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SCSL-04-14-T
(18312 - 18314)

18312

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

Before: Hon. Justice Pierre Boutet, Presiding
Hon. Justice Bankole Thompson
Hon. Justice Benjamin Mutanga Itoe

Registrar: Mr. Lovemore G. Munlo SC

Date filed: 30 May 2006

THE PROSECUTOR

Against

Samuel Hinga Norman
Moinina Fofana
Allieu Kondewa

Case No. SCSL-04-14-T

PUBLIC

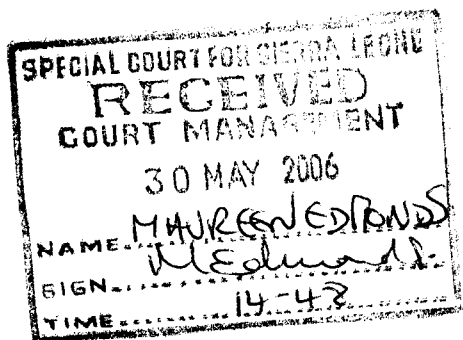
PROSECUTION RESPONSE TO FOFANA APPLICATION FOR RIGHT OF AUDIENCE FOR MR ANDREW IANUZZI

Office of the Prosecutor:
Mr. James C. Johnson
Mr. Joseph F. Kamara

Court Appointed Defence Counsel for Norman
Dr. Bu-Buakei Jabbi
Mr. John Wesley Hall, Jr.
Ms. Clare DaSilva (*Legal Assistant*)

Court Appointed Defence Counsel for Fofana
Mr. Victor Koppe
Mr. Arrow J. Bockarie
Mr. Michiel Pestman
Mr. Andrew Ianuzzi (*Legal Assistant*)

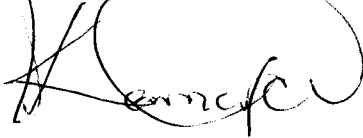
Court Appointed Defence Counsel for Kondewa
Mr. Charles Margai
Mr. Yada Williams
Mr. Ansu Lansana
Mr. Martin Michael (*Legal Assistant*)



1. The Prosecution files this Response to the “Fofana Application for Right of Audience for Mr. Andrew Ianuzzi” filed on behalf of the Second Accused on 25 May 2006 (“**Application**”).¹
2. The Prosecution wishes to inform the Trial Chamber and the Defence that it takes no position regarding the substance of the Application, save as follows.
3. The Prosecution submits that should the Trial Chamber allow the Application, this should be subject to the Trial Chamber being satisfied that the Second Accused has given his fully informed consent to the granting of the Application, and to the Second Accused providing a written waiver of the right to lodge any subsequent appeal based on an argument that Mr Ianuzzi was under-qualified to represent him.²

Filed in Freetown,
30 May 2006

For the Prosecution,



Joseph F. Kamara
Senior Trial Attorney

¹ *Prosecutor v. Norman, Fofana, Kondewa*, SCSL-04-15-T-601, “Fofana Application for Right of Audience for Mr. Andrew Ianuzzi”, 25 May 2006.

² See e.g. *Prosecutor v Bagosora et al.*, ICTR-98-41-T, “Decision on Continuation or Commencement De Novo of Trial”, 11 June 2003, in which the ICTR Trial Chamber held that “a waiver of the right to lodge any subsequent appeal may validly be made by the Accused provided that it is based on full and informed consent and is appropriately limited”.

Index of Authorities

Prosecutor v. Norman, Fofana, Kondewa, SCSL-04-15-T-601, “Fofana Application for Right of Audience for Mr. Andrew Ianuzzi”, 25 May 2006.

Prosecutor v Bagosora et al., ICTR-98-41-T, “Decision on Continuation or Commencement de Novo of Trial”, 11 June 2003.

[<http://69.94.11.53/ENGLISH/cases/Bagosora/decisions/110603.htm>]