

**SPECIAL COURT FOR SIERRA LEONE**

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THE TRIAL CHAMBER

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

Registrar: Robin Vincent

Date: 16 June 2004

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

DECISION ON CO-OPERATION BETWEEN THE PARTIES

Office of the Prosecutor:

Lic Côté
Robert Petit

Defence Counsel for Issa Hassan Sesay:

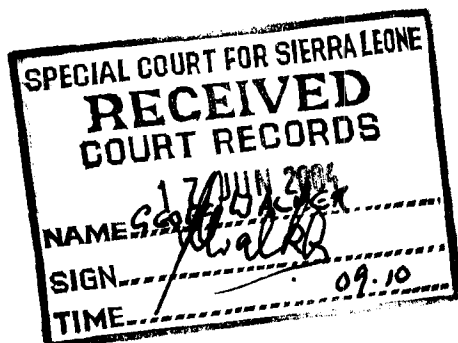
Timothy Clayson
Wayne Jordash

Defence Counsel for Morris Kallon:

Shekou Touray
Melron Nicol-Wilson

Defence Counsel for Augustine Gbao:

Girish Thanki
Andreas O'Shea



THE TRIAL CHAMBER (“Trial Chamber”) of the Special Court for Sierra Leone (“Special Court”) composed of Judge Benjamin Mutanga Itoe, Presiding Judge, Judge Bankole Thompson, and Judge Pierre Boutet;

NOTING the “Prosecutor’s Request to Admit” (“Request”) filed by the Office of the Prosecutor (“Prosecution”) on 3 March 2004, where the Prosecution requested the Defence of Issa Sesay, Morris Kallon and Augustine Gbao to “admit, deny, refuse, or admit/deny in part, each statement in Parts I-II of the Request”;

NOTING the Response of the Defence for Morris Kallon, namely “Defence Response to Prosecutor’s Request to Admit” filed on 18 March 2004;

NOTING that the Prosecution filed its Pre-Trial Brief on 27 February 2004 and a Supplemental Pre-Trial Brief on 21 April 2004;

NOTING that in preparation for the commencement of trial, the Prosecution filed before the Trial Chamber on 26 April 2004,¹ a record of disclosure made to the Defence, containing a list of pseudonyms of each witness it intends to call at trial, together with a report indicating the number of witnesses for whom witness statements or summaries have been disclosed and the count or counts of the Indictment to which the witness will testify, together with copies of documentary exhibits intended for trial;

NOTING that on 4 May 2004, the Prosecution filed a chart² identifying the specific evidence on which the Prosecution intends to rely to establish each allegation contained in the Consolidated Indictment;

NOTING that the Prosecution filed before the Trial Chamber on 11 May 2004 an updated compliance report³;

NOTING that at the Pre-Trial Conference held on 29 April 2004, the parties were encouraged to continue to meet to seek agreement on points of fact and law;

CONSIDERING that points of agreement between the parties would help to expedite the trial and be in the interests of justice;

CONSIDERING that the filing of the Prosecution Supplemental Pre-Trial Brief and the disclosure by the Prosecution of materials listed above, provides a basis for the parties to agree at this time, where possible, on a number of factual and legal matters that are not in dispute, and that the parties will have the opportunity to continue to meet and agree to points of fact and law throughout the trial;

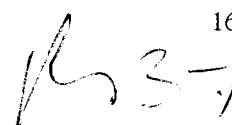
PURSUANT TO Rules 54 and 73 *bis* of the Rules of Procedure and Evidence of the Special Court;

¹ Materials Filed Pursuant to Order to the Prosecution to File Disclosure Materials and Other Materials in Preparation for the Commencement of Trial of 1 April 2004.

² Prosecution Chart Indicating Documentary and Testimonial Evidence by Paragraph of Consolidated Indictment Pursuant to Trial Chamber Order Dated 1 April 2004.

³ Updated Compliance Report Filed Pursuant to Undertaking by the Prosecution in Pre-Trial Conference on 29 April 2004 (RUF).






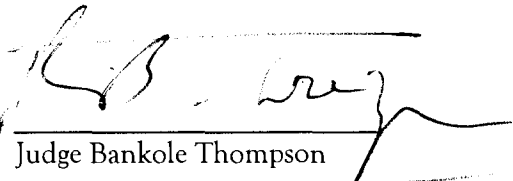
ORDERS as follows:

- (1) The parties to submit a joint statement, signed by both parties, no later than 1 July 2004, stating all the agreed points of fact and law reached by them;
- (2) The parties to intensify their efforts to identify further points of agreement and to submit a report on the progress made every fifteen (15) days from the date of this decision, until further notice by the Trial Chamber.

Done at Freetown this 16th day of June 2004


 Judge Pierre Boutet


 Judge Benjamin Mutanga Itoe


 Judge Bankole Thompson

Presiding Judge,
 Trial Chamber

