



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

WEDNESDAY, 21 JANUARY 2009
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 William Romans
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura
Mr Momodu Tarawallie

For the Prosecution:

Ms Brenda J Hollis
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah
Mr Laveli Supuwood

1 Wednesday, 21 January 2009

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:25:06 5 PRESIDING JUDGE: Yes, we will take appearances first,
6 please.

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

09:31:34 10 PRESIDING JUDGE: Thank you.

11 MR GRIFFITHS: Good morning Mr President. For the Defence
12 today myself Courtenay Griffiths, my learned friends Mr Terry
13 Munyard and Mr Morris Anyah and can I also introduce Counsellor
14 Laveli Supuwood, former Solicitor General of Republic of Liberia
09:31:53 15 and former Minister of Justice of the Republic of Liberia, who is
16 with us as a pro bono legal assistant.

17 PRESIDING JUDGE: Yes, thank you, Mr Griffiths, and,
18 Mr Supuwood, welcome to the Court. Ms Hollis, I understand that
19 the next witness is TF1-168.

09:32:14 20 MS HOLLIS: That is correct, Mr President, and this witness
21 initially was provided protective measures by decision of Trial
22 Chamber I in the Sesay et al case, the decision dated 5 July
23 2004, and then by oral decision dated 31 March of 2006 and 4
24 April of 2006, Trial Chamber I ordered that the witness's
09:32:39 25 testimony be heard in closed session and that closed session
26 protection was confirmed by Appeals Chamber decision dated 17
27 October 2008. So that we would call this witness in closed
28 session.

29 PRESIDING JUDGE: Yes. And the only other matter is what

1 about the question of court monitors? As you know under Rule 79,
2 79(C) provides that in the event that it is necessary to exclude
3 the public the Trial Chamber should, if appropriate, permit
4 representatives of monitoring agencies to remain. Such
09:33:20 5 representatives should, if appropriate, have access to the
6 transcripts of closed session. What do you say about that
7 possibility?

8 MS HOLLIS: The Prosecution had provided comments on that
9 issue I think at the very beginning of the trial and we would be
09:33:41 10 very interested in knowing who these monitors were so that
11 informed decisions could be made about that matter.

12 PRESIDING JUDGE: Yes. As you can see there are no court
13 monitors present in any event. I don't know whether any are
14 listening from booths or not, but your attitude then is that you
09:34:17 15 would permit them if they are registered with the Court or --

16 MS HOLLIS: Our position, we raised our concerns about
17 them. We would certainly simply like to know if the Trial
18 Chamber is to permit them, which of course you may very well do,
19 who they are and what organisations they are with and of course
09:34:35 20 that they would have been registered with the Court.

21 PRESIDING JUDGE: I understand. I don't know who the court
22 monitors are and it appears that the Bench is not privy to the
23 identity of those court monitors. Madam Court Manager, have you
24 any information on this, or not?

09:35:10 25 MS IRURA: Your Honour, as to the identity of the court
26 monitors, I do not have any information but I am aware that there
27 are court monitors who receive - who normally receive public
28 session transcripts and other information.

29 PRESIDING JUDGE: I see. Well, I think in the

1 circumstances it is pointless making an order permitting court
2 monitors. You have just heard Madam Court Manager say that her
3 awareness is that the court monitors normally receive public
4 session transcripts and as to other entitlements this Bench is
09:36:09 5 not aware, so we won't make that order, Ms Hollis. We will
6 explain to the public, though, that the order for a closed
7 session, as stated by the Prosecution, was made by Trial
8 Chamber I and affirmed by the Appeals Chamber, and the reason for
9 that order is to protect the privacy, security and non-disclosure
09:36:39 10 of the identity of the next witness. Madam Court Manager, could
11 you please arrange for the Court to be put in closed session.
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13 [At this point in the proceedings, a portion of
14 the transcript, pages 23126 to 23258, was
15 extracted and sealed under separate cover, as
16 the proceeding was heard in closed session.]
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18 [Whereupon the hearing adjourned at 4.30 p.m.
19 to be reconvened on Thursday, 22 January 2009
20 at 9.30 a.m.]
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