



SPECIAL COURT FOR SIERRA LEONE

JOMO KENYATTA ROAD • FREETOWN • SIERRA LEONE

PHONE: +1 212 963 9915 Extension: 178 7000 or +39 0831 257000 or +232 22 295995

FAX: Extension: 178 7001 or +39 0831 257001 Extension: 174 6996 or +232 22 295996

Court Management Support – Court Records

CS7 - NOTICE OF DEFICIENT FILING FORM

Date:	29 May 2007	Case No: SCSL-03-01-PT	The Prosecutor v Charles Ghankay Taylor
To:	PROSECUTION: X DEFENCE: X CHAMBER: X OTHER:		
From:	Advera Nsiima K.: Court Management		
CC:			
Subject	Article 12 Late Filing Rule 7(B)		

Document(s): Registrar's Submission Pursuant to Rule 33 (B) Relating to the Defence Motion Pursuant to Rule 54 Requesting Order to Court Management to Accept Filing and Serve Hard Copies or All Filings on the Parties in the Hague Immediately-SCSL-03-01-PT-259

Document Dated: 28 May 2007 Received by Court Management at 4:14pm

- Reason: The document was filed 14 minutes late. It was required by Order dated 28 May 2007, Document number SCSL-03-01-PT-258 to be filed not later than 4:00pm on Monday, 28 May 2007.

Signed:

Advera Nsiima K.

Dated: 29/05/2007

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SCSL-03-01-PT
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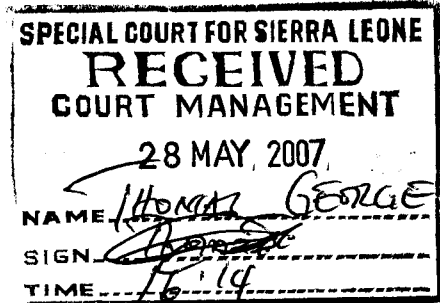
THE SPECIAL COURT FOR SIERRA LEONE

Case No.: SCSL-03-01-PT

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

Acting Registrar: Mr Herman von Hebel

Date filed: 28 May 2007



THE PROSECUTOR

-v-

CHARLES TAYLOR

PUBLIC

**REGISTRAR'S SUBMISSION PURSUANT TO RULE 33 (B) RELATING TO THE DEFENCE MOTION
PURSUANT TO RULE 54 REQUESTING ORDER TO COURT MANAGEMENT TO ACCEPT FILING
AND SERVE HARD COPIES OR ALL FILINGS ON THE PARTIES IN THE HAGUE IMMEDIATELY**

Office of the Prosecutor

Ms Brenda J. Hollis
Ms Wendy van Tongeren
Ms Ann Sutherland
Ms shyamala Alagendra
Mr Alain Weber
Ms Leigh Lawrie

Counsel for Charles Taylor

Mr Karim A. A. Khan
Mr Roger Sahota

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I. BACKGROUND

1. On 23 May 2007, the Defence for Charles Taylor filed before Trial Chamber II a Motion pursuant to Rule 54 of Rules Requesting Order to Court Management to Accept Filings and Serve Hard Copies or all Filings on the Parties in the Hague Immediately (the “Defence Motion”).
2. In the above-mentioned Motion, the Defence requested that Trial Chamber orders Court Management Section to “i. Accept electronic filing in The Hague as soon as practicable and; ii. Serve all the recent Prosecution Motions (those dated 14 May 2007 onward) on the Defence in The Hague in hard copy, after which time the clock will start running for the Defence to respond.”¹
3. On 28 May 2007, Trial Chamber II issued an Order for Expedited Filing directing the Registrar, “pursuant to Rule 33(B) to file written submission in response to the issues raised in the [Defence Motion], no later than 4:00 on Monday, 28 May 2007.”
4. In accordance with the above-mentioned Order, the Acting Registrar submits the following.

II. RESPONSE TO ISSUES RAISED IN THE DEFENCE MOTION

5. The Defence stated that “Lately there has been a significant time lag between the date stamp showing when Court Management received documents, the date documents are electronically served to the parties, and the date documents are actually received by the parties in their email inboxes.”²
6. The Acting Registrar submits the following with regard to the causes of the delays mentioned the defence. Recently, the Court Management Section has received numerous and voluminous Motions both in the case of RUF and Charles Taylor. Court Management Section is currently staffed with only two Court clerks; considering that one Court Clerk attends Court sessions, only one Court clerk deals with the filing of documents. In addition, the Listing Officer is currently on long term sick leave. As a

¹ Defence Motion para. 11.

² Defence Motion para. 4.

result, considering the amount and volume of recent Court documents, their filing and service by only one Court Clerk involves delays. Furthermore, the fact that recent motions filed by the Parties were exceptionally voluminous has also led to delays in their services. For instance, a Prosecution Motion and its annexes amounted to a voluminous 2,129 pages.³ Such voluminous filings from the Prosecution has been acknowledged by the Defence in its Motion.⁴

7. In view of the above, the Court Management Section has copied on a CD all Court Documents related to the case of Charles Taylor and filed from the start of the case until Friday 25 May 2007. This CD has been sent by DHL to The Hague and would reach the SCSL Sub-Office in The Hague on Wednesday 30 May 2007. Court Management Section in The Hague would print the documents and serve hard copies to the Parties in The Hague.
8. The Defence Motion also referred to multiple CDs as annexes of sorts included in two recent filings of the Prosecution.⁵ Those CDs have been included in the DHL package mentioned in paragraph 7 above. Upon arrival of the package on Wednesday 30 May 2007, the CDs will be served to the Defence in The Hague by the Sub-Office Court Management.
9. The Defence also raised concerns on a lack of a “proper filing by and service of documents on Defence Counsel in The Hague”⁶. The Acting Registrar notes that, according to information received by Court Management Section, a proper filing and service of documents in The Hague will be in place from the first week of June since Court Management is still awaiting a workable fax line.
10. The Defence also requested that Court Management keep a date of when filings were received by them and when they were served on the parties⁷. The Acting Registrar notes that such procedure is already being used by Court Management.

³ *Prosecution v. Taylor*, SCSL-03-01-PT-236, Prosecution’s Motion for Judicial Notice, 14 May 2007.

⁴ Defence Motion, para. 11.

⁵ Defence Motion, para. 6.

⁶ Defence Motion para. 5.

⁷ Defence Motion para. 9.

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11. Finally, the Acting Registrar acknowledges that recent delays in electronic services of Court documents to both the Defence and the Prosecution would have significant impact on time limits contained in Motions and Orders. According to Court Management Section, the Defence has not been served with Court Documents since 17 May 2007 and the Prosecution since 18 May 2007.

12. In view of the above, the Acting Registrar would suggest that, times limits set Court documents filed since 17 May 2007, in accordance with Rule 7 of the Rules of procedure and Evidence, be suspended until receipt of documents by the parties.

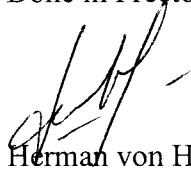
Conclusion

13. The Acting Registrar respectfully submits to Trial Chamber that:

- i) All Court documents filed until 25 May 2007 will be served in hard copies to the Parties in The Hague on 30 May 2007.
- ii) A filing system will be in place in The Hague by the first week of June 2007.
- iii) In the meantime, time limits set in Court Documents filed from 17 May 2007 should be suspended.

Respectfully submitted.

Done in Freetown, this 28 May 2007


Herman von Hebel
Acting Registrar