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SCSL-04-14-T  
(18225-18228)

18225

**SPECIAL COURT FOR SIERRA LEONE**

**In Trial Chamber I**

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

Registrar: Mr Lovemore Munlo, SC

Date: May 5, 2006

**THE PROSECUTOR**

**-against-**

**SAMUEL HINGA NORMAN, MOINANA FOFANA, and ALLIEU KONDEWA**

SCSL-2004-14-T  
Public Document

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Admissions by the Parties and a Statement of Other Matters which are not in Dispute, Filed by  
Court Appointed Counsel for the First Accused

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**For the Office of the Prosecutor:**

Mr Desmond de Silva, Q.C.  
Mr James Johnson  
Mr Joseph Kamara  
Ms Nina Jørgensen

**For Samuel Hinga Norman:**

Mr John Wesley Hall Jr.  
Dr Bu-Buakei Jabbi  
Mr Alusine Sani Sesay  
Ms Clare da Silva  
Mr Kingsley Belle

**For Moinina Fofana:**

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

**For Allieu Kondewa:**

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

**SPECIAL COURT FOR SIERRA LEONE**  
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- 5 MAY 2006

NAME: *Bankole Thompson*  
SIGN: *Bankole Thompson*  
TIME: *16:30*

*Geoff Warner*

### Introduction

1. Court Appointed Counsel for the First Accused, Mr Samuel Hinga Norman (the “Defence”) hereby submits its admissions by the parties and a statement of other matters not in dispute. This is submitted pursuant to the ‘Consequential Order to the Status Conference of 22 March 2006’<sup>1</sup> and the order of the Presiding Judge at the 2 May 2006 Status Conference.<sup>2</sup>

### Admissions of Fact

2. The Defence adopts, by reference, the admissions of fact as stated in paragraphs 2 (a) – (c) and (h) of the “Public Fofana Admissions of Fact and Statements of Matters Not in Dispute”<sup>3</sup> (Statement of Admission) and accepted by the Prosecution in its Response to the Fofana Statement of Admission.<sup>4</sup>
  
3. These admissions of fact are:
  - (a) The Kamajors (variously referred to as the Kamajoisia, the Kamajor Movement, and the Kamajor Society) – indigenous, tribally-based hunters associated with the Mende tribe – were in existence in the Southern and Eastern Provinces of Sierra Leone before the AFRC coup of 25 May 1997.
  
  - (b) Some members of the Kamajor Society fought alongside the soldiers of the Sierra Leone Army before the AFRC coup of 25 May 1997.
  
  - (c) The RUF was engaged in armed insurgency in the Southern and Eastern Provinces of Sierra Leone before the AFRC coup of 25 May 1997.

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<sup>1</sup> *Prosecutor v. Norman et al.*, SCSL-2004-14-T-575, Trial Chamber, 23 March 2006 (the “Consequential Order”), ¶ 8.

<sup>2</sup> *Prosecutor v. Norman et al.*, SCSL-2004-14-T, Transcript, May 2nd 2006, pg 31.

<sup>3</sup> *Prosecutor v Norman et al.*, SCSL-2004-04-14-T-588.

<sup>4</sup> *Prosecutor v Norman et al.*, SCSL-2004-04-14-T-590.

- (h) Some members of the Kamajor Society underwent training in the use of certain weapons at Base Zero (Talia, Yawbeko) between August 1997 and March 1998.
4. It should be noted that the Defence made additional suggested admissions of fact to the Prosecution. These were not agreed to by the Prosecution.<sup>5</sup> However, the Defence will continue to work with the Prosecution in order to further identify agreed points of law and fact in accordance with the Consequential Order.

**Matters not in dispute**

5. Further, the Defence adopts, by reference, the matters not in dispute as stated in paragraph 3 of the Fofana Statement of Admission. These are:
- (a) Under the heading “The Accused”: paragraphs 1-3 in their entirety;
  - (b) Under the heading “General Allegations”: paragraph 4 in its entirety, the second and third sentences of paragraph 6 and paragraph 7 in its entirety.
  - (c) Under the heading “Charges”: the first sentence of paragraph 23.
6. The remaining portions of the Indictment, not specifically mentioned above, are considered by the Defence to be matters in dispute subject to proof beyond reasonable doubt by the Prosecution.

**Conclusion**

7. As the trial progress, the Defence will continue to undertake discussions pertaining to further admissions of fact and law proposed by the Prosecution.

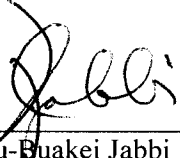
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<sup>5</sup> Prosecution Response to ‘Proposed Points of Fact and Law for Agreement between the Prosecutor and Samuel Hinga Norman’, May 5, 2006.

Filed in Freetown,

5 May 2006

For the First Accused,



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Dr. Bu-Buakei Jabbi  
Court Appointed Counsel