

(6115-6117)

THE SPECIAL COURT FOR SIERRA LEONE Case No. SCSL-2004-16-PT

BEFORE:

Judge Teresa Doherty, Presiding
Judge Julia Sebutinde
Judge Richard Lissack

Registrar: Mr Robin Vincent

Document Date: 11th February 2005

The Prosecutor

-v-

ALEX TAMBA BRIMA also known as TAMBA ALEX BRIMA also known as GULLIT

BRIMA BAZZY KAMARA also known as IBRAHIM BAZZY KAMARA
also known as ALHAJI IBRAHIM KAMARA

And

SANTIGIE BORBOR KANU ALSO KNOWN AS 55 also known as FIVE - FIVE also known
as SANTIGIE KHANU also known as SANTIGIE BOBSON KANU also known as BORBOR
SANTIGIE KANU

CASE NO. SCSL-2004-16-PT

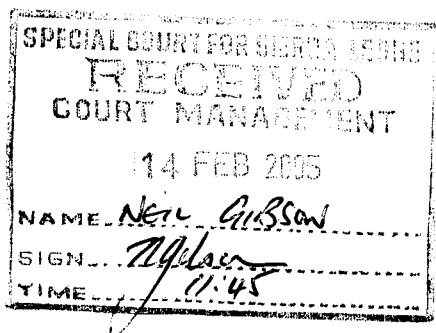
BRIMA – REQUEST FOR AN ORDER NOT TO DISCLOSE PHOTOGRAPHY, VIDEO AND
AUDIO RECORDING OF THE TRIAL TO THE PUBLIC AND/OR THIRD PARTIES

Office of the Prosecutor

Defence Counsel

Luc Coté
Robert Petit

Kevin Metzger
Glenna Thompson
Kojo Graham



I. INTRODUCTION

1. Considering the “Kanu- Request for an Order not to Disclose Photography, Video and Audio Recording of the Trial to the Public and/or Third Parties”, the Defence on behalf of Mr. Tamba Alex Brima also respectfully seek an Order Not to Disclose Photography, Video and Audio Recordings of the Trial to the Public and/or Third Parties.

II. THE APPLICATION

2. This application is made in support of the application already filed by the Kanu Defence team. It is respectfully agreed that the identity of the alleged perpetrators of the events described in the Prosecution witness statements will become an important factor in the determination of this case. The Defence for Mr. Brima will, in due course file its pre-trial brief and preliminary motions which will outline the position in this Accused’s case and, we submit, strengthen this application.
3. It is feared that disclosure of Mr. Brima’s image could have the unfairly prejudicial effect of influencing potential witnesses before they attend the Trial Chamber to give evidence in this case. It will undoubtedly have been noted by the Chamber that no identification procedures have been put into effect as regards the Accused, Tamba Alex Brima. We support the motion put forward by the Kanu Defence team and agree with their submissions.

III. RELIEF SOUGHT

4. The Honourable Trial Chamber is therefore respectfully urged to make an order:
 - i Prohibiting photography, video and audio recording of the Accused by third parties during the trial and its ancillary process;
 - ii Directing the Registry not to publish or disclose photographs, video and audio recordings, whether digitally or howsoever processed, of the Accused to the media or other third parties;
 - iii Taking any other reasonable steps or measures that the Honourable Trial Chamber might deem appropriate to prevent any potential or putative Prosecution witnesses from having access to any such records prior to their testimony at trial.

Respectfully submitted.

Settled on this 11th Day of February 2005

p.p. Karen-Hanciles
Kevin A. Metzger
Lead Counsel