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:	27th of November 2006

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

Public Document

DECISION ON PROSECUTION REQUEST TO FILE TWO ADDITIONAL ANNEXES TO THE PROSECUTION FINAL TRIAL BRIEF

Office of the Prosecutor:

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Court Appointed Counsel for Allieu Kondewa:

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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 "Prosecution Request For Leave to File Two Additional Annexes to the Prosecution Final Trial Brief", filed *confidentially* on the 27th of November 2006 ("Request"),[1] wherein the Prosecution request permission to file Annex III ("Count 7 Materials") and Annex IV ("Count 8 Materials") to the Prosecution Final Trial Brief, for the reason they were inadvertently omitted from the filed Brief;

NOTING the "Prosecution Final Trial Brief", filed *confidentially* on the 22nd of November 2006;[2]

CONSIDERING the Prosecution's submission that the Defence will not be unduly prejudiced because the legal and factual bases for Counts 7 and 8 have previously been discussed in the Prosecution Pre-Trial Brief[3] and the Prosecution Rule 98 Response;[4]

CONSIDERING, however, that should any prejudice be claimed by the Defence, The Chamber shall determine any appropriate remedy, if needed, in due course;

RECALLING the "Order to the Prosecution to Re-File Final Trial Brief" issued by The Chamber on the 23rd of November 2006, ordering the Prosecution to file a public version of the Final Trial Brief with redactions as necessary to protect the identity of the witnesses no later than Monday, the 27th of November 2006 by 2 p.m., and reiterating the reasons stipulated for such filing;

RECALLING further that the closing arguments of the Parties are scheduled to commence in open session on the 28th and continue, if necessary, on the 29th of November 2006, where the Parties, *inter alia*, "may respond orally to the other Party's written submissions";[5]

THE CHAMBER HEREBY GRANTS the Motion and deems the Annexes III and IV are hereby part of the *confidential* Prosecution Final Trial Brief filed on the 22nd of November 2006;

THE CHAMBER ORDERS the Prosecution to attach Annexes III and IV, redacted as necessary, to the public version of its Final Trial Brief, to be filed by no later than the 27th of November 2006 by 2 p.m.

Done in Freetown, Sierra Leone, this 27th day of November 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]

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[1] SCSL-04-14-T-744.
[2] SCSL-04-14-T-737.
[3] SCSL-04-14-T-24, SCSL-04-14-T-63.
[4] SCSL-04-14-T-468.
[5] *Prosecutor v. Norman, Fofana, Kondewa,* SCSL-04-14-T-703, "Order for Filing Final Trial Briefs and Presenting Closing Arguments", of the 29th of September 2006, Order No. 8.