

# SPECIAL COURT FOR SIERRA LEONE

## TRIAL CHAMBER II

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

**Registrar:** Herman von Hebel, Acting Registrar

**Case No.:** SCSL-03-1-PT

**Date:** 25 May 2007

**PROSECUTOR**

**Against**

**CHARLES GHANKAY TAYLOR**

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**DECISION ON DEFENCE MOTION PURSUANT TO RULE 7BIS SEEKING  
EXTENSION OF TIME TO RESPOND TO PROSECUTION'S MOTION FOR JUDICIAL NOTICE**

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**Office of the Prosecutor:**

Stephan Rapp  
Brenda Hollis

**Defence Counsel for Charles G. Taylor:**

Karim A.A. Khan  
Roger Sahota

**TRIAL CHAMBER II** (“Trial Chamber”) of the Special Court for Sierra Leone (“Special Court”);

**SEIZED** of the “Defence Motion Pursuant to Rule 7bis Seeking Extension of Time to Respond to Prosecution’s Motion for Judicial Notice”, filed on 21 May 2007 (“Motion”), in which the Defence seeks an extension of time to 4 September 2007 to respond to the Prosecution’s Motion for Judicial Notice<sup>1</sup> on the grounds that:

- (i) the Judicial Notice Motion and its annexes amount to a voluminous 2,129 pages that require careful evaluation;<sup>2</sup>
- (ii) the Defence requires adequate time to carefully consider the 107 “facts” sought to be judicially noticed;<sup>3</sup>
- (iii) no hard copies of the Judicial Notice Motion were served on the Defence and “the Hague sub-office has run out of paper”;<sup>4</sup> and
- (iv) the Defence “has repeatedly emphasised that it is under-staffed, and under-resourced and will not be properly ready for the trial by 4 June 2007”, so that the Prosecution should have filed the Judicial Notice Motion months ago, “rather than on the eve of the trial”;<sup>5</sup>

**NOTING** that Rule 7(C) of the Rules of Procedure and Evidence (“Rules”) provides that the response to a motion shall be filed within 10 days;

**NOTING** that, pursuant to Rule 7bis of the Rules, a motion for an extension of time may be disposed of without giving the other party the opportunity to respond if a Judge or Chamber is of the opinion that no prejudice will be caused to the other party;

**MINDFUL** of the rights of the Accused and, in particular, of the provisions of Article 17 of the Statute of the Special Court for Sierra Leone and Rule 26bis of the Rules;

**HOLDING** that the grounds supporting this Motion and the inordinate size of the Judicial Notice Motion justify an extension of time for the Defence to file a response, but that the extra time sought by the Defence is unreasonable and excessive;

**SATISFIED** that an extension of time to 25 June 2007 for the Defence to file its response, if any, will meet the justice of the case and ensure that the trial is fair and expeditious, without causing prejudice to the Prosecution;

**PURSUANT** to Rules 7bis and 54 of the Rules;

**GRANTS THE MOTION IN PART** and

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<sup>1</sup> *Prosecutor v. Charles Ghankay Taylor*, SCSL-2003-01-PT-247, Prosecution’s Motion for Judicial Notice, filed on 14 May 2007 (“Judicial Notice Motion”).

<sup>2</sup> Motion, para. 1.

<sup>3</sup> Motion, para. 3.

<sup>4</sup> Motion, para. 5.

<sup>5</sup> Motion, para. 4.

**ORDERS** that the Defence file any response to the Judicial Notice Motion on or before 25 June 2007.

Done at Freetown, Sierra Leone, this 25<sup>th</sup> day of May 2007.

Justice Richard Lussick

Justice Julia Sebutinde  
Presiding Judge

Justice Teresa Doherty

[Seal of the Special Court for Sierra Leone]