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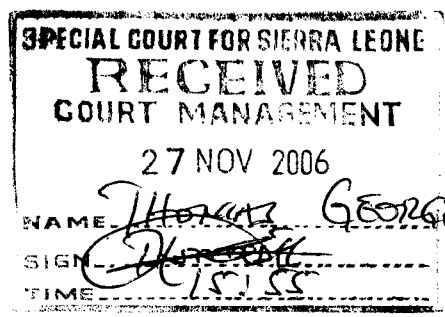
SCSL-04-16-1
(19338-19340)

19338

**SPECIAL COURT FOR
SIERRA LEONE**

Case No. SCSL-2004-16-T

BEFORE: Hon. Justice Richard Lussick, Presiding
Hon. Justice Julia Sebutinde
Hon. Justice Teresa Doherty



Registrar: Mr. Lovemore G. Munlo SC

Date filed: 27 November 2006

THE PROSECUTOR

Against

ALEX TAMBA BRIMA

PUBLIC
**BRIMA DEFENCE RESPONSE TO URGENT PROSECUTION MOTION FOR
RELIEF TO FILE A FINAL BRIEF NOT EXCEEDING 500 PAGES**

Office of the Prosecutor:
Mr. Christopher Staker
Mr. Karim Agha
Mr. Charles Hardaway

Defence Counsel for Brima
Mr. Kojo Graham
Ms. Glenna Thompson

Defence Counsel for Kanu:
Mr. Geert-Jan Alexander Knoops
Ms. Carry Knoops
Mr. Agibola E. Manly-Spain

Defence Counsel for Kamara:
Mr. Andrew Daniels
Mr. Mohamed Pa-Momo Fofanah

I. INTRODUCTION AND SUMMARY OF PROCEEDINGS

1. The Defence herewith files this “Response to the Urgent Prosecution Motion for Relief to file a Closing Brief Not Exceeding 500 pages” (“Response”).
2. On the 30th October the Trial Chamber ordered the Prosecution to file, one consolidated closing brief in respect of all three accused persons.¹
3. The Trial Chamber further ordered that this consolidated brief shall not exceed 400 pages.²

II ARGUMENTS

4. The Defence argues that this motion has come too late in the day, given that all parties are merely 4 days from the date for all final briefs to be filed.
5. The Prosecution should have known very earlier, if not very soon after the 30th October, that it may become necessary for them to exceed the required 400 pages and should have made the application then.
6. The Defence also argues, that the content of the Final Briefs are more important than the number of pages. The Prosecution must therefore be able to fit all that it intends to address the Trial Chamber on in 400 pages. Moreover this is not a jury trial, where jurors were prone to memory lapses in a long trial. This is a trial by experienced and professional Judges who had been present in the trial throughout and do not need the aid of extra long written arguments.
7. The Defence also argues that the Prosecution like the Defence has the benefit to address the Trial Chamber in oral submissions.

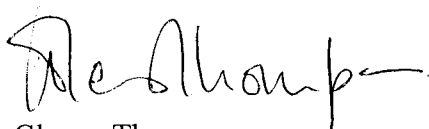
¹ Prosecutor v Brima, Kamara, Kanu, SCSL-4—16-T-581, “Order for filing of Final Trial Briefs and Presentation of Closing Arguments”, 30th October 2006

² Id para 6a

III CONCLUSIONS

8. The Defence therefore asks that the Prosecution motion is dismissed in its entirety.

Signed in Freetown this
27th day of November 2006



Glenna Thompson

Co Counsel Brima Defence