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SCSL-04-16-A

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(014 - 018)

SPECIAL COURT FOR SIERRA LEONE
Freetown – Sierra Leone

IN THE APPEALS CHAMBER

Before: Hon. Justice George Gelaga King, President
Hon. Justice Emmanuel Ayoola
Hon. Justice A. Raja N. Fernando
Hon. Justice Renate Winter
Hon. Justice Geoffrey Robertson, QC

Acting Registrar: Mr. Herman Von Hebel

Date filed: 2 August 2007

THE PROSECUTOR

Against

**Alex Tamba Brima
Brima Bazzy Kamara
Santigie Borbor Kanu**

Case No. SCSL-04-16-A

PUBLIC

URGENT

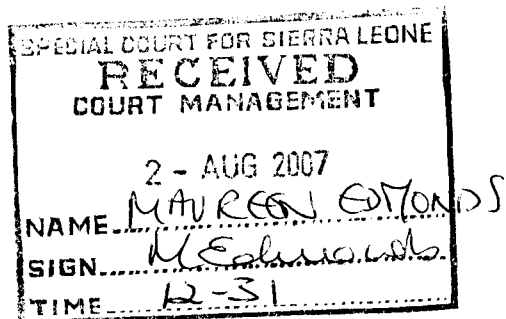
**JOINT DEFENCE AND PROSECUTION MOTION FOR AN EXTENSION OF TIME
FOR THE FILING OF APPEAL BRIEFS**

Office of the Prosecutor:
Dr. Christopher Staker

Defence Counsel for Alex Tamba Brima
Mr. Kojo Graham

Defence Counsel for Brima Bazzy Kamara
Mr. Andrew Daniels

Defence Counsel for Santigie Borbor Kanu
Mr. Agibola E. Manley-Spain



1. The Defence for all three Convicted Persons, and the Prosecution, jointly file this motion, seeking an order extending the time limit under Rule 111 for the filing of all parties' appeal briefs.
2. Under Rule 111, each party's appeal brief is due to be filed within 21 days from the date of filing of that party's notice of appeal under Rule 108, which in turn must be filed within 14 days of the Trial Chamber's Sentencing Judgement. In this case, the Trial Chamber's Sentencing Judgement was rendered on 19 July 2007, so that the deadline for notices of appeal is 2 August 2007, and the deadline for appeal briefs is 23 August 2007.
3. The parties jointly request an extension of time of 3 weeks for the filing of the appeal briefs, until 13 September 2007.
4. All parties to this appeal are committed to ensuring that these proceedings are conducted as expeditiously and efficiently as possible, and without unnecessary delay. However, due to the size of the Trial Chamber's Judgement in this case, the fact that the August recess fall during this period, the fact that Defence counsel for the appeal were not appointed until after the Sentencing Judgement was rendered, and the fact that the Trial Chamber issued a Corrigendum to its Judgement on 19 July 2007¹ making certain changes to the original Judgement rendered on 20 June 2007,² all parties submit that the requested extension is necessary, and that good cause for the extension of time has been established.
5. The parties do not at this stage request any extension of time for their response briefs under Rule 112, or their reply briefs under Rule 113. Until each of the parties has seen the other side's appeal briefs, they will not be in a position to assess whether an extension of time will be necessary for their response briefs,

¹ SCSL-16-628, Registry page nos. 23025-23678.

² SCSL-16-613, Registry page nos. 21465-22096.

and if so, how long an extension is necessary. Similarly, until each of the parties has seen the other side's response briefs, they will not be in a position to assess whether an extension of time will be necessary for their reply briefs. However, all of the parties foreshadow that a modest extension of time is likely to be requested for the response briefs after the appeal briefs have been filed, and that a similarly modest extension of time is likely to be requested for the reply briefs after the response briefs have been filed.

6. In this respect it is observed that under Article 6(E)(i) of the Practice Direction on Filing Documents before the Special Court for Sierra Leone, adopted on 27 February 2003 (as last amended on 10 June 2005) (the "**Practice Direction**"), the page limit for the appeal brief of the Prosecution will be 170 pages or 50,000 words, whichever is the greater. If a Prosecution appeal brief of this magnitude is filed, the Defence considers it unlikely that it could respond adequately within the 14 day time limit prescribed by Rule 112. Under Article 6(E)(i) of the Practice Direction, the page limit for the appeal brief of each convicted person is 100 pages or 30,000 words, whichever is the greater. If each of the Defence teams files an appeal brief of this magnitude (so that the Prosecution has to respond to 300 pages of Defence submissions), the Prosecution similarly considers it unlikely that it could respond adequately in 14 days. Similarly, the Prosecution doubts that it could respond adequately to three Defence response briefs within the 5 day time limit prescribed by Rule 113.
7. After the appeal briefs of all parties have been filed, all of the parties propose to consult again. If there is a common view that an extension of time of a particular length is necessary for the response briefs, the parties propose to file another joint motion at that stage. If such a joint motion is filed, the parties respectfully request the Appeals Chamber to decide the motion as a matter of urgency, to enable the parties to organize their work.

8. After the response briefs have been filed, the parties propose to follow the same approach in relation to any request for an extension of the time limit for the reply briefs.
9. The Defence for all three Convicted Persons, and the Prosecution, therefore request the Appeals Chamber to extend the time limit under Rule 111 in this case until 13 September 2007.
10. The parties also respectfully request the Appeals Chamber to decide this motion as a matter of urgency, to enable the parties to organize their work.

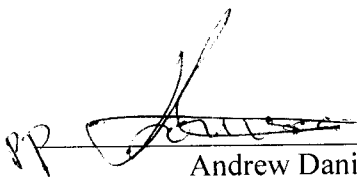
Filed in Freetown,
2 August 2007



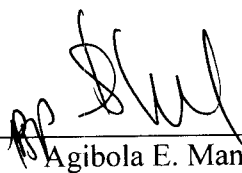
Christopher Staker
Deputy Prosecutor



Kojo Graham
Defence Counsel for Alex Tamba Brima



Andrew Daniels
Defence Counsel for Brima Bazy Kamara



Agibola E. Manley-Spain
Defence Counsel for Santigie Borbor Kanu

INDEX OF AUTHORITIES**SCSL:**

1. Practice Direction on Filing Documents before the Special Court for Sierra Leone, adopted on 27 February 2003 (as last amended on 10 June 2005).