

SCSL-2003-13-I
(48-50)



SPECIAL COURT FOR SIERRA LEONE

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THE TRIAL CHAMBER

Before: Judge Pierre Boutet, Designated Judge
Registrar: Robin Vincent
Date: 16th day of September 2003

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|--------------------------------|--------------------|
| SPECIAL COURT FOR SIERRA LEONE | |
| RECEIVED | |
| COURT RECORDS | |
| NAME | NEIL GIBSON |
| SIGN | <i>[Signature]</i> |
| TIME | 16:23 |

The Prosecutor against

Santigie Borbor Kanu, also know as 55, also known as Five-Five, also known as Santigie Khanu, also known as Santigie Kanu, also know S.B. Khanu, also known as S.B. Kanu, also known as Santigie Bobson Kanu, also known as Borbor Santigie Kanu (Case No.SCSL-2002-13-I)

DECISION APPROVING THE INDICTMENT, THE WARRANT OF ARREST AND ORDER FOR TRANSFER AND DETENTION AND ORDER FOR NON-PUBLIC DISCLOSURE

Office of the Prosecutor:
David Crane, Prosecutor
Luc Côté, Chief of Prosecutions

THE SPECIAL COURT FOR SIERRA LEONE (“the Special Court”),

SITTING AS Judge Pierre Boutet, designated pursuant to Rule 28 of the Rules of Procedure and Evidence (“the Rules”);

HAVING RECEIVED on the 15th day of September 2003 from the Prosecutor pursuant to Rule 47 of the Rules the enclosed indictment and accompanying material against **Santigie Borbor Kanu, also known as 55, also known as Five-Five, also known as Santigie Khanu, also known as Santigie Kanu, also known as S.B. Khanu, also known as S.B. Kanu, also known as Santigie Bobson Kanu, also known as Borbor Santigie Kanu** a citizen of Sierra Leone born in March 1965 in Maforki Chiefdom, Port Loko District, Republic of Sierra Leone, or in Freetown, Republic of Sierra Leone hereby accused of Crimes Against Humanity, Violations of Article 3 Common to the Geneva Convention and Additional Protocol II, and Other Serious Violations of International Humanitarian Law;

CONSIDERING the requirements under Rule 47 (E) of the Rules;

BEING SATISFIED from a review of the Indictment and the material tendered by the Prosecutor that the indictment charges **Santigie Borbor Kanu, also known as 55, also known as Five-Five, also known as Santigie Khanu, also known as Santigie Kanu, also known as S.B. Khanu, also known as S.B. Kanu, also known as Santigie Bobson Kanu, also known as Borbor Santigie Kanu** with crimes within the jurisdiction of the Special Court, and that the allegations in the Prosecutor’s case summary would, if proven, amount to crimes as particularised in the indictment;

HEREBY APPROVES, pursuant to Rule 47 of the Rules, the Indictment submitted by the Prosecutor against **Santigie Borbor Kanu, also known as 55, also known as Five-Five, also known as Santigie Khanu, also known as Santigie Kanu, also known as S.B. Khanu, also known as S.B. Kanu, also known as Santigie Bobson Kanu, also known as Borbor Santigie Kanu (“the Accused”)** in respect to each and every of the seventeen (17) counts contained in the Indictment;

AND FURTHER

CONSIDERING the Prosecutor’s request that a warrant of arrest and order for transfer and detention be also issued against **“the Accused”**;

TAKES NOTE AND GRANTS the Prosecutor’s request that a warrant of arrest and order for transfer and detention be issued against **“the Accused”**;

CONSIDERING ARTICLE 17 (2) of the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of the Special Court for Sierra Leone (“the Agreement”);



CONSIDERING ALSO the Special Court Agreement 2002 (Ratification) Act 2002, section 20, which states that an order of the Special Court shall have the same force or effect as if it had been issued by a Judge, Magistrate, Justice of the Peace of a Sierra Leone Court;

CONSIDERING the application for non-disclosure made by the Prosecutor pursuant to Rule 53 of the Rules;

BEING SATISFIED upon the information provided by the Prosecutor that in the present circumstances an order for the non disclosure of the Indictment or part thereof and of all or any part of any particular document or information as submitted by the Prosecutor is required in the interests of justice;

HEREBY ORDERS, pursuant to Rule 53 of the Rules, that there be no public disclosure of the Indictment or part thereof and of all or any part of any information pertaining to the Indictment, the Warrant of Arrest and Order for Transfer and Detention until further order of the Special Court;

HEREBY DIRECTS the Registrar, pursuant to Rule 52 and 55 (B) of the Rules, to serve on "the Accused" and on the Government of Sierra Leone the following documents:

1. The Decision herein Approving the Indictment;
2. The Approved Indictment;
3. The Warrant of Arrest and Order for Transfer and Detention of Santigie Borbor Kanu, also known as 55, also known as Five-Five, also known as Santigie Khanu, also known as Santigie Kanu, also known as S.B. Khanu, also known as S.B. Kanu, also known as Santigie Bobson Kanu, also known as Borbor Santigie Kanu;
4. The Order herein for the Non-Public Disclosure of the Indictment, the Warrant of Arrest and Order for Transfer and Provisional Detention.

Done in Freetown, this 16th day of September 2003

Pierre Boutet
 Judge Pierre Boutet
 Designated Judge

