

**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:**

Monday, October 24, 2005

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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Concord Times, Monday, 24<sup>th</sup> October 2005.

# Special Court refuses to free Norman, 2 Others

The Judges of Trial Chamber I Friday unanimously dismissed Motions for Judgment of acquittal brought on behalf of the three Civil Defense Force (CDF) accused, Sam Hinga Norman, Momina Fofana, and Allieu Kondewa, in respect of one or more counts in the indictment.

In a summary of the decision read out in Court by the Presiding

Judge, Justice Pierre Boutet, the Justices found there was no evidence capable of supporting a conviction against the accused in respect of a number of factual allegations in the indictment.

These included allegations in respect of Counts 1 and 2 (murder), Counts 3 and 4 (inhumane acts and cruel treatment), and Count 5 (pillage) as charged in the

consolidated indictment.

Justice Bankole Thompson wrote a separate and concurring opinion exploring applicable legal standard in respect of a Rule 98 Motion.

The Motions for Judgment of Acquittal were brought under Rule 98 of the Court's Rules of Procedure and Evidence. The Rules

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## Special Court refuses to free Norman, 2 Others

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provides that, if after the close of the case for the Prosecution "there is no evidence capable of supporting a conviction on one or more counts of the indictment," the Trial Chamber shall enter a judgment of acquittal on those counts.

The Motions for Judgment of Acquittal were filed in early August, following the conclusion of the Prosecution's case on July 14. They were argued in written briefs, with oral arguments held

before the Court on 20 September.

Friday's decision under Rule 98 is not a verdict, and is not a judicial pronouncement on the guilt or the innocence of the Accused persons. Rather, it indicates that at this stage in the trial the Court has concluded that they have a case to answer.

A Status Conference to discuss the preparation and presentation of the Defence case has been ordered for 27 October. The Defence is scheduled

to open their case on 17 January 2006.

Meanwhile, before Trial Chamber II, witness testimony concluded this week in the case of the AFRC Accused, Alex Tamba Brima, Brima Bazzy Kamara and Santigie Borbor Kanu, after testimony by 59 Prosecution witnesses. That trial has been adjourned until 26 October.

The trial of the three RUF Accused, Issa Sesay, Morris Kallon and Augustine Gbao, will resume 2 November. So far, 43 witnesses have given evidence.

Standard Times, Monday, 24th October 2005.

**SPECIAL COURT...**

**CDF motion of acquittal dismissed**

The Judges of the Trial Chamber I on Friday last week unanimously dismissed Motions for Judgment of Acquittal brought on behalf of

the three CDF Accused, Sam Hinga Norman, Moinina Fofana, and Allieu Kondewa, in respect of one or more counts in the indictment.

In a summary of the decision read out in Court by the Presiding Judge, Justice Pierre Boutet, the Justices found there was no evidence capable of supporting a conviction against the Accused in respect of a number of factual allegations in the indictment. These included allegations in re-

spect of Counts 1 and 2 (murder), Counts 3 and 4 (inhumane acts and cruel treatment), and Count 5 (pillage) as charged in the consolidated indictment. Justice Bankole Thompson wrote a separate and concurring opinion exploring applicable legal standard in respect of Rule 98 Mo-

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**CDF motion of acquittal dismissed**

FROM PAGE 1

Chamber shall enter a judgment of acquittal on those counts:

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So far, 43 witnesses have given evidence.

The Spectator. Monday, 24<sup>th</sup> October 2005.

## Special Court hands down judgment

Special Court Judges of the Trials Chamber I have last Friday unanimously dismissed the motion for judgment of acquittal brought on behalf of the three Civil Defence Force (CDF) accused, Sam Hinga Norman, Moinina Fofanah and Allieu Kondewa in respect of one or more counts in the indictment. In a summary of the decision read out in Court by the presiding Judge- Justice Pierre Boutet, the Court found that there was no evidence capable of supporting a conviction against the accused in respect of a number of factual allegations in the indictment.

The allegations include in respect of count 1 and 2- murder; count 3 and 4 (inhumane acts and cruel treatment); count 5 (pillage) as charged in the consolidated indictment. Justice Bankole Thompson wrote a separate and concurring opinion exploring applicable legal standards in respect of Rule 98 motions. The motions for judgment of acquittal were brought under Rule 98 of the Court's Rules of procedure and evidence. The Rules provides that, if after the close of the case for the prosecution "there is no evidence capable of supporting a conviction on one or

more counts of the indictment," the Trials Chamber shall enter a judgment of acquittal on those counts.

The motion for the judgment of acquittal was filed in early August, following the conclusion of the prosecution's case on July 14. They were argued in written briefs with oral argument held before the Court on 20th September. Friday's decision under Rule 89 is not a verdict and is not a judicial pronouncement on the guilt or innocence of the accused person but rather it indicates that at this stage in the trial, the Court has concluded that they have a case to answer. A status conference to discuss the preparation and presentation of the Defence case has been ordered for the 27th October this year.

Meanwhile, Trials Chamber II witness testimonies concluded this week in the case of the AFRC accused- Alex Tamba Brima, Brima Bazzy Kamara and Santigie Bobor Kanu after testimonies by 59 prosecution witnesses. The Trial of the three RUF accused- Issa Sesay, Morris Kallon and Augustine Gbao will resume on the 2nd November. So far, 43 witnesses have given evidence.

# LIBERIA:

## Charles Taylor's Wife, Prince Yomie Johnson Win Senate Seats

\*Prince Johnson (Independent)  
Grand Basseh County  
81,820 -33.8%

\*Ceaineh Jewel Howard Taylor  
(NPP)  
Bong County  
50,452 -26.4%

\*Melee Karmie (NPP)  
14,742 -8.3%

Vanee Passaweh  
(Coalition For  
Transformation of Liberia)  
Grand Cape Mount

The Estranged wife of erst-while Liberian President, Charles Taylor has won a seat in the 15-member Senate under the umbrella of Taylor's National Patriotic Party.

Jewel Howard Taylor scored the highest votes in Bong County and was among three others that won seats.

Another controversial figure that won Senate seat is the former leader of the rebel Independent National Patriotic Party Of Liberia, Prince Johnson who fled into exile in Nigeria after the abduction and brutal murder of President Samuel Doe on 11th September 1991.

He returned home recently to contest the election as an independent candidate. Another one time close ally of Charles Taylor, Vannie Passaweh, who served as Press Secretary was also elected a Senate member.

**SOURCE:**  
National Electoral  
Commission Of  
Liberia Website

Cocorioko website  
<http://www.cocorioko.com>

MOTION FOR ACQUITTAL :NORMAN , CDF ACCUSED LOSE CASE

Saturday October 22, 2005

The motions for acquittal entered on behalf of indictees of the Civil Defence Force ( CDF ) have been dismissed by the Trial Chamber 1 of the Special Court for Sierra Leone. Moinina Fofana and Allieu Kondowa were in court to hear the verdict, but Chief Hinga Norman was absent.

Justice Boutet read a summary of the majority decision (Justice Thompson filed a concurring decision which was not read out). It took under 15 minutes. The decision struck off a number of "crime bases" (villages or towns) in the first 2 of the 8 counts where, in the view of the Court, no evidence had been presented which, if believed, would have supported a guilty verdict). No counts were struck off and the motions to dismiss the indictments were dismissed.

READ THE FULL DECISION AT <http://www.sc-sl.org/Press/pressrelease-102105.pdf>

Cocorioko website  
[http://www.cocorioko.com/more\\_news\\_21](http://www.cocorioko.com/more_news_21)

## **HALLORAN'S REVELATIONS TO HURT SIERRA LEONE'S IMAGE**

Saturday October 22, 2005

The revelations of former Special Court for Sierra Leone Chief Investigator, Peter Halloran, will do a lot of harm to Sierra Leone's international image, if he exposes tapes he says he has in his possession.

According to a news report from Australia's HERALD SUN yesterday, Halloran has alleged that top officials of government and the Sierra Leone Judiciary demanded bribes from him to quash the recent case in which he was found guilty of having sexual contact with a Freetown minor, but successfully won an appeal against his conviction at the Sierra Leone Supreme Court.

Mr. Halloran, according to the HERALD SUN, made these disturbing revelations: "I secretly recorded the approaches that were made to me for money. Those tape recordings reveal corruption at the highest levels of the Sierra Leone Government and judiciary."

Saying that he was determined to prove his innocence and the next stage would have been to present his case to President Ahmad Tejan Kabbah if he had lost the Supreme Court appeal, Halloran went on: "I gathered substantial evidence, including secret tapes and sworn affidavits, that I believe would have convinced President Kabbah I was the victim of a corrupt judicial system."

If what the Australian policeman is saying is the truth, Sierra Leone's international image is about to take a merciless beating. Only last week, the international organization, Transparency International, in a report, considered Sierra Leone one of the most corrupt countries in the world, worse even than Nigeria, a nation usually perceived by Africans to be the No. 1 corrupt country in Africa. Sierra Leoneans talking to COCORIOKO after the report condemned it for allegedly exaggerating their country's level of corruption.

Also, Sierra Leone is presently facing problems of credibility with international donors and stakeholders who have many times warned the Kabbah government to clamp down on corruption if Sierra Leone must continue to get international aid.

The Sierra Leone government has often denied the allegations of corruption, but if the Australian Superintendent of Police comes forward with his secret tapes and it turns out he is speaking the truth, the country's image will suffer.

Firstly, this was a high-profile case that from the onset the country's reputation was on a thread. Halloran protested vehemently that he did not have any sexual contact whatsoever with the girl. Then started the case and the girl involved and relatives made contradictory



statements to the Police, it was learned in court. Soon, newspapers in Halloran's country took up the matter and started sowing doubt into the case and even accusing Sierra Leone's justice system of misconduct in the handling of the case.

It was learnt that even the Special Court conducted its own internal investigation and found doubts in the story. Still, the authorities in Sierra Leone pursued the case, as if to prove to the world that the innuendoes from the Australian press were misguided. Halloran was found guilty and he was to have gone to jail for 18 months, but he appealed and won. Credit, really should have been given to Sierra Leone, but then the issues involved in the case had aroused international attention. The world would therefore be interested to hear the details on the secret tapes Halloran is claiming to have in his possession.

Secondly, Sierra Leone is at the crossroads where stakeholders are pondering whether to continue helping the country financially or neglect it in the face of all the allegations about corruption. It certainly will not be the best time for the Halloran tapes to surface.