

586)

SCSL-04-14-T
(15157-15160)

15157



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

Registrar: Mr. Lovemore G. Munlo SC

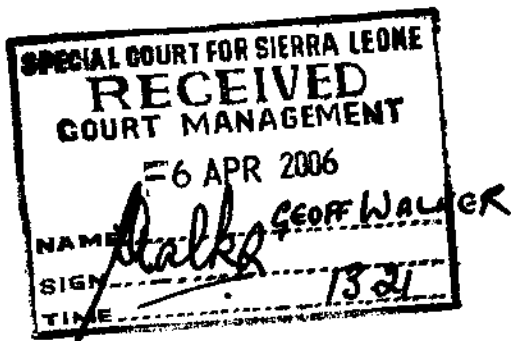
Date: 6th of April 2006

PROSECUTOR

Against

**MOININA FOFANA
ALLIEU KONDEWA
SAM HINGA NORMAN**
(Case No. SCSL04-14-T)

**ISSA HASSAN SESAY
MORRIS KALLON
AUGUSTINE GBAO**
(Case No. SCSL04-15-T)



Public Document

**DECISION ON THE PRINCIPAL DEFENDER'S MOTION FOR A REVIEW
OF THE REGISTRAR'S DECISION TO INSTALL SURVEILLANCE CAMERAS
IN THE DETENTION FACILITY**

Office of the Prosecutor:

Desmond de Silva QC
James Johnson
Peter Harrison
Kevin Tavener

Court Appointed Counsel for Sam Hinga Norman:

Dr. Bu-Buakei Jabbi
John Wesley Hall, Jr.
Alusine Sani Sesay

Court Appointed Counsel for Moinina Fofana:

Victor Koppe
Arrow Bockarie
Michiel Pestman

Court Appointed Counsel for Allieu Kondewa:

Charles Margai
Yada Williams
Ansu Lansana

Defence Counsel for Issa Hassan Sesay:

Wayne Jordash
Sareta Ashraph

Defence Counsel for Morris Kallon:

Shekou Touray
Charles Taku
Melron Nicol-Wilson

Defence Counsel for Augustine Gbao:

Andreas O'Shea
John Cammegh

TRIAL CHAMBER I (“Trial Chamber I”) of the Special Court for Sierra Leone (“Special Court”) composed of Hon. Justice Pierre Boutet, Presiding Judge, Hon. Justice Bankole Thompson, and Hon. Justice Benjamin Mutanga Itoe;

SEIZED OF the *Principal Defender’s Motion for a Review of the Registrar’s Decision to Install Surveillance Cameras in the Detention Facility of the Special Court for Sierra Leone*, filed by the Office of the Principal Defender (“Principal Defender”) on the 31st January 2006 which seeks judicial review of the Registrar’s decision to install surveillance cameras in the Detention Facility of the Special Court for Sierra Leone;

NOTING the *Interim Registrar’s Response to the Principal Defender’s Motion for a Review of the Registrar’s Decision to Install Surveillance Cameras in the Detention Facility of the Special Court for Sierra Leone* filed on the 8th of February 2006;

NOTING the *Reply to the Interim Registrar’s Response to the Principal Defender’s Motion for a Review of the Registrar’s Decision to Install Surveillance Cameras in the Detention Facility of the Special Court for Sierra Leone* filed by the Principal Defender on the 14th of February 2006;

NOTING ALSO the *Decision on Principal Defenders Motion for a Review of the Registrar’s Decision to Install Surveillance Cameras in the Detention Facility of The Special Court for Sierra Leone* issued by Trial Chamber II on the 3rd of April 2006 in the case of *Prosecutor v. Brima, Kamara and Kanu*;

CONSIDERING Article 17 of the Statute of the Special Court for Sierra Leone, Rules 2 and 45 of the Rules of Procedure and Evidence of the Special Court for Sierra Leone and Rules 3, 41 and 44 of the Rules Governing the Detention of Persons Awaiting Trial or Appeal before the Special Court for Sierra Leone or Otherwise Detained on the Authority of the Special Court for Sierra Leone;

FINDING it necessary to examine the preliminary issue raised by the Registrar regarding the power of the Principal Defender to file this Motion before addressing either the jurisdictional or the substantive issues raised in this Motion;

MINDFUL of the provisions of Rule 45 of the Rules of Procedure and Evidence on the role and functions of the Principal Defender;

AFTER a deliberation on all the submissions and issues in relation to this Motion filed by the Principal Defender:

SCSL-04-14-T
SCSL-04-15-T



- 3 -



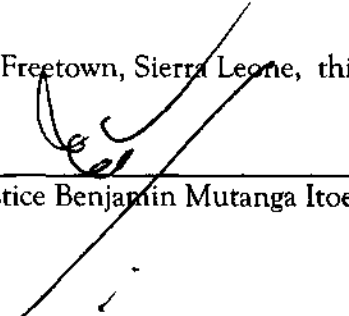
6th of April 2006 

DECIDES that the Principal Defender lacks the *locus standi* to file this motion;

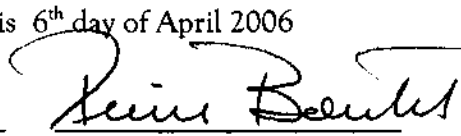
ACCORDINGLY the motion is dismissed in its entirety.

A comprehensive reasoned written Decision will be published in due course.

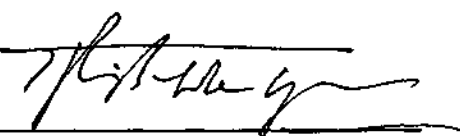
Done at Freetown, Sierra Leone, this 6th day of April 2006



Hon. Justice Benjamin Mutanga Itoe



Hon. Justice Pierre Boutet
Presiding Judge
Trial Chamber I



Hon. Justice Bankole Thompson

[Seal of the Special Court for Sierra Leone]

