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SCSL-03-01-T  
(37710-37712)

37710



**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:** Binta Mansaray

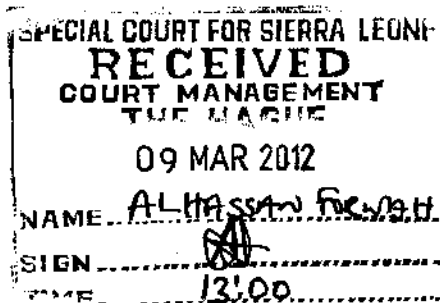
**Case No.:** SCSL03-1-T

**Date:** 9 March 2012

**PROSECUTOR**

v.

**Charles Ghankay TAYLOR**



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**DECISION ON URGENT PUBLIC, WITH CONFIDENTIAL ANNEXES A & B AND EX PARTE  
ANNEX C DEFENCE REQUEST TO CHANGE DATE OF JUDGEMENT**

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**Office of the Prosecutor:**

Brenda J. Hollis  
Nina Tavakoli  
Ruth Mary Hackler

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

Courtenay Griffiths, Q.C.  
Terry Munyard  
Morris Anyah  
Silas Chekera  
Logan Hambrick

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

SEISED of the "Urgent Public, with Confidential Annexes A & B and Ex Parte Annex C Defence Request to Change Date of Judgement", filed on 6 March 2012 ("Motion"),<sup>1</sup> and of the "Urgent and Public Corrigendum to Defence Request to Change Date of Judgement", filed on 7 March 2012 ("Corrigendum")<sup>2</sup>, wherein the Defence requests the Trial Chamber to change the judgement date from Thursday, 26 April 2012 to Tuesday, 1 May 2012, or any suitable date thereafter, on the grounds that:

(a) Lead Counsel has prior professional engagements on the judgement date, which have been on the calendar since September 2011 and which cannot be moved; and/or

(b) The delivery of judgement in the Taylor case on the eve of Sierra Leone's 51<sup>st</sup> Independence Day celebrations appears to be ill-timed and poses potential security risks;<sup>3</sup>

RECALLING the Trial Chamber's Order for Expedited Filing, dated 7 March 2012;<sup>4</sup>

SEISED of the "Prosecution Response to Defence Request to Change Date of Judgement", filed on 7 March 2012 ("Response")<sup>5</sup> wherein the Prosecution submits that the Motion is devoid of merit and should be dismissed on the grounds that:

- (i) The Defence has failed to establish that the Accused would be prejudiced if the judgement was delivered on 26 April 2012 as scheduled;
- (ii) If the Motion were granted, such delay would violate the Accused's fundamental right to be tried without undue delay; and
- (iii) The Defence, by filing details of Lead Counsel's professional engagement *ex parte*, have prevented the Prosecution from assessing and responding to whether the details warrant the requested relief;<sup>6</sup>

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<sup>1</sup> SCSL-03-01-T-1266.

<sup>2</sup> SCSL-03-01-T-1267.

<sup>3</sup> Motion, para. 2.

<sup>4</sup> SCSL-03-01-T-1268.

<sup>5</sup> SCSL-03-01-T-1269.

<sup>6</sup> Response, para. 1.





SEISED of the "Reply to Prosecution Response to Defence Request to Change Date of Judgement", filed on 7 March 2012 ("Reply")<sup>7</sup>;

CONSIDERING that the Trial Chamber, by its Scheduling Order for Delivery of Judgement, dated 1 March 2012 ("Scheduling Order"),<sup>8</sup> provided Counsel in this case with eight weeks' notice of the date of judgement, which is more than reasonable time for Counsel to make arrangements to be present for delivery of the Judgement;

CONSIDERING that there are competent Co-Counsel in the Defence team capable of representing the Accused in the absence of Lead Counsel;


FINDING that the argument raised secondarily by the Defence in support of its request, relating to Sierra Leonean Independence Day, is entirely speculative and without merit;

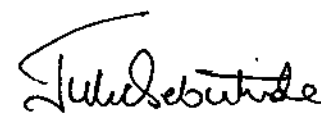
FOR THE ABOVE REASONS:

DISMISSES the Motion.

Done at The Hague, The Netherlands, this 9th day of March 2012.

  
Justice Teresa Doherty

  
Justice Richard Lussick  
Presiding Judge

  
Justice Julia Sebutinde

[Seal of the Special Court for Sierra Leone]



<sup>7</sup> SCSL03-01-T-1270.

<sup>8</sup> SCSL03-01-T-1265.