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SCSL-03-01-T  
(16721-16722)



16721

## SPECIAL COURT FOR SIERRA LEONE

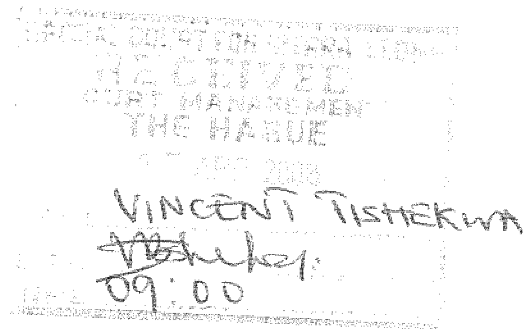
### TRIAL CHAMBER II

**Before:** Justice Teresa Doherty, Presiding Judge  
Justice Richard Lussick  
Justice Julia Sebutinde  
Justice El Hadji Malick Sow, Alternate Judge

**Registrar:** Herman von Hebel

**Case No.:** SCSL-03-1-T

**Date:** 14 April 2008



**PROSECUTOR**

v.

**Charles Ghankay TAYLOR**

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### DECISION ON CONFIDENTIAL AND URGENT DEFENCE MOTION TO RESCIND OR VARY PROTECTIVE MEASURES FOR PROSECUTION WITNESS TF1-334

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**Office of the Prosecutor:**

Brenda J. Hollis  
Kirsten Keith  
Leigh Lawrie

**Defence Counsel for Charles G. Taylor:**

Courtenay Griffiths, Q.C.  
Terry Munyard  
Andrew Cayley  
Morris Anyah

TRIAL CHAMBER II ("Trial Chamber") of the Special Court for Sierra Leone ("Special Court");

SEISED OF the "Confidential Urgent Defence Motion to Rescind or Vary Protective Measures for Prosecution Witness TF1-334", filed on 10 April 2008 ("Motion"),<sup>1</sup> wherein the Defence requests the complete rescission of protective measures for Witness TF1-334 or their variation by rescinding the order for closed session, on the grounds that circumstances have substantially changed since Witness TF1-334 was initially granted protective measures;<sup>2</sup>

RECALLING the Trial Chamber's "Order for Expedited Filing in Relation to Defence Motion SCSL-03-01-T-462", dated 10 April ("Expedited Filing Order"), wherein the Trial Chamber ordered expedited time limits for the filing of any response and reply to the Motion;<sup>3</sup>

NOTING the "Confidential and Urgent Prosecution Response to the Defence Motion to Rescind or Vary Protective Measures for Prosecution Witness TF1-334", filed on 11 April 2008 ("Response"),<sup>4</sup> wherein the Prosecution does not oppose the application,<sup>5</sup> because Witness TF1-334, following informed discussion with the Prosecution, waived his protection as he believes that his identity is already widely known, despite the existing protective measures ordered by the Special Court;<sup>6</sup>

NOTING that the Defence did not file a reply;

NOTING the existing protective measures applicable to Witness TF1-334, including the use of pseudonym, voice distortion, screen and closed session for specific portions of his testimony;<sup>7</sup>

CONSIDERING that the Prosecution does not oppose the Motion and that Witness TF1-334 has waived his protection;<sup>8</sup>

PURSUANT to Rules 26bis, 73, 75, 78 and Rule 79 of the Rules of Procedure and Evidence;

HEREBY GRANTS the Motion; and

ORDERS that the prevailing protective measures for Witness TF1-334 be rescinded in their entirety.

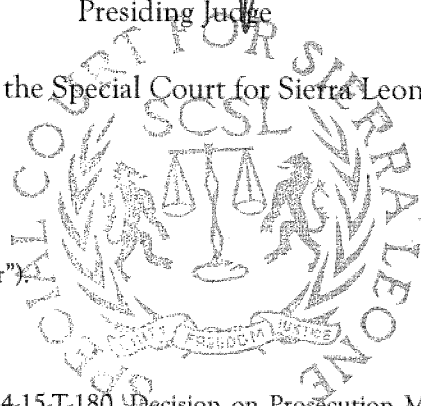
Done at The Hague, The Netherlands, this 14<sup>th</sup> day of April 2008.

Justice Richard Lussick

Justice Teresa Doherty  
Presiding Judge

Justice Julia Sebutinde

[Seal of the Special Court for Sierra Leone]



<sup>1</sup> SCSL-03-01-T-462 ("Motion").

<sup>2</sup> Motion, para. 1 and Conclusion.

<sup>3</sup> SCSL-03-01-T-464 ("Expedited Filing Order").

<sup>4</sup> SCSL-03-01-T-465 ("Response").

<sup>5</sup> Response, para. 8.

<sup>6</sup> Response, para. 6.

<sup>7</sup> *Prosecutor v. Sesay, Kallon, Gbao*, SCSL-2004-15-T-180, Decision on Prosecution Motion for Modification of Protective Measures for Witnesses, 5 July 2004, *Prosecutor v. Brima, Kamara, Kanu*, SCSL-2004-16-T, Transcript 16 May 2005, pp. 4, Transcript 17 June 2005, pp. 4, 27; *Prosecutor v. Sesay, Kallon, Gbao*, SCSL-2004-15-T, Transcript 5 July 2008, p. 23.

<sup>8</sup> Response, para. 6.