



SPECIAL COURT FOR SIERRA LEONE

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TRIAL CHAMBER I

Before: Hon. Justice Pierre Boutet
Single Judge of Trial Chamber I

Registrar: Robin Vincent

Date: 27th of July, 2005

Independent Counsel **Against** **MARGARET FOMBA BRIMA**
NENEH BINTA BAH JALLOH
ANIFA KAMARA
ESTER KAMARA
(Case No. SCSL-05-02)

FINDINGS AND SCHEDULING ORDER PURSUANT TO RULE 62

The Independent Counsel:
Bintu Alhadi-Tejan-Jallow

Defence Counsel for Margaret Fomba Brima:
Haddijatou Kah-Jallow

The Principal Defender:
Vincent Nmehielle

Defence Counsel for Neneh Binta Bah Jalloh:
Amadu Koroma

Defence Counsel for Anifa Kamara:
C.A. Osho Williams

Defence Counsel for Ester Kamara:
Glenna Thompson

SPECIAL COURT FOR SIERRA LEONE
RECEIVED
COURT MANAGEMENT
28 JUL 2005
NAME: Geoff WALKER
SIGN: [Signature]
TIME: 13.15

I, HON. JUSTICE PIERRE BOUTET, acting as Single Judge of Trial Chamber I pursuant to the *Order Designating a Judge for Contempt Proceedings* of the 2nd of May, 2005;¹

MINDFUL of the *Decision on the Report of the Independent Counsel Pursuant to Rules 77(C)(iii) and (D)* filed by Trial Chamber II on the 29th of April, 2005 and the corrigendum thereto of the 2nd of May, 2005 (“Decision”);

MINDFUL, in particular, of the *Order in Lieu of the Indictment* against Margaret Fomba Brima, Neneh Binta ba Jallow, Anifa Kamara and Ester Kamara (“Alleged Contemnors”), as contained in the aforementioned Decision;

CONSIDERING the hearing held in this case on the 27th of July, 2005;

NOTING that the provisions of Rule 62 of the Rules of Procedure and Evidence (“Rules”) are in the following terms:

Rule 62: Procedure upon Guilty Plea

(A) If an accused pleads guilty in accordance with Rule 61(v), or requests to change his plea to guilty, the Trial Chamber shall satisfy itself that the guilty plea:

- (i) is made freely and voluntarily;
- (ii) is an informed plea;
- (iii) is unequivocal;
- (iv) is based on sufficient facts for the crime and accused's participation in it, either on the basis of independent indicia or of lack of any material disagreement between the parties about the facts of the case.

(B) Thereafter the Trial Chamber may enter a finding of guilt and instruct the Registrar to set a date for the sentencing hearing.

CONSIDERING that, at the said hearing, the Alleged Contemnors Margaret Fomba Brima, Neneh Binta Ba Jallow and Ester Kamara have informed me that they intended to

¹ See also *Independent Counsel v. Brima Samura*, Case No. SCSL-05-01 and *Independent Counsel v. Margaret Fomba Brima et al.*, Case No. SCSL-2005-02, Order Assigning a Case to a Trial Chamber, 2 May 2005.



change their plea of not guilty and enter a guilty plea to the charge against them as contained in the *Order in Lieu of the Indictment*;

CONSIDERING that the Independent Counsel does not oppose to this change of plea;

BEING SATISFIED that the guilty plea entered by each and every one of the Alleged Contemnors has been made freely and voluntarily, has been discussed by each of them with their respective defence counsel, that their guilty plea is unequivocal and based on sufficient facts for the crime and the Alleged Contemnors' participation in it, as contained in the *Order in Lieu of the Indictment*;

PURSUANT to Rule 54, 62, 77, and 82 of the Rules;

I DO HEREBY

ENTER A FINDING OF GUILT against Margaret Fomba Brima, Neneh Binta Ba Jallow and Ester Kamara on the charge against them contained in the *Order in Lieu of the Indictment*, and consequently

ORDER that the trial against Margaret Fomba Brima, Neneh Binta Ba Jallow and Ester Kamara shall be adjourned for a sentencing hearing on the 21st of September, 2005 at 2:30pm;

Done in Freetown this 27th day of July, 2005


Hon. Justice Pierre Boutet

[Seal of the Special Court for Sierra Leone]