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SCSL-03-01-A
(147-151)

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THE SPECIAL COURT FOR SIERRA LEONE

THE APPEALS CHAMBER

Before: Justice Shireen Avis Fisher
Pre-Hearing Judge

Registrar: Ms. Binta Mansaray

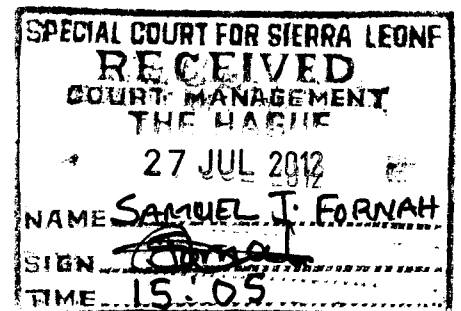
Date: 27 July 2012

Case No.: SCSL-2003-01-A

THE PROSECUTOR

—v—

CHARLES GHANKAY TAYLOR



PUBLIC

**DEFENCE REPLY TO PROSECUTION RESPONSE TO DEFENCE MOTION FOR
EXTENSIONS OF TIME AND PAGE LIMITS FOR WRITTEN SUBMISSIONS PURSUANT TO
RULES 111, 112 AND 113**

Office of the Prosecutor:

Ms. Brenda J. Hollis
Mr. Nicholas Koumjian
Mr. Mohamed A. Bangura
Ms. Nina Tavakoli
Ms. Leigh Lawrie
Mr. Christopher Santora
Ms. Kathryn Howarth
Ms. Ruth Mary Hackler
Ms. Ula Nathai-Lutchman
Mr. James Pace
Mr. C3man Kenny

Counsel for Charles G. Taylor:

Mr. Morris Anyah
Mr. Eugene O'Sullivan
Mr. Christopher Gosnell
Ms. Kate Gibson
Ms. Magda Karagiannakis

I. INTRODUCTION

1. This reply to the “Prosecution Response to Defence Motion for Extensions of Time and Page Limits for Written Submissions Pursuant to Rules 111, 112 and 113”¹ is filed pursuant to the scheduling order of the Pre-Hearing Judge.²

II. THE PROSECUTION PROPOSES A DEADLINE FOR THE FILING OF BRIEFS THAT IS ONLY 21 DAYS SHORTER THAN THAT PROPOSED BY THE DEFENCE

2. The Prosecution suggests that the period between the filing of the Notice of Appeal and the appeal briefs should be 90 days,³ thus amounting to an extension of 69 days beyond the statutory limit, and a total period between the Trial Judgement⁴ and the appeal briefs of 139 days. This is 21 days shorter than the period requested by the Defence.⁵
3. The Prosecution’s proposal, even though its appeal is far more limited, is not substantially shorter than the period proposed by the Defence. The Defence submits, respectfully, that it has greater knowledge of the time required to prepare its own appeal brief and that 160 days falls well within the range permitted by other international tribunals in respect of cases that are much less complex than the present.

¹ *Prosecutor v. Taylor*, SCSL-03-01-A-1307, Prosecution Response to Defence Motion for Extensions of Time and Page Limits for Written Submissions Pursuant to Rules 111, 112 and 113, 25 July 2012 (“Response”).

² *Prosecutor v. Taylor*, SCSL-03-01-A-1303, Scheduling Order for Written Submissions Regarding Rules 111, 112 and 113, 20 July 2012, p. 3.

³ Response, para. 3.

⁴ *Prosecutor v. Taylor*, SCSL-03-01-T-1283, Judgement, 18 May 2012, filed 30 May 2012 (“Trial Judgement”).

⁵ *Prosecutor v. Taylor*, SCSL-03-01-A-1305, Defence Motion for Extensions of Time and Page Limits for Written Submissions Pursuant to Rules 111, 112 and 113, 24 July 2012, para. 1 (“Defence Motion for Extensions of Time and Page Limits”).

III. THE PROSECUTION'S SUBMISSION ON THE TIME TO FILE RESPONSES CITES NO FACTOR OR AUTHORITY JUSTIFYING A DEVIATION FROM THE TWO-THIRDS STANDARD

4. The Prosecution cites no authority for its claim that it should be accorded equal time for the preparation of its response brief.⁶ No case or rule is cited to support this request. No exceptional factor is cited distinguishing this case from other large cases in which the same ratio has been applied.⁷ The understandable need for the Prosecution to have sufficient time given the exceptional complexity of this appeal will be adequately reflected as a two-thirds ratio of the time requested by the Defence.

IV. THE PROSECUTION CITES NO PARTICULAR BASIS FOR ITS COUNTER-PROPOSAL AS TO PAGE-LIMITS

5. The Prosecution suggests that the appeal brief should be 200, rather than 300 pages in length.⁸ No reason is given for this proposal.
6. The unprecedented size of the Trial Judgement does indeed warrant a "generous" word limit.⁹ Accurate and fair quotation from the Trial Judgement itself requires additional space, and will facilitate the work of the Appeals Chamber.

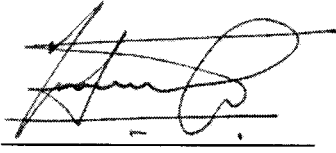
⁶ Response, para. 4.

⁷ *Prosecutor v. Popović et al.*, Case No. IT-05-88-A, Decision on Motions for Extension of Time and for Permission to Exceed Word Limitations, 20 October 2010 (the defendants were granted 135 days from the date of their notice to file their appeal briefs, whereas the Prosecution was granted only 75 days, despite having to prepare responses to five different appeal briefs simultaneously).

⁸ Response, para. 3.

⁹ Response, para. 3.

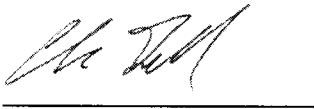
Respectfully Submitted,



Morris Anyah
Lead Counsel for Charles G. Taylor
Dated this 27th Day of July 2012
The Hague, The Netherlands



Eugene O'Sullivan
Co-Counsel for Charles G. Taylor



Christopher Gosnell
Co-Counsel for Charles G. Taylor



Kate Gibson
Co-Counsel for Charles G. Taylor

List of Authorities**Prosecutor v. Taylor**

Prosecutor v. Taylor, SCSL-03-01-A-1307, Prosecution Response to Defence Motion for Extensions of Time and Page Limits for Written Submissions Pursuant to Rules 111, 112 and 113, 25 July 2012.

Prosecutor v. Taylor, SCSL-03-01-A-1305, , Defence Motion for Extensions of Time and Page Limits for Written Submissions Pursuant to Rules 111, 112 and 113, 24 July 2012.

Prosecutor v. Taylor, SCSL-03-01-A-1303, Scheduling Order for Written Submissions Regarding Rules 111, 112 and 113, 20 July 2012.

Prosecutor v. Taylor, SCSL-03-01-T-1283, Judgement, 18 May 2012, filed 30 May 2012.

ICTY Jurisprudence

Prosecutor v. Popović et al., Case No. IT-05-88-A, Decision on Motions for Extension of Time and for Permission to Exceed Word Limitations, 20 October 2010.
<http://www.icty.org/x/cases/popovic/acdec/en/101020.pdf>