



Annotated
Leading Cases
of International
Criminal Tribunals

V O L U M E 51

Special Court
for Sierra Leone
2012-2015

André Klip and Steven Freeland (eds.)
Lioba Gasser (assistant editor)



intersentia

CONTENTS

Table of Contents	5
Preface	7
1. Procedural Issues	
Decision on the Prosecutor's Request for Subpoenas, <i>Prosecutor v. Bangura, Kargbo, Kanu and Kamara</i> , Case No. SCSL-2011-02-I, T. Ch. II, 28 June 2012	9
Commentary <i>Craig Eggett</i>	15
Decision on Charles Ghankay Taylor's Motion for Partial Voluntary Withdrawal or Disqualification of Appeals Chamber Judges, <i>Prosecutor v. Taylor</i> , Case No. SCSL-03-01-A, A. Ch., 13 September 2012	21
Separate Opinion of Justice George Gelaga King on Decision on Charles Ghankay Taylor's Motion for Partial Voluntary Withdrawal or Disqualification of Appeals Chamber Judges, <i>Prosecutor v. Taylor</i> , Case No. SCSL-03-01-A, A. Ch., 13 September 2012	31
Commentary <i>Craig Eggett</i>	34
2. Judgments in Contempt Proceedings	
Judgement in Contempt Proceedings, <i>Prosecutor v. Senessi</i> , Case No. SCSL-2011-01-T, T. Ch. II, 21 June 2012	37
Decision on Urgent and Public with Annex Defence Challenge to Jurisdiction, <i>In the Matter of Contempt Proceedings Arising from the Case of The Prosecutor v. Charles Ghankay Taylor</i> , Case No. SCSL-12-01-T, T. Ch. II, 17 October 2012	51
Judgement in Contempt Proceedings, <i>In the Matter of Contempt Proceedings Arising from the Case of The Prosecutor v. Charles Ghankay Taylor</i> , Case No. SCSL-12-01-T, T. Ch. II, 19 October 2012	59
Judgement in Contempt Proceedings, <i>The Independent Counsel against Bangura, Kargbo, Kanu, Kamara</i> , Case No. SCSL-11-02-A, A. Ch., 21 March 2013	73
Judgement in Contempt Proceedings, <i>The Independent Counsel against Prince Taylor</i> , Case No. SCSL-12-02-A, A. Ch., 30 October 2013 (including Dissent Judge Winter)	91
Commentary <i>Geoff Roberts</i>	118
3. (Sentencing) Judgments	
Sentencing Judgement, <i>Prosecutor v. Senessi</i> , Case No. SCSL-2011-01-T, T. Ch. II, 12 July 2012 ..	125
Commentary <i>Elinor Fry</i>	131
Judgment, <i>Prosecutor v. Taylor</i> , Case No. SCSL-03-01-A, A. Ch., 26 September 2013	137
Commentary <i>Manuel Ventura</i>	377
4. Early Release	
Decision on Moinina Fofana's Eligibility for Consideration for Conditional Early Release, <i>Prosecutor v. Fofana and Kondewa</i> , Case No. SCSL-04-14-ES-834, 24 April 2014	387

Decision on Eric Senessie’s Eligibility for Consideration for Conditional Early Release, <i>Prosecutor v. Senessie</i> , Case No. SCSL-11-01-ES-030, 29 April 2014	391
Decision of the President on Application for Conditional Early Release, <i>Prosecutor v. Senessie</i> , Case No. SCSL-11-01-ES-035, 4 June 2014	395
Decision of the President on Application for Conditional Early Release, <i>Prosecutor v. Fofana and Kondewa</i> , Case No. SCSL-04-14-ES-836, 11 August 2014	403
Order for Detention and Transfer and For Hearing Pursuant to Article 12(F) of the Practice Direction on Conditional Early Release of Persons Convicted by the Special Court for Sierra Leone, <i>Prosecutor v. Fofana and Kondewa</i> , Case No. SCSL-04-14-ES-839, 9 March 2015	415
Commentary <i>Alex Brown</i>	418
 5. Execution of the Sentence in the United Kingdom	
Decision on Public with Public and Confidential Annexes Charles Ghankay Taylor’s Motion for Termination of Enforcement of Sentence in the United Kingdom and for Transfer to Rwanda, <i>In the Matter of Charles Ghankay Taylor</i> , Case No. SCSL-03-01-ES, 30 January 2015	427
Decision on Charles Ghankay Taylor’s Motion for Termination of Enforcement of Sentence in the United Kingdom and for the Transfer to Rwanda AND ON Defence Application for Leave to Appeal Decision on Motion for Termination of Enforcement of Sentence in the United Kingdom and for Transfer to Rwanda, <i>In the Matter of Charles Ghankay Taylor</i> , Case No. SCSL-03-01-ES, 21 May 2015	453
Commentary <i>Robert Cryer</i>	462
 Contributors and Editors	 471