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SCSL-03-01-A
(10472 - 10473)

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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)

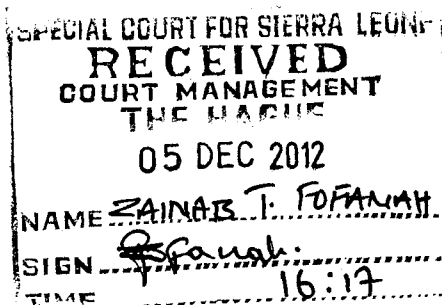
PUBLIC
LEAVE TO REFILE
URGENT DEFENCE MOTION TO RECLASSIFY PART OF PUBLIC ANNEX I TO ITS
RULE 115 MOTION AS CONFIDENTIAL

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. Cman Kenny

Defence Counsel for the Accused:

Mr. Morris Anyah
Mr. Eugene O'Sullivan
Mr. Christopher Gosnell
Ms. Kate Gibson
Ms. Magda Karagiannakis



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,”¹ 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”² (“Urgent Defence Motion”) filed on 4 December 2012;

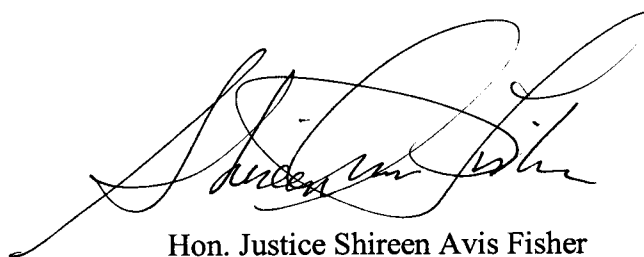
NOTING the “Charles Ghankay Taylor’s Motion for Disqualification of Justice Shireen Avis Fisher from Deciding the Defence Motion to Present Additional Evidence Pursuant to Rule 115”³ (“Motion for Disqualification”) filed on 30 November 2012;

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



¹ *Prosecutor v. Taylor*, SCSL-03-01-A-1297, Order Designating a Pre-Hearing Judge Pursuant to Rule 109 of the Rules 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].

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].