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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 February 2007

PROSECUTOR **Against** **ISSA HASSAN SESAY**
MORRIS KALLON
AUGUSTINE GBAO
(Case No. SCSL-04-15-T)

Public Document

**DECISION ON SESAY DEFENCE APPLICATION FOR EXTENSION OF TIME TO FILE A
"JOINT STATEMENT OF AGREED FACTS"**

Office of the Prosecutor:

James C. Johnson
Peter Harrison

Defence Counsel for Issa Hassan Sesay:

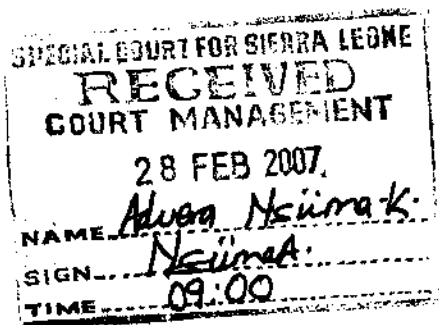
Wayne Jordash
Sareta Ashraph

Defence Counsel for Morris Kallon:

Shekou Touray
Charles Taku
Melron Nicol-Wilson

Court Appointed Counsel for Augustine Gbao:

Andreas O'Shea
John Cammegh



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TRIAL CHAMBER I ("Trial 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;

RECALLING this Chamber's Scheduling Order Concerning the Preparation and the Commencement of the Defence Case, issued on the 30th of October 2006, ("Scheduling Order") ordering each Defence Team to file, by the 16th of February 2007, various materials in preparation for the commencement of the Defence case ("Materials") including, together with the Office of the Prosecutor ("Prosecution"), a joint "statement of agreed facts and matters which are not in dispute as well as a joint statement of contested matters of fact and law" ("Joint Statement of Agreed Facts");

MINDFUL of this Chamber's subsequent Decision and Order on Defence Application for an Adjournment of 16th of February Deadline for Filing of Defence Material, issued on the 7th of February 2007, granting a Defence application for extension of time to file the said Materials until the 5th of March 2007;

SEIZED of the Defence Application for Extension of Time to File a "Joint Statement of Agreed Facts", filed publicly by Defence Counsel for the First Accused, Issa Hassan Sesay, ("Defence") on the 26th of February 2007 ("Application");

CONSIDERING that the Application is made on the basis that the current absence of the Accused Sesay from the jurisdiction of the Special Court for health reasons precludes the Defence from finalising with the Accused its draft proposed agreed facts and, consequently, submitting them to the other Defence Teams and to the Prosecution;¹

MINDFUL of the rights of the Accused, and in particular of the provisions of Article 17 of the Statute of the Special Court on the right to have adequate time and facilities for the preparation of his defence;

FINDING that the request for an extension of time is reasonable given the particular circumstances of this Application;

SATISFIED that an extension of time of 7 days from the date of the return of Accused Sesay in the jurisdiction of the Special Court will provide the Defence with adequate time to finalise with the

¹ Application, paras 3-7.

2. *AST* *B*

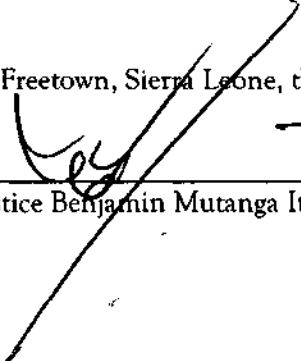
Accused and, subsequently, with the Prosecution its draft proposed agreed facts and be in the interests of justice; 25995

PURSUANT to Rule 7bis, 54 and 73ter(B) of the Rules of Procedure and Evidence;

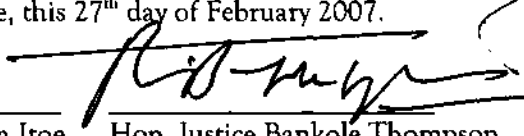
HEREBY GRANTS the Application and, consequently

ORDERS the Defence and the Prosecution to file their Joint Statement of Agreed Facts within 7 days from the return of Accused Sesay in the jurisdiction of the Special Court.

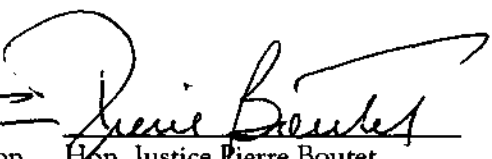
Done at Freetown, Sierra Leone, this 27th day of February 2007.



Hon. Justice Benjamin Mutanga Itoe



Hon. Justice Bankole Thompson
Presiding Judge
Trial Chamber I



Hon. Justice Pierre Boutet

