

Charles Ghankay Taylor  
ICCDU  
Scheveningen, Den Haag  
Netherlands

1 June 2007

Justice Julia Sebutinde, Presiding Judge  
Trial Chamber II  
The Special Court for Sierra Leone  
Jomo Kenyatta Road  
Freetown  
Sierra Leone

Cc: Justice Richard Lusick  
Justice Teresa Doherty

**re: Termination of Representation**

Your Honours,

It is with great sadness and regret that I write to inform you that I no longer feel able to attend and participate in the proceedings against me before the Special Court for Sierra Leone. Sadness, because at one time I hoped and had confidence in the Court's ability to dispense justice in a fair and impartial manner. Over time it has become clear that such confidence is misplaced.

Every one deserves justice. The people of Liberia and Sierra Leone, who for too many years have undergone tragic sufferings, deserve justice. The people of Africa, for whom the promise of independence was only pyrrhic, deserve justice. And I too, deserve at least the modicum of justice.

I have always, in my small way, been willing to make sacrifices for peace. I relinquished the Presidency of Liberia, and accepted exile in Nigeria, to ensure that the people of Liberia would no longer suffer war. As I said on 7 August 2003, when I left Liberia, I relinquished the Presidency because I could no longer preside over the suffering and humiliation of the Liberian people.

Till date, the Special Court has not demonstrated itself capable of delivering justice.

Justice is blind. Justice pursues truth. Justice is fair. Justice is immune to politics. It is not justice to preordain convictions. It is not justice to emaciate my defence to an extent that I am unable to launch an effective defence. It is not justice to throw all rights to a fair trial to the wind in a headlong rush to trial.

It seems apparent that there is a plain desire to reach a pre-determined decision of guilt in haste and without due regard to even the most basic fair trial rights as enshrined under international law.

Article 14 of the ICCPR and Article 7 of the African Charter on Human and People's Rights provide for the equality of arms between parties. Today marks the start of the trial against me. The Special Court's administration has been so dilatory that I have only one counsel to appear on my behalf. One counsel against a Prosecution team of nine lawyers. This is neither fair nor just. It is astonishing that, as the custodians of fairness, the Trial Chamber is prepared to countenance this position.

Given the size of the Prosecution team it is not surprising that it has been able to produce a seemingly never ending volume of material to be considered in this case. The limited defence resources have made it impossible to review all of this material and has distracted from the proper preparation of my defence.

My legal representative has not been provided the adequate time and facilities as guaranteed under Article 14 of the ICCPR and Article 7 of the African Charter. The numerous Defence requests for proper time to prepare have been ignored.

Defence preparations for trial have been further frustrated by the insidious presence of a camera in conference facilities in the Detention Unit, overseeing meetings between lawyer and client that are supposed to be privileged and confidential. The obvious result of this has been to seriously frustrate and hamper defence preparations for trial. The problem persisted continuously for three months, yet the Court granted only an 18 day extension for defence preparation.

My transfer to The Hague has left me cut off and in almost total isolation from my family and those closest to me. Their visits to The Netherlands are restricted to one visa being issued to one visitor at a time, for a maximum period of two weeks.


The Special Court's administration is ill-prepared to handle a trial of this magnitude in The Hague and is unwilling or unable to perform its basic functions. Despite this the Court advances with great haste to trial without any regard to the most fundamental procedural safeguards.

For all of these reasons, I am driven to the conclusion that I will not receive a fair trial before the Special Court at this point. It is therefore with great regret that I must decline to attend any further hearings in this case until adequate time and facilities are provided to my defence team and until my other long standing reasonable complaints are dealt with. It follows that I must terminate instructions to my legal representatives in this matter. Despite my complete confidence in their ability and competence, I must ask that they cease to represent me before the Special Court and instruct them accordingly.

I cannot participate in a charade that does injustice to the people of Sierra Leone and Liberia, and the people of Africa; and a disservice to the international community in whose name this court claims to speak. I choose not to be the figleaf of legitimacy for this process.

I hope and pray for a fair trial that will perhaps bring to an end these cycles of injustice. I stand ready to participate in such a trial, and let justice be done, for myself, and for those who have suffered far more than me in Liberia and Sierra Leone.

Yours Sincerely,

  
30 June 2007  
4:35 p.m.

Charles Ghankay Taylor



**SPECIAL COURT FOR SIERRA LEONE  
OFFICE OF THE PRINCIPAL DEFENDER**  
JOMO KENYATTA ROAD • FREETOWN • SIERRA LEONE  
PHONE: +39 0831 257000 or +232 22 297000 or +39 083125 (+Ext)  
UN Intermission 178 7000 or 178 (+Ext)  
FAX: +232 22 297001 or UN Intermission: 178 7001

### INTEROFFICE MEMORANDUM

To: Mr. Karim Khan, Assigned and Lead Counsel to Mr. Taylor

From: Vincent O. Nmehielle, Principal Defender of the Special Court

Date: 01 June 2007

Subject: Re: Concerns Regarding the Trial of Mr. Taylor

Your letter of 28 May 2007 to me on the above subject refers. In your said letter, you recount a number of logistical and other difficulties that you are encountering in putting up a formidable defence on behalf of Mr. Taylor and called upon me as Principal Defender of the Special Court to intervene in ensuring the rights of Mr. Taylor in accordance the stipulation of Rule 45 of the Rules of Procedure and Evidence of the Special Court.

As you are well aware, I have made every effort and taken every necessary step within my mandate as Principal Defender under the Rules of Procedure and Evidence to ensure that Mr. Taylor's case is properly serviced in the realization of the Article 17 rights of the accused under the Special Court's Statute. Unfortunately, I have increasingly been prevented from performing my role. Of late, the Registry has inhibited my ability to function as Principal Defender.

You would recall that Mr. Taylor recently requested to consult with me on a number of his concerns, but my authorized request to travel to consult with Mr. Taylor was denied, cancelled, or revoked and continues to be denied despite the admonition of the Honourable Trial Chamber that in that regard during the Pre-trial Conference of 7 May 2007.

I am regularly reminded that the Office of the Principal Defender is under the Registry and not administratively independent. While this is correct in the structure of the Special Court, it has long been settled that the Principal Defender and the Defence Office act independently of the Registry in the performance of their legal duties in the interest of the rights of the accused. Unfortunately, that has of late been whittled away. I have always maintained that the credibility of the process at the Special Court would be measured by how the Defence of the accused is treated, among other things.

Having recently been inhibited and prevented by the Registry from performing my mandated role in the Charles Taylor trial, despite having passionately performed that role in the Freetown trials for the last two years, I find it increasingly difficult to assist you with your concerns.



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You may wish to engage the Registry directly regarding your concerns.

Kind regards.