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SCSL-03-01-T
(29440-29441)

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SPECIAL COURT FOR SIERRA LEONE

TRIAL CHAMBER II

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

Registrar: Binta Mansaray

Case No.: SCSL-03-1-T

Date: 16 July 2010

SPECIAL COURT FOR SIERRA LEONE
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PROSECUTOR

v.

Charles Ghankay TAYLOR

DECISION ON PROSECUTION OBJECTION TO RULE 92BIS STATEMENTS

Office of the Prosecutor:

Brenda J. Hollis
Nicholas Koumjian
Kathryn Howarth

Counsel for the Accused:

Courtenay Griffiths, Q.C.
Terry Munyard
Morris Anyah
Silas Chekera
James Supuwood

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

SEISED of the "Prosecution Objection to Rule 92bis Statements", filed on 12 July 2010 ("Objection"),¹ wherein the Prosecution objects to the use and/or admission of six witness statements which the Defence proposes to use during the examination-in-chief of Witness DCT-172, on the basis *inter alia*, that these statements are materials falling within the ambit of Rule 92bis of the Rules of Procedure and Evidence ("Rules"), and that the requirements of this rule cannot be met;²

NOTING the "Defence Response to Prosecution Objection to Alleged Rule 92bis Statements", filed on 15 July 2010 ("Response"),³ wherein the Defence opposes the objection, and submits that the documents in question can be tendered as part of DCT-172's *viva voce* testimony under Rule 89(C);⁴

NOTING ALSO the "Public with Annex A Defence Notification of Additional Potential Exhibits to be used in Connection to DCT-172",⁵ filed on 5 July 2010, in which these statements are listed;

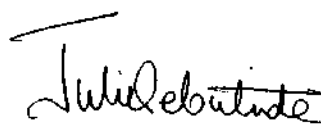
CONSIDERING that the Defence has not filed a Motion for admission of these statements pursuant to Rule 92bis, nor made any other type of application to use and/or admit these statements;

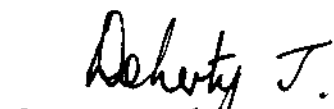
FINDING therefore that the purported objection of the Prosecution is premature;

HEREBY DISMISSES THE OBJECTION.

Done at The Hague, The Netherlands, this 16th day of July 2010.


Justice Richard Lussick


Justice Julia Sebutinde
Presiding Judge


Justice Teresa Doherty

[Seal of the Special Court for Sierra Leone]



¹ SCSL03-01-T-1003.

² Objection, paras 3, 13.

³ SCSL03-01-T-1007.

⁴ Response, paras 1, 22.

⁵ SCSL03-01-T-1001. The Trial Chamber notes that while the Prosecution refers to six statements, there are in fact only five statements, as one of the statements has both a French and English version.