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SCSL-03-01-T
(29734-29737)

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**SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR**

TRIAL CHAMBER II

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

Registrar: Ms. Binta Mansaray

Date filed: 16 August 2010

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THE PROSECUTOR

Against

Charles Ghankay Taylor

Case No. SCSL-03-01-T

PUBLIC

**PROSECUTION RESPONSE TO PUBLIC WITH ANNEXES A AND B DEFENCE MOTION FOR
ADMISSION OF DOCUMENTS PURSUANT TO RULE 92bis**

Office of the Prosecutor:
Ms. Brenda J. Hollis
Ms. Leigh Lawrie
Mr. Nathan Quick

Counsel for the Accused:
Mr. Courtenay Griffiths, Q.C.
Mr. Terry Munyard
Mr. Morris Anyah
Mr. Silas Chekera
Mr. James Supuwood

I. INTRODUCTION

1. The Prosecution files this response to the “Public with Annexes A and B Defence Motion for Admission of Documents Pursuant to Rule 92bis.”¹
2. While the Motion seeks admission of documents² which are only relevant in part and contain evidence going to proof of the acts and conduct of the Accused, the Prosecution does not object to the admission of these documents.

II. ARGUMENT

Portions of the Evidence are Relevant

3. The Prosecution agrees that portions of both DCT-296 and DCT-328 are relevant to issues in this case.³ The Prosecution notes, however, that the relevant portions of DCT-296 and DCT-328 are limited to one paragraph and two sentences, respectively.⁴ The remaining portions of the documents are irrelevant to the proceedings.

The Evidence is Susceptible of Confirmation

4. The Prosecution does not contest the Defence assertions that DCT-296 and DCT-328 are susceptible of confirmation as required for admission under Rule 92bis.⁵

The Evidence Does Go to Proof of the Acts and Conduct of the Accused

5. DCT-296 and DCT-328 do contain information which goes to proof of the acts and conduct of the Accused. DCT-296 and DCT-328 refer to the official statements and acts of “Liberia,”⁶ “Defence Minister Daniel Chea,”⁷ and “Foreign Affairs Minister Monie Captan.”⁸ These references are, therefore, to official acts and statements of the Accused’s

¹ *Prosecutor v. Taylor*, “Public with Annexes A and B Defence Motion for Admission of Documents Pursuant to Rule 92bis,” SCSL-03-01-T-1044, 11 August 2010 (“**Motion**”).

² The Defence seek admission of documents DCT-296 and DCT-328 contained at Annexes A and B of the Motion.

³ Motion, paras. 11-12.

⁴ Motion, Annex A, para. 1 (referring to statements by the Defence Minister relating to alleged RUF supply routes) and Annex B, p. 29708, lines 11-12 (“There is a peace agreement in Sierra Leone”) and p. 29709, lines 4-6 (“Yesterday, Liberia carried out the biggest ever organized destruction of conventional weapons”).

⁵ Motion, para. 14.

⁶ Motion, Annex A, “Highlights” section and Annex B, p. 29709.

⁷ Motion, Annex A, para. 1.

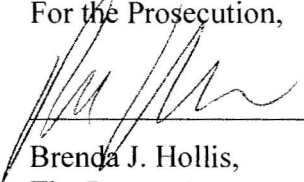
⁸ Motion, Annex A, para. 2.

administration and, in turn, the official acts and statements of the Accused, as President of Liberia. Moreover, the Accused himself, throughout the course of his testimony, regularly referred to similar statements and acts by his government and administration as his own.⁹

III. CONCLUSION

6. Despite the fact that only parts of the documents are relevant and that they contain evidence going to proof of the acts and conduct of the Accused, the Prosecution does not object to the admission of DCT-296 and DCT-328.

Filed in The Hague,
16 August 2010,
For the Prosecution,


Brenda J. Hollis,
The Prosecutor

for

⁹ e.g. *Prosecutor v. Taylor*, Trial Transcript, 5 August 2009, 26070 (the Accused used the words “we responded” in referring to a document issued by the Department of Public Affairs, Minister of State For Presidential Affairs, Republic of Liberia); and *Prosecutor v. Taylor*, Trial Transcript, 6 August 2009, 26239 (the words “we issued a very strong condemnation” were used by the Accused in referring to a government statement).

INDEX OF AUTHORITIES**SCSL**

Prosecutor v. Taylor, “Public with Annexes A and B Defence Motion for Admission of Documents Pursuant to Rule 92*bis*,” SCSL-03-01-T-1044, 11 August 2010

Prosecutor v. Taylor, Trial Transcript, 5 August 2009

Prosecutor v. Taylor, Trial Transcript, 6 August 2009