

071)

SCSL-12-02-A
(338-340)

338



SPECIAL COURT FOR SIERRA LEONE

APPEALS CHAMBER

Before: Justice Emmanuel Ayoola, Presiding
Justice Renate Winter
Justice Jon Kamanda

Registrar: Ms. Binta Mansaray

Date filed: 21 May 2013

INDEPENDENT COUNSEL

v.

Prince TAYLOR

Case No. SCSL-2012-02-A

**RESPONDENT INDEPENDENT COUNSEL'S RESPONSE TO APPELLANT'S
RE-FILING OF APPEAL ON BEHALF OF MR. PRINCE TAYLOR WITH
APPLICATION FOR THE APPEAL TO BE FILED OUT OF TIME**

Office of Independent Counsel:

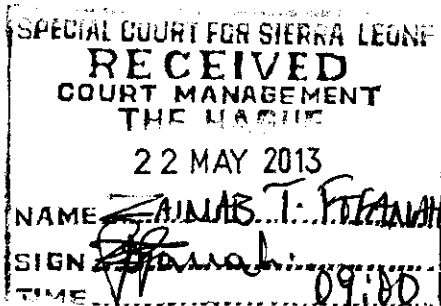
Mr. William L. Gardner
Mr. Benjamin Klein

Defence Counsel for Prince Taylor:

Mr. Rodney Dixon

Office of the Principal Defender:

Ms. Claire Carlton-Hanciles



Respondent Independent Counsel's Response to Appellant's Re-Filing of Appeal on Behalf of Mr. Prince Taylor with Application for the Appeal to Be Filed Out of Time

1. Respondent Independent Counsel ("Respondent") takes no position regarding Appellant Prince Taylor's non-compliance with the Rules of Procedure and Evidence of the Special Court for Sierra Leone and the Practice Direction for Certain Appeals Before the Special Court (2004) as set forth in the Appeals Chamber's Judgment in Contempt Proceedings.¹ Respondent takes no position, moreover, regarding how the Appeals Chamber should treat Appellant Prince Taylor's Re-Filing of Appeal on Behalf of Mr. Prince Taylor with Application for the Appeal to Be Filed Out of Time.² Respondent does, however, direct the Appeals Chamber to a contempt-of-court appeal judgement by its sister tribunal, the International Criminal Tribunal for the Former Yugoslavia, which states that it is an "imperative norm of international law" that "[e]veryone convicted of a crime shall have the right to have his conviction and sentence reviewed by a higher tribunal according to law."³

Respectfully Submitted,



William L. Gardner
Independent Counsel

¹ *Independent Counsel v. Taylor*, Case No. SCSL-12-02-A, SCSL Appeals Chamber, Judgment in Contempt Proceedings (14 May 2013).

² *Independent Counsel v. Taylor*, Case No. SCSL-12-02-A, SCSL Appeals Chamber, Re-Filing of Appeal on Behalf of Mr. Prince Taylor with Application for the Appeal to Be Filed Out of Time (21 May 2013).

³ *Prosecutor v. Tadić*, Case No. IT-94-1-A-AR77, ICTY Appeals Chamber, Appeal Judgement on Allegations of Contempt Against Prior Counsel, Milan Vujin at p. 3 (27 Feb. 2001).

INDEX OF AUTHORITIES**Special Court for Sierra Leone Decisions and Filings*****Independent Counsel v. Taylor, Case No. SCSL-12-02-A***

Independent Counsel v. Taylor, Case No. SCSL-12-02-A, SCSL Appeals Chamber, Re-Filing of Appeal on Behalf of Mr. Prince Taylor with Application for the Appeal to Be Filed Out of Time (21 May 2013)

Independent Counsel v. Taylor, Case No. SCSL-12-02-A, SCSL Appeals Chamber, Judgment in Contempt Proceedings (14 May 2013)

International Criminal Tribunal for the Former Yugoslavia Decisions

Prosecutor v. Tadić, Case No. IT-94-1-A-AR77, ICTY Appeals Chamber, Appeal Judgement on Allegations of Contempt Against Prior Counsel, Milan Vujin (27 Feb. 2001), available at <http://www.icty.org/x/cases/tadic/acjug/en/vuj-aj010227e.pdf>.