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SCSL-04-15-T  
(27274 — 27276)



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**SPECIAL COURT FOR SIERRA LEONE**

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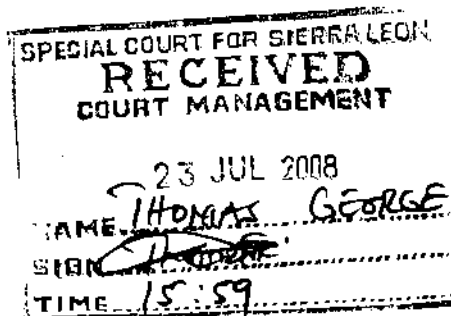
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**TRIAL CHAMBER I**

Before: Hon. Justice Pierre Boutet, Presiding Judge  
Hon. Justice Bankole Thompson  
Hon. Justice Benjamin Mutanga Itoe

Registrar: Herman von Hebel

Date: 23<sup>rd</sup> of July 2008



PROSECUTOR

Against

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

Public Document

**ORDER IN RELATION TO SESAY DEFENCE AND PROSECUTION MOTIONS FOR  
EXTENSIONS TO THE PAGE LIMITS OF THEIR FINAL TRIAL BRIEFS**

Office of the Prosecutor:

Peter Harrison  
Reginald Flynn  
Charles Hardaway  
Vincent Wagana

Defence Counsel for Issa Hassan Sesay:

Wayne Jordash  
Sareta Ashraph

Defence Counsel for Morris Kallon:

Charles Taku  
Kennedy Ogeto  
Lansana Dumbuya  
Tanoo Mylvaganam

Court Appointed Counsel for Augustine Gbao

John Cammegh  
Scott Martin

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

**HAVING RECEIVED** the Sesay Defence Urgent Application for Page Extension for Closing Brief, filed by Counsel for the First Accused, Issa Hassan Sesay ("Sesay Defence") on the 16<sup>th</sup> of July 2008 ("Sesay Motion");

**HAVING RECEIVED** the Urgent Prosecution Motion for Relief to File a Final Brief Not Exceeding 600 Pages, filed by the Office of the Prosecutor ("Prosecution") on the 18<sup>th</sup> of July 2008 ("Prosecution Motion");

**HAVING RECEIVED** the Prosecution Response to Sesay Defence Urgent Application for Page Extension for Closing Brief, filed by the Prosecution on the 18<sup>th</sup> of July 2008;

**HAVING RECEIVED** the Sesay Defence Response to Prosecution Request to File a Final Brief Not Exceeding 600 Pages, filed on the 21<sup>st</sup> of July 2008;

**NOTING** that Art. 6(F) of the Practice Direction on Filing Documents Before the Special Court for Sierra Leone, adopted on the 27<sup>th</sup> of February 2003, amended on the 1<sup>st</sup> of June 2004, the 10<sup>th</sup> of June 2005 and the 16<sup>th</sup> of January 2008, provides, *inter alia* that "final trial submissions shall not exceed 200 pages or 60 000 words, whichever is greater";

**MINDFUL** of the submissions of the Sesay Defence and the Prosecution regarding the length of the final trial briefs made before the Chamber at the Status Conference held on the 12<sup>th</sup> of March 2008;<sup>1</sup>

**MINDFUL** of our Order for the Filing of Final Trial Briefs and Presentation of Closing Arguments, filed on the 29<sup>th</sup> of April 2008;

**CONSIDERING** that the Sesay Defence requests an extension of the page limit for its final trial brief from 400 to 600 pages and that the Prosecution requests an extension of the page limit for its final trial brief from 500 to 600 pages;

**CONSIDERING** that the Prosecution bears the burden of proving its case beyond a reasonable doubt and must file one brief with respect to all three of the RUF Accused;

<sup>1</sup> Transcript of 12 March 2008, Peter Harrison and Wayne Jordash, pp. 47 - 59.

CONSIDERING that case against the First Accused, Issa Hassan Sesay, is larger and more complex than the case against the Second and Third Accused, both of whom were given a limit of 400 pages for their final trial briefs;

CONSIDERING all relevant factors that may be taken into account when filing final trial briefs and having reviewed the practice of other international tribunals on this issue;

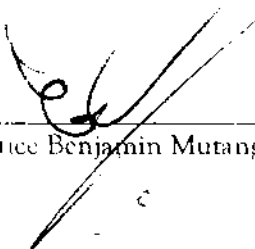
CONSIDERING that it is in the interests of justice and in keeping with the conduct of a fair and expeditious trial, for the Chamber to grant the Sesay Defence and the Prosecution an extension of the page limits set out in our Order for the Filing of Final Trial Briefs and Presentation of Closing Arguments;

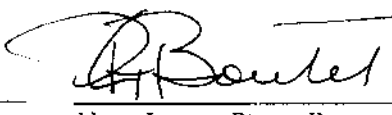
PURSUANT TO Rules 26bis, 54 and 86 of the Rules of Procedure and Evidence of the Special Court;

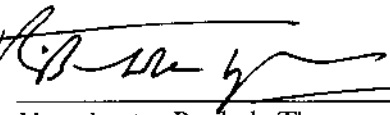
HEREBY ORDERS as follows:

1. The length of the final trial brief filed by the Prosecution shall not exceed 600 pages, including any headings, footnotes and quotations; and,
2. The length of the final trial brief filed by the Sesay Defence shall not exceed 500 pages, including any headings, footnotes and quotations.

Done at Freetown, Sierra Leone, this 23<sup>rd</sup> day of July 2008

  
Hon. Justice Benjamin Mutanga Itoc

  
Hon. Justice Pierre Boutet  
Presiding Judge  
Trial Chamber I

  
Hon. Justice Bankole Thompson

