

TRIAL CHAMBER I (“The Chamber”) of the Special Court for Sierra Leone (“Special Court”) composed of Hon. Justice Bankole Thompson, Presiding Judge, Hon. Justice Pierre Boutet and Hon. Justice Benjamin Mutanga Itoe;

MINDFUL of the “Decision on the Impermissibility of Eliciting Evidence Involving the Second Accused Through Cross-Examination of Witnesses Called by the Third Accused” (“Decision”);

CONSIDERING paragraph 16 of this Decision:

16. As a preliminary matter, The Chamber reiterates that the Prosecution’s obligation to disclose exculpatory evidence is not relevant to the present Objection¹ and notes that the issues relating to Counsel for Fofana’s submissions on the Prosecution’s alleged failure to disclose potentially exculpatory evidence are under consideration in a pending motion.²

CONSIDERING that this paragraph should, instead, read as follows:

16. As a preliminary matter, The Chamber reiterates that the Prosecution’s obligation to disclose exculpatory evidence is not relevant to the present Objection³ and notes that the issues relating to Counsel for Fofana’s submissions on the Prosecution’s alleged failure to disclose potentially exculpatory evidence have been disposed of by a separate Decision.⁴

FOR THE FOREGOING REASONS,

PURSUANT to Rule 54 of the Rules of Procedure and Evidence of the Special Court,

ORDERS that the Decision be amended as follows:

16. As a preliminary matter, The Chamber reiterates that the Prosecution’s obligation to disclose exculpatory evidence is not relevant to the present Objection⁵ and notes that the issues relating to Counsel for Fofana’s submissions on the Prosecution’s alleged failure to disclose potentially exculpatory evidence have been disposed of by a separate Decision.⁶

¹ Transcript of the 6th of October, 2006, p. 9, l. 6 - 19.

² *Prosecutor v. Norman et al*, SCSL-04-14-724, “Confidential Defence Request for Full Review of Prosecution Evidence to Identify Rule 68 Material for Disclosure”, filed 24 October 2006.

³ Transcript of the 6th of October, 2006, p. 9, l. 6 - 19.

⁴ *Prosecutor v. Norman et al*, SCSL-04-14-730, “Decision on Fofana Request for Full Review of Prosecution Evidence to Identify Rule 68 Material for Disclosure”, 6 November 2006.

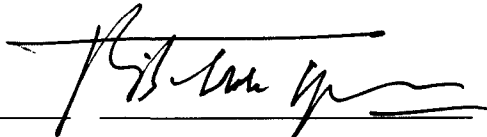
⁵ Transcript of the 6th of October, 2006, p. 9, l. 6 - 19.

⁶ *Prosecutor v. Norman et al*, SCSL-04-14-730, “Decision on Fofana Request for Full Review of Prosecution Evidence to Identify Rule 68 Material for Disclosure”, 6 November 2006.

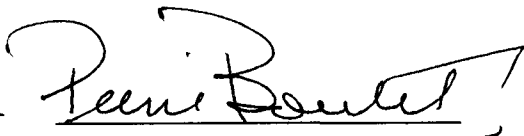
Done in Freetown, Sierra Leone, this 10th day of November 2006.



Hon. Justice Benjamin Mutanga Itoe



Hon. Justice Bankole Thompson
Presiding Judge
Trial Chamber I



Hon. Justice Pierre Boutet

[Seal of the Special Court for Sierra Leone]

