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SCSL-04-15-T  
(27204 - 27206)

27204

SPECIAL COURT FOR SIERRA LEONE  
TRIAL CHAMBER I

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

Registrar: Mr. Herman Von Hebel

Date filed: 16<sup>th</sup> July 2008

SPECIAL COURT FOR SIERRA LEONE	
RECEIVED	
COURT MANAGEMENT	
16 JUL 2008	
NAME	THOMAS GEORGE
SIGN	<i>[Signature]</i>
TIME	10:10

THE PROSECUTOR

v.

ISSA HASSAN SESAY

Case No. SCSL-04-15-T

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PUBLIC  
SESAY DEFENCE URGENT APPLICATION  
FOR PAGE EXTENSION FOR CLOSING BRIEF

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Office of the Prosecutor

Mr. Peter Harrison  
Mr. Reginald Fynn  
Mr. Vincent Wagona  
Mr. Charles Hardaway

Defence Counsel for Issa Sesay

Mr. Wayne Jordash  
Ms. Sareta Ashraph

Defence Counsel for Morris Kallon

Mr. Charles Taku  
Mr. Ogetto Kennedy  
Ms. Tanoo Mylvanganam

Court-Appointed

Counsel for Augustine Gbao

Mr. John Cammegh  
Mr. Scott Martin

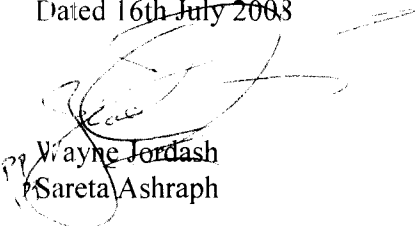
1. On 29<sup>th</sup> April 2008, the Trial Chamber issued its Order for the Filing of Final Trial Briefs and the Presentation of Closing Arguments.<sup>1</sup> Order 2 stated that the closing briefs for the Accused were limited to 400 pages.
2. The Sesay Defence requests an extension of the page limit to 600 pages to allow it to properly address the comparatively greater number of allegations and liabilities which have been alleged against Mr. Sesay. That the case against Sesay is significantly more sizeable and complex than that of the Accused Kallon and Gbao flows naturally from the Prosecution theory that Sesay is in the most senior position of the Accused and as such has corresponding de facto command and control over RUF and, indeed, AFRC fighters. The breadth of the case against Mr. Sesay is evidenced by the number of factual allegations and liabilities which arise through the evidence and which do not concern the other Accused.
3. The relative size and complexity of the case against Sesay has also been reflected in the size and complexity of the defence cases run: the Sesay Defence called 52 viva voce witnesses and had 5 statements admitted under Rule 92 over the course of 6½ months of its defence case. This stands in contrast to the 19 witnesses called over 3½ weeks for the Kallon defence and the 7 witnesses (including the military expert) over two weeks for the Gbao defence.
4. The task of trying to prepare a closing brief which properly addresses the allegations made against Mr. Sesay within the page limit as it currently stands is not practicable. The RUF case is the largest case at the SCSL and one of the largest in ad hoc tribunal history. The case against Sesay is correspondingly one of the largest faced by a single accused. It is simply not possible for the Sesay Defence to address all the legal and factual issues in a 400 page brief. It is not equitable to provide the first Accused with the same page limit as the second or third Accused.
5. The Sesay Defence therefore requests an extension of the page limit to 600 pages to be submitted on 29<sup>th</sup> July 2008. It is submitted that this extension is in the interests of justice and will provide the Defence with a meaningful opportunity to address both the reliability and credibility of the Prosecution case and the complex legal issues which arise. Furthermore this will aid the Trial Chamber in its deliberations by providing the clearest response to the

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<sup>1</sup> *Prosecutor v. Sesay et al.*, SCSL-04-15-1106.

allegations which have been adduced during the Prosecution case.

Dated 16th July 2003



Wayne Jordash  
Sareta Ashraph