

405

SCSL-03-01-T
(14556-14557)



14556

SPECIAL COURT FOR SIERRA LEONE

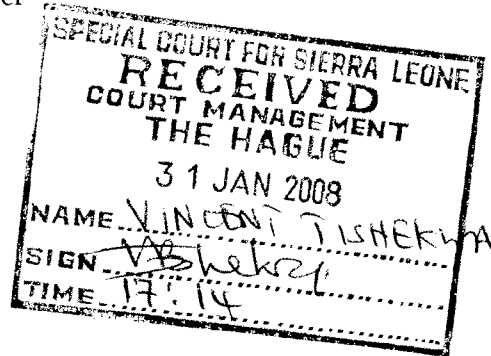
TRIAL CHAMBER II

Before: Justice Teresa Doherty, Presiding Judge
Justice Richard Lussick
Justice Julia Sebutinde
Justice El Hadji Malick Sow, Alternate Judge

Registrar: Mr. Herman von Hebel

Case No.: SCSL-03-1-T

Date: 31 January 2008



PROSECUTOR

v.

Charles Ghankay TAYLOR

DECISION ON PROSECUTION MOTION TO RESCIND PROTECTIVE MEASURES FOR WITNESS TFI-275

Office of the Prosecutor:

Brenda Hollis
Nicholas Koumjian
Kirsten Keith

Defence Counsel for Charles G. Taylor:

Courtenay Griffiths, Q.C.
Terry Munyard
Andrew Cayley
Morris Anyah

TRIAL CHAMBER II ("Trial Chamber") of the Special Court for Sierra Leone ("Special Court");

SEISED of the "Prosecution Motion to Rescind Protective Measures for Witness TFI-275", filed on 14 January 2008 ("Motion")¹, wherein the Prosecution requests that the protective measures ordered in respect of Witness TFI-275 in the case of *Prosecutor v. Sesay, Kallon and Gbao* ("the first proceedings"),² be rescinded in relation to the instant case (the "second proceedings");

NOTING that the Defence did not file a Response to the Motion;

CONSIDERING that Rule 75 (G) of the Rules of Procedure and Evidence ("the Rules") states that,

A party to the second proceedings seeking to rescind, vary or augment protective measures ordered in the first proceedings shall apply to the Chamber seized of the second proceedings.

CONSIDERING FURTHER that Rule 75 (H) states that,

Before determining an application under Sub-Rule (G) above, if the effect of the change serves to decrease the protective measures granted to the victim or witness by the Chamber in the first proceedings, the Chamber seized of the second proceedings shall obtain all relevant information from the first proceedings, and may consult with any Judge who ordered the protective measures in the first proceedings, or the relevant Chamber.

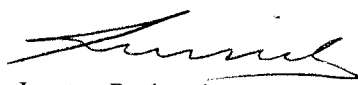
NOTING the Prosecution submission that "[f]ollowing informed discussions with the Prosecution and Prosecution's Witness Management Unit, Witness TFI-275 has indicated his willingness to testify in open court and has verbally waived his right to the protective measures to which he is currently subject, including those related to the release of the witness's identity to the public";³


PURSUANT to Rules 54, 75 and 78 of the Rules;

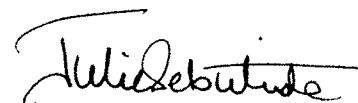
FINDING in light of all the relevant information from the first proceedings that it is appropriate to rescind the protective measures currently in force for this witness with regard to the second proceedings;

GRANTS THE MOTION AND ORDERS that the protective measures ordered in the first proceedings for Witness TFI-275 be rescinded with regard to the second proceedings.

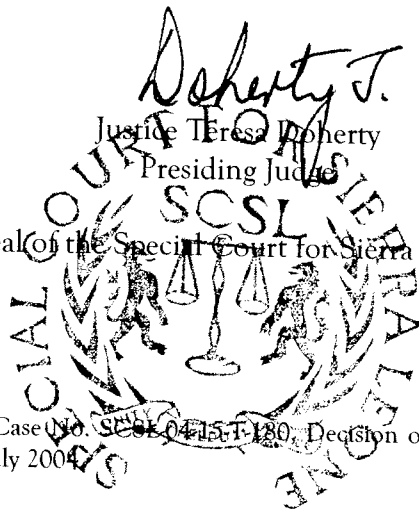
Done at The Hague, The Netherlands, this 31th day of January 2008.


Justice Richard Lussick


Justice Teresa Doherty
Presiding Judge


Justice Julia Sebutinde

[Seal of the Special Court for Sierra Leone]



¹ SCSL-03-01-T-386.

² *Prosecutor v. Sesay, Kallon and Gbao*, Case No. SCSL-04-15-T-180, Decision on Prosecution Motion for Modification of Protective Measures for Witnesses, 5 July 2004.

³ Motion, paragraph 3.