

Preliminary Motion for Leave

1. The Prosecutor files this motion pursuant to Article 54(B) of the Rules of Procedure and Evidence to seek the leave of the President to file submissions in response to Prisoner Charles Taylor's "Taylor's Request for Temporary Transfer to a Safe Third Country to Continue His Imprisonment due to Massive Outbreak of COVID-19 in the UK"¹ (Motion for Leave).
2. Cognisant that decisions on the designation of a location for convicted prisoners to serve their sentence as well as transfer of prisoners between locations of enforcement are administrative matters that fall exclusively within the purview of the President's functions,² the Prosecutor hereby requests that the President exercise his discretion in favour of granting the Prosecutor leave to file submissions in Prisoner Taylor's motion for his temporary transfer from the UK.
3. There is no provision in the RSCSL Statute or Rules of Procedure and Evidence specifically prohibiting such submissions. Nevertheless, the Prosecutor will rely on a previous instance where the RSCSL President at the request of the Prosecutor, exercised this discretion to permit filing of submissions³ on an application of a similar nature by the same applicant.⁴
4. As an independent organ of the court and party to the proceedings against Prisoner Taylor, including the Sentencing proceedings, the Prosecutor has an interest in the issue raised in the Motion, to the extent that a decision to grant the same may increase the opportunities for Prisoner Taylor to undermine his conditions of imprisonment. In addition, the Prosecutor is fundamentally concerned that a decision in Prisoner Taylor's favour may spike fear and concern among witnesses and victims and pose increased threat to their security or sense of security. It may also affect the sense of security of former SCSL personnel and high level current and former state officials.

¹*Prosecutor v. Charles Ghankay Taylor*, RSCSL-03-01-ES-1442, Public, Taylor's Request for Temporary Transfer to a Safe Third Country to Continue His Imprisonment Due to Massive Outbreak of COVID-19 in the UK, 15 June 2020.

² RSCSL Rules of Procedure and Evidence, R.103(B).

³*In the Matter of Charles Ghankay Taylor*, SCSL-03-01-ES-1398, Public, Order Granting Leave to file Submissions in response, 14 July 2014

⁴*In the Matter of Charles Ghankay Taylor*, SCSL-03-01-ES-1396, Public with Public and Confidential Annexes, Motion for Termination of Enforcement of Sentence in the United Kingdom and for Transfer to Rwanda, 13 June 2014.

5. In consideration of these reasons, the Prosecutor respectfully requests that the President grant this Request for Leave and accept the Prosecutor's submissions (filed herewith) regarding disposition of Prisoner Taylor's Motion.

Filed on 24 June 2020



James C. Johnson

The Prosecutor

List of Authorities

RSCSL

1. RSCSL Rules of Procedure and Evidence, R. 103(B).
2. *Prosecutor v. Charles Ghankay Taylor*, RSCSL-03-01-ES-1442, Public, Taylor's Request for Temporary Transfer to a Safe Third Country to Continue His Imprisonment Due to Massive Outbreak of COVID-19 in the UK, 15 June 2020.
3. *In the Matter of Charles Ghankay Taylor*, SCSL-03-01-ES-1398, Public, Order Granting Leave to file Submissions in Response, 14 July 2014
4. *In the Matter of Charles Ghankay Taylor*, SCSL-03-01-ES-1396, Public with Public and Confidential Annexes, Motion for Termination of Enforcement of Sentence in the United kingdom and for Transfer to Rwanda, 13 June 2014.