234

SCSL-03-01-PT
(5578-5581)

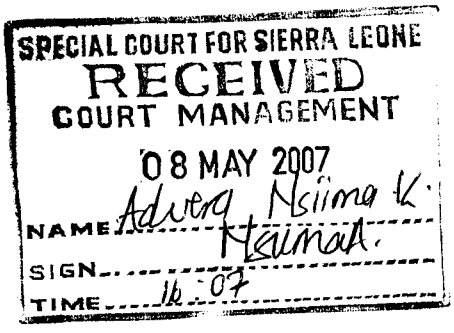
5578

SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
Freetown – Sierra Leone

Before: Justice Julia Sebutinde, Presiding
Justice Richard Lussick
Justice Teresa Doherty

Registrar: Mr. Herman von Hebel, Acting Registrar

Date filed: 8 May 2007



THE PROSECUTOR **Against** **Charles Ghankay Taylor**

Case No. SCSL-03-01-PT

PUBLIC

PROSECUTION RESPONSE TO DEFENCE APPLICATION FOR LEAVE TO APPEAL FILED ON 30 APRIL 2007

Office of the Prosecutor:
Ms. Brenda Hollis
Ms. Ann Sutherland

Defence Counsel for Charles Taylor
Mr. Karim A.A. Khan
Mr. Roger Sahota
Mr. Avi Singh
Ms. Caroline Buisman
Mr. James Supuwood

I. INTRODUCTION

1. Pursuant to Rule7(C) of the Special Court's Rules of Procedure and Evidence ("Rules"), the Prosecution files this response to the Accused's application for leave to appeal[1] against the Trial Chamber's decision issued on 25 April 2007.[2]

II. BACKGROUND

2. On 26 January 2007, the Accused filed a motion for leave to appeal[3] against the Trial Chamber's joint decision[4] which set the trial start date for 4 June 2007. On 5 February 2007, the Prosecution filed its response to the *Application for Leave to Appeal Joint Decision*, arguing in support of granting leave to appeal.[5] On 15 February 2007, the Trial Chamber dismissed the Accused's *Application for Leave to Appeal Joint Decision.*[6]

3. On 17 April 2007, the Accused for a motion for reconsideration of the Trial Chamber's *Joint Decision* and requested a delay in the commencement of the trial to a date not before 3 September 2007.[7] On 20 April 2007, the Prosecution filed its response to the Accused's *Motion for Reconsideration*, agreeing that the Accused had shown good cause

---

[1] *Prosecutor v. Taylor*, SCSL-03-01-PT-230, "Defence Application for Leave to Appeal the 25 April 2007 'Decision on Defence Motion Requesting Reconsideration of 'Joint Defence Motions on Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence,' dated 23 January 1997'", filed on 30 April 2007 ("*Application for Leave to Appeal Reconsideration Decision*").

[2] *Prosecutor v. Taylor*, SCSL-03-01-PT-226, "Decision on Defence Motion Requesting Reconsideration of 'Joint Defence Motions on Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence,' dated 23 January 1997'", dated 25 April 2007 ("*Reconsideration Decision*").

[3] *Prosecutor v. Taylor*, SCSL-03-01-PT-168, "Defence Application for Leave to Appeal 'Joint Decision on Defence Motions for Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence' dated 23 January 2007'", filed on 26 January 2007 ("*Application for Leave to Appeal Joint Decision*")

[4] *Prosecutor v. Taylor*, SCSL-03-01-PT-164, "Joint Decision on Defence Motions for Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence" dated 23 January 2007 ("*Joint Decision*")

[5] *Prosecutor v. Taylor*, SCSL-03-01-PT-173, "Prosecution Response to 'Defence Application for Leave to Appeal 'Joint Decision on Defence Motions for Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence' dated 23 January 2007'", filed on 5 February 2007 ("*Response to Application for Leave to Appeal Joint Decision*").

[6] *Prosecutor v. Taylor*, SCSL-03-01-PT-182, "Decision on 'Defence Application for Leave to Appeal 'Joint Decision on Defence Motions for Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence' dated 23 January 2007'", filed on 15 February 2007.

[7] *Prosecutor v. Taylor*, SCSL-03-01-PT-220, "Defence Motion Requesting Reconsideration of 'Joint Defence Motions on Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence'", filed on 17 April 2007 ("*Motion for Reconsideration*").

for additional delay.[8] On 25 April 2007, the Trial Chamber granted the Defence motion in part, ordering an 18 day adjournment between the Prosecution opening statement on 4 June and 25 June 2007, "to make up for preparation time lost by the Defence."[9]

4. On 30 April 2007, the Accused filed its *Application for Leave to Appeal Reconsideration Decision*, appealing the Trial Chamber's *Reconsideration Decision*, to which the Prosecution now responds.

II. SUBMISSIONS

5. In response to the *Application for Leave to Appeal Reconsideration Decision*, the Prosecution relies on its *Response to Application for Leave to Appeal Joint Decision* and its *Response to Motion for Reconsideration.*

Filed in Freetown,
8 May 2007
For the Prosecution,

Brenda J. Hollis
Senior Trial Attorney

[8] *Prosecutor v. Taylor*, SCSL-03-01-PT-223, "Prosecution's Response to 'Defence Motion Requesting Reconsideration of 'Joint Defence Motions on Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence,' dated 23 January 1997'", filed on 20 April 2007 ("*Response to Motion for Reconsideration*").
[9] *Reconsideration Decision*, page 4.

LIST OF AUTHORITIES

Prosecutor v. Taylor – Case No. SCSL-03-01-PT

Prosecutor v. Taylor, SCSL-03-01-PT-164, "Joint Decision on Defence Motions for Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence", dated 23 January 2007 ("*Joint Decision*").

Prosecutor v. Taylor, SCSL-03-01-PT-168, "Defence Application for Leave to Appeal 'Joint Decision on Defence Motions for Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence' dated 23 January 2007'", filed on 26 January 2007 ("*Application for Leave to Appeal Joint Decision*").

Prosecutor v. Taylor, SCSL-03-01-PT-173, "Prosecution Response to 'Defence Application for Leave to Appeal 'Joint Decision on Defence Motions for Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence' dated 23 January 2007'", filed on 5 February 2007 ("*Response to First Application for Leave to Appeal Joint Decision*").

Prosecutor v. Taylor, SCSL-03-01-PT-182, "Decision on 'Defence Application for Leave to Appeal 'Joint Decision on Defence Motions for Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence' dated 23 January 2007'", dated 15 February 2007.

Prosecutor v. Taylor, SCSL-03-01-PT-220, "Defence Motion Requesting Reconsideration of 'Joint Defence Motions on Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence'", filed on 17 April 2007 ("*Motion for Reconsideration*").

Prosecutor v. Taylor, SCSL-03-01-PT-223, "Prosecution's Response to 'Defence Motion Requesting Reconsideration of 'Joint Defence Motions on Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence,' dated 23 January 1997'", filed on 20 April 2007 ("*Response to Motion for Reconsideration*").

Prosecutor v. Taylor, SCSL-03-01-PT-226, "Decision on Defence Motion Requesting Reconsideration of 'Joint Defence Motions on Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence,' dated 23 January 1997'" filed on 25 April 2007 ("*Reconsideration Decision*").

Prosecutor v. Taylor, SCSL-03-01-PT-230, "Defence Application for Leave to Appeal the 25 April 2007 'Decision on Defence Motion Requesting Reconsideration of 'Joint Defence Motions on Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor's Defence,' dated 23 January 1997'" filed on 30 April 2007 ("*Application for Leave to Appeal Reconsideration Decision*").