

1407)

SCSL-03-01-ES
(11615-11617)

11615



RESIDUAL SPECIAL COURT FOR SIERRA LEONE

Before: Justice Philip N. Waki, President

Registrar: Ms. Binta M. Mansaray

Date: 17 October 2014

In the Matter of

CHARLES GHANKAY TAYLOR

Case No. SCSL-03-01-ES

PUBLIC

**DECISION ON MOTION FOR A FORMAL REQUEST OR ORDER DIRECTING
THE UNITED KINGDOM TO PERMIT FAMILY VISITS**

Office of the Prosecutor:

Ms. Brenda Hollis

**Counsel for Charles Ghankay
Taylor:**

Mr. Christopher Gosnell

Mr. John Jones QC

Residual Defence Representative:

Ms. Claire Carlton-Hanciles

RESIDUAL SPECIAL COURT FOR SIERRA LEONE	
RECEIVED	
COURT MANAGEMENT THE HAGUE	
^ 17 OCT 2014	
NAME	Francess Nsah-Smart
SIGN	<i>[Signature]</i>
TIME	14:00

THE PRESIDENT OF THE RESIDUAL SPECIAL COURT FOR SIERRA LEONE (“Residual Special Court”)

SEIZED of Motion for a Formal Request or Order Directing the United Kingdom to Permit Family Visits, filed by Counsel for Mr. Charles Ghankay Taylor, on 29 September 2014 (“First Motion”), in which Mr. Taylor “requests that the President order, or in the alternative formally request, the United Kingdom (UK) to permit family visits by his wife and young children” and alleges that “[t]hose visits have been prevented by decisions of the UK authorities denying Mrs. Taylor’s visa requests”;

RECALLING Motion for Termination of Enforcement of Sentence in the United Kingdom and for Transfer to Rwanda, filed by Counsel for Mr. Charles Ghankay Taylor, on 13 June 2014 (“Second Motion”), in which one of the issues for which Mr. Taylor seeks redress is an alleged violation of his rights, in particular his right to family contact, family life and periodic visits from his family by denial of visa requests from his wife and two young daughters to enable them visit him in prison in the UK;

RECALLING the Prosecutor’s Submissions in Response to Charles Taylor’s Motion for Termination of Enforcement of Sentence in the United Kingdom and for Transfer to Rwanda with Public and Confidential Annexes, dated 15 July 2014 (“Response”) and Reply to Prosecution Response to Motion for Termination of Enforcement of Sentence in the United Kingdom and for Transfer to Rwanda, filed on 15 July 2014 (“Reply”);

RECALLING that upon close of submissions on the Second Motion an Order Convening a Trial Chamber was issued pursuant to Articles 23(3) and 13(1) of the Statute of the Residual Special Court for Sierra Leone (“Statute”), authorizing the said Chamber to hear and determine all matters arising from the Second Motion, and that the Chamber is now duly constituted and is fully seized of the Motion;

NOTING therefore that the First Motion raises issues that are directly and substantially similar to issues raised before the Trial Chamber and that that Chamber is yet to finalize the hearing and determination of the Second Motion;

11617

CONSIDERING that any interlocutory matters arising during the pendency of the Second Motion may legitimately be raised before the Trial Chamber for consideration and determination and are amenable to appellate process;

COGNISANT of the need to ensure fair and expeditious proceedings before the Residual Special Court;

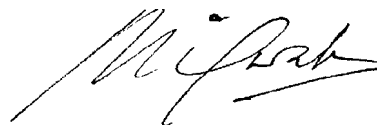
FINDS pursuant to Rule 46(D) of the Rules of Procedure and Evidence of the Residual Special Court for Sierra Leone (“Rules”) that the First Motion is frivolous, and constitutes an abuse of court process;

DIRECTS that the First Motion be and is hereby **STRUCK OUT** for those reasons;

FURTHER DIRECTS the Registrar to withhold payment of any fees associated with the First Motion, or its costs pursuant to Rule 73(D) of the Rules.

Done at The Hague, The Netherlands

This 17th day of October 2014



Justice Philip N. Waki,
President

[Seal of the Residual Special Court for Sierra Leone]

