

591.

**SPECIAL COURT FOR
SIERRA LEONE**

SCSL-04-16-T
(19341-19343)

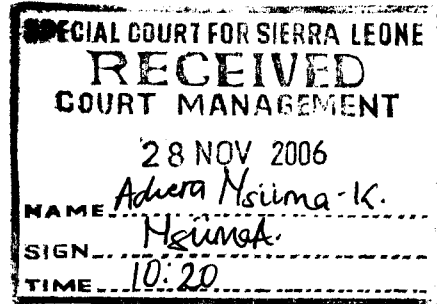
19341

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: 28 November 2006



THE PROSECUTOR

Against

ALEX TAMBA BRIMA

BRIMA BAZZY KAMARA

SANTIGIE BORBOR KANU

PUBLIC

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

II ARGUMENTS

4. The Defence argues that the Prosecution should have, given the work load reasonably foreseen that 400 page will not have been sufficient to put its case forward. Noting that the 400 pages was proposed by Prosecution, it was the Defence understanding that that figure was reached after a careful evaluation of the Prosecution case. It is common knowledge and the Prosecution should have taken in to consideration that the CDF Indictment contains 8 counts and the AFRC Indictment 14 counts. The Prosecution cannot possible say 4 days to filing of the Closing Brief that they were misguided by the order in the CDF case.³
5. The Defence argues that the Prosecution, likewise the Defence has the opportunity to address issues that were not in its closing brief in its closing arguments.
6. The Kamara Defence submits that it will not be impossible to evaluate an additional 100 pages given the time frame and the resources already put in place by the Kamara team and thus if granted will prejudice the Second Accused case.

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

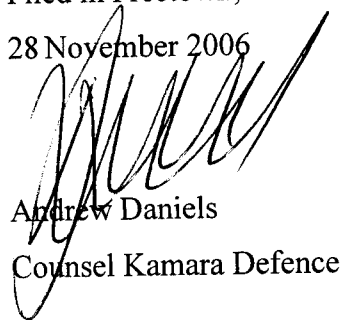
³ *Prosecution v Norman, Fofana, Kondewa*, SCSL-04—14-T-703, “Order for filing of Final Trial Briefs and Presentation of Closing Arguments”, 29th September 2006

III CONCLUSIONS

7. The Defence respectfully requests the Honorable Trial Chamber to dismiss Prosecution motion in its entirety.

Filed in Freetown,

28 November 2006



Andrew Daniels

Counsel Kamara Defence