

092

SCSL-2003-05-PT
(1722-1723)

1722



SPECIAL COURT FOR SIERRA LEONE

JOMO KENYATTA ROAD • FREETOWN • SIERRA LEONE

PHONE: +1 212 963 9915 Extension: 178 7000 or +39 0831 257000 or +232 22 295995

FAX: Extension: 178 7001 or +39 0831 257001 Extension: 174 6996 or +232 22 295996

Case No. SCSL-2003-05
The Prosecutor v. Issa Sesay

DECISION

THE PRINCIPAL DEFENDER,

CONSIDERING the Statute of the Special Court for Sierra Leone and in particular Article 17 thereof;

CONSIDERING the Rules of Procedure and Evidence as adopted by the Plenary meeting of the Special Court for Sierra Leone on 7 March 2003, and modified on 1 August 2003 and 30 October 2003, and in particular Rules 45 thereof;

CONSIDERING the Directive on the Assignment of Counsel as adopted by the Registrar of the Special Court for Sierra Leone on 1 October 2003, and in particular article 25 thereof;

CONSIDERING the request of Mr. Issa Sesay for the appointment of counsel on 13 March 2003 and the Order on Legal Assistance of Judge Benjamin Mutanga Itoe on 15 March 2003;

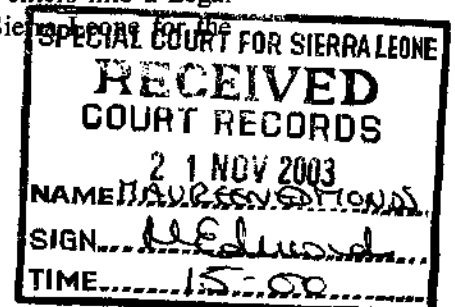
CONSIDERING the Decision of the A/Principal Defender to withdraw the Provisional Assignment of the Counsel previously representing Mr. Issa Sesay, on 19 November 2003, and the continued request of Mr. Issa Sesay to be provided with legal representation;

CONSIDERING that the Principal Defender may, in the interests of justice, assign a counsel to represent the accused on a provisional basis;

CONSIDERING that the accused does not have sufficient means at the present time to retain counsel on his own;

CONSIDERING that Mr. Timothy Clayson of the United Kingdom meets the requirements for the provisional assignment of counsel to an indigent accused;

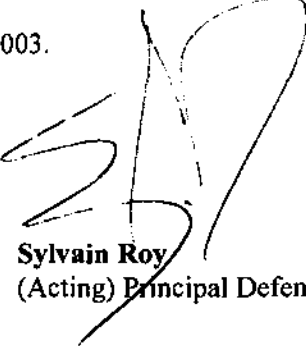
CONSIDERING that Mr. Timothy Clayson has agreed to represent the accused provisionally for a period of two (2) months or until such time as he enters into a Legal Services Contract with the Defence Office of the Special Court for Sierra Leone, the provision of services to the accused, whichever event occurs first; and



CONSIDERING that Mr. Timothy Clayson has agreed to represent the accused provisionally and for the period set out above for the sum of US\$5,000.00 (no amount to be charge for work done by Mr. Clayson before 4 December 2003), travel costs to Freetown during the period of provisional assignment and US\$115.00 Daily Living Allowance for all days spent in Freetown.

DIRECTS the assignment of Mr. Timothy Clayson as provisional Assigned Counsel to the accused effective 21 November 2003 for a period of two (2) months or until such time as Mr. Clayson enters into a Legal Services Contract with the Defence Office of the Special Court for Sierra Leone for the provision of services to the accused, whichever event occurs first.

Dated at Freetown this 21 day of November, 2003.



Sylvain Roy
(Acting) Principal Defender