



SPECIAL COURT FOR SIERRA LEONE

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TRIAL CHAMBER II

Before: Justice Julia Sebutinde, Presiding Judge
Justice Richard Lussick
Justice Teresa Doherty

Registrar: Lovemore G. Munlo, SC

Date: 19 January 2006

PROSECUTOR

Against

Charles Ghankay Taylor
(Case No.SCSL-03-1-PT)

**DECISION ON PROSECUTION MOTION REQUESTING THE RE-FILING ON A
CONFIDENTIAL BASIS OF THE "URGENT AND PUBLIC: DEFENCE MOTION FOR URGENT
RECONSIDERATION OF 'DECISION ON DEFENCE MOTION FOR LEAVE TO FILE AN OVERSIZED
MOTION: DEFENCE MOTION ON ADEQUATE TIME AND FACILITIES
FOR THE PREPARATION OF MR. TAYLOR'S DEFENCE'"**

Office of the Prosecutor:
James C. Johnson
Leigh Lorie

Defence Counsel for Charles G. Taylor :
Karim A.A. Khan
Roger Sahota

TRIAL CHAMBER II ("Trial Chamber") of the Special Court for Sierra Leone ("Special Court"), composed of Justice Julia Sebutinde, Presiding Judge, Justice Richard Lussick and Justice Teresa Doherty;

SEISED of the "Confidential Prosecution Motion Requesting the Re-Filing on a Confidential Basis of the 'Urgent and Public: Defence Motion for Urgent Reconsideration of 'Decision on Defence Motion for Leave to File an Oversized Motion: 'Defence Motion on Adequate Time and Facilities for the Preparation of Mr. Taylor's Defence'" ("Motion"), filed on 14 December 2006, wherein the Prosecution submits that (i) the Defence in their "Urgent and Public: Defence Motion for Urgent Reconsideration of 'Decision on Defence Motion for Leave to File an Oversized Motion: 'Defence Motion on Adequate Time and Facilities for the Preparation of Mr. Taylor's Defence'", dated 12 December 2006 ("Defence Motion of 12 December 2006") breached protective measures ordered by the Trial Chamber by including in an appendix to that Motion sections taken from the statements of a protected witness¹, and that (ii) the Trial Chamber should order that the appendix to Defence Motion of 12 December 2006 be re-filed on a confidential basis;²

NOTING the "Defence Response to Confidential Prosecution Motion Requesting the Re-filing on a Confidential Basis the 'Urgent and Public: Defence Motion for Urgent Reconsideration Dated 12 December 2006'" ("Response"), filed on 15 December 2006, wherein the Defence submits that it did not breach any protective measures by including the statement of a protected witness as an annex to the Defence Motion of 12 December 2006, but nevertheless undertakes to extract all references to any statement made by the protected witness from the public motion and to collate them in a confidential annex thereto;³

NOTING the "Confidential Prosecution Reply to Defence Response to 'Confidential Prosecution Motion Requesting the Re-filing on a Confidential Basis the 'Urgent and Public: Defence Motion for Urgent Reconsideration Dated 12 December 2006'" ("Reply"), filed on 8 January 2007, wherein the Prosecution submits that in light of the Response, its Motion is now moot;⁴

HEREBY ORDERS that the Motion be **DISMISSED**.

Done at Freetown, Sierra Leone, this 19th day of January 2007.

Justice Richard Lussick

Justice Julia Sebutinde
Presiding Judge

Justice Teresa Doherty

[Seal of the Special Court for Sierra Leone]

¹ Motion, paras 2 and 3.

² Motion, para. 4.

³ Response, para. 6.

⁴ Reply, para. 6.