



SPECIAL COURT FOR SIERRA LEONE

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CMS7 FORM

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SCSL-04-14-T
(14494-14501)

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SPECIAL COURT FOR SIERRA LEONE

In Trial Chamber I

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

Interim Registrar: Mr Lovemore Munlo

Date: 16 December 2005

THE PROSECUTOR

-against-

SAMUEL HINGA NORMAN, MOININA FOFANA, and ALLIEU KONDEWA

SCSL-2004-14-T

**ADDITIONAL FOFANA MATERIALS FILED PURSUANT
TO THE DISCLOSURE ORDERS OF TRIAL CHAMBER I**

For the Office of the Prosecutor:

Mr James C. Johnson
Mr Kevin Tavener
Ms Nina Jørgensen
Mr Marco Bundi

For Moinina Fofana:

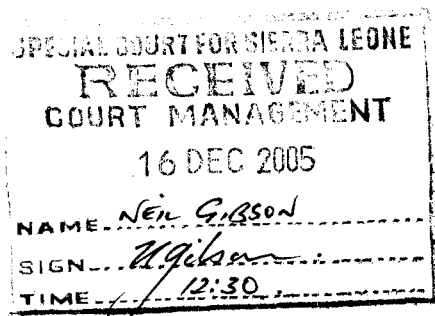
Mr Victor Koppe
Mr Arrow Bockarie
Mr Michiel Pestman
Mr Andrew Ianuzzi

For Samuel Hinga Norman:

Mr John Wesley Hall
Dr Bu-Buakei Jabbi
Ms Clare DaSilva
Mr Kingsley Belle

For Allieu Kondewa:

Mr Charles Margai
Mr Yada Williams
Mr Ansu Lansana
Ms Susan Wright
Mr Martin Michael



INTRODUCTION

1. Considering the 'Order Concerning the Preparation and Presentation of the Defence Case'¹; the 'Consequential Order for Compliance with the Order Concerning the Preparation and Presentation of the Defence Case'²; the 'Decision on Urgent Motion for Reconsideration of the Orders for Compliance with the Order Concerning the Preparation and Presentation of the Defence Case'³; the 'Order to the Defence for the Filing of an Evidentiary Chart'⁴; further, that no decision has been rendered on the 'Urgent Fofana Request for Leave to Appeal the 7 December 2005 Decision of Trial Chamber I'⁵, in which counsel for Mr Fofana (the "Defence") made a renewed request for a stay of the disputed portions of the above-mentioned orders; and finally, that today is the last day on which to file documents with the Court Management Section of the Registry prior to the imminent judicial recess⁶, the Defence hereby discloses the following materials.

MATERIALS

Names of Proposed Witnesses

2. In compliance with paragraph 2(a)(i) of the above-referenced orders, the Defence refers the Chamber to Annex A of the instant submissions.

Evidentiary Chart

3. In compliance with paragraph 2(d) of the above-referenced orders, the Defence refers the Chamber to Annex B of the instant submissions.

CONCLUSION

4. The Defence looks forward to commencing its case promptly on 17 January 2006.

¹ *Prosecutor v. Norman et al.*, SCSL-2004-14-T-474, Trial Chamber I, 21 October 2005.

² *Norman et al.*, SCSL-2004-14-T-489, Trial Chamber I, 28 November 2005.

³ *Norman et al.*, SCSL-2004-14-T-507, Trial Chamber I, 7 December 2005.

⁴ *Norman et al.*, SCSL-2004-14-T-514, Trial Chamber I, 9 December 2005.

⁵ *Norman et al.*, SCSL-2004-14-T-516, Trial Chamber I, 12 December 2005.

⁶ See SCSL-2004-14-T-476, The President, 'Order Designating Judicial Recess' 25 October 2005.

COUNSEL FOR MOININA FOFANA

PP 

Victor Koppe

ANNEX A

Names of Confirmed Witnesses

NUMBER	NAME
DWF-001	Ishmail KOROMA
DWF-002	Mustapha KOROMA
DWF-003	Mohammed MANSARAY
DWF-004	Kamoh Lahai BANGURA
DWF-005	Kenneth KOKER
DWF-006	Mohammed FALLON
DWF-007	Arthur KOROMA
DWF-008	Albert Joe DEMBY
DWF-009	Charles MOIWO
DWF-010	Joseph LAPPIA
DWF-011	Augustine NGAUJA
DWF-012	Edmund Frank DAVIES
DWF-013	Dixon KOSIA
DWF-014	Hassan DÉCOR
DWF-015	Vandi SOKA
DWF-016	Brima SEI
DWF-017	Musa JUNISA
DWF-018	Joseph LANSANA
DWF-019	Moriba SELLU
DWF-020	Junisa CONNEH
DWF-021	Dema MOSERAY
DWF-022	Tommy JABBI
DWF-023	Frances FORTUNE
DWF-024	Raymond MURPHY, PhD
DWF-025	Daniel HOFFMAN, PhD

Names of Unconfirmed/Backup Witnesses

NUMBER	NAME
DWF-026	Ahmed Tejan KABBAH
DWF-027	Foday SESAY
DWF-028	Baimba ARUNA
DWF-029	Olon BAKER
DWF-030	Tejan SANKOH
DWF-031	Kinny TORMA
DWF-032	Mohammed COLLIER
DWF-033	Eddie SAMU
DWF-034	Ibrahim MASSAQUOI
DWF-035	Mobino ROGERS
DWF-036	John LANGBA
DWF-037	Victor MALU
DWF-038	A. Mohammed WAN
DWF-039	[Unknown] IYAJI
DWF-040	Buhari MUSA
DWF-041	Neil ELLIS
DWF-042	Simon ARTHY

ANNEX B
Evidentiary Chart

PARAGRAPH OF THE INDICTMENT ⁷	PROPOSED TESTIMONIAL EVIDENCE ⁸	PROPOSED DOCUMENTARY EVIDENCE ⁹
6	Ray MURPHY, Daniel HOFFMAN	n/a
10	Ishmail KOROMA, Mustapha KOROMA, Mohammed MANSARAY, Kamoh Lahai BANGURA, Kenneth KOKER, Arthur KOROMA, Albert Joe DEMBY, Charles MOIWO, Joseph LAPPYA, Edmund Frank DAVIES, Dixon KOSIA, Hassan DECOR, Vandii SOKA, Brima SEI, Musa JUNISA, Frances FORTUNE, Ahmed Tejan KABBAAH, Foday SESAY, Baimba ARUNA, Olon BAKER, Tejan SANKOH, Kinny TORMA, Mohammed COLLIER, John LANGBA, Victor MALU, A. Mohammed WAN, [unkown] IYAJI, Buhari MUSA, Neil ELLIS, Simon ARTHY	<i>See Document SCSL-2004-14-T-500, Annex C</i>
14	Ishmail KOROMA, Mustapha KOROMA, Mohammed MANSARAY, Kamoh Lahai BANGURA, Kenneth KOKER, Arthur KOROMA, Albert Joe DEMBY, Charles MOIWO, Joseph LAPPYA, Edmund Frank DAVIES, Dixon KOSIA, Hassan DECOR, Vandii SOKA, Brima SEI, Musa JUNISA, Frances FORTUNE, Ahmed Tejan KABBAAH, Foday SESAY, Baimba ARUNA, Olon BAKER, Tejan SANKOH, Kinny TORMA, Mohammed COLLIER, John LANGBA, Victor MALU, A. Mohammed WAN, [unkown] IYAJI, Buhari MUSA, Neil ELLIS, Simon ARTHY	<i>See Document SCSL-2004-14-T-500, Annex C</i>
15	Ishmail KOROMA, Mustapha KOROMA, Mohammed MANSARAY, Kamoh Lahai BANGURA, Kenneth KOKER, Arthur KOROMA, Albert Joe DEMBY, Charles MOIWO, Joseph	<i>See Document SCSL-2004-14-T-500, Annex C</i>

⁷ The Defence reserves its right to present both testimonial and documentary evidence with respect to paragraphs not currently listed in this chart, or to reallocate such testimony according to the development of the Defence case

⁸ See summaries of respective proposed witnesses testimony in Document SCSL-2004-14-T-500, Annex A.

⁹ The majority of the proposed documentary evidence will relate to the jurisdictional and evidentiary concept of "greatest responsibility" under Article 1(1) of the Statute of the Special Court (the "Statute") and the command responsibility theory of liability under Article 6(3) of the Statute. Accordingly, the Defence refers the Chamber to its entire list of proposed documentary evidence with respect to those paragraphs of the indictment related to Articles 1(1) and 6(3).

PARAGRAPH OF THE INDICTMENT ⁷	PROPOSED TESTIMONIAL EVIDENCE ⁸	PROPOSED DOCUMENTARY EVIDENCE ⁹
	LAPPIA, Edmund Frank DAVIES, Dixon KOSIA, Hassan DECOR, Vandi SOKA, Brima SEI, Musa JUNISA, Frances FORTUNE, Ray MURPHY, Daniel HOFFMAN, Ahmed Tejan KABBAH, Foday SESAY, Baimba ARUNA, Olon BAKER, Tejan SANKOH, Kinny TORMA, Mohammed COLLIER, John LANGBA, Victor MALU, A. Mohammed WAN, [unkown] IYAJI, Buhari MUSA, Neil ELLIS, Simon ARTHY	
18	Ishmail KOROMA, Mustapha KOROMA, Mohammed MANSARAY, Kamoh Lahai BANGURA, Kenneth KOKER, Arthur KOROMA, Albert Joe DEMBY, Charles MOIWO, Joseph LAPPIA, Edmund Frank DAVIES, Dixon KOSIA, Hassan DECOR, Vandi SOKA, Brima SEI, Musa JUNISA, Frances FORTUNE, Ray MURPHY, Daniel HOFFMAN, Ahmed Tejan KABBAH, Foday SESAY, Baimba ARUNA, Olon BAKER, Tejan SANKOH, Kinny TORMA, Mohammed COLLIER, John LANGBA, Victor MALU, A. Mohammed WAN, [unkown] IYAJI, Buhari MUSA, Neil ELLIS, Simon ARTHY	See Document SCSL-2004-14-T-500, Annex C
19	Ishmail KOROMA, Mustapha KOROMA, Mohammed MANSARAY, Kamoh Lahai BANGURA, Kenneth KOKER, Arthur KOROMA, Albert Joe DEMBY, Charles MOIWO, Joseph LAPPIA, Edmund Frank DAVIES, Dixon KOSIA, Hassan DECOR, Vandi SOKA, Brima SEI, Musa JUNISA, Frances FORTUNE, Ahmed Tejan KABBAH, Foday SESAY, Baimba ARUNA, Olon BAKER, Tejan SANKOH, Kinny TORMA, Mohammed COLLIER, John LANGBA, Victor MALU, A. Mohammed WAN, [unkown] IYAJI, Buhari MUSA, Neil ELLIS, Simon ARTHY	See Document SCSL-2004-14-T-500, Annex C
20	Ishmail KOROMA, Mustapha KOROMA, Mohammed MANSARAY, Kamoh Lahai BANGURA, Kenneth KOKER, Arthur KOROMA, Albert Joe DEMBY, Charles MOIWO, Joseph LAPPIA, Edmund Frank DAVIES, Dixon KOSIA, Hassan DECOR, Vandi SOKA, Brima SEI, Musa JUNISA, Frances FORTUNE, Ahmed Tejan	n/a

PARAGRAPH OF THE INDICTMENT	PROPOSED TESTIMONIAL EVIDENCE ⁸	PROPOSED DOCUMENTARY EVIDENCE ⁹
	KABBAH, Foday SESAY, Baimba ARUNA, Olon BAKER, Tejan SANKOH, Kinny TORMA, Mohammed COLLIER, John LANGBA, Victor MALU, A. Mohammed WAN, [unkown] IYAJI, Buhari MUSA, Neil ELLIS, Simon ARTHY	
21	Ishmail KOROMA, Mustapha KOROMA, Mohammed MANSARAY, Kamoh Lahai BANGURA, Kenneth KOKER, Arthur KOROMA, Albert Joe DEMBY, Charles MOIWO, Joseph LAPPPIA, Edmund Frank DAVIES, Dixon KOSIA, Hassan DECOR, Vandii SOKA, Brima SEI, Musa JUNISA, Frances FORTUNE, Ahmed Tejan KABBAH, Foday SESAY, Baimba ARUNA, Olon BAKER, Tejan SANKOH, Kinny TORMA, Mohammed COLLIER, John LANGBA, Victor MALU, A. Mohammed WAN, [unkown] IYAJI, Buhari MUSA, Neil ELLIS, Simon ARTHY	<i>See Document SCSL-2004-14-T-500, Annex C</i>
25	Mohammed FALLON, Joseph LANSANA, Moriba SELLU, Junisa CONNEH, Dema MOSERAY, Tommy JABBI, Ibrahim MASSAQUOI, Mobino ROGERS	n/a
26	Mohammed FALLON, Joseph LANSANA, Moriba SELLU, Junisa CONNEH, Dema MOSERAY, Tommy JABBI, Ibrahim MASSAQUOI, Mobino ROGERS	n/a
27	Mohammed FALLON, Joseph LANSANA, Moriba SELLU, Junisa CONNEH, Dema MOSERAY, Tommy JABBI, Eddie SAMU, Ibrahim MASSAQUOI, Mobino ROGERS	n/a