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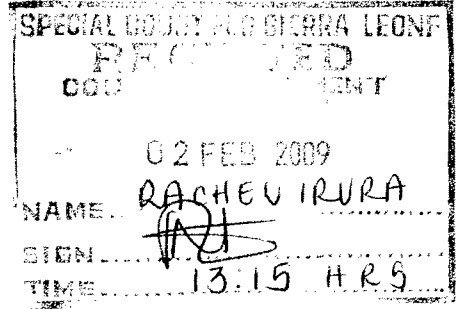
**SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
Freetown – Sierra Leone**

TRIAL CHAMBER

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

Registrar: Mr. Herman von Hebel

Date filed: 2 February 2009



THE PROSECUTOR

Against

Charles Ghankay Taylor

Case No. SCSL-03-01-T

PUBLIC

**PROSECUTION REQUEST TO WITHDRAW APPLICATION FOR LEAVE TO APPEAL
ORAL DECISIONS REGARDING ALLOWING QUESTIONS CONCERNING THE LOCATION
OF THE FAMILY OF A WITNESS AND FAILING TO ORDER REDACTION OF THE
LOCATIONS**

Office of the Prosecutor:
Ms. Brenda J. Hollis
Ms. Ula Nathai-Lutchman

Counsel for the Accused:
Mr. Courtenay Griffiths Q.C.
Mr. Andrew Cayley
Mr. Terry Munyard
Mr. Morris Anyah

I. INTRODUCTION

1. On 24 April 2008, during cross examination of witness TF1-334, the Defence asked a series of questions concerning the current location of certain members of the witness' family. The Prosecution twice objected to the line of questioning on the basis of relevance. The Defence responded that the questions were relevant to issues of credibility. The questions were allowed.¹
2. The Defence proceeded to provide the names of the city and roads that the Witness's brother and uncle lived on.² The Prosecution again objected and, after the Chamber ruled the questions admissible, made an application for the locations to be "stricken" from the transcript. The Presiding Judge stated that the addresses could not be "stricken" from the record. The Prosecution clarified that the application was for the addresses to be redacted. The Defence objected to the record being "stricken" but had no objection to the addresses of the family members being redacted. The Trial Chamber, by majority with one dissension, denied the application for redaction.³
3. On 28 April 2008, the Witness informed the Trial Chamber of an alleged security incident involving his brother, whose address was one of the addresses that had been revealed during open session on 24 April 2008. As a result of this information, the Prosecution requested the Trial Chamber to reconsider the previous application seeking to have certain portions of the transcript redacted.
4. The Trial Chamber, by majority and with the same dissent, "considered that given the evidence of the witness of public knowledge of his past appearances and his option to testify openly no useful purpose will be served in reversing the previous decision" and rejected the application.⁴
5. In light of the foregoing on 28 April 2008, the Prosecution filed an urgent application for leave to appeal⁵ the Trial Chamber's three oral decisions made on 24 and 28 April 2008:
 - a) Decision permitting questions on basis of credibility;

¹ Taylor Trial Transcript, 24 April 2008, pp. 8528-8529; 8532-8534

² Taylor Trial Transcript, 24 April 2008, pp. 8534

³ Taylor Trial Transcript, 24 April 2008, pp. 8541

⁴ Taylor Trial Transcript, 28 April 2008, pp.6-7 (Draft version)

⁵ *Prosecutor v Taylor*, SCSL-03-01-490, "Urgent Prosecution Application for Leave to Appeal Oral Decisions Regarding Allowing Questions Concerning the Location of the Family of a Witness and Failing to Order Redaction of the Locations, 28 April 2008 ("Application").

- b) Decision denying redaction of current locations of witness' family; and
- c) Decision denying reconsideration of previous application to redact current locations of witness' family.⁶

6. On 8 May 2008, the Defence Response was filed.⁷ The Prosecution filed a Reply on 13 May 2008.⁸

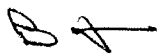
II. Notification

7. The Prosecution does not seek the remedy requested in the Application as an interlocutory matter before the Trial Chamber. Therefore the Prosecution requests that it be permitted to withdraw the Application.

Filed in The Hague,

2 February 2009

For the Prosecution,



Brenda J. Hollis
Principal Trial Attorney

⁶ *Prosecutor v Taylor*, SCSL-03-01-T, Trial Transcript, 24 April 2008, page 8528-8529, 8541 and 28 April 2008, page 6-7 (Draft) – Impugned Decisions (“**Decision on Appeal**”).

⁷ *Prosecutor v Taylor*, SCSL-03-01-499, “Public Defence Response to Prosecution Application for Leave to Appeal Oral Decisions Regarding Allowing Questions Concerning the Location of the Family of a Witness and Failing to Order Redaction of the Locations”, 8 May 2008.

⁸ *Prosecutor v Taylor*, SCSL-03-01-504, “Prosecution Reply to Public Defence Response to Prosecution Application for Leave to Appeal Oral Decisions Regarding Allowing Questions Concerning the Location of the Family of a Witness and Failing to Order Redaction of the Locations”, 13 May 2008.

LIST OF AUTHORITIES

SCSL*Prosecutor v. Taylor, SCSL-03-01*

Prosecutor v Taylor, SCSL-03-01-T, Trial Transcript, 24 April 2008, page 8528-8529, 8532-8534, 8541 and 28 April 2008, page 6-7 (Draft) – Impugned Decisions

Prosecutor v Taylor, SCSL-03-01-490, “Urgent Prosecution Application for Leave to Appeal Oral Decisions Regarding Allowing Questions Concerning the Location of the Family of a Witness and Failing to Order Redaction of the Locations, 28 April 2008

Prosecutor v Taylor, SCSL-03-01-499, “Public Defence Response to Prosecution Application for Leave to Appeal Oral Decisions Regarding Allowing Questions Concerning the Location of the Family of a Witness and Failing to Order Redaction of the Locations”, 8 May 2008

Prosecutor v Taylor, SCSL-03-01-504, “Prosecution Reply to Public Defence Response to Prosecution Application for Leave to Appeal Oral Decisions Regarding Allowing Questions Concerning the Location of the Family of a Witness and Failing to Order Redaction of the Locations”, 13 May 2008