

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



Termite mound in southern Sierra Leone.

PRESS CLIPPINGS

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

as at:

Tuesday, 26 August 2008

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

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Awoko

Monday, 26 August 2008

Taylor threatens trial boycott

*By Mariama Khai
Fornah and Joseph
Cheeseman in The
Hague*

The head of the Defence team in the trial at the Special Court of the former Liberian president Charles Taylor has expressed dismay over new security restrictions by the Dutch authorities.

Courtney Griffiths said there was no justification for Mr. Taylor to be subjected to the measures instituted by the Dutch prison authorities including “sensory deprivation”. He said he could not be more precise about what that meant because he said he had been asked by the Custody Authority not give details. “The Defendant is chained around his waist and effectively led like a leashed animal, and he finds that particularly objectionable and degrading”, the lawyer had said earlier.

Griffiths said the court Registrar had the power to influence the Dutch authorities

to remove the measures, saying Mr Taylor was opposed to it and that his continued court attendance was conditional on this matter being addressed.

He said Mr Taylor would refuse attending court if the measures remained in place.

Charles Taylor did not attend court on the first two days of the resumption of his trial last week following a summer break due to two new security measures that the Dutch security agencies had placed on detainees at the International Criminal Court. The measures followed the arrest of the indicted former Serbian leader Radovan Karadzic wanted by the International Criminal Tribunal for Yugoslavia.

But he appeared on the third day after the resumption of the trial with the hope that the measures would be removed in a short period of time and Gregory Townsend, head of The Hague sub-office of the court, was asked by the Judges to investigate

the matter and report to the Court.

Yesterday, Townsend submitted a 4-page confidential report and attachments from the Dutch Department of Justice with reasons for the increase in security measures.

He told the court that he had gone up to the higher level of the Department of Prison to pursue the matter but told the court the authorities were unable to reverse the two practices Mr. Taylor had objected to.

“We’re waiting for something in writing to that effect. We will continue our efforts to relieve these practices being put in place for Mr. Taylor, but that’s my report, and the confidential report contains more detail...” Townsend said.

The President of the Judges, Teresa Doherty, said the implementation of this regime had not been due to any action or misbehaviour on the part of the accused, and that

nothing in this further report would cause them to change that view. “It appears to the Trial Chamber that the remedies of...Mr. Taylor have not been exhausted, and an appeal now lies to the President of the Court.” Doherty said, adding that Mr Taylor was required to attend the hearing pending further resolution of the matter.

The Defence team continues with the cross-examination of the 35th witness in closed session because of security reasons.

*Courtesy BBC World
Service Trust*

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BBC World Service Trust

Monday, 25 August 2008

Detained Former Liberian President Mr. Charles Taylor did not attend court sessions on the first two days when his trial resumed after a summer break due to two new security measures that the Dutch security agencies have placed on ICC detainees. He appeared on the third day after the resumption of the trial with the hope that the measures would be removed in a short period of time. Mr Gregory Townsend was asked by the Judges to investigate the matter and report to the Court.

On Monday morning, the second week of the trial resumption, the Court went into a closed session to discuss the outcome of the investigations. The BBC World Service Trust Mariama Khai Fornah has the details

FORNAH: In agreement with the decision of the 19th of August, the Registrar has submitted a four page confidential report and attachments from the Dutch Department of Justice with reasons for the increase in security measures.

Mr Gregory Townsend said he went up to the higher level of the Department of Prison, or the DJI, so as to pursue the matter. He told the Court that the authorities said that they are unable to cease the two practices to which Mr. Taylor has objected.

TOWNSEND: We're waiting for something in writing to that effect. We will continue our efforts to relieve these practices being put in place for Mr. Taylor, but that's my report, and the confidential report contains more detail, Your Honours.

FORNAH: The head of the Defence team for Mr Taylor, Courtney Griffiths Q.C., said he was dismayed over the attitude of the Dutch authorities. He said having received further information from Mr. Townsend in Chambers, there is no justification basis for Mr. Taylor to subject to the security measures. He said the Registrar had the power to influence the Dutch authorities to remove the measures. Mr. Griffiths expressed Mr. Taylor's view about the report.

GRIFFITHS: Now Mr. Taylor's instructions to me are quite clear. I've relayed to this Court, and I've noted at Paragraph 11 of Mr. Townsend's report, those instructions being that his continued attendance was conditional on this matter being addressed. He remains anxious that his trial continue, but cannot accept in all conscience that he can allow his humanity to be demeaned in this way. Therefore, extremely reluctantly, he will refuse to attend Court so long as these measures remain in place.

The President of the Judges, Teresa Doherty, said the implementation of this regime has not been due to any action or misbehaviour on the part of the accused, Mr Taylor and that nothing in this further report will cause them to change that view. But here is the final response to the report.

JUSTICE DOHERTY: It appears to the Trial Chamber that the remedies of the Accused Mr. Taylor have not been exhausted, and an appeal now lies to the President of the Court. IN the meanwhile the Accused is required to attend the hearing pending further resolution of the matter.

The Defence team continues with the cross-examination of the 35th witness in closed session because of security reasons.

For the BBC World Service Trust, this is Mariama Khai Fornah reporting from The Hague

BBC World Service Trust

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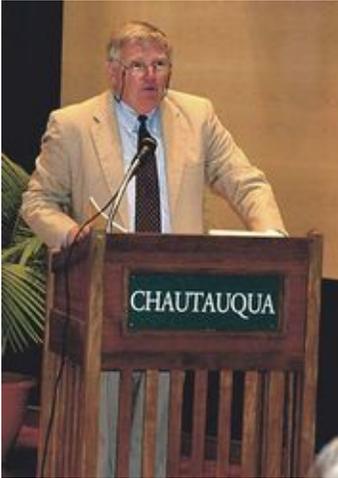
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Courtesy BBC World Service Trust

The Post-Journal
Tuesday, 26 August 2008

Ishmael Keynotes Law Dialogues

CHAUTAUQUA - Addressing the 2nd International Law Dialogues, Omar Ishmael of the ENOUGH!



Project gave the keynote address, a depiction of the current situation in the Darfur region of Sudan. The address chronicled the history of government violence in the region, where there is no consideration for human rights or the rule of law. Ishmael described the need for leverage in the international community to respond promptly and effectively to the crisis.

Ishmael's speech reflected the recent presentation to the Security Council by Louis Moreno-Ocampo with evidence that Omar Hassan Ahmad Al Bashir, the president of Sudan, committed the crimes of genocide, war crimes and crimes against humanity.

"I never talked to one person who said 'I'm sorry this is happening to President Bashir,'" said Ishmael during his address.

His account of more than 160 internally displaced-person camps, and the complete lack of protection for the quarter of a million people who have fled the country to escape the violence, was a response to those in the international community who attempt to deride and discredit the International Criminal Court.

The depiction of 26,000 people living in a refugee camp where only a few security guards are on duty for 12 hours a day; the cold, calculated tactics of the Janjaweed militias who start their morning attacks in the center of town, where they can be most effective; the story of a young man who had identified attackers, only to have his eyes cut out; and the 60-year-old woman taking care of seven grandchildren were all calls to bring justice through the institution of accountability that is the International Criminal Court.

Following Ishmael was Mark Drumbl of Washington and Lee University School of Law, whose lecture entitled "Power of a Word" recognized the 60th anniversary of the Genocide Convention.

Drumbl began by exploring the origins of the word "genocide" and the difficulties that follow in the preparing an prosecuting intensely personal story as evidence.

"In my opinion, the narrative of the trial, the verdict and the sentence, has tremendous pedagogical power, which in many ways needs to be respected," he said.

Though there is no formal hierarchy for international crimes, genocide is often described as the "crime of crimes." The prosecution of genocide as a civil liability, where survivors and victims file damages, is different from a criminal trial, as a "civil liability claims victim is subject of the process."

Drumbl noted that there have been civil liability claims filed here in the U.S. , perhaps most notably the case against suspected war criminal Radovan Karadzic, which began in the U.S. courts as a massive gender-based violence narrative.

The prosecution of genocide in national courts is beneficial because as Drumbl noted, genocide does not occur because of a small amount of people. The pervasive ideology is only possible with a vast majority of people, and stressed that in the search for justice, prosecution must go beyond the high-

level offenders. Those who perpetrate the crimes in the light of fulfilling a bureaucratic duty are not immune to justice.

In his closing remarks, Drumbl said the legacy of the genocide convention is that a "law is about much more than a person sentenced. It's about our own morality, bounds and limits of the global society."

MANDATES AND CHALLENGES

Leila Nadya Sadat of Washington University School of Law moderated the next event, the around-the-world report from the current prosecutors. Included in the panel were all five current prosecutors for the international tribunals. Serge Brammertz, International Criminal Tribunal for the former Yugoslavia; Hassan Jallow, International Criminal Tribunal for Rwanda; Fatou Bensouda, International Criminal Court; Stephen Rapp, Special Court for Sierra Leone; and Robert Petit, Extraordinary Chambers in the Courts of Cambodia. The collective prosecutors are responsible for bringing to justice criminals in their respective locations.

Major issues addressed by the panel included facing the challenges in gathering evidence for war crimes trials, how to work effectively without a police force, working underfunded, all the while being under the scrutiny of the international community.

Serge Brammertz conveyed the importance of the arrest of Karadzic as big success for the victims and international justice. He added, though, that justice starts at the local level, where there are hundreds of cases for lower-level perpetrators.

Hassan Jallow touched on the difficulties working without police and prisons as support systems, meaning that they are faced with the challenges entailed with co-operating with other states. In order to capture 13 wanted criminals suspected of hiding in the Congo and Zimbabwe, he said they "need the help of the UN to capture and lobby governments who harbor these fugitives."

Stephen Rapp described how tens of thousands of people stood on their roofs to watch as former Liberian president Charles Taylor flew overhead to be delivered to a detention center after being arrested. Taylor bears the greatest responsibility for a campaign of terror in Sierra Leone, even though he never set foot there.

On the difficulty of finding and working with key executors in Taylors administration, Rapp says "we have to find the people inside the organizations to bring down the leader" - which can be time consuming when Taylor may face the first conviction ever for acts of using children for sexual slavery, which is a war crime, and the first crime in history of the world for forced marriage.

Rapp said, "It's been a great experience working in Sierra Leone, building on the legacy of my colleagues."

Robert Petit said the Extraordinary Chambers in the Courts of Cambodia works as a hybrid between the government of Cambodia and the international community. Working with national and international staff allows the application of Cambodian and international law, though this also entails the difficulty of blending and applying the law fairly. With such a large number of victims coming forward and admitting to being tortured - 12,038 to be exact - time span becomes an issue, as the court is limited to voluntary funding. The availability and the reliability of witnesses, as well as holding a trilingual court, all add to the difficulty of prosecuting war criminals.

Fatou Bensouda, the court deputy for the ICC, has had an interesting year with the 60th anniversary of the Genocide Convention, the 10th anniversary of the Rome Statute, and the call for arrest warrants for the perpetrators in Darfur. For the first time, the independent international criminal court will ask victims to participate.

"We need to remind ourselves that what is going on in Darfur is organized," she added.

Clint Williamson, Ambassador at Large for War Crimes Issues, U.S. Department of State, detailed the evolution of the United States policy on the ICC. Williamson noted that the Bush administration in 2001 did oppose and view the ICC suspiciously, but now the prevailing sentiment has changed with U.S. engagement being very positive.

"The openly hostile opposition has faded away," said Williamson.

The current and former prosecutors were gathered and led in a panel discussion entitled "Atrocity and Genocide: The Challenge of Semantics." The discussion was led by Michael Scharf of Case Western University School of Law and involved David M. Crane, Special Court for Sierra Leone; Petit; Brammertz; Jallow; Bensouda; Rapp; Benjamin B. Ferencz, United States Military Tribunals, Nuremberg; Henry T. King, International Military Tribunal and United States Military Tribunals, Nuremberg; and Whitney R. Harris, International Military Tribunal, Nuremberg.

The gathering of prosecutors who set the standard and legacy of establishing justice and accountability with the Nuremberg Tribunals, and the current prosecutors who carry on their legacy, was described by Scharf as "an extraordinary event. Chautauqua is lucky to host this for a second year. To bring all the international criminal prosecutors together in one place is like bottling lightning."

Highlights of the discussion included King and Ferencz both conferring that "war is the supreme international crime."

When asked if it is appropriate to drop the charge of genocide to admit to a lesser guilt, King responded, "this is a crime we should never accept on basis of admission - a crime of such enormity that it must be proved."

One of the final questions of the panel, concerning suggestions to the new President for United States foreign policy and the prosecution of genocide, Harris responded, "If we're serious, the U.S. must not be afraid to be a leader. If we have the ICC, the U.S. shouldn't be hesitant to be a participant."

Afterward, when asked to comment on the days activities, Greg Peterson, chairman of the Robert H. Jackson Center, said "I'm overwhelmed by this morning's activities."