

SCSL - 04 - 14 - T  
(15144 - 15147)  
**PUBLIC DOCUMENT**

**THE SPECIAL COURT FOR SIERRA LEONE**  
**FREETOWN-SIERRA LEONE**  
**TRIAL CHAMBER 1**

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

**Registrar:** MR. LOVEMORE G. MUNLO, SC

**Date:** 3<sup>rd</sup> APRIL 2006

**THE PROSECUTOR**

**Against**

**SAMUEL HINGA NORMAN, MOININA FOFANA and ALLIEU KONDEWA**  
**CASE NO. SCSL-2004-14-T**

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**SUBMISSIONS BY COUNSEL FOR THIRD ACCUSED ALLIEU KONDEWA PURSUANT  
TO THE CONSEQUENTIAL ORDER TO THE STATUS CONFERENCE OF THE 22<sup>ND</sup> DAY OF  
MARCH 2006**

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**Office of the Prosecutor:**

Mr. Desmond de Silva  
Mr. Christopher Staker  
Mr. James C. Johnson  
Mr. Kevin Tavener  
Ms. Nina JØrgensen

**Court Appointed Counsel for Samuel Hinga Norman**

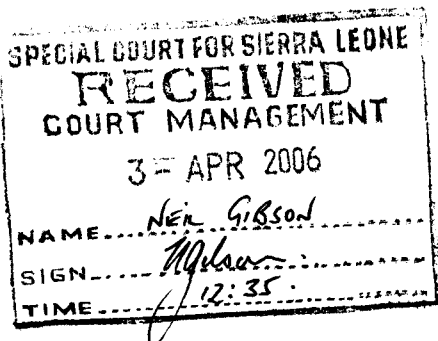
Dr. Bu-Buakei Jabbi  
John Wesley Hall Jr.  
Alusine Sesay  
Claire da Silva(Legal Assistant)

**Court Appointed Counsel for Moinina Fofana:**

Victor Koppe  
Michiel Pestman  
Arrow J. Bockarie  
Andrew Iannuzzi(Legal Assistant)

**Court Appointed Counsel for Allieu Kondewa:**

Charles Margai  
Yada Williams  
Ansu Lansana  
Susan Wright  
Martin E. Michael (Legal Assistant)



## INTRODUCTION

1. Counsel for the Third Accused, Allieu Kondewa, hereby make the following submissions in respect of paragraphs 7, 8 and 9 of the 'Consequential Order to the Status Conference of 22 March 2006'<sup>1</sup> (hereinafter referred to as the Consequential Order)

### SUBMISSIONS

#### PARAGRAPH 7: COMMON WITNESSES

2. The Defence for the Third Accused refer to paragraph 7<sup>2</sup> of the orders contained in the Consequential Order and would submit that they have coordinated with the Fofana team and in consequence thereof, do not intend to call in chief witnesses common to their witness list and the Fofana witness list. Leave would be sought to remove from the list of witnesses for the Third Accused the names of those witnesses also to be called by the Fofana Defence. Counsel for the Third Accused intend to cross examine those witnesses when called in chief by the Fofana Defence.

3. Counsel submit that the witnesses common to the First Accused and the Third Accused shall remain on the list until further notice. In the event that the Norman Defence, currently in the process of finalising their witness list, decide to call the witnesses common to the Norman and Kondewa witness lists, the Defence for the Third Accused shall not treat those witnesses as Common and shall seek leave to withdraw such witnesses from the witness list of the Third Accused.

4. The Defence for the Third Accused shall therefore file, as soon as they receive a final witness list from the Norman Defence Team, a revised witness list with the names of those witnesses common to the Fofana witness list and the Norman witness list removed from their witness list.

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<sup>1</sup>PROSECUTOR V NORMAN ET AL.,SCSL-2004-14-T-575,Trial Chamber I,23 March 2006-03-29

<sup>2</sup>*Ibid*

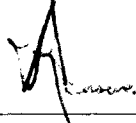
PARAGRAPH 8 : ADMISSIONS

3. The Defence for the Third Accused refer to paragraph 8<sup>3</sup> of the orders contained in the Consequential Order and file herewith as ANNEXE A, a statement of admissions and issues not in dispute.

PARAGRAPH 9: JOINT ADMISSIONS

4. The Defence for the Third Accused refer to paragraph 9<sup>4</sup> of the orders contained in the Consequential Order and would submit that they have approached the Office of the Prosecutor for discussions to be held on the issue of joint admissions on points of Law and Fact but that such meetings have not yet materialised. As soon as such a meeting is held the Defence For Allieu Kondewa will file a statement of agreed points of Law and facts, if any.

COUNSEL FOR ALLIEU KONDEWA

  
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CHARLES FRANCIS MARGAI

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<sup>3</sup> *Ibid*

<sup>4</sup> *Ibid*

ANNEXE A

STATEMENT OF ADMISSIONS AND FACTS NOT IN DISPUTE

Counsel for the Third Accused admit the following facts:

1. That a military coup d'etat took place in Sierra Leone on the 25<sup>th</sup> May 1997.
2. That the democratically elected Government of Sierra Leone was restored to power in March 1998 by ECOMOG and the CDF.
3. That the CDF fought side by side with ECOMOG and under the control of ECOMOG against the RUF and the AFRC to restore the Democratically elected Government of Sierra Leone.
4. That the Third Accused was the Chief Initiator and High Priest of the Kamajors for period 1998 to 2000.

Counsel for the Third Accused dispute all other facts and issues raised by the Prosecution.