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SPECIAL COURT FOR CIER.

SPECIAL COURT FOR SIERRA LEONE

JOMO KENYATTA ROAD • FREETOWN • SIERRA LEONE

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TRIAL CHAMBER I

Before:

Hon. Justice Benjamin Mutarga 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 Wagona 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 Mutanga 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");

Case No. SCSL-04-15-T

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26th of May, 2008

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¹ Prosecutor v. Sesay et al, SCSL04-15, Decision on Kallon Request for Leave to Vary Witness List and for Protective Measures and Confidential Annex A, 21 April 2008, para. 3.

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 fi e 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 Hon. Justice Bankole Thompson

Presiding Judge

Trial Chamber I

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