

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

Registrar: Herman von Hebel

Date: 18th of April 2008

PROSECUTOR

Against

ISSA HASSAN SESAY
MORRIS KALLON
AUGUSTINE GBAO
(Case No. SCSL-04-15-T)

Public Document

DECISION TO VARY PROTECTIVE MEASURES

Office of the Prosecutor:

Mr Peter Harrison
Mr Reginald Flynn
Mr Charles Hardaway
Mr Vincent Wagona

Defence Counsel for Issa Hassan Sesay:

Mr Wayne Jordash
Ms Sareta Ashraph

Defence Counsel for Morris Kallon:

Mr Charles Taku
Mr Kennedy Ogeto
Mr Lansana Dumbuya
Ms Tanoo Mylvaganam

Court Appointed Counsel for Augustine Gbao

Mr John Cammegh
Ms Scott Martin

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

HAVING RECEIVED the Urgent Motion to Vary Protective Measures for Witnesses DMK-159, DMK-129, DMK-145, and DMK-146, filed confidentially by the Office of the Prosecutor (“Prosecution”) on the 15th of April 2008 (“Motion”);

NOTING that the Prosecution requests the Trial Chamber for an order that all protective measures currently granted to the witnesses referred to in its motion be rescinded;

MINDFUL of the Order for an expedited filing filed on the 17th of April 2008 in which the Chamber ordered:

1. Any Response to the Motion by the Defence shall be filed no later than Friday, the 18th of April 2008 at 4:00 p.m.; and
2. Any Reply by the Prosecution shall be filed no later than Monday, the 21st of April 2008 at 4:00 p.m.

NOTING that the Defence for the Second Accused, Morris Kallon in its response filed Confidentially on the 18th of April 2008, does not object to the relief sought in the application for the lifting of protective measures initially granted to the aforesaid witnesses;

CONSIDERING that Article 17(2) of the Statute of the Special Court provides that the Accused shall be entitled “to a fair and public hearing”;

CONSIDERING that Rule 78 of the Rules of Procedure and Evidence of the Special Court provides that “all proceedings... shall be held in public”;

PURSUANT TO Rules 26 *bis* and 54 of the Rules of Procedure and Evidence of the Special Court;

HEREBY GRANTS the Prosecution’s application and orders the variation of the said measures in respect of the said witnesses and accordingly rescinds all protective measures in respect thereof of witness DMK-159, DMK-129, DMK-145 and DMK-146.

Done at Freetown, Sierra Leone, this 18th day of April 2008

Hon. Justice Pierre Boutet

Hon. Justice Benjamin Mutanga
Itoe

Hon. Justice Bankole
Thompson

Presiding Judge
Trial Chamber I

[Seal of the Special Court]