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SCSL-03-01-T
(20386-20387)

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SPECIAL COURT FOR SIERRA LEONE

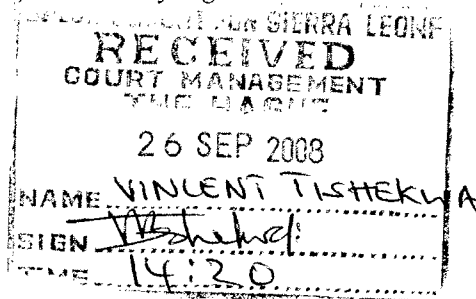
TRIAL CHAMBER II

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

Registrar: Herman von Hebel

Case No.: SCSL-03-1-T

Date: 26 September 2008



PROSECUTOR

v.

Charles Ghankay TAYLOR

**DECISION ON PROSECUTION MOTION FOR LEAVE TO CALL TF1-060
TO GIVE EVIDENCE-IN-CHIEF & CROSS EXAMINATION *VIVA VOCE***

Office of the Prosecutor:

Brenda J. Hollis
Leigh Lawrie

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 “Public Prosecution Motion for Leave to Call TF1-060 to Give Evidence-in-Chief and Cross-examination *Viva Voce*”, filed on 9 September 2008 (“Motion”),¹ wherein the Prosecution requests that it be permitted to call Witness TF1-060 to give evidence entirely *viva voce*² rather than via Rule 92bis;³

NOTING that the Defence has not filed any response;

COGNISANT of Rules 73 bis, 85, 90 and 92bis of the Rules;


RECALLING the Trial Chamber’s Decision of 15 July 2008, ordering that the prior transcripts and exhibits relating to the testimony of witness TF1-060 be admitted into evidence pursuant to Rule 92bis provided that the Prosecution make the said witness available for cross-examination by the Defence;⁴


FINDING that in accordance with the Trial Chamber’s “Decision on Public Prosecution Motion for Leave to Call TF1-036 to Give evidence-in-Chief and Cross-examination *Viva Voce*”, dated 5 September 2008 the Prosecution has the liberty to choose the method of its presentation of evidence and may choose to change such method of presentation and that the Defence will not be prejudiced since it will have the right to cross-examine the witness;⁵

GRANTS the Motion.

Done at The Hague, The Netherlands, this 26th day of September 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-582.

² Motion, para. 8.

³ Motion, paras. 6-8.

⁴ *Prosecutor v. Taylor*, SCSL-03-01-T-556, Decision on Prosecution Notice under Rule 92 bis for the Admission of Evidence Related to *Inter Alia* Kenema District and on the Prosecution Notice under Rule 92 bis for the Admission of the Prior Testimony of TF1-036 into Evidence, 15 July 2008.

⁵ *Prosecutor v. Taylor*, SCSL-03-01-T-575, Decision on Public Prosecution Motion for Leave to Call TF1-036 to Give Evidence in Chief & Cross-examination *Viva Voce*, 5 September 2008.