

SPECIAL COURT FOR SIERRA LEONE

IN THE APPEALS CHAMBER

Before:

Justice Shireen Avis Fisher, Pre-Hearing Judge

Registrar:

Ms. Binta Mansaray

Date:

5 December 2012

PROSECUTOR

Against

CHARLES GHANKAY TAYLOR (Case No. SCSL-03-01-A)

PUBLIC

LEAVE TO REFILE

URGENT DEFENCE MOTION TO RECLASSIFY PART OF PUBLIC ANNEX I TO ITS **RULE 115 MOTION AS CONFIDENTIAL**

Office of the Prosecutor:

Ms. Brenda J. Hollis

Mr. Nicholas Koumjian

Mr. Mohamed A. Bangura

Ms. Nina Tavakoli

Ms. Leigh Lawrie

Mr. Christopher Santora

Ms. Kathryn Howarth

Ms. Ruth Mary Hackler Ms. Ula Nathai-Lutchman

Mr. James Pace

Mr. Cóman Kenny

Defence Counsel for the Accused:

Mr. Morris Anyah

Mr. Eugene O'Sullivan

Mr. Christopher Gosnell

Ms. Kate Gibson

Ms. Magda Karagiannakis

SPECIAL COURT FOR SIERRA LEUNE

05 DEC 2012

NAME ZAINAB T. FOFANAH

Case No. SCSL-03-01-A

5 December 2012

Justice Shireen Avis Fisher, Pre-Hearing Judge of the Appeals Chamber of the Special Court for Sierra Leone ("Special Court"), acting in accordance with the "Order Designating a Pre-Hearing Judge Pursuant to Rule 109 of the Rules of Procedure and Evidence," dated 21 June 2012;

BEING SEISED of the "Urgent Defence Motion to Reclassify Part of Public Annex I to Its Rule 115 Motion as Confidential" ("Urgent Defence Motion") filed on 4 December 2012;

NOTING the "Charles Ghankay Taylor's Motion for Disqualification of Justice Shireen Avis Fisher from Deciding the Defence Motion to Present Additional Evidence Pursuant to Rule 115" ("Motion for Disqualification") filed on 30 November 2012;

CONSIDERING that the subject of the Urgent Defence Motion is the Rule 115 Motion, and the Defence has requested in its Motion for Disqualification that the Pre-Hearing Judge be disqualified from deciding matters connected with the Rule 115 Motion;

CONSIDERING FURTHER that the Motion for Disqualification has not yet been decided;

HEREBY declines to rule on any pending issue relevant to the Rule 115 Motion and grants leave to the Defence to refile the motion before the Appeals Chamber.

Done in The Hague, The Netherlands, this 5th day of December 2012.

Hon. Justice Shireen Avis Fisher Pre-Hearing Judge

Pre-Hearing Judge

of Procedure and Evidence, 21 June 2012 [Taylor Order Designating a Pre-Hearing Judge].
² Prosecutor v. Taylor, SCSL-03-01-A-1359, Public Urgent Defence Motion to Reclassify Part of Public Annex I to Its Rule 115 Motion as Confidential, 4 December 2012 [Taylor Urgent Defence Motion].

¹ Prosecutor v. Taylor, SCSL-03-01-A-1297, Order Designating and Prosecutor v. Taylor, SCSL-03-01-A-1297, Order Designation v. Taylor v.

³ Prosecutor v. Taylor, SCSL-03-01-A-1354, Public with Annex A Charles Ghankay Taylor's Motion for Disqualification of Justice Shireen Avis Fisher from Deciding the Defence Motion to Present Additional Evidence Pursuant to Rule 115, 30 November 2012 [Taylor Motion for Disqualification].