

018)

SCSL-11-02-PT  
(98-119)

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**SPECIAL COURT FOR SIERRA LEONE**

**TRIAL CHAMBER II**

**Before:** Justice Teresa Doherty, Presiding

**Registrar:** Ms. Binta Mansaray

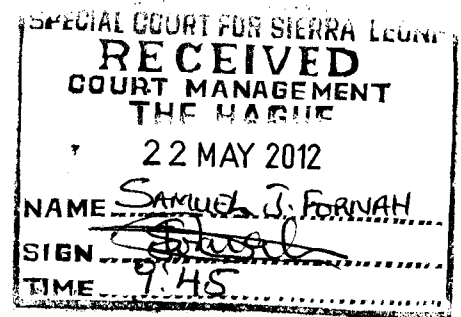
**Date filed:** 21 May 2012

**Case No:** SCSL-11-02-PT

**THE INDEPENDENT PROSECUTOR**

**V.**

**Hassan Papa Bangura  
Samuel Kargbo  
Santigie Borbor Kanu  
Brima Bazzy Kamara**



**Public, with Confidential Annexes SK1 to SK6 and Confidential Documents R1 and R2**

**Submission of Samuel Kargbo Pursuant to the Scheduling Order pursuant to Rule 73  
Bis and Order for Submissions.**

**Independent Prosecutor**  
Mr. Robert L. Herbst

**Counsel for Samuel Kargbo**  
Chief Charles Taku


## I. INTRODUCTION

Pursuant to the Scheduling Order for Pre-trial Conference pursuant to Rule 73 Bis and order for submissions issued on the 1 May 2012 by the Honourable Presiding Justice Teresa Doherty of the Special Court for Sierra Leone in respect of case no SCSL-11-02-PT-1, Independent Prosecutor Vs Hassan Papa Bangura, Samuel Kargbo, Santigie Borbor Kanu and Brima Bazzy Kamara, I Charles A. Taku, Counsel for Mr. Samuel Kargbo hereby file the following submissions in compliance with the scheduling order.

1. That Mr. Samuel Kargbo will be present at the Status Conference on the 16 June 2012 and will make further oral submissions on any of the matter specified in the scheduling order or which the Honourable Presiding Judge may in her discretion and wisdom direct.
2. That the Defence of Mr. Samuel Kargbo respectfully defers any submissions in respect of order 3 in the scheduling order to compliance of the orders of the Honourable Court on the extension of the timelines at paragraph 57 of the transcript of 15 July 2011 and any further order or orders the Honourable Presiding Judge may in the exercise of her discretion and in her wisdom make in the special circumstances of this matter.
3. In respect to the order concerning the sentencing of Mr. Samuel Kargbo, and the schedule of sentencing, the convict respectfully urges the Hon. Court to take into consideration the following submissions:
  - (i) The orders made extending the timeline for the filing of sentencing briefs dated 15 July 2011 and the representations made by the Independent Prosecutor and the Defence during those proceedings to the effect that the sentencing of Mr. Kargbo should take place after his intended testimony for the Prosecution pursuant to his plea agreement that was tendered and admitted in evidence.
  - (ii) His substantial co-operation with the Independent Prosecutor was one of the compelling factors considered in granting him bail. Deffering his sentencing after his testimony, will assist the parties in making comprehensive submissions on the potential impact and significance of that factor in sentencing as well as providing the Hon. Court with all relevant information that may assist the court in the exercise of its sentencing discretion in this matter.
  - (iii) The Defence submits that a comprehensive review of the material that the Defence hereby submits with this submission and the submissions explaining the confidential annexes will further assist the Honourable court in making a determination on the sentencing schedule for Mr. Samuel Kargbo.

4. Considering the above therefore, the convict hereby gives notice that he will testify at his sentencing hearing and will additionally call 5 brief character witnesses whose testimony may last less than one day. The details of these 5 witnesses will be disclosed to the Hon. Court and the Independent Prosecutor only in a confidential annex due to serious witness protection concerns that shall be explained to the Hon. Court in a separate brief on to witnesses whose pseudonyms appear hereunder: SK1, SK2, SK3, SK4, SK5, SK6 and Confidential documents R1 and R2.

Dated 21<sup>st</sup> May 2012

  
Chief Charles A. Taku  
Counsel for Mr. Samuel Kargbo



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Court Management Section – Court Records

**CONFIDENTIAL DOCUMENT CERTIFICATE**

This certificate replaces the following confidential document which has been filed in the *Confidential* Case File.

Case Name: **Independent Counsel – v- Hassan Papa Bangura et al**  
Case Number: **SCSL-11-02-I**  
Document Index Number: **018**  
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- Application
- Order
- Indictment
- Decision
- Other**

Document Title:

**Public with confidential Annexes SK1 to SK6 and confidential documents R1 and R2 submission of Samuel Kargbo Pursuant to the scheduling order pursuant to Rule 73 bis and order for submissions.**

Name of Officer:

Samuel Fornah

Signed: 