



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 19 FEBRUARY 2009
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Justice Richard Lussick, Presiding
Justice Teresa Doherty
Justice Julia Sebutinde
Justice Al Hadji Malick Sow, Alternate

For Chambers:

Mr William Romans
Ms Carolyn Buff

For the Registry:

Mr Gregory Townsend
Ms Advera Kamuzora
Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Silas Chekera
Ms Salla Moilanen

1 Thursday, 19 February 2009

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:30:56 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first, please.

7 MS HOLLIS: Good morning, Mr President, your Honours,
8 opposing counsel. This morning for the Prosecution are Maja
9 Dimitrova, Mohamed Bangura and myself, Brenda J Hollis.

09:31:13 10 PRESIDING JUDGE: Thank you.

11 MR CHEKERA: Good morning, your Honours. For the Defence
12 are Salla Moilanen and myself, Silas Chekera.

13 PRESIDING JUDGE: Thank you. What we are going to do this
14 morning is first we are going to order a status conference and
09:31:39 15 that will take place Friday week, which is 27 February, at 9.30.

16 A formal order will be issued and it will include an agenda. It
17 will also include an invitation to the parties to suggest further
18 items for inclusion in that agenda, but before either of the
19 parties will be in a position to give any reliable assessment of
09:32:14 20 the status of its case you will need to know what the Trial

21 Chamber has decided in relation to each of the outstanding
22 motions. In that regard we are able to advise as follows and it
23 would be very helpful if the parties had a motions list in front
24 of them because I will go through them from the lowest to the
09:32:46 25 highest number.

26 The first motion on my list is motion 378. That is the
27 urgent Defence motion regarding a fatal defect in the
28 Prosecution's second amended indictment relating to the pleading
29 of joint criminal enterprise. The Trial Chamber has decided that

1 motion and has decided as follows; that the motion is dismissed.
2 A properly reasoned judgment will be filed before the status
3 conference.

09:33:41 4 The next motion on my list is motion 542, which is a
5 Defence application for disclosure of documents in the custody of
6 the Prosecution pursuant to Rule 66 and Rule 68. That decision,
7 if it has not already been filed, will be filed today.

8 The next motion is 650, which is the public Prosecution
9 motion for admission of documents of the United Nations and
09:34:11 10 United Nations bodies. That motion will possibly be filed
11 tomorrow. If not, early next week.

12 The next motion is 652, which is the Prosecution motion for
13 admission of extracts from the TRC reports. I can say the same
14 for that; that should be either filed today or tomorrow, in fact.

09:34:48 15 Motion 659, the Prosecution motion for admission of
16 documents seized from Foday Sankoh's house, we are expecting that
17 that will be filed early next week.

18 Motion 667 is the Prosecution motion regarding admission of
19 the RUF documents and, again, that will be filed early next week.

09:35:17 20 The next motion is motion 678 and we add on to that motion
21 682. That will be filed early next week as well.

22 The next motion is 681, the Liberia search documents. That
23 decision I believe has already been filed.

24 The next motion is 684, the Prosecution admission of
09:35:52 25 certain documents of intergovernmental organisations. That will
26 be available early next week.

27 Motion 694 is a Prosecution motion for certain NGO
28 documents. Again that will be available, if not tomorrow, early
29 next week.

1 Motion 698 is the Prosecution motion for admission of BBC
2 radio broadcasts. That will be available early next week.

3 The next motion is motion 714 and it is the Defence motion
4 for the disclosure of the identity of a confidential source
09:36:51 5 raised during cross-examination of TF1-355. The Trial Chamber
6 has decided that motion and the decision is that the motion is
7 dismissed and a reasoned judgment will follow in the near future.

8 The next motion is 723, which is a Defence application for
9 judicial notice. I understand the pleadings have not closed yet
09:37:32 10 on that motion.

11 The same for motion 729, which is a Prosecution application
12 for admission of document. The pleadings have not closed.

13 In relation to motion 726, which is in effect a Prosecution
14 request for additional filing, that has actually been dealt with
09:38:04 15 in the decision on motion 681.

16 So the other thing with these outstanding decisions is that
17 the period for applying for leave to appeal pursuant to Rule
18 73(B) will of course not run until the actual delivery of the
19 reasoned written decision.

09:38:29 20 So, unless the parties have anything else to say, we will
21 adjourn until Friday, 27 February at 9.30 and a status conference
22 is appointed for that date and this oral order will be followed
23 by a formal order as I mentioned before.

24 My learned colleagues have suggested a practical way to
09:39:26 25 proceed on this. We are having the status conference next
26 Friday, but if either side - either party - has agenda items that
27 you want added to the status conference you can submit those
28 whenever they are ready, whether you have yet received a formal
29 order or not.

1 We will now adjourn the Court until next Friday at 9.30.
2 [Whereupon the hearing adjourned at 9.40 a.m.
3 to be reconvened on Friday, 27 February 2009 at
4 9.30 a.m.]

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