

SPECIAL COURT FOR SIERRA LEONE
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IN THE APPEALS CHAMBER

Before: Justice Renate Winter, Presiding
Justice George Gelaga King
Justice Emmanuel Ayoola
Justice Geoffrey Robertson
Justice Raja Fernando

Registrar: Robin Vincent

Date: 11 May 2004

PROSECUTOR

Against

Sam Hinga Norman
Moinina Fofana
Allieu Kondewa
(Case No.SCSL-04-14-PT)

SCHEDULING ORDER

Office of the Prosecutor:

Desmond de Silva QC
Luc Côté

Defence Counsel for Sam Hinga Norman:

James Jenkins-Johnston

Defence Counsel for Moinina Fofana:

Michiel Pestman

Defence Counsel for Allieu Kondewa

Charles Margai

THE APPEALS CHAMBER OF THE SPECIAL COURT FOR SIERRA LEONE;

NOTING that the following motions are pending before it:

- i.*Norman*: Motion to Recuse Judge Winter from deliberating in the preliminary motion on the recruitment of child soldiers, 25 March 2004;

- ii. *Norman*: Preliminary Motion based on Lack of Jurisdiction (Child Recruitment), 26 June 2003;
- iii. *Fofana*: Preliminary Defence Motion on Lack of Jurisdiction: Illegal Delegation of Powers by the United Nations, 14 November 2003;
- iv. *Fofana*: Preliminary Defence Motion on the Lack of Jurisdiction: Illegal Delegation of Jurisdiction by Sierra Leone, 14 November 2003;
- v. *Fofana*: Preliminary Defence Motion on the Lack of Jurisdiction: Nature of the Armed Conflict, 14 November 2003;
- vi. *Kondewa*: Defence Motion based on Lack of Jurisdiction: Establishment of Special Court Violates Constitution of Sierra Leone, 7 November 2003;
- vii. *Kondewa*: Defence Motion based on Lack of Jurisdiction/Abuse of Process: Amnesty Provided by the Lomé Accord, 7 November 2003.

CONSIDERING that an oral hearing was held on 6 November 2003 in relation to the *Norman* Preliminary Motion based on Lack of Jurisdiction (Child Recruitment);

NOTING Rule 117(A) according to which “A reference under Rule 72(E) or (F)...shall be heard expeditiously and may be determined entirely on the basis of written submissions”;

DECIDING that pursuant to Rule 117(A), the Chamber will not hear oral argument on the outstanding motions listed as iii.) – vii.) above;

NOTING that the Appeals Chamber will sit in the composition appropriate to the Motion before it;

HEREBY ORDERS that the outstanding motions listed above be scheduled as follows:

Tuesday 25 May 2004, at 10.00, for rendering of decisions:

1. *Fofana*: Preliminary Defence Motion on Lack of Jurisdiction: Illegal Delegation of Powers by the United Nations;
2. *Fofana*: Preliminary Defence Motion on the Lack of Jurisdiction: Illegal Delegation of Jurisdiction by Sierra Leone;
3. *Fofana*: Preliminary Defence Motion on the Lack of Jurisdiction: Nature of the Armed Conflict;
4. *Kondewa*: Defence Motion based on Lack of Jurisdiction: Establishment of Special Court Violates Constitution of Sierra Leone;

5. *Kondewa*: Defence Motion based on Lack of Jurisdiction/Abuse of Process:
Amnesty Provided by the Lomé Accord.

Tuesday 25 May 2004, at 10.30, for hearing:

6. *Norman*: Motion to Recuse Judge Winter from Deliberating in the Preliminary
Motion on the Recruitment of Child Soldiers.

Friday, 28 May 2004, at 10:00 for rendering of decision:

7. *Norman*: Preliminary Motion based on Lack of Jurisdiction (Child Recruitment),
26 June 2003.

Done at Freetown this eleventh day of May 2004

Justice Winter
Presiding

[Seal of the Special Court for Sierra Leone]