

044

S.C.P.L - 2003 - 08 - PT - 044

760



(760-762)

SPECIAL COURT FOR SIERRA LEONE

JOMO KENYATTA ROAD • FREETOWN • SIERRA LEONE

PHONE: +1 212 963 9915 Extension: 178 7000 or +39 0831 257000 or +232 22 295995

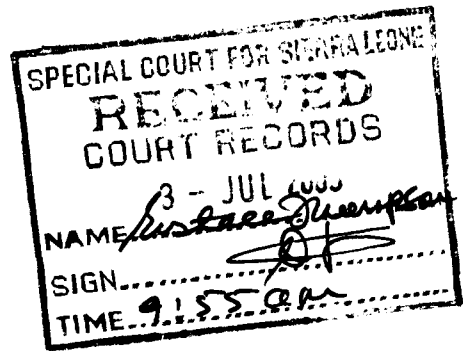
FAX: Extension: 178 7001 or +39 0831 257001 Extension: 174 6996 or +232 22 295996

THE TRIAL CHAMBER

Before: Judge Bankole Thompson, Presiding Judge
Judge Mutanga Itoe
Judge Pierre Boutet

Registrar: Robin Vincent

Date: 3 July 2003



The Prosecutor against

Sam Hinga Norman
(Case No.SCSL-2002-08-PT)

**ORDER ON THE PROSECUTIONS APPLICATION FOR AN EXTENSION OF
TIME TO RESPOND TO FOUR DEFENCE MOTIONS AS TO JURSDICTION**

Office of the Prosecutor:
Desmond de Silva, QC

Defence Counsel:
James Blyden Jenkins-Johnson
Sulaiman Banja Tejan-Sie

THE SPECIAL COURT FOR SIERRA LEONE (“the Special Court”)

SITTING as Trial Chamber (“the Trial Chamber”), composed of Judge Bankole Thompson, Presiding Judge, Judge Benjamin Mutanga Itoe, and Judge Pierre Boutet;

BEING SEIZED of the Prosecution Application for an Extension of Time to respond to four Defence Motions as to Jurisdiction dated 2nd day of July 2003 (“the Application”);

CONSIDERING the four Motions of the Defence titled: (1) Preliminary Motion Based on Lack of Jurisdiction: Lawfulness of the Court’s Establishment, (2) Preliminary Motion Based on Lack of Jurisdiction: Command Responsibility, (3) Preliminary Motion Based on Lack of Jurisdiction: Judicial Independence, and (4) Preliminary Motion Based on Lack of Jurisdiction: Child Recruitment (“the Preliminary Motions”) all dated 26th day of June 2003;

CONSIDERING that the Application states that the Office of the Prosecutor due to the movement from its present address to its new premises at the New England Complex in Freetown is unable to access files electronically or otherwise or to do any legal research on the internet;

CONSIDERING that in accordance with Rule 7 of the Rules of Procedure and Evidence (“the Rules”) a Response to the Preliminary Motions should be filed by the 4th day of July 2003;

CONSIDERING that the Prosecution seeks to be granted an extension of time until the 7th day of July to file its Responses to the Preliminary Motions;

AFTER HAVING DELIBERATED:

CONSIDERING the Statute and the Rules and in particular Rule 7 and Rule 54 of the Rules;

CONSIDERING that under Rule 7 of the Rules it remains to the discretion of the Chamber to extend or abbreviate the time limits for Responses and Replies without particular requirements;

CONSIDERING FURTHER that the Trial Chamber decided in other cases that such an extension or abbreviation should only be granted in exceptional circumstances or for good cause;

CONSIDERING that the facts submitted by the Prosecution constitute good cause;

FOR THESE REASONS THE SPECIAL COURT

HEREBY GRANTS an extension of time until the 7th day of July 2003 to file a Response to the following:

- (1) Preliminary Motion Based on Lack of Jurisdiction: Lawfulness of the Court's Establishment,
- (2) Preliminary Motion Based on Lack of Jurisdiction: Command Responsibility,
- (3) Preliminary Motion Based on Lack of Jurisdiction: Judicial Independence, and
- (4) Preliminary Motion Based on Lack of Jurisdiction: Child Recruitment

Done at Freetown, Sierra Leone, this 3rd day of June 2003



Judge Pierre Boutet
Trial Chamber

