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SCSL-03-01-1  
(23999 - 24001)

23999



**THE SPECIAL COURT FOR SIERRA LEONE**

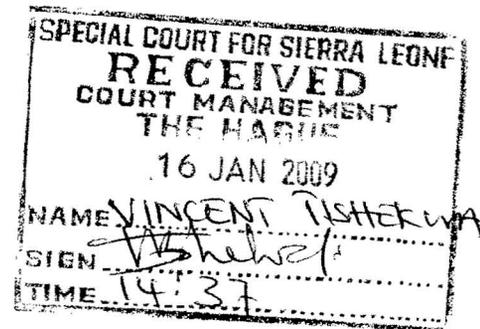
**In Trial Chamber II**

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

**Registrar:** Mr. Herman von Hebel

**Date:** 16 January 2009

**Case No.:** SCSL-2003-01-T



**THE PROSECUTOR**

-v-

**CHARLES GHANKAY TAYLOR**

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PUBLIC

**DEFENCE RESPONSE TO CONFIDENTIAL PROSECUTION NOTICE UNDER RULE  
92bis FOR THE ADMISSION OF EVIDENCE RELATED TO *INTER ALIA* FREETOWN  
& WESTERN AREA - TF1-169**

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**Office of the Prosecutor:**

Ms. Brenda J. Hollis  
Ms. Kathryn Howarth  
Ms. Ula Nathai-Lutchman

**Counsel for Charles G. Taylor:**

Mr. Courtenay Griffiths, Q.C.  
Mr. Terry Munyard  
Mr. Andrew Cayley  
Mr. Morris Anyah

1. On 12 January 2009, the Prosecution filed a confidential *Notice Under Rule 92bis for the Admission of Evidence Related to Inter Alia Freetown & Western Area – TF1-169*.<sup>1</sup>
2. In the Notice, the Prosecution seeks admission of two prior statements given by Witness TF1-169.<sup>2</sup> Although the witness previously testified in the AFRC Trial and was called for cross-examination in the RUF Trial, the Prosecution does not now seek admission of the related prior trial transcripts.<sup>3</sup>
3. The Defence does not object to the admission of these two statements under Rule 92bis.
4. Additionally, since no aspect of the witness' evidence is pivotal to the Prosecution's case, in the sense that it does not describe the acts or conduct of the Accused and/ or those of specific persons proximate to the Accused, nor does it go to a critical element of the Prosecution's case,<sup>4</sup> the Defence does not wish to cross-examine Witness TF1-169.

Respectfully Submitted,



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**Courtenay Griffiths, Q.C.**  
**Lead Counsel for Charles G. Taylor**  
Dated this 16<sup>th</sup> Day of January 2009  
The Hague, The Netherlands

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<sup>1</sup> *Prosecutor v. Taylor*, SCSL-03-01-T-710, Confidential Prosecution Notice Under Rule 92bis for the Admission of Evidence Related to *Inter Alia* Freetown & Western Area – TF1-169, 12 January 2009 (“**Notice**”).

<sup>2</sup> Notice, para. 2.

<sup>3</sup> Notice, paras. 12-13.

<sup>4</sup> Notice, paras. 21-22.

24001

**Table of Authorities**

**SCSL**

*Prosecutor v. Taylor*, SCSL-03-01-T-710, Confidential Prosecution Notice Under Rule 92bis for the Admission of Evidence Related to *Inter Alia* Freetown & Western Area – TF1-169, 12 January 2009