

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE

PRESS CLIPPINGS

Enclosed are clippings of the latest local and international press on the Special Court and related issues obtained by the Press and Public Affairs Office as of:

Tuesday, November 30, 2004

The press clips are produced Monday to Friday.
If you are aware of omissions or have any comments or suggestions please contact
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Special Court Denies Penfold - Norman Meeting

Former British High Commissioner to Sierra Leone, Paramount Chief Komrabai Peter Penfold's application to visit Chief Sam Hinga Norman at the Special Court detention facility, has been denied. As he does anytime he is

on a visit, Penfold had hoped to see Chief Hinga Norman at the Detention Facility at the Special Court complex on Jumo Kenyata Road in Freetown, but his request was this time round, turned down by the Special Court authorities for reasons that

may not be unconnected with the current ban on visitors to Norman.

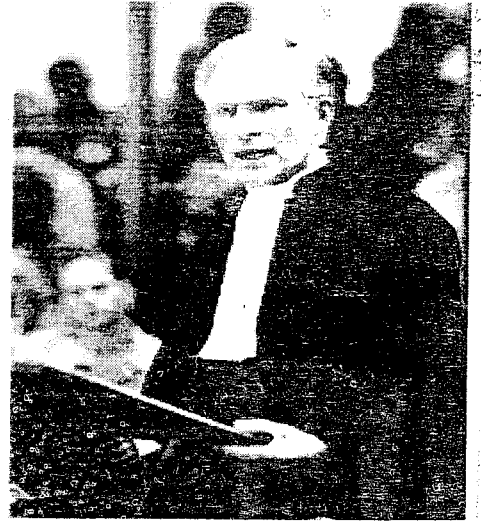
According to sources at the Special Court, in the last month, Norman violated his privileges on three separate occasions contrary to Rule 42 (A) of the Rules of Detention. He circulated letters without prior clearance from the Registrar's office. The letters were, published in part or whole, by several news-

papers.

According to a document from the Special Court it, "decides pursuant to Rule 47 (A) (ii), (iv) and (v) of the Rules of Detention, to prohibit all visits between the Detainee and any other persons except Court Appointed Counsel for a period of four (4) weeks from the date of this Decision" the report states.

The Honorary Paramount Chief Penfold, himself a victim of the 1997 political crisis that brought to power the AFRC junta, has been one of the few serious-minded 'friends of Sierra Leone' dig-

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Chief Prosecutor, David Crane

CHRISTIAN

Special Court Denies Penfold-Norman Meeting

From Front Page

...naries overseas, who recently called for the Special Court to be disbanded. He even went further to offer to appear on behalf of Norman at his trial, a source intimated.

Paramount Chief Penfold has been coming to Sierra Leone regularly to visit the Milton Margai school for

the blind in his capacity as chairman of the school's official charity board, set up earlier this year in the United Kingdom.

During this visit, it is reliably learnt that Penfold will make a trip up country. He will also pay his respect at the graveside of a close friend of the Penfold family, Mrs. Martu Noah, who

passed away last month. It has also been revealed that Penfold is negotiating with the Mount Everest publishers who are expected to publish a children's book early in the New Year. The book was written in collaboration with Barbara Davidson of the Milton Margai school for the blind.

Christian Monitor

Tuesday, November 30, 2004

SPECIAL COURT...



Norman... time will tell

Judges Split over Norman's Motion

BY
THEOPHILUS
GBENDA

The three judges at the trial chamber of the Special Court for Sierra Leone have been locked in a battle of words over a legal dispute that has to do with a motion filed in by Chief Sam Hinga Norman.

It could be noted that all three CDF indictees including Moimna Fofanah and Allieu Kondowa have effectively been boycotting the ongoing trials for what they say is a blatant show of bias by the cham-

ber in favour of the prosecution.

At the early stage of the commencement of the trials, the 1st accused in the CDF trial, Chief Sam Hinga Norman, after relieving his counsels of their duties and opting for self representation, made objections to the fact that the joint indictment was not served on them and that they are yet to take a plea to the amended indictment.

Initially, the indictees were all separately indicted and already all

three had taken a not-guilty plea to the separate indictments in question.

As the case proceeds however the prosecution thought it fit to issue a joint or consolidated indictment to which the accused persons were legally entitled to, and take their respective pleas pursuant to the rules of procedure and evidence of the court.

For reasons best known to the

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Norman's Motion

FROM PAGE 1

prosecution however, the accused persons were neither served with the consolidated indictment nor were they re-arraigned to take a plea as required by law.

Despite the foregoing however, trials based on the consolidated indictment proceeded and it was chiefly based on what the indictees said was a contravention of the rules, that they decided to boycott the trials and leave their fate with the judges, arguing further that they will not attend the sessions until the issue at stake was exhaustively discussed.

The matter was initially discussed at chamber level but the

majority vote then was in favour of a non-arraignment of the indictees to take a plea to the consolidated indictment, since the prosecution had indicated that the content of the consolidated indictment was similar to the individual indictments earlier issued.

Delivering their official and final ruling on the matter in the presence of all three CDF indictees the judges, after a heated legal argument, managed to come up with a unanimous ruling which is yet to be made available to the public.

Two of the judges, the Hon. Benjamin Itoe and Hon. Bankole Thompson, however took exceptions to the unani-

mous ruling.

According to Judge Itoe, he supports the motion of Chief Norman in its entirety arguing that the consolidated indictments seem to be a new indictment to him and that if it is to stand, the separate indictments has to be withdrawn and the indictees allowed to enter pleas to the new indictment.

Judge Bankole Thompson however took the other path, and so in essence it remain to be seen whether the indictees will be satisfied with the ruling and end their boycott of the proceedings.

Standard Times

Tuesday November 30, 2004

Special Court meets war victims

BY PETER GOMA

The Special Court outreach recently held two days regional consultative conference with war victims at the Methodist Youth Resource Centre in Bo.

In a brief encounter with the Special Court outreach coordinator, Mrs. Binta Mansaray, she noted that the Court was established from an agreement between the government of Sierra Leone and the United Nations to investigate those who bear the greatest responsibility for the rebel war.

The conference attracted participants of war victims, youth groups, civil society groups, ex-combatants, parliamentarians,

chiefs and institutional heads.

Mrs. Mansaray disclosed that the outreach is operating with the International Center for Transitional Justice and their purpose of organising the conference is to clarify the mandate of the court, how Sierra Leoneans would benefit after the trials and to encourage proactivity of the Special Court. She added that their expectation is for the people who are victims to properly understand the mandate and make meaningful recommendations to the Court on its procedures and to the indictees.

The Special Court Registrar, Mr. Robin Vincent intimated that the conference is about people in-

dicted by the court and plans to hold a national conference in Freetown next year.

Mr. Vincent emphasized the role of the Court saying "after the completion of their role, they have to leave the country, but will be criminal without leaving behind a legacy".

He also stressed that the outcome of the conferences will state what the people want from the Court.

Responding to questions on Charles Taylor, he said there are plans to forward the talk to the Security Council in New York during their next meeting.

Mr. Vincent reassured that all international NGO's human right organisations, Human Right Watch and several organizations have expressed concern.

BLUNDERS BY THE PROSECUTION COULD SEND HINGA NORMAN HOME EARLY TO HIS FAMILY

Monday November 29, 2004

The Prosecution Team of the Special Court for Sierra Leone could hand Chief Hinga Norman an unexpected and easy victory through elementary blunders . This fact is obvious to anybody who has darkened the walls of a Law School.

According to The Law of Criminal Procedure, the Judge in a criminal case could grant a defence's motion for dismissal on the following grounds : Insufficient evidence to support a charge, evidence illegally obtained, errors in the conduct of a proceeding , failure to proceed as quickly as required and failure of a jury to agree on a verdict. And the Special Court is edging closer to the likelihood of a dismissal of the case against Chief Norman. The blunders made so far are rectifiable through re-amendment of the charges and the throwing out of evidence related to the amended portions , but the danger facing the Prosecution is that with these elementary mistakes, they too cannot be sure where more telling blunders would arise next that could jeopardize the whole case.

There are so many legal precedents about the Prosecution losing once compact-looking cases because of repeated mistakes .The O.J.Simpson , William Kennedy Smith and the most recent Koby Bryant cases are brilliant examples of defence victories arising out of mistakes by the Prosecution.

Today's ruling by Judge Benjamin Itoe in the matter of the consolidated amendment is not only a major victory for the Hinga Norman Defence but it is also a red flag that the Special Court Prosecution could undermine their own case through procedural mistakes. It also demonstrates that the Chief, after all, is moving shrewdly with his defence and is capable of scoring valuable points that could boost his chances of victory . Many Sierra Leoneans held a dim view of the boycott of the court proceedings by the Chief and other defendants .People thought that their action that they would no longer attend court was just a delaying tactic.

As it is now known, the men's boycott was built on sound legal contention. When the Prosecution was granted its request that the indictment against the three men be consolidated into a single indictment on January 27, 2004 , they did not personally serve the consolidated indictment on Chief Norman, nor was he legally arraigned on the consolidated indictment , as he contended , especially as the consolidated indictment had extended by 20 months the time covered by the first indictment and added more geographic locations.Norman wanted the original indictment on which he had pleaded not guilty thrown out.

The Prosecution goofed Rules 50 and 52., Rule 50 among many things , clearly states that : "The Prosecution may amend an indictmentIf the amendment includes new charges and the accused has already made his initial appearance in accordance with Rule 61, a further appearance shall be held as soon as practicable to enable the accused to enter a plea on the new charges " Rule 52 states that Service of the indictment shall be effected personally on the accused at the time the accused is taken

The Trial Chamber has ordered that the consolidated indictment be served on the accused in accordance with Rule 52 .The Chamber also concluded that "Upon detailed comparative analysis of the differences between the initial indictment ...and the Consolidated indictment..the factual allegations ...have been expanded and elaborated upon and that, furthermore, some substantive elements of the charges have been added ." More significantly, the consolidated indictment contained new factual allegations and new substantive elements of the charges which could prejudice the accused's right to a fair trial , if there was no amendment to the counts against the accused. or the new indictment was not served personally on him.

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Accused policeman 'never touched me'

Keith Moor

Freetown

November 30, 2004

A TEENAGE girl at the centre of underage sex allegations against a top Victoria policeman yesterday said he never touched her.

Kadia Kabia said she wanted to apologise to Superintendent Peter Halloran for all the trouble she had caused him in the war-torn West African country of Sierra Leone.

Kadia's apology came as Supt Halloran's fellow United Nations war crimes investigator Mandy Cordwell, the star witness in the case against him, was suspended from duty over a separate matter.

The *Herald Sun* tracked down 14-year-old Kadia to the tin shed she calls home.

"I am so sorry to Mr Peter. He did nothing wrong to me," Kadia said.

"I am embarrassed now for all this trouble I brought to Mr Peter."

Supt Halloran, 56, is on trial before the High Court in the Sierra Leone capital on three charges relating to the alleged sexual assault of Kadia.

Ms Cordwell, a former Tasmanian police officer, claims Kadia told her Supt Halloran sexually abused her.

It was Ms Cordwell who arranged for Kadia to make a statement to a local police officer about the alleged abuse.

But Kadia has told the High Court Ms Cordwell told her to say Supt Halloran had sexually assaulted her even though it wasn't true.

Kadia yesterday spoke to the *Herald Sun* through an interpreter.

"Mandy tell me everything, make up everything. It didn't happen this thing with Mr Peter," she said. "Mr Peter never did these things."

Supt Halloran, former head of the homicide squad, and Ms Cordwell are both employed by the UN Special Court in Sierra Leone.

They were sharing a house with two other war crimes investigators when the allegations surfaced.

Kadia is the younger sister of their houseboy Sheka, who was trying to persuade Supt Halloran to hire Kadia as a nanny for a woman who was about to arrive to stay at the house with her three-year-old child.

Ms Cordwell, 37, told the High Court she became suspicious after allegedly seeing Kadia in Supt Halloran's room in June this year.

She claimed Kadia then confessed to her that she was sleeping in Supt Halloran's

bed.

But Kadia yesterday told the *Herald Sun* she had never slept in Supt Halloran's room and she had never been in the room alone with him.

She revealed Sheka persuaded her to sleep in a spare room at the house for a few nights as he wanted her to help with a flavoured ice-making business he was running without permission.

"That is how Mandy saw me in the house," Kadia said.

"But Mr Peter has never touched me. I promise that this is true."

Supt Halloran's trial, which started on September 10, has been adjourned until December 1.

He strenuously denies all charges.

Ms Cordwell and Supt Halloran both refused to comment, saying the Special Court ordered them not to discuss the case.

Supt Halloran took 12 months leave without pay from the Victoria Police to take up the UN Special Court job as commander of investigations in March.

A Special Court source told the *Herald Sun* yesterday that Ms Cordwell was stood down on Friday after she was accused of making serious allegations against her boss, Special Court registrar Robin Vincent.

She has been suspended pending an inquiry to determine if she was the source of the corruption allegations being made against Mr Vincent.

A spokeswoman for Mr Vincent said he denied each of the very detailed allegations against him.

Herald Sun

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Herald Sun (Melbourne, Australia) November 30, 2004 Tuesday

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Herald Sun (Melbourne, Australia)

November 30, 2004 Tuesday

SECTION: NEWS; Pg. 3

LENGTH: 558 words

HEADLINE: The policeman didn't touch me;
A 14-year-old **Sierra Leone** girl at the centre of sex abuse allegations has declared Peter Halloran innocent

BYLINE: KEITH MOOR, Freetown

BODY:

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LOAD-DATE: November 29, 2004

Africa News November 29, 2004 Monday

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Africa News

November 29, 2004 Monday

LENGTH: 335 words

HEADLINE: Tanzania;
International Criminal Prosecutors Form Joint Task Force

BYLINE: UN Integrated Regional Information Networks

BODY:

Prosecutors of international criminal courts agreed to form a joint task force to exchange information and develop strategies to investigate and prosecute crimes that fall within their respective jurisdictions, an official said on Saturday.

"The task force will help to improve and make efficient the work of the prosecutors," Hassan Jallow, the prosecutor for the International Criminal Tribunal for Rwanda (ICTR), said.

He was speaking at a news conference in Arusha, northern Tanzania, at the end of a three-day colloquium. The prosecutors of the International Criminal Court for former Yugoslavia (ICTY), the **Special Court for Sierra Leone** (SCSL) and International Criminal Court (ICC) also attended.

Participants exchanged views on strategies for conducting investigations, protecting witnesses and enforcing sentences. They discussed the particular problems they face in bringing to justice the perpetrators of genocide, war crimes and crimes against humanity in their various jurisdictions.

In a joint statement issued at the end of the colloquium, they called on international as well as national authorities to help them in arresting and transferring indicted fugitives.

Suspects the ICTY would like to find include Radovan Karadzic, Ratko Mladic and Ante Gotovina. The ICTR's list includes Felicien Kabuga while Charles Taylor is on the SCSL's.

The prosecutors said the ultimate success of these tribunals depended on the continued political support of the international community. They also acknowledged the role of national jurisdictions, saying that international institutions should only step in where national judiciaries lack the necessary strength or impartiality. They said combined national and international efforts would guarantee impartial justice.

The colloquium coincided with the 10th anniversary of the establishment of the ICTR, following the 1994 genocide.

The prosecutors agreed to meet in **Sierra Leone** in six months to evaluate progress in their work.

LOAD-DATE: November 29, 2004

New Star

Tuesday November 30, 2004

Britain Urges Obasanjo To Handover Taylor



Charles Taylor: Goldfish with no hiding place

The British Minister for Africa, Chris Mullin has called on President Olusegun Obasanjo of the Federal Republic of Nigeria to hand over former Liberian President Charles Taylor to the United Nations backed Special Court for Sierra Leone.

The British Minister for Africa, who is on a tour in Africa, told President Obasanjo that the British government was not criti-

cizing the Nigerian government for giving asylum to fugitive war lord Charles Taylor, but his appearance in the Special Court will send a message to others in the world that perpetrators of war crimes will no longer do so with impunity. He said the British government is fully behind the setting up of the Special Court for Sierra Leone and that they will do everything to en-

sure that their duties are reflect their mandates in the country.

The United Kingdom government is the latest to tell Obasanjo to hand over indicted war criminal to the Special Court, the first being the United States of America.

Charles Taylor was indicted by the Special Court for Sierra Leone in June this year for his involvement in the decade long

brutal civil war in Sierra Leone. He is alleged to have supported the former Revolutionary United Front (RUF) in the provision of arms and ammunition, training of ex-combatants to fight in Sierra Leone, directed the war and took control of the diamonds from Kono and Kenema district in exchange for arms and weapons.

TANZANIA: International criminal prosecutors form joint task force

29 Nov 2004 14:06:19 GMT

Source: IRIN

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