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SCSL-2004-16-PT
(4893-4911)

4893

SPECIAL COURT FOR SIERRA LEONE

OFFICE OF THE PROSECUTOR

FREETOWN – SIERRA LEONE

Before: Judge Bankole Thompson, Presiding Judge
Judge Benjamin Mutanga Itoe
Judge Pierre Boutet

Registrar: Mr. Robin Vincent

Date filed: 4 May 2004

THE PROSECUTOR

Against

**ALEX TAMBA BRIMA
BRIMA BAZZY KAMARA
SANTIGIE BORBOR KANU
(Case No. SCSL – 2004 – 16 – PT)**

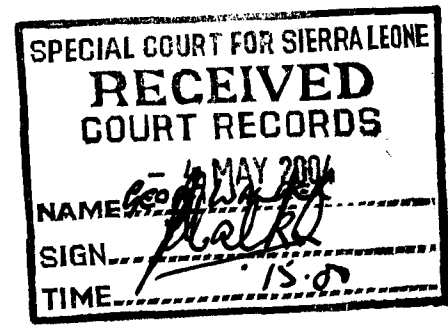
**PROSECUTION CHART INDICATING DOCUMENTARY AND TESTIMONIAL
EVIDENCE BY PARAGRAPH OF CONSOLIDATED INDICTMENT
PURSUANT TO TRIAL CHAMBER ORDER DATED 1 APRIL 2004**

Office of the Prosecutor:
Luc Côté
Robert Petit
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Defence Counsel for Alex Tamba Brima
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Defence Counsel for Brima Bazy Kamara
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Defence Counsel for Santigie Borbor Kanu
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SPECIAL COURT FOR SIERRA LEONE

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FREETOWN-SIERRA LEONE

THE PROSECUTOR**Against****ALEX TAMBA BRIMA
BRIMA BAZZY KAMARA
SANTIGIE BORBOR KANU
(Case No. SCSL – 2004 – 16 – PT)**

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PURSUANT TO TRIAL CHAMBER ORDER DATED 1 APRIL 2004**

I. BACKGROUND

1. On 1 April 2004, the Trial Chamber filed an “Order to the Prosecution to File Disclosure Materials and Other Materials in Preparation for the Commencement of Trial” (the “**Order**”). The Trial Chamber’s Order requires the Prosecution file “a chart which indicates, for each paragraph in the Indictment, the testimonial and primary documentary evidence upon which the Prosecution will rely to establish the allegations herein.”

II. DESCRIPTION OF SUBMISSIONS ATTACHED

2. Pursuant to the Order, the Prosecution herein files “AFRC Exhibit and Witness by Paragraph of Consolidated Indictment” (the “**Chart**”), a chart which indicates which documentary and testimonial evidence is relevant to each paragraph of the Indictment.
3. The Chart is organized into three columns. The first column contains the paragraph reference and where applicable the count and location reference of the Consolidated Indictment.


4. The second column indicates the number of the exhibit from the list of exhibits filed by the Prosecution on 26 April 2004 pursuant to the Order and filed thereunder as “Cover Sheet 4.”
5. The third column indicates the witness relevant to the paragraph by pseudonym number from the list of witnesses filed by the Prosecution on 26 April 2004 pursuant to the Order and filed thereunder as “Cover Sheet 3.”
6. This Chart attempts to provide comprehensive guidance to all relevant evidence for each paragraph of the Indictment. The Prosecution notes that because of the general or encompassing nature of certain paragraphs, the Prosecution will be relying on the bulk of the evidence presented at trial to support these paragraphs. This includes paragraphs in the Indictment connected to General Allegations or allegations that the AFRC/RUF conducted attacks throughout the country of Sierra Leone, where evidence from almost all witnesses is relevant. The Prosecution also notes that a significant number of witnesses and documentary evidence are relevant to the paragraphs alleging responsibility under Articles 6.1, including joint criminal enterprise, and 6.3 of the Statute. In order to understand the relevance of certain evidence underlying criminal responsibility, the evidence cannot be viewed in isolation, but rather has to be analyzed in conjunction with the evidence supporting the paragraphs related to the counts in the Indictment.
7. The witness list submitted by the Prosecution on 26 April 2004 pursuant to the Trial Chamber’s Order, contained the names of all witnesses that could provide relevant information on particular incidents alleged in the Indictment. As the Prosecution stated in the Pre-Trial conference, some of these witnesses listed may not be willing or available to come to Freetown to provide evidence *viva voce*. For this reason, the Prosecution provided as comprehensive as possible of a witness list for the Trial Chamber.

8. As stated in the Pre-Trial conference, the Prosecution intends to file the final witness list following a decision on the pending Motion for Judicial Notice and the issuance of Notice of Hearing setting a trial date in this matter.

9. The Prosecution finally notes that because the counts in the Consolidated Indictment are not numbered, reference must be made to the relevant paragraphs and the supporting evidence for each count alleged.

Filed in Freetown, 4 May 2004

For the Prosecution,



Luc Côté
Chief of Prosecutions



Robert Petit
Senior Trial Attorney

AFRC
Exhibit and Witness by Paragraph of Consolidated Indictment

Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1-___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
THE ACCUSED		
1	Transcript of Initial Appearance Brima 15, 17, 21 March 2003	153,167,182,184,334
2	Transcript of Initial Appearance Brima 15, 17, 21 March 2003	153,167,182,184,334
3	Transcript of Initial Appearance Kamara 4 June 2003	153,167,182,184,334
4	Transcript of Initial Appearance Kamara 4 June 2003	153,167,182,184,334
5	Transcript of Initial Appearance Kanu 23 September 2003	153,167,182,184,334
6	Transcript of Initial Appearance Kanu 23 September 2003	153,167,182,184,334

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Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
GENERAL ALLEGATIONS		
7	1, 2, 11, 56, 81, 84, 87, 88, 89, 107, 140	All witnesses
8	1, 2, 11, 55, 85, 140	All witnesses
9	15, 16, 27, 47, 82, 83, 107, 108, 109, 115, 140	046,139,151,187,210,301,337.
10	85, 89, 107, 140	036,150,167,184,275,301,348,351.
11	16, 53, 54 , 83, 107, 130, 140	046,151,187,301.
12	1, 2, 11, 43, 45, 58, 83, 84, 90, 91, 107, 111, 137, 140, 144, 145, 150, 151, 156	036,045,046,088,139,151,167,168,182,187,189,274,275, 301,352,354,356.
13	1, 2, 11, 17, 18, 19, 22, 27, 30, 33, 34,41, 42, 43, 45, 48, 49, 50, 54, 66, 83, 84, 90, 91, 107, 111, 115, 132, 140, 141, 149, 152, 153, 155, 156, 167, 168	013,020,033,036,045,046,057,131,138,139,141,151,153, 157,158,167,168,182,184,187,189,210,251,274,275,301, 317,323,334,337,347,352,354,356.
14	1, 2, 11, 27,41, 43, 46, 51, 52, 107, 111, 131, 136, 137, 140, 154, 167	036,046,088,151,167,168,182,187,274,275,301,352,354, 356.
15	1, 2, 3, 11, 12, 17, 18, 19, 22, 30, 33, 34,49, 50, 56, 59, 60, 61, 62, 63, 64, 84, 107, 115, 132,	013,020,033,036,045,046,057,131,138,139,141,151,153, 157,158,167,168,182,184,187,189,210,251,274,301,317,

Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
	140, 155	323,334,337,347,352,354,356.
16	55, 60, 71, 72, 78, 79, 107, 133, 140	033,036,046,167,168,182,187,274,301,352,354,356.
17	127, 128, 129	
18	126	All witnesses
19	83, 84, 85, 128	All witnesses
20	127, 128	All witnesses
INDIVIDUAL CRIMINAL RESPONSIBILITY		
21	Not applicable	Not applicable
22	20, 41, 45, 114, 160, 167	012,020,024,033,036,045,046,057,088,102,131,133,138,152,153,157,158,167,174,182,183,184,209,227,275,323,334,352
23	41, 44, 45, 160, 167	033,045,046,088,152,167,182,184,334
24	1, 2, 39	012,020,024,033,036,046,057,102,131,138,152,153,157,167,182,184,334
25	18, 30, 41, 45	020,023,033,046,057,088,102,131,138,153,167,182,184,

Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
		227,243,275,334
26	41, 45	033,088,167,182,184,334
27		020,033,057,102,131,138,153,167,182,184,243,334
28	45, 167	012,013,020,031,033,045,046,057,085,088,092,094,131,133,138,153,157,158,167,174,180,182,184,227,243,255,264,271,274,275,282,323,334,347,350,352
29	30, 45, 167	033,045,046,088,167,182,184,263,274,334
30		012,020,033,046,057,131,138,157,167,182,184,243,334
31	1, 2, 3, 11, 17, 18, 19, 20, 21, 22, 24, 27, 29, 30, 32, 33, 34, 35, 36, 73, 38, 39, 40, 43, 44, 45, 48, 49, 50, 66, 67, 112, 113, 114, 123, 132, 137, 138, 149, 155, 160, 164, 165, 166, 167, 168, 169	012,013,015,017,020,023,024,026,029,031,033,034,035,036,037,040,041,042,043,044,045,046,057,071,077,078,085,092,093,094,102,108,110,112,113,114,117,129,131,132,133,138,139,141,143,151,152,153,157,158,160,165,167,168,176,174,180,182,183,184,186,187,189,199,200,209,210,219,227,243,246,251,255,263,264,270,271,274,275,276,277,279,281,282,288,294,297,301,304,309,313,317,323,327,330,334,337,347,349,350,352,353,354,356.
32	1, 2, 8, 10, 11, 14, 19, 32, 68, 100, 122, 125, 155	036,045,046,114,117,138,139,141,151,153,167,168,182,187,189,210,271,274,275,276,301,323,334,337,347,353,

Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
		354, 355.
33	1, 2, 3, 5, 6, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 24, 25, 26, 30, 32, 33, 34, 37, 38, 39, 68, 100, 107, 113, 121, 122, 123, 125, 135, 155	012,013,017,020,026,033,035,036,040,041,042,043,044, 045,046,071,077,078,085,093,108,110,113,114,117,129, 132,138,139,141,151,153,160,165,167,168,174,176,182, 183,184,186,187,189,210,246,251,263,271,274,275,276, 288,294,301,304,309,313,323,327,330,334,337,347,352, 354,355,356.
34	1, 2, 5, 6, 11, 16, 18, 19, 22, 29, 89, 100, 107, 134, 157, 158	012,013,017,020,026,033,035,036,040,041,042,043,044, 045,046,071,077,078,085,108,110,113,114,117,129,132, 138,139,141,151,153,160,165,167,168,174,176,182,183, 186,187,189,210,251,263,271,274,275,276,294,301,304, 309,313,323,327,330,334,337,347,352,354,355,356.
35	125, 134	012,013,015,017,020,026,033,035,036,040,041,042,043, 044,045,046,071,077,078,085,093,108,110,113,114,117, 129,132,138,139,141,151,153,160,165,167,168,174,176, 182,183,186,187,189,210,246,251,263,271,274,275,276, 288,294,301,304,309,313,323,327,330,334,337,347,352, 353,354,355, 356.
36	17, 18, 19, 20, 22, 34, 35, 36, 37, 38, 39, 40, 42, 112, 124, 132, 134, 149, 164, 165, 168, 169	012,013,015,017,020,026,033,034,035,036,037,040,041, 042,043,044,045,046,071,077,078,085,092,093,108,110, 112,113,114,117,129,132,133,138,139,141,151,153,160,

Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- __) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
		165,167,168,174,176,180,182,183,184,186,187,189,219, 200,210,246,251,255,263,264,270,271,274,275,276,279, 281,288,294,297,301,304,309,313,317,323,327,330,334, 337,347,349,352,353,354,356.
CHARGES		
37	Not applicable	Not applicable
38	1, 2, 11, 17, 18, 19, 20, 21, 22, 34, 36, 37, 39, 69, 70, 73, 74, 75, 76, 77, 80, 86, 92, 93, 94, 95, 96, 98, 100, 101, 102, 103, 104, 105, 106, 107, 110, 112, 115, 116, 117, 118, 121, 139, 144, 145, 149, 155, 168	All witnesses for paragraphs 42-80.
39	1, 2, 11, 18, 19, 29, 34, 73, 74, 77, 83, 84, 85, 86, 93, 94, 95, 96, 98, 99, 101, 102, 103, 104, 105, 106, 107, 110, 115, 116, 117, 118, 119, 120, 121, 140, 144, 145	All witnesses for paragraphs 42-80.
40	4, 18, 29, 73, 74, 83, 84, 85, 86, 95, 96, 98, 99, 101, 102, 103, 104, 105, 106, 107, 110, 115, 116, 117, 118, 119, 120, 140	All witnesses for paragraphs 42-80.

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Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
<u>COUNTS 1-2: TERRORIZING THE CIVILIAN POPULATION AND COLLECTIVE PUNISHMENTS</u>		
41	19, 22, 36, 37, 39, 107	All witnesses for paragraphs 42-80.
<u>COUNTS 3-5: UNLAWFUL KILLINGS</u>		
42	23, 56, 59, 61, 62, 64, 83, 83, 85, 87, 95, 97, 98, 104, 105, 107, 110	150,348,351.
<u>Bo District</u> 43	107, 112	001,002,003,004,005,006,007,008,009,010,011,047,049, 050,051,052,053,054,107,187,301,348,351.
<u>Kenema District</u> 44	28, 107, 147	034,035,036,037,039,060,061,062,120,121,122,123,124, 125,126,127,128,129,274,299,301,348,351,354.
<u>Kono District</u> 45	1, 2, 11, 18, 38, 107, 121	012,013,014,015,019,020,033,057,064,067,068,071,072, 077,078,131,138,141,150,167,168,184,187,192,195,197, 198,202,206,216,217,218,219,222,263,270,271,274,301,

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Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
		302,303,304,307,308,309,334,347,348,351,352,355.
<u>Kailahun District</u> 46	1, 2, 11, 107, 148	108,110,113,117,138,141,150,168,187,200,210,246,271, 301,309,327,330,337,348,351,354.
<u>Koinadugu District</u> 47	18, 107	020,033,094,133,134,136,138,143,147,150,167,172,177, 182,184,199,209,212,213,214,215,271,301,310,311,312, 317,329,347,348,351,352.
<u>Bombali District</u> 48	107	028,033,055,056,057,058,059,117,131,132,143,149,150, 151,155,156,157,159,167,174,179,182,183,184,196,232, 243,271,286,289,290,301,323,334,348,350,351.
<u>Freetown and the Western Area</u> 49	1, 2, 11, 107, 113, 116, 117, 118, 144, 145, 146, 155, 159	020,021,022,024,026,027,029,033,036,046,083,084,085, 086,088,092,097,099,101,102,103,104,105,119,131,143, 150,152,153,157,167,182,184,188,226,227,233,234,251, 264,265,274,275,277,278,279,280,281,287,301,317,323, 331,334,347,348,351,354.

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Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
<u>Port Loko District</u> 50	1, 2, 11, 17, 107	020,023,026,046,092,143,150,167,200,227,250,251,252, 253,254,255,256,257,259,261,265,271,301,320,323,334, 345,348,351.
<u>COUNTS 6-8: SEXUAL VIOLENCE</u>		
51	86, 94, 101, 106, 107	332,348,351.
<u>Kono District</u> 52	1, 2, 11, 18, 29, 38, 107	012,015,016,017,018,019,020,066,071,076,092,131,138, 141,150,167,184,187,189,192,195,197,198,202,206,217, 218,235,263,274,301,302,303,305,306,332,334,347,348, 351,352,355.
<u>Koinadugu District</u> 53	18, 29, 107	020,033,057,094,133,134,135,138,143,147,150,167,172, 180,182,184,199,205,209,212,213,301,312,317,329,332, 347,348,351,352.
<u>Bombali District</u> 54	29, 107	028,031,033,055,117,131,132,143,149,150,155,157,158, 167,174,180,182,183,184,196,266,267,269,271,301,323,

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Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
		332,334,348,351.
<u>Kailahun District</u> 55	1, 2, 11, 19, 29, 107	045,108,110,114,117,138,141,150,151,187,210,271,301,332,337,348,351,354.
<u>Freetown and the Western Area</u> 56	1, 2, 11, 18, 19, 29, 107, 113, 119, 155, 159,	020,023,026,029,033,036,046,081,082,085,102,131,143,150,153,157,167,184,182,227,251,264,274,275,281,301,323,332,334,347,348,351,354.
<u>Port Loko District</u> 57	1, 2, 11, 29, 107	020,022,023,024,026,027,046,081,082,083,085,092,096,097,143,150,152,167,188,227,251,256,257,259,264,281,282,301,323,331,332,334,348,351.
<u>COUNTS 9-10: PHYSICAL VIOLENCE</u>		
58	93, 102, 107, 122	150,272,348,351.
<u>Kono District</u> 59	1, 2, 11, 18, 38, 107, 122, 140	012,013,015,020,033,045,057,064,066,071,072,074,077,

Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
		078,131,138,141,150,167,168,184,187,192,195,197,198,202,206,216,217,218,219,263,272,274,301,302,303,304,306,307,334,347,348,351,352,355.
<u>Kenema District</u> 60	107, 147	034,036,037,045,057,060,061,062,063,121,122,123,124,125,126,127,128,129,157,168,274,299,301,348,351,354.
<u>Koinadugu District</u> 61	18, 107	020,033,094,104,133,134,135,138,143,147,150,167,172,177,180,182,184,199,205,209,212,213,214,215,272,301,317,329,347,348,351,352.
<u>Bombali District</u> 62	107	028,033,057,058,131,132,143,149,150,158,167,174,179,180,182,183,184,196,204,207,269,271,272,286,301,323,334,343,348,350,351.
<u>Freetown and the Western Area</u> 63	1, 2, 11, 107, 113, 116, 117, 118, 144, 145, 155, 159	020,022,026,029,033,036,046,083,084,086,087,092,096,097,098,099,101,102,103,105,106,119,131,143,150,157,167,182,184,226,233,234,240,251,272,274,275,278,280,281,301,323,331,334,347,348,351,354.

Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
<u>Port Loko District</u> 64	1, 2, 11, 107	020,026,046,143,150,167,200,250,251,253,254,261,271, 272,281,301,320,323,334,346,348,351.
<u>COUNT 11: USE OF CHILD SOLDIERS</u>		
65	4, 18, 28, 35, 66, 67, 89, 106, 107, 119, 120, 124, 140, 169	015,020,022,027,031,034,046,060,061,062,071,077,085, 097,108,110,114,117,133,135,141,143,149,152,153,157, 158,159,168,174,180,183,186,195,198,199,200,206,209, 212,213,227,251,263,271,276,296,301,305,309,317,323, 347,348,349,350,351,355,356.
<u>COUNT 12: ABDUCTIONS AND FORCED LABOUR</u>		
66	5, 6, 29, 107, 119, 120	150,348,351.
<u>Kenema District</u> 67	107	034,036,045,057,060,061,062,274,299,301,348,351,354.
<u>Kono District</u> 68	1, 2, 5, 6, 11, 18, 38, 107	012,013,015,016,017,020,033,045,046,071,072,074,077, 078,131,150,151,167,138,141,184,187,189,192,195,198,

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Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1- ___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
		202,210,219,263,270,271,274,301,302,303,304,309,334,337,347,348,351,352,355,356.
<u>Koinadugu District</u> 69	18, 107	020,033,057,133,134,135,136,138,143,147,150,167,182,184,199,209,212,213,214,215,301,317,329,347,348,351,352.
<u>Bombali District</u> 70	107	028,033,040,056,117,131,132,143,149,150,157,158,159,167,182,183,184,232,243,247,271,301,323,334,348,350,351.
<u>Kailahun District</u> 71	107	108,110,112,113,114,117,138,141,150,151,168,187,189,200,301,309,330,337,348,351,354.
<u>Freetown and the Western Area</u> 72	1, 2, 11, 18, 107, 113, 116, 117, 118, 119, 120, 155, 159	020,023,024,026,033,036,046,081,085,092,098,102,119,131,143,150,152,153,157,167,182,184,210,227,251,274,275,301,323,334,347,348,351,354.

Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1-___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
<u>Port Loko District</u> 73	1, 2, 11, 18, 107	020,023,026,046,081,085,092,143,150,167,227,251,256, 257,259,261,282,301,323,334,344,345,348,351.
<u>COUNTS 13: LOOTING AND BURNING</u>		
74	22, 107	150,348,351.
<u>Bo District</u> 75	107, 112	002,004,005,006,007,009,010,049,050,051,054,057,187, 301,348,351.
<u>Koinadugu District</u> 76	18, 107	020,033,057,135,136,138,141,147,150,167,182,184,199, 209,212,215,281,301,312,317,329,347,348,351,352.
<u>Kono District</u> 77	1, 2, 11, 18, 34, 38, 107, 121	013,015,018,019,020,033,066,068,071,078,131,138,141, 150,167,184,187,195,197,198,202,206,216,218,219,263, 274,301,302,303,305,306,334,347,348,351,352,355.

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Paragraph in the Indictment	Documentary Evidence (numbers refer to Exhibit List dated 26 April 2004)	Witness by Pseudonym (TF1-___) (refer to Witness Summaries filed 26 April 2004 for expected testimonial evidence)
<u>Bombali District</u> 78	107	028,031,033,036,055,058,059,131,132,150,157,158,167,182,183,184,196,271,301,323,334,348,350,351.
<u>Freetown and the Western Area</u> 79	1, 2, 11, 107, 113, 116, 117, 118, 144, 145, 155, 159	020,021,022,023,026,033,046,081,084,083,086,092,097,099,119,131,150,152,153,157,167,169,182,184,233,251,274,275,301,317,323,334,339,347,348,351,354.
<u>COUNTS 14-17: ATTACKS ON UNAMSIL PERSONNEL</u>		
80	13, 19, 20, 21, 69, 70, 75, 76, 80, 107, 139, 157	028,033,040,041,042,043,044,045,046,071,114,132,136,151,160,165,174,187,210,263,271,274,276,288,294,297,301,330,337,347,348,351.