

Case No. SCSL-2004-15-T
THE PROSECUTOR OF
THE SPECIAL COURT
V.
ISSA SESAY
MORRIS KALLON
AUGUSTINE GBAO

WEDNESDAY, 30 NOVEMBER 2005
9.52 A.M.
TRIAL

TRIAL CHAMBER I

Before the Judges:	Pierre Boutet, Presiding Bankole Thompson Benjamin Mutanga Itoe
For Chambers:	Ms Candice Welsh Mr Matteo Crippa
For the Registry:	Ms Maureen Edmonds
For the Prosecution:	Mr Peter Harrison Ms Shyamala Alagendra Mr Alain Werner Ms Hannah Hinton (intern)
For the Principal Defender:	NO APPEARANCE
For the accused Issa Sesay:	Mr Wayne Jordash Ms Chantal Refahi
For the accused Morris Kallon:	Mr Shekou Touray Mr Charles Taku
For the accused Augustine Gbao:	Mr John Cammegh

1 [RUF30NOV05A - SGH]

2 Wednesday 30 November 2005

3 [Open Session]

4 [The accused Sesay and Kallon present]

09:30:24 5 [The accused Gbao not present]

6 [Upon commencing at 9.52 a.m.]

7 PRESIDING JUDGE: Good morning, counsel. We have discussed
8 the proposals made yesterday by both Prosecution and in
9 particular Mr Cammegh, and we agree with the proposal to stand
09:54:02 10 down the witness who was giving evidence yesterday and to now
11 proceed with the examination-in-chief and then cross-examination
12 of Witness TF1-054, if I am not mistaken. This is done to try to
13 accommodate Mr Cammegh. While this is not our usual process, we
14 think at this time that it will not and should not cause any
09:54:34 15 difficulty or prejudice to anybody. So we agree with the
16 suggestion made, and if you are ready to proceed, Mr Prosecutor,
17 we are ready to proceed as well.

18 MR HARRISON: Yes, we are ready to proceed, but regrettably
19 there is an application for closed session that has to me made
09:54:53 20 for this witness as well.

21 PRESIDING JUDGE: Is it for the totality of the evidence of
22 this witness?

23 MR HARRISON: Yes. There is an unusual and regrettable
24 circumstance that causes this application to be made. We
09:55:05 25 certainly hope that this sort of circumstance will not happen in
26 future, but I will inform the Court during the closed session
27 exactly what took place.

28 PRESIDING JUDGE: So before we move ahead to hear anything,
29 you are moving to make this application for closed session?

1 MR HARRISON: Yes, I am asking for the opportunity to make
2 an application for a closed session.

3 PRESIDING JUDGE: And the application is not only for a
4 part or portion of the evidence for this witness, but will be for
09:55:32 5 the totality of his or her evidence?

6 MR HARRISON: Yes, and the Prosecution's estimate of the
7 evidence-in-chief is approximately 90 minutes for TF1-054.

8 PRESIDING JUDGE: Very well. Given the requirement to go
9 into -- to hear the application for closed session in a closed
09:55:53 10 session, we will ask the court officer to make the appropriate
11 adjustment and then we will proceed in a closed session. Members
12 of the public, we regret to inform you that based on what has
13 been requested at this moment we have to move into a closed
14 session to hear the application and, if the application is indeed
09:56:17 15 granted, we might be in this closed session at least for the day
16 and maybe part of the day tomorrow. So having said that, can we
17 proceed to a closed session scenario, please.

18 THE INTERPRETER: Your Honour, the interpreter is sorry.
19 Can we be informed about the language of the witness?

09:56:32 20 MR HARRISON: I'm sorry, it's Krio.

21 [At this point in the proceedings, a portion of the
22 transcript, pages 4 to 60, was extracted and sealed under
23 separate cover, as the session was heard in camera.]

24
25
26
27
28
29

WITNESSES FOR THE PROSECUTION:

WITNESS: TF1-054	8
EXAMINED BY MR WERNER	8
CROSS-EXAMINED BY MR TOURAY	36
CROSS-EXAMINED BY MR CAMMEGH	51