1366) SCSL-03-01-A (10486 – 10498) 10486

SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR

IN THE APPEALS CHAMBER

Before: Justice Emmanuel Ayoola, Vice President
Justice George Gelaga King
Justice Renate Winter
Justice Jon M. Kamanda
Justice Philip Nyamu Waki, Alternate Judge

Registrar: Ms. Binta Mansaray

Date filed: 7 December 2012

THE PROSECUTOR **Against** **CHARLES GHANKAY TAYLOR**
(Case No. SCSL-03-01-A)

PUBLIC
PROSECUTION RESPONSE TO DEFENCE MOTION TO PRESENT ADDITIONAL EVIDENCE PURSUANT TO RULE 115

Office of the Prosecutor:
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Ms. Kate Gibson
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I. INTRODUCTION

1. The Prosecution files this Response to the "Defence Motion to Present Additional Evidence Pursuant to Rule 115" ("Motion").[1] The Prosecution files the Response with the listed Appellate Justices in accordance with the Pre-Hearing Judge's declination to rule on any pending issue relevant to the Motion.[2]

2. The Motion fails to meet the requirements of Rule 115 of the Rules and Procedure of Evidence ("Rules") and paragraph 23 of the Practice Direction,[3] and all nine[4] proposed pieces of evidence should be rejected. The Defence fails to establish that (i) some of the evidence was not available at trial; (ii) any of the evidence is relevant to a material issue, and (iii) any of the evidence *could* or where the evidence was available at trial, *would*, have impacted the verdict in the sense that it could or would have rendered the conviction unsafe.

II. APPLICABLE LAW

3. Subject to the following elaboration and clarification, the Prosecution does not contest the applicable law as set out in the Motion.[5]

4. First, in relation to the requirement that evidence is relevant if it relates to an issue which is *material* to the Trial Chamber's decision,[6] the jurisprudence establishes that findings are *material* when they are "crucial or instrumental to the conviction or sentence".[7] Second, with regard to credibility, the jurisprudence of this Court as well as recent ICTY jurisprudence establishes that evidence "is credible if it appears to be reasonably capable of belief or reliance".[8]

5. Third, in establishing whether the evidence *could* or *would* have had an impact on the verdict, the evidence must be such that, *considered in the context of the evidence given at trial*, it

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[1] SCSL-03-01-A-1352, 30 November 2012.
[2] Leave to Refile Urgent Defence Motion to Reclassify Part of Public Annex I to its Rule 115 Motion as Confidential, SCSL-03-01-A-1362, 5 December 2012. Should the Chamber rule the Pre-Hearing Judge may or should decide the Motion, the Prosecution requests that this Response be considered by the Pre-Hearing Judge.
[3] Practice Direction on the Structure of Grounds of Appeal before the Special Court, as amended 23 May 2012.
[4] *See* Motion, para. 8 (a) to (i).
[5] *See* Motion, paras. 3-7.
[6] *See* Motion, para. 4
[7] *Gotovina* Decision, para. 8; *Šainović* Decision, para. 6.
[8] *Sesay* Decision, para. 8; *Gbao* Decision, para. 11; *Gotovina* Decision, para. 8; *Šainović* Decision, para. 6. *Contra* Motion, para. 4 stating, "The ICTY Appeals Chamber has held that evidence to be admitted pursuant to Rule 115 is sufficiently credible unless it is 'devoid of *any* probative value'" citing a 2008 *Krajišnik* decision.

could or *would* have rendered the conviction unsafe.[9] A verdict will be considered "unsafe" if the Appeals Chamber ascertains that there is a realistic possibility that it might have been different if the new evidence had been admitted.[10] Fourth, where evidence was available at trial, admission applies only in the most exceptional circumstances.[11]

6. Finally, whether the evidence was available at trial or not, the applicant bears the burden of identifying *with precision* the specific finding of fact made by the Trial Chamber to which the additional evidence pertains,[12] and of specifying *with clarity* the impact the additional evidence *could* or *would* have had on the Trial Chamber's decision.[13] A party that fails to do so runs the risk that the evidence will be rejected without detailed consideration.[14] Whether the evidence was available at trial or not, evidence shall not be assessed in isolation, but in the context of the totality of the evidence given at trial.[15]

III. SUBMISSIONS

A. The Motion fails to satisfy the requirements of Rule 115(A) and the Practice Direction[16]

7. The Motion should be summarily dismissed because it fails to fulfill the requirements of Rule 115(A) and the Practice Direction.[17] These requirements cannot be fulfilled by merely referring to an appellant's brief,[18] as the Defence does at paragraphs 2, 10, 14, 18 and 21 of its Motion. Such references cannot replace the requirement to plead in the motion the alleged impact on the verdict in the context of the evidence admitted at trial.[19]

8. The Defence fails to fulfill the requirement to clearly identify with precision the specific finding(s) of fact made by the Trial Chamber to which the additional evidence is directed.[20] The only portion of the Motion that points to any factual findings is paragraph 9, where the Defence

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[9] *Sesay* Decision, para. 9; *Gbao* Decision, para. 12; *Gotovina* Decision, para. 9; *Šainović* Decision, para. 7.
[10] *Gotovina*, para. 9; *Šainović* Decision, para. 7.
[11] *Mejakić* Decision, para. 11.
[12] *Gotovina* Decision, para. 11; *Bagosora* Decision, para. 8; *Šainović* Decision, para. 9; *Ndindiliyimana* Decision, para. 11; *Renzaho* Decision, para. 6, *see also* Rule 115 (A) and Practice Direction, para. 23 (c).
[13] *Sesay* Decision, paras. 9, 10; *Gbao* Decision, para. 12; *Gotovina* Decision, para. 11; *Bagosora* Decision, para. 8; *Šainović* Decision, para. 9; *Ndindiliyimana* Decision, para. 11; *Renzaho* Decision, para. 6.
[14] *Sesay* Decision, para. 9; *Gbao* Decision, para. 12; *Gotovina* Decision, para. 11; *Bagosora* Decision, para. 5; *Šainović* Decision, para. 9; *Ndindiliyimana* Decision, para.11; *Renzaho* Decision, para. 6.
[15] *Sesay* Decision, para. 11; *Gbao* Decision, para. 14; *Gotovina* Decision, para. 12; *Bagosora* Decision, para. 9; *Šainović* Decision, para. 10; *Ndindiliyimana* Decision, para. 12; *Renzaho* Decision, para. 7.
[16] The Prosecution notes that if the Defence impermissibly seek to remedy these deficiencies in their reply to this response, the Prosecution would request it be granted the right to respond to these further submissions.
[17] *See Popović* Decision, para. 40; *Renzaho* Decision, para. 12.
[18] *Popović* Decision, para. 40.
[19] *Popović* Decision, para. 40, fn. 114; *Renzaho* Decision, para. 12.
[20] Rule 115(A) and Practice Direction, para. 23(c).

makes a blanket statement that the proffered evidence is directed at "all findings of fact in, and underpinning, paragraph 6994 (a) and (b) of the Judgement" without specifying what those underpinning findings are. Similarly, the contention that the proffered evidence is directed at controverting "to the extent it might be concluded from the Judgement" that Mr. Taylor received a fair trial with due process of law and in accordance with the Statute and Rules,[21] alludes only to a possible conclusion rather than a specific, reversible finding.

B. There is no need for admission of any of the proffered evidence

9. As established by the ICTY Appeals Chamber, if that which is sought to be established by the proposed evidence may be established by undertakings offered by the Prosecution, there is no need for the admission of the proposed evidence.[22]

10. The Prosecution agrees that Justice Sebutinde became a member of the ICJ on 6 February 2011[23] and, that at a 31 May 2012 event, she thanked the ICJ for allowing her to continue her duties as a judge of Trial Chamber II of the SCSL.[24] Thus, the admission of three pieces of proffered evidence in relation to these events, *i.e.* two biographical profiles[25] and the "Popov Declaration",[26] which the Defence seeks to have admitted only to provide evidence of these facts[27] are rendered unnecessary and should not be admitted.

11. Neither does the Prosecution contest that Justice Sow made his statement at the oral pronouncement of the summary Judgement on 26 April 2012, nor does it contest the content of that statement as set out at Annex C to the Motion.[28] Therefore, there is no *need* to admit the six pieces of proffered evidence in relation to Justice Sow's Statement[29] to the extent that the Defence seeks their admission in order to "confirm" this Statement.[30]

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[21] Motion, para. 9(ii).
[22] *See Čelebići* 7 December 1999 Order, pp. 4, 6. Excluding the proffered evidence on the basis of lack of need conforms with the principle that "it is patently contrary to the interests of justice for appeals to become over-long and protracted or to deteriorate into a second trial", *Kupreškić* Decision, para. 3; *see also Tadić* Decision, para. 42.
[23] The Prosecution accepted this at para. 680 of its Rule 112 submissions, noting, at fn. 1985, that this was established in an SCSL Press Release of 16 December 2011. The Prosecution also noted that Justice Sebutinde made her sworn declaration at the ICJ on 12 March 2012.
[24] Indeed, as noted at para. 17 of the Motion, the Prosecution noted these remarks in fn. 1995 of its Rule 112 submissions.
[25] *See* Motion, para. 8 (g) and (h) and Annexes G and H.
[26] *See* Motion, para. 8 (i) and Annex I.
[27] *See* Motion, para. 17.
[28] *See* the Prosecution Rule 112 submissions in response to Ground 37 of the Taylor Appeal.
[29] *See* Motion, para. 8 (a) to (f), *see also* Annexes B, C, D, E and F.
[30] *See* Motion, paras. 14-15.

12. The Prosecution accepts that Justice Sow gave the interview appended to the Motion at Annex B and that the interview is reflective of Judge Sow's comments.[31] Therefore, should the Chamber ultimately conclude that the standard for admission of Rule 115 evidence has been met, Justice Sow's testimonial evidence and all additional evidence verifying the nature and contents of his Statement and interview are unnecessary.[32]

13. In any event, the proffered evidence should not be admitted because it fails to meet the three-pronged test set out in Rule 115 and settled jurisprudence. Specifically, the Applicant must demonstrate that the evidence: (i) was not available at trial; (ii) is relevant and credible; and (iii) if it was not available, *could,* or if it was available, *would,* have rendered the conviction unsafe.[33]

C. Prong 1: Availability at trial

14. The Prosecution agrees that the proffered evidence relating to Justice Sow's Statement[34] was unavailable at trial. That it does not meet the other prongs of the admissibility test will be discussed in sections D and E below.

15. Contrary to the Defence's contention,[35] neither the Trial Chamber nor the President of the Court were under any obligation to inform the parties of Justice Sebutinde's election. In any event, the Defence admits it was aware of Justice Sebutinde's ICJ membership during the trial.[36] Furthermore, had Justice Sebutinde been unable to continue sitting in *Taylor* after her term at the ICJ began and/or she took the solemn declaration as an ICJ judge, in accordance with Rule 16(B) the President of the Special Court would have designated Justice Sow to replace her. It is reasonable to assume that the President of the Court or the Presiding Judge would have issued an order to the effect that he had changed the composition of the Chamber.[37]

16. All of the proffered evidence in relation to Justice Sebutinde's ICJ membership[38] concerns issues which the Defence bore the onus of raising before the Trial Chamber[39] at the time it

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[31] The Prosecution also notes that during this interview Justice Sow addresses issues not mentioned during his Statement, for example in relation to the composition of Trial Chamber II.
[32] *See Čelebići* 7 December 1999 Order, p. 4.
[33] *See* Rule 115(A),(B); *Sesay* Decision, paras. 7-10; *Gbao* Decision, paras. 10-12. With the exception of the requirement on availability, these requirements are cumulative, *Setako* Decision, para. 33.
[34] *i.e.* the evidence listed at para. 8(a) to (f) of the Motion.
[35] Motion, para. 12.
[36] Motion, para. 12.
[37] As the President or Presiding Judge regularly do when issuing permission to Judges to exercise their functions abroad or when designating an Alternate Judge, *see, e.g.* Order Designating Alternate Judge, SCSL-03-01-PT-240, 18 May 2007 and Order Designating Alternate Judge, SCSL-03-01-A-1286, 30 May 2012.
[38] *i.e.* the evidence listed at para. 8 (g) to (i) of the Motion.

became aware of them.[40] The Defence fails to demonstrate it exercised due diligence by making appropriate use of all mechanisms available under the Statute and the Rules to bring this proffered evidence and its submissions before the Trial Chamber at that time.[41]

17. At footnote 50 of the Motion, the Defence contends it was not able to raise these issues before the Trial Chamber (i.e. exercise due diligence) because current lead Defence Counsel was co-counsel and not lead counsel during the trial phase of the case. The jurisprudence in regard to such arguments is clear. The Appeals Chamber will not intervene because other counsel might have made different decisions as to the conduct of the trial or even because such decisions made at the trial are seen in retrospect to have been wrong.[42] The unity of identity between client and counsel is indispensable to the workings of international tribunals.[43] If counsel acted despite the wishes of the Appellant, a fact which has not been raised by Taylor in any of his appellate submissions on the issue, in the absence of protest at the time, and barring special circumstances, the latter must be taken to have acquiesced, even if he did so reluctantly.[44] An exception applies only where there is some lurking doubt that injustice may have been caused to the accused by "*gross professional incompetence*".[45] Therefore, unless the Defence is asserting and establishes that there was "gross professional incompetence" on the part of former lead Defence Counsel, this contention should be considered moot.

18. The proffered evidence relating to Justice Sebutinde includes the "Popov Declaration",[46] which the Prosecution accepts was unavailable at trial as it relates to events that occurred after the Judgement. In regard to the biographical profiles of Judges Sebutinde and Sepúlveda-Amor,[47] the Defence admits the evidence "could have been available at trial"[48] and implicitly accepts that these were available at trial given its submission that the "avoidance of a

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[39] *Contra* Motion, para. 12. *See Čelebići* Appeal Judgement, paras. 641, 645 establishing that "The complaining party must raise the issue during the proceedings at the time of the judge's absence. The matter must be raised with the court at the time the problem is perceived in order to enable the problem to be remedied."

[40] The Prosecution notes, for example, that on 16 December 2011, the SCSL issued a Press Release that Justice Sebutinde was elected to the ICJ on 13 December 2011 and that her term would commence on 6 February 2012.

[41] *See Gbao* Decision, para. 10.

[42] *Delić* Decision, para. 15; *See also Tadić* Decision, para. 65.

[43] *Tadić* Decision, para. 65.

[44] *Tadić* Decision, para. 65.

[45] *Tadić* Decision, paras. 49, 65; *Delić* Decision, para. 15 (emphasis added).

[46] See Motion, paras. 8(i), 12, and Annex I.

[47] *See* Motion, paras. 8(g) (h), 12 and Annexes G and H.

[48] Motion, para. 12.

miscarriage of justice warrants its admission",[49] the standard applicable to evidence available at trial. Thus the profiles fail to meet the first prong of the test to admit additional evidence since they were both available at trial. As there is no need for their admission as discussed above and as the profiles were available at trial, this evidence may only be admitted if the Chamber is satisfied that they are relevant and that their exclusion would lead to a miscarriage of justice, in that if they had been admitted at trial, they *would* have rendered the conviction unsafe.[50] The Defence has not addressed this aspect of the test with the required specificity, nor could it meet the test.

D. Prong 2: Credibility and relevance to a material issue

19. The Prosecution does not contest the *credibility* of the proffered evidence. However, the Defence fails to establish that any of the proffered evidence is *relevant* to findings material, *i.e.* "crucial or instrumental",[51] to the Trial Chamber's decision. Indeed, as argued above, the Defence impermissibly seeks to make its submissions by reference to its grounds of appeal.[52]

20. The personal views of Justice Sow expressed in his statement and magazine interview as to whether or not there were serious deliberations and whether the *Taylor* trial was consistent with the values of international criminal justice and as to the constitution of Trial Chamber II are not relevant to any of the findings underpinning Mr. Taylor's guilt. Rather, the proffered evidence makes clear that deliberations did in fact take place and that the Judge strongly disagreed with the conclusion of the three voting judges. This does not constitute a denial of Mr. Taylor's fundamental rights.

21. The biographical profiles of Justice Sebutinde and Justice Sepúlveda-Amor and the "Popov Declaration" relate to the former wishing to thank the latter for the ICJ allowing her to continue sitting as a Judge in *Taylor* after she became a member of the ICJ on 6 February 2011 or took the solemn declaration on 12 March 2012. This bears no relevance to any findings material to the Trial Chamber's decision of guilt.

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[49] Motion, para. 12.
[50] *Sesay* Decision, para. 10, 15; *Gbao* Decision, para. 13.
[51] *Gotovina* Decision, para. 8; *Šainović* Decision, para. 6.
[52] *See* para. 7 above.

E. Prong 3: *Could* not or *would* not have rendered the conviction unsafe

22. Assuming, *arguendo* the proffered evidence was not available at trial and it is deemed reliable, the Defence nonetheless fails to satisfy the final prong of the test for admission of additional evidence on appeal because it *could* not have rendered the conviction unsafe. In relation to evidence that was available at trial, the higher *would* standard applies.[53] The Defence failed to "specify *why* the Trial Chamber could have come to a different conclusion despite the existence of the evidence it relied upon in the Trial Judgement."[54]

i. Additional Evidence in relation to Justice Sow

23. None of the proffered evidence relating to Justice Sow raises a realistic possibility[55] that Mr. Taylor's conviction might have been different if Justice Sow's evidence was admitted[56] since, as an Alternate Judge, he had no vote on Mr. Taylor's conviction. With all respect to Justice Sow, to the extent his testimony would be used to offer his opinion on the legal implications of Justice Sebutinde serving as a judge of both the SCSL and ICJ or to give his opinion on any of the legal issues raised by Defence grounds of appeal 36, 37, 38, such personal opinion is not relevant and could not have rendered the conviction unsafe. It is for the judges of the Appeals Chamber to decide these legal issues, after considering the arguments of the parties.

24. Further, even if Justice Sow had replaced any of the three sitting Judges, and had thus been entitled to vote on Taylor's guilt, his vote would not have affected the conviction because given the unanimity of the conviction which was rendered, Mr. Taylor would still have been convicted by a majority. By Justice Sow's own admission in the magazine interview, the three sitting Judges were aware of his "opinion".[57] Therefore, the fact that Mr. Taylor was convicted by unanimous vote despite Justice Sow's "opinion" not only means that his "opinion" *could not* have rendered the conviction unsafe, but that, in fact, it *did not* impact the conviction.

25. The Defence hypothesis as to why Justice Sow failed to copy Justice Sebutinde on an email, is speculative at best[58] and, even if correct, would not render the email admissible for the reasons discussed above.

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[53] *See* para. 5 above.
[54] *D. Milošević* Decision, para. 19.
[55] *See Gotovina* Decision, para. 9; *Šainović* Decision, para. 7.
[56] This includes his Statement, in print or video form, his magazine interview, the Herz Declaration and Justice Sow's testimonial evidence.
[57] *See* Motion, Annex B pp. 9874-9875 (pp. 50-51 of the article).
[58] Motion, para. 16.

ii. Additional Evidence in relation to Justice Sebutinde

26. Whether the two biographical profiles are deemed to have been available at trial or not, the Defence fails to demonstrate their admission *could,* let alone *would,* have rendered the conviction unsafe. Similarly, the Defence fails to demonstrate that anything contained in the "Popov Declaration", which the Prosecution has agreed was not available at trial,[59] *could* have rendered the conviction unsafe. Substantiation of acknowledged facts and of remarks "in evidentiary terms"[60] does not meet the *could* or *would* threshold.

27. The Defence has pointed to no evidence indicating that Justice Sebutinde did not participate in all relevant deliberations in the *Taylor* trial.[61] Therefore, the proffered evidence that Justice Sebutinde became a member of the ICJ on 6 February 2011 and thanked the ICJ for giving her an exemption to continue sitting in the Taylor trial[62] does not establish anything that *could* or *would* have rendered the conviction unsafe. Even if the proffered evidence in some way proved (which it does not) that Justice Sebutinde was precluded from performing her judicial functions at the SCSL, her replacement by Justice Sow could and would not have rendered the conviction unsafe, as discussed above.

F. Immunity and Adjudicative Privilege of Justice Sow

28. The letter at Annex K to the Motion does not imply that immunity need not be waived before the "*presentation*" of additional evidence.[63] Privileges and immunities are accorded "in the interest of the Special Court and not for the personal benefit of the individuals themselves".[64] Neither the fact that Justice Sow is no longer a Court employee, nor his interview, waive this privilege.[65]

29. The magazine interview establishes that the Defence is able to seek admission of evidence on the issue through a form other than Justice Sow's testimony, thereby avoiding the risk of such testimony undermining privilege. Further, as there is no indication in the Motion that Justice Sow is willing to testify, the Motion appears to be a request to subpoena him. As the ICTY noted, the Defence's argument that the information the subpoenaed witness would give would

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[59] *See* para. 18 above.
[60] Motion, para. 17.
[61] *See Čelebići* Appeal Judgement, paras. 626, 636.
[62] Motion, para. 17.
[63] *Contra* Motion, paras. 19, 20 (emphasis added).
[64] Special Court Agreement, Article 12 (2); *See also* UN Convention, Section 20.
[65] *Contra* Motion, para. 20.

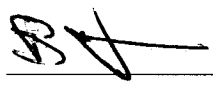
materially assist it in impugning the investigation "can hardly suffice as justification for a subpoena".[66] The same can be said for the Defence's attempt to impugn the Trial Chamber's deliberations and constitution.

30. The Defence is not assisted by the three ICTY decisions[67] it cites to support its assertions that the privilege is not absolute and can be waived if evidence is not available from other sources.[68] Although the *Čelebići* 7 December 1999 Order states that the immunities provided by the Convention on Privileges and Immunities "could not, in the circumstances of this case, impede the course of justice and therefore that the appropriate official would not waive those immunities",[69] the Appeals Chamber held that it was unnecessary to consider the possible application of the Convention since the "general principles of law recognize an adjudicative privilege or judicial immunity from compulsion to testify in relation to judicial deliberations and certain other related matters."[70] The other two decisions cited by the Defence[71] state that the compulsion of the testimony of persons subject to privilege is highly undesirable and should only be resorted to in the most extraordinary cases.[72]

IV. CONCLUSION

31. For the reasons stated above, the Defence has failed to meet the requirements to admit additional evidence and the Motion should be dismissed in its entirety.

Filed in The Hague,
7 December 2012
For the Prosecution,



Brenda J. Hollis
The Prosecutor

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[66] *Hartmann* Reasons for Decision, para. 15, *see also* para. 14.
[67] Motion, fn. 62. The Defence cite the *Čelebići* 7 December 1999 Order twice.
[68] *See* Motion, para. 20.
[69] *Čelebići* 7 December 1999 Order, p. 4.
[70] *Čelebići* 7 December 1999 Order, pp. 4-5 also noting that evidence as to matters relating to the composition of a Chamber, and a Judge's powers in relation thereto, "falls within the scope of the privilege or immunity".
[71] *Čelebići* 8 July 1997 Decision and *Hartmann* Reasons for Decision.
[72] Neither of these decisions granted the request. Significantly, neither decision concerned a judge (one dealt with an interpreter and the other with an amicus prosecutor) or touched on the subject matter of deliberations or composition of a Chamber.

INDEX OF AUTHORITIES

SCSL

Special Court for Sierra Leone, Rules of Procedure and Evidence as amended on 31 May 2012

Practice Direction on the Structure of Grounds of Appeal before the Special Court, Adopted on 1 July 2011, amended 23 May 2012

"**Special Court Agreement**": Agreement between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone, signed on 16 January 2002, Article 12 (2)

SCSL Press Release, "Justice Julia Sebutinde of Trial Chamber II Elected to the International Court of Justice", 16 December 2012

Prosecutor v. Taylor, SCSL-03-01-A

Leave to Refile Urgent Defence Motion to Reclassify Part of Public Annex I to its Rule 115 Motion as Confidential, SCSL-03-01-A-1362, 5 December 2012

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"*Sesay* Decision": Decision on Sesay Request to Admit Exhibit MF1-134 From *Prosecutor v. Taylor* (AC), SCSL-04-15-A-1319, 14 October 2009

"*Gbao* Decision": *Prosecutor v. Sesay et al.*, SCSL-04-15-A, Decision on Gbao Motion to Admit Additional Evidence Pursuant to Rule 115, 5 August 2009

ICTY

"***Čelebići* Appeal Judgement**": *Prosecutor v. Delalić et al.*, IT-96-21-A, Judgement, 20 February 2001
http://www.icty.org/x/cases/mucic/acjug/en/cel-aj010220.pdf

"*Čelebići* 7 December 1999 Order": *Prosecutor v. Delalić et al.*, IT-96-21-A, Order on Motion of the Appellant, Esad Landzo, for Permission to obtain and Adduce Further Evidence on Appeal, 7 December 1999
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"*Čelebići* 22 April 1999 Decision": *Prosecutor v. Delalić et al.*, IT-96-21-A, Decision on Motion to Preserve and Provide Evidence, 22 April 1999
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"*Čelebići* 8 July 1997 Decision": *Prosecutor v. Delalić et al.*, IT-96-21-A, Decision on the Motion *Ex Parte* by the Defence of Zdravko Mucic Concerning the Issue of a Subpoena to an interpreter, 8 July 1997
http://www.icty.org/x/cases/mucic/tdec/en/70708SP2.htm

"*Delić* Decision": *Prosecutor v. Delić*, ICTY-96-21-R-R119, Decision on Motion for Review, 25 April 2002
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