

NOTING that in its “Updated Compliance Report Filed Pursuant to Undertaking by the Prosecution in PreTrial Conference held 29 April 2004 (RUF)” filed on 11 May 2004, the Prosecution asserted that six of the witnesses on its witness list filed on 26 April 2004 were erroneously included, thereby reducing the number of witnesses in its witness list to 260;

NOTING the Order to Prosecution to Produce Witness List and Witness Summaries filed on 7 July 2004, requesting the Prosecution, *inter alia*, to produce a list of the “core” witnesses that the Prosecution is intending to call to testify at trial and to produce a copy of all witness statements to the Trial Chamber one week prior to the witness’ testimony;

NOTING that in its Materials Filed Pursuant to “Order to Prosecution to Produce Witness List and Witness Summaries” filed on 12 July 2004 the Prosecution consequently filed an updated witness list containing a total of 173 witnesses it now intends to call to testify at trial;

NOTING that pursuant to the Decision on Prosecution Request for Leave to Call Additional Witnesses filed on 29 July 2004 the Prosecution has been granted leave to add 6 witnesses to its current witness list;

NOTING the Order Detailing the Judicial Calendar for the Upcoming Trial Sessions filed on 26 May 2004, disposing that, *inter alia*, the second trial session for this case will run from 4 October 2004 to 29 October 2004, inclusive;

NOTING the Order Detailing Judicial Calendar for the RUF Trial filed on 23 July 2004, disposing that the third trial session for this case will run from 5 January 2004 to 4 February 2004, inclusive;

NOTING the Prosecution Order of Appearance of Prosecution Witnesses filed on 11 June 2004 wherein the Prosecution indicated the proposed order of appearance of the first set of its witnesses testifying during the first session of the trial held between 5 July 2004 and 30 July 2004;

NOTING that 3 of these witnesses did not appear during this trial session due to lack of time or postponement of the testimony;

CONSIDERING the determination of the Trial Chamber to ensure that the trial is fair and expeditious and that the proceedings before the Special Court are conducted in accordance with the Rules of Procedure and Evidence of the Special Court (“Rules”), with full respect for the rights of the accused and due regard for the protection of victims and witnesses;

CONSIDERING the provisions of Article 17(4)(b) of the Statute of the Special Court for Sierra Leone, that stipulate, *inter alia*, that the Defence shall be entitled to have adequate time and facilities for the preparation of its defence;

CONSIDERING that it is in the interest of justice for the Prosecution to disclose to the Defence and the Trial Chamber the order of testimony of the witnesses it intends to call at trial, with

sufficient time available for case preparation and investigation and for the effective management of the trial;

PURSUANT TO Rules 54 and Rule 73*bis* of the Rules;

HEREBY ORDERS the Prosecution to provide each Defence Team and the Trial Chamber with a list of the order it intends to call its witnesses to testify at trial during each trial session, 14 days prior to each future trial session; and

FURTHER ORDERS the Prosecution to provide a column in this list that identifies the particular protective measures to be applied for the testimony of each of these witnesses in accordance with the Decision on Prosecution Motion for Modification of Protective Measures for Witnesses of 5 July 2004;

Done at Freetown this 15th day of September 2004

Hon. Judge Pierre Boutet

Hon. Judge Benjamin Mutanga Hon. Judge Bankole Thompson
Itoe
Presiding Judge,
Trial Chamber

[Seal of the Special Court for Sierra Leone]