

1284)

SCSL-03-01-T
(43127-43135)

43127



SPECIAL COURT FOR SIERRA LEONE

TRIAL CHAMBER II

Before: Justice Richard Lussick, Presiding Judge
Justice Teresa Doherty
Justice Julia Sebutinde

Registrar: Binta Mansaray

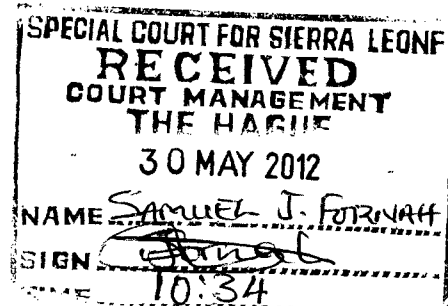
Case No.: SCSL-03-1-T

Date: 30 May 2012

PROSECUTOR

v.

Charles Ghankay TAYLOR



CORRIGENDUM TO JUDGEMENT FILED ON 18 MAY 2012

Office of the Prosecutor:

Brenda J. Hollis
Nicholas Koumjian
Mohamed Bangura
Kathryn Howarth
Leigh Lawrie
Ruth Mary Hackler
Ula Nathai-Lutchman
Nathan Quick
Maja Dimitrova
James Pace

Defence Counsel for Charles G. Taylor:

Courtenay Griffiths, Q.C.
Terry Munyard
Morris Anyah
Silas Chekera
James Supuwood
Logan Hambrick

TRIAL CHAMBER II (“Trial Chamber”) of the Special Court for Sierra Leone (“Special Court”), composed of Justice Richard Lussick, Presiding Judge, Justice Teresa Doherty and Justice Julia Sebutinde;

RECALLING that a summary of the Judgement in this case was rendered orally by the Trial Chamber on 26 April 2012, pursuant to Rule 88 of the Rules of Procedure and Evidence of the Special Court (“Rule”);¹

RECALLING that the written Judgement was filed on 18 May 2012;²

NOTING that the written Judgement contained certain clerical errors;

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

1. Paragraph 18 should read:

The Sierra Leone Civil War commenced on 23 March 1991 when armed fighters known as the Revolutionary United Front (“RUF”) launched an insurgency from Liberia’s Lofa County into Sierra Leone’s Kailahun District. The conflict continued until President Ahmad Tejan Kabbah of Sierra Leone announced the cessation of hostilities on 18 January 2002. The Prosecution alleges that the Accused is responsible for crimes committed throughout the Indictment period – that is, from the signing of the Abidjan Accord on 30 November 1996 until the formal declaration of the end of the war on 18 January 2002.

2. Paragraph 2555 should read:

Furthermore, the Trial Chamber is satisfied based on the above evidence that Sankoh also issued orders assigning specific commanders to lead the attack on specific areas. These include CO Mohamed Tarawallie (a.k.a. Zino) and Denis Mingo (a.k.a. Superman) to attack Makeni and Magburaka;

¹ Rules of Procedure and Evidence.

² *Prosecutor v. Charles Ghankay Taylor*, Case No. SCSL-03-01-T, Judgement, 18 May 2012 (Judgement).

Sam Bockarie (a.k.a. Mosquito), Morris Kallon, Augustine Mallah, Boston Flomo (a.k.a. RUF Rambo) and Issa Sesay to attack Kenema Town and Magburaka; Isaac Mongor to attack Matotoka and Masingbi; and Fula Monami to attack Bo.

- 3. Paragraph 3174 should read:

Kamara testified that SAJ Musa arrived in Rosos around November 1998 after sending a radio message to say he had fallen out with Superman. The witness said that although he did not receive this message personally because he was not operating, he would still go in the morning to sit with the other operators who were working. Whenever they received a message, Kamara said he needed to see it before it went to the commander.

- 4. Paragraph 3674 should read:

Witness Varmuyan Sherif was a member of Taylor's Special Security Service (SSS) during the operative time period. Sherif testified that in early 1998, Taylor instructed him to travel to Sierra Leone and bring him Sam Bockarie, but did not explain his reasons for doing so. Sherif thereafter travelled to Sierra Leone, found Bockarie and brought him back to Liberia to meet with Taylor.

- 5. Paragraph 3842 should read:

The Trial Chamber finds that the Prosecution has proved beyond reasonable doubt that Dauda Aruna Fornie, a radio operator for Sam Bockarie, communicated by radio with Memunatu Deen, an RUF radio operator based in Liberia, regarding a shipment of ammunition that the Accused allegedly sent to Bockarie.

- 6. Former paragraph 3892 (changed to paragraph 3893) should read:

Mongor stated that 448 messages originated from operators in Buedu, and also from operators in Liberia. Most of these operators were former

Two



operators with the SLA, who were trained with the Nigerians and so knew the code that the Nigerian ECOMOG operators were using. Some of the monitors in Liberia included Memunatu Deen, Osman Tolo and Ebony. Mongor also testified that he heard "448 messages" over the radio he was monitoring on 6 January 1999 when Gullit entered Freetown.

7. Former paragraph 5516 (changed to paragraph 5515) should read:

Prosecution witnesses, including Fornie, Marzah, and Sherif, testified that after being arranged in Burkina Faso, the shipment was brought back by plane from Ouagadougou to Roberts International Airport in Liberia. From there, the shipment was transported and stocked for a short time at White Flower. The next day, the materiel was transported by trucks provided by the Accused to Buedu, Sierra Leone. In Buedu, after a meeting with RUF and AFRC commanders, the shipment was distributed to the commanders. TF1-371, Mongor, Marzah and Saidu all testified that the Accused received diamonds in exchange for his help in obtaining these materials. The Trial Chamber accepts the evidence of these witnesses. Their evidence regarding this particular event is consistent with their previous statements, they corroborate each other and are corroborated by documentary evidence, and they were not effectively challenged in cross-examination. The Defence argues that the Accused did not move into White Flower until January 1999 and that it would not make sense for Bockarie to have deposited arms there only to immediately remove and transport them to Sierra Leone. The Trial Chamber notes that the building was owned by the Accused and under construction, which would not preclude its use as a storage area for materiel. Moreover, the evidence indicates that it was not all removed and transported as the Accused retained some of the materiel that arrived.

8. Former paragraph 5680 (changed to paragraph 5678) should read:

TF1-375, who fought with Superman from December 1998 to January 1999, testified that Rambo Red Goat was one of the commanders with Superman,

Issa Sesay and RUF Rambo who were on the outskirts of Freetown in January 1999. At Waterloo, Superman, Issa Sesay, Komba Gbundema and other senior officers decided that RUF Rambo should take a group to attack Hastings and get across the bridge to go to Freetown to join their “brothers”. Issa Sesay appointed Rambo Red Goat to lead the group that went to Freetown because, as Sesay stated, Rambo Red Goat was once an SLA soldier and “knew his brothers in the city well”. The group led by Rambo Red Goat numbered roughly 60 to 65 and comprised some RUF men, some SLA and some STF. The RUF were armed by Issa Sesay and Superman, the STF were armed by General Bropleh and the SLA were armed by Brigadier Mani and Colonel T.

9. Former paragraph 5721 (changed to paragraph 5718) should read:

The Trial Chamber considers that even if it were the case that no crimes were committed in these districts, it has found that crimes, including rape, were committed in Freetown and the Western Area by the forces led by Rambo Red Goat that entered Freetown to join Gullit’s forces. Notably, on the evidence of Perry Kamara, the group led by Rambo Red Goat remained in Freetown after the departure of Gullit and the civilian brigade, and constituted the forces predominantly charged with carrying out Bockarie’s instruction to make the area “fearful”. Further, the contribution of the attacks on Kono and Makeni to later attacks on the Freetown axis by the RUF and jointly by the RUF and AFRC was critical. The Trial Chamber recalls that it has found crimes were committed by these groups in the Western Area during the AFRC’s retreat from Freetown, including the forcible conscription and use of an unknown number of children to participate actively in hostilities in Benguema from the end of January until March 1999. The Trial Chamber notes that it has also accepted as evidence of the crime of sexual slavery Bobson Sesay’s account that after the joint Tombo attack in mid-February 1999 with Issa Sesay and Morris Kallon, captured women at Benguema were “subdued” with weapons and would do

whatever the troops wanted them to do, including having sexual intercourse with them.

10. Former paragraph 6330 (changed to paragraph 6327) should read:

Isatu Kallon's husband, Daniel Kallon, had been with Sankoh in Lomé and also arrived with Sankoh in Monrovia. After Sankoh arrived, Sankoh chose the witness, her husband, "Pa Rogers", "Shek Nabieu", "SS Williams" and "Pa Kallon" to accompany him to the Executive Mansion to meet with Taylor. After a few minutes Johnny Paul Koroma and Jumu Jalloh came in, and as it was the first day Koroma and Sankoh had met, they embraced each other. Taylor stated that he had been charged with the responsibility of making peace between the two men, and that they should go in unity to Sierra Leone and in peace because the war was over. Sankoh said that he had no problems with Koroma, that he was like his son, and Koroma stated that he heard what Sankoh had said, and regarded Sankoh as his "pa". The witness saw people taking photographs in the room as well.

11. Former paragraph 6502 (changed to paragraph 6497) should read:

On their return to Freetown the delegation briefed Koroma on their trip, who stated he had already been in touch with Taylor and that Taylor assured Koroma he would work with them to get recognition. Following the meeting with Koroma, the witness went to see Sam Bockarie at his residence at Hill Station and briefed him on the trip. Bockarie told him that Ibrahim Bah was in town, and he wanted the witness to accompany him to meet Bah at his hotel. Bah told the witness that he was coming from Monrovia, where he had been told by Taylor to meet Koroma in order to help the Junta to get arms and ammunition. TF1-371 testified that Taylor was in control of the RUF in 1997, but that he did not control the Junta government.

12. Former paragraph 6520 (changed to paragraph 6515) should read:

JMS



Witness TF1-371's testimony that the head of the delegation to Monrovia, Karifa Smart, reported that the Liberian Foreign Minister told him that the Accused was willing to work to get the Junta recognised by ECOWAS is further supported by TF1-371's testimony that Johnny Paul Koroma told him that he had spoken with the Accused who had said the same. TF1-371 also met Ibrahim Bah in Monrovia, who told him Taylor would work with the Junta. That the Accused told the AFRC right after the coup d'etat that he would work with the Junta is also corroborated by the testimony of Isaac Mongor.

13. Footnote 7532 should read:

Perry Kamara testified that he was sent by Bockarie in August 1998 to Koinadugu District to join SAJ Musa and Superman, and then subsequently to join Gullit at Colonel Eddie Ground: Perry Kamara, Transcript 5 February 2008, pp. 3175-3176. Note that although Kamara testified that he and Brown were sent in accordance with a plan developed with the Accused in mid-1998 to take Kono and Freetown, the Trial Chamber has rejected his evidence that the Accused was involved in this plan: see Military Operations: Operation Fitti-Fatta. According to Kamara, the group left Koinadugu for Rosos in September 1998, and they arrived in Rosos before 28 September 1998: Perry Kamara, Transcript 6 February 2008, pp. 3188-3190. O-Five was the head of the group that left Koinadugu: Perry Kamara, Transcript 6 February 2008, p. 3244. See also Issa Sesay, Transcript 8 July 2010, pp. 44068-44069, 44086-44087; Transcript 28 July 2010, pp. 44908-44909; Transcript 18 August 2010, pp. 46631-46632 (In July 1998, Bockarie sent three radio operators, Alfred Brown, King Perry and another operator whose name Sesay could not remember, to Koinadugu in July 1998 at a time when SAJ Musa was in charge of the area, together with Gullit. Bockarie openly said he was sending them to support the operation, but he was actually sending them to spy. The operators remained with SAJ Musa's forces until February 1999). See also Provision of Military Personnel: Allegations Related to the Red Lion Battalion.

14. Former footnote 12287 (changed to footnote 12291) should read:

TF1-371, Transcript 28 January 2008, pp. 2728-2731 (CS) (Bockarie paid the Accused for the shipment with parcels of diamonds that Bockarie brought to the Accused over the course of multiple trips to Monrovia); Isaac Mongor, Transcript 11 March 2008, pp. 5789-5795 (Bockarie told Mongor that he had given diamonds to the Accused in exchange for ammunition and rockets, medicines and food which he brought back from Liberia); Joseph Marzah, Transcript 14 March 2008, p. 5878 (Marzah was accustomed to carrying diamonds from the RUF in Sierra Leone to Charles Taylor in exchange for ammunition and did so over 10 to 15 times); Albert Saidu, Transcript 5 June 2008, pp. 11071-11072, 11075 (Saidu testified that during a meeting he had with Bockarie prior to his trip, Bockarie showed him a "white paper" which contained diamonds that he said he was taking to the Accused to secure materials); See also Exhibit P-063, "RUF Headquarters Forum with the External Delegates Led by the RUF Defence Staff, 2nd December 1998", ERN 15490 (Bockarie went with a two and half carats diamond and some other items which he gave as a present to a senior security - Benjamin - in order to facilitate easy access to all chances for the undelayed success of the mission).

15. Former footnote 12307 (changed to footnote 12311) should read:

Isaac Mongor, Transcript 11 March 2008, pp. 5789-5795 (Mongor described the ammunition as being packed from the floor up to the ceiling in stacks that were about 2.5 to 3 meters high. Mongor estimated that there were more than 100 boxes of different kinds of ammunition and included AK, RPG, and GMG rounds. Prior to this, Mongor had not seen “any ammunition that could be up to that quantity”); Albert Saidu, Transcript 6 June 2008, pp. 11205-11207 (Bockarie returned with “a lot of materiel”); TF1-567, Transcript 2 July 2008, pp. 12912-12913, 12915 (Bockarie returned to Buedu in December 1998 with “lots of ammunition”); Mohamed Kabbah, Transcript 17 September 2008, pp. 16431-16432. (Kabbah testified that in late 1998, prior to the attack on Kono, he saw the biggest consignment of ammunition, food and used clothing which the RUF had ever received. Kabbah added that the RUF never had any hundred boxes of ammunition at a stretch and that they never received such a large consignment again); TF1-367, Transcript 20 August 2008, pp. 14162, 14181-14182 (There was so much ammunition that they carried it to there on their heads); See also Exhibit P-067, “RUF People’s Arm [sic]– Situation Report to Foday Sankoh from the Black Guard Commander”, ERN 9672, 9678. (On their return the RUF delegation was given “huge quantity of materials for serious offensive” to start a campaign for the release of their leader).

16. Former footnote 14490 (changed to footnote 14500) should read:

TF1-338, Transcript 1 September 2008, p. 15119 (around 8 May 2000, the witness received a radio message at Freetown from Makeni relating to the arrest of UN peacekeepers by commanders Morris Kallon, Augustine Gbao and Kailondo); TF1-567, Transcript 7 July 2008, pp. 13037-13038 (while in Liberia, the witness heard that the RUF had captured a large number of UN peacekeepers); Abu Keita, Transcript 23 January 2008, pp. 2030-2031 (in May 2000, the witness was informed by Augustine Gbao that the RUF had arrested a group of roughly 500 Kenyan and Zambian UNAMSIL peacekeepers who were involved in the disarmament programme in Sierra Leone); Perry Kamara, Transcript 6 February 2008, p. 3269 (just before Sankoh’s arrest, Issa Sesay ordered the arrest in Makeni Town of UN personnel); Issa Sesay, Transcript 14 July 2010, pp. 44505-44507 (the RUF captured over 400 UNAMSIL personnel in Makeni during ambushes around 2 May or 3 May 2000).

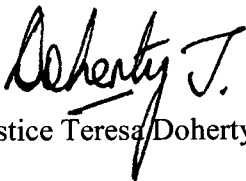
NOTING further that whilst they do not warrant an exhaustive listing, for ease of reference and consistency a number of formatting, typographical and grammatical errors have been corrected, footnotes have been added and footnote references corrected. This has resulted in the change of paragraph and footnote numbers;

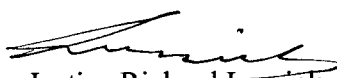
SUBMITTING with this Order a revised version of the Judgement incorporating these amendments and corrections;

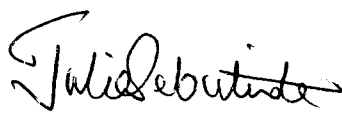
Ju

HEREBY ORDERS that the revised version of the Judgement be treated as authoritative.

Done in The Hague, Netherlands, this 30th day of May 2012.


Justice Teresa Doherty


Justice Richard Lussick
Presiding Judge


Justice Julia Sebutinde

[Seal of the Special Court for Sierra Leone]







