

SPECIAL COURT FOR SIERRA LEONE

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THE TRIAL CHAMBER

Before: Hon.

Hon. Judge Benjamin Mutanga Itoe, Presiding Judge

Hon. Judge Bankole Thompson

Hon. Judge Pierre Boutet

Registrar:

Robin Vincent

Date:

9th of November, 2004

PROSECUTOR

Against

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

RULING GRANTING THE PROSECUTION LEAVE TO SUBMIT SUPPLEMENTARY MATERIALS

Office of the Prosecutor:

SPECIAL COURT FOR STERMA LEGNE

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09 NOV 2004

NAME NEIL GIBSON

Luc Côté

James Johnson

Court Appointed Counsel for Sam Hinga Norman:

Dr. Bu-Buakei Jabbi

John Wesley Hall, Jr.

Tim Owen, Q.C.

Quincy Whitaker

Court Appointed Counsel for Moinina Fofana:

Michiel Pestman

Arrow Bockarie

Victor Koppe

Court Appointed Counsel for Allieu Kondewa:

Charles Margai

Yada Williams

Ansu Lansana

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

SEIZED of Prosecution Motion for the Immediate Cessation of Violations of the Orders on Protective Measures for Witnesses and for Contempt, including confidential Annex A, filed on the 25th of October, 2004 ("1st Motion");

SEIZED of the Defence Reply to Prosecution Motion for the Immediate Cessation of Violations of the Orders on Protective Measures for Witnesses and for Contempt, filed on the 1st of November, 2004 ("Response");

SEIZED of the Prosecution Confidential Supplementary Documents to the Motion for the Immediate Cessation of Violations of the Orders on Protective Measures for Witnesses and for Contempt, filed on the 1st of November, 2004 ("Supplementary Materials");

NOTING the Trial Chamber's Order to Prosecution to Re-file Motion and Seek Leave to Submit Supplementary Materials, filed on the 3rd of November, 2004 ("Order");

CONSIDERING that pursuant to the Order the Prosecution filed Confidential Prosecution Motion to Seek Leave to Submit Supplementary Materials on the 5th of November, 2004 ("2nd Motion"), where the Prosecution states its reasons for submitting such Supplementary Materials; ¹

NOTING that pursuant to the Order the Defence filed *Defence Reply* to the Confidential Prosecution Motion to Seek Leave to Submit Supplementary Materials on the 8th of November, 2004 ("2nd Response"), where the Defence informs the Trial Chamber that it does not intend to file a response to the Prosecution 2nd Motion since "all relevant matters have already been canvassed";²

NOTING that the Prosecution states that it has no intention to file a reply to the Defence Response;³

CONSIDERING that the Prosecution has demonstrated good cause for filing the Supplementary Materials, which are relevant for the Trial Chamber's consideration of the 1st Motion;

PURSUANT TO Rule 54 of the Rules of Procedure and Evidence of the Special Court;

HEREBY GRANTS the 2nd Motion;

Done in Freetown, Sierra Leone, this 9th day of November, 2004.

Hon. Judge Pierre Boutet

Hon. Judge Bonjairin Makanga Itoe

Hon. Judge Bankole Thompson

Presiding Judge, Trial Chamber

[Seal of the Special Court for Signa Leo

Case No. SCSL-04-14-T

9th of November, 2004

¹ 2nd Motion, para. 2.

² 2nd Response, para. 1.

³ Ibid., para. 5.