rajendra	[Signature]	[Signature]
15-5-2001	TUES	Nimkno	—	1	—	—	1	Co. Rajendra	[Signature]	[Signature]
15-5-2001	TUES	Kansay	—	2	—	—	2	Co. Rajendra	[Signature]	[Signature]
16-5-2001	WED	Bakunda	1	1	—	—	2	Lt. Shri Ram	[Signature]	[Signature]
16-5-2001	WED	Kansay	34	57	—	—	91	Lt. Shri Ram	[Signature]	[Signature]

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DATE	DAY	TIME	CH	NO OF WHITE	NO OF COLORED	CANDY	CD	PAPER	COMM. NUMBER	OFFICE	REVENUE
21-5-2001	THURS	6:30-8:00	CH	4	-19-	-	-	-23-	Co-Kayman	Office	2050
24-5-2001	THURS	8:00-9:30	Bumper	4	-11-	-	-	15-	Co-Kayman	Office	
24-5-2001	THURS	9:30-11:00	ALYONAH	-7-	-6-	-	-	13-	Co-Kayman	Office	
24-5-2001	THURS	11:00-12:30	COM. KELLY'S	-1-	-6-	-	-	7-	Friday Congra	Office	
24-5-2001	THURS	12:30-2:00	APRESTED	-	-8-	0101387	-	8-	COL. S. N	Office	
24-5-2001	THURS	2:00-3:30	BANKING	-1-	-1-	-	-	2-	Stops Mch. Congra	Office	
24-5-2001	THURS	3:30-5:00	OPERA	-15-	-23-	-	-	38-	MR. M. J. M.	Office	
24-5-2001	THURS	5:00-6:30	M. J. M.	-	-11-	-	-	11-	my. Mch.	Office	
25-5-2001	FRI	6:30-8:00	BANKING	-	-4-	-	-	4-	S. N. Mch.	Office	
25-5-2001	FRI	8:00-9:30	C/CRICK	-	-12-	-	-	12-	UNIVERSITY	Office	
25-5-2001	FRI	9:30-11:00	S. N. M.	-	-3-	-	-	3-	KOMMO	Office	
26-5-2001	SAT	6:30-8:00	S. N. M.	-	-10-	-	-	10-	my. Mch.	Office	
26-5-2001	SAT	8:00-9:30	BANKING	-14-	-7-	-	-	21-	my. Mch.	Office	
26-5-2001	SAT	9:30-11:00	Bumper	-	-11-	-	-	11-	my. Mch.	Office	
26-5-2001	SAT	11:00-12:30	BANKING	-	-8-	-	-	8-	my. Mch.	Office	
26-5-2001	SAT	12:30-2:00	C/CRICK	-	-1-	-	-	1-	my. Mch.	Office	
27-5-2001	SUN	6:30-8:00	BANKING	-	-6-	-	-	6-	my. Mch.	Office	

DATE	DAY	AREA OF CASE	NO OF ALTHS	NO OF CHARGES	NO OF CONVICTIONS	NO OF DEATHS	NO OF ALTHS	NO OF CHARGES	NO OF CONVICTIONS	NO OF DEATHS	REMARKS
29-5-2001	WED	NYAGARA	-9-	-30-	-	-	-	-	-	-	30/5/01 Kandun
30-5-2001	THUR	Fain NG	-	-2-	-	-	-	-	-	-	30/5/01 Kandun
30-5-2001	WED	Kalsambo	-37-	-81-	-	-	-	-	-	-	30/5/01 Kandun
30-5-2001	WED	OPERA	-1-	-	-	-	-	-	-	-	30/5/01 Kandun
30-5-2001	WED	OPERA	-	-4-	-	-	-	-	-	-	30/5/01 Kandun
31-5-2001	THURS	BARKINDU	-1-	-1-	-	-	-	-	-	-	30/5/01 Kandun
31-5-2001	THURS	MEKIME	-	-3-	-	-	-	-	-	-	30/5/01 Kandun
31-5-2001	THURS	BARKUNDU	-	-2-	-	-	-	-	-	-	30/5/01 Kandun
31-5-2001	THURS	GBEKSA	-7-	-	-	-	-	-	-	-	30/5/01 Kandun
31-5-2001	THURS	GBEKSA	-	-35-	-	-	-	-	-	-	30/5/01 Kandun
31-5-2001	THURS	BANDORA	-1-	-6-	-	-	-	-	-	-	30/5/01 Kandun
31-5-2001	THURS	BIMPETA	-1-	-4-	-	-	-	-	-	-	30/5/01 Kandun
31-5-2001	THURS	BINGIN	-	-2-	-	-	-	-	-	-	30/5/01 Kandun
1-6-2001	FRI	SENGELAN	-	-4-	-	-	-	-	-	-	30/5/01 Kandun
1-6-2001	FRI	NBONAHAN	-	-17-	-	-	-	-	-	-	30/5/01 Kandun
1-6-2001	FRI	DIA	-	-17-	-	-	-	-	-	-	30/5/01 Kandun

DATE	DAY	PHASE OF OPERA	NO OF HOURS	NO OF SEQUENCER	NO OF WINDING	NO	DBAL	COMMISSION % CLASS	OFFICE	RELEASED
1-6-2001	FRI	BANKING	1	2	1	1	2	A.W. Bono	Office	Released 1/6/2001
1-6-2001	FR	OPERA	2	5	00013	171	7	A.W. Bono	Office	Released 1/6/2001
2-6-2001	SAT	BANKING	2	3	1	1	5	A.W. Bono	Office	Released 1/6/2001
2-6-2001	SAT	OPERA	1	1	2	210	1	A.W. Bono	Office	Released 1/6/2001
2-6-2001	SAT	OPERA	1	2	1	1	2	A.W. Bono	Office	Released 1/6/2001
2-6-2001	SAT	C/Creek	1	1	1	1	1	A.W. Bono	Office	Released 1/6/2001
3-6-2001	SUN	THOU	3	3	1	1	6	A.W. Bono	Office	Released 1/6/2001
3-6-2001	SUN	PARROT	1	2	1	1	3	A.W. Bono	Office	Released 1/6/2001
3-6-2001	SUN	PARROT	1	1	5	756	1	A.W. Bono	Office	Released 1/6/2001
3-6-2001	SUN	PARROT	9	76	1	1	84	A.W. Bono	Office	Released 1/6/2001
3-6-2001	SUN	PARROT	1	1	1	1	1	A.W. Bono	Office	Released 1/6/2001
3-6-2001	SUN	BANKING	1	8	1	1	8	A.W. Bono	Office	Released 1/6/2001
3-6-2001	SUN	C/Creek	1	4	1	1	4	A.W. Bono	Office	Released 1/6/2001
3-6-2001	SUN	Small Seaside	1	4	1	1	4	A.W. Bono	Office	Released 1/6/2001
3-6-2001	SUN	WYENGA	4	38	1	1	42	A.W. Bono	Office	Released 1/6/2001
4-6-2001	MON	C/Creek	4	7	1	1	11	A.W. Bono	Office	Released 1/6/2001
4-6-2001	MON	BANKING	1	8	1	1	9	A.W. Bono	Office	Released 1/6/2001
4-6-2001	MON	OPERA	1	7	1	1	7	A.W. Bono	Office	Released 1/6/2001
5-6-2001	TUES	BANKING	1	30	1	1	30	A.W. Bono	Office	Released 1/6/2001

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DATE	DATE	AREA	FT	NO OF WHITE	NO MIXED COLOUR	NO. COLOURED	NO. MIXED COLOURED	NO. COLOURED	NO. MIXED COLOURED	TOTAL	COMPARISON	OFFICE	RECORDED
MON	25-6-2007	MOTIEMA		1	5					6	31 CAPT. MAJUS TAPHA		25/6/2007
TUES	26-6-2007	Nyanga		1	10					11	31 CAPT. MAJUS TAPHA		26/6/2007
TUES	26-6-2007	Chimwe			1					1	31 CAPT. MAJUS TAPHA		26/6/2007
TUES	26-6-2007	MOTIEMA			1					1	31 CAPT. MAJUS TAPHA		26/6/2007
WED	27-6-2007	OPEN			8	00013375				8	31 CAPT. MAJUS TAPHA		27/6/2007
WED	27-6-2007	Kisumu		1	3					4	31 CAPT. MAJUS TAPHA		27/6/2007
WED	27-6-2007	Kisumu		1	2					3	31 CAPT. MAJUS TAPHA		27/6/2007
WED	27-6-2007	BANDARIA		6	7					13	31 CAPT. MAJUS TAPHA		27/6/2007
WED	27-6-2007	BANDARIA		1						1	31 CAPT. MAJUS TAPHA		27/6/2007
THURS	28-6-2007	Bumpen			3					3	31 CAPT. MAJUS TAPHA		28/6/2007
THURS	28-6-2007	Kisumu		4	6					10	31 CAPT. MAJUS TAPHA		28/6/2007
THURS	28-6-2007	BANDARIA			8					8	31 CAPT. MAJUS TAPHA		28/6/2007
THURS	28-6-2007	BANDARIA			2					2	31 CAPT. MAJUS TAPHA		28/6/2007
THURS	28-6-2007	BANDARIA			5					5	31 CAPT. MAJUS TAPHA		28/6/2007

DATE	DATE	NAME OF PARTY	NO. OF PARTIES	NO. OF BIRTHS	NO. OF DEATHS	NO. OF MARRIAGES	NO. OF DIVORCES	NO. OF OTHERS	NAME OF PARTY	DATE OF BIRTH	DATE OF DEATH	DATE OF MARRIAGE	DATE OF DIVORCE	DATE OF OTHERS
MON	9-7-2001	C.T.C. Group	1	1	1	1	1	1	M. M. B.	10-7-2001	10-7-2001	10-7-2001	10-7-2001	10-7-2001
TUES	10-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	10-7-2001	10-7-2001	10-7-2001	10-7-2001	10-7-2001
WED	10-7-2001	M. M. B.	1	1	1	1	1	1	M. M. B.	10-7-2001	10-7-2001	10-7-2001	10-7-2001	10-7-2001
THURS	10-7-2001	REKUNDA PARTY	2	2	2	2	2	2	M. M. B.	10-7-2001	10-7-2001	10-7-2001	10-7-2001	10-7-2001
FRI	10-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	10-7-2001	10-7-2001	10-7-2001	10-7-2001	10-7-2001
SAT	11-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	11-7-2001	11-7-2001	11-7-2001	11-7-2001	11-7-2001
SUN	12-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	12-7-2001	12-7-2001	12-7-2001	12-7-2001	12-7-2001
MON	13-7-2001	REKUNDA	2	2	2	2	2	2	M. M. B.	13-7-2001	13-7-2001	13-7-2001	13-7-2001	13-7-2001
TUES	14-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	14-7-2001	14-7-2001	14-7-2001	14-7-2001	14-7-2001
WED	15-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	15-7-2001	15-7-2001	15-7-2001	15-7-2001	15-7-2001
THURS	16-7-2001	REKUNDA	2	2	2	2	2	2	M. M. B.	16-7-2001	16-7-2001	16-7-2001	16-7-2001	16-7-2001
FRI	17-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	17-7-2001	17-7-2001	17-7-2001	17-7-2001	17-7-2001
SAT	18-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	18-7-2001	18-7-2001	18-7-2001	18-7-2001	18-7-2001
SUN	19-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	19-7-2001	19-7-2001	19-7-2001	19-7-2001	19-7-2001
MON	20-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	20-7-2001	20-7-2001	20-7-2001	20-7-2001	20-7-2001
TUES	21-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	21-7-2001	21-7-2001	21-7-2001	21-7-2001	21-7-2001
WED	22-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	22-7-2001	22-7-2001	22-7-2001	22-7-2001	22-7-2001
THURS	23-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	23-7-2001	23-7-2001	23-7-2001	23-7-2001	23-7-2001
FRI	24-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	24-7-2001	24-7-2001	24-7-2001	24-7-2001	24-7-2001
SAT	25-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	25-7-2001	25-7-2001	25-7-2001	25-7-2001	25-7-2001
SUN	26-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	26-7-2001	26-7-2001	26-7-2001	26-7-2001	26-7-2001
MON	27-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	27-7-2001	27-7-2001	27-7-2001	27-7-2001	27-7-2001
TUES	28-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	28-7-2001	28-7-2001	28-7-2001	28-7-2001	28-7-2001
WED	29-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	29-7-2001	29-7-2001	29-7-2001	29-7-2001	29-7-2001
THURS	30-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	30-7-2001	30-7-2001	30-7-2001	30-7-2001	30-7-2001
FRI	31-7-2001	REKUNDA	1	1	1	1	1	1	M. M. B.	31-7-2001	31-7-2001	31-7-2001	31-7-2001	31-7-2001

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DATE	TIME	LOCATION	WIND	TEMP	REL	SEA	WAVE	WIND	TEMP	REL	SEA	WAVE	WIND	TEMP	REL	SEA	WAVE	WIND	TEMP	REL	SEA	WAVE	
18-7-2007	1800	MOREMA	8	22	80	1	1	8	22	80	1	1	8	22	80	1	1	8	22	80	1	1	1
19-7-2007	1800	CIC CRANE	2	22	80	1	1	2	22	80	1	1	2	22	80	1	1	2	22	80	1	1	1
19-7-2007	2000	BARKINSON	4	22	80	1	1	4	22	80	1	1	4	22	80	1	1	4	22	80	1	1	1
19-7-2007	2000	C/CREEK	3	22	80	1	1	3	22	80	1	1	3	22	80	1	1	3	22	80	1	1	1
19-7-2007	2000	AUGUR	1	22	80	1	1	1	22	80	1	1	1	22	80	1	1	1	22	80	1	1	1
20-7-2007	1800	MOREMA	5	22	80	1	1	5	22	80	1	1	5	22	80	1	1	5	22	80	1	1	1
20-7-2007	2000	C/CREEK	1	22	80	1	1	1	22	80	1	1	1	22	80	1	1	1	22	80	1	1	1
21-7-2007	1800	R. JEFF	1	22	80	1	1	1	22	80	1	1	1	22	80	1	1	1	22	80	1	1	1
21-7-2007	2000	BURGESS	13	22	80	1	1	13	22	80	1	1	13	22	80	1	1	13	22	80	1	1	1
21-7-2007	2200	KARBY	2	22	80	1	1	2	22	80	1	1	2	22	80	1	1	2	22	80	1	1	1
22-7-2007	1800	LYNCH	9	22	80	1	1	9	22	80	1	1	9	22	80	1	1	9	22	80	1	1	1
22-7-2007	2000	BARKINSON	2	22	80	1	1	2	22	80	1	1	2	22	80	1	1	2	22	80	1	1	1
22-7-2007	2200	BARKINSON	13	22	80	1	1	13	22	80	1	1	13	22	80	1	1	13	22	80	1	1	1
22-7-2007	2000	KINGSTON	1	22	80	1	1	1	22	80	1	1	1	22	80	1	1	1	22	80	1	1	1
23-7-2007	1800	BARKINSON	1	22	80	1	1	1	22	80	1	1	1	22	80	1	1	1	22	80	1	1	1
23-7-2007	2000	BARKINSON	13	22	80	1	1	13	22	80	1	1	13	22	80	1	1	13	22	80	1	1	1
23-7-2007	2200	CIC CRANE	2	22	80	1	1	2	22	80	1	1	2	22	80	1	1	2	22	80	1	1	1

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DAY	DATE	AT THE WORK	WHITE	COLORED	TOTAL	IN CHARGE	OTHER RECEIVERS	RECEIPTS OBTAINED
MON	30-7-2001	BAKUNDA		5		A.W. Banie		30-7-2001 A.W. Banie
TUES	31-7-2001	Kuiper		1		A.R. Dwyer		31-7-2001 A.R. Dwyer
TUES	31-7-2001	Kaisamba		17		Foley		31-7-2001 Foley
WED	1-8-2001	Kaisamba	2	13		Mohamed		1-8-2001 Mohamed
THURS	2-8-2001	Barkundu	1	6	0001380	A.W. Banie		2-8-2001 A.W. Banie
FRI	3-8-2001	Yegbala	2	17		John P. Sanyal		3-8-2001 John P. Sanyal
FRI	3-8-2001	Yegbala		3		John P. Sanyal		3-8-2001 John P. Sanyal
FRI	3-8-2001	Barkundu		7		John P. Sanyal		3-8-2001 John P. Sanyal
FRI	3-8-2001	BARKUNDA		2		John P. Sanyal		3-8-2001 John P. Sanyal
SAT	4-8-2001	BARKUNDA	2	5		John P. Sanyal		4-8-2001 John P. Sanyal
MON	6/8/2001	BARKUNDA	1	3		A.W. Banie		6/8/2001 A.W. Banie
MON	6/8/2001	O.T.C. GMP		1		Mohamed		6/8/2001 Mohamed
MON	6/8/2001	NUGROGA S. DODD		1		MR. P. RAMAN		6/8/2001 MR. P. RAMAN
TUE	7/8/2001	BAKUNDA		1		BAKUNDA		7/8/2001 BAKUNDA

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DATE	AREA	GRD	AD OF UNIT	NO OF CECORS	AREA TAKE	%	TOTAL	MARKER	OFFICER	REMARKS
7-8-2001	BODORUKA		1	1			12	MR. KAMARA CDR	[Signature]	
7-8-2001	UAT - BAK			1			1	MR. MICHAEL KOPKOR	[Signature]	
7-8-2001	UAT - BAK		1	10		10	10	MR. FODUN BANGURA	[Signature]	
7-8-2001	UAT - BAK			10			10	MR. FODUN BANGURA	[Signature]	
8-8-2001	MB. YABE			17			17	MR. GIBO	[Signature]	
8-8-2001	KINISAMBO			3			3	Foggy Bangura	[Signature]	
8-8-2001	BAX KURU			7			7	A. B. BARRIE	[Signature]	
8-8-2001	Bund (Joni)		1	2			3	MR. KAMARA	[Signature]	
9-8-2001	Bompah			1			1	John I. Bangura	[Signature]	
9-8-2001	Bondray			6			6	John I. Bangura	[Signature]	
9-8-2001	C.J.C		1				1	MR. NICOL	[Signature]	
9-8-2001	KASAMISO		15	25		60%	40	MR. FODUN	[Signature]	
9-8-2001	MB. ENNA		1				1	MR. MICHAEL	[Signature]	
9-8-2001	MB. ENNA		1			75%	1	MR. MICHAEL	[Signature]	
9-8-2001	MB. ENNA			10			10	MR. MICHAEL	[Signature]	
9-8-2001	MB. ENNA								[Signature]	

DAY	DATE	TIME	LOCATION	TYPE	QUANTITY	PRICE	TOTAL	REMARKS
SUN	12-8-2001	12:00-2:00	KATUNIBO	5	43			12/8/2001
SUN	12-8-2001	2:00-4:00	Bakambun		8			12/8/2001
SUN	12-8-2001	4:00-6:00	AGUNAP		2			12/8/2001
SUN	12-8-2001	6:00-8:00	BAIDIGE					12/8/2001
MON	13-8-2001	8:00-10:00	Bakambun					13/8/2001
TUES	14-8-2001	8:00-10:00	Kuyik		1			14/8/2001
TUES	14-8-2001	10:00-12:00	MONTANA		1			14/8/2001
WENS	14-8-2001	12:00-2:00	GIBONDH		23			14/8/2001
WENS	15-8-2001	2:00-4:00	FATINDAYA		1			15/8/2001
WENS	15-8-2001	4:00-6:00	FUTTINGAYA					15/8/2001
WENS	15-8-2001	6:00-8:00	BAKUNDU		4			15/8/2001
WENS	15-8-2001	8:00-10:00	C-I.C GATE		2			15/8/2001
WEDS	15-8-2001	10:00-12:00	BAKUNDU		5			15/8/2001
THURS	16-8-2001	12:00-2:00	C/Gate		2			16/8/2001

DAY	DATE	AREA CP OR OPS	NO OF MATURE	NO OF COLORING	CAPTURED	PERCENT	POTENTIAL	CAPTURED SPECIES	OFFICE	RECEIVED FROM
FRID	17-8-2001	BONDOPOL	7	8	0	-	-15	Mrs. Momba Sanga	[Signature]	[Signature]
FRI	17-8-2001	WAKWA	1	5	0	-5	-5	Mrs. Momba Sanga	[Signature]	[Signature]
SAT	18-8-2001	Bongorwa	1	19	0	-19	-19	Conch	[Signature]	[Signature]
SAT	18-8-2001	BAKUNDU	1	6	0	-6	-6	Farmer	[Signature]	[Signature]
SUN	19-8-2001	Congo creek	1	1	00013383	-1	-1	Mr. A. N. Bamba	[Signature]	[Signature]
SUN	19-8-2001	Bakundu	1	1	0	-1	-1	Mr. A. N. Bamba	[Signature]	[Signature]
MON	20-8-2001	Bakundu	1	17	0	-18	-18	Mr. A. N. Bamba	[Signature]	[Signature]
MON	20-8-2001	C.I.C gate	1	2	0	-3	-3	Mr. A. N. Bamba	[Signature]	[Signature]
MON	20-8-2001	Congo creek	1	1	0	-1	-1	Mr. A. N. Bamba	[Signature]	[Signature]
TUE	21-8-2001	stream 7	1	1	0	-1	-1	Mr. A. N. Bamba	[Signature]	[Signature]
TUE	21-8-2001	BAKUNDU	1	2	0	-3	-3	Mr. A. N. Bamba	[Signature]	[Signature]
THURS	23-8-2001	C. Creek	1	1	0	-1	-1	Mr. A. N. Bamba	[Signature]	[Signature]
THURS	23-8-2001	C.I.C. Camp	1	1	0	-1	-1	Mr. A. N. Bamba	[Signature]	[Signature]
FRI	24-8-2001	Bakundu	1	1	0	-1	-1	Mr. A. N. Bamba	[Signature]	[Signature]

DAYS	DATE	AREA OF OP.	NO. OF WHITE	NO. OF COLOURED	CARR. CHARGE	PER %	TOTAL	CARRIERS IN CHARGE	OFFICE RECEIVER	RECEIVE FROM
FRI	23-8-2001	BANDARI	-	15	-	-	15	John - Bangalore	J. S.	John - Bangalore
FRI	24-8-2001	MADAGASCAR	-	1 diamond, 1 gold	-	-	1	John T. Bangalore	J. S.	John T. Bangalore
FRI	24-8-2001	Bahmudu	-	2	-	-	2	Mr. A. W. BARRIE	J. S.	Mr. A. W. BARRIE
SAT	25-8-2001	Bahmudu / ST. PAUL	-	3	1400	3.34	3	Michael - Bangalore	J. S.	Michael - Bangalore
SAT	25-8-2001	DANDERDUPPA	-	1	-	-	1	Michael - Bangalore	J. S.	Michael - Bangalore
SUN	26-8-2001	MADAGASCAR	-	6	-	-	6	Michael - Bangalore	J. S.	Michael - Bangalore
SUN	26-8-2001	MADAGASCAR	2	3	-	-	3	Michael - Bangalore	J. S.	Michael - Bangalore
MON	27-8-2001	Bahmudu / ST. PAUL	-	3	-	-	3	Michael - Bangalore	J. S.	Michael - Bangalore
TUE	28-8-2001	Bahmudu	2	2	-	-	2	A. W. BARRIE	J. S.	A. W. BARRIE
TUES	28-8-2001	SONGO	1	2	-	-	3	Umanu Kapur	J. S.	Umanu Kapur
TUES	28-8-2001	ST. 7	1	-	-	-	1	T. Kumbay	J. S.	T. Kumbay
WED	29-8-2001	Kusuv	-	1	-	-	1	Baker Kudde	J. S.	Baker Kudde
WED	29-8-2001	O. UDEK	-	1	-	-	1	Umanu Kapur	J. S.	Umanu Kapur
THURS	30-8-2001	Kusuv	-	3	-	-	3	Baker Kudde	J. S.	Baker Kudde
FRI	31-8-2001	Bahmudu / ST. PAUL	-	3	-	-	3	Umanu Kapur	J. S.	Umanu Kapur
SAT	1-9-2001	FIRKANDU	-	1	-	-	1	Robert Barina	J. S.	Robert Barina
SUN	2-9-2001	BANDARI	2	9	-	-	11	Kanna Laksh	J. S.	Kanna Laksh
SUN	3-9-2001	BANDARI	6	17	-	-	23	Kanna Laksh	J. S.	Kanna Laksh

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DAYS	DATE	AREA OF OPS	NO OF WHITE	NO OF COLOURED	SARA TAG	PES %	TOTAL	COMMONLY OR CHANGE	OFFICE RECEIVER	RECEIVE FROM
MON	3-4-9-2001	NGA/FA	-1	-1	3.7%	-	-1	Mr. Mohamed		2001
HOURS	6-9-2001	WORK/15	-55	-71	-	-	-126	John M. Garry		31-9-2001
SAT	8-9-2001	NIG/MADEU	-	-2	-	-	-2	Komina		2001
SAT	8-9-2001	BRIDGE	-	-3	-	-	-3	K. M. M. M. M.		6-9-2001
SAT	8-9-2001	BRIDGE	-	-7	100%	100%	-7	Komina		6-9-2001
SUN	9-9-2001	BRIDGE	-	-1	-	-	-1	Komina		6-9-2001
SUN	9-9-2001	BRIDGE	16	-19	-	-	-29	CO. K. M. M. M.		6-9-2001
MON	9-9-2001	CENTRO BRIDGE	-	-1	-	-	-1	UNARI K. M. M. M.		6-9-2001
TUE	10-9-2001	C.I.C. GATE	-	-2	-	-	-2	ALHAN K. M. M. M.		6-9-2001
WED	11-9-2001	CENTRO BRIDGE	-	-2	-	-	-2	UNARI K. M. M. M.		6-9-2001
THU	12-9-2001	CENTRO BRIDGE	-	-1	-	-	-1	UNARI K. M. M. M.		6-9-2001
FRI	13-9-2001	BPK/INDA	-	-3	-	-	-3	ALHAN K. M. M. M.		6-9-2001
FRI	14-9-2001	K. P. S. BR. 6	-9	-21	-	-	-30	Johnny		6-9-2001
SAT	14-9-2001	MOY/15	-10	-30	-	-	-40	Johnny		6-9-2001
SUN	15-9-2001	BAK/INDA	-	-3	-	-	-3	ALHAN K. M. M. M.		6-9-2001
SUN	16-9-2001	BPK/INDA	-	-3	-	-	-3	ALHAN K. M. M. M.		6-9-2001
SUN	16-9-2001	C.I.C. GATE	-	-1	-	-	-1	ALHAN K. M. M. M.		6-9-2001

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DAYS	DATE	AREA OF DIRS -	NO. OF WATERS	NO. OF COLORED TAKE	CHRA TAKE	of CP	TOTAL	CO. NUMBER IN C	OFFIC	RECEIVED FROM
FRI	21-8-2007	KARABANGO	28	44	-	-	72	JOHN FORAN	6	21/8/07
SAT	22-8-2007	SPRING	1	-	0001387	-	-	THOMAS	6	22/8/07
SUN	23-8-2007	C/COOK	-	1	-	-	1	WILSON	6	23/8/07
SUN	23-9-2007	BPKUMBU	-	8	-	-	8	ALAN	6	23/9/2007
SUN	23-9-2007	WUOYIE	51	80	-	-	331	JOHANN	6	23/9/07
SUN	23-9-2007	WUOYIE	1	9	-	-	10	JOHANN	6	23/9/07
SUN	23-9-2007	WUOYIE	1	-	-	-	1	JOHANN	6	23/9/07
SUN	23-9-2007	WUOYIE	1	-	-	-	1	JOHANN	6	23/9/07
SUN	23-9-2007	WUOYIE	1	-	-	-	1	JOHANN	6	23/9/07
SUN	23-9-2007	WUOYIE	1	-	-	-	1	JOHANN	6	23/9/07
SUN	23-9-2007	WUOYIE	1	-	-	-	1	JOHANN	6	23/9/07
MON	24-9-2007	CENGO BRIDGE	1	1	-	-	2	WILSON	6	24/9/07
MON	24-9-2007	WUOYIE	46	83	-	-	129	WILSON	6	24/9/07

DAYS	DATE	AREA OF DPA	NO OF WHITES	NO OF COLOURED	KARAF TAPE	TO	COMMUNICATED IN CHARGE	OFF CG RE CENTER FROM	RECEIVE
WEDNESDAY	3/10/2001	Comp Bridge	-1-	-	-	-	Umuru KAMARA	3/10/2001	3/10/2001
WED	3/10/2001	KAPISAMBA	-1-	-	-4-	40	Johnny	3/10/2001	3/10/2001
WED	3/10/2001	KAPISAMBA	-1-	-	-1-	25b	Johnny	3/10/2001	3/10/2001
WED	3/10/2001	KAPISAMBA	-1-	-	-1-	-	Johnny	3/10/2001	3/10/2001
WED	3-10-2001	KAPISAMBA	-1-	-	-	90b	Johnny	3/10/2001	3/10/2001
WED	3-10-2001	KAPISAMBA	-1-	-	0013:89	60b	Johnny	3/10/2001	3/10/2001
WED	3-10-2001	KAPISAMBA	-1-	-	-	65%	Johnny	3/10/2001	3/10/2001
WED	3-10-2001	KAPISAMBA	-106-	-398	-	-	Johnny	3/10/2001	3/10/2001
THUR	4-10-2001	BAKUNU	-1-	-5-	-	-	A.W. BARKIE	3/10/2001	3/10/2001
THUR	4-10-2001	CENGO BRIDGE	-	-1-	-	-	UMURU KAMARA	3/10/2001	3/10/2001
SPR	6-10-2001	BAKUNU	-	-5-	-	-	A.W. BARKIE	3/10/2001	3/10/2001
SPR	6-10-2001	BAKUNU	-	-13-	-	-	UMURU KAMARA	3/10/2001	3/10/2001
SPR	6-10-2001	BENJAMIN	-	-9-	-	-	UMURU KAMARA	3/10/2001	3/10/2001
SUN	7-10-2001	BAKUNU	-	-4-	-	-	A.W. BARKIE	3/10/2001	3/10/2001
MON	8-10-2001	CENGO BRIDGE	-	-3-	-	-	UMURU KAMARA	3/10/2001	3/10/2001
TUES	9-10-2001	CENGO BRIDGE	-	-2-	-	-	A.W. BARKIE	3/10/2001	3/10/2001

DAY	DATE	NAME	NUMBER	ADDRESS	QUANTITY	PRICE	TOTAL	REMARKS
WED	27-10-2001	BAKINDU	3					11/11/2001
SAT	27-10-2001	BAKINDU	4					11/11/2001
MON	29-10-2001	BAKINDU	5					11/11/2001
THURS	1-11-2001	KANSAS	228					11/11/2001
SAT	3-11-2001	KANSAS	192					11/11/2001
SAT	3-11-2001	KANSAS	154					11/11/2001
SAT	3-11-2001	KANSAS	1					11/11/2001
SAT	3-11-2001	KANSAS	766					11/11/2001
SAT	3-11-2001	KANSAS	1					11/11/2001
SAT	3-11-2001	KANSAS	99					11/11/2001
MON	5-11-2001	KANSAS	1					11/11/2001
MON	5-11-2001	C/CTOD	30					11/11/2001
MON	5-11-2001	BAKINDU	8					11/11/2001
TUES	5-11-2001	BAKINDU	2					11/11/2001
WED	7-11-2001	C/CTOD	1					11/11/2001
THURS	8-11-2001	KANSAS	47					11/11/2001
THURS	8-11-2001	KANSAS	1					11/11/2001
THURS	8-11-2001	KANSAS	1					11/11/2001
THURS	8-11-2001	KANSAS	1					11/11/2001
SAT	11-11-2001	BAKINDU	6					11/11/2001

23799

RUFED-S/L

15/02/2001

By the instruction of the Deputy O/A
Mining Commander - RUFED-S/L, the following areas
of assignment should be resupplied as follows:-

1. C/O ALPHA TURAY is to take charge on the
O/A operations of Commander - RUFED-S/L.
2. MAJ SANDI GRAMA - Deputy O/A OPS Commander.
3. MAJ RAYMOND KARTEHIO - O/A Monitoring
Officer.

00013393

23800

00013394

23801



00013395

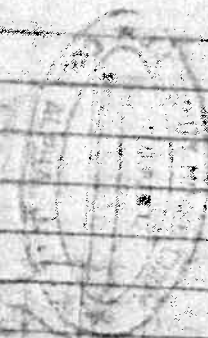
94
37
106

23802



00012298

AM



00012298

23804

1- Col. Gbangeta moving -
Zone III


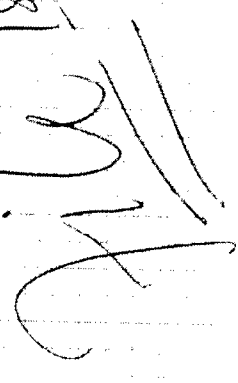
Subj, Britos, 00013398
you will receive my nine(9)
men

00013390

Names of Securitys in Bakides

1. Fingai Mala
2. Abudu Kaurina contact o.p commander
3. Tamba heboia Augustant
4. Ku Baba Security
5. Foday Security
6. Madhal Amin Security
7. T. K. Mabuda Security
8. Saliman Security
9. Tamba Komba Security
10. Saluz Barrie Security

NO	MAL	R O O L	BRADAFAL 19-3-2000
1	MOHAMED SESHY	MAJOR	MINIGE. COMMENDER
2	DAVID	MAJOR	C. S. O. COMMENDER
3	ABUL B. BANGURAY	S/CAPI	MINIGE. S. O.
4	HASSAN TURAY	CAPT	DEPETER COMMENER 00013401
5	MOHAMED KAMARA	LT.	MINIGE S. O.


 19-3-2000


GENNAID

partedi

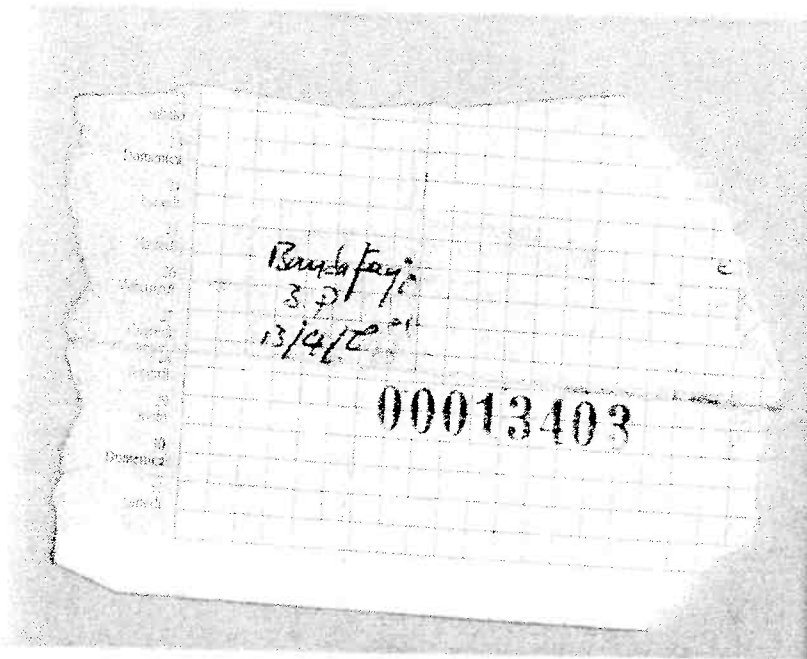
...non si sa che cosa.
 ...della non mangia. Quanto a noi, i suoi due i resti di un
 ...la tanto un po' tirando nel bucone delle cose preziose
 ...mentre per giorni e giorni non "spara" la scatola. E niente
 ...che si annida; il "bambino" il bambino succede
 ...da così maturata non può rimettere al meglio. Le creature belle
 ...e se disegni al confine del Circolo. La strada impossibile per
 ...alle del tempo; il non il credo dell'Europa d'oggi. La madre ha
 ...il permesso che vuole, i libri il medico e il medico tentano la
 ...qualità e la quantità. La mamma non deve muoversi dal letto. "Se
 ...le tu non mi la legge a casa" risponde l'ufficiale scienziato che
 ...avere il libro. Racconta un'esperienza. Riba e la madre possono
 ...danno ancora nella loro casa solo con una dose incredibile
 ...per ogni momento.

"Voglio per restare nella mia casa" la madre e Riba se ne vanno.
 Una piccola storia uguale a migliaia di altre. Ma... dice una
 ...che il loro sono sereni. So che prima o poi tutti tornano a casa.
 ...sino queste parole a far tornare il... ammasso.

00013402



23809



23810

0001349A

TO
THE MINING HEAD
QUARTER

23811

REVOLUTIONARY UNITED FRONT PARTY OF SIERRA
LEONE

FROM - THE MINING UNIT ZONE I YARDU ROAD.

TO - THE MINING HEAD QUARTER

DATE - 27/6/2007

00013495

SUBJ - COMPLAINT.

We are kindly asking the Mining
Head Quarter to please advise some soldiers
like CO. Yankuba to stop what he has
started today, with the rest of the soldiers
caused by CO Yankuba.

Today the stop government
work and started to misbehave by
using their weapon on civilians that
know of their labourer will not do any
government work. So they started to
insult the rest. So we are kindly
asking the office to please put this
situation under control so we will
stop work at once.

Signed Approved.
Operational Commander

[Signature]
27/6/2007.

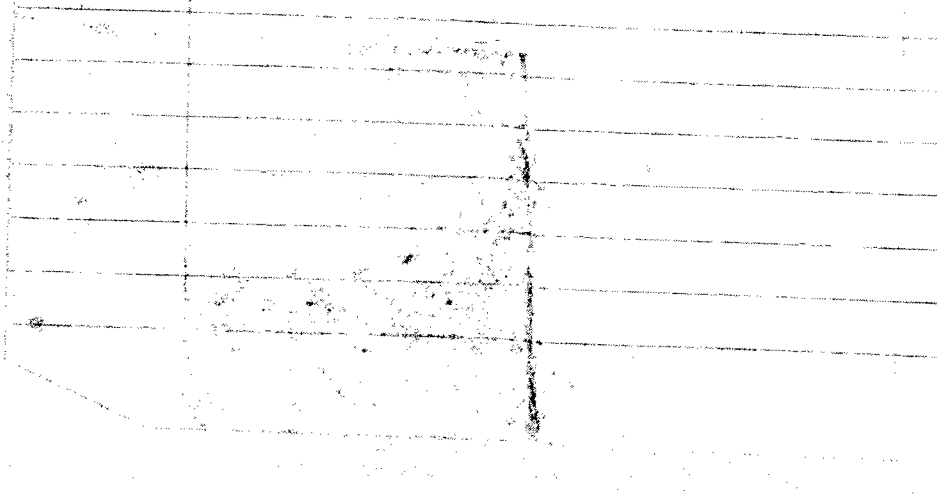
Signed Adjutant
[Signature] 27/6/2007

Signed Area Commander

23812

00013105

The Overall Mining Agent
Kono District



23813

RUF21 - S/L 12.07.2001 - 00013107

From: Mining Commander - Zone I - Kensay
To: Overall Mining Adjutant.
SUBS. INFOS.

Sir
Received from beaver (Adjutant) two pieces of diamonds (white) from him being production from my Zone area of Command. I am also reminding you for the assignment documents for my personnel, since they always receive threaten remarks from some soldiers (senior officers)


Please, Sir, I would like you to use your good office to see that you solve this of my problem.
Best regards,

Signed: 

12.07.2001

Mining Adjutant
Zone I - Kensay

Approved:


M/Com.

23814

Z. U. F. P. - S/L
TO MINING COMMANDER - RENO
THROUGH THE MINING ADS
FROM CO. ALHADI - G-S REP/FIELD ADJ
SUB - INFOS/PERMISSION
DATE - 21ST JULY - 2001

00013108

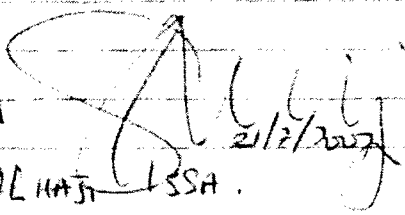
SIR,

FORWARD WITH THE D. D. R
PROGRAMME, I'M INSTRUCTED BY MY
UNIT (G-S) COMMANDER LT. COL SYLVESTER
L. KIEH TO JOIN MY CO-WORKERS
FOR THE D. D. R. PROGRAMME
TOMORROW 22ND JULY - 2001.

WITH REGARDS ABOVE, I FAITH-
FULLY RECOMMEND THE FOLLOWING
PERSONELS TO REPLACE ME.

1. KOMBA S. GBONDA (CAP) COMMANDER.
2. SAHR JAMES - (CAPT) DEPUTY.

THANKS AND REMAIN GRATEFUL
FOR SERVICES.

SIGN 
CO. ALHADI - SSA.

23815

To,
The Mining Office
Kookoyina
Kono District

00013409

23816

Revolutionary United Front
Party of SL

00013110

From - Zoon B Mining Commander
Major mosquito - Bumpah.

To - mining office at
Koakoyima.

Sub - Information

Date - 27-7-2001.

Sir

For your information disarming
team as arrived at Njaiama
Nimikoro,


To disarm all securities

Then we have securities
at mining.

Therefore am asking
the head office to direct
me for my securities.

Please me urgently
for me to clear the death
for my securities.

Thanks,
your C.O. operation is needed.

Sign Zoon B
Mining Commander - 

23817

The Revolutionary United Front Party of Sierra Leone

From: The Mining Unit d/o office - Kono, Kono district.

To: All Commands & Security Centers.

Subj: Assignment Letter.

Date:.....2001

00013411

Ref: The bearer Mr..... is hereby assigned to..... effective from the date of this assignment letter.

You are expected to perform your duty with honesty, integrity, justice, loyalty, love and dedication as expected by all authorities of the Revolutionary United Front Party of Sierra Leone (R.U.F./SL)

Congratulations and wish you good luck in new assignment.

Best Regards.

Signed: 17/8/2001

Mr. Samura Starick
Mining Commander - RUF/SL

Signed: 17/8/2001

Mr. Allyson Coates
Mining Assistant - RUF/SL

Attest:
Mining Adviser

23818

00011212

