

**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: 21st of September, 2005

Independent Counsel **Against** **ANIFA KAMARA**
(Case No. SCSL-05-03)

FINDINGS AND SCHEDULING ORDER PURSUANT TO RULE 62

The Independent Counsel:
Bintu Alhadi-Tejan-Jallow

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

The Principal Defender:
Vincent Nmehielle

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 in the case of *Prosecutor v. Brima et al.*, Case No. SCSL-2004-16-T 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 Anifa Kamara as contained in the aforementioned Decision;

MINDFUL that, during her initial appearance held on the 9th of May 2005, Anifa Kamara pleaded not guilty to the charge against her as contained in the *Order in Lieu of the Indictment*;

MINDFUL of the *Order for Severance and Scheduling Order* of 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.

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.

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

CONSIDERING the hearing held in this case on the 21st of September, 2005;

CONSIDERING that, at the said hearing, the alleged contemnor Anifa Kamara has informed me that she intended to change her plea of not guilty to guilty and intended to enter a guilty plea to the charge against her 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 alleged contemnor, Anifa Kamara, fully understands and appreciates the nature of the charge against her;

BEING EQUALLY SATISFIED that the guilty plea entered by Anifa Kamara has been made freely and voluntarily, has been discussed with her defence counsel, that her guilty plea is unequivocal and based on sufficient facts for the crime and the participation of Anifa Kamara in it, as contained in the *Order in Lieu of the Indictment*;

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

I DO HEREBY

ENTER A FINDING OF GUILT against Anifa Kamara on the charge against her contained in the *Order in Lieu of the Indictment*;

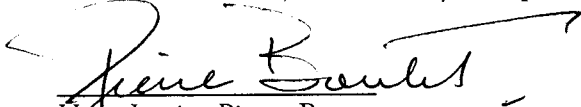
and, consequently

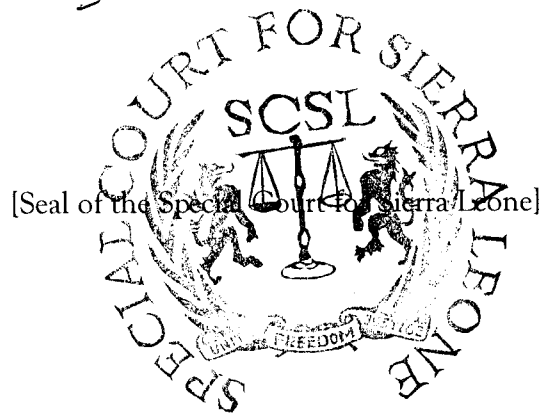
ORDER that the trial against Anifa Kamara shall be adjourned for a sentencing hearing on the 21st of September, 2005 at 2:30pm;

B

ORDER that such hearing shall be held jointly with that of Margaret Fomba Brima, Neneh Binta Ba Jallow and Ester Kamara.²

Done in Freetown, this 21st day of September, 2005


Hoh. Justice Pierre Boutet



² See *Prosecutor v. Margaret Fomba Brima et al.*, Case No. SCSL-05-02, Findings and Scheduling Order Pursuant to Rule 62, 27 July 2005.