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SCSL-04-15-T
C 24237 -- 24240
SPECIAL COURT FOR SIERRA LEONE
TRIAL CHAMBER I

24237

Before: Hon. Justice, Benjamin Mutanga Itoe, Presiding
Hon. Justice Bankole Thompson
Hon. Justice Pierre Boutet

Registrar: Mr. Herman Von Hebel

Date filed: 21st February 2008

SPECIAL COURT FOR SIERRA LEONE	
RECEIVED	
COURT MANAGEMENT	
21 FEB 2008	
NAME	Adia Nsima K.
SIGN	Nsima
TIME	12:30

THE PROSECUTOR

against

**ISSA HASSAN SESAY
MORRIS KALLON
AUGUSTINE GBAO**

Case No. SCSL -2004-15-T

PUBLIC

**CORRIGENDA TO REPLY TO PROSECUTION RESPONSE TO KALLON
MOTION ON CHALLENGES TO THE FORM OF THE INDICTMENT AND FOR
RECONSIDERATION OF ORDER REJECTING FILING AND IMPOSING
SANCTIONS**

Office of the Prosecutor:

Peter Harrison
Reginald Fynn

Counsel for Issa Sesay:

Wayne Jordash
Sareta Ashraph

Counsel for Morris Kallon:

Charles Taku
Kennedy Ogetto
Tanoo Mylvaganam

**Court-Appointed Counsel for
Augustine Gbao:**

John Cammegh
Scott Martin

INTRODUCTION

1. On 20 February 2008, the Second Accused, Morris Kallon made a filing.¹ The Kallon Defence hereby files a corrigendum to the Reply.

THE CORRIGENDA

2. Paragraph 7, 3rd sentence, should read as follows:

“Significant amongst those was the Amended Consolidated Indictment, filed on 13 May 2004.”

Thereby deleting “with which the Accused currently stands charged”. Footnote 13 should remain.
3. The heading between paragraphs 9 and 10 should read as follows:

“(ii) *The Motion Properly Brings Substantive Objections to the Form of the Indictment*”
4. Footnote 16 should read as follows:

“See the Motion, at para 5, (“[i]n the particular circumstances of the case, the Prosecution would not object to the Motion being treated as a substantive motion seeking the leave of the Trial Chamber to bring a challenge to the form of the Indictment at this stage of the proceedings”). It should also be noted that this statement appears to represent a change of position adopted by the Prosecution when compared to the Prosecution Motion for Relief. The Defence recalls the strong language employed by the Prosecution in derogating the conduct of the Defence team in filing the Previous Defence Motion. It stated that the *Gbao* Decision was an “obvious authority for dismissing the [Previous Motion].” In light of that, it alleged, *inter alia*, “cynical” and “frivolous” conduct on the part of the Kallon Defence team in simply *filing* the Previous Defence Motion and alleged that the Previous Defence Motion was a “[d]isinegenuous pleading” which represented “an affront to the solemnity of the Court’s process.””
5. Paragraph 20, 1st sentence, should read as follows:

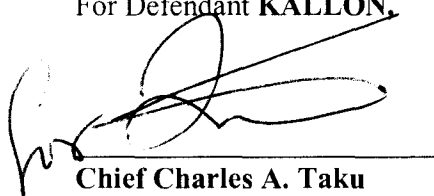
¹ *P v. Sesay et al.*, SCSL-04-15-T-993, Reply to Prosecution to Response to Kallon Motion on Challenges to the Form of the Indictment and for Reconsideration of Order Rejecting Filing and Imposing Sanctions, 20 Feb. 08, (“the Reply”).

24239

“Paragraph 16 of the Response contends that “there is no point in allowing a challenge to the form of the Indictment to be brought” in light of the pending judgment of the Appeals Chamber in *Brima et al.*”

DONE in Freetown on this 21st day of FEB, 2008.

For Defendant **KALLON**.



Chief Charles A. Taku

24240

AUTHORITY

P v. Sesay et al., SCSL-04-15-T-993, Reply to Prosecution to Response to Kallon Motion on Challenges to the Form of the Indictment and for Reconsideration of Order Rejecting Filing and Imposing Sanctions, 20 Feb. 08.