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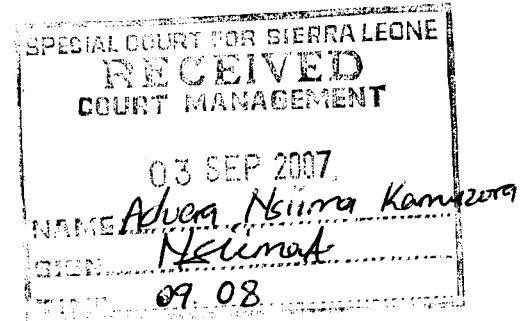
THE SPECIAL COURT FOR SIERRA LEONE

In Trial Chamber I

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

Registrar: Herman Von Hebel

Date: 3 September 2007



THE PROSECUTOR

-v-

MOININA FOFANA and ALLIEU KONDEWA

SCSL-04-14-T

PUBLIC

**CORRIGENDUM TO THE
FOFANA SENTENCING BRIEF**

Office of the Prosecutor:

Stephen Rapp
Christopher Staker
James Johnson
Joseph Kamara
Anne Althaus

Counsel for Fofana:

Victor Koppe
Michiel Pestman
Arrow Bockarie
Steven Powles

Counsel for Kondewa:

Charles Margai
Ansu Lansana
Yada Williams
Susan Wright

SUBMISSIONS

1. Counsel for Moinina Fofana (the “Defence”) hereby submits this corrigendum to its Sentencing Brief¹ in order to correct certain errors contained therein.

2. The first sentence of paragraph 21 currently reads as follows:

For the purposes of these proceedings, the Defence accepts that the principal crimes committed by the Kamajors, for which Fofana has been found guilty of aiding and abetting and failing to **punish**, are serious ones.

However, it should state:

For the purposes of these proceedings, the Defence accepts that the principal crimes committed by the Kamajors, for which Fofana has been found guilty of aiding and abetting and failing to **prevent**, are serious ones.

3. Additionally, the second sentence of paragraph 25 currently reads as follows:

As these considerations are specifically related to the crimes of the principal perpetrators and not to Fofana’s provision of assistance or to his failure to **punish**, the Defence submits that they are properly considered with regard to the gravity of the underlying crimes and not as aggregating factors.

However, it should state:

As these considerations are specifically related to the crimes of the principal perpetrators and not to Fofana’s provision of assistance or to his failure to **prevent them**, the Defence submits that they are properly considered with regard to the gravity of the underlying crimes and not as aggregating factors.

4. Finally, the last two sentences of paragraph 27 currently read as follows:

As to the Trial Chamber’s findings pursuant to Article 6(3), there is no evidence that Fofana promoted, encouraged, or participated in any of the crimes committed Kamajors operating in Koribondo and Bo. As noted above, abuse of command position entails more than merely holding or exercising it.


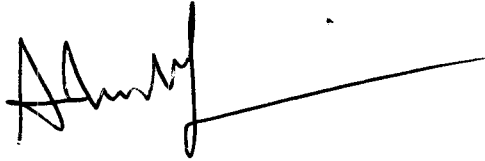
However, they should state:

As to the Trial Chamber’s findings pursuant to Article 6(3), there is no evidence that Fofana promoted, encouraged, or participated in any of the crimes committed **by the** Kamajors operating in Koribondo and Bo. As noted above, abuse of **a** command position entails more than merely holding or exercising it.

¹ *Prosecutor v. Fofana and Kondewa*, SCSL-04-14-T-787, Fofana Sentencing Brief, 31 August 2007.

5. The Defence regrets the errors and respectfully requests the Trial Chamber to accept these minor corrections.

COUNSEL FOR MOININA FOFANA



Victor Koppe