

1160)

SCSL-03-01-T  
(32212-32218)

32212



**THE SPECIAL COURT FOR SIERRA LEONE**

**Trial Chamber II**

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

**Registrar:** Ms. Binta Mansaray

**Date:** 18 January 2011

**Case No.:** SCSL-2003-01-T

SPECIAL COURT FOR SIERRA LEONE	
<b>RECEIVED</b>	
COURT MANAGEMENT	
THE HAGUE	
18 JAN 2011	
NAME	ALHASSAN FORNAN
SIGN	[Signature]
TIME	12:56

**THE PROSECUTOR**

-v-

**CHARLES GHANKAY TAYLOR**

---

**URGENT AND PUBLIC WITH ANNEXES A AND B**

**DEFENCE REQUEST FOR A STATUS CONFERENCE PURSUANT TO RULE 65BIS**

---

**Office of the Prosecutor:**

Ms. Brenda J. Hollis

**Counsel for Charles G. Taylor:**

Mr. Courtenay Griffiths, Q.C.  
Mr. Terry Munyard  
Mr. Morris Anyah  
Mr. Silas Chekera  
Mr. James Supuwood  
Ms. Logan Hambrick, Legal Assistant

1. The Defence respectfully requests the Trial Chamber to convene a Status Conference pursuant to Rule 65bis of the Special Court Rules of Procedure and Evidence, as soon as practicable.
2. Rule 65bis states:

A status conference may be convened by the Designated Judge, the Trial Chamber or a Judge designated from among its members. The status conference shall:

  - (i) organize exchanges between the parties so as to ensure expeditious trial proceedings;
  - (ii) review the status of his case and to allow the accused to raise issues in relation thereto.
3. The Defence would like to review the status of the case. The Defence notes the outstanding matters<sup>1</sup> which it submits are crucial to conclusively and properly litigating its case through the final brief. It will be recalled that on 14 January 2011, the Defence sought leave to appeal<sup>2</sup> the Trial Chamber's refusal of a stay of proceedings.<sup>3</sup> This is not an attempt to relitigate the issues raised therein.
4. The Defence acknowledges that it has yet to file a final brief.<sup>4</sup> The Defence emphasises that this decision was not made in deliberate disdain of the Court or its orders, and it was not intended to demonstrate any disrespect for the Court's authority. Instead, the Defence was

---

<sup>1</sup> *Prosecutor v. Taylor*, SCSL-03-01-T-1134, Notice of Appeal and Submissions Regarding the Decision on the Defence Motion Requesting an Investigation into Contempt of Court by the Office of the Prosecutor and its Investigators, 10 December 2010; *Prosecutor v. Taylor*, SCSL-03-01-T-1133, Notice of Appeal and Submissions Regarding the Decision on the Defence Motion for Admission of Documents and Drawing of an Adverse Inference Relating to the Alleged Death of Johnny Paul Koroma, 10 December 2010; *Prosecutor v. Taylor*, SCSL-03-01-T-1142, Defence Motion to Recall Four Prosecution Witnesses and to Hear Evidence from the Chief of WVS Regarding Relocation of Prosecution Witnesses, 17 December 2010; *Prosecutor v. Taylor*, SCSL-03-01-T-1143, Defence Motion for Disclosure and/or Investigation of United States Government Sources within the Trial Chamber, the Prosecution and the Registry, Based on Leaked USG Cables, 10 January 2011; *Prosecutor v. Taylor*, SCSL-03-01-T-1146, Urgent and Public with Annexes A-C Defence Motion to Re-Open its Case in Order to Seek Admission of Documents Relating to the Relationship between the United States Government and the Prosecution of Charles Taylor, 10 January 2011.

<sup>2</sup> *Prosecutor v. Taylor*, SCSL-03-01-T-1155, Public with Annex A Defence Motion Seeking Leave to Appeal the Decision on Defence Request for a Status Conference Pursuant to Rule 65bis and Defence Motion for Stay of Proceedings Pending Resolution of Outstanding Issues, 14 January 2011 ("**Leave to Appeal**"). Therein the Defence did not seek leave to appeal the Trial Chamber's decision to refuse a Status Conference.

<sup>3</sup> *Prosecutor v. Taylor*, SCSL-03-01-T-1154, Decision on Defence Request for a Status Conference Pursuant to Rule 65bis and Defence Motion for Stay of Proceedings Pending Resolution of Outstanding Issues, 12 January 2011 ("**Decision**")

<sup>4</sup> The 14 January 2011 deadline was set in *Prosecutor v. Taylor*, SCSL-03-01-T-1105, Order Setting a Date for Closure of the Defence Case and Dates for Filing Final Trial Briefs and the Presentation of Closing Arguments, 22 October 2010.

guided by its professional duty to its client, and has acted professionally, diligently, and in accordance with its lay client's instructions, always endeavouring to protect his interests. While the Defence takes the very firm view that Mr. Taylor's interests require that we not file a final brief on his behalf at this time,<sup>5</sup> the Defence continues to work hard toward that end.

5. The Defence further notes that in fairness, the Defence has declined service of the Prosecution's final brief until such time as it files its own.<sup>6</sup>
6. Therefore, the Defence calls for a Status Conference in order to explain its conduct before the Trial Chamber and respond to any ensuing concerns.

Respectfully Submitted,



---

**Courtenay Griffiths, Q.C.**  
**Lead Counsel for Charles G. Taylor**  
Dated this 18<sup>th</sup> Day of January 2011  
The Hague, The Netherlands

---

<sup>5</sup> The Defence notes that per the provisions of Rule 86(A), the Defence has a discretion of whether to file a final brief, in contrast to the mandatory requirement which is placed on the Prosecution. However, this is not to suggest that the Defence does not intend to avail itself of the opportunity to file.

<sup>6</sup> See Letter from Courtenay Griffiths, QC to Brenda Hollis and Simon Meisenberg, dated 14 January 2011 [**Annex A**] and Letter from Courtenay Griffiths, QC to Binta Mansaray, dated 17 January 2011 [**Annex B**].

## **Annex A**



32216

SPECIAL COURT FOR SIERRA LEONE  
DEFENCE FOR CHARLES TAYLOR

The Hague Sub-Office, P. O. Box 19536  
2500 CM The Hague, The Netherlands

Telephone: +31 70 515 9744; Facsimile: +31 70 322 2711

E-mail: Courtenay Griffiths, Q.C. (Lead Counsel): [cgxqc@btinternet.com](mailto:cgxqc@btinternet.com);  
Salla Moilanen (Case Manager) [moilanens@un.org](mailto:moilanens@un.org)

---

14 January 2011

*By Email*

Dear Simon, Dear Brenda,

We hereby inform you that in the best interests of our client, the Defence does not intend to file a Final Brief today. As such, the Defence does not wish to have sight of any final brief filed by the Prosecution and requests that it not be circulated to them.

The Defence had wished to sort out such contingency issues during a Status Conference as requested by us, but we were denied the opportunity to do so.

Kind Regards,

Courtenay Griffiths, Q.C.  
Lead Counsel for Charles Taylor

CC: Binta Mansaray, Registrar  
Claire Carlton-Hanciles, Principal Defender  
Elaine Bola-Clarkson, Chief of CMS

## **Annex B**



32218

**SPECIAL COURT FOR SIERRA LEONE  
DEFENCE FOR CHARLES TAYLOR**

The Hague Sub-Office, P. O. Box 19536  
2500 CM The Hague, The Netherlands

Telephone: +31 70 515 9744; Facsimile: +31 70 322 2711

E-mail: Courtenay Griffiths, Q.C. (Lead Counsel): [cgxqc@btinternet.com](mailto:cgxqc@btinternet.com);  
Salla Moilanen (Case Manager) [moilanens@un.org](mailto:moilanens@un.org)

---

17 January 2011

Registrar  
Special Court for Sierra Leone  
Freetown

Dear Ms. Mansaray,

**RE: Service of Prosecution Final Trial Brief**

We have received both your letters of 14 and 17 January 2011.

Court Management Service has attempted to serve the Defence with hard copies of the Prosecution Final Trial Brief, but we have refused service until such time as we file our own Final Brief. We have also instructed all members of the Defence Team to delete any electronic copy of the Prosecution Final Brief served on them.

Kind Regards,

Courtenay Griffiths, QC

Lead Counsel for Charles G. Taylor

CC: Simon Meisenberg, Trial Chamber II  
Brenda Hollis, Prosecutor  
Claire Carlton-Hanciles, Principal Defender  
Elaine Bola-Clarkson, Chief of CMS