



Case No. SCSL-2003-01-T

THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
CHARLES GHANKAY TAYLOR

THURSDAY, 17 JULY 2008  
9.30 A.M.  
TRIAL

TRIAL CHAMBER II

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Before the Judges:

Justice Teresa Doherty, Presiding  
Justice Richard Lussick  
Justice Julia Sebutinde  
Justice Al Hadji Malick Sow, Alternate

For Chambers:

Mr Simon Meisenberg  
Ms Doreen Kiggundu

For the Registry:

Ms Advera Nsiima Kamuzora  
Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis  
Mr Mohamed A Bangura  
Ms Maja Dimitrova

For the accused Charles Ghankay  
Taylor:

Mr Courtenay Griffiths QC  
Mr Terry Munyard

1 Thursday, 17 July 2008

2 [Open session]

3 [The accused not present]

4 [Upon commencing at 9.30 a.m.]

09:22:48 5 PRESIDING JUDGE: Good morning. I note some changes of  
6 appearance. Mr Bangura, your bar is as before.

7 MR BANGURA: Good morning Madam President. Good morning  
8 your Honours and counsel opposite. Your Honours, for the  
9 Prosecution this morning is Ms Brenda J Hollis, myself Mohamed A  
09:31:57 10 Bangura and Ms Maja Dimitrova.

11 PRESIDING JUDGE: Thank you, Mr Bangura. Mr Griffiths, I  
12 note first of all that your bar has changed, but I also note the  
13 absence of the accused.

14 MR GRIFFITHS: Madam President, yes. Good morning Madam  
09:32:10 15 President, your Honours, counsel opposite. For the Defence  
16 today: Myself Courtenay Griffiths and my learned friend Mr Terry  
17 Munyard. Madam President, you will have noticed that the  
18 accused, Mr Taylor, is not in attendance today.

19 PRESIDING JUDGE: Yes.

09:32:27 20 MR GRIFFITHS: The circumstances surrounding his absence  
21 was related to me by him this morning as 8.20 when I received a  
22 telephone call from the detention unit. There are certain  
23 matters that I would like to raise, Madam President, but I would  
24 prefer to raise them in private session for reasons which I will  
09:32:54 25 explain in a moment.

26 PRESIDING JUDGE: If we are to go into a private session we  
27 have to make a ruling, the Trial Chamber must make a ruling, but  
28 we need to know some indication why for the purposes of the  
29 rules.

1 MR GRIFFITHS: I am concerned, Madam President, that on a  
2 previous occasion when an application of this nature was made it  
3 caused concerns in certain quarters which I don't really want to  
4 elaborate on in public session.

09:33:36 5 PRESIDING JUDGE: I see. This relates to security of the  
6 accused or the situation of the accused?

7 MR GRIFFITHS: Your Honour, Madam President, yes.

8 PRESIDING JUDGE: I see.

9 JUDGE SEBUTINDE: Yes, but surely, Mr Griffiths, if you  
09:33:54 10 look at the provisions of Rule 79 which deal with closed session  
11 and in this case also private session, I think, there are at  
12 least three grounds that are given: National security;  
13 protection of the privacy or security of the identity of a  
14 victim; and protecting the interests of justice. Your  
09:34:19 15 application should fall in one of these surely for the record?

16 MR GRIFFITHS: We submit that it falls within the third  
17 category, that is protecting the interests of justice, your  
18 Honour.

19 JUDGE SEBUTINDE: I think that is good enough for the  
09:34:32 20 record.

21 MR GRIFFITHS: I am grateful.

22 MS HOLLIS: Your Honours, just for the record the Defence  
23 has spoken to the Prosecution about this and we agree it should  
24 be in private session.

09:34:44 25 PRESIDING JUDGE: I am grateful for that notice of consent,  
26 Ms Hollis.

27 MR GRIFFITHS: I am grateful to my learned friend.

28 PRESIDING JUDGE: For purposes of public record the Court  
29 is going to go into private session to hear an application from

1 the Defence, or an explanation from the Defence, and we are doing  
2 so in order to protect the interests of justice. It is by  
3 consent.

4 Just for purposes of information to persons in the public  
09:36:01 5 gallery, you will be able to see but you will not be able to  
6 hear. Madam Court Attendant, please have the Court put in  
7 private session.

8 [At this point in the proceedings, a portion of  
9 the transcript, pages 13952 to 13955, was  
09:36:10 10 extracted and sealed under separate cover, as  
11 the proceeding was heard in private session.]

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1 [Open session]

2 MS IRURA: Your Honour, we are in open session.

3 PRESIDING JUDGE: Thank you. We have heard and considered  
4 an application for an adjournment of today's proceedings and have  
09:48:40 5 considered the explanation given in private session for that  
6 adjournment. We find the grounds of the application reasonable  
7 and note that it is not opposed by Prosecution counsel. We grant  
8 the adjournment until 9.30 tomorrow, that is 18 July 2008. We  
9 direct a representative of the Registry to attend at the

09:49:05 10 detention centre to speak to Mr Taylor. We suggest that such a  
11 representative consult with counsel for the Defence prior to  
12 going to the detention centre. We understand counsel may be  
13 going today and so that would have to be today, hence my request  
14 that he liaise. For purposes of public record and those persons  
09:49:41 15 listening in the public gallery, the adjournment and the  
16 explanation given are beyond the control of either the parties or  
17 the Court and relate to matters outside the court proceedings.

18 In the circumstances, please adjourn court until tomorrow  
19 at 9.30.

09:50:09 20 [Whereupon the hearing adjourned at 9.50 a.m.  
21 to be reconvened on Friday, 18 July 2008 at  
22 9.30 a.m.]

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