



Special Court for Sierra Leone
Press and Public Affairs Office

PRESS RELEASE

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Court Hands Down Decision on Motions for Judgment of Acquittal in CDF Case

The Judges of Trial Chamber I on Friday unanimously dismissed Motions for Judgment of Acquittal brought on behalf of the three CDF Accused, Sam Hinga Norman, Moinina Fofana, and Allieu Kondewa, in respect of one or more counts in the indictment.

In a summary of the decision read out in Court by the Presiding Judge, Justice Pierre Boutet, the Justices found there was no evidence capable of supporting a conviction against the Accused in respect of a number of factual allegations in the indictment.

These included allegations in respect of Counts 1 and 2 (murder), Counts 3 and 4 (inhumane acts and cruel treatment), and Count 5 (pillage) as charged in the consolidated indictment.

Justice Bankole Thompson wrote a separate and concurring opinion exploring applicable legal standard in respect of a Rule 98 Motion.”

(The complete decision can be read online at <http://www.sc-sl.org/Documents/SCSL-04-14-T-473.pdf>)

The Motions for Judgment of Acquittal were brought under Rule 98 of the Court’s Rules of Procedure and Evidence. The Rules provides that, if after the close of the case for the Prosecution “there is no evidence capable of supporting a conviction on one or more counts of the indictment,” the Trial Chamber shall enter a judgment of acquittal on those counts.

The Motions for Judgment of Acquittal were filed in early August, following the conclusion of the Prosecution’s case on July 14. They were argued in written briefs, with oral arguments held before the Court on 20 September.

Friday’s decision under Rule 98 is not a verdict, and is not a judicial pronouncement on the guilt or the innocence of the Accused persons.. Rather, it indicates that at this stage in the trial the Court has concluded that they have a case to answer.

A Status Conference to discuss the preparation and presentation of the Defence case has been ordered for 27 October. The Defence is scheduled to open their case on 17 January 2006.

Meanwhile, before Trial Chamber II, witness testimony concluded this week in the case of the AFRC Accused, Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu, after testimony by 59 Prosecution witnesses.

That trial has been adjourned until 26 October.

The trial of the three RUF Accused, Issa Sesay, Morris Kallon and Augustine Gbao, will resume on 2 November. So far, 43 witnesses have given evidence.

The Special Court is an independent tribunal established jointly by the United Nations and the Government of Sierra Leone. It is mandated to bring to justice those who bear the greatest responsibility for atrocities committed in Sierra Leone after 30 November 1996. To date, the Prosecutor has indicted eleven persons on various charges of war crimes, crimes against humanity, and other serious violations of international humanitarian law. Nine indictees are currently in the custody of the Court.

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