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SCSL-04-15-T
(23844-23845)

23844

IN THE SPECIAL COURT FOR SIERRA LEONE

THE TRIAL CHAMBER

Before: The Trial Chamber

Judge Pierre Boutet, presiding
Judge Bankole Thompson
Judge Benjamin Itoe

Registrar: Mr Lovemore G Munro SC

Date filed: 5 June 2006

Case No. SCSL 2004 – 15 – T

In the matter of:

THE PROSECUTOR

Against

**ISSA SESAY
MORRIS KALLON
AUGUSTINE GBAO**

PUBLIC

**GBAO RESPONSE TO PROSECUTION MOTION FOR TESTIMONY OF
WITNESSES TF1-367, TF1-371 AND TF1-369 TO BE HEARD IN CLOSED
SESSION AND OTHER RELIEF FOR TF1-369**

Office of the Prosecutor

Desmond de Silva QC
James Johnson
Peter Harrison

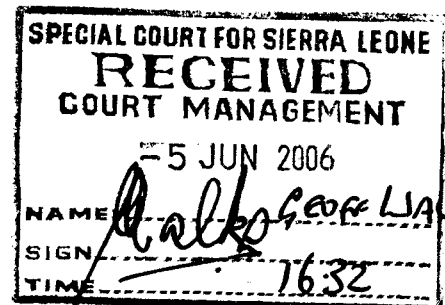
Court Appointed Counsel for Augustine Gbao

Andreas O'Shea
John Cammegh

Counsel for co-accused

Wayne Jordash and Sareta Ashraph for Issa Sesay

Shekou Touray, Charles Taku and Melron Nicol-Wilson for Morris Kallon



1. On 26 May 2006, the Prosecution filed its Motion for the Testimony of Witnesses TF1-367, TF1-271 and TF1-369 to be heard in Closed Session and Other Relief for TF1-369. In this motion the prosecution request that TF1-367, TF1-371 and TF1-369 be permitted to give their entire testimony in closed session. It is further requested that if required by the availability of TF1-369, that TF1-369 be interposed during the testimony of TF1-371 or at such other time as the Trial Chamber may deem appropriate.
2. Without regard to the former request, this defence does not oppose the application, having regard to the Chamber's general approach in these matters, in these specific circumstances, and without prejudice to its preference for open court testimony.
3. As to the prosecution's latter request it is suggested that the prosecution be invited to renew its application orally closer to the time when it has more precise information about the availability of its witness TF1-369 and the progress of its witness during the session. The defence can indicate at this stage that it is unlikely to object providing it has sufficient notice.

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Andreas O'Shea

Court Appointed Counsel for Augustine Gbao

5 June 2006