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SCSL-04-15-T
(26727 - 26729)



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SPECIAL COURT FOR SIERRA LEONE

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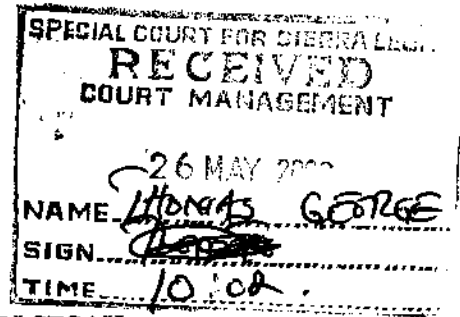
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TRIAL CHAMBER I

Before: Hon. Justice Benjamin Mutar ga Itoe, Presiding Judge
Hon. Justice Bankole Thompson
Hon. Justice Pierre Boutet

Registrar: Mr. Herman von Hebel

Date: 26th of May 2008



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

Public Document

**DECISION ON PROSECUTION REQUEST FOR CLARIFICATION OF STATUS
OF DMK-400 AND DMK-422**

Office of the Prosecutor:

Peter Harrison
Reginald Fynn
Vincent Wagana
Charles Hardaway

Defence Counsel for Issa Hassan Sesay:

Wayne Jordash
Sareta Ashraph

Defence Counsel for Morris Kallon:

Charles Taku
Kennedy Ogeto
Tanoo Mylvaganam
Lansana Dumbuya

Court Appointed Counsel for Augustine Gbao:

John Cammegh
Scott Martin

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

SEIZED of the Request for Clarification of Status of DMK-400 and DMK-422 filed publicly by the Office of the Prosecutor, ("Prosecution") on the 23rd of May 2008 ("Request");

NOTING the Urgent Kallon Defence Application for the Admission of the Witness Statements of DMK-422 and DMK-400 Under Rule 92bis or, in the Alternative, under Rule 92 ter, filed publicly with confidential Annexes on the 22nd of May 2008 ("Application");

NOTING that in the aforesaid Application, the Kallon Defence referred to witnesses in their pseudonyms to wit: DMK-400 and DMK-422;

NOTING that the Defence filed the statements of the aforesaid witnesses confidentially;

MINDFUL of the Chamber Decision of 21st April 2008 which denied the Defence Request for Trial-Related Protective Measures for DMK-400 and DMK-422 amongst others¹;

PURSUANT to Rules 26bis and 54 of the Rules of Procedure and Evidence ("Rules");

¹ Prosecutor v. Sesay et al, SCSL-04-15, Decision on Kallon Request for Leave to Vary Witness List and for Protective Measures and Confidential Annex A, 21 April 2008, para. 3.

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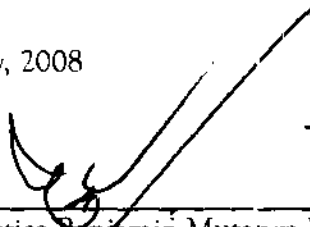
HEREBY ORDERS as follows:

1. That the Defence files a Corrigendum referring to witnesses DMK-400 and DMK-402 in their proper names and not with pseudonyms;
2. That the Defence files the statements of DMK-400 and DMK-402 publicly;
3. That the Prosecution and the Other Parties file their response publicly;
4. That the name of DMK- 444 be disclosed and that the redacted portion of the transcript with the name of the said witness DMK-444 be unredacted².

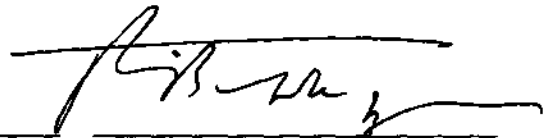
Done in Freetown this 26th day of May, 2008



Hon. Justice Pierre Boutet



Hon. Justice Benjamin Mutanga Itoe
Presiding Judge
Trial Chamber I



Hon. Justice Bankole Thompson



² See Transcript, 19 May 2006.
Case No. SCSL04-15-T