



U.C. Berkeley War Crimes Studies Center  
Sierra Leone Trial Monitoring Program  
Weekly Report

**Special Court Monitoring Program Update #46 Trial Chamber 1 - CDF Trial Covering week ending June 24, 2005**

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Summary Evidence at Trial: Expert Witness Testifies

**Summary**

The prosecution heard its final witness in the CDF trial this week, with Witness TF2-EW3, a forensic anthropologist, testifying to his assessment of the death of four suspected homicide victims who were killed in Bo. The Chamber also briefly heard submissions regarding the admission of documentary evidence by the prosecution in support of its case against the accused. Once the Chamber has ruled upon the admissibility of this evidence, the prosecution will rest its case [1]. Oral submissions relating to the admissibility of the documents to be submitted by the prosecution will be heard by the Chamber on Wednesday, 6 July 2005.

**Evidence at trial: Expert witness testifies**

Dr William Hagland (TF2-EW3) is a forensic anthropologist from Seattle, Washington who has had extensive experience identifying the cause of death of victims by examining their skeletal remains. Dr Hagland has worked at mass gravesites all over the world, including Croatia and East Timor, and was the senior forensic consultant for the *ad hoc* tribunals from 1996 ? 1998.

In October 2003, the prosecution employed Dr Hagland to conduct forensic investigations at various sites throughout Sierra Leone housing the remains of victims allegedly killed by members of the CDF, RUF and AFRC forces. Dr Hagland visited twenty sites, including a gravesite in Bo, where he identified the remains of four victims. His testimony this week related to his findings regarding these four victims.

Under examination in chief, Dr Hagland identified two types of trauma leading to the death of a homicide victim: sharp force trauma and blunt force trauma. According to Dr Hagland, sharp force trauma is caused when the perpetrator uses something like a machete to injure the flesh or bone of the victim. Blunt force trauma is more likely to be caused by an object with a flat or rounded surface and a larger surface area, such as a fist, boot, rock or club. He also distinguished between anti-mortem, peri-mortem and post-mortem trauma and noted that it was important to distinguish the peri-mortem or "death event" trauma from the other two types.

Dr Hagland testified that based on his findings the four skeletons he had identified died of injuries resulting from sharp force trauma, blunt force trauma, or a mixture of both sharp force and blunt

force trauma. Three of the victims were identified during the course of the proceedings as being Hatti Conteh, Alpha Conteh and Foday Bangura. All four people were allegedly victims of homicide. His findings were consistent with the stories of their relatives regarding the circumstances of their deaths. Dr Hagland noted that the method of identification he had undertaken did not result in the positive identification of the deceased persons, but was consistent with international standards for examination and exhumation and resulted in the establishment of a "circumstantial identification" of cause of the death of the victims.

Under cross-examination, the witness admitted that it was impossible to determine who had afflicted the wounds resulting in the victims' deaths based upon his forensic assessment. Dr Hagland's testimony, therefore, seems to have limited value to the prosecution's case, given even if the prosecution can corroborate the evidence of this witness with the testimony of witnesses who previously testified, Dr Hagland was unable to make a positive identification of the bodies exhumed. Nevertheless, his testimony may be helpful in establishing evidence of a crime base surrounding the site in question, which, while not identified in open court, is likely to be identified in his expert witness report.

This concludes the witnesses to be called by the prosecution in the case against the accused in the CDF trial. The defense case is slated to begin in January 2006.

1.) Under Rule 92*bis* of the Special Court's Rules, the Chamber may admit information in lieu of oral testimony, if, in the view of the Trial Chamber, it is relevant to the purpose for which it is submitted and its reliability is susceptible to confirmation.