



Sierra Leone / Trial of Charles Taylor – Special Court says “No Chance”

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The Judges of Trial Chamber II in The Hague have dismissed in its entirety a Motion for Judgment of Acquittal brought under Rule 98 by the Defense Counsel on behalf of former Liberian President Charles

Taylor. This means that Mr. Taylor has a case to answer on all 11 counts in the indictment.

The Trial Chamber ruled that the Prosecution had presented sufficient evidence on all counts which, if believed, would be capable of supporting a conviction. The Chamber made its findings based on the Joint Criminal Enterprise (JCE) mode of liability, and ruled that it need not examine other modes of liability, that is, aiding and abetting, planning, instigating, ordering and superior responsibility.

“The Chamber agrees with the Prosecution that it is not necessary for the purpose of Rule 98 to evaluate the sufficiency of the evidence in relation to each mode of liability and that it is sufficient if there is evidence capable of supporting a conviction on the basis of one of those modes,” Justice Richard Lussick said in reading out the Chamber’s decision. “In relation to the alleged participation of the accused, the Trial Chamber finds that there is evidence that the accused participated in the joint criminal enterprise.”

Justice Lussick emphasized that the standard for determining sufficiency of evidence under Rule 98 “is not evidence on which a Trial Chamber should convict but evidence on which it could convict.”

The Chamber ordered that the Taylor Defense open their case on 29 June 2009. A Pre-Defense Conference will take place on 8 June 2009.

Mr. Taylor is expected to take the stand in his own defense. Under the Special Court’s Rules, he will be the first witness to testify in the Defense case.

Note: The Chamber’s decision to dismiss the Motion for Judgment of Acquittal does not amount to a conviction against Mr. Taylor. It basically means that Mr. Taylor has a case to answer and that he should do so by presenting his defense in order to rebut the Prosecution’s evidence. It further means that if the case were to be closed at this stage

without Mr. Taylor presenting his defense, there would be a case against him based on the Prosecution's evidence.