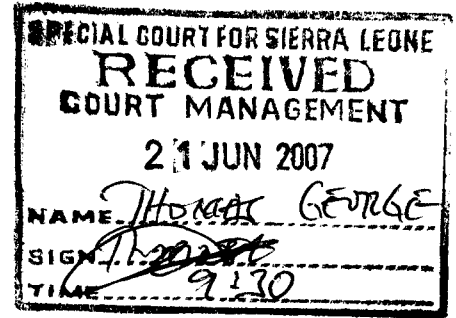


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SCSL-03-01-T  
(11107 - 11118)

11107

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



Before: Justice Julia Sebutinde, Presiding  
Justice Richard Lussick  
Justice Teresa Doherty  
Justice El Hadji Malick Sow, Alternate Judge

Acting Registrar: Mr. Herman von Hebel

Date filed: 21 June 2007

**THE PROSECUTOR**

**Against**

**Charles Taylor**

Case No. SCSL-03-01-T

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**PUBLIC**

**PROSECUTION'S RESPONSE TO URGENT & PUBLIC PLEADING  
FILED BY PRINCIPAL DEFENDER ON 12 JUNE 2007**

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

Counsel for the Accused:  
Mr. Karim A.A. Khan

Office of the Principal Defender:  
Mr. Vincent O. Nmehielle

**I. INTRODUCTION**

1. On 12 June 2007, two days before he issued a decision accepting the withdrawal of Mr. Khan as assigned counsel for the Accused<sup>1</sup>, the Principal Defender filed an urgent and public pleading entitled “Defence Office Application to Suspend All Time Limits Pending the Resolution of Issues Surrounding the Termination of Mr. Karim Khan by Mr. Charles Ghankay Taylor Before the Prosecution Opening Statement on 4 June 2007”.<sup>2</sup> The Prosecution files this response to the Application pursuant to Rule 7 of the Rules of Procedure and Evidence (“Rules”). The Principal Defender included in his Application that the Accused “should not represent himself and that new counsel should not be appointed; rather, Mr. Khan should continue as his Counsel to avoid the loss of more time than is necessary.”<sup>3</sup>
2. The Principal Defender requests the Trial Chamber to: (a) order an expedited filing sequence for this Application due to the urgency of the issue presented; (b) suspend all time limits for responses and replies related to the pending motions in order to preserve the rights of the Accused; and (c) postpone the resumption of the Prosecution case, currently scheduled for 25 June 2007, until matters regarding adequate time and resources for the Defence of the Accused are resolved.<sup>4</sup> For the reasons discussed below, the Prosecution requests that the Trial Chamber deny the relief requested.

**II. APPLICABLE LAW<sup>5</sup>**

3. Rule 26*bis* provides that the Trial Chamber ... shall ensure that a trial is fair and expeditious ....
4. Rules 44 and 45 of the Rules apply to the assignment and withdrawal of counsel. Rule 44(B) states that assigned counsel are subject to the basic documents and

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<sup>1</sup> *Prosecutor v. Taylor*, SCSL-03-01-T-293, Principal Defender’s Decision Accepting the Withdrawal of Mr. Karim Khan as Assigned Counsel to Mr. Charles Ghankay Taylor (“Decision Accepting Mr. Khan’s Withdrawal”), filed on 14 June 2007.

<sup>2</sup> *Prosecutor v. Taylor*, SCSL-03-01-T-289, Defence Office Application to Suspend All Time Limits Pending the Resolution of Issues Surrounding the Termination of Mr. Karim Khan by Mr. Charles Ghankay Taylor before the Prosecution Opening Statement of 4 June 2007 (“Application”), filed 12 June 2007. Thus, at the time of filing the Application, not even the Principal Defender had relieved Mr. Khan of his duties.

<sup>3</sup> Application, para. 24.

<sup>4</sup> Application, para. 25.

<sup>5</sup> *Prosecutor v. Taylor*, SCSL-03-01-PT-164, Prosecution’s Motion Regarding Legal Representation of the Accused, filed on 7 June 2007 (“Prosecution’s Motion”), paras. 8-12.

regulations issued by the SCSL,<sup>6</sup> and if applicable, the Directive on the Assignment of Defence Counsel.<sup>7</sup>

5. Pursuant to Rule 45 the Registrar shall establish, maintain and develop a Defence Office, for the purpose of ensuring the rights of accused. Rule 45 (A) states that the Defence Office shall provide advice, assistance and representation to accused persons before the Special Court. Rule 45 (B)(ii) states that the Defence Office shall fulfil its functions by providing, *inter alia*, legal assistance as ordered by the Special Court, as the interests of justice may so require. Rule 45 (E) provides:

**“Subject to any order of a Chamber, Counsel will represent the accused and conduct the case to finality. ... Counsel shall only be permitted to withdraw from the case to which he has been assigned in the most exceptional circumstances. ...”<sup>8</sup>**

6. Article 18 of the Code specifically deals with the termination of counsel.<sup>9</sup>
7. Article 24(A)(i) of the Directive provides that the Principal Defender may **in exceptional circumstances**, at the request of the Suspect or Accused, or his Assigned Counsel, withdraw the assignment of Counsel. With respect to the operation of this provision, Trial Chamber I in the *Prosecutor v. Sesay et al* case, held that the administrative discretion conferred on the Principal Defender by virtue of Article 24 (A)(i) of the Directive is subject to review by the Presiding Judge of the Chamber, and that this discretion of the Principal Defender is separate and distinct from the discretionary authority vested in the Chamber pursuant to Rule 45 (D) of the Rules to replace an assigned Counsel under exceptional circumstances.<sup>10</sup>

### III. SUBMISSIONS

8. As set out above, Rule 45 (E) requires that defence counsel continue to represent an accused and conduct the case until the conclusion of the proceedings, absent an

<sup>6</sup> Which includes the Agreement, Statute, Rules, Rules of Detention, Headquarters Agreement, the Code of Professional Conduct for Counsel with Right of Audience before the Special Court of Sierra Leone (“Code”), and the codes of practice and ethics governing their profession.

<sup>7</sup> (“Directive”).

<sup>8</sup> Prosecution Motion, para. 8.

<sup>9</sup> Article 18 (A)(i) provides that Defence Counsel shall not represent a client if representation is terminated by the client. Article 18 (D) provides that termination shall not take effect until replacement Defence Counsel is engaged by the client or assigned by the Principal Defender, or the client has notified the Registrar in writing of his intention to conduct his own defence.

<sup>10</sup> *Prosecutor v. Sesay et al.*, SCSL-04-15-T-584, Written Reasons for the Decision on Application by Counsel for the Third Accused to Withdraw from the Case, 19 June 2006.

order of the Chamber to the contrary. Such an order would only be issued in the “most exceptional circumstances.”<sup>11</sup> Absent such order, and appointment or other assumption of duties as defence counsel, the Principal Defender has no standing to file pleadings in a case and the Application would necessarily be denied. Therefore, a decision on this Application must include a determination regarding the status of the Principal Defender and Mr. Khan.

9. Even if it were decided that the Principal Defender was assisting defence counsel, Mr. Khan, by filing this Application, the Principal Defender would not have standing. Until leave is granted as discussed in paragraph 8 *supra*, Mr. Khan is obliged to continue to carry out all the responsibilities of defence counsel for the Accused, including preparing and filing the outstanding responses and replies.<sup>12</sup>
10. As for suspension of time limits for filings, neither the protection of the rights of the Accused, nor the interests of justice, require such relief. However, given the events since 4 June 2007, the Trial Chamber may determine it is in the interests of justice to grant Mr. Khan an additional two weeks to file the outstanding pleadings, the extension of time commencing on the date the Trial Chamber issues its decision on this Application. Similarly, should the Trial Chamber decide that the Defence Office personnel are providing representation to the Accused,<sup>13</sup> the Trial Chamber may determine that the interests of justice require that the Defence Office be given an extension of time to prepare and file the outstanding pleadings. In such a situation, an extension of some three weeks may be appropriate.
11. Furthermore, neither protection of the rights of the Accused nor the interests of justice require a postponement of the resumption of the Prosecution case “until matters regarding adequate time and resources for the Defence of the Accused are

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<sup>11</sup> Rule 45 (E) of the Rules.

<sup>12</sup> Article 14(A)(iii) of the Code provides that Defence Counsel shall “prepare and file all required motions and take any other required and lawful actions in order to fulfil the objectives of the representation.” Article 14(E) of the Directive provides that “[t]he Assigned Counsel shall sign all the documents submitted to the Special Court unless he authorises other Counsel, in writing, to sign on his behalf.”

<sup>13</sup> If the Principal Defender is acting in that capacity, he must carry out all the functions of defence counsel, including filing outstanding pleadings, accepting disclosure regarding Prosecution evidence and conducting the Accused’s defence at trial. The Principal Defender may not selectively carry out some defence counsel functions and refuse to carry out others, as his staff has done on his behalf in accepting, on a conditional basis, Prosecution disclosure. The Prosecution understands from the Legal Co-ordinator that the Principal Defender’s Office agreed to take physical custody of the material from the Court Management Services for the purposes of storage only.

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resolved.”<sup>14</sup> These matters have been resolved, in some instances by the Registry providing additional resources to the Accused,<sup>15</sup> in other instances through decisions of this Trial Chamber.<sup>16</sup> That the Accused is not satisfied with the way these matters were resolved does not render them unresolved, nor provide a basis for granting a postponement until they are resolved to his satisfaction.

12. However, the Trial Chamber may determine additional delay in the resumption of the Prosecution case would be in the interests of justice. If the Trial Chamber does not relieve Mr. Khan of his responsibilities as defence counsel, a two week delay may be appropriate given the present circumstances. If Mr. Khan is relieved of those responsibilities and the Defence Office personnel are appointed to provide representation to the Accused, or otherwise assume those responsibilities, the Trial Chamber may determine that the interests of justice require a delay in the resumption of the Prosecution case until about 13 August 2007.
13. However, the Defence Office personnel may not provide representation to the Accused until the Trial Chamber grants leave for Mr. Khan’s services to be terminated, and for him to withdraw from the case,<sup>17</sup> based on a finding of “most exceptional circumstances.”<sup>18</sup> The Trial Chamber should not grant leave to terminate Mr. Khan’s representation of the Accused.<sup>19</sup> Contrary to the assertions of

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<sup>14</sup> Application, paras. 22 and 25.

<sup>15</sup> See *Prosecutor v. Taylor*, SCSL-03-01-T-290, Registrar’s Submission in Response to the Order of Expedited Filing of 12 June 2007 (“Registrar’s Submission”), filed on 12 June 2007, paras. 8-21, in particular, paras. 11-12. ICTY/ICTR do not have Principal Defender’s Offices to assist Defence teams with legal support.

<sup>16</sup> See *Prosecutor v. Taylor*, SCSL-03-01-PT-164, Joint Decision on Defence Motions on Adequate Facilities and Adequate Time for the Preparation of Mr. Taylor’s Defence, 23 January 2007; *Prosecutor v. Taylor*, SCSL-03-01-PT-182, Decision on Defence Application for Leave to Appeal “Joint Decision on Defence Motions on 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-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”, 25 April 2007; *Prosecutor v. Taylor*, SCSL-03-01-PT-249, Decision on 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”, 22 May 2007.

<sup>17</sup> Prosecution’s Motion; *Prosecutor v. Taylor*, SCSL-03-01-T-300, Prosecution’s Reply to the Response of the Accused and Submissions of the Registrar on the Issues Raised in the Prosecution’s Motion Regarding Legal Representation of the Accused (“Prosecution’s Reply”), filed on 15 June 2007.

<sup>18</sup> Rule 45 (E) of the Rules.

<sup>19</sup> As has been stated in previous pleadings, it is not in the interests of justice to allow Mr. Khan to leave the case at this stage in the proceedings and there has been no showing that exceptional circumstances warrant such a course (see Prosecution’s Motion; *Prosecutor v. Taylor*, SCSL-03-01-T-286, Supplement to Prosecution’s Motion Regarding Legal Representation of the Accused, filed on 11 June 2007; Registrar’s Submission; Prosecution’s Reply; *Prosecutor v. Taylor*, SCSL-03-01-T-296, Registrar’s Reply to the Accused’s Response to the Public and Urgent Prosecution’s Motion Regarding Legal Representation of the Accused of 14 June 2007, filed on 15 June 2007; Application; *Prosecutor v. Taylor*, SCSL-03-01-T-294,

the Principal Defender in the Decision Accepting Mr. Khan's Withdrawal,<sup>20</sup> it has not been shown that "most exceptional circumstances" exist which justify granting leave for Mr. Khan to withdraw. First, that the Accused is attempting to terminate Mr. Khan's services does not of itself constitute "most exceptional circumstances," in particular where the Accused states he is satisfied with Mr. Khan's services.<sup>21</sup> Secondly, the attempted termination is invalid in that no good reason has been shown for such action; indeed it appears this action was taken to delay or obstruct these proceedings.

14. Thirdly, the Accused's purported intention to represent himself is equivocal and should not be allowed.<sup>22</sup> As discussed in prior pleadings, an Accused who refuses to attend the proceedings cannot be said to represent himself in those proceedings.<sup>23</sup> In addition, an accused's right to represent himself is not absolute.<sup>24</sup> Where an accused's purported intention to represent himself is for the purposes of obstructing proceedings, such intention need not and should not be allowed.<sup>25</sup> And, where the purported intention is for the purpose of delaying the proceedings, or would result in unreasonable delay, such intention need not and should not be allowed.<sup>26</sup> For all these reasons, the attempted termination does not preclude Mr. Khan's continued representation of the Accused. The Principal Defender's final alleged exceptional circumstance has no merit; the Trial Chamber has carefully considered the issue of time and resources in light of the Accused's rights and has taken action it deemed

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Defence Office Submissions in Regard to Registrar's Submission in Response to the Order of Expedited Filing of 12 June 2007, filed on 14 June 2007 (wherein it is stated that the Defence Office "relies on its Application [...] in respect of the legal representation of the accused."); Prosecution's Reply.

<sup>20</sup> Page 1, exceptional circumstances including: (a) the termination of his representation by the Accused; (b) the intention of the Accused to represent himself; (c) the terms of Article 18(A)(i) of the Code and Bar Rules of England and Wales prohibiting continued representation after termination; and (d) the terms of Article 5(i) of the Code given limited time and resources.

<sup>21</sup> Prosecution's Motion, Annex (Letter of the Accused dated 1 June 2007), page 3.

<sup>22</sup> Any election on the right to self-representation must be informed, unequivocal and intelligent. *See* Prosecution's Reply, para. 5, fn. 9.

<sup>23</sup> *See* Prosecution's Reply, paras. 6-18 and cases cited therein; Prosecution's Motion, Annex (Letter of the Accused dated 1 June 2007, page 3).

<sup>24</sup> *See* Prosecution's Reply, para. 10 and cases and article therein.

<sup>25</sup> *See* Prosecution's Reply, para. 11 and case cited therein. *See Prosecutor v. Krajišnik*, Case No. IT-00-39-T, Reason for Oral Decision Denying Mr. Krajišnik's Request to Proceed Unrepresented by Counsel, 18 August 2005. This logic should apply to the attempted termination in this case as well.

<sup>26</sup> Prosecution's Reply, para. 16 and case cited therein; *See also Milošević v. Prosecutor*, Case No. IT-03-54-AR73.7, Decision on Interlocutory Appeal of the Trial Chamber's Decision on the Assignment of Defense Counsel, 1 November 2004 ("*Milošević* Decision"), para. 13 (expeditious conduct of trial); *Prosecutor v. Šešelj*, Case No. IT-03-67-PT, Decision on Prosecution's Motion for Order Appointing Counsel to Assist Vojislav Seselj With His Defence, 9 May 2003 ("*Šešelj* Decision"), para. 21 (timely manner).

appropriate to protect those rights.<sup>27</sup> For all these reasons, it has not been shown that there exists “most exceptional circumstances” which justify granting leave for Mr. Khan to withdraw. Indeed, for these reasons, the Principal Defender’s Decision Accepting Mr. Khan’s Withdrawal is invalid as no “exceptional circumstances” exist to justify that decision.<sup>28</sup>

15. Should the Trial Chamber allow the Accused to terminate the services of Mr. Khan, the Trial Chamber should nevertheless deny leave for Mr. Khan to withdraw from the case.<sup>29</sup> The interests of justice would best be served by, instead, appointing Mr. Khan as Stand-By or Court-Appointed Counsel.<sup>30</sup> Such appointment is within the discretion of the Trial Chamber<sup>31</sup> and would be in the interests of justice. The interests of justice include the Accused’s right to a fair trial, which is also “a fundamental interest of the [Special Court] related to its own legitimacy.”<sup>32</sup> Moreover, the interests of justice would include the Special Court’s interest in ensuring that the trial proceeds in a timely manner without interruptions, adjournments or disruptions.<sup>33</sup>
16. There is great merit in appointing the Defence Office personnel to represent the Accused throughout the trial, should the Trial Chamber allow Mr. Khan’s representation to be terminated and allow him to withdraw. Similarly, there is great merit in ordering the Defence Office personnel to act as Mr. Khan’s co-counsel and/or legal assistants, should the Trial Chamber determine that Mr. Khan shall remain on the case:
- (a) The Defence Office mandate includes both representing an accused and providing legal resource support to outside defence counsel. The Defence Office has a number of staff, some of whom have knowledge of this case,

<sup>27</sup> See fn. 19 *supra*.

<sup>28</sup> Article 24 (A)(i) of the Directive.

<sup>29</sup> The Trial Chamber could grant leave for Mr. Khan to be terminated as defence counsel for the Accused, which status requires Mr. Khan to act pursuant to the Accused’s instructions, but not allow him to withdraw from the case, instead directing that he be appointed to carry out defence counsel functions as an *amicus curiae*, which status does not require him to act pursuant to such instructions. See *Prosecutor v. Krajišnik*, Case No. IT-00-39-A, Decision Regarding Registry Submission of 18 May 2007, 25 May 2007, wherein the Appeals Chamber confirmed that “the role of *amicus curiae* in proceedings is someone who will argue and make submissions to the [Chamber] in the interests of the [Accused], while working independently and without instruction from him” and “*amicus curiae* is not required to conduct any new factual investigations and [...] is not a party to the proceedings.” (fn.4).

<sup>30</sup> See Article 18(B) of the Code.

<sup>31</sup> *Milošević* Decision, para. 9.

<sup>32</sup> *Šešelj* Decision, *supra*.

<sup>33</sup> *Ibid.*

and others who can be engaged forthwith to assist either the Principal Defender or the outside defence counsel;

- (b) The Principal Defender has the confidence of the Accused. The Accused has specifically requested to speak to the Principal Defender about matters relating to his case.<sup>34</sup> The Principal Defender and members of his Office have liaised with the Accused since March 2006 when he was brought into the Court's custody.
- (c) The Defence Office personnel know the crime base facts including facts relating to the contextual elements of the crimes charged from knowledge in the CDF, RUF and AFRC trials. In addition, the Principal Defender and his Office have some familiarity with the facts relevant to the Accused's individual criminal responsibility because they have been present during court hearings and have received copies of the pleadings in this case, including the pre-trial conference materials.
- (d) The Defence Office personnel are familiar with the SCSL Statute, Rules, practice and jurisprudence.

17. It can be seen from the above that the Defence Office is in the best position to assist Mr. Khan, or take over the legal representation of the Accused in this case. Utilizing the Defence Office personnel would also minimize any delay in the proceedings necessitated by the Accused's and defence counsel's decisions and actions beginning on 1 June 2007.

18. Appointment of Defence Office personnel to assist Mr. Khan or to represent the Accused at this stage of the proceedings would not violate any right of the Accused regarding legal representation.<sup>35</sup> The right to self-representation is not absolute.<sup>36</sup> A right to self-representation depends on the factual context.<sup>37</sup> Where, as here, the factual context makes clear that the Accused's decisions and actions to attempt to terminate the services of his counsel and to represent himself have been done to obstruct and disrupt the proceedings, he has no right to represent himself.<sup>38</sup>

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<sup>34</sup> *Prosecutor v. Taylor*, SCSL-03-01-T, Trial Transcript, 4 June 2007, at page 95.  
<sup>35</sup> Article 17 (4) (d) of the Statute.  
<sup>36</sup> See Prosecution's Reply, paras. 10 and cases cited therein.  
<sup>37</sup> *Prosecutor v. Krajišnik*, Case No. IT-00-39-T, Reason for Oral Decision Denying Mr. Krajišnik's Request to Proceed Unrepresented by Counsel ("*Krajišnik Decision*"), 18 August 2005.  
<sup>38</sup> *Krajišnik Decision*; *Prosecutor v. Norman et al.*, SCSL-04-14-PT, Ruling on the Issue of Non-Appearance of the First Accused Samuel Hinga Norman, the Second Accused Moinina Fofana, and the Third Accused, Allieu Kondewa at the Trial Proceedings, 1 October 2004.



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- 19 Further, the factors enunciated by the Trial Chamber in the *Norman* case<sup>39</sup> mitigate against allowing this Accused to defend himself: (1) the right to counsel guaranteed under the Statute is predicated on the notion that representation by counsel is an essential and necessary component of a fair trial; (2) the right to counsel relieves the judges of the burden of explaining and enforcing basic rules of courtroom protocol and assisting the accused in overcoming regular legal obstacles, since, in the adversarial context, it may be considered that the court should remain the arbiter and not be a pro-active participant in proceedings; (3) the high potential for complexity typical of evolving international criminal law; and (4) the public interest in the expeditious completion of cases.
20. A (partly) indigent accused, has no absolute right to counsel of his choosing, in particular where, as here, the Accused is attempting to terminate counsel whose services he admits is satisfactory. Even an accused who is not indigent has no right to obtain the services of new counsel at this stage of the proceedings where he has terminated the representation of counsel with whose services he is admittedly satisfied and where obtaining new counsel would likely result in a lengthy delay in resumption of the proceedings.<sup>40</sup>
21. The Principal Defender's concluding comment that he is "aware that in the context of the Taylor case, it is one that is geographically divorced from the seat of the Court and the alleged crime base"<sup>41</sup> is of no significance to the determination of the issues raised in his Application. This scenario is not unique, but rather reflects the day to day reality of proceedings before the ICTY and ICTR, where investigations are often conducted in multiple countries and trials are held in a country outside that in which the crimes were committed.

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<sup>39</sup> *Prosecutor v. Norman et al.*, SCSL-04-14-T-125, Decision on the Application of Samuel Hinga Norman for Self Representation Under Article 17(4)(d) of the Statute of the Special Court, 8 June 2004, para. 26.

<sup>40</sup> See Prosecution's Reply to Accused's Response, paras. 16-17.

<sup>41</sup> Application, para. 25.

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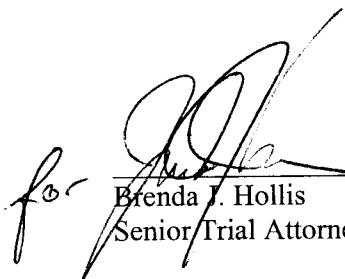
**III. CONCLUSION**

22. The Prosecution respectfully requests the Trial Chamber to expeditiously:
- (a) Issue an order denying the relief requested;
  - (b) Issue an order determining the status of Mr. Khan, the Principal Defender and the Defence Office in the following manner:
    - (i) That the Principal Defender had no standing to file the Application;
    - (ii) Deny leave for Mr. Khan's representation of the Accused to be terminated and/or deny leave for him to withdraw from the case pursuant to Rule 45 (E) of the Rules; and
    - (iii) Direct that the Defence Office personnel assist Mr. Khan in carrying out his duties as defence counsel for the Accused.
    - (iv) In the alternative, if the Trial Chamber finds there are exceptional circumstances which allow for Mr. Khan's representation to be terminated and for him to withdraw from the case and grant him leave to do so, appoint Defence Office personnel to represent the Accused in these proceedings.
  - (c) Issue an order directing the resumption of proceedings two weeks from the date of the issuance of its decision, if Mr. Khan remains as defence counsel, or in the alternative, issue an order directing the resumption of proceedings until 13 August 2007 if the Defence Office personnel are appointed to represent the Accused or otherwise assume those duties.

Filed in Freetown,

21 June 2007

For the Prosecution,

  
Brenda J. Hollis  
Senior Trial Attorney

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*Prosecutor v. Taylor*, SCSL-03-01-T-300, Prosecution's Reply to the Response of the Accused and Submissions of the Registrar on the Issues Raised in the Prosecution's Motion Regarding Legal Representation of the Accused, filed on 15 June 2007.

*Prosecutor v. Taylor*, SCSL-03-01-T, Trial Transcript, 4 June 2007.

**Prosecutor v. Norman et al., SCSL-04-14**

*Prosecutor v. Norman et al.*, SCSL-04-14-T-125, Decision on the Application of Samuel Hinga Norman for Self Representation Under Article 17(4)(d) of the Statute of the Special Court, 8 June 2004.

**SCSL Documents**

Code of Professional Conduct for Counsel with the Right of Audience Before the Special Court of Sierra Leone, adopted on 14 May 2005, amended on 13 May 2006.

Directive on the Assignment of Counsel, adopted on 1 October 2003.

**ICTY**

*Prosecutor v. Krajišnik*, Case No. IT-00-39-T, Reasons for Oral Decision Denying Mr. Krajišnik's Request to Proceed Unrepresented by Counsel, 18 August 2005.

<http://www.un.org/icty/krajisnik/trialc/decision-e/050818.pdf>

*Prosecutor v. Krajišnik*, Case No. IT-00-39-A, Decision Regarding Registry Submission of 18 May 2007.

<http://www.un.org/icty/krajisnik/appeal/decision-e/070525.pdf>

*Milošević v. Prosecutor*, Case No. IT-03-54-AR73.7, Decision on Interlocutory Appeal of the Trial Chamber's Decision on the Assignment of Defense Counsel, 1 November 2004.

<http://www.un.org/icty/milosevic/appeal/decision-e/041101.htm>

*Prosecutor v. Šešelj*, Case No. IT-03-67-PT, Decision on Prosecution's Motion for Order Appointing Counsel to Assist Vojislav Seselj With His Defence, 9 May 2003.

<http://www.un.org/icty/seselj/trialc/decision-e/030509.htm>

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**SCSL**

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

*Prosecutor v. Taylor*, SCSL-03-01-PT-182, Decision on Defence Application for Leave to Appeal "Joint Decision on Defence Motions on 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-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", 25 April 2007.

*Prosecutor v. Taylor*, SCSL-03-01-PT-249, Decision on 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", 22 May 2007.

*Prosecutor v. Taylor*, SCSL-03-01-T-279, Prosecution's Motion Regarding Legal Representation of the Accused, filed on 7 June 2007.

*Prosecutor v. Taylor*, SCSL-03-01-T-286, Supplement to Prosecution's Motion Regarding Legal Representation of the Accused, filed on 11 June 2007.

*Prosecutor v. Taylor*, SCSL-03-01-T-289, Defence Office Application to Suspend All Time Limits Pending the Resolution of Issues Surrounding the Termination of Mr. Karim Khan by Mr. Charles Ghankay Taylor before the Prosecution Opening Statement of 4 June 2007, filed 12 June 2007.

*Prosecutor v. Taylor*, SCSL-03-01-T-290, Registrar's Submission in Response to the Order of Expedited Filing of 12 June 2007, filed on 12 June 2007.

*Prosecutor v. Taylor*, SCSL-03-01-T-293, Principal Defender's Decision Accepting the Withdrawal of Mr. Karim Khan as Assigned Counsel to Mr, Charles Ghankay Taylor, filed on 14 June 2007.

*Prosecutor v. Taylor*, SCSL-03-01-T-294, Defence Office Submissions in Regard to Registrar's Submissions in Response to the Order of Expedited Filing of 12 June 2007, filed on 14 June 2007.

*Prosecutor v. Taylor*, SCSL-03-01-T-296, Registrar's Reply to the Accused's Response to the Public and Urgent Prosecution's Motion Regarding Legal Representation of the Accused of 14 June 2007, filed on 15 June 2007.