

SCSL-2004-15-T
(11872-11873)

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SPECIAL COURT FOR SIERRA LEONE

JOMO KENYATTA ROAD • FREETOWN • SIERRA LEONE

PHONE: +1 212 963 9915 Extension: 178 7000 or +39 0831 257000 or +232 22 295995

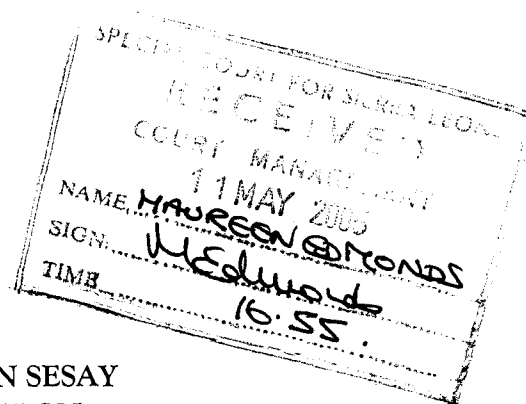
FAX: Extension: 178 7001 or +39 0831 257001 Extension: 174 6996 or +232 22 295996

TRIAL CHAMBER I

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

Registrar: Robin Vincent

Date: 11th of May 2005



PROSECUTOR Against ISSA HASSAN SESAY
MORRIS KALLON
AUGUSTINE GBAO
(Case No. SCSL-04-15-T)

RULING ON THE PROSECUTION'S APPLICATION FOR PORTIONS OF THE
TESTIMONY OF WITNESS TF1-060 TO BE HEARD IN CLOSED SESSION

Office of the Prosecutor:

Luc Côté
Lesley Taylor
Peter Harrison

Defence Counsel for Issa Hassan Sesay:

Wayne Jordash
Sareta Ashraph

Defence Counsel for Morris Kallon:

Shekou Touray
Melron Nicol-Wilson

Defence Counsel for Augustine Gbao

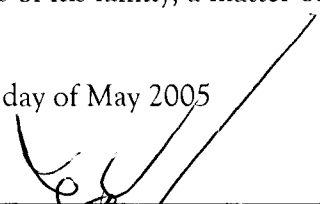
Andreas O'Shea
John Cammegh

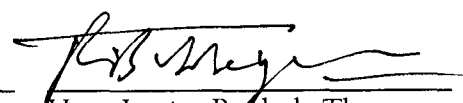
REASONED RULING ON THE PROSECUTION'S APPLICATION ON 29/04/05 FOR PORTIONS OF THE TESTIMONY OF WITNESS TF1-060 TO BE HEARD IN CLOSED SESSION

1. This is the reasoned Ruling of the Trial Chamber on the Prosecution's application on the 29th April 2005 to hear certain portions of the testimony of Witness TF1-060 in closed session.
2. Mindful of Article 17(2) of the Statute of the Special Court for Sierra Leone which provides that the "accused shall be entitled to a fair and public hearing, subject to measures ordered by the Special Court for the protection of victims and witnesses"; and in pursuance of Rules 75 and 79 of the Rules of Procedure and Evidence of the aforesaid Special Court, this Trial Chamber rules that, considering the information disclosed to the Chamber by the Prosecution in support of the said application, the rest of the testimony of Witness TF1-060 shall be heard in closed session.
3. This exceptional procedure is required because, as was submitted by the Prosecution, if the rest of the testimony of the said Witness is heard in public, his identity will thereby be revealed with much likelihood of his safety and that of members of his family being jeopardised due to his membership of a Committee whose functions are relevant for the proof of the Prosecution's case.
4. In conclusion, it is the considered opinion of the Chamber that if the relevant portions of the witness' testimony are heard in public, it would lead to his identification and thereby endanger his safety and security and that of members of his family, a matter of grave concern to him.

Done at Freetown, Sierra Leone, this 11th day of May 2005


Hon. Justice Pierre Boutet


Hon. Justice Benjamin Mutanga Itoe
Presiding Judge
Trial Chamber I


Hon. Justice Bankole Thompson

