

**SPECIAL COURT FOR SIERRA LEONE
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TRIAL CHAMBER I

Before: Hon. Justice Bankole Thompson, Presiding Judge
Hon. Justice Pierre Boutet
Hon. Justice Benjamin Mutanga Itoe
Registrar: Mr. Lovemore G. Munlo, SC
Date: 28th of September 2006

PROSECUTOR **Against** **SAM HINGA NORMAN
MOININA FOFANA
ALLIEU KONDEWA
(Case No.SCSL-04-14-T)**

Public Document

ORDER FOR EXPEDITED FILING

Office of the Prosecutor:

Christopher Staker
James Johnson
Joseph Kamara

Court Appointed Counsel for Sam Hinga Norman:

Dr. Bu-Buakei Jabbi
John Wesley Hall, Jr.
Alusine Sani Sesay

Court Appointed Counsel for Moinina Fofana:

Steven Powles
Victor Koppe
Arrow Bockarie
Michiel Pestman

Court Appointed Counsel for Allieu Kondewa:

Charles Margai
Yada Williams
Ansu Lansana

TRIAL CHAMBER I (“The Chamber”) of the Special Court for Sierra Leone (“Special Court”) composed of Hon. Justice Bankole Thompson, Presiding Judge, Hon. Justice Pierre Boutet and Hon. Justice Benjamin Mutanga Itoe;

SEIZED OF the “Fofana Request to Admit Evidence Pursuant to Rule 92*bis*”, filed by Court Appointed Counsel for the Second Accused (“Counsel for Fofana”) on the 27th of September 2006 (“Request”);[\[1\]](#)

NOTING that the Request seeks the admission of two statements in evidence pursuant to Rule 92*bis* of the Rules of Procedure and Evidence of the Special Court (“Rules”);

NOTING that Rule 92*bis* of the Rules “Alternative Proof of Facts”, provides in its relevant part, that a party wishing to submit information as evidence shall give 10 days notice to the opposing party and that objections, if any, must be submitted within 5 days;

NOTING that Counsel for Fofana submit that both statements were disclosed to all Parties on the 14th of September 2006 and the 20th of September 2006, respectively, and that the Office of the Prosecutor (“Prosecution”) indicated that they would oppose the admission of both statements, while no responses were received from Court Appointed Counsel for the First Accused (“Counsel for Norman”) and Court Appointed Counsel for the Third Accused (“Counsel for Kondewa”);[\[2\]](#)

CONSIDERING, therefore, that all the Parties have had sufficient time to analyse the content of the disclosed statements and should be in the position to state their objections now, if any;

CONSIDERING that Article 17(4)(c) of the Statute of the Special Court provides that the Accused shall be “tried without undue delay”;

CONSIDERING that the Defence case for the Second Accused is likely to be closed on or about the 9th or the 10th of October 2006;[\[3\]](#)

CONSIDERING that the fair and expeditious consideration of the Request requires the imposition of an expedited timetable for the filing of the remaining written submissions, if any;[\[4\]](#)

PURSUANT to 26*bis*, 54 and 92*bis* of the Rules;

HEREBY ORDERS that the Parties, namely the Prosecution, Counsel for Norman and Counsel for Kondewa, should they have any objection to the admission in evidence of the said witness statements, shall file such objections no later than Monday, the 2nd of October 2006, at 1:00 p.m.

Done in Freetown, Sierra Leone, this 28th day of September 2006.

Hon. Justice Benjamin Mutanga
Itoe

Hon. Justice Bankole
Thompson
Presiding Judge
Trial Chamber I

Hon. Justice Pierre Boutet

[Seal of the Special Court for Sierra Leone]

[1] SCSL-04-14-T-701.

[2] Request, para. 2.

[3] It was reported by Counsel for Fofana that the last expert witness Daniel J. Hoffman PhD was only available to commence his testimony on the 9th of October 2006, while the rest of their witnesses have already concluded the presentation of their evidence; Transcript of the 28th of September 2006.

[4] *See, inter alia*, SCSL-04-14-623, “Order for Expedited Filing”, the 16th of June 2006.
