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SCSL-2003-08-A/R72
(6468 - 6469)

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SPECIAL COURT FOR SIERRA LEONE

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IN THE APPEALS CHAMBER

Before: Justice Robertson, Presiding
Justice Ayoola
Justice King
Justice Winter

Registrar: Mr Robin Vincent

Date: 12th day of December 2003

The Prosecutor against

Sam Hinga Norman
Case No.: SCSL-2003-08-A/R72

ORDER ON THE APPOINTMENT OF *AMICUS CURIAE*

Office of the Prosecutor:
Mr Desmond de Silva
Mr Chris Staker
Mr Abdul Tejan Cole

Defence Counsel:
Mr Timothy Owen
Ms Quincy Whitaker

SPECIAL COURT FOR SIERRA LEONE	
RECEIVED	
COURT RECORDS	
12 DEC 2003	
NAME	NEIL GIBSON
SIGN	<i>Neil Gibson</i>
TIME	12:00

THE APPEALS CHAMBER OF THE SPECIAL COURT FOR SIERRA LEONE (“the Special Court”)

NOTING the Preliminary Motion Based on Lack of Jurisdiction: Child Recruitment (“Preliminary Motion”) filed on 26 June 2003 in which the Defence objects to the jurisdiction of the Special Court to try the Accused on Count 8 of the Indictment of 7 March 2003 on the basis that the crime of recruiting child soldiers was not part of customary international law at any time relevant to that Indictment;

NOTING the Order of the Trial Chamber of 17 September 2003 transferring the Preliminary Motion to the Appeals Chamber pursuant to Rule 72(E) of the Rules of Procedure and Evidence;

NOTING the Decision on the Application by the University of Toronto International Human Rights Clinic for leave to file Amicus Curiae Brief of 4 November 2003 granting the request to file an *amicus curiae* brief on the issues raised by the Preliminary Motion;

NOTING that the United Nations Children’s Fund (“UNICEF”) was invited by the Chamber to submit an *amicus curiae* brief on the issues raised by the Preliminary Motion and accepted this invitation;

CONSIDERING that there is a real reason to believe that an *amicus curiae* brief by UNICEF and other interested organisations that may be approached by UNICEF providing material that is not already before the Appeals Chamber will assist it in reaching its decision on the issues raised by the Preliminary Motion;

PURSUANT TO RULE 74 OF THE RULES,

HEREBY APPOINTS UNICEF as *amicus curiae*, and

ORDERS that a written brief be filed no later than 16 January 2003 with any responses by the parties to be filed within two weeks thereafter.

Done at Freetown, Sierra Leone
This 12th day of December 2003



Justice Geoffrey Robertson
Presiding

