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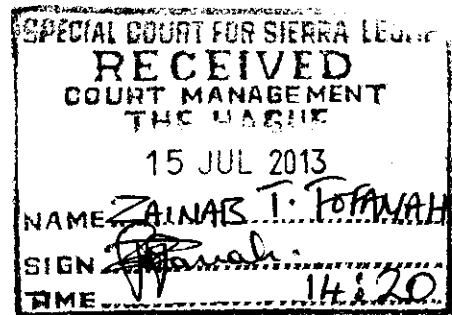
SPECIAL COURT FOR SIERRA LEONE

IN THE APPEALS CHAMBER

Before: Justice Emmanuel Ayoola, Presiding
Justice Renate Winter
Justice Jon M. Kamanda

Registrar: Ms. Binta Mansaray

Date: 15 July 2013



**INDEPENDENT
COUNSEL**

Against

**PRINCE TAYLOR
(Case No. SCSL-02-A)**

Public

**DECISION ON APPELLANT'S APPLICATION FOR ADDITIONAL EVIDENCE
PURSUANT TO RULE 115**

Independent Counsel:
Ms. William L. Gardner
Mr. Benjamin Klein

Defence Counsel for Prince Taylor:
Mr. Rodney Dixon

Principal Defender
Ms. Claire Carlton-Hanciles

1. The Appeals Chamber of the Special Court for Sierra Leone (“Special Court”), composed of Justice Emmanuel Ayoola, Presiding, Justice Renate Winter and Justice Jon M. Kamanda, sitting in accord with President’s “Order Assigning Judges to a Case Before the Appeals Chamber” of 20 March 2013, is seized of Appellant’s Application for Additional Evidence Pursuant to Rule 115 (“Motion”), dated 12 June 2013, filed by Mr. Prince Taylor (“Appellant”).¹ The Independent Counsel filed a response thereto on 17 June 2013,² and the Appellant filed a reply on 24 June 2013.³

A. Submissions of the Parties

2. The Motion seeks the admission on appeal of additional evidence pursuant to Rule 115 of the Rules of Procedure and Evidence (“Rules”), from Lawyer X, a Defence Witness who was not called to testify but whose evidence was admitted during the trial by agreement between the Parties.⁴ The Appellant requests that the additional evidence be heard by the Appeals Chamber because: (i) it “was in effect not available at trial as Lawyer X was not called to testify during the trial, his evidence having been agreed and admitted without cross-examination”;⁵ (ii) it “is relevant and credible”⁶ and (iii) “it could have been a decisive factor in the Trial Chamber’s findings about the credibility and reliability of the key prosecution witness, Mr Eric Senessie (“Senessie”), and thus in the decision that the Trial Chamber reached ... that the Appellant was guilty.”⁷ The Appellant further requests that “even if the Appeals Chamber decides that this additional evidence was available at trial ... it should be admitted in the interests of justice and because it would amount to a miscarriage of justice if it were to be excluded and not taken into consideration ...”⁸

3. The Independent Counsel responds that the Motion does not meet the requirements of Rule 115 as the Appellant fails to establish “that the evidence at issue: (i) was unavailable at trial; (ii) is credible; and (iii) renders, or could render, the verdict unsafe.”⁹ The Independent Counsel further submits that the Appellant “has also failed to establish that the exclusion of the evidence would result in a miscarriage of justice.”¹⁰ The Independent Counsel submits that even though during the pre-trial hearing the Appellant’s Counsel had stated his intention to call Lawyer X as a witness in

¹ *Independent Counsel v. Prince Taylor*, SCSL-12-02-A-076, Appellant’s Application for Additional Evidence Pursuant to Rule 115, 12 April 2013.

² *Independent Counsel v. Prince Taylor*, SCSL-12-02-A-077, Independent Counsel’s Public Response to Appellant’s Application for Additional Evidence Pursuant to Rule 115 with Confidential Annex A, 17 June 2013 (“Response”).

³ *Independent Counsel v. Prince Taylor*, SCSL-12-02-A-078, Appellant’s Reply to Independent Counsel’s Response to Appellant’s Application for Additional Evidence Pursuant to Rule 115, 24 June 2013 (“Reply”).

⁴ Motion, para. 3.

⁵ Motion, para. 3.

⁶ Motion, para. 2.

⁷ Motion, para. 2.

⁸ Motion, para. 3.

⁹ Response, para. 2.

the case, he elected to close his case with a deliberate and voluntary decision on his part not to call Lawyer X as a witness.¹¹ Furthermore, the Independent Counsel submits, the Appellant could have requested that Lawyer X addresses the issues raised in the proposed additional evidence in his written statement, which was finalised and submitted to the Trial Chamber after the closure of the Prosecution case.¹² Alternatively, the Appellant could have requested that the Trial Chamber hears Lawyer X's testimony during that period.¹³

4. Regarding the credibility of the proposed additional evidence, the Independent Counsel submits that the "Appellant's Motion assumes, without argument, that Lawyer X's additional evidence is credible".¹⁴ The Independent Counsel submits that not only was the Trial Chamber "highly critical of – and ultimately rejected- many of Lawyer X's central allegations,"¹⁵ it also did not reject Senessie's evidence on the basis that it conflicted with that of Lawyer X.¹⁶ The Independent Counsel submits that the Appellant's erroneous argument that to exclude the proposed additional evidence "would result in a miscarriage of justice as the evidence of Senessie would stand ... and remain the sole basis" for his conviction fails to consider the existence of other evidence that corroborates Senessie's testimony and buttresses the Trial Chamber's findings.¹⁷

5. In Reply, the Appellant avers that the proposed additional evidence was unavailable at trial as the Trial Chamber relied on Independent Counsel's closing address in which he disputed Lawyer X's testimony to make findings adverse to the Appellant, without giving Lawyer X an opportunity to respond to those challenges.¹⁸ He submits that the additional evidence could not have been included in Lawyer X's written statement as Lawyer X was not notified about the specific challenges that were raised,¹⁹ and that it "would directly address the findings made by Trial Chamber [sic] about Lawyer X's evidence ..."²⁰ The Appellant reiterates that the Trial Chamber did not make any findings adverse to Lawyer X's credibility.²¹ He also reiterates that the exclusion of the proposed additional evidence would result in a miscarriage of justice as not only was

¹⁰ Response, para. 2.

¹¹ Response, para. 12.

¹² Response, para. 15.

¹³ Response, para. 16.

¹⁴ Response, para. 24.

¹⁵ Response, para. 18.

¹⁶ Response, para. 23.

¹⁷ Response, para. 26.

¹⁸ Reply, para. 15.

¹⁹ Reply, para. 16.

²⁰ Reply, para. 16.

²¹ Reply, para. 19.

“Senessie’s evidence ... not independently corroborated by other reliable evidence in the trial,”²² but “the additional evidence would have a decisive impact on the Independent Counsel’s case ...”²³

B. Applicable law

6. Rule 115(A) provides:

A party may apply by motion to the Pre-Hearing Judge to present before the Appeals Chamber additional evidence which was not available to it at the trial. Such motion shall clearly identify with precision the specific finding of fact made by the Trial Chamber to which the additional evidence is directed. The motion shall also set out in full the reasons and supporting evidence on which the party relies to establish that the proposed additional evidence was not available to it at trial. The motion shall be served on the other party and filed with the Registrar not later than the deadline for filing the submission in reply. Rebuttal material may be presented by any party affected by the motion.

7. Pursuant to Rule 109(D), the Appeals Chamber may of its own initiate exercise any of the functions of the Pre-Hearing Judge.

8. Pursuant to Article 23 of the Practice Direction on the Structure of Grounds of Appeal Before the Special Court:

A party applying to present additional evidence must do so by way of motion, in accordance with the Rules, stating:

- (a) the specific Rule by which the application is made;
- (b) a precise list of the evidence sought to be presented;
- (c) an indication of the specific finding of fact made by the Trial Chamber to which the additional evidence is directed;
- (d) the reasons and supporting evidence relied on to establish that the proposed additional evidence was not available at trial as required by the Rule;
- (e) the arguments in support of the requirement that the admission of the requested additional evidence should be in the interest of justice.

9. The Appeals Chamber has previously set forth the requirements that must be met in order for additional evidence to be admissible under Rule 115, namely: first, the appellant must demonstrate that the proposed additional evidence tendered on appeal was not available to him at trial in any form, or discoverable through the exercise of due diligence; second, the appellant must show that the evidence is both relevant to a material issue and credible.²⁴ The Appeals Chamber

²² Reply, para. 23.

²³ Reply, para. 25.

²⁴ *Prosecutor v. Charles Ghankay Taylor, SCSL-03-01-A*, Decision on Defence Motion to Present Additional Evidence Pursuant to Rule 115, (“Taylor Rule 115 Decision”), 18 January 2013, para 7, *citing Prosecutor v. Sesay, et al.*, SCSL-04-15-A-1319, Appeals Chamber, Decision on Sesay Request to Admit Exhibit MFI-134 from *Prosecutor v. Taylor* (“Sesay Rule 115 Decision”), 14 October 2009, para. 6, and references cited therein; *Prosecutor v. Sesay, et al.*, SCSL-04-15-A-1311, Pre-Hearing Judge, Decision on Gbao Motion to Admit Additional Evidence pursuant to Rule 115 (“Gbao Rule 115 Decision”), 5 August 2009, para. 9 and references cited therein.

further recalls its holding that Rule 115 is materially similar to Rule 115 of the Rules of Procedure and Evidence of the *ICTY* and *ICTR*,²⁵ and that it has previously established that Rule 115 will be applied in a manner consistent with the corresponding procedure at the *ICTY* and *ICTR*.²⁶

10. The Appellant's duty under the first prong to act with due diligence includes making "appropriate use of all mechanisms ... available under the Statute and the Rules ... to bring evidence on behalf of an accused before the Trial Chamber."²⁷ Under the second prong, evidence is "relevant" if it relates to findings material to the Trial Chamber's decision,²⁸ and "credible" if it appears to be reasonably capable of belief or reliance.²⁹

11. If the appellant is able to satisfy these prongs of the test, then he must further demonstrate that the evidence could have had an impact on the verdict,³⁰ namely, that "the evidence before a Trial Chamber appears to be reliable but, in the light of additional evidence presented upon appeal, is exposed as unreliable."³¹ Furthermore, Rule 115 applies only where the proposed evidence relates "to a fact or issue *already litigated at trial*."³² In other words, Rule 115 "deal[s] with the situation where a party is in possession of material that was not before the court of first instance and *which is additional evidence of a fact or issue litigated at trial*."³³

²⁵ Taylor Rule 115 Decision para. 7, *citing* Gbao Rule 115 Decision, para. 8.

²⁶ Taylor Rule 115 Decision, para. 7, *citing* Gbao Rule 115 Decision, para. 7, *endorsed* by Sesay Rule 115 Decision, paras. 6-11.

²⁷ *Prosecutor v. Krstić*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-98-33-A, Appeals Chamber, Decision on Applications for Admission of Additional Evidence on Appeal, 5 August 2003 (*Krstić* Rule 115 Decision), p. 3; *Prosecutor v. Kupreškić et al.*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-95-16-A, Appeal Judgement, 23 October 2001 ("*Kupreškić et al.* Appeal Judgement"), para. 50; *Prosecutor v. Tadić*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-94-1-A, Decision on Appellant's Motion for the Extension of the Time-Limit and Admission of Additional Evidence, 16 October 1998 ("*Tadić* Decision on Extension of Time Limit"), para. 47; *Prosecutor v. Ntagerura et al.*, International Criminal Tribunal for Rwanda, Case No. ICTR-99-46-A, Decision on Prosecution Motion for Admission of Additional Evidence, 10 December 2004 ("*Ntagerura et al.*, Rule 115 Decision"), para. 9 (internal citations omitted).

²⁸ *Prosecutor v. Krajišnik*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-00-39-A, Appeals Chamber, Decision on Appellant Momčilo Krajišnik's Motion to Present Additional Evidence, 20 August 2008 ("*Krajišnik* Rule 115 Decision"), para. 6; *Prosecutor v. Stanišić and Simatović*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-03-69-AR65.4, Appeals Chamber, Decision on Prosecution Appeal of Decision on Provisional Release and Motions to Present Additional Evidence Pursuant to Rule 115, 26 June 2008 ("*Stanišić* Rule 115 Decision"), para. 7.

²⁹ *Krajišnik* Rule 115 Decision, para. 6; *See also*, *Ntagerura et al.*, Rule 115 Decision at para. 22.

³⁰ *Krstić* Rule 115 Decision, p. 3.

³¹ *Kupreškić et al.* Appeal Judgment, para. 44.

³² *Kupreškić et al.* Appeal Judgment, paras 57, 49 (emphasis in original).

³³ *Prosecutor v. Kupreškić et al.*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-95-16-A, Appeals Chamber, Decision on the Motions of Drago Josipović, Zoran Kupreškić and Vlatko Kupreškić to Admit Additional Evidence Pursuant to Rule 115 and for Judicial Notice to be Taken Pursuant to Rule 94 (B), 8 May 2001 ("*Kupreškić et al.* Decision of 8 May 2001"), para. 5 (emphasis added); *Accord Prosecutor v. Hategekimana*, International Criminal Tribunal for Rwanda, Case No. ICTR-00-55B-R11bis, Appeals Chamber, Decision on Request to Admit Additional Evidence, 2 October 2008, para. 5 ("*Hategekimana* Rule 115 Decision"); *Prosecutor v. Kanyarukiga*, International Criminal Tribunal for Rwanda, Case No. ICTR-2002-78-R11bis, Appeals Chamber, Decision on Request to Admit Additional Evidence of 18 July 2008, 1 September 2008 ("*Kanyarukiga* Rule 115

C. Discussion

A. Whether the evidence was available at trial

12. The Appellant fails to establish that the proposed evidence was unavailable at trial. On the first day of the trial, Counsel for the Appellant notified the Trial Chamber of his intention to call Lawyer X as a witness because “his evidence does go to issues relating to the credibility of Mr. Senessie.”³⁴ It is not disputed that the parties subsequently agreed to admit Lawyer X’s evidence in statement form together with annexes,³⁵ even though Lawyer X was available to testify via video link from The Hague had the need arisen.³⁶

13. The Appellant submits however that the Trial Chamber made certain findings in respect of the evidence of Lawyer X which were not addressed in the witness’s admitted statement.³⁷ He submits that “[h]ad the Appellant known that the Chamber would make the findings ... which were not addressed in the agreed evidence of Lawyer X, the Defence would have called lawyer X to testify at the trial to give evidence about these matters.”³⁸

14. Counsel for Appellant objected to what he perceived to be questions surrounding Lawyer X’s credibility raised by the Independent Counsel during the latter’s closing address, on the basis that such matters were to be put to Lawyer X so as to afford Lawyer X an opportunity to respond accordingly.³⁹ Counsel for Appellant had several courses of action open to him: first he acknowledged that he had a right of reply to Independent Counsel’s submissions and that he could

Decision”), para. 5; *Prosecutor v. Muvunyi*, International Criminal Tribunal for Rwanda, Case No. ICTR-00-55A-A, Appeals Chamber, Decision on a Request to Admit Additional Evidence, 27 April 2007, para. 6 (“*Muvunyi* Rule 115 Decision”); *Prosecutor v. Nahimana, et al.*, International Criminal Tribunal for Rwanda, Case No. ICTR-99-52-A, Appeals Chamber, Decision on Appellant Jean-Bosco Barayagwiza’s Motions for Leave to Present Additional Evidence Pursuant to Rule 115 of the Rules of Procedure and Evidence, 8 December 2006, para. 4 (“*Nahimana et al.* 8 December 2006 Decision”); *Prosecutor v. Nahimana, et al.*, International Criminal Tribunal for Rwanda, Case No. ICTR-99-52-A, Appeals Chamber, Decision on Appellant Hassan Ngeze’s and the Prosecution’s Requests for Leave to Present Additional Evidence of Witnesses ABC1 and EB, 27 November 2006 (“*Nahimana et al.* 27 November 2006 Decision”), para. 19; *Prosecutor v. Nahimana, et al.*, International Criminal Tribunal for Rwanda, Case No. ICTR-99-52-A, Appeals Chamber, Decision on Jean-Bosco Barayagwiza’s Motion for Leave to Present Additional Evidence Pursuant to Rule 115, 5 May 2006 (“*Nahimana et al.* 5 May 2006 Decision”), para. 20; *Prosecutor v. Nahimana, et al.*, International Criminal Tribunal for Rwanda, Case No. ICTR-99-52-A, Appeals Chamber, Decision on Appellant Hassan Ngeze’s Six Motions for Admission of Additional Evidence on Appeal and/or Further Investigation, 23 February 2006, para. 40 (“*Nahimana et al.* 23 February 2006 Decision”); *Prosecutor v. Nahimana, et al.*, International Criminal Tribunal for Rwanda, Case No. ICTR-99-52-A, Appeals Chamber, Decision on Appellant Hassan Ngeze’s Motion for the Approval of the Investigation at the Appeal Stage, 3 May 2005 (“*Nahimana et al.* 3 May 2005 Decision”).

³⁴ Trial Transcript, Status Conference, 12 January 2013, p. 44.

³⁵ Trial Transcript, 14 January 2013, p. 73; Counsel for Appellant informed the Court of the Parties’ agreement to which the Independent Counsel did not raise any objection.

³⁶ Trial Transcript, Status Conference, 12 January 2013, p. 44.

³⁷ Motion, para. 13.

³⁸ Motion, para. 13.

³⁹ Trial Transcript, 17 January 2013, pp 504-509.

raise the issue during his closing address;⁴⁰ second, Counsel for Appellant could also have requested and sought the Trial Chamber's permission to re-open its case so as to have Lawyer X address the issues raised pertaining to his credibility and to hear his testimony even after Independent Counsel's closing address had been completed.⁴¹ The Trial Chamber remains seized of the case during the time after closing arguments and before the rendering of the Trial Judgment. The Appellant could thus have applied to re-open the case to present the additional evidence now sought to be admitted before the Appeals Chamber, but elected not to do so.

15. Under these circumstances, the Appeals Chamber finds that the evidence was available at trial for the purpose of Rule 115 of the Rules.

B. Whether omission of the evidence would lead to a miscarriage of justice

16. Having found that the evidence was available at trial for the purpose of Rule 115 of the Rules, the operative question then becomes whether the Appellant has demonstrated that if the proposed additional evidence was admitted, it would have affected the Trial Chamber's verdict. Although Rule 115 of our Rules and those of the other international Courts do not explicitly provide for this, this Appeals Chamber has concurred with the *ICTY* and *ICTR* Appeals Chambers in considering that even if relevant and credible evidence were available at trial, it may nonetheless be admitted on appeal if the applicant can establish that the exclusion of it would lead to a miscarriage of justice.⁴² It must be demonstrated that had the additional evidence been admitted at trial, it would have affected the verdict.⁴³

17. The Appeals Chamber notes that an outline of the additional evidence of Lawyer X, which the Appellant seeks to be admitted, is set out in paragraphs 14 and 15 of the Motion. However, the Appeals Chamber has previously concurred that it is well established that "[w]here a party seeks to call a witness at the appellate stage, it needs to provide a statement or other documentation of the

⁴⁰ Trial Transcript, 17 January 2013, pp 508, 509, 523.

⁴¹ *Prosecutor v. Charles Ghankay Taylor*, SCSL-03-01-1264, Trial Chamber, Decision on Urgent and Public with Annex Defence Motion to Re-Open its Case In Order to Seek Admission of Panel of Experts Report on Liberia, 9 February 2012, paras 5, 6 and internal references cited.

⁴² Gbao Rule 115 Decision, para. 13; Sesay Rule 115 Decision, para. 10.

⁴³ Gbao Rule 115 Decision, para. 13, citing *Krajišnik* Rule 115 Decision, para. 8, *Kajelijeli v. Prosecutor*, International Criminal Tribunal for Rwanda, ICTR-98-44-A-A, Decision on defence motion for the Admission of Additional Evidence Pursuant to Rule 115 of the Rules of Procedure and Evidence, 28 October 2004 ("*Kajelijeli* Rule 115 Decision"), para. 11; *Ntagerura et al*, Rule 115 Decision, para. 11; *Prosecutor v. Delić*, International Criminal Tribunal for the former Yugoslavia, IT-96-21.R-RI19, Decision on Motion for Review, 25 April 2002, para. 18 ("*Delić* Review Decision"); *Prosecution v. Krstić*, International Criminal Tribunal for the former Yugoslavia, IT-98-33-A, Decision on Application for Subpoenas, 1 July 2003, para. 16 ("*Krstić* Subpoena Decision"); *Krstić* Rule 115 Decision, p. 4; *Prosecutor v. Blaškić*, International Criminal Tribunal for the former Yugoslavia, IT-95-14-A, Appeals Chamber, Decision on Evidence, 31 October 2003 ("*Blaškić* Rule 115 Decision"), p. 3; *Stanišić* Rule 115 Decision, para. 8.

potential witness's proposed evidence."⁴⁴ "The Rule does not permit a party to simply request that a particular person be summoned to give evidence at the appellate stage."⁴⁵ The provision of a statement of the witness's proposed evidence is essential to the Appeals Chamber's consideration of the request: "a party seeking the admission of additional evidence on appeal must provide to the Appeals Chamber the evidence sought to be admitted to allow it to determine whether the evidence meets the requirements of relevance and credibility."⁴⁶ Where the applicant fails to provide a statement, the applicant "fail[s] to provide any basis on which the Appeals Chamber could evaluate [the] request and [consequently fails] to facilitate the Appeals Chamber's consideration of the proposed evidence of this potential witness."⁴⁷ For this reason, motions that request the testimony of a proposed witness but which fail to provide a statement of the proposed testimony are subject to dismissal on that basis alone.⁴⁸

18. The Appellant seeks to call Lawyer X to testify, but fails to support the request with a statement of the proposed evidence to be elicited from the witness.⁴⁹

19. For the foregoing reasons, the Motion is **DISMISSED**.

⁴⁴ *Taylor* Rule 115 Decision, para. 10, citing *Prosecutor v. Bagosora, et al.*, International Criminal Tribunal for Rwanda, Case No. ICTR-98-41-A, Appeals Chamber, Decision on Theoneste Bagosora's motion for admission of additional evidence, 7 February 2011 ("*Bagosora* Rule 115 Decision"), para. 8. See also, *Nahimana* 5 May 2006 Decision, para. 20; *Prosecutor v. Galić*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-98-29-A, Appeals Chamber, Decision on the First and Third Rule 115 Defence Motions to Present Additional Evidence before the Appeals Chamber, 30 June 2005 ("*Galić* Rule 115 Decision"), para. 87; *Prosecutor v. Naletilić and Martinović*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-98-34-A, Appeals Chamber, Decision on the Request for Presentation of Additional Evidence, 18 November 2003 ("*Naletilić* Rule 115 Decision"), para. 13. While the ICTY Appeals Chamber did not require such a statement in its decision in the *Krajišnik* appeal, the Appeals Chamber considers that this is an exceptional situation explained by the facts that the proposed witness, Radovan Karadžić, was found by the Trial Chamber to be a participant in the joint criminal enterprise with the appellant Krajišnik (see, *Krajišnik* Trial Judgment, para. 1087) and the Trial Chamber made "extensive" findings on Mr. Karadžić's role in that case. *Prosecutor v. Krajišnik*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-00-39-A, Appeals Chamber, Decision on Appellant Momčilo Krajišnik's Motion to Call Radovan Karadžić Pursuant to Rule 115, 16 October 2008.

⁴⁵ *Kupreškić et al.* Decision of 8 May 2001, para. 5. See also *Bagosora* Rule 115 Decision, para. 8; *Nahimana* 5 May 2006 Decision, para. 20.

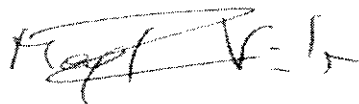
⁴⁶ *Hategekimana* Rule 115 Decision, para. 7. See also *Prosecutor v. D. Milošević*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-98-29/1-A, Appeals Chamber, Decision on Dragomir Milošević's Further Motion to Present Additional Evidence, 9 April 2009 ("*Milošević* Rule 115 Decision"), para. 18 ("The Appeals Chamber reiterates that a party seeking the admission of additional evidence on appeal must provide the Appeals Chamber with the evidence sought to be admitted."); *Nahimana* 5 May 2006 Decision, para. 18.

⁴⁷ *Galić* Rule 115 Decision, para. 87. See also *Hategekimana* Rule 115 Decision, para. 7; *Kanyarukiga* Rule 115 Decision, para. 9.

⁴⁸ *Bagosora* Rule 115 Decision, para. 9; *Galić* Rule 115 Decision, para. 87; *Naletilić* Rule 115 Decision, para. 13. See also *Hategekimana* Rule 115 Decision, para. 8.

⁴⁹ See, Motion.

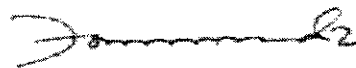
Done in The Hague, The Netherlands, this 15th day of July 2013.



Justice Renate Winter



Justice Emmanuel Ayoola
Presiding



Justice Jon Kamanda

