

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



“Reach”. Photographer: Lawrence Sesay

**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, 5 August 2008

Press clips are produced Monday through Friday.  
Any omission, comment or suggestion, please contact  
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Awoko

Tuesday, 5 August 2008

## Closing argument of the RUF trial commence

*By Betty Milton*

**A**s the case of the three former leaders of the Revolutionary United Front draws to a close, both prosecution and defence teams yesterday started their closing arguments at the UN-backed Special Court.

In their arguments before the Trial Chamber, the prosecution submitted that the three accused Issa Sesay, Morris Kallon and Augustine Gbao were aware of the indictment and that was why they took part in the process, adding that they knew the indictment was valid and approved by the Trial Chamber. Defence counsel for first accused Issa Sesay said there was a degree of discomfoting fear because of the way the prosecution had approached the "degree of defects."

He said the accused was not aware of changes on the indictment and there was no authority hence did not know the case not had the time to prepare his defence.

On the use of insider witnesses used by the prosecution, the

defence counsel said the case was "twisted" against the accused because most of the witnesses used were colleagues who were in the fight together with him.

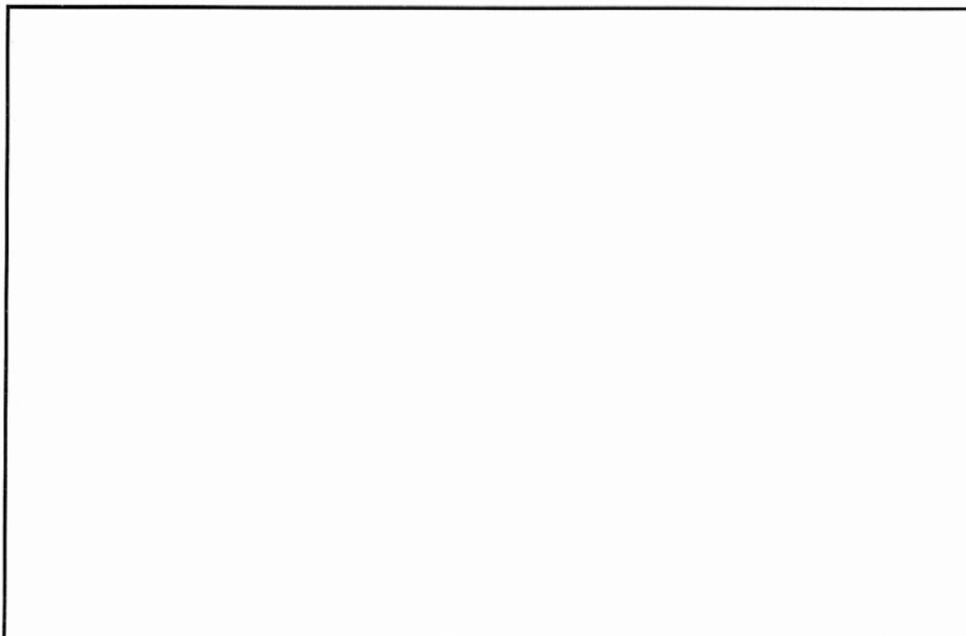
He said civilians were not ready to talk against Issa Sesay therefore

the prosecution decided "let's go to his colleagues and friends and build our case."

Lawyer Jordash said the insider witnesses kept on changing their stories back and forth and when it came to document the story they

would be told differently.

The defence team for the second and third accused will submit their closing arguments tomorrow and will seek to prove the innocence of their clients.



## Patriotic Vanguard website

Monday, 4 August 2008

### Sierra Leone: Justice Sector Survey Published

- Monday 4 August 2008.

The Justice Sector Coordination Office (JSCO) of the Ministry of Justice has produced the Justice Sector Survey 2008, which is a baseline publication about the justice sector in Sierra Leone.



This second edition of the Justice Sector Survey is intended to serve as information material of the justice sector with specific focus on key institutions in the criminal and civil justice systems, which are expected to provide equitable and affordable justice for the people of Sierra Leone. The publication assembles as much significant data as possible and makes it available to everyone interested, from justice professionals to members of the general public.

The scope of information includes an overview of the following areas:

Identification of staffing levels, structures, functions and deployment in all relevant institutions  
 Geographical location of institutions and its operations  
 Basic disaggregated data relating to caseload, turnover, speed, type of cases, client groups, etc.  
 List of civil society organisations that are active in the justice sector

One major section focuses on work that is taking place in Moyamba, which was selected as the pilot district for the Justice Sector Development Programme (JSDP), during its initial phase of two years (March 2005 to June 2007). This section has been included to demonstrate how the justice sector operates in the provinces. Other sections include, details of known NGOs working in the justice field, cross-institutional information on child justice, plus significant research on justice issues in Sierra Leone.

The survey is based on information that was collated from documents currently held in the JSCO Resource Unit and interviews with various individuals in the justice sector. The survey is currently being circulated to all of the JSCO partners and will also be made accessible to the public through the Resource Unit.

“It is our aim that the survey will be updated and published every two years in order to keep stakeholders current on the justice sector in Sierra Leone”, stated the Justice Sector Coordination Office (JSCO) Coordinator, Ms. Sarah-Ann A. A. Lewis.

The Justice Sector Coordination Office (JSCO) in the Ministry of Justice is responsible for driving forward the day-to-day operations of the Government of Sierra Leone Justice Sector Reform Strategy and Investment Plan (JSRSIP) 2008-2010. The JSRSIP vision is to develop an efficient, effective, impartial and accountable justice sector that meets the needs of all communities in Sierra Leone.

JSCO is located on the first floor of Guma Building, Lamina Sankoh Street, Freetown, Sierra Leone.

Photo: Attorney General and Minister of Justice Abdul Serry Kamal.

## UNMIL Public Information Office Complete Media Summaries 4 August 2008

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

### **Newspaper Summary**

#### **TRC Somersaults over President Sirleaf's Appearance**

(Daily Observer, The Monitor, Heritage, The Analyst, New Democrat, Public Agenda)

- The media reports that the Truth and Reconciliation Commission (TRC) of Liberia has somersaulted over the appearance of President Ellen Johnson Sirleaf before it tomorrow, Tuesday, August 5, 2008. The New Democrat reports that in a release the commission said it regrets the mistake and that the President will not appear on the stipulated date, although she will appear at another confirmed date.
- It can be recalled that the Commission in its July 31 press release said it will today commence Thematic and Institutional Hearings as part of its inquiry process which will be held under the theme: "Understanding the Conflict through Its Principal Events and Actors".
- The release named a number of prominent individuals including President Ellen Johnson Sirleaf who were to appear before the TRC this week. The Daily Observer, Monitor, Public Agenda and Analyst newspapers said the commission clarified at the weekend, that the information concerning the appearance of the President on tomorrow, Tuesday was purely an error.

#### **Former U.S. President Predicts Economic Growth for Liberia**

(Public Agenda, The News, Daily Observer, Liberian Express, The Inquirer, New Democrat)

- The Liberian Express reports that Former U.S. President, Bill Clinton has extolled the great potential of Liberia which he said is conducive for any significant investment. Speaking in Monrovia on Sunday when he announced a new initiative to combat malaria in the country, former President Clinton said there is an enormous amount of support for Liberians in the United States attributing it to the admiration Americans has for the leadership of President Ellen Johnson Sirleaf. He said he was optimistic that Liberia would experience economic growth in the not too distant future saying though the benefits may seem a bit slow right now he however predicted that Liberia will experience a boom.

#### **Constitutional Crisis Creeps In Senate - Resolution to Remove Pro-Temp Ready**

(Daily Observer, The Informer, The News, Public Agenda, The Monitor)

- The News newspaper reports that a constitutional crisis is gradually emerging with about 20 Senators having resolved to remove President Pro-tempore, Isaac Nyenabo. The Daily Observer said with a resolution signed by two-thirds of the members of the Liberian Senate, there could be a change of leadership in the Legislative upper chamber tomorrow, Tuesday, August 5, 2008, when senators meet to vote and act on that resolution in Plenary. In a resolution drafted July 29, 2008, the Senators declared an irreversible "Vote of No Confidence" in the leadership of Mr. Nyenabo for what they termed gross administrative ineptitude.
- The Public Agenda however reports that latest information reaching the paper suggests that row and division has consumed the rank and file of the Senators attempting to remove the Pro-Tempore. The Monitor for its part reports that citizens are demanding due process if Pro-Temp Nyenabo is to be removed.

## **Major Cell Phone Company Agrees to Renegotiate Deal with Government**

(The Inquirer, The News, Daily Observer)

- The management of Comium-Liberia has disclosed that it is willing to renegotiate its contract terms with the Government of Liberia but maintains that it will not want its previous deal entered during the administration of then Liberian President Charles Taylor canceled as has been recommended by the present government. The General Manager of the company, Monie Captan made the disclosure at the 2<sup>nd</sup> quarterly Business Dinner of the Liberian Business Association. The Daily Observer reports that the Executive has made fruitless attempts to cancel agreement which was signed in 2004 and ratified by the National Transitional Legislative Assembly.

## **Ad-Hoc Price Commission Presents Report**

(Daily Observer, New Democrat)

- The Ad-hoc Price Commission, through its Chairman, Dr. Togba-Nah Tipoteh, has presented its final findings to President Ellen Johnson Sirleaf, recommending the establishment of a policy framework through which Liberians would be able to produce and supply what they cannot produce. Presenting the final report of his Commission's findings to President Sirleaf at her Foreign Ministry offices on Friday August 1, 2008, Dr. Tipoteh said "We need to have a policy framework that is looking beyond". The President in response thanked Dr. Tipoteh and his team for the report and promised to read the report thoroughly and digest its recommendations.

## **Radio Summary**

**Star Radio** *(News culled today from website at 9:00 am)*

### **Ex-U.S. President sees Potential for investment in Liberia**

*(Also reported on Truth F.M. and ELBC)*

### **ECOWAS Parliamentarians Meet in Monrovia Today**

- A four-day ECOWAS Parliamentary meeting opens today in Monrovia.
- The meeting will bring together members of the ECOWAS Parliamentary Committee on Human Rights and Child Protection.
- A member of the Liberian delegation to the ECOWAS Parliament, Representative Jefferson Karmoh said the meeting will focus on the reintegration of child soldiers which was necessary in order to create a safe and sound future for them.
- He said the ECOWAS Parliamentary delegation would also hold discussions with key local and international organizations involve with children's welfare.

*(Also reported on Truth F.M. and ELBC)*

### **Public To Debate Freedom of Information Act Today**

- A major bill to further strengthen democracy in post-conflict Liberia will undergo public scrutiny today at the House of Representatives.
- The Information Committee of the House is hosting the public hearing on the draft Freedom of Information Act which was among three draft Acts submitted to the National Legislature by the Press Union of Liberia and its partners.
- It is intended to make public information accessible for the benefit of the people of Liberia as regards good governance and the rule of law.
- The House Information Committee had already conducted public hearing on two draft Acts submitted along with the Freedom of Information Act.
- They are the Act to establish a media regulatory body and an Act to transform the Liberia Broadcasting System to a Public Service Broadcast.

### **President Sirleaf Commissions WAEC-Liberia New Office**

- Speaking at the dedication ceremony of the national office of the West African Examination Council in Congo Town, President Ellen Johnson Sirleaf called on all Liberians to join the

reconstruction process of the country.

- President Sirleaf said the reconstruction of infrastructures would make the country to be on par with other developed countries.
- For his part, the head of WAEC, Thomas Gaie said the construction of the office was a result of numerous constrains facing the smooth operations of the council saying the new office would now accommodate all activities of the national office.

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## Business Daily (Kenya)

Tuesday, 5 August 2008

# Indicting al-Bashir will be victory for the campaign against impunity

Written by J Peter Pham

### Sudan's President Omar Hassan al-Bashir

**August 4, 2008:** The prosecutor of the International Criminal Court (ICC), Luis Moreno-Ocampo, has presented evidence to a panel of judges asking for the issuance of an arrest warrant against Sudanese President Hassan al-Bashir on charges of genocide, crimes against humanity, and war crimes for his role in the conflict in Darfur.

While it is highly unlikely that a legal indictment from a tribunal sitting at The Hague will have much immediate effect on what the United Nations has termed “the worst humanitarian crisis in the world” — if anything, as some critics of the move have already argued, it might worsen the situation, at least in the short-term — the proceedings initiated signal the beginning of the end, not only for Bashir and his Arab-dominated Islamist regime, but for the geopolitical monstrosity that has been Sudan.



According to the summary of the case presented by the prosecutor to the three judges who serve as the ICC's first Pre-Trial Chamber, Bashir “bears criminal responsibility” for the consequences of his March 2003 decision to target a substantial part of the Fur, Masalit, and Zaghawa groups on account of their ethnicity after negotiations and armed action failed to end a rebellion in Darfur by insurgents who belonged mostly to the three peoples.

According to Moreno-Ocampo, “his motives were largely political. His pretext was a ‘counterinsurgency.’ His intent was genocide.” Consequently, the legal filing argues for the Sudanese dictator's personal responsibility under international law.

It will now be up to the judges to review the evidence submitted and determine whether or not to issue an arrest warrant as requested by the prosecution. If and when one is issued, it is not likely to have much immediate effect. In fact, two other Sudanese officials, Minister of State for Humanitarian Affairs Ahmad Harun and Janjaweed militia leader Ali Kushayb, were indicted by the ICC last year.

Not only are both still free, but, as the prosecutor's own brief complained, after the tribunal's decision “Bashir travelled to Darfur with Harun and publicly announced that he would never hand Harun over to the ICC; to the contrary, Harun would continue working in Darfur to implement his orders.”

The jurisdiction of the ICC over the situation in Darfur derives from UN Security Council Resolution 1593 (passed 11-0, with four abstentions in March 2005), which invokes Chapter VII of the world body's Charter to declare that “the situation in Sudan continues to constitute a threat to international peace and security” and to refer events in Darfur from July 1, 2002, to the tribunal.

While Sudan is not a party to the Rome Statute establishing the ICC (neither is the United States), the

Chapter VII referral made any resulting issues a global concern of the UN Security Council.

However, it would be unrealistic to expect the Security Council to act vigorously in support of the proceedings which it itself set in motion. And even before Moreno-Ocampo presented his evidence, UN Secretary-General Ban Ki-moon was distancing the world body from the court it had asked to investigate the Darfur crisis, telling the Sudanese ruler that “the UN Secretary-General does not have any influence on the ICC Prosecutor.”

Despite the unlikelihood of immediate execution of any arrest warrant forthcoming from the ICC, an indictment will not be without its consequences. An indictment of Bashir will make it much more difficult for any country or international organisation to help negotiate a political settlement with the Sudanese government.

Some forms of pressure may force the Sudanese government to negotiate a political settlement, some will only make their leaders more intransigent: an indictment is clearly in the latter category.

The regime will now avoid any compromise or anything that would weaken their already weakened position because if they are forced from office they face trials before the ICC. Free and fair elections are now much less likely, if they ever happen.

The perspective of Dr Natsios is one which I have considerable sympathy with. In a 2005 article in *The Long Term View*, the public policy journal of the Massachusetts School of Law at Andover, reflecting on the case of Liberia’s Charles Taylor, another African head of state who was indicted by an international tribunal, I argued: “[L]eaving a “thug” like the Liberian leader no options to withdraw only encouraged him to fight it out to the bitter end, taking hundreds, if not thousands, of innocents with him, and worsening the conditions of life for those who survived, before finally retiring ...

There are no easy answers.

However, in many transitional situations, it is of paramount importance that the thugs who have mismanaged states and terrorised peoples be removed from the political scenes of their respective countries.

Only then can stable environments be built. The retirement of the former rulers might well be the price, however controversial, that will need to be paid to avoid the dangerous situation of isolated and desperate thugs who see no way out other than to fight to the end, dividing and destroying their countries in the process ...

Dogmatic absolutism may serve the theologian whose calling is to distinguish between good and evil in the realm of the spirit, but it is of little use to the statesman who must, in the real world, balance conflicting aspirations and competing interests and seek an outcome that optimises the greatest good for the largest number of people, especially those who suffer under the rule of the world’s “thugs.”

However, the case of Sudan is different precisely because the very existence of the unitary state has been at the root of conflict and injustice there. Undoubtedly, the proceedings initiated against Bashir will immensely complicate the lives of diplomats seeking to keep myriad ramshackle accords and processes on life support.

Moreover, hardliners within his National Congress Party (NCP) will resist further cooperation, not only with undermanned hybrid African Union/United Nations force in Darfur (UNAMID) which lost seven peacekeepers to an ambush just last week, but also slow down their already-lagging implementation of the 2005 Comprehensive Peace Agreement (CPA).

A resumption of the North-South conflict, possibly beginning in Abyei, and political attacks on Southern leaders participating in the ostensible “national unity” effort underscore the fragility of the situation in

Sudan, even before the developments at the ICC. An indictment of Bashir will weaken his regime even further as it increases the diplomatic costs for other governments should they choose to deal with him.

As my friend Professor David Crane, the prosecutor of the Special Court for Sierra Leone who won the indictment of Taylor, told the Voice of America, the fact that charges were even presented signalled “the beginning of the beginning of the end of President Bashir as far as his place as a leader in Africa.”

In a broader perspective, indicting the Sudanese tyrant is not only a victory for the campaign against impunity in the case of one man, it may well also open the way to ending a whole series of conflicts and present a historic opportunity for both Africans and their American friends.

**Dr Pham is Director of the Nelson Institute for International and Public Affairs at James Madison University in Harrisonburg, Virginia.**

## The Scotsman (UK)

Tuesday, 5 August 2008

### Foreign Briefing

By Chris Stephen

#### IN NEW YORK

PEACE or justice? This debate has raged ever since the United Nations set up the world's first modern war crimes courts in the Nineties.

With the proposed genocide indictment of Sudan's president, Omar al-Bashir, by the International Criminal Court (ICC), the argument has burst into the open.

War crimes courts have racked up an impressive record for convicting some of the world's worst monsters, with Bosnian Serb Radovan Karadzic the latest "big fish" to drop into the judicial net.

But critics say justice can get in the way of peace. What incentive for Bashir to stop the fighting in Darfur, with a genocide charge hanging over his head?

Similarly, in Uganda, the guerrilla Lords Resistance Army, blamed for kidnapping hundreds of schoolgirls for sex slaves, has agreed to sign a peace deal – but only if the ICC lifts war crimes indictments.

China now wants the UN Security Council to use special powers to give Bashir immunity. China's government buys most of Sudan's oil and gives it military hardware, but insists this argument is about what is best for humanity – that war crimes charges should be dropped, if that is the price for peace.

Critics of war crimes courts say South Africa pioneered a better approach with its Truth and Reconciliation Commissions that give immunity to war criminals, but only for the crimes they confess to, and when coupled with a promise not to go back to war.

Rights groups say such commissions work fine for wars that have already passed, but have no value in deterring future carnage.

For that, you need an international judicial mechanism that gives warlords the expectation that if they commit atrocities, they can be held accountable.

But there must be no exceptions – if Bashir is given a UN "Get out of jail free" card, future warlords will expect similar treatment.

The key to who wins this argument is likely to be world public opinion. If the trial of Karadzic, and that of former Liberian president Charles Taylor, also in the Hague, produce solid convictions, the public will swing behind the process – dragging their governments with them.

**BBC**

Tuesday, 5 August 2008

## Rwanda to reveal 'genocide role'

### Rwanda's government is to reveal details of a report containing allegations of French involvement in the country's 1994 genocide.

The report is expected to contain the names of those alleged to be implicated and the accusations against them.

Some 800,000 people were killed in just 100 days in the 1994 massacre.

Earlier this year France's foreign minister denied French responsibility in connection with the genocide, but said political errors had been made.

#### Testimonies

The BBC's Geoffrey Mutagoma in the capital, Kigali, says a commission set up by the government took nearly two years investigating France's alleged role in the genocide. It heard testimonies from genocide survivors, researchers, writers and reporters.

The 500-page document was presented to the government last November, but has not yet been made public.

Last week, President Paul Kagame told a press conference in Kigali that Rwanda had strong evidence implicating France's role.

In the past his government has repeatedly accused France of arming and training the Hutu extremists who perpetrated the genocide, and of dragging its feet in co-operating with the investigations that followed the massacres.

The two countries have had a frosty relationship since 2006 when a French judge implicated President Paul Kagame in the downing in 1994 of then-President Juvenal Habyarimana's plane, which triggered the killings.

President Kagame has always denied the charges and says Mr Habyarimana, a Hutu, was killed by Hutu extremists who blamed the incident on his Tutsi rebels to provide the pretext for the genocide.

Some 800,000 Tutsis and moderate Hutus were slaughtered by Hutu extremists in the genocide.



Some 800,000 people died in the 1994 genocide in Rwanda