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SCSL-04-15-T
(32528 - 32530)

SPECIAL COURT FOR SIERRA LEONE
FREETOWN - SIERRA LEONE

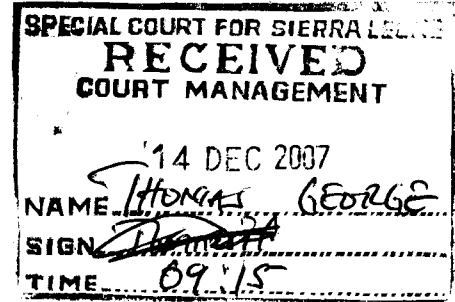
APPEALS CHAMBER

32528

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

Registrar: Mr. Herman von Hebel

Date filed: 14 December 2007



THE PROSECUTOR

v.

**Issa Hassan Sesay
Morris Kallon
Augustine Gbao**

Case No. SCSL-04-15-T

PUBLIC

ADDENDUM AND CORRIGENDUM TO

**GBAO NOTICE OF APPEAL AND SUBMISSIONS REGARDING THE DECISION BY THE TRIAL
CHAMBER ON THE MOTION FOR VOLUNTARY WITHDRAWAL OR DISQUALIFICATION
OF JUSTICE BANKOLE THOMPSON FROM THE RUF CASE**

Office of the Prosecutor
Mr. Peter Harrison
Mr. Vincent Wagana

Defence Counsel for Issa Hassan Sesay
Mr. Wayne Jordash
Ms. Sareta Ashraph

Defence Counsel for Morris Kallon
Mr. Shekou Touray
Mr. Charles Taku
Mr. Kennedy Ogetto
Mr. Lansana Dumbuya

Defence Counsel for Augustine Gbao
Mr. John Cammegh
Ms. Prudence Acirokop

Introduction

1. On 12 December 2007 Defence counsel for the Third Accused filed its Appeal against the Trial Chamber decision on the request for disqualification of Judge Thompson.¹
2. Defence Counsel for the Third Accused herewith files an addendum and a corrigendum.

Additions

3. In paragraph 23 of the submissions, footnote 117 reads '*Rojas Morales v. Italy*, Application No. 39676/98, Judgement, 16 November 2000. Paragraphs 34 and 35.'
4. Defence counsel would like to add an unofficial translation of the paragraphs mentioned. Paragraph 34 reads 'The Court finds that these elements are sufficient to consider the fears of the Appellant with regards to the impartiality of the Milan Tribunal as objectively justified.' Paragraph 35 reads 'consequently, there has been a violation of Article 6 § 1'.

Corrections

5. In paragraph 14, footnote 100 should read 'Trial Chamber's Decision, paras. 84 and 94.'
6. In the same paragraph, footnote 101 should read '*Ibid.*, para. 72.'
7. The second sentence of paragraph 16 should read: 'If Justice Thompson has first

¹ *Prosecutor v. Sesay et al*, SCSL-04-15-T-909, Decision on Sesay and Gbao Motion for Voluntary Withdrawal or Disqualification of Hon. Justice Bankole Thompson from the RUF Case, 6 December 2007.

acquitted the patriotic and altruistic (or 'good'), and will soon rule on the 'evil', there seems few cases (other than extreme actions, such as a preliminary finding of guilt or candid statement that the RUF will be found guilty for war crimes) where this **appearance** of bias is more manifest.

8. In paragraph 15, footnote 103 should read 'subject to the potential ambiguity as explained in paragraphs 8 and 9 above.'

Filed in Freetown, 14 December 2007

For the Third Accused Augustine Gbao



John Cammegh