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SCSL-2003-08-PT
(3265-3267)

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APPLICATION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

Case No. SCSL-2003-08-PT

SPECIAL COURT FOR SIERRA LEONE

Before: Judge Geoffrey Robertson (Presiding)
Judge Emmanuel O. Ayoola
Judge Gelga King
Judge Alhaji Hassan B. Jallow
Judge Renate Winter

In the matter of

The Prosecutor

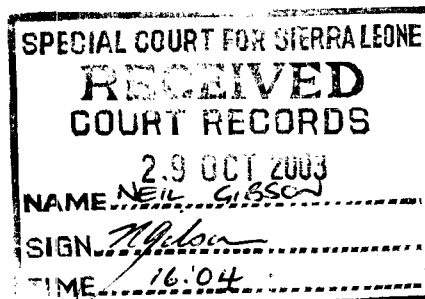
vs.

SAM HINGA NORMAN

Case No. SCSL-2003-08-PT

APPLICATION BY THE UNIVERSITY OF TORONTO INTERNATIONAL HUMAN RIGHTS CLINIC FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF

Pursuant to Rule 74 of the Special Court Rules of Procedure and Evidence, the aforementioned academic institution and interested non-governmental organizations (hereafter the "Applicant") respectfully request leave to file an *amicus curiae* brief in this case.



The Applicant has a substantial interest in the outcome of this case. The University of Toronto International Human Rights Clinic has developed an interest in the rights of children and expertise in international humanitarian law. It expects to be joined by individuals and organizations which are internationally renowned in their understanding of international criminal law and its applicability to the recruitment of child soldiers. The Applicant's interest in this case relates to the important issues that will be addressed, including individual criminal responsibility for violations of international humanitarian law, the criminality of recruitment of child soldiers, and the application of *nullum crimen sine lege*.

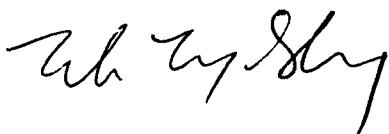
Supporting international human rights organizations and individuals will join this submission by depositing their signature with the Special Court on October 31, 2003.

The Applicant respectfully submits a need for additional briefing exists on the following issues:

1. An analysis of when the recruitment of child soldiers was prohibited and criminalized under customary and conventional international law.
2. An analysis of when individual criminal responsibility attaches to serious violations of international humanitarian law.
3. An analysis of whether Article 4(c) of the Statute of the Special Court for Sierra Leone violates the principle of *nullum crimen sine lege*.

Accordingly, the Applicant respectfully requests leave to file an *amicus curiae* brief addressing the above issues. Subject to the permission of the Court the Applicant intends to submit written submissions.

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Date: 29 October 2003

To: Judge Geoffrey Robertson, The Presiding Judge of the Appeals Chamber

Mr. Robin Vincent, Registrar to the Special Court

Copies To: Luc Côté, Chief of Prosecutions

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