

TRIAL CHAMBER II ("Trial Chamber") of the Special Court for Sierra Leone ("Special Court"), composed of Justice Richard Lussick, Presiding Judge, Justice Teresa Doherty and Justice Julia Sebutinde;

NOTING the Confidential Joint Disclosure Pursuant to Trial Chamber Order of 26 April 2006 ("Original Disclosure"), in which the Defence submitted a list of 56 witnesses that it intended to call;

NOTING the Confidential Kanu Defence Filing of Witness List Pursuant to Trial Chamber Order of 17 May 2006, filed on 21 August 2006 ("Kanu Disclosure"), in which the Defence submitted a list of 60 common defence witnesses, 4 common expert witnesses and 14 individual defence witnesses for the accused Kanu that it intends to call;

NOTING the Confidential Joint Defence Disclosure of Individual Witnesses for the 1st and 2nd Accused pursuant to the Order of the Trial Chamber II, filed 21 August 2006 ("Brima and Kamara Disclosure"), in which the Accused Brima submitted a list of 27 individual witnesses and the Accused Kamara a list of 39 individual witnesses that they intend to call;

CONSIDERING THEREFORE that the Defence proposes to call a total of 200 witnesses including the First Accused Brima, whereas in the Prosecution case only 59 witnesses were called;

CONSIDERING ALSO that the Defence has indicated in open court that their evidence would be completed in October;¹

CONSIDERING FURTHER that a number of witnesses have been duplicated in the Defence disclosures² and that a significant number of the witnesses named in the Original Disclosure, who do not appear on the Kanu Disclosure or Brima and Kamara Disclosure, will still be called in this trial session;

CONSIDERING NEVERTHELESS the extensive nature of the Defence witness lists and the duty of the Trial Chamber to ensure a fair and expeditious trial;

NOTING the provisions of Rule 73ter (D) of the Rules of Procedure and Evidence ("Rules") permitting the Trial Chamber to order to the Defence to "reduce the number of witnesses, if it considers that an excessive number of witnesses are being called to prove the same facts";

PURSUANT TO Rule 73ter and 54 of the Rules.


HEREBY CALLS UPON the Defence to provide on or before 20 September 2006 reasons as to why the Trial Chamber should not Order the Defence to substantially reduce the number of Defence witnesses.

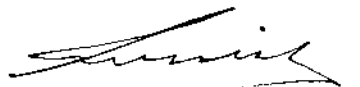
Done at Freetown, Sierra Leone, this 14th day of September 2006.

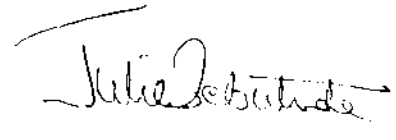
¹ Transcript 25 July 2006, page 12.

² For example Witnesses DAB-034, DAB-126, DAB-112, DAB-111, DBK-060, DBK-064, DAB-014, DBK-113, DBK-001 have been named on at least two witness lists.





Justice Teresa Doherty


Justice Richard Lussick
Presiding Judge


Justice Julia Sebutinde

