

72.

SCSL - 03 - 01

3070

(3070 - 3151)

SPECIAL COURT FOR SIERRA LEONE
OFFICE OF THE PROSECUTOR
Freetown - Sierra Leone

Before: Justice Bankole Thompson, Designated Judge

Registrar: Mr. Lovemore Munlo

Date filed: 6 March 2006

THE PROSECUTOR

Against

Charles Ghankay Taylor

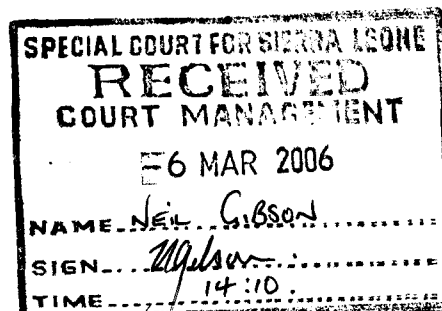
Case No. SCSL-03-01-I

CONFIDENTIAL AND EX PARTE

**PROSECUTION MOTION FOR LEAVE TO AMEND THE INDICTMENT AND FOR
APPROVAL AND NON-DISCLOSURE OF THE AMENDED INDICTMENT**

Office of the Prosecutor:

Desmond de Silva
Christopher Staker
James C. Johnson
Brenda J. Hollis



I. INTRODUCTION

1. Pursuant to Rules 50 (A), 47, 53(A) and (B) and 56 of the Special Court's Rules of Procedure and Evidence ("**Rules**"), the Prosecution files this motion in the case of *Prosecutor v Charles Ghankay Taylor*.
2. The Prosecution asks the Designated Judge to:
 - (i) grant leave to amend the Indictment¹ against Charles Ghankay Taylor ("**Accused**");
 - (ii) approve the Amended Indictment;
 - (iii) order that there be no public disclosure of the Amended Indictment until it is served on the Accused or upon further order of the Court;
 - (iv) note the continued validity of the existing warrant of arrest and again order its transmission to specific States and relevant international bodies as may be indicated by the Prosecutor via the Registrar.
3. The proposed Amended Indictment is provided as **Attachment A** to this motion. The amendments sought have been detailed in a chart that is provided as **Attachment B**. A Case Summary has been provided as **Attachment C**. The form and content of the proposed Amended Indictment reflect the guidance and direction found in paragraphs 50 – 53 and 78 of the Appeals Chamber's "Decision on Amendment of the Consolidated Indictment" in *Prosecutor v Norman, Fofana and Kondewa*.²

II. APPLICABLE RULES

4. Rule 50 provides:

The Prosecutor may amend an indictment, without prior leave, at any time before its approval, but thereafter, **until the initial appearance of the accused pursuant to Rule 61, only with leave of the Designated Judge who reviewed it** but, in exceptional circumstances, by leave of another Judge. At or after such initial appearance, an amendment of an indictment may only be made by leave granted by a Trial Chamber pursuant to Rule 73. If leave to amend is granted, Rule 47(G) and Rule 52 apply to the amended indictment.

¹ *Prosecutor v Taylor*, SCSL-03-01-I-001, "Indictment", 7 March 2003.

² *Prosecutor v Norman, Fofana, Kondewa*, SCSL-04-14-AR73-397, "Decision on Amendment of the Consolidated Indictment", ("**Appeals Chamber Decision**"), 16 May 2005.

5. Rule 47(C) states:

The indictment shall contain, and be sufficient if it contains, the name and particulars of the suspect, a statement of each specific offence of which the named suspect is charged and a short description of the particulars of the offence. It shall be accompanied by a Prosecutor's case summary briefly setting out the allegations he proposes to prove in making his case.

6. In interpreting Rule 47(C), the Appeals Chamber has found:

This rule envisages that after particulars of personal identification there should be a "statement of each specific offence of which the named subject is charged". Each such statement is what is commonly known as a count of the Indictment, which encapsulates the offence with which the subject is charged – i.e. the law which he is alleged to have broken. The count should then be followed by a "short description" of the *particulars* of the offence – the time, place, reference to co-offenders and so on. Then, as a *separate document*, albeit appended to or served with the Indictment, a "prosecutor's case summary" briefly setting out the allegations he proposes to prove – a *précis*, as it were, of his opening speech.³

7. The Appeals Chamber went on to explain that the case summary accompanying the indictment forms no part of the indictment and is not a document susceptible to amendment by the Court. Its purpose is to give the Accused better details of the charges against him and does not bind the Prosecutor in the sense that he is obliged to amend it if his evidence changes.⁴ Notably, the Appeals Chamber made the general observation that the original indictments presented by the Prosecution were "overloaded" with particulars.⁵

8. Rule 47 concerns the indictment review process. Rule 47(G) provides:

If at least one count is approved, the indictment shall go forward. If no count is approved, the indictment shall be returned to the Prosecutor.

9. Rule 53, concerning non-disclosure, states:

(A) In exceptional circumstances, the Designated Judge may, in the interests of justice, order the non-disclosure to the public of any documents or information until further order.

(B) When approving an indictment the Designated Judge may, on the application of the Prosecutor, order that there be no public disclosure of

³ Appeals Chamber Decision, para. 51, emphasis in original.

⁴ Ibid, para. 52.

⁵ Ibid, para. 53.

the indictment until it is served on the accused, or, in the case of joint accused, on all the accused.

10. Rule 56 provides for warrants of arrest to be addressed and transmitted to third States or relevant international bodies.

III. THE AMENDED INDICTMENT

11. The Indictment was approved on 7 March 2003⁶ by Justice Thompson sitting as Designated Judge. Since that time, the Office of the Prosecutor (“OTP”) has continued its investigations into the Accused’s criminal responsibility for the crimes alleged in the Indictment, including crimes physically perpetrated by members of the Revolutionary United Front (“RUF”), the Armed Forces Revolutionary Committee (“AFRC”) and the AFRC/RUF Junta or alliance, and into the criminal acts themselves. Indeed, the OTP has concluded its case in chief against three accused who were members of the AFRC and that component of the Junta and alliance. Furthermore, the OTP is nearing the conclusion of its case in chief against three accused who were members of the RUF and the RUF component of the Junta and AFRC/RUF alliance.
12. As a result of these ongoing investigations, and with reference to the evidence that has been adduced at the trials of the AFRC and RUF accused, the evidentiary posture of the case against the Accused has been refined. It is primarily for this reason that the Prosecution moves to amend the Indictment against this Accused - to allow the Amended Indictment to reflect this refined evidentiary posture. The Prosecution submits that, particularly at such an early stage, this is an appropriate basis upon which to grant leave to amend. Indeed, the Appeals Chamber has commented that “it can only serve the interests of justice to permit the Prosecution to reconsider and refine its case in the pre-trial period”.⁷ This amendment is being sought even earlier in the process.
13. In addition, the proposed amendments include the deletion of certain terms, such as “but not limited to”, which Trial Chamber I has earlier found to be

⁶ *Prosecutor v Taylor*, SCSL-03-01-I-003, “Decision Approving the Indictment and Order for Non-Disclosure”, 7 March 2003.

⁷ See Appeals Chamber Decision, para. 81.

impermissibly vague.⁸ The Prosecution submits that this is a further appropriate basis upon which to grant leave to amend.

14. For these reasons, the Prosecution respectfully requests that its motion for leave to amend be granted.

IV. APPROVAL OF THE AMENDED INDICTMENT

15. The Prosecution further requests that the Designated Judge approve the Amended Indictment in respect to each and every count. The Prosecution notes that the proposed Amended Indictment contains no additional counts as compared to the original Indictment, rather, a number of counts have been removed.

V. NON-DISCLOSURE OF THE AMENDED INDICTMENT TO THE PUBLIC

16. The Prosecution requests that the Amended Indictment not be disclosed to the public until it is served on the Accused or upon further order of the Court. As in the past, efforts continue to secure the transfer of the Accused to the Special Court. The Prosecution is concerned that public disclosure of the Amended Indictment may have the effect of causing the Accused to react, for example, by attempting to flee from the country in which he currently resides, or may unsettle ongoing efforts to secure his apprehension. For these reasons, the Prosecution submits that it is in the interests of justice to delay the public disclosure of the Amended Indictment.

VI. WARRANT OF ARREST

17. The Warrant of Arrest and Order for the Transfer and Detention of the Accused was issued on 7 March 2003 by Justice Thompson sitting as Designated Judge.⁹ In Justice Thompson's order, the Registrar was instructed to address the Warrant of Arrest, Decision Approving the Indictment and the Approved Indictment to the

⁸ *Prosecutor v. Kondewa*, SCSL-2003-12-PT-50, "Decision and Order on Defence Preliminary Motion For Defects in the Form of the Indictment", 27 November 2003.

⁹ *Prosecutor v Taylor*, SCSL-2003-01-I-004, "Warrant of Arrest and Order for Transfer and Detention", 7 March 2003.

national authorities of such States or relevant international bodies as may be indicated by the Prosecutor in accordance with Rule 56.

18. The Prosecution requests that the Designated Judge note the continued validity and effect of this arrest warrant, and, if the Amended Indictment is approved, again order the Registrar to transmit the Warrant of Arrest, together with the decision approving the Amended Indictment and the approved Amended Indictment, to the national authorities of States or relevant international bodies as may be indicated by the Prosecutor.

VII. ORDERS SOUGHT

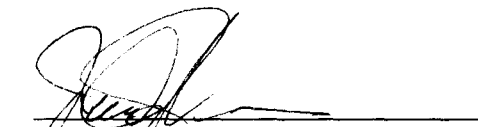
19. For the reasons stated above, the Prosecution requests that the Designated Judge:

- grant leave to amend the Indictment;
- approve the Amended Indictment submitted for review as Attachment A;
- order that there be no public disclosure of the Amended Indictment until it is served on the Accused or upon further order;
- order that the Prosecutor file a signed copy of the Amended Indictment with the Registry;
- order the Registrar to transmit the Warrant of Arrest as may be indicated by the Prosecutor.

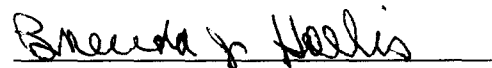
Filed in Freetown,

6 March 2006

For the Prosecutor



 James C. Johnson
 Chief of Prosecutions



 Brenda J. Hollis
 Acting Senior Trial Attorney

Index of Authorities

1. *Prosecutor v Taylor*, SCSL-03-01-I-001, “Indictment”, 7 March 2003.
2. *Prosecutor v Norman, Fofana, Kondewa*, SCSL-04-14-AR73-397, “Decision on Amendment of the Consolidated Indictment”, 16 May 2005.
3. *Prosecutor v Taylor*, SCSL-03-01-I-003, “Decision Approving the Indictment and Order for Non-Disclosure”, 7 March 2003.
4. *Prosecutor v. Kondewa*, SCSL-2003-12-PT-50, “Decision and Order on Defence Preliminary Motion For Defects in the Form of the Indictment”, 27 November 2003.
5. *Prosecutor v Taylor*, SCSL-2003-01-I-004, “Warrant of Arrest and Order for Transfer and Detention”, 7 March 2003.

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- B. Summary of Proposed Amendments to Approved Indictment
- C. Case Summary Accompanying the Proposed Amended Indictment

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Attachment A

Proposed Amended Indictment, *Prosecutor v Taylor*, SCSL-03-01-I

THE SPECIAL COURT FOR SIERRA LEONE

CASE NO. SCSL- 2003- 01- I

THE PROSECUTOR**Against**

**CHARLES GHANKAY TAYLOR also known as
DANKPANNAH CHARLES GHANKAY TAYLOR also known as
DANKPANNAH CHARLES GHANKAY MACARTHUR TAYLOR**

AMENDED INDICTMENT

The Prosecutor, Special Court for Sierra Leone, under Article 15 of the Statute of the Special Court for Sierra Leone (the Statute) charges:

**CHARLES GHANKAY TAYLOR also known as
(aka) DANKPANNAH CHARLES GHANKAY TAYLOR
aka DANKPANNAH CHARLES GHANKAY MACARTHUR TAYLOR**

with **CRIMES AGAINST HUMANITY, VIOLATIONS OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II and OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW, in violation of Articles 2, 3 and 4 of the Statute as set forth below:**

THE ACCUSED

- 1. CHARLES GHANKAY TAYLOR aka DANKPANNAH CHARLES GHANKAY TAYLOR aka DANKPANNAH CHARLES GHANKAY MACARTHUR TAYLOR (the ACCUSED) was born on 27 or 28 January 1948 at Arthington in the Republic of Liberia.**

2. From the late 1980's the **ACCUSED** was the Leader or Head of the National Patriotic Front of Liberia (NPFL), an organized armed group.
3. From 2 August 1997 until about 11 August 2003, the **ACCUSED** was the President of the Republic of Liberia.
4. Paragraphs 1 through 3 are incorporated by reference in CHARGES below.

CHARGES

By his acts or omissions in relation to the below described events, the **ACCUSED**, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

TERRORIZING THE CIVILIAN POPULATION

COUNT 1: Acts of Terrorism, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.d. of the Statute.

PARTICULARS

5. Members of the Revolutionary United Front (RUF), Armed Forces Revolutionary Council (AFRC), AFRC/RUF Junta or alliance, and/or Liberian fighters, including members and ex-members of the NPFL (Liberian fighters), assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the **ACCUSED**, burned civilian property, and committed the crimes set forth below in paragraphs 6 through 31 and charged in Counts 2 through 11, as part of a campaign to terrorize the civilian population of the Republic of Sierra Leone.

Burning

6. Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or

subordinate to the **ACCUSED**, engaged in widespread destruction of civilian property by burning, including the following:

Kono District

7. Between about 1 February 1998 and about 31 December 1998, in various locations, including Koidu, Tombodu or Tumbodu, Sewafe or Njaima Sewafe, Wendedu and Bumpe;

Freetown and Western Area

8. Between about 21 December 1998 and about 28 February 1999, in locations throughout Freetown, including Kissy and eastern Freetown and the Fourah Bay, Upgun, State House, Calaba Town, Kingtom and Pademba Road areas of the city, and Hastings, Goderich, Kent, Grafton, Wellington, Tumbo, Waterloo and Benguema in the Western Area.

UNLAWFUL KILLINGS

COUNT 2: Murder, a **CRIME AGAINST HUMANITY**, punishable under Article 2.a. of the Statute;

In addition, or in the alternative:

COUNT 3: Violence to life, health and physical or mental well-being of persons, in particular murder, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.a. of the Statute.

PARTICULARS

9. Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the **ACCUSED**, throughout Sierra Leone, unlawfully killed an unknown number of civilians, including the following:

Kenema District

10. Between about 25 May 1997 and about 31 March 1998, in various locations, including Kenema town and the Tongo Fields area;

Kono District

11. Between about 1 February 1998 and about 31 January 2000, in various locations, including Koidu, Tombodu or Tumbodu, Koidu Geiya or Koidu Gieya, Koidu Buma, Yengema, Paema or Peyima, Bomboa fuidu, Bumpe, Nimikoro or Njaima Nimikoro and Mortema;

Kailahun District

12. Between about 1 February 1998 and about 30 June 1998, in various locations, including Kailahun town;

Freetown and Western Area

13. Between about 21 December 1998 and 28 February 1999, in locations throughout Freetown, including the State House, Kissy, Fourah Bay, Upgun, Calaba Town, Allen Town and Tower Hill areas of the city, and Hastings, Wellington, Tumbo, Waterloo and Benguema in the Western Area.

SEXUAL VIOLENCE

COUNT 4: Rape, a **CRIME AGAINST HUMANITY**, punishable under Article 2.g. of the Statute;

And:

COUNT 5: Sexual slavery and any other form of sexual violence, a **CRIME AGAINST HUMANITY**, punishable under Article 2.g. of the Statute;

In addition, or in the alternative:

COUNT 6: Outrages upon personal dignity, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.e. of the Statute.

PARTICULARS

14. Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the **ACCUSED**, committed widespread acts of sexual violence against civilian women and girls, including the following:

Kono District

15. Between about 1 February 1998 and about 31 December 1998, raped an unknown number of women and girls in various locations, including Koidu, Tombodu or Tumbodu, Wonedu and AFRC and/or RUF camps such as “Superman Ground”, “Guinea Highway” and “PC Ground”; abducted an unknown number of women and girls from various locations within the District, or brought them from locations outside the District, and used them as sex slaves;

Kailahun District

16. Between about 30 November 1996 and about 18 January 2002, raped an unknown number of women and girls in locations throughout Kailahun District; abducted many victims from other areas of the Republic of Sierra Leone, brought them to locations throughout the District, and used them as sex slaves;

Freetown and Western Area

17. Between about 21 December 1998 and about 28 February 1999, raped an unknown number of women and girls throughout Freetown and the Western area, and abducted an unknown number of women and girls and used them as sex slaves.

PHYSICAL VIOLENCE

COUNT 7: Violence to life, health and physical or mental well-being of persons, in particular cruel treatment, a **VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II**, punishable under Article 3.a. of the Statute;

In addition, or in the alternative:

COUNT 8: Other inhumane acts, a **CRIME AGAINST HUMANITY**, punishable under Article 2.i. of the Statute.

PARTICULARS

18. Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the **ACCUSED**, committed widespread acts of physical violence against civilians, including the following:

Kono District

19. Between about 1 February 1998 and about 31 December 1998, mutilated and beat an unknown number of civilians in various locations, including Tombodu or Tumbodu, Kaima or Kayima and Wonededu. The mutilations included cutting off limbs and other body parts and carving “AFRC” and “RUF” on the bodies of the civilians;

Kailahun District

20. Between about 30 November 1996 and about 18 January 2002, beat an unknown number of civilians in locations throughout the District;

Freetown and Western Area

21. Between about 21 December 1998 and about 28 February 1999, mutilated and beat an unknown number of civilians in various areas of Freetown, including the northern and eastern areas of the city, the Kissy area around the State House, Fourah Bay, Upgun and the Kissy mental hospital, and Hastings, Wellington, Tumbo, Waterloo and Benguema in the Western Area. The mutilations included cutting off limbs.

CHILD SOLDIERS

COUNT 9: Conscripting or enlisting children under the age of 15 years into armed forces or groups, or using them to participate actively in hostilities, an **OTHER SERIOUS VIOLATION OF INTERNATIONAL HUMANITARIAN LAW**, punishable under Article 4.c. of the Statute.

PARTICULARS

22. Between about 30 November 1996 and about 18 January 2002, throughout the Republic of Sierra Leone, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the **ACCUSED**, routinely conscripted, enlisted and/or used boys and girls under the age of 15 to participate in active hostilities. Many of these children were first abducted, then trained in AFRC and/or RUF camps in various locations throughout the country, and thereafter used as fighters.

ABDUCTIONS AND FORCED LABOUR

COUNT 10: Enslavement, a **CRIME AGAINST HUMANITY**, punishable under Article 2.c. of the Statute.

PARTICULARS

23. Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the **ACCUSED**, engaged in widespread and large scale abductions of civilians and use of civilians as forced labour, including the following:

Kenema District

24. Between about 1 July 1997 and about 28 February 1998, used an unknown number of civilians living in the District as forced labor in various locations such as the Tongo Fields area;

Kono District

25. Between about 1 February 1998 and about 18 January 2002, abducted an unknown number of civilians, and took them to various locations outside the District, or to locations within the District such as AFRC and/or RUF camps, Tombodu or Tumbodu, Koidu and Wonedu, and used them as forced labour;

Kailahun District

26. Between about 30 November 1996 and about 18 January 2002, brought abducted civilian men, women and children to various locations within the District and used them and residents of the District as forced labour;

Freetown and Western Area

27. Between about 21 December 1998 and about 28 February 1999, abducted an unknown number of civilians, including a large number of children, from locations throughout Freetown and the Western Area, and used them as forced labour.

LOOTING

COUNT 11: Pillage, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.f. of the Statute.

PARTICULARS

28. Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the **ACCUSED**, engaged in widespread unlawful taking of civilian property, including the following:

Kono District

29. Between about 1 February 1998 and about 31 December 1998, in various locations, including Koidu, Tombodu or Tumbodu and Bumpe;

Bombali District

30. Between about 1 February 1998 and about 30 April 1998, in various locations, including Masiaka and Makeni;

Freetown and Western Area

31. Between about 21 December 1998 and about 28 February 1999, throughout Freetown and the Western Area.

32. Paragraphs 4 through 31 are incorporated by reference in INDIVIDUAL CRIMINAL RESPONSIBILITY below.

INDIVIDUAL CRIMINAL RESPONSIBILITY

33. The **ACCUSED**, by his acts or omissions, is individually criminally responsible pursuant to Article 6.1. of the Statute for the crimes referred to in Articles 2, 3 and 4 of the Statute as alleged in this Amended Indictment, which crimes the **ACCUSED** planned, instigated, ordered, committed, or in whose planning, preparation or execution the **ACCUSED** otherwise aided and abetted, or which crimes amounted to or were involved within a common plan, design or purpose in which the **ACCUSED** participated, or were a reasonably foreseeable consequence of such common plan, design or purpose.
34. In addition, or alternatively, pursuant to Article 6.3. of the Statute, the **ACCUSED**, while holding positions of superior responsibility and exercising command and control over subordinate members of the RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, is individually criminally responsible for the crimes referred to in Articles 2, 3 and 4 of the Statute as alleged in this Amended Indictment. The **ACCUSED** is responsible for the criminal acts of his subordinates in that he knew or had reason to know that the subordinate was about to commit such acts or had done so and the **ACCUSED** failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.

Dated this _____ day of March 2006

Freetown, Sierra Leone

Desmond de Silva

The Prosecutor

Prosecution Index of Attachments
Attachment B

Summary of Proposed Amendments to Approved Indictment

THE SPECIAL COURT FOR SIERRA LEONE

CASE NO. SCSL – 2003 – 01 – I

THE PROSECUTOR

Against

**CHARLES GHANKAY TAYLOR also known as
DANKANNAH CHARLES GHANKAY TAYLOR also known as
DANKANNAH CHARLES GHANKAY MACARTHUR TAYLOR**

SUMMARY OF PROPOSED AMENDMENTS TO APPROVED INDICTMENT

Explanatory Note

This chart outlining the changes in the Amended Indictment is provided to assist in the review of the proposed Amended Indictment. As stated at paragraph 3 of the motion for leave to amend, to which this chart is attached, the format and content of the proposed amendments reflect the guidance and direction provided by the Appeals Chamber at paragraphs 50 – 53 and 78 of its “Decision on Amendment of the Consolidated Indictment” in *Prosecutor v Norman, Fofana and Kondewa*.¹

¹ *Prosecutor v Norman, Fofana, Kondewa*, SCSL-04-14-AR73-397, “Decision on Amendment of the Consolidated Indictment”, (“**Appeals Chamber Decision**”), 16 May 2005.

The paragraphs in the chart are organized in the order they appear in the proposed Amended Indictment. Given the new format being used, that order is, in many instances, different from that in the approved Indictment.

In this chart, paragraphs from the approved Indictment which have been removed from the proposed Amended Indictment are marked as “Deleted.” Substantive information found in most of these paragraphs has been included in the Case Summary which accompanies the proposed Amended Indictment. Paragraphs in the Amended Indictment which are “New” have been so marked. For the remainder, the corresponding paragraphs appear side by side in the chart. Where those paragraphs have been renumbered in the proposed Amended Indictment, that is so noted. Changes within those paragraphs are marked by underlining the relevant words, as well as, in the proposed Amended Indictment, by specific notations of what has been deleted or added.

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>CHARLES GHANKAY TAYLOR also known as CHARLES GHANKAY MACARTHUR <u>DAPKPANA</u> TAYLOR</p>	<p>CHARLES GHANKAY TAYLOR also known as <u>DANKPANNAH CHARLES GHANKAY TAYLOR</u> also known as <u>DANKPANNAH</u> CHARLES GHANKAY MACARTHUR TAYLOR</p> <p>Deleted: “ DAPKPANA”</p> <p>Added: “DANKPANNAH CHARLES GHANKAY TAYLOR”; “DANKPANNAH”</p>
<p>INDICTMENT</p>	<p>AMENDED INDICTMENT</p>
<p>The Prosecutor, Special Court for Sierra Leone, under Article 15 of the Statute of the Special Court for Sierra Leone (the Statute) charges:</p>	<p>No Change</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>CHARLES GHANKAY TAYLOR also known as (aka) CHARLES GHANKAY MACARTHUR <u>DAPKANA</u> TAYLOR</p>	<p>CHARLES GHANKAY TAYLOR also known as (aka) <u>DANKANNAH</u> CHARLES GHANKAY TAYLOR aka <u>DANKANNAH</u> CHARLES GHANKAY MACARTHUR TAYLOR</p> <p>Deleted: "DAPKANA"</p> <p>Added: "DANKANNAH CHARLES GHANKAY TAYLOR"; "DANKANNAH"</p>
<p>with CRIMES AGAINST HUMANITY, VIOLATIONS OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II and OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW, in violation of Articles 2, 3 and 4 of the Statute as set forth below:</p>	<p>No Change</p>
<p>THE ACCUSED</p>	<p><u>THE ACCUSED</u></p>
<p>1. CHARLES GHANKAY TAYLOR aka CHARLES GHANKAY MACARTHUR <u>DAPKANA</u> TAYLOR (the ACCUSED) was born on <u>or about 28</u> January 1948 at Arthington in the Republic of Liberia.</p>	<p>1. CHARLES GHANKAY TAYLOR aka <u>DANKANNAH</u> <u>CHARLES GHANKAY TAYLOR</u> aka <u>DANKANNAH</u> CHARLES GHANKAY MACARTHUR TAYLOR (the ACCUSED) was born on <u>27 or 28</u> January 1948 at Arthington in the Republic of Liberia.</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>Deleted: “DAPKPANA”</p> <p>Deleted: “or about”</p> <p>Added: “DANKPANNAH CHARLES GHANKAY TAYLOR”; “DANKPANNAH”</p> <p>Added: “27 or”</p>
	<p>[New] 2. From the late 1980s the ACCUSED was the Leader or Head of the National Patriotic Front of Liberia (NPFL), an organized armed group.</p>
	<p>[New] 3. From 2 August 1997 until about 11 August 2003, the ACCUSED was the President of the Republic of Liberia.</p>
GENERAL ALLEGATIONS	Deleted
<p>2. At all times relevant to this Indictment, a state of armed conflict existed within Sierra Leone. For the purposes of this Indictment, organized armed factions involved in this conflict included the Revolutionary United Front (RUF), the Civil Defence Forces (CDF) and the Armed Forces Revolutionary Council (AFRC).</p>	Deleted (Information provided in Case Summary)
<p>3. A nexus existed between the armed conflict and all acts or omissions charged herein as Violations of Article 3 common to</p>	Deleted (Information provided in Case Summary)

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
the Geneva Conventions and of Additional Protocol II and as Other Serious Violations of International Humanitarian Law.	
<p>4. The organized armed group that became known as the RUF, led by FODAY SAYBANA SANKOH aka POPAY aka PAPA aka PA, was founded about 1988 or 1989 in Libya. The RUF, under the leadership of FODAY SAYBANA SANKOH, began organized armed operations in Sierra Leone in March 1991. During the ensuing armed conflict, the RUF forces were also referred to as “RUF”, “rebels” and “People’s Army”.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>5. The CDF was comprised of Sierra Leonean traditional hunters, including the Kamajors, Gbethis, Kapras, Tamaboros and Donsos. The CDF fought against the RUF and AFRC.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>6. On 30 November 1996, in Abidjan, Ivory Coast, FODAY SAYBANA SANKOH and Ahmed Tejan Kabbah, President of the Republic of Sierra Leone, signed a peace agreement which brought a temporary cessation to active hostilities. Thereafter, the active hostilities recommenced.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>7. The AFRC was founded by members of the Armed Forces of Sierra Leone who seized power from the elected government of the Republic of Sierra Leone via a coup d’état on 25 May 1997.</p>	<p>Deleted (Information provided in Case Summary)</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>Soldiers of the Sierra Leone Army (SLA) comprised the majority of the AFRC membership. On that date JOHNNY PAUL KOROMA aka JPK became the leader and Chairman of the AFRC. The AFRC forces were also referred to as “Junta”, “soldiers”, “SLA”, and “ex-SLA”.</p>	
<p>8. Shortly after the AFRC seized power, at the invitation of JOHNNY PAUL KOROMA, and upon the order of FODAY SAYBANA SANKOH, leader of the RUF, the RUF joined with the AFRC. The AFRC and RUF acted jointly thereafter. The AFRC/RUF Junta forces (Junta) were also referred to as “Junta”, “rebels”, “soldiers”, “SLA”, “ex-SLA” and “People’s Army”.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>9. After the 25 May 1997 coup d’état, a governing body, the Supreme Council, was created within the Junta. The governing body included leaders of both the AFRC and RUF.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>10. The Junta was forced from power by forces acting on behalf of the ousted government of President Kabbah about 14 February 1998. President Kabbah’s government returned in March 1998. After the Junta was removed from power the AFRC/RUF alliance continued.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>11. On 7 July 1999, in Lomé, Togo, FODAY SAYBANA</p>	<p>Deleted (Information provided in Case Summary)</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
SANKOH and Ahmed Tejan Kabbah, President of the Republic of Sierra Leone, signed a peace agreement. However, active hostilities continued.	
12. The ACCUSED and all members of the organized armed factions engaged in fighting within Sierra Leone were required to abide by International Humanitarian Law and the laws and customs governing the conduct of armed conflicts, including the Geneva Conventions of 12 August 1949, and Additional Protocol II to the Geneva Conventions, to which the Republic of Sierra Leone acceded on 21 October 1986.	Deleted (Information provided in Case Summary)
13. All offences alleged herein were committed within the territory of Sierra Leone after 30 November 1996.	Deleted (Information provided in Case Summary)
14. All acts and omissions charged herein as Crimes Against Humanity were committed as part of a widespread or systematic attack directed against the civilian population of Sierra Leone.	Deleted (Information provided in Case Summary)
15. The words civilian or civilian population used in this Indictment refer to persons who took no active part in the hostilities, or who were no longer taking an active part in the hostilities.	Deleted (Information provided in Case Summary)
INDIVIDUAL CRIMINAL RESPONSIBILITY	Moved to page 9 of Amended Indictment

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>16. Paragraphs <u>1</u> through <u>15</u> are incorporated by reference.</p>	<p>Moved to page 8 of the Amended Indictment and renumbered as paragraph 32</p> <p>[Renumbered] 32. Paragraphs <u>4</u> through <u>31</u> are incorporated by reference in <u>INDIVIDUAL CRIMINAL RESPONSIBILITY</u> below.</p> <p>Renumbered paragraph references within the paragraph</p> <p>Added: “in INDIVIDUAL CRIMINAL RESPONSIBILITY below”</p>
<p>17. In the late 1980’s CHARLES GHANKAY TAYLOR received military training in Libya from representatives of the Government of MU’AMMAR AL-QADHAFI. While in Libya the ACCUSED met and made common cause with FODAY SAYBANA SANKOH.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>18. While in Libya, the ACCUSED formed or joined the National Patriotic Front of Liberia (NPFL). At all times relevant to this Indictment the ACCUSED was the leader of the NPFL and/or the President of the Republic of Liberia.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>19. In December 1989 the NPFL, led by the ACCUSED, began conducting organized armed attacks in Liberia. The ACCUSED</p>	<p>Deleted (Information provided in Case Summary)</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
and the NPFL were assisted in these attacks by FODAY SAYBANA SANKOH and his followers.	
<p>20. To obtain access to the mineral wealth of the Republic of Sierra Leone, in particular the diamond wealth of Sierra Leone, and to destabilize the State, the ACCUSED provided financial support, military training, personnel, arms, ammunition and other support and encouragement to the RUF, led by FODAY SAYBANA SANKOH, in preparation for RUF armed action in the Republic of Sierra Leone, and during the subsequent armed conflict in Sierra Leone.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>21. Throughout the course of the armed conflict in Sierra Leone, the RUF and the AFRC/RUF alliance, under the authority, command and control of FODAY SAYBANA SANKOH, JOHNNY PAUL KOROMA and other leaders of the RUF, AFRC and AFRC/RUF alliance, engaged in notorious, widespread or systematic attacks against the civilian population of Sierra Leone.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>22. At all times relevant to this Indictment, CHARLES GHANKAY TAYLOR supported and encouraged all actions of the RUF and AFRC/RUF alliance, and acted in concert with FODAY SAYBANA SANKOH and other leaders of the RUF and</p>	<p>Deleted (Information provided in Case Summary)</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>AFRC/RUF alliance. FODAY SAYBANA SANKOH was incarcerated in Nigeria and Sierra Leone and subjected to restricted movement in Sierra Leone from about March 1997 until about April 1999. During this time the ACCUSED, in concert with FODAY SAYBANA SANKOH, provided guidance and direction to the RUF, including SAM BOCKARIE aka MOSQUITO aka MASKITA.</p>	
<p>23. The RUF and the AFRC shared a common plan, purpose or design (joint criminal enterprise) which was to take any actions necessary to gain and exercise political power and control over the territory of Sierra Leone, in particular the diamond mining areas. The natural resources of Sierra Leone, in particular the diamonds, were to be provided to persons outside Sierra Leone in return for assistance in carrying out the joint criminal enterprise.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>24. The joint criminal enterprise included gaining and exercising control over the population of Sierra Leone in order to prevent or minimize resistance to their geographic control, and to use members of the population to provide support to the members of the joint criminal enterprise. The crimes alleged in this Indictment, including unlawful killings, abductions, forced</p>	<p>Deleted (Information provided in Case Summary)</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
labour, physical and sexual violence, use of child soldiers, looting and burning of civilian structures, were either actions within the joint criminal enterprise or were a reasonably foreseeable consequence of the joint criminal enterprise.	
25. The ACCUSED participated in this joint criminal enterprise as part of his continuing efforts to gain access to the mineral wealth of Sierra Leone and to destabilize the Government of Sierra Leone.	Deleted (Information provided in Case Summary)
26. <u>CHARLES GHANKAY TAYLOR</u> , by his acts or omissions, is individually criminally responsible pursuant to Article 6.1. of the Statute for the crimes referred to in Articles 2, 3 and 4 of the Statute as alleged in this Indictment, which crimes the ACCUSED planned, instigated, ordered, committed or in whose planning, preparation or execution the ACCUSED otherwise aided and abetted, or which crimes were within a <u>joint criminal enterprise</u> in which the ACCUSED participated or were a reasonably foreseeable consequence of <u>the joint criminal enterprise in which the ACCUSED participated.</u>	Moved to page 9 of the Amended Indictment and renumbered as paragraph 33 [Renumbered] 33. <u>The ACCUSED</u> , by his acts or omissions, is individually criminally responsible pursuant to Article 6.1. of the Statute for the crimes referred to in Articles 2, 3 and 4 of the Statute as alleged in this <u>Amended</u> Indictment, which crimes the ACCUSED planned, instigated, ordered, committed or in whose planning, preparation or execution the ACCUSED otherwise aided and abetted, or which crimes <u>amounted to or were involved</u> within a <u>common plan, design or purpose</u> in which the ACCUSED participated or were a reasonably foreseeable consequence of <u>such common plan, design or purpose.</u>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>Deleted: “CHARLES GHANKAY TAYLOR”</p> <p>Deleted: “joint criminal enterprise”; “the joint criminal enterprise in which the ACCUSED participated.”</p> <p>Added: “The ACCUSED”</p> <p>Added: “Amended”</p> <p>Added: “amounted to or”; “involved”; “common plan, design or purpose”; “such common plan, design or purpose.”</p>
<p>27. In addition, or alternatively, pursuant to Article 6.3. of the Statute, CHARLES GHANKAY TAYLOR, while holding positions of superior responsibility and exercising command and control over <u>his subordinates</u>, is individually criminally responsible for the crimes referred to in Articles 2, 3 and 4 of the Statute. The ACCUSED is responsible for the criminal acts of his subordinates in that he knew or had reason to know that the subordinate was about to commit such acts or had done so and the ACCUSED failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.</p>	<p>Moved to page 9 of the Amended Indictment and renumbered as paragraph 34</p> <p>[Renumbered] 34. In addition, or alternatively, pursuant to Article 6.3. of the Statute, <u>the ACCUSED</u>, while holding positions of superior responsibility and exercising command and control over <u>subordinate members of the RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters</u>, is individually criminally responsible for the crimes referred to in Articles 2, 3 and 4 of the Statute <u>as alleged in this Amended Indictment</u>. The ACCUSED is responsible for the criminal acts of his subordinates in that he knew or had reason to know that the</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>subordinate was about to commit such acts or had done so and the ACCUSED failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.</p> <p>Deleted: “CHARLES GHANKAY TAYLOR”</p> <p>Deleted: “his subordinates”</p> <p>Added: “the ACCUSED”</p> <p>Added: “subordinate members of the RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters”</p> <p>Added: “as alleged in this Amended Indictment.”</p>
<p>28. Paragraphs <u>16</u> through <u>27</u> are incorporated by reference.</p>	<p>[Renumbered] 4. Paragraphs <u>1</u> through <u>3</u> are incorporated by reference <u>in CHARGES below</u>.</p> <p>Renumbered paragraph references within the paragraph</p> <p>Added: “in CHARGES below”</p>
<p>CHARGES</p>	<p><u>CHARGES</u></p>
<p>29. At all times relevant to this Indictment, members of the RUF, AFRC, Junta and/or AFRC/RUF forces (AFRC/RUF), supported and encouraged by, acting in concert with and/or</p>	<p>Deleted (Information provided in Case Summary)</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>subordinate to CHARLES GHANKAY TAYLOR, conducted armed attacks throughout the territory of the Republic of Sierra Leone, including, but not limited, to Bo, Kono, Kenema, Bombali and Kailahun Districts and Freetown. Targets of the armed attacks included civilians and humanitarian assistance personnel and peacekeepers assigned to the United Nations Mission in Sierra Leone (UNAMSIL), which had been created by United Nations Security Council Resolution 1270 (1999).</p>	
<p>30. These attacks were carried out primarily to terrorize the civilian population, but also were used to punish the population for failing to provide sufficient support to the AFRC/RUF, or for allegedly providing support to the Kabbah government or to pro-government forces. The attacks included unlawful killings, physical and sexual violence against civilian men, women and children, abductions and looting and destruction of civilian property. Many civilians saw these crimes committed; others returned to their homes or places of refuge to find the results of these crimes – dead bodies, mutilated victims and looted and burnt property.</p>	<p>Deleted (Information provided in Case Summary)</p>
<p>31. As part of the campaign of terror and punishment the</p>	<p>Deleted (Information provided in Case Summary)</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>AFRC/RUF routinely captured and abducted members of the civilian population. Captured women and girls were raped; many of them were abducted and used as sex slaves and as forced labour. Some of these women and girls were held captive for years. Men and boys who were abducted were also used as forced labour; some of them were also held captive for years. Many abducted boys and girls were given combat training and used in active fighting. AFRC/RUF also physically mutilated men, women and children, including amputating their hands or feet and carving “AFRC” and “RUF” on their bodies.</p>	
<p>By his acts or omissions in relation, <u>but not limited to these</u> events, <u>CHARLES GHANKAY TAYLOR</u>, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:</p>	<p>Moved from page 7 of Approved Indictment</p> <p>By his acts or omissions in relation <u>to the below described</u> events, <u>the ACCUSED</u>, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below <u>in Counts 1 through 11 below</u>:</p> <p>Deleted: “but not limited to these”</p> <p>Deleted: CHARLES GHANKAY TAYLOR</p> <p>Added: “to the below described”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>Added: “the ACCUSED”</p> <p>Added: “in Counts 1 through 11 below:”</p>
<p><u>COUNTS 1 – 2: TERRORIZING THE CIVILIAN POPULATION AND COLLECTIVE PUNISHMENTS</u></p>	<p>TERRORIZING THE CIVILIAN POPULATION</p> <p>Deleted: “<u>COUNTS 1 - 2</u>”</p> <p>Deleted: “<u>AND COLLECTIVE PUNISHMENTS</u>”</p>
<p>By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:</p>	<p>Moved to page 2 of the Amended Indictment</p>
<p>Count 1: Acts of Terrorism, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.d. of the Statute;</p> <p><u>And:</u></p> <p>Count 2: <u>Collective Punishments</u>, a VIOLATION OF</p>	<p>Moved from page 7 of the Approved Indictment</p> <p>COUNT 1: Acts of Terrorism, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.d. of the Statute.</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p><u>ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II,</u> punishable under Article 3.b. of the Statute.</p>	<p>Deleted: “And:”</p> <p>Deleted: “Count 2: Collective Punishments, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.b. of the Statute.”</p>
	<p>[New] PARTICULARS</p>
<p>32. Members of the <u>AFRC/RUF supported and encouraged by, acting in concert with and/or subordinate to CHARLES GHANKAY TAYLOR</u> committed the crimes set forth below in paragraphs <u>33 through 58</u> and charged in Counts <u>3 through 13</u>, as part of a campaign to terrorize the civilian population of the Republic of Sierra Leone, <u>and did terrorize that population.</u> <u>The AFRC/RUF also committed the crimes to punish the civilian population for allegedly supporting the elected government of President Ahmed Tejan Kabbah and factions aligned with that government, or for failing to provide sufficient support to the</u></p>	<p>[Renumbered] 5. Members of the <u>Revolutionary United Front (RUF), Armed Forces Revolutionary Council (AFRC), AFRC/RUF Junta or alliance, and/or Liberian fighters, including members and ex-members of the National Patriotic Front of Liberia (NPFL) (Liberian fighters),</u> assisted and encouraged by, acting in concert with, <u>under the direction and/or control of, and/or subordinate to the ACCUSED, burned civilian property, and committed the crimes set forth below in paragraphs 6 through 31 and charged in Counts 2 through 11,</u> as part of a campaign to terrorize the civilian population of the Republic of Sierra Leone.</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p><u>AFRC/RUF.</u></p>	<p>Renumbered paragraphs and counts referenced within the paragraph</p> <p>Deleted: “AFRC/RUF”; “supported”</p> <p>Deleted: “CHARLES GHANKAY TAYLOR”</p> <p>Deleted: “and did terrorize that population.”</p> <p>Deleted: “The AFRC/RUF also committed the crimes to punish the civilian population for allegedly supporting the elected government of President Ahmed Tejan Kabbah and factions aligned with that government, or for failing to provide sufficient support to the AFRC/RUF.”</p> <p>Added: “Revolutionary United Front (RUF), Armed Forces Revolutionary Council (AFRC), AFRC/RUF Junta or alliance, and/or Liberian fighters, including members and ex-members of the National Patriotic Front of Liberia (NPFL) (Liberian fighters), assisted”</p> <p>Added: “under the direction or control of,”</p> <p>Added: “the ACCUSED, burned civilian property, and”</p>
	<p>[New] Burning</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>54. <u>At all times relevant to this Indictment, AFRC/RUF engaged in widespread unlawful taking and destruction by burning of civilian property. This looting and burning included, but was not limited to, the following:</u></p>	<p>Copied from page 13 of Approved Indictment</p> <p>[Renumbered] 6. <u>Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED, engaged in widespread destruction of civilian property by burning, including the following:</u></p> <p>Deleted: “At all times relevant to this Indictment”</p> <p>Deleted: “unlawful taking and”; “of”; “This looting and burning included, but was not limited to,”</p> <p>Added: “Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC,”</p> <p>Added: “Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED,”</p> <p>Added: “including”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p><u>Bo District</u></p> <p>55. Between 1 June 1997 and 30 June 1997, AFRC/RUF forces looted and burned an unknown number of civilian houses in Telu, Sembahun, Mamboma and Tikonko;</p>	<p>Copied from page 13 of Approved Indictment</p> <p>Deleted</p>
<p><u>Kono District</u></p> <p>56. Between about <u>14 February 1998 and 30 June 1998</u>, <u>AFRC/RUF engaged in widespread looting and burning in various locations in the District, including Tombodu, Foindu and Yardu Sando, where virtually every home in the village was looted and burned;</u></p>	<p>Copied from page 13 of Approved Indictment</p> <p><u>Kono District</u></p> <p>[Renumbered] 7. Between about <u>1 February 1998 and about 31 December 1998</u>, in various locations, including <u>Koidu, Tombodu or Tumbodu, Sewafe or Njaima Sewafe, Wendedu and Bumpe;</u></p> <p>Deleted: “14”; “30 June 1998,”; “AFRC/RUF engaged in widespread looting and burning”</p> <p>Deleted: “in the District”; “Foindu and Yardu Sando, where virtually every home in the village was burned”</p> <p>Added: “1”; “about 31 December</p> <p>Added: “Koidu”; “or Tumbodu, Sewafe or Njaima Sewafe,</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	Wenedu and Bumpe”
<p><u>Bombali District</u></p> <p>57. Between 1 March 1998 and <u>30 June 1998</u>, AFRC/RUF <u>forces</u> burned an unknown number of civilian buildings in locations such as Karina;</p>	<p>copied from page 13 of Approved Indictment</p> <p>Deleted</p>
<p><u>Freetown</u></p> <p>58. Between <u>6 January 1999 and 31 January 1999</u>, AFRC/RUF forces engaged in widespread looting and burning throughout Freetown. <u>The majority of houses that were destroyed were in the areas of Kissy and eastern Freetown; other locations included the Fourah Bay, Upgun, State House and Pademba Road areas of the city.</u></p>	<p>copied from page 13 of Approved Indictment</p> <p><u>Freetown and Western Area</u></p> <p>[Renumbered] 8. Between <u>about 21 December 1998 and about 28 February 1999</u>, <u>in locations throughout Freetown, including Kissy and eastern Freetown and the Fourah Bay, Upgun, State House, Calaba Town, Kingtom and Pademba Road areas of the city, and Hastings, Goderich, Kent, Grafton, Wellington, Tumbo, Waterloo and Benguema in the Western Area.</u></p> <p>Deleted: “6 January 1999 and 31 January”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>Deleted: “AFRC/RUF forces engaged in widespread looting and burning”</p> <p>Deleted: “The majority of houses that were destroyed were in the areas of Kissy and eastern Freetown; other locations included the Fourah Bay, Upgun, State House and Pademba Road areas of the city.”</p> <p>Added: “<u>and Western Area</u>”; “about 21 December 1998 and about 28 February”; “in locations”</p> <p>Added: “including Kissy and eastern Freetown and the Fourah Bay, Upgun, State House, Calaba Town, Kingtom and Pademba Road areas of the city, and Hastings, Goderich, Kent, Grafton, Wellington, Tumbo, Waterloo and Benguema in the Western Area.”</p>
<u>COUNTS 3 – 5: UNLAWFUL KILLINGS</u>	<p>UNLAWFUL KILLINGS</p> <p>Deleted: <u>COUNTS 3 – 5:</u></p>
<u>By his acts or omissions in relation, but not limited to these</u>	[Renumbered] COUNT 2: Murder, a CRIME AGAINST

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:</p> <p><u>Count 3:</u> Extermination, a CRIME AGAINST HUMANITY, punishable under Article 2.b. of the Statute;</p> <p>In addition, or in the alternative:</p> <p><u>Count 4:</u> Murder, a CRIME AGAINST HUMANITY, punishable under Article 2.a. of the Statute;</p> <p>In addition, or in the alternative:</p> <p><u>Count 5:</u> Violence to life, health and physical or mental well-being of persons, in particular murder, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.a. of the Statute.</p>	<p>HUMANITY, punishable under Article 2.a. of the Statute;</p> <p>In addition, or in the alternative:</p> <p>[Renumbered] COUNT 3: Violence to life, health and physical or mental well-being of persons, in particular murder, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.a. of the Statute.</p> <p>Deleted: “By his acts or omissions in relation, but not limited to the below described events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:”</p> <p>Deleted: Count 3: Extermination, a CRIME AGAINST HUMANITY, punishable under Article 2.b. of the Statute;</p> <p>Deleted: “In addition, or in the alternative:”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	[New] PARTICULARS
<p>33. <u>Victims were routinely shot, hacked to death and burned to death. Unlawful killings included, but were not limited to, the following:</u></p>	<p>[Renumbered] 9. <u>Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED, throughout Sierra Leone, unlawfully killed an unknown number of civilians, including the following:</u></p> <p>Deleted: “Victims were routinely shot, hacked to death and burned to death. Unlawful killings included, but were not limited to,”</p> <p>Added: “Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED, throughout Sierra Leone,</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	unlawfully killed an unknown number of civilians, including”
<p><u>Bo District</u></p> <p>34. Between 1 June 1997 and 30 June 1997, AFRC/RUF attacked Tikonko, Telu, Sembahun, Gerihun and Mamboma, unlawfully killing an unknown number of civilians;</p>	<p>Deleted</p>
<p><u>Kenema District</u></p> <p>35. Between about 25 May 1997 and about <u>19 February</u> 1998, in locations including Kenema town, <u>members of AFRC/RUF unlawfully killed an unknown number of civilians;</u></p>	<p><u>Kenema District</u></p> <p>[Renumbered] 10. Between about 25 May 1997 and about <u>31 March</u> 1998, in <u>various</u> locations, including Kenema town <u>and the Tongo Fields area;</u></p> <p>Deleted: “19 February”</p> <p>Deleted: “members of AFRC/RUF unlawfully killed an unknown number of civilians”</p> <p>Added: “about 31 March”; “various”; “and the Tongo Fields area”</p>
<p><u>Kono District</u></p> <p>36. <u>About mid February 1998, AFRC/RUF fleeing from</u></p>	<p><u>Kono District</u></p> <p>[Renumbered] 11. Between about <u>1 February</u> 1998 and <u>about</u></p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>Freetown arrived in <u>Kono District</u>. Between about <u>14 February 1998</u> and <u>30 June 1998</u>, <u>members of AFRC/RUF</u> unlawfully <u>killed several hundred civilians</u> in various locations in <u>Kono District</u>, including <u>Koidu, Tombodu, Foindu, Willifeh, Mortema</u> and <u>Biaya</u>;</p>	<p><u>31 January 2000</u>, in various locations, including <u>Koidu, Tombodu or Tombodu, Koidu Geiya or Koidu Gieya, Koidu Buma, Yengema, Paema or Peyima, Bomboa fuidu, Bumpe, Nimikoro or Njaima Nimikoro and Mortema</u>;</p> <p>Deleted: “About mid February 1998, AFRC/RUF fleeing from Freetown arrived in Kono District.”</p> <p>Deleted: “14”; “30 June 1998 ”; “members of AFRC/RUF unlawfully killed several hundred civilians”</p> <p>Deleted: “in Kono District”; “Foindu, Willifeh”; “and Biaya ”</p> <p>Added: “1”; “about 31 January 2000 ”</p> <p>Added: “or Tombodu, Koidu Geiya or Koidu Gieya, Koidu Buma, Yengema, Paema or Peyima, Bomboa fuidu, Bumpe, Nimikoro or Njaima Nimikoro and ”</p>
<p><u>Bombali District</u></p> <p>37. Between about 1 May 1998 and 31 July 1998, in locations including Karina, members of AFRC/RUF unlawfully killed an</p>	<p>Deleted</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
unknown number of civilians;	
	<p>[New] <u>Kailahun District</u> 12. Between about 1 February 1998 and about 30 June 1998, in various locations, including Kailahun town;</p>
<p><u>Freetown</u> 38. Between <u>6 January 1999 and 31 January 1999</u>, <u>AFRC/RUF conducted armed attacks throughout the city of Freetown</u>. <u>These attacks included large scale unlawful killings of civilian men, women and children</u> at locations throughout <u>the city</u>, including the State House, <u>Parliament building, Connaught Hospital, and the Kissy, Fourah Bay, Ugun, Calaba Town and Tower Hill areas of the city.</u></p>	<p><u>Freetown and Western Area</u> [Renumbered] 13. Between <u>about 21 December 1998 and about 28 February 1999</u>, <u>in locations throughout Freetown</u>, including the State House, Kissy, Fourah Bay, Ugun, Calaba Town, <u>Allen Town</u> and Tower Hill areas of the city, <u>and Hastings, Wellington, Tumbo, Waterloo and Benguema in the Western Area.</u></p> <p>Deleted: “6 January 1999 and 31 January” Deleted: “AFRC/RUF conducted armed attacks throughout the city of Freetown. These attacks included large scale unlawful killings of civilian men, women and children at” Deleted: “the city,” Deleted: “Parliament building, Connaught Hospital, and the”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>Added: “<u>and Western Area</u>”</p> <p>Added: “about 21 December 1998 and about 28 February”</p> <p>Added: “in”; “Freetown”; “Allen Town”</p> <p>Added: “, and Hastings, Wellington, Tumbo, Waterloo and Benguema in the Western Area.”</p>
<u>COUNTS 6 – 8: SEXUAL VIOLENCE</u>	SEXUAL VIOLENCE
<p><u>By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:</u></p> <p>Count 6: Rape, a CRIME AGAINST HUMANITY, punishable under Article 2.g. of the Statute;</p> <p>And:</p> <p>Count 7: Sexual slavery and any other form of sexual violence, a CRIME AGAINST HUMANITY, punishable under Article 2.g.</p>	<p>Deleted: <u>COUNTS 6 - 8:</u></p> <p>[Renumbered] COUNT 4: Rape, a CRIME AGAINST HUMANITY, punishable under Article 2.g. of the Statute;</p> <p>And:</p> <p>[Renumbered] COUNT 5: Sexual slavery and any other form of sexual violence, a CRIME AGAINST HUMANITY, punishable under Article 2.g. of the Statute;</p> <p>In addition, or in the alternative:</p> <p>[Renumbered] COUNT 6: Outrages upon personal dignity, a VIOLATION OF ARTICLE 3 COMMON TO THE</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>of the Statute;</p> <p>In addition, or in the alternative:</p> <p>Count 8: Outrages upon personal dignity, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.e. of the Statute.</p>	<p>GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.e. of the Statute.</p> <p>Deleted: “By his acts or omissions in relation, but not limited to the below described events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:”</p>
<p>39. Widespread sexual violence committed against civilian women and girls <u>included brutal rapes, often by multiple rapists.</u> <u>Acts of sexual violence included, but were not limited to, the following:</u></p>	<p>[New] PARTICULARS</p> <p>[Renumbered] 14. <u>Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED, committed widespread acts of sexual violence against civilian women and girls, including the following:</u></p> <p>Deleted: “included brutal rapes, often by multiple rapists. Acts of sexual violence included, but were not limited to”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>Added: “Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED, committed”; “acts of”</p> <p>Added: “including”</p>
<p><u>Kono District</u></p> <p>40. Between about <u>14 February 1998</u> and <u>30 June 1998</u>, <u>members of AFRC/RUF</u> raped <u>hundreds</u> of women and girls at various locations <u>throughout the District</u>, including Koidu, Tombodu, <u>Kissi-town (or Kissi Town)</u>, <u>Foendor (or Foendu)</u>, <u>Tomendeh, Fokoiya, Wonedu</u> and <u>AFRC/RUF</u> camps such as <u>“Superman camp”</u> and <u>Kissi-town (or Kissi Town) camp</u>. An unknown number of women and girls <u>were abducted</u> from various locations within the District and used as sex slaves;</p>	<p><u>Kono District</u></p> <p>[Renumbered] 15. Between about <u>1 February 1998</u> and <u>about 31 December 1998</u>, raped <u>an unknown number</u> of women and girls at various locations, including Koidu, Tombodu <u>or Tumbodu</u>, Wonedu and <u>AFRC and/or RUF</u> camps such as <u>“Superman Ground”, “Guinea Highway” and “PC Ground”</u>; <u>abducted</u> an unknown number of women and girls from various locations within the District, <u>or brought them from locations outside the District</u>, and used <u>them</u> as sex slaves;</p> <p>Deleted: “14”; “30 June”; “members of AFRC/RUF”</p> <p>Deleted: “hundreds”; “throughout the District”;</p> <p>Deleted: “Kissi-town (or Kissi Town), Foendor (or Foendu), Tomendeh, Fokoiya,”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>Deleted: “AFRC/RUF”; “Superman camp” and Kissi-town (or Kissi Town) camp.” ; “were abducted”</p> <p>Added: “1”; “about 31 December”</p> <p>Added: “an unknown number”; “or Tumbodu”; “AFRC and/or RUF”</p> <p>Added: “`Superman Ground`, `Guinea Highway` and `PC Ground`; abducted”</p> <p>Added: “or brought from locations outside the District,”</p>
<p><u>Bombali District</u></p> <p>41. Between about 1 May 1998 and 31 July 1998, members of AFRC/RUF raped an unknown number of women and girls in locations such as Mandaha. In addition, an unknown number of abducted women and girls were used as sex slaves;</p>	<p>Deleted</p>
<p><u>Kailahun District</u></p> <p>42. <u>At all times relevant to this Indictment</u>, an unknown number of women and girls in <u>various locations in the District</u> <u>were subjected to sexual violence</u>. <u>Many of these victims were</u></p>	<p><u>Kailahun District</u></p> <p>[Renumbered] 16. <u>Between about 30 November 1996 and about 18 January 2002, raped</u> an unknown number of women and girls in locations <u>throughout Kailahun District; abducted many</u></p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>captured in other areas of the Republic of Sierra Leone, brought to <u>AFRC/RUF camps</u> in the District, and used as sex slaves;</p>	<p>victims from other areas of the Republic of Sierra Leone, brought them to <u>locations throughout</u> the District, and used <u>them</u> as sex slaves;</p> <p>Deleted: “At all times relevant to this Indictment,”</p> <p>Deleted: “various”; “in the”; “were subjected to sexual violence.”</p> <p>Deleted: “of these”; “were captured in”</p> <p>Deleted: “AFRC/RUF camps in ”</p> <p>Added: “Between about 30 November 1996 and about 18 January 2002, raped”</p> <p>Added: “throughout Kailahun”; “abducted”; “them”</p> <p>Added: “locations throughout”; “them”</p>
<p><u>Freetown</u></p> <p>43. Between <u>6 January 1999</u> and <u>31 January 1999</u>, members of <u>AFRC/RUF</u> raped <u>hundreds</u> of women and girls throughout <u>the Freetown area</u>, and abducted <u>hundreds</u> of women and girls and used them as sex slaves.</p>	<p><u>Freetown and Western Area</u></p> <p>[Renumbered] 17. Between <u>about 21 December 1998</u> and <u>about 28 February 1999</u>, raped <u>an unknown number</u> of women and girls throughout <u>Freetown and the Western area</u>, and abducted <u>an unknown number</u> of women and girls and used them as sex slaves.</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>Deleted: “6 January 1999 and 31 January”; “members of AFRC/RUF “; “hundreds”; “the Freetown area”; “hundreds”</p> <p>Added: “<u>and Western Area</u>”</p> <p>Added: “about 21 December 1998 and about 28 February”</p> <p>Added: “an unknown number”; “Freetown and the Western Area,”; “an unknown number”</p>
<u>COUNTS 9 – 10: PHYSICAL VIOLENCE</u>	PHYSICAL VIOLENCE
<p><u>By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:</u></p> <p><u>Count 9:</u> Violence to life, health and physical or mental well-being of persons, in particular cruel treatment, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.a. of the Statute;</p>	<p>Deleted: <u>COUNTS 9 – 10:</u></p> <p>[Renumbered] COUNT 7: Violence to life, health and physical or mental well-being of persons, in particular cruel treatment, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.a. of the Statute;</p> <p>In addition, or in the alternative:</p> <p>[Renumbered] COUNT 8: Other inhumane acts, a CRIME AGAINST HUMANITY, punishable under Article 2.i. of the Statute.</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>In addition, or in the alternative:</p> <p>Count 10: Other inhumane acts, a CRIME AGAINST HUMANITY, punishable under Article 2.i. of the Statute.</p>	<p>Deleted: “By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:”</p>
<p>44. <u>Widespread physical violence, including mutilations, was committed against civilians. Victims were often brought to a central location where mutilations were carried out. These acts of physical violence included, but were not limited to, the following:</u></p>	<p>[New] PARTICULARS</p> <p>[Renumbered] 18. <u>Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED, committed widespread acts of physical violence against civilians, including the following:</u></p> <p>Deleted: “Widespread physical violence, including mutilations, was committed against civilians. Victims were often brought to a central location where mutilations were carried out. These acts of physical violence included, but were not limited to,”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>Added: “Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED, committed widespread acts of physical violence against civilians, including”</p>
<p><u>Kono District</u></p> <p>45. Between about <u>14 February 1998</u> and <u>30 June 1998</u>, <u>AFRC/RUF</u> mutilated an unknown number of civilians in various locations <u>in the District</u>, including Tombodu, Kaima (or Kayima) and Wonedu. The mutilations included cutting off limbs and carving “AFRC” and “RUF” on the bodies of the civilians;</p>	<p><u>Kono District</u></p> <p>[Renumbered] 19. Between about <u>1 February 1998</u> and <u>about 31 December 1998</u>, mutilated <u>and beat</u> an unknown number of civilians in various locations, including Tombodu <u>or Tumbodu</u>, Kaima or Kayima and Wonedu. The mutilations included cutting off limbs <u>and other body parts</u> and carving “AFRC” and “RUF” on the bodies of the civilians;</p> <p>Deleted: “14”; “30 June”; “AFRC/RUF”; “in the District”</p> <p>Added: “1”; “about 31 December” ; “and beat”; “or Tumbodu”; “and other body parts”</p>
	<p>New</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p><u>Kailahun District</u></p> <p>20. Between about 30 November 1996 and about 18 January 2002, beat an unknown number of civilians in locations throughout the District;</p>
<p><u>Freetown</u></p> <p>46. Between 6 January 1999 and 31 January 1999, <u>AFRC/RUF</u> mutilated an unknown number of <u>civilian men, women and children</u> in various areas of Freetown, including the northern and eastern areas of the city, <u>and</u> the Kissy area, <u>including</u> the Kissy mental hospital. The mutilations included cutting off limbs.</p>	<p><u>Freetown and Western Area</u></p> <p>[Renumbered] 21. Between <u>about 21 December 1998 and about 28 February 1999</u>, mutilated <u>and beat</u> an unknown number of <u>civilians</u> in various areas of Freetown, including the northern and eastern areas of the city, the Kissy area <u>around the State House, Fourah Bay, Upgun and</u> the Kissy mental hospital, <u>and</u> <u>Hastings, Wellington, Tumbo, Waterloo and Benguema in the Western Area</u>. The mutilations included cutting off limbs.</p> <p>Deleted: “6 January 1999 and 31 January”; “AFRC/RUF”</p> <p>Deleted: “civilian men, women and children”</p> <p>Deleted: “and” ; “including”</p> <p>Added: “about 21 December 1998 and about 28 February”</p> <p>Added: “and beat” ; “civilians”</p> <p>Added: “around the State House, Fourah Bay, Upgun and”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	Added: “and Hastings, Wellington, Tumbo, Waterloo and Benguema in the Western Area.”
<u>COUNT 11: USE OF CHILD SOLDIERS</u>	CHILD SOLDIERS
<p><u>By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:</u></p> <p><u>Count 11:</u> Conscripting or enlisting children under the age of 15 years into armed forces or groups, or using them to participate actively in hostilities, an OTHER SERIOUS VIOLATION OF INTERNATIONAL HUMANITARIAN LAW, punishable under Article 4.c. of the Statute.</p>	<p>Deleted: <u>COUNT 11: USE OF</u> [Renumbered] COUNT 9: Conscripting or enlisting children under the age of 15 years into armed forces or groups, or using them to participate actively in hostilities, an OTHER SERIOUS VIOLATION OF INTERNATIONAL HUMANITARIAN LAW, punishable under Article 4.c. of the Statute.</p> <p>Deleted: “By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:”</p>
	[New] PARTICULARS
<p>47. <u>At all times relevant to this Indictment, throughout the Republic of Sierra Leone, AFRC/RUF routinely conscripted, enlisted and/or used boys and girls under the age of 15 to</u></p>	<p>[Renumbered] 22. <u>Between about 30 November 1996 and about 18 January 2002, throughout the Republic of Sierra Leone, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or</u></p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>participate in active hostilities. Many of these children were first abducted, then trained in <u>AFRC/RUF</u> camps in various locations throughout the country, and thereafter used as fighters</p>	<p><u>Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED</u>, routinely conscripted, enlisted and/or used boys and girls under the age of 15 to participate in active hostilities. Many of these children were first abducted, then trained in <u>AFRC and/or RUF</u> camps in various locations throughout the country, and thereafter used as fighters.</p> <p>Deleted: “At all times relevant to this Indictment”; “AFRC/RUF”</p> <p>Added: “Between about 30 November 1996 and about 18 January 2002”</p> <p>Added: “members of RUF, AFRC”; “Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED,”</p> <p>Added: “AFRC and/or RUF”</p>
<p><u>COUNT 12: ABDUCTIONS AND FORCED LABOUR</u></p>	<p>ABDUCTIONS AND FORCED LABOUR</p> <p>Deleted: <u>COUNT 12</u></p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p><u>By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:</u></p> <p>Count 12: Enslavement, a CRIME AGAINST HUMANITY, punishable under Article 2.c. of the Statute.</p>	<p>[Renumbered] COUNT 10: Enslavement, a CRIME AGAINST HUMANITY, punishable under Article 2.c. of the Statute.</p> <p>Deleted: “By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:”</p>
<p>48. <u>At all times relevant to this Indictment, AFRC/RUF engaged in widespread and large scale abductions of civilians and use of civilians as forced labour. Forced labour included domestic labour and use as diamond miners. The abductions and forced labour included, but were not limited to, the following:</u></p>	<p>[New] PARTICULARS</p> <p>[Renumbered] 23. <u>Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED, engaged in widespread and large scale abductions of civilians and use of civilians as forced labour, including the following:</u></p> <p>Deleted: “At all times relevant to this Indictment”</p> <p>Deleted: “Forced labour included domestic labour and use as diamond miners. The abductions and forced labour included, but</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>were not limited to,”</p> <p>Added: “Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, ”</p> <p>Added: “Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED,” ; “including”</p>
<p><u>Kenema District</u></p> <p>49. Between about <u>1 August</u> 1997 and about <u>31 January</u> 1998, <u>AFRC/RUF forced</u> an unknown number of civilians living in the District <u>to mine for diamonds at Cyborg Pit in Tongo Field</u>;</p>	<p><u>Kenema District</u></p> <p>[Renumbered] 24. Between about <u>1 July</u> 1997 and about <u>28 February</u> 1998, used an unknown number of civilians living in the District <u>as forced labor in various locations such as the Tongo Fields area</u>;</p> <p>Deleted: “1 August”; “31 January”</p> <p>Deleted: “AFRC/RUF forced”; “to mine for diamonds at Cyborg Pit in”</p> <p>Added: “1 July”; “28 February” ; “used”</p> <p>Added: “used”; “as forced labor in various locations such as</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	the”; “Fields area”
<p><u>Kono District</u></p> <p>50. Between about <u>14 February 1998</u> and <u>30 June 1998</u>, <u>AFRC/RUF forces</u> abducted <u>hundreds of civilian men, women and children</u>, and took them to various locations outside the District, or to locations within the District such as <u>AFRC/RUF camps, Tombodu, Koidu, Wonedu, Tomendeh</u>. At these <u>locations the civilians were used as forced labour, including domestic labour and as diamond miners in the Tombodu area;</u></p>	<p><u>Kono District</u></p> <p>[Renumbered] 25. Between about <u>1 February 1998</u> and <u>about 18 January 2002</u>, abducted <u>an unknown number of civilians</u>, and took them to various locations outside the District, or to locations within the District such as <u>AFRC and/or RUF camps, Tombodu or Tumbodu, Koidu and Wonedu</u>, <u>and used them</u> as forced labour;</p> <p>Deleted: “14”; “30 June 1998”; “AFRC/RUF forces”</p> <p>Deleted: “hundreds”; “civilian men, women and children”</p> <p>Deleted: “AFRC/RUF”; “Tomendeh. At these locations the civilians were”</p> <p>Deleted: “including domestic labour and as diamond miners in the Tombodu area”</p> <p>Added: “1”; “about 18 January 2002”</p> <p>Added: “an unknown number”; “civilians”; “AFRC and/or RUF”; “or Tumbodu”; “and used them”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p><u>Bombali District</u></p> <p>51. Between about 1 May 1998 and <u>31 July 1998</u>, in Bombali District, AFRC/RUF abducted an unknown number of civilians and used them as forced labour;</p>	<p>Deleted</p>
<p><u>Kailahun District</u></p> <p>52. <u>At all times relevant to this Indictment, captured civilian men, women and children were brought</u> to various locations within the District and used as forced labour;</p>	<p><u>Kailahun District</u></p> <p>[Renumbered] 26. <u>Between about 30 November 1996 and about 18 January 2002, brought abducted civilian men, women and children to various locations within the District and used them and residents of the District as forced labour;</u></p> <p>Deleted: “At all times relevant to this Indictment, captured”; “were brought”</p> <p>Added: “Between about 30 November 1996 and about 18 January 2002, brought abducted”; “them and residents of the District”</p>
<p><u>Freetown</u></p> <p>53. Between <u>6 January 1999 and 31 January 1999</u>, in particular as the AFRC/RUF were being driven out of Freetown, the</p>	<p><u>Freetown and Western Area</u></p> <p>[Renumbered] 27. Between <u>about 21 December 1998 and about 28 February 1999</u>, abducted <u>an unknown number of</u></p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>AFRC/RUF abducted <u>hundreds</u> of civilians, including a large number of children, from <u>various areas within</u> Freetown, <u>including Peacock Farm and Calaba Town</u>. <u>These abducted civilians were used as forced labour</u>.</p>	<p>civilians, including a large number of children, from <u>locations throughout</u> Freetown <u>and the Western Area</u>, and <u>used them</u> as forced labour.</p> <p>Deleted: “6 January 1999 and 31 January”;</p> <p>Deleted: “in particular as the AFRC/RUF were being driven out of Freetown, the AFRC/RUF”;</p> <p>Deleted: “hundreds”; “various areas within”</p> <p>Deleted: “including Peacock Farm and Calaba Town.”</p> <p>Deleted: “These abducted civilians were”</p> <p>Added: “<u>and Western Area</u>”; “about 21 December 1998 and about 28 February”</p> <p>Added: “an unknown number”; “locations throughout”; “and the Western area, and”; “them”</p>
<p><u>COUNT 13: LOOTING AND BURNING</u></p>	<p>LOOTING</p> <p>Deleted: “<u>COUNT 13</u>”</p> <p>Deleted: “<u>AND BURNING</u>”</p>
<p>By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article</p>	<p>Moved from page 14 of Approved Indictment</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:</p> <p>Count 13: Pillage, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.f. of the Statute.</p>	<p>[Renumbered] COUNT 11: Pillage, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.f. of the Statute.</p> <p>Deleted: “By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:”</p>
<p>54. <u>At all times relevant to this Indictment, AFRC/RUF engaged in widespread unlawful taking and destruction by burning of civilian property. This looting and burning included, but was not limited to, the following:</u></p>	<p>[New] PARTICULARS</p> <p>[Renumbered] 28. <u>Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC, AFRC/RUF Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED, engaged in widespread unlawful taking of civilian property, including the following:</u></p> <p>Deleted: “At all times relevant to this Indictment”</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
	<p>Deleted: “and destruction by burning”;</p> <p>Deleted: “This looting and burning included, but was not limited to,”</p> <p>Added: “Between about 30 November 1996 and about 18 January 2002, members of RUF, AFRC,”</p> <p>Added: “Junta or alliance, and/or Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and/or control of, and/or subordinate to the ACCUSED,”; “including”</p>
<p><u>Bo District</u></p> <p>55. Between 1 June 1997 and 30 June 1997, AFRC/RUF forces looted and burned an unknown number of civilian houses in Telu, Sembahun, Mamboma and Tikonko;</p>	<p>Deleted</p>
<p><u>Kono District</u></p> <p>56. Between about <u>14 February 1998</u> and <u>30 June 1998</u>, <u>AFRC/RUF engaged in widespread looting and burning in various locations in the District, including Tombodu, Foindu and Yardu Sando, where virtually every home in the village was</u></p>	<p><u>Kono District</u></p> <p>[Renumbered] 29. Between about <u>1 February 1998</u> and <u>about 31 December 1998</u>, in various locations, including <u>Koidu, Tombodu or Tumbodu and Bumpe</u>;</p> <p>Deleted: “14”; “30 June”; “AFRC/RUF engaged in widespread</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p><u>looted and burned;</u></p>	<p>looting and burning”; “in the District”</p> <p>Deleted: “Foindu and Yardu Sando, where virtually every home in the village was looted and burned.”</p> <p>Added: “1”; “about 31 December”; “Koidu”; “or Tumbodu and Bumpe”</p>
<p><u>Bombali District</u></p> <p>57. Between <u>1 March 1998</u> and <u>30 June 1998</u>, <u>AFRC/RUF forces burned an unknown number of civilian buildings in locations such as Karina;</u></p>	<p><u>Bombali District</u> [Renumbered] 30. Between <u>about 1 February 1998</u> and <u>about 30 April 1998</u>, <u>in various locations, including Masiaka and Makeni;”</u></p> <p>Deleted: “1 March”; “30 June”</p> <p>Deleted: “AFRC/RUF forces burned an unknown number of civilian buildings in locations such as Karina”</p> <p>Added: “about 1 February”; “about 30 April”</p> <p>Added: “in various locations, including Masiaka and Makeni;”</p>
<p><u>Freetown</u></p> <p>58. Between <u>6 January 1999</u> and <u>31 January 1999</u>, <u>AFRC/RUF</u></p>	<p><u>Freetown and Western Area</u> [Renumbered] 31. Between <u>about 21 December 1998</u> and</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p><u>forces engaged in widespread looting and burning throughout Freetown. The majority of houses that were destroyed were in the areas of Kissy and eastern Freetown; other locations included the Fourah Bay, Upgun, State House and Pademba Road areas of the city.</u></p>	<p><u>about 28 February 1999, throughout Freetown and the Western Area.</u></p> <p>Deleted: “6 January 1999 and 31 January”; “AFRC/RUF engaged in widespread looting and burning”</p> <p>Deleted: “The majority of houses that were destroyed were in the areas of Kissy and eastern Freetown; other locations included the Fourah Bay, Upgun, State House and Pademba Road areas of the city.”</p> <p>Added: “<u>and Western Area</u>”; “about 21 December 1998 and about 28 February”; “and the Western Area.”</p>
<p><u>COUNTS 14 – 17: ATTACKS ON UNAMSIL PERSONNEL</u></p>	<p>Deleted</p>
<p>59. Between about 15 April 2000 and about 15 September 2000, AFRC/RUF engaged in widespread attacks against UNAMSIL peacekeepers and humanitarian assistance workers within the Republic of Sierra Leone, including, but not limited to locations within Bombali, Kailahun, Kambia, Port Loko, and</p>	<p>Deleted</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>Kono Districts. These attacks included unlawful killing of UNAMSIL peacekeepers, and abducting hundreds of peacekeepers and humanitarian assistance workers who were then held hostage.</p>	
<p>By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:</p> <p>Count 14: Intentionally directing attacks against personnel involved in a humanitarian assistance or peacekeeping mission, an OTHER SERIOUS VIOLATION OF INTERNATIONAL HUMANITARIAN LAW, punishable under Article 4.b. of the Statute;</p> <p>In addition, or in the alternative:</p> <p>Count 15: For the unlawful killings, Murder, a CRIME AGAINST HUMANITY, punishable under Article 2.a. of the Statute;</p>	<p>Deleted</p>

<i>APPROVED INDICTMENT</i>	<i>PROPOSED AMENDED INDICTMENT</i>
<p>In addition, or in the alternative:</p> <p>Count 16: Violence to life, health and physical or mental well-being of persons, in particular murder, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.a. of the Statute;</p> <p>In addition, or in the alternative:</p> <p>Count 17: For the abductions and holding as hostage, Taking of hostages, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.c. of the Statute.</p>	

Prosecution Index of Attachments
Attachment C

Case Summary Accompanying the Proposed Amended Indictment

THE SPECIAL COURT FOR SIERRA LEONE

CASE NO. SCSL – 2003 – 01 – I

THE PROSECUTOR**Against**

**CHARLES GHANKAY TAYLOR also known as
DANKPANNAH CHARLES GHANKAY TAYLOR also known as
DANKPANNAH CHARLES GHANKAY MACARTHUR TAYLOR**

CASE SUMMARY ACCOMPANYING THE AMENDED INDICTMENT

The Prosecution evidence, including expert witnesses, witnesses of fact and documentary evidence, will prove the following allegations:

THE ACCUSED

1. In the late 1980's the **ACCUSED** received military training in Libya from representatives of the Government of MU'AMMAR AL-QADHAFI. While in Libya the **ACCUSED** met FODAY SAYBANA SANKOH. The two made common cause to assist each other in taking power in their respective countries.
2. While in Libya, the **ACCUSED** formed or joined the National Patriotic Front of Liberia (NPFL), and became the leader or head of that organized armed group.
3. In December 1989 the NPFL, led by the **ACCUSED**, began conducting organized armed attacks in Liberia. The **ACCUSED** and the NPFL were assisted in these attacks by FODAY SAYBANA SANKOH and his followers.

CHARGES

Contextual Elements

4. Paragraphs 1 through 3 are incorporated by reference herein.
5. All offences alleged within the Amended Indictment were committed within the territory of Sierra Leone after 30 November 1996.
6. Between 30 November 1996 and about 18 January 2002, a state of armed conflict existed within Sierra Leone. For the purposes of the Amended Indictment, organized armed factions involved in this conflict included the Civil Defence Forces (CDF), the Revolutionary United Front (RUF), and the Armed Forces Revolutionary Council (AFRC). From the beginning of, and throughout the conflict, Liberian fighters, including members and ex-members of the NPFL (Liberian fighters), under the **ACCUSED's** control and/or operating in Sierra Leone with the **ACCUSED's** approval and assistance, also participated in this conflict, fighting as part of or alongside members of the RUF, and, later, the AFRC, AFRC/RUF Junta or alliance.
7. The CDF was comprised of Sierra Leonean traditional hunters, including the Kamajors, Gbethis, Kapras, Tamaboros and Donsos. The CDF fought against the RUF and, later, against the AFRC.
8. The organized armed group that became known as the RUF, led by FODAY SAYBANA SANKOH aka POPAY aka PAPA aka PA, was founded about 1988 or 1989 in Libya. The RUF, under the leadership of FODAY SAYBANA SANKOH, and with the assistance of Liberian fighters, began organized armed operations in Sierra Leone in March 1991. During the ensuing armed conflict, the RUF forces were also referred to as "RUF", "rebels" and "People's Army". Initially the RUF fought against the Republic of Sierra Leone Military Forces, commonly known as the Sierra Leone Army or SLA.

9. Although a peace accord was signed on 30 November 1996, in Abidjan, Ivory Coast, between FODAY SAYBANA SANKOH and President Kabbah, active hostilities recommenced after a temporary lull in the fighting.
10. The armed group known as the AFRC was created via a coup d'état by members of the SLA on 25 May 1997. On that date the members of the coup seized power from the elected government of the Republic of Sierra Leone. JOHNNY PAUL KOROMA aka JPK became the leader and Chairman of the AFRC. Soldiers of the SLA comprised the majority of the AFRC membership. The AFRC forces were also referred to as "Junta", "soldiers", "SLA", and "ex-SLA".
11. Shortly after the AFRC seized power, at the invitation of JOHNNY PAUL KOROMA, and upon the order of FODAY SAYBANA SANKOH, the RUF joined with the AFRC. The AFRC and the RUF acted together thereafter. The AFRC/RUF Junta forces (Junta) were also referred to as "Junta", "rebels", "soldiers", "SLA", "ex-SLA" and "People's Army". The two armed factions now fought together against the CDF, SLAs loyal to the elected government, and any other force that fought against the AFRC/RUF Junta or alliance.
12. After the 25 May 1997 coup d'état, a governing body called the Supreme Council was created within the Junta. The governing body included leaders of both the AFRC and the RUF.
13. The Junta was forced from power by forces acting on behalf of the ousted government of President Kabbah about 14 February 1998. President Kabbah's government returned in March 1998. After the Junta was removed from power the AFRC/RUF alliance continued.
14. On 7 July 1999, in Lomé, Togo, FODAY SAYBANA SANKOH and President Kabbah signed a peace agreement. However, active hostilities continued.
15. The **ACCUSED** and all members of the organized armed factions engaged in fighting within Sierra Leone, including the Liberian fighters, were required to abide by International Humanitarian Law and the laws and customs governing the conduct of

armed conflicts, including the Geneva Conventions of 12 August 1949, to which the Republic of Sierra Leone succeeded on 10 June 1965, and the Republic of Liberia acceded on 29 March 1954 and Additional Protocol II to the Geneva Conventions, to which the Republic of Sierra Leone acceded on 21 October 1986, and the Republic of Liberia acceded on 30 June 1988.

16. The armed conflict continued within the territory of Sierra Leone until about 18 January 2002, when Ahmed Tejan Kabbah, President of the Republic of Sierra Leone, announced an end to the hostilities.
17. A nexus existed between the armed conflict and all acts or omissions charged herein as Violations of Article 3 common to the Geneva Conventions and of Additional Protocol II and as Other Serious Violations of International Humanitarian Law.
18. All acts and omissions charged in the Amended Indictment as Crimes Against Humanity were committed as part of a widespread or systematic attack directed against the civilian population of Sierra Leone.
19. The victims of the crimes alleged in the Amended Indictment were civilians. In the Amended Indictment, the words “civilian(s)” or “civilian population” refer to persons who took no active part in the hostilities, or who were no longer taking an active part in the hostilities.

Enumerated crimes and serious violations

20. The Prosecution relies primarily on the particulars set forth in the Amended Indictment in respect of the alleged enumerated crimes and serious violations set forth therein.
21. Between about 30 November 1996 and about 18 January 2002, members of the RUF, AFRC, Junta and/or the AFRC/RUF alliance, and Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and control of, and/or subordinate to the **ACCUSED**, committed the crimes alleged in the Amended Indictment. During that time period, members of these organized armed groups

conducted widespread or systematic armed attacks throughout the territory of the Republic of Sierra Leone, including Kono, Kenema, Bombali and Kailahun Districts, Freetown and the Western area. The attacks were directed against the civilian population, and the victims of the armed attacks were civilian men, women and children.

Acts of Terror

22. The primary objective of the attacks was to terrorize the civilian population of Sierra Leone. Acts of terror included large scale burning of civilian homes and other civilian property, unlawful killings, sexual and physical violence, use of child soldiers and widescale looting. Many civilians saw these crimes committed; others returned to their homes or places of refuge to find the results of these crimes – dead bodies, savaged or mutilated victims and looted and burned property.
23. Also as part of the campaign of terror, members of the civilian population were routinely captured and abducted. These captives were typically subjected to sexual and physical violence; most, if not all, who survived capture were used as forced labor. Many males, and some females, were forced to become fighters in the armed groups to which their captors belonged. Men and boys who were abducted were also used as forced labour.

Unlawful Killings

24. Members of the RUF, AFRC, AFRC/RUF Junta or alliance and Liberian fighters, assisted and encouraged by, acting in concert with, under the direction and control of, and/or subordinate to the **ACCUSED**, engaged in widescale unlawful killing of civilians throughout Sierra Leone. Civilians were shot, burned in their homes, hacked to death, and killed either while trying to escape from attacks on their homes, or from their captors. Some victims died as a result of the sexual or physical violence to which they were subjected, while others died in the performance of forced labor.

Sexual Violence

25. Women and girls were subjected to widespread acts of sexual violence. Such violence included brutal rapes, often by multiple rapists. Captured women and girls were routinely raped; many of them were held for years, and forced to provide sexual gratification to their captors in addition to being forced to perform domestic duties and other manual labor.

Physical Violence

26. Physical violence was widespread and often carried out in public places. Civilians were forced to watch as others were violently attacked and mutilated; many of those forced spectators were then similarly attacked and mutilated. Civilians, in particular young men who tried to escape from their RUF, AFRC, AFRC Junta or alliance, or Liberian captors, were often mutilated by having “RUF” and “AFRC” carved on their bodies.

Child Soldiers

27. The conflict in Sierra Leone was marked at all stages by the presence of children, especially young boys, under the age of 15 in the ranks of the RUF, AFRC, AFRC Junta or alliance and Liberian fighters. Such children were enlisted or conscripted and forced to participate actively in hostilities. These children had generally been seized from their families and were unable or too frightened to escape from their captors. Military training was often given to these children and they were taught to handle and fire weapons, to lay ambushes and evade detection. Such was the prevalence of child soldiers during the conflict that some units were specifically designated for young boys such as the Small Boys Unit or “SBU”.

Abductions and Forced Labor

28. Throughout Sierra Leone civilians were routinely abducted and forced to perform a variety of forced labor, including carrying goods, ammunition and weapons, performing domestic work, going on food-finding missions, performing agricultural

duties and mining for diamonds. They did so under threat of physical harm or death, and often at gun point. Those forced to work were often physically abused, or in some instances killed, if they were unable to carry out the duties assigned them. The conditions of life for those forced to carry out this labor were often very difficult, and such individuals were generally deprived of adequate food, shelter and medical care. Civilians who attempted escape were punished, often brutally, or killed. In some cases, civilians were held for years.

Looting

29. Widespread looting formed a key element of the hostile activities engaged in by members of the RUF, the AFRC and the AFRC Junta or alliance and Liberian fighters. Civilian properties were routinely looted for items such as jewellery and other valuables, money and clothes.

INDIVIDUAL CRIMINAL RESPONSIBILITY

30. From the beginning of, and throughout, the conflict in Sierra Leone, the **ACCUSED** provided the RUF with assistance, encouragement and direction. Prior to the initial attacks into Sierra Leone, the **ACCUSED** provided military training, financial support, arms and ammunition, and safe havens to FODAY SAYBANA SANKOH and his organized group. The **ACCUSED** provided personnel for the initial attacks into Sierra Leone which began the armed conflict in that country.
31. Throughout the armed conflict in Sierra Leone, the **ACCUSED**'s positions as leader or head of the NPFL and President of Liberia, combined with his close association with FODAY SAYBANA SANKOH and other senior leaders of the RUF and AFRC, AFRC/RUF Junta or alliance, provided the **ACCUSED** with the authority and the means to participate in the crimes alleged in the Amended Indictment.
32. The **ACCUSED**'s participation in the crimes alleged in the Amended Indictment took a variety of forms – planning, instigating, ordering, committing, otherwise aiding and abetting in the commission of the alleged crimes, and participating in a common plan, design or purpose.

33. In addition, or in the alternative, the **ACCUSED** incurs criminal responsibility for the alleged crimes because, as the superior of the perpetrators, he failed to take the necessary and reasonable measures to prevent or punish the crimes of which he had actual knowledge or of which he had reason to know.

Planning

34. The **ACCUSED**, individually, or participating with his direct subordinates and/or high level leaders of the RUF, AFRC and AFRC/RUF Junta or alliance, planned armed operations in Sierra Leone which were themselves crimes or involved the commission of crimes alleged in the Amended Indictment.

Instigating

35. Throughout the armed conflict, the **ACCUSED** encouraged the actions of the RUF, AFRC, AFRC/RUF Junta or alliance, and Liberian fighters, thereby prompting the perpetrators to commit the crimes alleged in the Amended Indictment.

Ordering

36. Through his positions set out in paragraph 31 above, and his close association with FODAY SAYBANA SANKOH and other senior leaders of RUF and AFRC, AFRC/RUF Junta or alliance, the **ACCUSED**, individually, or in concert with those senior leaders, exercised *de jure* and/or *de facto* control over the perpetrators of the crimes alleged in the Amended Indictment. He exercised *de facto* control, individually, or in concert with FODAY SAYBANA SANKOH and other high level superiors in the RUF, AFRC and AFRC/RUF Junta or alliance, through those senior leaders and/or intermediate level superiors within those armed groups. The **ACCUSED** exercised *de jure* and/or *de facto* control directly over Liberian fighters, or through intermediate superiors of those fighters.
37. The **ACCUSED** provided instruction, direction and guidance involving the commission of crimes alleged in the Amended Indictment directly to, and through, senior and/or intermediate level commanders within the RUF, AFRC, AFRC/RUF

Junta or alliance, and directly to, or through intermediate level superiors of Liberian fighters.

38. Senior level RUF leaders to whom and through whom the **ACCUSED** gave instruction, direction and guidance included FODAY SAYBANA SANKOH, SAM BOCKARIE aka MOSQUITO aka MASKITA and ISSA HASSAN SESAY. The **ACCUSED** provided such instruction guidance and direction to the AFRC through the shared AFRC/RUF leadership, which included the high level RUF commanders named above, and TAMBA ALEX BRIMA aka GULLIT and BRIMA BAZZY KAMARA aka BAZZY.

Committing

39. The **ACCUSED** committed the crimes alleged in the Amended Indictment in the sense of being a co-perpetrator of those crimes, in that, while not physically perpetrating the crimes, the **ACCUSED** shared the intent to commit the crimes and participated in the common plan, design or purpose which amounted to or involved commission of those crimes.

Aiding and abetting

40. Between about 30 November 1996 and about 18 January 2002, the **ACCUSED** assisted in the commission of the alleged crimes by providing various forms of support. Such support included the provision of: military training, both in Liberia and Sierra Leone; facilities in Liberia; safe havens in Liberia; personnel drawn from the NPFL, other organized armed groups within Liberia and from the Liberian population in general; arms and associated materiel such as ammunition; communications equipment including satellite phones; and other supplies such as food, uniforms and petrol. To ensure the timely and safe delivery of this support to the RUF, AFRC, AFRC/RUF Junta or alliance and to the Liberian fighters in Sierra Leone, the **ACCUSED** also provided Liberian escorts and vehicles.
41. The essential support set out above provided practical assistance, encouragement and/or moral support to the RUF, AFRC, AFRC/RUF Junta or alliance and Liberian

fighters in carrying out the crimes alleged in the Amended Indictment, and had a substantial effect on the commission of those crimes, and/or furthered the common plan, design or purpose in which the participants included the leadership and members of the RUF, AFRC, AFRC/RUF Junta or alliance and Liberian fighters.

Participation in a common plan, design or purpose

42. This shared common plan, design or purpose was to take any actions necessary to gain and exercise political power and political and physical control over the territory of Sierra Leone, in particular the diamond mining areas. The natural resources of Sierra Leone, in particular the diamonds, were to be provided primarily to the **ACCUSED** and other persons outside Sierra Leone.
43. The common plan, design or purpose included taking any actions necessary to gain and exercise physical and political control over the population of Sierra Leone in order to prevent or minimize resistance to their geographic control, and to use members of the population to provide support to those persons engaged in achieving the objectives of the common plan, design or purpose. This common plan, design or purpose amounted to, or involved the commission of, the crimes alleged in the Amended Indictment. The alleged crimes, amounting to or involved within the common plan, design or purpose, were either intended by the **ACCUSED**, or were a reasonably foreseeable consequence of the common plan, design or purpose.
44. The **ACCUSED** participated in this common plan, design or purpose as part of his continuing efforts to gain access to the mineral wealth of Sierra Leone, in particular diamonds, to destabilize the Government of Sierra Leone in order to facilitate access to such mineral wealth and to install a government in Sierra Leone that would be well disposed toward, and supportive of, the **ACCUSED's** interests and objectives in Liberia and the region.

Intent and knowledge

45. The **ACCUSED** intended the commission of the crimes alleged in the Amended Indictment, or acted with reckless indifference toward the possibility that such crimes

would be committed, and/or had knowledge of the commission of these crimes or the likelihood that such crimes would be committed.

46. The **ACCUSED** had knowledge of the crimes committed, or the probability that such crimes would be committed, through a variety of sources – communications via radios, satellite phones, personal visits from leaders of RUF, AFRC, AFRC/RUF Junta or alliance, contacts between the **ACCUSED**'s representatives and RUF, AFRC, AFRC/RUF Junta or alliance leaders, reports from his agents in Sierra Leone, documentary evidence of the commission of crimes alleged in the Amended Indictment from the media and international organizations and through representations made to the **ACCUSED** by representatives of the UN and of national governments. The **ACCUSED** also had this knowledge by virtue of the fact that many of these crimes paralleled the crimes committed against civilians in Liberia and Sierra Leone by members of his own organization, the NPFL, members and former members of which were fighting with or alongside the RUF, AFRC, AFRC/RUF Junta or alliance, under the direction of, or with the approval and support of, the **ACCUSED**.

47. For the above reasons, the **ACCUSED** knew or had reason to know the crimes alleged in the Amended Indictment had been committed or were about to be committed by persons subordinate to him. The **ACCUSED** did not take steps to prevent or punish these crimes.

Superior Authority

48. As alleged in paragraphs 33, 36, 46 – 47 above, the **ACCUSED**, individually or in concert with leaders of the RUF, AFRC, AFRC/RUF Junta or alliance and intermediate leaders of the Liberian fighters, exercised *de jure* and/or *de facto* control over the participants of the perpetrators of the crimes alleged in this Amended Indictment. The **ACCUSED** knew or had reason to know these subordinates were

about to commit these continuing crimes, or had done so, and failed to take reasonable and necessary steps to prevent or punish the perpetrators.

Dated this 6th day of March 2006

Freetown, Sierra Leone