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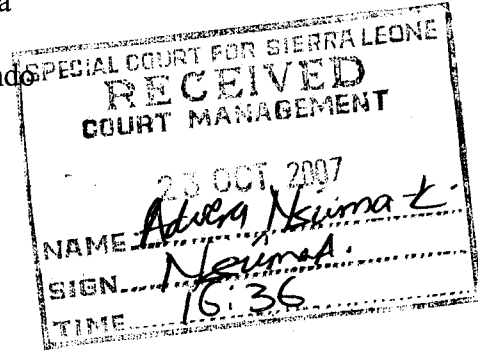
SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
Freetown – Sierra Leone

IN THE APPEALS CHAMBER

Before: Hon. Justice George Gelaga King, President
Hon. Justice Emmanuel Ayoola
Hon. Justice Renate Winter
Hon. Justice A. Raja N. Fernando

Registrar: Mr. Herman Von Hebel

Date filed: 23 October 2007



THE PROSECUTOR

Against

Moinina Fofana
Allieu Kondewa

Case No. SCSL-04-14-A

PUBLIC
PROSECUTION'S NOTICE OF APPEAL

Office of the Prosecutor:
Dr. Christopher Staker
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Mr. Wilfred Davidson Bola Carol

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Mr. Yada Williams

THE PROSECUTION files this Notice of Appeal, pursuant to Article 20 of the Statute of the Special Court and Rule 108 of the Rules of Procedure and Evidence, setting forth its grounds of appeal against the “Judgement” of the Trial Chamber dated 2 August 2007 in Case No. SCSL-04-14-T, *Prosecutor v. Moinina Fofana and Allieu Kondewa*¹ (the “**Trial Chamber’s Judgement**”) and the “Judgement on the Sentencing of Moinina Fofana and Allieu Kondewa” of the Trial Chamber dated 9 October 2007 in the same case² (the “**Sentencing Judgement**”).

IN THE GROUNDS OF APPEAL set out below, a reference to an error on a question of law means a question of law invalidating the decision, within the scope of Article 20(1)(b) of the Statute, unless otherwise specified; and, a reference to an error of fact means an error of fact, which has occasioned a miscarriage of justice, within the scope of Article 20(1)(c) of the Statute, unless otherwise specified.

¹ SCSL-14-785, Registry page nos. 21048-21487.

² SCSL-14-796, Registry page nos. 22021-22064.

THE PROSECUTION GROUNDS OF APPEAL are as follows:

Ground 1.—Acquittal of Moinina Fofana and Allieu Kondewa of Murder and Other Inhumane Acts as Crimes against Humanity

1. The Trial Chamber erred in law and in fact in holding that ‘the evidence adduced does not prove beyond a reasonable doubt that the civilian population was the primary object of the attack’.³ Consequently, the Trial Chamber held that there was a lack of proof of the element of ‘attack directed against a civilian population’ as a general element of crimes against humanity. The reasoning resulted in the acquittal of Fofana and Kondewa on Count 1 (Murder as a Crime against Humanity) and Count 3 (Other Inhumane Acts as Crimes against Humanity).

2. The Prosecution requests the following relief from the Appeals Chamber:

(i) reversal of the finding of the Trial Chamber and a revision of the Trial Chamber’s Judgement in the following way:

(a) by substituting findings to the effect that all of the general elements of Crimes against Humanity, in particular attacks directed against a civilian population, were established in relation to all of the crimes charged in the Indictment, and

(b) by entering corresponding convictions against Fofana and Kondewa as follows:

i. Count 1 (Murder as a Crime against Humanity) in respect of all the killings of which the Respondents were convicted on Count 2 (Murder as the War Crime of Violence to Life, Health and Physical or Mental Well-Being of Persons), and of all additional killings of which they may stand convicted following the determination of all of the Prosecution’s other grounds of appeal;

³ See Trial Chamber’s Judgement, para. 693.

- ii. Count 3 (Other Inhumane Acts of Crimes against Humanity) in respect of all the acts of which the Respondents were convicted on Count 4 (Cruel Treatment as the War Crime of Violence to Life, Health and Physical or Mental Well-Being of Persons), and of all additional such acts of which they may stand convicted under Count 4 following the determination of all of the Prosecution's other grounds of appeal; and
- (ii) confirmation of the convictions entered by the Trial Chamber in respect of the Counts for which Fofana and Kondewa individually stand convicted; and
- (iii) revision of the sentence by appropriate increase to reflect the additional criminal culpability.

Ground 2.—Failure to find joint criminal enterprise as established in the case

3. The Trial Chamber erred in law and in fact in holding that the evidence adduced did not establish beyond reasonable doubt that Fofana bears individual criminal responsibility under Article 6(1) of the Statute for committing, in virtue of a joint criminal enterprise, any of the criminal acts which the Chamber found to have been committed in Tongo Field,⁴ Koribondo,⁵ Bo District,⁶ Bonthe District,⁷ Kenema District,⁸ Talia/Base Zero,⁹ and Moyamba District,¹⁰ during the timeframe charged in the Indictment; as well as for enlistment of children under 15 years into armed forces or groups or their active use in hostilities.¹¹

4. The Trial Chamber similarly erred in holding that the evidence adduced did not establish beyond reasonable doubt that Kondewa bears individual criminal responsibility

⁴ Trial Chamber's Judgement, para 732. See also paras 729 and 730.

⁵ *Ibid*, para 771.

⁶ *Ibid*, para 815.

⁷ *Ibid*, para 859.

⁸ *Ibid*, paras 907 and 908.

⁹ *Ibid*, para 929.

¹⁰ *Ibid*, para 940.

¹¹ *Ibid*, para 963.

under Article 6(1) of the Statute for committing, in virtue of a joint criminal enterprise, any of the criminal acts which the Chamber found to have been committed in Tongo Field,¹² Koribondo,¹³ Bo District,¹⁴ Bonthe District,¹⁵ Kenema District,¹⁶ Talia/Base Zero,¹⁷ and Moyamba District,¹⁸ during the timeframe charged in the Indictment. The Trial Chamber also erred in failing to find that Kondewa committed, in virtue of joint criminal enterprise, the crime of enlistment of children under 15 years into armed forces or groups or their active use in hostilities, in respect of other children in addition to the one child TF2-021.¹⁹

5. The Prosecution requests the following relief from the Appeals Chamber:

(i) reversal of the finding of the Trial Chamber and a revision of the Trial Chamber's Judgement in the following way:

(a) by substituting findings to the effect that the evidence adduced did establish beyond reasonable doubt that Fofana and Kondewa bear individual criminal responsibility under Article 6(1) of the Statute for committing, in virtue of a joint criminal enterprise, the criminal acts which the Trial Chamber found to have been committed in Tongo Field, Koribondo, Bo District, Bonthe District, Kenema District, Talia/Base Zero, and Moyamba District, during the timeframe charged in the Indictment, including enlistment of children under 15 years of age into armed forces or groups or their active use in hostilities;

(b) by entering corresponding convictions against Fofana as follows:

i. Count 1 (Murder as a Crime against Humanity);

ii. Count 3 (Other Inhumane Acts of Crimes against Humanity);

¹² *Ibid*, para 744. See also paras 741 and 742.

¹³ *Ibid*, para 804.

¹⁴ *Ibid*, para 851.

¹⁵ *Ibid*, para 866.

¹⁶ *Ibid*, paras 907 and 915.

¹⁷ *Ibid*, para 932.

¹⁸ *Ibid*, para 950.

¹⁹ *Ibid*, paras 970—972.

- iii. Count 6 (Acts of Terrorism, as a War Crime); and
 - iv. Count 8 (Enlisting Children Under the Age of 15 Years into Armed Forces or Groups or Using them to Participate Actively in Hostilities, as a War Crime);
- (c) by entering corresponding convictions against Kondewa as follows:
- i. Count 1 (Murder as a Crime against Humanity);
 - ii. Count 3 (Other Inhumane Acts of Crimes against Humanity); and
 - iii. Count 6 (Acts of Terrorism, as a War Crime); and
- (ii) confirmation of the convictions entered by the Trial Chamber in respect of the Counts for which Fofana and Kondewa individually stand convicted; and
- (iii) revision of the sentence by appropriate increase to reflect the additional criminal culpability.

Ground 3.—Failure to find superior responsibility and/or responsibility for planning, ordering, instigating or otherwise aiding and abetting in the planning, preparation or execution of certain criminal acts in Kenema District

6. The Trial Chamber erred in law and in fact in holding that the evidence adduced did not establish beyond reasonable doubt that Fofana and Kondewa bear individual criminal responsibility under Article 6(1) of the Statute for the planning, instigating, or otherwise aiding and abetting in the planning, preparation or execution of any of the criminal acts which the Trial Chamber found were committed in Kenema District during the timeframe charged in the Indictment,²⁰ and that the evidence adduced did not establish beyond reasonable doubt that Fofana and Kondewa bear individual criminal responsibility under Article 6(3) of the Statute for those crimes.²¹

²⁰ Trial Chamber's Judgement, paras 908 (in relation to Fofana) and 915 (in relation to Kondewa).

²¹ Trial Chamber's Judgement, paras 909-910 (in relation to Fofana) and 916-917 (in relation to Kondewa).

7. The Prosecution requests the following relief from the Appeals Chamber:
- (i) reversal of the finding of the Trial Chamber and a revision of the Trial Chamber's Judgement by substituting findings to the effect that Fofana and Kondewa bear individual criminal responsibility under Article 6(1) of the Statute for the planning, instigating, and/or otherwise aiding and abetting in the planning, preparation or execution of the criminal acts which the Trial Chamber found that Kamajors had committed in the Kenema District during the timeframe charged in the Indictment, and bear superior responsibility under Article 6(3) of the Statute for all of those crimes;
 - (ii) confirmation of the convictions entered by the Trial Chamber in respect of the Counts for which Fofana and Kondewa individually stand convicted; and
 - (iii) revision of the sentence by appropriate increase to reflect the additional criminal culpability.

Ground 4.—Failure to find responsibility for planning, instigating or otherwise aiding and abetting in the planning, preparation or execution of certain criminal acts in the towns of Tongo Field, Koribondo and Bo District

8. The Trial Chamber erred in law and in fact in holding that the evidence adduced did not establish beyond reasonable doubt that Fofana and Kondewa bear individual criminal responsibility under Article 6(1) of the Statute for the planning, instigating, or otherwise aiding and abetting in the planning, preparation or execution of any of the criminal acts which the Trial Chamber found were committed in the towns of Tongo Field,²² Koribondo,²³ and Bo District²⁴ during the timeframe charged in the Indictment.

9. The Prosecution requests the following relief from the Appeals Chamber:

²² Trial Chamber's Judgment, paras 732 (in relation to Fofana) and 744 (in relation to Kondewa).

²³ Trial Chamber's Judgment, paras 771 (in relation to Fofana) and 804 (in relation to Kondewa).

²⁴ Trial Chamber's Judgment, paras 815 (in relation to Fofana) and 851 (in relation to Kondewa).

- (i) reversal of the finding of the Trial Chamber and a revision of the Trial Chamber's Judgement by substituting findings to the effect that Fofana and Kondewa bear individual criminal responsibility under Article 6(1) of the Statute for planning, instigating, and/or otherwise aiding and abetting in the planning, preparation or execution of the criminal acts which the Trial Chamber found were committed in the towns of Tongo Field, Koribondo, and Bo District during the timeframe charged in the Indictment;
- (ii) confirmation of the convictions entered by the Trial Chamber in respect of the Counts for which Fofana and Kondewa individually stand convicted; and
- (iii) revision of the sentence by appropriate increase to reflect the additional criminal culpability.

Ground 5.—Acquittal of Fofana of enlistment of children into armed forces or group or their active use in hostilities and failure clearly to describe the full extent of Kondewa's responsibility for the crime

10. The Trial Chamber erred in law and in fact in holding that the evidence adduced did not prove beyond reasonable doubt that Fofana planned, ordered or committed the crime of enlisting children under 15 years of age into armed forces or groups, or their active use in hostilities,²⁵ and that the evidence adduced did not prove beyond a reasonable doubt that Fofana is individually criminal responsible pursuant to Article 6(3) of the Statute as a superior for the enlistment or use of child soldiers to participate actively in hostilities.²⁶

11. This error resulted in the acquittal of Fofana on Count 8 (Enlisting Children under the Age of 15 Years into Armed Forces or Groups or Using them to Participate Actively in Hostilities, as a War Crime).

²⁵ *Ibid*, para 959.

²⁶ *Ibid.*, para 966.

12. In respect of Fofana, the Prosecution requests the following relief from the Appeals Chamber:

- (i) reversal of the finding of the Trial Chamber and a revision of the Trial Chamber's Judgement in the following way:
 - (a) by substituting findings to the effect that Fofana bears individual criminal responsibility under Article 6(1) and/or Article 6(3) of the Statute for planning, instigating, committing or otherwise aiding and abetting in the planning, preparation or execution of the acts of enlistment of children into armed forces or groups, or use of children to participate actively in hostilities, to the extent that the Trial Chamber found those offences to have been committed by the CDF/Kamajors; and
 - (b) by entering a corresponding conviction against Fofana on Count 8 (Enlisting Children under the Age of 15 Years into Armed Forces or Groups or Using them to Participate Actively in Hostilities, as a War Crime);
- (ii) confirmation of the convictions entered by the Trial Chamber in respect of the Counts for which Fofana and Kondewa individually stand convicted; and
- (iii) revision of the sentence by appropriate increase to reflect the additional criminal culpability.

13. The Trial Chamber also erred in failing clearly to describe in full the culpability of Kondewa in relation to enlistment of children under 15 years into armed groups or their active use in hostilities, in respect of children other than the one child TF2-021.²⁷

14. In respect of Kondewa, the Prosecution requests the following relief from the Appeals Chamber:

²⁷ *Ibid.*, paras 970—972.

- (i) a revision of the Trial Chamber's Judgment by the substitution of a finding that Kondewa bears individual criminal responsibility under Article 6(1) and/or Article 6(3) of the Statute for planning, instigating, committing or otherwise aiding and abetting in the planning, preparation or execution of the acts of enlistment of children into armed forces or groups, or use of children to participate actively in hostilities, to the extent that the Trial Chamber found those offences to have been committed by the CDF/Kamajors;
- (ii) confirmation of Kondewa's conviction on Count 8 (Enlisting Children under the Age of 15 Years into Armed Forces or Groups or Using them to Participate Actively in Hostilities, as a War Crime); and
- (iii) revision of the sentence by appropriate increase to reflect the additional criminal culpability.

Ground 6.—The Respondents' acquittals for terrorism

15. The Trial Chamber erred in law and in fact in acquitting the Respondents on Count 6 (Terrorism, as a War Crime).

16. The error included the Trial Chamber's reasoning that only those acts for which the Respondents have been found to bear criminal responsibility under another Count of the Indictment may form the basis of criminal responsibility for purposes of assessment of the Respondents' individual responsibility in respect of Count 6 (Acts of Terrorism, as a War Crime).²⁸

17. This error led the Trial Chamber to disregard, for purposes of Terrorism, acts and conduct imputable to the Respondents under Count 6 (Acts of Terrorism, as a War Crime) independently of other convictions.

18. In relation to Tongo, the Trial Chamber also erred in law and in fact in holding that while spreading terror may have been Norman's primary purpose in issuing the order

²⁸ *Ibid.*, paras 49, 843 and 900.

(in December 1997 and January 1998) to kill captured enemy combatants and ‘collaborators’, to inflict physical suffering or injury upon them and to destroy their houses, this is not the only reasonable inference that can be drawn from the evidence.²⁹

19. As a result of this error, the Trial Chamber held that it had not been proved beyond reasonable doubt that as alleged aiders and abettors of Acts of Terrorism, Fofana and Kondewa could be imputed with the relevant *mens rea* in terms of possession of knowledge of the specific intent to commit Acts of Terrorism in Tongo.³⁰ The Trial Chamber erred in law and fact in finding Fofana and Kondewa not liable for aiding and abetting Acts of Terrorism (Count 6) in Tongo.³¹

20. Regarding Koribondo, the Trial Chamber erred in law and in fact in holding that ‘it is not the only reasonable inference that Fofana knew or had reasons to know that his subordinates would commit criminal acts in Koribondo with the primary purpose of spreading terror, as the commission of such acts was not explicitly included in Norman’s order’;³² and that ‘the evidence adduced has not established beyond reasonable doubt that Fofana knew or had reasons to know that such acts had been committed by his subordinates subsequently’.³³

21. This error led the Trial Chamber to find Fofana not liable for Acts of Terrorism (Count 6) in Koribondo, under Article 6(3) of the Statute.³⁴

22. Regarding Bonthe District, the Trial Chamber erred in law and in fact in holding that ‘it has not been established beyond reasonable doubt that Kondewa knew or had reason to know that such acts [alleged as terrorism] had been committed by his subordinates for the primary purpose of spreading terror’.³⁵

²⁹ *Ibid*, paras 731 and 743.

³⁰ *Ibid*, paras 731 and 743.

³¹ *Ibid*, paras 763 and 764.

³² *Ibid*, para. 779.

³³ *Ibid*, para. 780.

³⁴ *Ibid*, para. 798.

³⁵ *Ibid*, para. 879.

23. This error led the Trial Chamber to find Kondewa not liable for Acts of Terrorism (Count 6) in Bonthe District, under Article 6(3) of the Statute.³⁶

24. The Prosecution requests the following relief from the Appeals Chamber:

(i) reversal of the findings of the Trial Chamber and a revision of the Trial Chamber’s Judgement in the following way:

(a) by substituting findings to the effect that:

- i. Fofana and Kondewa bear individual criminal responsibility under Article 6(1) of the Statute for planning, instigating, ordering, committing and/or otherwise aiding and abetting in the planning, preparation or execution of Acts of Terrorism in Tongo, including in respect of the acts referred to in paragraph 17 above;
- ii. Fofana bears individual criminal responsibility under Article 6(3) of the Statute as a superior, for Acts of Terrorism in Koribondo; and
- iii. Kondewa bears individual criminal responsibility under Article 6(3) of the Statute as a superior, for Acts of Terrorism in Bonthe District;

(b) by entering a corresponding conviction against Fofana and Kondewa on Count 6 (Acts of Terrorism, as a War Crime);

(ii) confirmation of the convictions entered by the Trial Chamber in respect of the Counts for which Fofana and Kondewa individually stand convicted; and

(iii) revision of the sentence by appropriate increase to reflect the additional criminal culpability.

³⁶ *Ibid*, para. 903.

Ground 7.—Burning as pillage

25. The Trial Chamber erred in law in refusing to consider acts of burning for purposes of the war crime of Pillage as charged under Count 5 of the Indictment. The error resulted from the Trial Chamber's narrow view that pillage is limited to appropriation of property and that it does not encompass malicious acts of destruction, such as by arson, in the context of an armed conflict.³⁷

26. The Prosecution requests the following relief from the Appeals Chamber:

- (i) reversal of the finding of the Trial Chamber and a revision of the Trial Chamber's Judgement by adding a finding to the effect that the convictions of Fofana and Kondewa on Count 5 (Pillage, as a War Crime) also include their individual responsibility in respect of acts of burning and malicious destruction of property which the Trial Chamber found to have been committed by the Kamajors at the times and places pleaded in the Indictment;
- (ii) confirmation of the convictions entered by the Trial Chamber in respect of the Counts (in particular Count 5) for which Fofana and Kondewa individually stand convicted; and
- (iii) revision of the sentence by appropriate increase to reflect the additional criminal culpability.

Ground 8.—Denial of leave to amend the indictment in order to charge sexual crimes

27. The Trial Chamber erred in law, fact and/or procedure in dismissing³⁸ the Prosecution motion of 9 February 2004³⁹ for leave to amend the Indictment, in order to add the following four new counts of sexual violence: (a) rape (a crime against humanity

³⁷ *Ibid*, para 166.

³⁸ In virtue of the decision of 20 May 2004 entitled 'Decision on Prosecution Request for Leave to Amend the Indictment', SCSL-04-14-PT-113, Registry page Nos 7001—7040.

³⁹ "Request for Leave to Amend the Indictment against Samuel Hinga Norman, Moinina Fofana and Allieu Kondewa", 9 February 2004, SCSL-04-14-PT-005, Registry page nos. 102-218.

punishable under Article 2(g) of the Statute); (b) sexual slavery and any other form of sexual violence (a crime against humanity punishable under Article 2(g) of the Statute); (c) other inhumane acts (a crime against humanity punishable under Article 2(i) of the Statute); and (d) outrages upon personal dignity (a violation of Article 3 common to the Geneva Conventions and of Additional Protocol II, punishable under Article 3(e) of the Statute).

28. The relief sought from the Appeals Chamber is limited to reversal of the legal reasoning employed by the Trial Chamber to arrive at the erroneous decision and a declaration to that effect. In respect of this Ground of Appeal, the Prosecution does not request the Appeals Chamber to substitute any additional conviction or to order any further trial proceedings.

Ground 9.—Preclusion of evidence of unlawful conduct of a sexual nature

29. The Trial Chamber erred in law, fact and/or procedure, in forbidding the Prosecution from leading, eliciting and adducing evidence of sexual violence, even though such evidence was relevant to material issues in the case, including in support of other charges of criminal conduct against the mind and body, including Count 3 (Inhumane Acts as Crimes against Humanity) and Count 4 (Violence to Life, Health and Physical or Mental Well-Being of Persons, as a War Crime, in particular Cruel Treatment).⁴⁰

30. The relief sought from the Appeals Chamber is limited to reversal of the legal reasoning employed by the Trial Chamber to arrive at the erroneous decision and a declaration to that effect. In respect of this Ground of Appeal, the Prosecution does not request the Appeals Chamber to substitute any additional conviction or to order any further trial proceedings.

⁴⁰ In paragraph 48 of the Trial Chamber’s Judgement, the Trial Chamber recalled its Admissibility Decision overruling the Prosecutions attempts to lead, elicit and adduce evidence of sexual violence in support of Count 3 (Inhumane Acts, as Crimes against Humanity) and Count 4 (Violence to Life, Health and Physical or Mental Well-Being of Persons, as a War Crime, in particular Cruel Treatment).

Ground 10.—Sentencing

31. This ground of appeal is independent of whether or not the relief sought in any or each of Grounds 1 to 8 above is granted.

32. In the Sentencing Judgement, the Trial Chamber erred in law and in fact, and committed a procedural error (in that there has been a discernible error in the exercise of the Trial Chamber's sentencing discretion), in sentencing Fofana to a total and concurrent term of imprisonment of six (6) years, broken down as follows:

- six (6) years for Count 2 (Murder as the War Crime of Violence to Life, Health and Physical or Mental Well-Being of Persons);
- six (6) years for Count 4 (Cruel Treatment as the War Crime of Violence to Life, Health and Physical or Mental Well-Being of Persons);
- three (3) years for Count 5 (Pillage as a War Crime); and
- four (4) years for Count 7 (Collective Punishment as a War Crime).⁴¹

33. In the Sentencing Judgement, the Trial Chamber erred in law and in fact, and committed a procedural error (in that there has been a discernible error in the exercise of the Trial Chamber's sentencing discretion), in sentencing Kondewa to a total and concurrent term of imprisonment of eight (8) years, broken down as follows:

- eight (8) years for Count 2 (Murder as the War Crime of Violence to Life, Health and Physical or Mental Well-Being of Persons);
- eight (8) years for Count 4 (Cruel Treatment as the War Crime of Violence to Life, Health and Physical or Mental Well-Being of Persons);
- five (5) years for Count 5 (Pillage as a War Crime);
- six (6) years for Count 7 (Collective Punishment as a War Crime); and
- seven (7) years for Count 8 (Enlisting Children under the Age of 15 Years into Armed Forces or Groups or their Use in Active Hostilities, as War Crime).⁴²

⁴¹ Sentencing Judgement, pp 33—34.

⁴² *Ibid*, p 34.

34. In particular, the Trial Chamber erred in treating as mitigating circumstances matters which it was wholly improper to regard as such, and/or by giving weight to extraneous and irrelevant considerations that it considered as mitigating circumstances. These include its determination that the Respondents might have acted out of a sense of allegiance to a democratically elected government, rather than out of self-interest;⁴³ treating as expressions of remorse statements of the Respondents which did not express any remorse at all;⁴⁴ and lack of formal education.⁴⁵

35. The Trial Chamber also erred in failing to give weight to considerations deserving of weight. These include its failure to consider the sentencing practices of the International Criminal Tribunal for Rwanda⁴⁶ and of the Courts of Sierra Leone.⁴⁷

36. As well, the sentences imposed by the Trial Chamber were unreasonable in that they were manifestly inadequate to reflect the gravity of the crimes for which the Fofana and Kondewa were convicted and the role of the convicted persons. The sentences imposed were also disproportionately lower—and unreasonably so—than the Court's previous sentences in other cases.

37. The Prosecution requests the Appeals Chamber to correct the errors described above, by revising the Sentencing Judgement of the Trial Chamber and by imposing upon each of the Respondents a sentence of imprisonment for 30 years.

Such variation of the grounds of appeal as this Chamber may authorize, upon the Prosecutor's application pursuant to Rule 108.

⁴³ *Ibid*, paras 40, 80, 83, 86, 87 and 94.

⁴⁴ *Ibid*, paras 63 and 65.

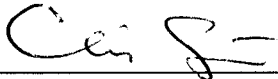
⁴⁵ *Ibid*, para 66.

⁴⁶ *Ibid*, para 41.

⁴⁷ *Ibid*, para 43.

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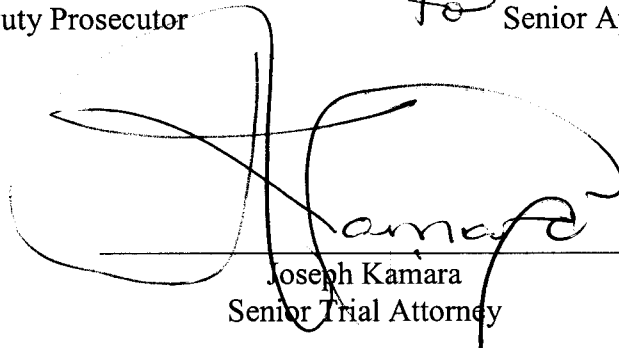
Filed in Freetown,
23 October 2007
For the Prosecution,



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