

**SPECIAL COURT FOR SIERRA LEONE  
PRESS AND PUBLIC AFFAIRS OFFICE**



Trainees and instructors taking part in the BBC World Service Trust's "Communicating Justice" programme visited the Special Court on Monday. See additional photos from the visit in today's 'Special Court Supplement'.

**PRESS CLIPPINGS**

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

**as at:**

Tuesday, 23 October 2007

Press clips are produced Monday through Friday.  
Any omission, comment or suggestion, please contact  
Martin Royston-Wright  
Ext 7217

**International News**

CDF: a "Legitimate" Cause / <i>International Justice Tribune</i>	Pages 3-4
TRC is Better Than War Crime Tribunal, Cllr Bull Argues / <i>Star Radio</i>	Page 5
UNMIL Public Information Office Media Summary / <i>UNMIL</i>	Pages 6-7
Congo Warlord Appears Before ICC / <i>BBC</i>	Page 8

**Special Court Supplement**

Visit of BBC World Service Trust Trainees and Instructors	Pages 9-10
---	------------

## International Justice Tribune

Monday, 22 October 2007

### CDF: a "legitimate" cause

Thierry Cruvellier

You committed horrible crimes, but your struggle was legitimate and that makes a difference. That is essentially what the judges of the Special Court for Sierra Leone said on October 9 when they sentenced two leaders of the former Civil Defense Forces (CDF), high priest Allieu Kondewa and war director Moinina Fofana to 7 and 8 years in prison. They had been found guilty of war crimes on August 2 [IJT-73]. This delicate judgment, which was part of the debate during the presidential campaign, gave validity to the notion that fighting for the return to democracy is not the same as fighting against it.

"Lawyers don't like a lot of things that seem important to most people." This teasing remark made by Heather Ryan, lawyer and long-time observer of international courts, undoubtedly captures rather well the reaction that the judges' ruling will provoke in Freetown: repulsion in the small world of international law and appeased understanding among many in Sierra Leone.

#### Principle of "necessity"

The two accused had just had the satisfaction of only being convicted by two out of three judges and being acquitted of crimes against humanity. Bankole Thompson, the only Sierra Leonean among the three judges, had in effect completely acquitted the two men. In his opinion, the principle of "necessity" could apply to the situation of the CDF and their leaders. Anticipating the upset that would be caused by taking such a legal position, the two international judges made it clear, in their sentencing decision, that "Validating the defense of necessity in international criminal law would create a justification for what offenders may term and plead as a 'just cause' or a 'just war' even though serious violations of international humanitarian law would have been committed. This, we observe, would negate the resolve and determination of the international community to combat these crimes."

The prosecutor, who had asked the Court to hand down 30-year sentences, had been clear: there were no mitigating circumstances for the crimes committed. The two non-Sierra Leonean judges disagreed. "The main distinguishing factor is that the acts of the accused and those of the CDF/Kamajors [traditional hunters who spearheaded the CDF] for which they have respectively been found guilty, did not emanate from a resolve to destabilize the established constitutional order. Rather, and on the contrary, the CDF/Kamajors were a fighting force that was mobilized and implicated in the conflict in Sierra Leone to support a legitimate cause which (...) was to restore the democratically-elected government of President Kabbah, which had been illegally ousted through a coup d'état," wrote the judges. "Defending a cause that is palpably just and defensible, (...) certainly, in such circumstances, constitutes mitigating circumstances in favor of the accused," they concluded.

#### A "civic duty"

The fact that the CDF "contributed immensely to re-establishing rule of law in this country" and that they "acted from a sense of civic duty" according to the court, was ardently defended by Charles Margai, Kondewa's lawyer and, incidentally, a critical political architect in the electoral defeat of the Kabbah camp, which was officially confirmed on September 17. "If a sentence is severe and there occurs a rebel war, whether in Sierra Leone or elsewhere, government militias are going to ask themselves the question:

Is it advisable for us to intervene?" he argued, paraphrasing Chief Sam Hinga Norman, the head of the CDF who died during deliberations in this case [IJT-63-73].

The judges heard his point. "A manifestly repressive sentence (...) will be counterproductive to Sierra Leonean society," they concluded. The Special Court, which in July had heavily sentenced the leaders of the military junta fought by the CDF [IJT-72], thereby attempted to maintain the delicate balance between its credibility with other international courts and its desire to be understood by the society in which it operates. In so doing, they also partly cleared the name of Chief Norman.

## Star Radio (Liberia)

Monday, 22 October 2007

### **TRC is better than war crime tribunal, Cllr Bull argues**

Written by Vivian Gartyn

The Acting Chairman of the Truth and Reconciliation Commission says the TRC is the best way forward to reconcile Liberia than a war crime tribunal.

Cllr. Pearl Brown Bull maintained that reconciliation is an essential component of peace and development after violence, impunity, hate and gross abuses.

Cllr. Bull said the truth commission is participatory and gives all Liberians the opportunity to tell their stories.

She argued that on the contrary, war crime tribunal only investigates narrow charges against a selected group of people if the evidence is directly related to the charges.

Cllr. Bull who is responsible for Margibi and Montserrado Counties, said 124-statement takers and 15 co-coordinators have been deployed across the country.

In a release issued in Monrovia, Cllr. Bull also said three hundred statements have been collected in Montserrado County.

## **UNMIL Public Information Office Media Summary 22 October 2007**

*[The media summaries and press clips do not necessarily represent the views of UNMIL.]*

### **International Clips on Liberia**

**BBC** Last Updated: Monday, 22 October 2007, 10:19 GMT 11:19 UK

#### **States urged to cut Liberia debt**

The president of the World Bank, Robert Zoë ick, has called on International Monetary Fund member countries to allow Liberia's debts to be paid off. Liberia is \$800m in arrears on old debt to the IMF, relating to loans on which repayments stopped in 1984. Forgiveness of the old debt would allow the IMF to issue new development loans. Correspondents say it is widely agreed that Liberia's arrears should be paid off, but there is still some wrangling about the financial details. Reuters reports that the IMF proposes to fund the debt relief by moving internal funds among accounts, which would not require additional funding from member countries

### **International Clips on West Africa**

**VOA** 20 October 2007

#### **Reopened Bridge Unites Sierra Leoneans, Liberians**

By Kari Barber, Dakar

Residents in the region along the Sierra Leone-Liberian border say the reopening of a bridge connecting the two countries has brought increased trade as people cross to buy and sell goods. During recent civil wars, the bridge served as a transit point for rebels and their weapons. Now people say they hope it will bring improved relations between the two countries. Kari Barber reports from our West Africa bureau in Dakar, with additional reporting by Prince Collins. The Mano River Bridge was once a vital pathway, commercially linking the Sierra Leone capital Freetown with Liberia's capital Monrovia. But in the 1990s, as war broke out, the bridge was used by rebels and became too dangerous for civilians. Its reopening is mostly a symbolic move, reflecting improved relations between Liberia and Sierra Leone, strained during the wars.

### **Local Media – Newspaper**

#### **Sirleaf Uncertain about Running for Second Term as President**

*(Liberian Express)*

- According to dispatches from the United States, President Ellen Johnson Sirleaf said that she has no plan of running for a second term as President of Liberia because that entails a lot of politicking which she has no time for than to focus on her development agenda.
- Also, the Liberian leader dismissed as "trash" claims that she was advocating for the US Military Africa Headquarters to be based in Liberia in order to perpetuate herself in power.

#### **University Professor Pays Tribute to Catholic Archbishop**

*(The Inquirer)*

- According to correspondents, University of Liberia Professor and former presidential candidate in the 2005 Presidential and General Elections, Alhaji Kromah paid tribute to Catholic Archbishop Michael Francis for his outstanding role in the fight for justice and democracy in Liberia called on the Archbishop to continue to be a high moral authority which inspires Liberians towards peaceful coexistence and national unity.

## **UNMIL Peacekeepers Establish Resource Center**

*(Heritage and Liberian Express)*

- UNMIL Pakistani peacekeepers in Tubmanburg, Bomi County recently opened a resource center with 20 computers, a library and sewing machines to enhance the technical and vocational skills more 600 of students in the area.

**Local Media – Radio Veritas** *(News monitored today at 9:45 am)*

### **Lesson Planning Workshop for Primary School Teachers Opens**

- Speaking in an interview, Assistant Education Minister for Primary Education, Madam Kerturah Asiedu announced that the Bureau of Primary Education of the Ministry will today open a workshop to train primary school teachers in lesson planning and presentation to sharpen their skills in reading comprehension and phonics.
- Madam Asiedu said that many primary school teachers lack basic phonetic skills and lesson presentation as a result primary school students were not getting sound primary education.  
*(Also reported on SKY FM, Truth FM, Star Radio and ELBS)*

### **Former Presidential Candidate Visits Ailing Catholic Archbishop**

- Correspondents said that a former presidential candidate in the 2005 Presidential and General Elections, Alhaji G.V. Kromah on Sunday paid tribute to the outstanding role Catholic Archbishop Michael Francis played in the fight for justice and democracy in Liberia and added that the Archbishop continues to be a high moral authority inspiring Liberians towards peaceful coexistence, national unity and the rule of law.
- Mr. Kromah appealed to the Archbishop to resume his moral intervention in specific issues in the Liberian society despite his present medical condition.  
*(Also reported on SKY FM, Truth FM, Star Radio and ELBS)*

*Complete versions of the UNMIL International Press Clips, UNMIL Daily Liberian Radio Summary and UNMIL Liberian Newspapers Summary are posted each day on the UNMIL Bulletin Board. If you are unable to access the UNMIL Bulletin Board or would like further information on the content of the summaries, please contact Mr. Weah Karpeh at [karpeh@un.org](mailto:karpeh@un.org).*

BBC

Monday, 22 October 2007

## **Congo warlord appears before ICC** **Congolese warlord Germain Katanga has appeared before the International Criminal Court in the Hague - only the second suspect to do so.**

Mr Katanga is accused of murder, sexual enslavement and forcing children to fight as soldiers in the Ituri region of the Democratic Republic of Congo.

The Forces for Patriotic Resistance (FRPI) leader is the second Congolese warlord to be sent to The Hague.

Thomas Lubanga was flown there in 2006, accused of recruiting child soldiers.



Mr Katanga - known as Simba - was arrested two years ago

### **War crimes charges**

Mr Katanga, 29, was told of the accusations against him and his rights in detention during the procedural hearing.

Prosecutors say Mr Katanga - known as Simba - led the FRPI in north-eastern DR Congo in 2003. He was arrested two years ago.

Judges say there are reasonable grounds to believe that Mr Katanga led an attack on the village of Bogoro in which 200 civilians were killed.

The prosecution alleges his fighters, which had the support of the Lendu ethnic group, committed atrocities against civilians of the Hema ethnic group in the Ituri region.



Fighting in the gold-rich Ituri region broke out in 1999 and continued until 2003.

The war, which began as a struggle for control of land and resources, deteriorated as arms proliferated and members of the Ugandan army became involved.

This turned a local dispute into an inter-ethnic war that killed an estimated 50,000 people and left hundreds of thousands homeless.

**Special Court Supplement**  
**Visit of BBC World Service Trust Trainees and Instructors**  
**from the 'Communicating Justice' programme**  
**Monday, 22 October 2007**



