

774)

SCSL-03-01-T
(25082-25084)

25082



SPECIAL COURT FOR SIERRA LEONE

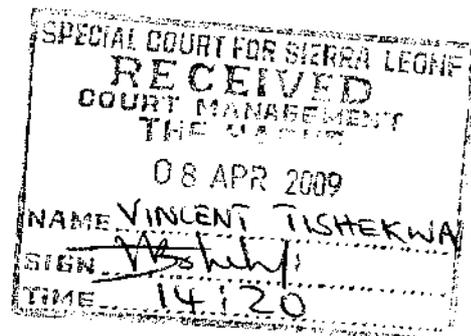
TRIAL CHAMBER II

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

Registrar: Herman von Hebel

Case No.: SCSL-03-1-T

Date: 8 April 2009



PROSECUTOR

v.

Charles Ghankay TAYLOR

PUBLIC

DECISION ON CONTEMPT INVESTIGATION REPORT BY INDEPENDENT COUNSEL

Office of the Prosecutor:

Brenda J. Hollis
Nicholas Koumjian

Defence Counsel for Charles G. Taylor:

Courtenay Griffiths, Q.C.
Andrew Cayley
Terry Munyard
Morris Anyah

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

RECALLING the Trial Chamber’s Confidential “Decision on Confidential Prosecution Motion for an Investigation by Independent Counsel into Contempt of the Special Court for Sierra Leone and for Urgent Measures”, dated 8 December 2008 (“Decision on Independent Counsel”),¹ wherein the Trial Chamber directed the Registrar pursuant to Rule 77(C)(iii) of the Rules of Procedure and Evidence of the Special Court (“Rules”) to appoint Independent Counsel to investigate allegations of contempt made by a specific witness during the proceedings before the Trial Chamber;

NOTING that the Registrar appointed William E. Hoffmann Jr. as Independent Counsel who subsequently undertook investigations into the matter and reported back to the Chamber;

NOTING the Confidential and Under Seal “Report of Independent Counsel Pursuant to Decision of the Trial Chamber dated 8 December 2008”, dated 26 March 2009 (“Contempt Report”);²

HAVING carefully considered the Contempt Report of the Independent Counsel;

MINDFUL of Rule 77(C)(iii) which states that,

When a Judge or Trial Chamber has reason to believe that a person may be in contempt of the Special Court, it may:

[...]

direct the Registrar to appoint an experienced independent counsel to investigate the matter and report back to the Chamber as to whether there are sufficient grounds for instigating contempt proceedings. If the Chamber considers that there are sufficient grounds to proceed against a person for contempt, the Chamber may issue an order in lieu of an indictment and direct the independent counsel to prosecute the matter.

FINDING on the basis of the conclusion and recommendation of Independent Counsel in the Contempt Report that there are not sufficient grounds for instigating contempt proceedings;

PURSUANT to Rules 54 and 77;

ORDERS that no further action be taken in this matter.

¹ SCSL03-01-T-690.

² SCSL03-01-T-771.

25084

Done at The Hague, The Netherlands, this 8th day of April 2009.


Justice Teresa Doherty


Justice Richard Lussick
Presiding Judge


Justice Julia Sebutinde

[Seal of the Special Court for Sierra Leone]

