

RECALLING that the Judgement in this case was rendered orally by the Trial Chamber on 25 February 2009 in Freetown, pursuant to Rule 88 of the Rules of Procedure and Evidence of the Special Court ("Rules");¹

RECALLING that the written Judgement was filed on 2 March 2009;²

NOTING that the said Judgement contained certain clerical errors;

ORDERS, pursuant to Rule 54 of the Rules, that the Judgement be rectified and amended as follows:

1. The last sentence of paragraph 366 currently reads:

Accordingly, the Chamber rejects the Kallon Defence argument that paragraph 35 is irrelevant to the present inquiry and finds that the Indictment.

This should be replaced with:

Accordingly, the Chamber rejects the Kallon Defence argument that paragraph 35 is irrelevant to the present inquiry.

2. The third sentence of paragraph 1459 currently reads:

The Chamber heard credible evidence of rapes which occurred during the pleaded time frame; however, rape was not particularised as a crime charged in the Indictment in for Kailahun District.

This should be replaced with:

The Chamber heard credible evidence of rapes which occurred during the pleaded time frame; however, rape was not particularised as a crime charged in the Indictment for Kailahun District.

3. Paragraph 1748 currently reads:

The Chamber therefore finds that between November 1996 and September 2000, the RUF routinely used persons under the age of 15 to actively participate in hostilities in Kailahun, Kono and Bombali Districts, as charged in Count 12 of the Indictment.

¹ Rules of Procedure and Evidence

² *Prosecutor v. Sesay, Kallon and Gbao*, SCSL04-15-T, Judgement (TC), 2 March 2009.

This should be replaced with:

The Chamber therefore finds that between November 1996 and September 2000, the RUF routinely used persons under the age of 15 to actively participate in hostilities in Kailahun, Kenema, Kono and Bombali Districts, as charged in Count 12 of the Indictment.

4. Paragraph 2056 currently reads:

The Chamber therefore concludes that Sesay and Kallon intended to take power and control over the territory of Sierra Leone, in particular the diamond mining areas, and actively participated in the furtherance of the common purpose and that by their participation, they significantly contributed to the commission of acts of terrorism (Count 1), collective punishments (Count 2), unlawful killings (Count 3 to 5), physical violence (Count 11), enslavement (Count 13) and pillage (Count 14) as enumerated above which were committed in Kenema District between 25 May 1997 and 19 February 1998. The Chamber finds that both Sesay and Kallon shared, with the other participants, in the joint criminal enterprise the requisite intent to commit these crimes.

This should be replaced with:

The Chamber therefore concludes that Sesay and Kallon intended to take power and control over the territory of Sierra Leone, in particular the diamond mining areas, and actively participated in the furtherance of the common purpose and that by their participation, they significantly contributed to the commission of acts of terrorism (Count 1), collective punishments (Count 2), unlawful killings (Count 3 to 5), physical violence (Count 11) and enslavement (Count 13) as enumerated above which were committed in Kenema District between 25 May 1997 and 19 February 1998. The Chamber finds that both Sesay and Kallon shared, with the other participants, in the joint criminal enterprise the requisite intent to commit these crimes.

5. Paragraph 2091 currently reads:

The Chamber therefore concludes that Sesay intended to take power and control over the territory of Sierra Leone, in particular the diamond mining areas, and actively participated in the furtherance of the common purpose. By his participation he

significantly contributed to the commission of crimes of acts of terrorism (Count 1), collective punishment (Count 2), unlawful killings (Counts 3 to 5), sexual violence (Counts 6 to 9), physical violence (Count 11), enslavement (Count 13) and pillage (Count 14) as enumerated above. These crimes were committed in Kono District between 14 February 1998 and April/May 1998.

This should be replaced with:

The Chamber therefore concludes that Sesay intended to take power and control over the territory of Sierra Leone, in particular the diamond mining areas, and actively participated in the furtherance of the common purpose. By his participation he significantly contributed to the commission of crimes of acts of terrorism (Count 1), collective punishment (Count 2), unlawful killings (Counts 3 to 5), sexual violence (Counts 6 to 9), physical violence (Count 10 and 11), enslavement (Count 13) and pillage (Count 14) as enumerated above. These crimes were committed in Kono District between 14 February 1998 and April/May 1998.

6. Paragraph 2102 currently reads:

The Chamber therefore concludes that Kallon intended to take power and control over the territory of Sierra Leone, in particular the diamond mining areas, and actively participated in the furtherance of the common purpose. By his participation he significantly contributed to the commission of crimes of acts of terrorism (Count 1), collective punishment (Count 2), unlawful killings (Counts 3 to 5), sexual violence (Counts 6 to 9), physical violence (Count 11), enslavement (Count 13) and pillage (Count 14) as enumerated above. These crimes were committed in Kono District between 14 February 1998 and April/May 1998.

This should be replaced with:

The Chamber therefore concludes that Kallon intended to take power and control over the territory of Sierra Leone, in particular the diamond mining areas, and actively participated in the furtherance of the common purpose. By his participation he significantly contributed to the commission of crimes of acts of terrorism (Count 1), collective punishment (Count 2), unlawful killings (Counts 3 to 5), sexual violence (Counts 6 to 9), physical violence (Count 10 and 11), enslavement (Count 13) and



pillage (Count 14) as enumerated above. These crimes were committed in Kono District between 14 February 1998 and April/May 1998.

7. Paragraph 2163 currently reads:

The Chamber therefore concludes that Sesay and Kallon intended to take power and control over the territory of Sierra Leone, in particular the diamond mining areas, and actively participated in the furtherance of the common purpose. By their participation they significantly contributed to the commission of acts of terror (Count 1), collective punishment (Count 2), unlawful killings (Counts 3 to 5), sexual violence (Counts 6 to 9) and enslavement (Count 13) as enumerated above which were committed in Kailahun District between 25 May 1997 and April 1998. The Chamber finds that Sesay and Kallon shared with the other participants in the joint criminal enterprise the requisite intent to commit these crimes.

This should be replaced with:

The Chamber therefore concludes that Sesay and Kallon intended to take power and control over the territory of Sierra Leone, in particular the diamond mining areas, and actively participated in the furtherance of the common purpose. By their participation they significantly contributed to the commission of acts of terror (Count 1), collective punishment (Count 2), unlawful killings (Counts 3 to 5), sexual violence (Counts 7 to 9) and enslavement (Count 13) as enumerated above which were committed in Kailahun District between 25 May 1997 and April 1998. The Chamber finds that Sesay and Kallon shared with the other participants in the joint criminal enterprise the requisite intent to commit these crimes.

8. Paragraph 2172 currently reads:

The Chamber, Justice Bouter dissenting, therefore concludes that Gbao, intended to take power and control over Sierra Leone, in particular the diamond mining areas, and actively participated in the furtherance of the common purpose and that by this participation he significantly contributed to the commission of acts of terror (Count 1), collective punishment (Count 2), unlawful killings (Counts 3 to 5), sexual violence (Counts 6 to 9) and enslavement (Count 13) as enumerated above which were committed in Kailahun District between 25 May 1997 and 19 February 1998. The Chamber finds, Justice Bouter dissenting, that Gbao shared with the other

participants in the joint criminal enterprise the requisite intent to commit these crimes.

This should be replaced with:

The Chamber, Justice Bouret dissenting, therefore concludes that Gbao, intended to take power and control over Sierra Leone, in particular the diamond mining areas, and actively participated in the furtherance of the common purpose and that by this participation he significantly contributed to the commission of acts of terror (Count 1), collective punishment (Count 2), unlawful killings (Counts 3 to 5), sexual violence (Counts 7 to 9) and enslavement (Count 13) as enumerated above which were committed in Kailahun District between 25 May 1997 and 19 February 1998. The Chamber finds, Justice Bouret dissenting, that Gbao shared with the other participants in the joint criminal enterprise the requisite intent to commit these crimes.

9. Paragraph 2230 currently reads:

The Chamber therefore finds Sesay liable under Article 6(1) of the Statute for planning the use of persons under the age of 15 to participate actively in hostilities in Kailahun, Kono and Bombali Districts between 1997 and September 2000, as charged in Count 12.

This should be replaced with:

The Chamber therefore finds Sesay liable under Article 6(1) of the Statute for planning the use of persons under the age of 15 to participate actively in hostilities in Kailahun, Kenema, Kono and Bombali Districts between 1997 and September 2000, as charged in Count 12.

10. Paragraph 2234 currently reads:

On the basis of the foregoing, the Chamber finds Kallon liable under Article 6(1) of the Statute for planning the use of children under the age of 15 by the RUF to actively participate in hostilities in Kailahun, Kono and Bombali Districts between 1997 and September 2000.

This should be replaced with:

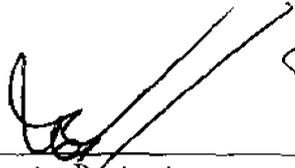




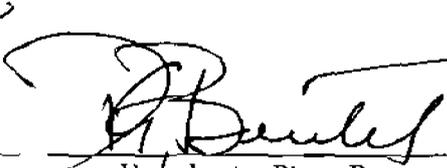
On the basis of the foregoing, the Chamber finds Kallon liable under Article 6(1) of the Statute for planning the use of children under the age of 15 by the RUF to actively participate in hostilities in Kailahun, Kenema, Kono and Bombali Districts between 1997 and September 2000.

FURTHER ORDERS that the Judgement, as amended, be served on the Parties.

Done at Freerown, Sierra Leone, this 7th day of April 2009

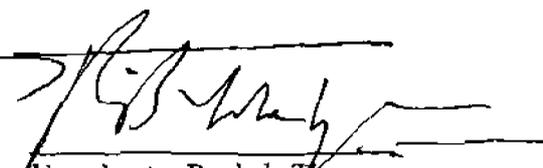


Hon. Justice Benjamin
Mutanga Itoe



Hon. Justice Pierre Boutet

Presiding Judge
Trial Chamber I



Hon. Justice Bankole Thompson

