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SCSL-04-15-A  
( 274-294 )

274



**SPECIAL COURT FOR SIERRA LEONE**  
**OFFICE OF THE PROSECUTOR**  
Freetown ~ Sierra Leone

IN THE APPEALS CHAMBER

Before: Hon. Justice Renate Winter, President  
Hon. Justice Jon Kamanda  
Hon. Justice George Gelaga King  
Hon. Justice Emmanuel Ayoola  
Hon. Justice Shireen Avis Fisher

Registrar: Mr. Herman Von Hebel

Date filed: 8 May 2009

SPECIAL COURT FOR SIERRA LEONE	
<b>RECEIVED</b>	
COURT MANAGEMENT	
08 MAY 2009	
NAME	AL HASSAN FORNAY
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**THE PROSECUTOR**

**Against**

**ISSA HASSAN SESAY**  
**MORRIS KALLON**  
**AUGUSTINE GBAO**

Case No. SCSL-04-15-A

**PUBLIC**

**PROSECUTION RESPONSE TO SESAY MOTION REQUESTING THE APPEALS CHAMBER TO  
ORDER THE PROSECUTION TO DISCLOSE RULE 68 MATERIAL**

Office of the Prosecutor:

Dr Christopher Staker  
Mr Vincent Wagona  
Dr Nina Jørgensen  
Mr Reginald Fynn  
Ms Elisabeth Baumgartner  
Ms Régine Gachoud

Defence Counsel for Issa Hassan Sesay

Mr Wayne Jordash  
Ms Sareta Ashraph

Defence Counsel for Morris Kallon

Mr Charles Taku  
Mr Kennedy Ogeto

Defence Counsel for Augustine Gbao

Mr John Cammegh  
Mr Scott Martin

## Introduction

1. The Prosecution files this response to the Sesay “Motion Requesting the Appeals Chamber to Order the Prosecution to Disclose Rule 68 Material” (the “**Motiou**”), filed by the defence for Issa Hassan Sesay (the “**Defeuce**”) on 7 May 2009.<sup>1</sup> The Prosecution submits that the Motion should be dismissed in its entirety.
2. The Prosecution has acted in good faith at all times in complying with its disclosure obligations throughout the trials and appeals before the Special Court. Where concerns have been raised in respect of specific disclosure issues, the Prosecution has been willing to consider them. It is submitted that there is no basis for the allegation in the Motion that the Prosecution “appears incapable or unwilling to act reasonably and fairly as concerns its Rule 68 obligations”.<sup>2</sup>
3. The Prosecution submits that there is no basis for the Appeals Chamber to order the Prosecution to disclose Rule 68 material or to grant the remedy requested in the Motion.

## Submissions

### *Interviews of Witnesses that testified for the Prosecution in Taylor*

4. The Motion acknowledges that a number of documents arising from the *Taylor* trial were disclosed to the Sesay Defence pursuant to Rule 68,<sup>3</sup> including trial transcripts of closed sessions to which the Defence has no access.<sup>4</sup>
5. The Motion claims that despite repeated requests, the Prosecution has not provided the Defence with copies of recordings (e.g. witness statements) of interviews of Prosecution witnesses prior to their testimony in *Taylor*<sup>5</sup> and that the Prosecution has failed to confirm that these witnesses were in fact interviewed.<sup>6</sup> These claims are incorrect as the Prosecution has been disclosing interview statements arising from the *Taylor* case pursuant to Rule 68 to the Sesay Defence. The Sesay Defence is aware

<sup>1</sup> *Prosecutor v. Sesay, Kallon, Gbao*, SCSL-04-15-A-1268, “Motion Requesting the Appeals Chamber to Order the Prosecution to disclose Rule 68 Material”, 7 May 2009, (the “**Motion**”).

<sup>2</sup> Motion, para. 14.

<sup>3</sup> Motion, para. 3.

<sup>4</sup> Motion, para. 9.

<sup>5</sup> Motion, para. 9.

<sup>6</sup> Motion, para. 10.

that interviews of Prosecution witnesses, subsequent to their RUF testimony and prior to their testimony in *Taylor*, were conducted by the Prosecution.

6. The statements of the following RUF witnesses who were interviewed after their RUF testimony, for example, were disclosed to the Defence: TF1-064 statement dated 10.11.2007 disclosed on 23.01.2008; TF1-330 statement dated 25.1.2008 disclosed on 5.2.2008; TF1-360 interview notes of 20, 27 and 28.11.2007 disclosed on 23.1.2008; TF1-360 interview notes of 28.2.2007 disclosed on 13.3.2007; TF1-360 interview notes of 17 and 20.11.2006 and 6 – 9.12.2006 disclosed on 13.3.2007; TF1-114 proofing notes of 5.1.2008 disclosed on 12.5.2008; TF1-371 interview notes of 4 and 5.8.2007 disclosed on 23.1.2008; TF1-362 interview notes of 14.4.2007 – 17.4.2007 disclosed on 26.4.2007; TF1-334 proofing notes of 10.4.2008 disclosed on 12.5.2008; TF1-334 interview notes of 16.11.2007 and 3.12.2007 disclosed on 23.1.2008; TF1-334 interview notes of 8.5.2007 disclosed on 28.5.2008; TF1-334 interview notes of 28.5.2007 disclosed on 30.5.2007; TF1-367 proofing notes of 7.7.2008 disclosed on 9.7.2008; TF1-367 interview notes of 30.6.2008 – 3.7.2008 disclosed on 9.7.2008; TF1-367 interview notes of 25 and 26.3.2008 disclosed on 9.7.2008. **Annex A** attached to this Response contains acknowledgements of receipt of these disclosure materials to the Sesay Defence.
7. **Annex B** of the Motion contains an exchange of e-mails between the Defence and the Prosecution. In their e-mails of 23 April 2009 and 29 April 2009, well aware that the above materials had been disclosed, the Sesay Defence sought to know whether there were witnesses that testified in the RUF trial who were subsequently interviewed for the *Taylor* trial. On 23 April 2009, the Prosecution replied to the Defence e-mail of 23 April 2009 by informing the Defence that “the Prosecution has been undertaking an on-going review of all materials arising from the Taylor trial including witness statements, transcripts, witness payments, documents and exhibits and the Prosecution has been complying with its Rule 68 obligations in this regard”. In the Prosecution’s e-mail of 2 May 2009, in reply to the Defence e-mail of 29 April 2009, the Prosecution repeated and made clear to the Defence that the Prosecution’s on-going review for compliance with Rule 68 had included interview

statements/recordings of witnesses who had testified in the RUF case and were subsequently interviewed.

8. It has been held by both Trial Chamber I and Trial Chamber II that in order to establish that the Prosecution has breached Rule 68, the Defence must: (1) specify the targeted evidentiary material; (2) make a prima facie showing that the targeted evidentiary material is exculpatory in nature; (3) make a prima facie showing that the material is in the Prosecution's custody and control and (4) show that the Prosecution has in fact, failed to disclose the targeted exculpatory material.<sup>7</sup> Rule 68 does not translate into a right for the Defence to receive all of the Prosecution's evidence that could be *useful* in the defence against charges in the indictment.<sup>8</sup>
9. Trial Chamber II, emphasizing that the premise underlying disclosure obligations is that the parties should act *bona fides* at all times, stated further that "any allegation by the Defence as to violation of the disclosure rules by the Prosecution should be substantiated with prima facie proof of such violation."<sup>9</sup>
10. Trial Chamber II accepted "the Prosecution assertion that it has disclosed all exculpatory evidence within the meaning of Rule 68, and that it has acted in good faith at all times in continuing to comply with its disclosure obligations."<sup>10</sup> The Prosecution has continued to act in good faith in meeting its disclosure obligations, as it is obliged to do throughout the proceedings before the Appeals Chamber.<sup>11</sup> The Prosecution therefore requests that the Appeals Chamber endorse the position of Trial Chamber II.

<sup>7</sup> *Prosecutor v. Sesay, Kallon and Gbao*, SCSL-04-15-T-363, "Decision on Sesay Motion Seeking Disclosure of the Relationship Between Governmental Agencies of the United States of America and of the Office of the Prosecutor", Trial Chamber, 2 May 2005, para. 36; *Prosecutor v. Taylor*, SCSL-03-1-T-735, "Decision on Confidential Defence Application for Disclosure of Documents in the Custody of the Prosecution Pursuant to Rule 66 and Rule 68", Trial Chamber, 18 February 2009, para. 5.

<sup>8</sup> *Prosecutor v. Blagojević et al.*, IT-02-60-PT, "Joint Decision on Motions Related to Production of Evidence", Trial Chamber, 12 December 2002, para. 26.

<sup>9</sup> *Prosecutor v. Taylor*, SCSL-03-1-T-735, "Decision on Confidential Defence Application for Disclosure of documents in the Custody of the Prosecution Pursuant to Rule 66 and Rule 68", 18 February 2009, para. 7..

<sup>10</sup> *Ibid*, para. 8.

<sup>11</sup> *Prosecutor v. Blaškić*, IT-95-14-A, "Judgement", Appeals Chamber, 29 July 2004, para. 267.

*Interviews of Witnesses TF1-060, TF1-077 and TF1-568 relating to Taylor*

11. The Motion alleges that the Prosecution is in possession of exculpatory material from the interviews of TF1-060, TF1-077 and TF1-568 before their testimony in *Taylor*, which has not been disclosed to the Defence.<sup>12</sup> This is untrue.
12. TF1-568 did not testify in the RUF trial but testified in open session in *Taylor* on 12.9.2008 – 17.9.2008. Pursuant to Rule 68, the Prosecution disclosed the interview notes of TF1-568 (of 17 and 18.6.2008) to the Sesay Defence on 27.6.2007. **Annex B** attached to this Response is an acknowledgement of receipt of the disclosure of these materials to the Sesay Defence.
13. TF1-060 who was a witness in the RUF trial testified in open session in *Taylor* on 29.9.2008 – 30.9.2008. The witness statements of TF1-060 relating to the RUF trial were disclosed to the Defence long ago and his additional statements relating to the *Taylor* trial were not disclosed as they were deemed not to contain Rule 68 material.
14. TF1-077 who was a witness in the RUF trial testified in open session in *Taylor* on 14.10.2008. The witness statements of TF1-077 relating to the RUF trial were disclosed to the Defence long ago and his additional statements relating to the *Taylor* trial were not disclosed as they were deemed not to contain Rule 68 material.
15. In the light of the Motion, the Prosecution has reviewed again all the statements and additional statements of TF1-060 and TF1-077 made before and after their testimony in the RUF case and remains of the view that there are no undisclosed Rule 68 materials from these witnesses.

*Exhibit D-63*

16. Exhibit D-63 was produced by TF1-060 to the Prosecution on 25 September 2008 in connection with the *Taylor* trial, and tendered in evidence in the *Taylor* case in its present form by the *Taylor* Defence through TF1-060. In their e-mails (Annex B of the Motion), the Sesay Defence asked about Exhibit D-63 and the Prosecution provided it to them. The hand-written material attached to the exhibit is the notes of

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<sup>12</sup> Motion, paras 11, 12 and 13.

TF1-060 and the Prosecution is prepared to grant an inspection of the originals thereof.

17. The Motion argues that Exhibit D-63 is Rule 68 material on the basis that it “nowhere states that any civilian was intentionally killed in connection with mining at Cyborg Pit, that any civilian was subjected to forced mining (as part of the system or otherwise), or that child soldiers guarded Cyborg Pit and killed miners there. In none of the instances to which mining is referred in Exhibit D-63 is there any indication that force was used.”<sup>13</sup>
18. It is accepted in the jurisprudence that the determination as to what material meets Rule 68 disclosure requirements falls initially within the Prosecution’s discretion.<sup>14</sup> It is submitted that Exhibit D-63 does not contain any evidence which tends to suggest the innocence or mitigate the guilt of the Accused, or affect the credibility of Prosecution witnesses TF1-035, TF1-041, TF1-045, TF1-060, TF1-122, TF1-367 or TF1-371. The Defence relies upon the fact that the exhibit does not state expressly that any civilian was intentionally killed in connection with mining at Cyborg Pit, that any civilian was subjected to forced mining or that child soldiers guarded Cyborg Pit. Thus, the Defence relies upon what the document *does not* state as being exculpatory. It is submitted that the omission of the mention of killings, forced mining or the presence of child soldiers at Cyborg Pit does not thereby make Exhibit D-63 exculpatory material. On the contrary, Exhibit D-63 does in fact refer to child combatants carrying out killings of miners and to child combatants doing most of the killings at Tongo.<sup>15</sup>
19. Contrary to the assertions made in the Motion,<sup>16</sup> the reference to Boekarie seeking the approval of the Paramount Chief to remain in the Tongo Fields area to make use of civilian labour for mining does not in any way undermine or contradict the

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<sup>13</sup> Motion, para. 6.

<sup>14</sup> *Prosecutor v. Brđanin*, IT-99-36-A, “Decision on Appellant’s Motion for Disclosure Pursuant to Rule 68 and Motion for an Order to the Registrar to Disclose Certain Materials”, Trial Chamber, 7 December 2004; *Prosecutor v. Blaškić*, IT-95-14-A, “Judgement”, Appeals Chamber, 29 July 2004, para. 264; *Rutaganda v. Prosecutor*, Case No. ICTR-96-3-A, “Decision on the Urgent Defence Motion for Disclosure and Admission of Additional Evidence and Scheduling Order”, Appeals Chamber, 12 December 2002.

<sup>15</sup> Motion, footnote 12, referring to some parts of Exhibit D-63.

<sup>16</sup> Motion, para 6, referring to page 00101409 of Exhibit D-63.

Prosecution's theory of abduction and enslavement. On the contrary, the reference to the need for male civilians "to be used as labourers for their diamond mining" and "civilians needed for certain domestic work"<sup>17</sup> supports the Prosecution's theory. The Prosecution denies that Exhibit D-63 is exculpatory merely because it does not provide further details as to the precise circumstances of forced mining and killings in the context of mining, in particular at Cyborg Pit.

20. Even if the Appeals Chamber were to find that the Prosecution exercised its discretion incorrectly on this occasion, there is no basis for the argument that the Prosecution might have in its possession a multitude of undisclosed, exculpatory documents.<sup>18</sup> Furthermore, Exhibit D-63 was in any case provided to the Defence upon their request and no prejudice has been suffered.

### **Remedy Sought**

21. The Motion makes sweeping claims that "other documents – that clearly were Rule 68 – were not disclosed to the Sesay Defence",<sup>19</sup> that "the Prosecution purports to not understand what constitutes Rule 68 material",<sup>20</sup> that there has been a "failure [by the Prosecution] to interpret its obligations fairly or reasonably",<sup>21</sup> that "it is undoubtedly the case that the Prosecution have in their possession a multitude of documents ... that constitute Rule 68 material [that have not been disclosed]".<sup>22</sup> and that "the Prosecution is acting in bad faith and/or has misdirected itself to such a degree that is [sic] overall approach to its Rule 68 obligations is brought into question".<sup>23</sup>
22. However, the Motion provides no basis for justifying such sweeping claims by the Defence. The Prosecution's compliance with its Rule 68 obligations has been described above.

<sup>17</sup> Page 00101409 of Exhibit D-63.

<sup>18</sup> Trial Chamber II rejected a similar sweeping assumption finding that it fell short of "demonstrating *prima facie* the exculpatory nature of the material". See *Prosecutor v. Taylor*, SCSL-03-1-T-735, "Decision on Confidential Defence Application for Disclosure of documents in the Custody of the Prosecution Pursuant to Rule 66 and Rule 68", 18 February 2009, para. 9.

<sup>19</sup> Motion, para. 3.

<sup>20</sup> Motion, para. 3.

<sup>21</sup> Motion, para. 8.

<sup>22</sup> Motion, para. 8.

<sup>23</sup> Motion, para. 14.

23. As explained above, and as the Motion indicates,<sup>24</sup> the Prosecution did not disclose Exhibit D-63 pursuant to Rule 68 because the Prosecution position was that it was not Rule 68 material. That remains the Prosecution position. However, as the Motion also indicates, the Prosecution nevertheless provided that document to the Defence at the Defence's request.<sup>25</sup> If the Prosecution is correct that this document did not fall within the scope of Rule 68, this is not an example of a failure by the Prosecution to comply with its Rule 68 obligations. Even if the Prosecution were incorrect, the mere fact that there is a disagreement between the Prosecution and the Defence as to whether one particular document falls within Rule 68 provides no basis for the sweeping claims of the Defence, referred to in paragraph 20 above. Indeed, the fact that the Prosecution provided the document to the Defence notwithstanding the Prosecution position that it was not Rule 68 is demonstrative of the Prosecution's *bona fides*.
24. The Defence has provided no basis for the remedies requested. There are no grounds for ordering an independent review of the material in the Prosecution's possession, particularly at this appeals stage. The specific material requested by the Defence has already been provided. Furthermore, even in cases where a breach of Rule 68 is proved, the Chamber will examine whether the Defence has suffered prejudice in determining the appropriate remedy<sup>26</sup> and "in this context the 'sanction approach' is not the primary option."<sup>27</sup>

### Conclusion

25. The Prosecution submits that the Motion should be dismissed in its entirety.

Filed in Freetown,

8 May 2009

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<sup>24</sup> Motion, para. 4.

<sup>25</sup> Motion, para. 4.

<sup>26</sup> *Prosecutor v Kordić and Čerkez*, IT-95-14/2-A, "Judgement", Appeals Chamber, 17 December 2004, para. 179.

<sup>27</sup> *Prosecutor v Brdanin*, IT-99-36-T, "Decision on Motion for Relief from Rule 68 Violations by the Prosecutor and for Sanctions to be Imposed Pursuant to Rule 68bis and Motion for Adjournment while Matters Affecting Justice and a Fair Trial can be Resolved", Trial Chamber, 30 October 2002, para. 23. *Prosecutor v Blaskić*, IT-95-14-T, "Decision on the Defence Motion for Sanctions for the Prosecutor's Continuing Violation of Rule 68", Trial Chamber, 28 September 1998, p. 3; *Prosecutor v Oric*, IT-03-68-T, "Decision on Ongoing Complaints about Prosecutorial Non-Compliance with Rule 68 of the Rules", Trial Chamber, 13 December 2005, para. 32.



~~Handwritten signature~~  
for Christopher Staker

~~Handwritten signature~~  
Vincent Wagona

**ANNEX A**

**Sesay Defence acknowledgements of receipt of disclosures referred to at paragraph 6 of the Response**



284

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LEONE  
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**PROSECUTOR Against ISSA HASSAN SESAY**

**CASE NO. SCSL-2004-I5-T**

**RECEIPT**

Pursuant to the Prosecution's disclosure obligation under Rule 68, the following material was submitted to counsel for the 1<sup>st</sup> accused, Mr. Wayne Jordash, on 23 January 2008.

<b>Witness / Document</b>	<b>Pseudonym</b>	<b>Statement Date / Description</b>	<b>Length / Medium</b>
	TF1-064	10.11.07	2 Handwritten pages
	TF1-567	13.11.07	1 T/P
	TF1-274	21 and 26.11.07	1 T/P
		15.11.07	1 T/P
	TF1-585	19-21, 27.11.07	3 T/P
	TF1-360	20, 27 and 28.11.07	2 T/P
	TF1-571	31.10. and 1.11.07	1 T/P
	TF1-317	07.11.07	6 Handwritten pages
		11.01.08	2 Handwritten pages
	TF1-374	10.12.07	3 T/P
	TF1-371	4,5..8.07	1 T/P
	TF1-576	10.11.07	1 T/P
	TF1-275	01.11.07	1 T/P
	TF1-516	27, 28.11.07	1 T/P
	TF1-555	25.07.07	1 T/P
	TF1-551	7-9.11.07	1 T/P
	TF1-532	29.11.07 and 04.12.07	4T/P
	TF1-168	29 and 31 of Oct,	2 T/P



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		2,8,16,20 of Nov and 4 of Dec 2007	
	TF1-579	11,12,13,16 November 2007	1 T/P
	TF1-334	16.11.07 and 03.12.07	1 T/P
		19, 28.11.07	1 T/P
		05.01.08	1 T/P
		7,8,14,19.11.07	1 T/P
		21.11.07	1 T/P
		05, 06, 07 & 11.12.07	1 T/P
		09,10,12,17.11.07	5 T/P

334  
3.12.07

I, Jared Murrel, acknowledge receipt of the items listed above.

Signature



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**PROSECUTOR Against ISSA HASSAN SESAY**

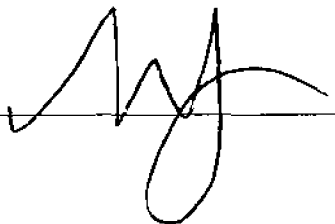
**CASE NO. SCSL-2004-15-T**

**RECEIPT**

Pursuant to the Prosecution's disclosure obligation under Rule 68, the following material was submitted to Counsel for the 1<sup>st</sup> Accused, Mr. Wayne Jordash on the 05 February 2008.

Witness / Document	Statement Date / Description	Length / Medium
AFRC Trial Transcripts	14 July 2005	17T/P
AFRC Trial Transcripts	18 July 2005	66 T/P
Interview TF1-313	14 January 2008	6 T/P
Interview TF1-108	25 January 2008	2 T/P
Interview TF1-330	25 January 2008	1 T/P

I, Wayne Jordash, acknowledge receipt of the items listed above.

Signature 

Date 5/2/08



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**PROSECUTOR Against ISSA HASSAN SESAY**

**CASE NO. SCSL-2004-15-T**

**RECEIPT**

Pursuant to the Prosecution's disclosure obligation under Rule 68, the following material was submitted to Counsel for the 1<sup>st</sup> Accused, Mr. Wayne Jordash on the 13<sup>th</sup> March 2007.

<b>Witness / Document</b>	<b>Pseudonym</b>	<b>Statement Date / Description</b>	<b>Length / Medium</b>
	TF1-360	28.02.07	2 T/P
	TF1-360	17&20.11.06 and 7- 8.12.06	4 T/P
	TF1-340	03.10.00	18 T/P
	TF1-273	05.11.03	3 T/P

I, Jared Knittel, acknowledge receipt of the items listed above.

Signature

Date

15 March 2007



## SPECIAL COURT FOR SIERRA LEONE

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PHONE: +1 212 963 9915 Extension: 178 7100 or +39 0831 257100

FAX: Extension: 178 7366 or +39 0831 257366 or +232 22 297366

## PROSECUTOR Against ISSA HASSAN SESAY

CASE NO. SCSL-2004-15-T

RECEIPT

Pursuant to the Prosecution's disclosure obligation under Rule 68, the following material was submitted to Counsel for the 1<sup>st</sup> Accused, Mr. Wayne Jordash on the 12<sup>th</sup> May 2008.

Witness / Document	Pseudonym	Statement Date / Description	Length / Medium
	TF1- 035	14.04.08	2 T/P
	TF1- 571	23.04.08	2 T/P
	TF1-114	4-5.01.08	3 T/P
	TF1- 275	2-5.02.08	3 T/P
	TF1-337	31.01.08 23.02.08	2 T/P 1 T/P
	TF1-532	28.02.08	2 T/P
	TF1-362	20.02.08	1 T/P
	TF1-334	9.04.08	1 T/P

I, Jared Kreitel, acknowledge receipt of the items listed above.

Signature

Date

12 May 2008



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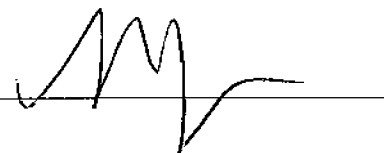
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**PROSECUTOR Against ISSA HASSAN SESAY****CASE NO. SCSL-2004-15-T****RECEIPT**

Pursuant to the Prosecution's disclosure obligation under Rule 68, the following material was submitted to Counsel for the 1<sup>st</sup> Accused, Mr. Wayne Jordash on the 26<sup>th</sup> April 2007.

<b>Witness / Document</b>	<b>Pseudonym</b>	<b>Statement Date / Description</b>	<b>Length / Medium</b>
	TF1-414	12.04.06	3 T/P
	TF1-362	14-17.04.07	9 T/P
	TF1-036	18.04.06	4 T/P

I, WAYNE JORDASH, acknowledge receipt of the items listed above.

Signature  Date 26/4/07



## Delivery Confirmation Report

Your document: Rule 68 Disclosures - 414, 362, 036  
was delivered to: SCSL Defence-Sesay/SCSL@SCSL  
at: 04/26/2007 06:17:52 PM

## Return Receipt

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was received by:  
at:

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SCSL Defence-Sesay/SCSL  
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**PROSECUTOR Against ISSA HASSAN SESAY**

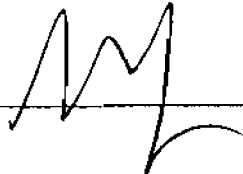
**CASE NO. SCSL-2004-15-T**

**RECEIPT**

Pursuant to the Prosecution's disclosure obligation under Rule 68, the following material was submitted to Counsel for the 1<sup>st</sup> Accused, Mr. Wayne Jordash on the 31 May 2007.

<b>Witness / Document</b>	<b>Pseudonym</b>	<b>Statement Date / Description</b>	<b>Length / Medium</b>
	TF1-542	21.05.07	5 T/P
	TF1-334	08.05.07	1 T/P
	TF1-334	28.05.07	1 T/P

I, Wayne Jordash, acknowledge receipt of the items listed above.

Signature 

Date 31/5/07

**ANNEX B**

**Sesay Defence acknowledgements of receipt of disclosures referred to at paragraph 12 of the Response**



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**PROSECUTOR Against ISSA HASSAN SESAY**

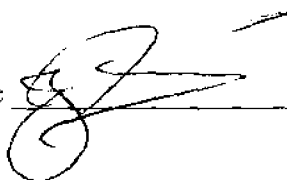
**CASE NO. SCSL-2004-15-T**

**RECEIPT**

Pursuant to the Prosecution's disclosure obligation under Rule 68, the following material was submitted to Counsel for the 1<sup>st</sup> Accused, Mr. Wayne Jordash on the 27 June 2008.

<b>Witness / Document</b>	<b>Pseudonym</b>	<b>Statement Date / Description</b>	<b>Length / Medium</b>
	TF1-568	17-18.06.08	2 T/P

I, Jared Kreik, acknowledge receipt of the items listed above.

Signature 

Date 27 June 2008