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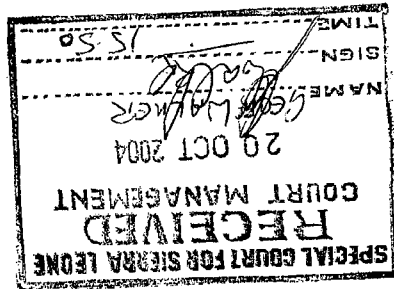


SPECIAL COURT FOR SIERRA LEONE

**Declassified to Public
06 September 2012**

Practice Direction on filing *Amicus Curiae* applications
pursuant to Rule 74 of the Rules of Procedure and Evidence of the
Special Court for Sierra Leone

Adopted 20 October 2004



PREAMBLE

The President of the Special Court for Sierra Leone,

CONSIDERING the Statute of the Special Court for Sierra Leone (hereinafter the "Statute") as annexed to the Agreement between the United Nations and the Government of Sierra Leone on the Establishment of the Special Court for Sierra Leone, signed on 16 January 2002, and in particular Article 16 thereof;

CONSIDERING the Rules of Procedure and Evidence of the Special Court for Sierra Leone (hereinafter the "Rules") as applicable pursuant to Article 14 of the Statute, and in particular Rule 19(B) thereof;

CONSIDERING Rule 74 of the Rules which states that "A Chamber may, if it considers it desirable for the proper determination of the case, invite or grant leave to any State, organization or person to make submissions on any issue specified by the Chamber";

HEREBY ISSUES this Practice Direction on filing *Amicus Curiae* applications pursuant to Rule 74 of the Rules of Procedure and Evidence of the Special Court for Sierra Leone (hereinafter the "Practice Direction"):

ARTICLE 1

1. Applications for leave to make written or oral submissions as *amicus curiae* may be submitted at the applicant's own initiative or in response to a general invitation from a Chamber.
2. At its discretion, a Chamber may invite an *amicus curiae* submission from a particular State, organization or person, in which case, no application for leave is required.

ARTICLE 2

1. States, organizations or persons making an application under Article 1(1) of the present Practice Direction shall file an application specifying the following:
 - a. the applicant's name, address, telephone and fax numbers and email address;
 - b. whether the applicant is submitting the application:
 - i. at the applicant's own initiative; or
 - ii. in respect to a general invitation for applications by a Chamber;

- c. the applicant's grounds for submitting the application;
 - d. the issue or issues the applicant seeks to address, and the nature of the information or analysis the applicant proposes to submit;
 - e. the applicant's reasons for believing the submissions will aid in the proper determination of the case or issue; and
 - f. a statement identifying and explaining any contact or relationship the applicant had, or has, with any party to the case.
2. The application shall be served on the Parties.

ARTICLE 3

Any application under Article 1(1) of this Practice Direction may be accompanied by the proposed written *amicus curiae* submission.

ARTICLE 4

In the event leave to make written *amicus curiae* submissions is granted, the Chamber may impose restrictions or guidelines regarding the filing of such submissions, as it deems necessary.

ARTICLE 5

A Chamber shall reserve the right to reject any *amicus curiae* submission, upon due consideration with other submissions in the case, whether uninvited, made in response to a general invitation by a Chamber or specifically invited by a Chamber under Article 1(1) or 1 (2) of this Practice Direction.

ARTICLE 6

The Prosecution and the Defence shall be given an opportunity to respond to any *amicus curiae* submissions.

ARTICLE 7

1. Subject to paragraph (2) below, *amici curiae* shall bear their own expenses.

2. In the event an *amicus curiae* is specifically invited by a Chamber to make a submission pursuant to Article 1(2) of the present Practice Direction, the Chamber may, in consultation with the Registrar, authorise the Registry to reimburse reasonable expenses incurred in connection with such *amicus curiae* submissions.

ARTICLE 8

This Practice Direction shall enter into force on 20 October 2004.



Justice Emmanuel Ayoola
President