



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 3 NOVEMBER 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura
Mr Momodu Tarawalie

For the Prosecution:

Ms Brenda J Hollis
Ms Maja Dimitrova

For the accused Charles Ghankay Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah

For the Office of the Principal Defender:

Mr Silas Chekera

1 Monday, 3 November 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:22:55 5 PRESIDING JUDGE: Good morning. Appearances, Ms Hollis,
6 please.

7 MS HOLLIS: Good morning, Madam President, your Honours,
8 counsel opposite. This morning for the Prosecution Maja
9 Dimitrova and myself, Brenda J Hollis.

09:30:31 10 PRESIDING JUDGE: Thank you. Mr Griffiths, good morning.

11 MR GRIFFITHS: Good morning, Madam President, your Honours,
12 counsel opposite. For the Defence today, myself Courtenay
13 Griffiths, my learned friend Mr Morris Anyah and Mr Silas
14 Chekera.

09:30:49 15 PRESIDING JUDGE: Thank you. Ms Hollis, I note there is no
16 witness in the stand.

17 MS HOLLIS: That is correct, Madam President. Madam
18 President, the witness order that we had provided showed that for
19 this week we were to have a carry over of TF1-168 and we would
09:31:11 20 also have TF1-579. TF1-168 did not travel as was anticipated he
21 would based on personal scheduling issues. TF1-579 is here. He
22 had security issues that we were able to deal with to his final
23 satisfaction over the weekend. Therefore TF1-579 is available to
24 testify this week.

09:31:44 25 TF1-168 - because of the schedule of lead Defence counsel,
26 which he gave notice of a couple of weeks ago, TF1-168 would not
27 testify until the week of 17 November or later based on lead
28 Defence counsel's availability. In regard to TF1-579 I did
29 discuss this with the Defence earlier and they may need time to

1 consult with their client before we would talk about any joint
2 requests, so I would perhaps ask if they do need time to consult
3 and then based on that consultation I could tell you our proposal
4 for TF1-579.

09:32:32 5 PRESIDING JUDGE: Thank you, Ms Hollis. Mr Griffiths?

6 MR GRIFFITHS: Madam President, the Prosecution very
7 helpfully indicated to us last week that there were certain
8 difficulties. Unfortunately, because of my own personal
9 schedule, I was unable to discuss those issues with Mr Taylor and
10 I would be grateful if you would grant us say five minutes to
11 consult with him and it may well be that thereafter, as counsel
12 opposite has indicated, there will be a joint application.

13 PRESIDING JUDGE: Mr Griffiths, it may be appropriate to
14 consult in private in which case the Court should rise? Is that

09:33:18 15 --

16 MR GRIFFITHS: I would be grateful if your Honours would do
17 that.

18 PRESIDING JUDGE: We will adjourn temporarily to allow
19 counsel to consult with his client. Please adjourn court
20 temporarily.

21 [Break taken at 9.33 p.m.]

22 [Upon resuming at 9.42 a.m.]

23 PRESIDING JUDGE: Mr Griffiths?

24 MR GRIFFITHS: Madam President, we are grateful for the
09:42:57 25 time. Now, Madam President, of course we are aware of the
26 difficulties faced by the Prosecution this week and I am further
27 grateful to my learned friends opposite for accommodating my own
28 professional difficulties in respect of witness TF1-168 next week
29 when I am in difficulties.

1 However, what we suggest, following our consultation with
2 Mr Taylor, who is concerned about this, is that we do not sit at
3 all this week which will accommodate a number of other issues
4 which concern all parties to this case. However, we would submit
09:43:39 5 that when we reconvene next Monday we would be grateful for a
6 definitive list of all witnesses the Prosecution intend to call
7 up until the conclusion of their case so that we can plan with a
8 definite time line in mind. So that is our submission.

9 PRESIDING JUDGE: And Ms Hollis has indicated that witness
09:44:11 10 TF1-579 is in the country. He is actually here to give evidence.

11 MR GRIFFITHS: Yes.

12 PRESIDING JUDGE: At least that is my understanding of --

13 MR GRIFFITHS: Well, that's our understanding as well and I
14 understand that the proposal was that that witness be called on
09:44:30 15 Wednesday. However, having consulted with Mr Taylor, he is
16 totally opposed to the idea of a partial week and would much
17 prefer that we take the whole week off, everybody puts their
18 house in order, so that when we arrive here next Monday at least
19 we will have a clear idea where we go up until the conclusion of
09:44:56 20 this term of the sitting.

21 PRESIDING JUDGE: Ms Hollis, you have heard Mr Griffiths's
22 application.

23 MS HOLLIS: Yes, Madam President. Madam President, we
24 would join in the application. In relation to the request that
09:45:16 25 today we give a definitive list of witnesses, indeed that is what
26 had been discussed in our office and was discussed with others
27 before Lead Defence counsel made that suggestion. We do believe
28 it would be helpful at this point today when we file what would
29 normally be a two week list, to in fact file a list which would

1 include the status or issues with the remaining witnesses so that
2 everyone is aware of this. Of course to the extent that these
3 matters are within our control we will work to our utmost to
4 ensure smooth functioning. To the extent the issues are not
09:45:59 5 within our control we will use whatever influence we can exert to
6 move these matters along, but it would be helpful we believe to
7 all parties for us to provide such a listing of remaining
8 witnesses in our filing today and we do intend to do that.

9 The witness 579 is in the country, he is available, but
09:46:25 10 were he to start on Wednesday it is our belief that he would go
11 into next week at any rate, so we do join the Defence in their
12 application.

13 [Trial Chamber conferred]

14 PRESIDING JUDGE: We have considered the application - the
09:50:14 15 joint application. We are of the view that nothing will be
16 served by taking an entire week off when there is a witness
17 available in the country and ready and willing to give evidence
18 and able to start on Wednesday. For that reason we will adjourn
19 the case until Wednesday and we will then proceed with the
09:50:38 20 evidence of witness 579. So please adjourn court until Wednesday
21 at 9.30.

22 [Whereupon the hearing adjourned at 9.50 a.m.
23 to be reconvened on Wednesday, 5 November 2008
24 at 9.30 a.m.]
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