

SPECIAL COURT FOR SIERRA LEONE
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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 THE ENTIRE
TESTIMONY OF WITNESS TF1-362 TO BE HEARD IN CLOSED SESSION**

Office of the Prosecutor:

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**REASONED RULING ON THE PROSECUTION'S APPLICATION ON 19/04/05 FOR THE
ENTIRE TESTIMONY OF WITNESS TF1-362 TO BE HEARD IN CLOSED SESSION**

1. This is the reasoned Ruling of the Trial Chamber on the Prosecution's application on the 19th of April 2005 to hear the entire testimony of Witness TF1-362 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 by the Prosecution in support of the application, the entire testimony of Witness TF1-362 shall be heard in closed session.

3. This exceptional procedure is required because, as was submitted by the Prosecution, if the entire testimony of this witness is heard in public, her identity will thereby be revealed with a high potential of her safety and security and that of members of her family being endangered.

4. Further, the fact of her prominent role in the RUF during relevant periods as charged in the Indictment, and the specific roles she played (as indicated by the Prosecution) do increase her vulnerability of her being identified.

5. In conclusion, it is the considered opinion of the Chamber that if her testimony is heard in public, it would lead to her identification, and thereby jeopardise her safety and security and that of members of her family, a matter of grave concern to her.

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

Hon. Justice Pierre Boutet Hon. Justice Benjamin Mutanga Hon. Justice Bankole Thompson
Itoe
Presiding Judge
Trial Chamber I

[Seal of the Special Court for Sierra Leone]