

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



**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:**

Monday, 15 December 2008

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

**International News**

Special Court Brainstorming Starts About What to do With Edifice After 2010 / <i>Cocorioko</i>	Pages 3-6
Successful Appeal Strengthens Case For Abolition / <i>Inter Press Service</i>	Pages 7-8
UNMIL Public Information Office Complete Media Summaries / <i>UNMIL</i>	Pages 9-11
Guinea Implicated in Liberia Civil War / <i>Africa News</i>	Page 12
Kenya Pressed on Rwanda Suspect / <i>BBC online</i>	Page 13
Africa: The UN Genocide Convention At 60 / <i>AllAfrica.com</i>	Pages 14-15

## Cocorioko

Saturday, 13 December 2008

### **PICTORIAL DISPLAY: Special Court brainstorming starts about what to do with edifice after 2010**

Written by Leeroy Wilfred Kabs-Kanu  
Saturday, 13 December 2008

The Special Court for Sierra Leone, which was supported by the United Nations, tried accused persons who bore the most responsibility for the atrocities committed during the Sierra Leone war. The court will be winding down its activities in 2010. The question that will then remain is what to do with the magnificent buildings and structures that housed the court.



**Photo of participants in yesterday's session : From left : Mr. Mannah Kpukumu, the First Secretary at the Sierra Leone U.N. Mission and Ambassador Bockarie Stevens ( Backs turned ); Ambassador Rupert Davies ; the newly-arrived Deputy Permanent Representative in charge of Legal Affairs, Hon. Osman Keh Kamara; COCORIOKO Editor Kabs-Kanu; Special Court officials James Cooke, Anthony Triolo and Registrar, Herman Von Hebel.**



**From Left : Mr. Mannah Kpukumu , Ambassadors Stevens, Davies and Kamara**



**Special Court Registrar Herman Von Hebel and Minister Kargbo confer**

At the conference Room of the Sierra Leone Permanent Mission to the UN in New York yesterday Friday December 12, 2008 ,the Registrar of the court, Mr. Herman Von Hebel and two other officials , held an

important meeting with staff of the Sierra Leone Permanent Mission to the UN, Sierra Leone's Ambassador to the U.S, H.E. Bockarie Stevens , Information Minister Alhaji Ibrahim Ben Kargbo and officials of the COCORIOKO newspaper, Leeroy Wilfred Kabs-Kanu and Foday Mansaray to lay out the groundwork for the brainstorming exercise about to commence to decide what is done to the Special Court edifice.

In his opening remarks, the Registrar of the Special Court, Mr. Herman Von Hebel, said that it was a great opportunity to know the future use of the facility. He stated that the court structure, which includes the offices, court house and detention facilities, was the property of the government of Sierra Leone. He said the time has now come to determine what to do with the edifice when the court winds down in 2010.

The Registrar said that it was with the government of Sierra Leone to decide. He indicated that the only responsibility of members of the Special Court is to listen to what people want the edifice to be used for. He said that the edifice comprises of 11 -and-half acres of land and it would be difficult for one organization to take control of all of it. He noted that different suggestions had been provided for the future use of the buildings :

1. A MEMORIAL . Part of the archives of the TRC and the Special Court and pictures could be used here to tell a story about what happened in Sierra Leone, with the wish that these things do not happen again.
2. There is a library that could be used by Sierra Leoneans to gain access to judicial materials.
3. The detention facility is up to international standards The Red Cross was satisfied with it. This could function as a detention center. The prison facility could be continue to be a detention facility, though the government has expressed the desire to have convicts of the Special Court moved to other countries for security reasons. Some countries like Rwanda and Senegal could take them in, but it will involve money .War criminals could be swapped and Rwandan convicts brought in but this will involve money but there might be financial benefits.
4. There is the court house which could be used as a courthouse or lecture rooms.
5. The edifice could also be used by different organizations as training centers for international organizations, e.g. The ECOWAS Judiciary
6. The facility could also be used as training center for the rule of law. It could be used to train judges, defence counsels, prosecutors , the military , the people involved in the chain of events pertaining to the war. The Registrar said Fourah Bay College was famous for being a center of learning for Africans. The facility , if used as training center for the rule of law would make Sierra Leone a nation where the rule of law is being promoted. It could be called the President Koroma Center for the Rule of Law. He said universities and think-thanks could discuss these suggestions.

The Registrar remarked : "What are the financial possibilities to make it happen ? ... We are not in the driving seat. It is the government of Sierra Leone that should be in the driving seat, but we will be more than happy to assist in fund-raising activities, financial planning and what the government may want to see happen to the edifice " .

The Registrar said that invitations had been sent out for brain-storming sessions . "We need stakeholders and foundations to participate. 30 have confirmed that they will participate and the venue is a law firm in Washington DC, next to the White House. We can expect roughly 40-50 people ", he went on. They, the law firm, will pay for the whole thing. It's a big law firm .They see it as an interesting thing to work with

the Special Court. They also worked with the International Criminal Court...We can have break-out sessions of people who will come out with ideas about how to raise money ".

The event, the Registrar suggested, could be for 2 hours, lasting from 9:30am to 11: 30 am. "We can have 2009 for everything to be set then we can begin to concentrate on funding which takes time ", he affirmed.

More meetings are expected.

## Inter Press Service

Friday, 12 December 2008

### **DEATH PENALTY-SIERRA LEONE: Successful Appeal Strengthens Case For Abolition**

Mohamed Fofanah

A court in Sierra Leone has overturned treason convictions for 11 men. It is the first successful appeal against a death penalty in that country, opening the possibility of an eventual end to capital punishment there.

"It was like a miracle, I could not believe it. We were all filled with emotions when the judge said that we were acquitted and discharged," said Hindolo Trye, one of those acquitted.

The charges -- laid against 10 members of the former armed opposition groups, the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF), and one civilian -- related to an armed attack on the armory at Wellington barracks, on the outskirts of Freetown in January 2003, in an apparent attempt to overthrow the government of President Kabbah.

"The acquittal of the eleven condemned prisoners is phenomenal," said Brima Sheriff, the director of Amnesty International in Sierra Leone. "This is the very first time in the history of this country that condemned prisoners had won their appeal and released especially for the conviction of treason."

Sadly, Osho Williams, the lawyer and All Peoples' Congress member of parliament who represented the eleven convicted prisoners during their 2004 trial and subsequent appeal, died just a few days after winning this victory.

This overturning of a previous decisions by the court has highlighted a key argument against the death penalty -- the fact that an error in judgment can never be corrected if the victims have lost their lives.

The Court of Appeal acquitted the ten for procedural lapses during their trial; the fact that the trial judge failed to analyse the evidence led by the prosecution and to relate same to the law; and the trial judge's failure to direct the jury adequately on the law relating to accomplices, and the danger of convicting on the uncorroborated evidence of an accomplice.

In Sierra Leone murder, aggravated robbery and treason are capital crimes.

However there have been no judicial executions since October 1998, when 24 AFRC members convicted of treason were publicly executed after a trial before a military court.

One of the key recommendations of the Truth and Reconciliation Commission (TRC) which was established by the government in 2000 to create an impartial historical record of human rights abuses committed during the armed conflict and to provide a forum for victims and perpetrators to recount their experiences was enshrining the right to human dignity and abolishing the death penalty.

The TRC's report explicitly calls for the immediate repeal of laws authorising the death penalty, for a moratorium on all executions pending abolition, and for the government to commute all pending death sentences.

But the Constitutional Review Commission of Sierra Leone has recommended only that the death penalty be replaced by life imprisonment in all cases of treason or other crimes of political nature that do not directly result in the death of another person and be replaced by life imprisonment.

"This is not enough," said the Amnesty Director in Sierra Leone. "We are calling for full commitment by the government for a abolition of the death penalty and nothing less"

Meanwhile, on Nov. 20, Sierra Leone abstained from voting on a moratorium on the death penalty at the UN General Assembly. This abstention has been condemned by many rights activists in the country.

The country still has 13 prisoners -- ten male and three female -- on death row at the maximum-security Pademba Road Prison, according to prisons officials.

Mambu S. Feika , the director of Prison Watch -- an organization that monitors all prisons in Sierra Leone -- told IPS that the acquittal of the ten death row prisoners has brought not only faith in the justice system of the country but hope for the other 13 prisoners awaiting executions.

"The previous government of Tejan Kabbah has observed a moratorium on the death penalty. The Ernest Bai Koroma government has started on a good footing on the death penalty we sense willingness by this government to get rid of the death penalty in our statutes and these signs are good for the remaining 13 on death row."

The Attorney General and Minister of Justice, Serry Kamal, told IPS that the president still reserves the decision to endorse the death penalty prescribed by the courts but that as the Minister of Justice, he will not recommend to the President to sign the execution order for any condemned Prisoner.

"Osho fought to save our lives it is a pity he had to loose his before he could see us live again, we hope that his party which is in power lives his dream to abolish the death penalty," Hindolo sighed.

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

---

**UNMIL Public Information Office Complete Media Summaries  
12 December 2008**

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

**Newspaper Summary**

**Police Boss Warns Residents Living Under Collapsed Bridge**

(The Informer, National Chronicle)

- Police Inspector General, Col. Beatrice Munah Sieh-Browne has warned homeless people living under the collapsed Vai Town Bridge in Monrovia to leave the area or risk being forcefully removed. She said it was unsafe for homeless Liberians to live under the collapsed bridge, adding "government has concluded arrangements for the construction of the bridge". Director Sieh emphasized that it is against public safety to live in an area considered unsafe, warning residents of the area to "vacate".
- It can be recalled that prior to the collapse of the bridge, the government declared the bridge unsafe and stopped pedestrians and vehicles from using it.
- Two days later, the bridge collapsed but with no detailed information regarding casualty. Since then, the Liberian government asked those living under the bridge to leave but they have refused to do so. The World Bank has allotted several millions United States dollars for the construction of the bridge which is expected to be implemented by a Chinese company.

**TRC Official Reports Threat on His Life**

(The News)

- The Media and Outreach Director of the Truth and Reconciliation Commission of Liberia (TRC) has alarmed that former lawmaker Sando Johnson has threatened his life. Speaking at a news conference yesterday, Mr. Richmond Anderson said the threat was issued two days ago after Mr. Johnson accused him of being behind the publication of a list of people wanted by the commission.
- Mr. Johnson has meanwhile dismissed the claim saying it was false and misleading. This is the second time in a week that Executives of the TRC has reported threat on their lives. Early this week, Commissioners Massa Washington and John Stewart made similar claim which has been reported to the police.

**US Ambassador says "Corruption is Huge Challenge"**

(The Inquirer, The News, Daily Observer)

- United States Ambassador to Liberia, Linda Thomas-Greenfield says corruption still remains one of the major challenges confronting the rebuilding process of Liberia.
- Speaking yesterday at the National Investment Commission, Ambassador Thomas-Greenfield said in order to move the nation ahead in its reconstruction drive, Liberians must make corruption a thing of the past. The Ambassador's call comes in the wake of persistent reports of massive corruption being reported in government. Recent audits conducted by the General Auditing Commission (GAC) indicted several ministries and agencies of government of "corruption".

### **ADB/IFAD, MOA Sign US\$28M Grant**

(The Analyst, Daily Observer, Liberian Journal )

- The Ministry of Agriculture (MOA), African Development Bank (ADB) and the International Fund for Agriculture Development (IFAD) have signed a US\$28 million grant to improve food security, agriculture rehabilitation and community-based poverty reduction in Liberia.
- The signing ceremony took place yesterday in Monrovia. Speaking during the ceremony, Agriculture Minister, Dr. Chris Toe said as part of the Lift Liberia Poverty Reduction Strategy which is gradually taking place, the grant would help improve the food, mining and forestry sectors and accelerate economic growth of the larger society.
- For her part, the mission leader of the two organizations, Dr. Marianne Kurzweil outlined the project into various components. She named the support to household capitalization and agricultural development, HIV/AIDS and malaria sensitization campaign as some of the components.

### **Guinea Supported LURD - Embattled Pro-Temp Tells TRC**

(The Analyst, Daily Observer)

- The founding secretary of erstwhile Liberian United for Reconciliation and Democracy (LURD) Movement, Isaac Nyenabo says the Guinean government aided the group to wage war on the Charles Taylor government. Testifying before the Truth and Reconciliation Commission of Liberia (TRC) yesterday, the embattled Senate President Pro-tempore said that those who ended the struggle have more on the account of what may have happened but to his knowledge, 'things were classified and direct people were not visible.'
- Meanwhile, a former special bodyguard to former Special Security Service (SSS) Director, Benjamin Yeaten, Marcus Hargrave says that he did not spill blood but he fought in combat at the frontline. Hargrave who cried of being a victim in the NPFL said that in 2000 he fought LURD forces with some 13 men in Foya and penetrated through to Voinjama, Lofa County.

## **Radio Summary**

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

### **Mano River Union Leaders Adopt Measures to Consolidate Peace in Sub-region**

- An executive Mansion release said member states of the Mano River Union (MRU) have signed a joint communiqué to among other things address security, agriculture and economic challenges affecting member countries.
- The MRU countries signed the communiqué on Thursday in Freetown, Sierra Leone at the close of the 19<sup>th</sup> extraordinary summit of heads of state and governments.
- The Summit was attended by Liberian President Ellen Johnson Sirleaf, who currently chairs the sub-regional grouping; Sierra Leonean President Ernest Bai Koroma, who served as host of the Summit; Ivorian President, Laurent Gbagbo; and the Prime Minister of Guinea, Dr. Ahmed Tidiane Souare.

### **TRC Executive Alarms over Threat on His Life**

(Also reported on Star Radio, Sky F.M., Truth F.M. and ELBC)

### **Star Radio** (News culled from website today at 8:30 am)

#### **LDI Launches Survey on Governance**

- The Liberia Democratic Institute (LDI) in collaboration with the Subah Associates has launched what it called the Afro-Barometer Public Opinion Survey in Liberia.
- According to a release, the survey is a comparative series of public opinion surveys that seeks to assess the view of Liberians on the quality of democracy, governance, economic reforms and the quality of Life.
- The LDI said findings from the survey will give donors, NGO's and Government a clear picture of the quality of governance in post-war Liberia.

**New PUL Leadership to be Inducted Today**

- A new leadership of the Press Union of Liberia (PUL) is due to be inducted into office.
- Those to be inducted today are Peter Quaqua as President, Jacob Parley as Vice President and Philip Sandi as Secretary General.
- Others to be inducted are Melissa Chea-Annan as Assistant Secretary General and Mr. Joshua Kpenneh who was re-elected as Treasurer.
- Members of the PUL went to the polls last month and elected a new corps of officers that will serve the union for a two year term.

\*\*\*\*\*

## Africa News

Saturday, 13 December 2008

### **Guinea implicated in Liberia civil war**

By Murtala Mohamed Kamara, AfricaNews reporter in Freetown, Sierra Leone

Guinean President Lansana Conte has been accused of supporting rebel forces in Liberia during the civil conflict which later saw the forceful removal of former president Charles Ghankay Taylor.

Taylor is presently standing trial at the UN backed Special Court in The Hague for his alleged involvement in the Sierra Leone brutal war.

Speaking at a session of the Liberia's Truth and Reconciliation Commission Isaac Nyenabo founding Secretary for the Liberian United for Reconciliation and Democracy (LURD) rebel group affirmed that president Conte aided the group to wage war on Taylor's Government.

Nyenabo said because the National Patriotic Front of Liberia invaded Guinea, president Conte seek the service of Joe Wylie to assist in invading Liberia as a means of payback with the aim of removing Taylor from power.

The Liberia's TRC was created to investigate the root causes of the 15 years brutal war and to avoid a repetition. Former leaders of the Mano River Union Countries which comprises Guinea, Liberia, Sierra Leone and now Côte d'Ivoire have in the past been pointing fingers at each other for supporting various rebel groups in their countries. While Taylor was accused of supporting the invasion of Sierra Leone and Guinea, Sierra Leone and Guinea on their part also blamed Taylor for their wars.

## BBC Online

Friday, 12 December 2008

### **Kenya pressed on Rwanda suspect**

Police say they have no proof Felicien Kabuga is in Kenya

Kenya must step up its efforts to track down a Rwandan genocide suspect, the International Criminal Tribunal for Rwanda (ICTR) says.

The ICTR chief prosecutor is expected to tell the UN Security Council he is not satisfied with the level of cooperation and assistance from Kenya.

Felicien Kabuga is accused of helping finance the 1994 genocide in which 800,000 people were killed.

An international arrest warrant was issued for Mr Kabuga in 1999.

ICTR spokesman Roland Amoussouga told the BBC that Kenya had not achieved the expected results with regards to Mr Kabuga's arrest.

"What is very important is for Kenya to live up to the expectation," Mr Amoussouga said.

### **Tangible evidence**

Chief prosecutor Hassan Bubacar Jallow will give a report on the progress in terms of the ICTR's cooperation with Kenya in the hunt for Mr Kabuga, the spokesman said.

In 2006, Mr Jallow said the court had evidence that Mr Kabuga "visits or he resides and carries out business" in Kenya.

The ICTR said the fugitive had received protection from some officials from Kenya's former President Daniel arap Moi, but the government denied this claim.

There have been several attempts by the police in Kenya to arrest Mr Kabuga, including one in June when police admitted that they had arrested the wrong man.

The Kenyan police say that although they have received several tip-offs on the fugitive's whereabouts, there is no tangible evidence that he is in the country.

In May, a Kenyan court froze assets - including luxury villas in the capital, Nairobi - allegedly owned by the Rwandan suspect.

The government said it had evidence that Mr Kabuga was using his wealth, including money generated in Kenya, to avoid arrest over the years.

The 71-year-old Hutu businessman has a \$5m bounty on his head.

He is accused of paying for machetes, food and other equipment used by ethnic Hutu militias in their massacres, and by providing money for the Mille Collines radio station which incited people to kill Tutsis.

AllAfrica.com

Thursday, 11 December 2008

## **Africa: The UN Genocide Convention At 60**

Henning Melber

Analysis

On the 60th anniversary of the UN Genocide convention, Henning Melber looks back at the progress that has been made to safeguard against the occurrence of genocide. In 1998, the International Criminal Court was formed and since then there have been significant advances and mechanisms set in place to prevent genocide as well as bring perpetrators to justice. What is required is the political will to act against genocide and those who perpetrate it, while safeguarding the rights of those at risk.

On 9 December 1948 the United Nations General Assembly adopted the 'Convention for the Prevention and Punishment of the Crime of Genocide'. This was a response to the hitherto unprecedented scale of targeted mass extinction of defined groups of people by the German Nazi regime, which Winston Churchill had termed in a broadcast speech of 1941 'a crime without a name'. Only in 1944 did the lawyer Raphael Lemkin, a Jewish Polish refugee - after a long odyssey ending up in the United States - coin the term 'genocide' in his book 'Axis Rule in Occupied Europe'. He had worked relentlessly to find an international legal response to the emerging Nazi doctrine and its terror. Due to this one individual's lasting commitment, the concept of genocide and its condemnation by means of a normative framework entered the UN system.

It was on the initiative of Lemkin that on 11 December 1946 the UN General Assembly unanimously adopted Resolution 96(1). It states categorically that 'genocide is a crime under international law which the civilised world condemns - and for the commission of which principals and accomplices, whether private individuals, public officials or statesmen, and whether the crime is committed on religious, racial, political or any other grounds - are punishable'. It took more lobbying and several compromises before essentials of this Resolution were finally adopted two years later as the Genocide Convention. It went into force three years later. The Convention defined genocide as 'acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group', and it made genocide a punishable crime under international law. Since then, as Robert Orr, the assistant secretary-general for policy planning in the Executive Office of the UN secretary-general summarised in 2006, 'governments could take action under the United Nations Charter to prevent genocide. The United Nations second Secretary-General Dag Hammarskjöld said the United Nations' spare job was not to take us to Heaven but to keep us from Hell. Genocide is the ultimate Hell.'

Unfortunately, little followed the adoption of the Convention in 1948 that showed that the hell called genocide was prevented by actions on the part of the UN system. Half a century later the renowned scholar William Schabas undertook a sobering stock taking overview of 'The Genocide Convention at Fifty'. As he concluded: 'The Genocide Convention was the first modern human rights treaty. It was adopted only one day earlier than the Universal Declaration of Human Rights, which set the common standard of achievement for human civilisation. Some must have believed, in 1948, that the unthinkable crime of genocide would never recur. Perhaps the gaps in the convention are only the oversights of optimistic negotiators, mistaken in the belief that they were erecting a monument to the past rather than a weapon to police the future. Their naiveté may be forgiven. A failure to learn the lessons of the fifty years since its adoption cannot.'

Indeed, the sobering if not sad lesson since then is that 'never again' had been wishful thinking instead of a sustainable reality resulting from the trauma of the Holocaust. Neither have forms of organised mass violence ceased, nor the intention to annihilate groups of people on the basis of common characteristics ascribed to them. The Convention of 1948 had declared the intention to establish a genuine and universal international criminal court to act in the spirit of the Convention. It took another 50 years until this was created in June/July 1998 at the Rome Diplomatic Conference - and only with further compromises and deviating views refusing full recognition of the Court and its jurisdiction.

Since then, several steps have taken the international system closer to the possibility both of pursuing and preventing crimes committed in violation of the Genocide Convention in a more coherent and consequent way - provided that the political will among member states permits it to do so: A special advisor on the prevention of genocide was for the first time appointed by the UN secretary-general in 2004; the Human Rights Council replaced the former Commission on Human Rights, with the intention to reinforce its mandate; the International Criminal Court as well as separate tribunals (for Rwanda and Yugoslavia) and hybrid national/international courts (in Sierra Leone and Cambodia) have taken action on genocide and brought perpetrators to trial; the Responsibility to Protect (R2P) was adopted as another normative parameter, which allows for preventative action.

The 2004 report of the United Nations High Level Panel on Threats, Challenges and Change recommended acceptance of R2P as an 'emerging norm'. The 2005 Report of the UN Secretary-General submitted to the World Summit session of the UN General Assembly recommended endorsement of the R2P principle as put forward by the UN High Level Panel. The Summit subsequently endorsed the R2P concept, albeit dropping the references to failure to protect citizens from avoidable catastrophes such as deliberate starvation and exposure to disease. In April 2006, R2P acquired the status of international law when the UN Security Council reaffirmed the references in the 2005 World Summit Outcome document (resolution 1674). In August 2006, the Security Council applied R2P for the first time in calling for the deployment of UN peacekeepers to Darfur (resolution 1706).

As Robert Orr stated: 'In order to prevent genocide, war crimes and crimes against humanity, we still face tremendous challenges. But nothing is inevitable. Genocide is indeed preventable. Sixty years ago, we didn't even have a name for this evil. Now, we not only can name it, we have legal mechanisms obligating all to act to stop it, and increasing experience at trying to stop it. We now have the knowledge, we have the United Nations institution to help organise our response, and the political, economic, and military tools to prevent it. The question is, "Will we use them?" - And if so, when do we use them for whose interest and to protect whom?

\* Henning Melber is the Executive Director of the Dag Hammarskjöld Foundation in Uppsala/Sweden. This is an excerpt from his Introduction to the volume "Revisiting the heart of darkness - Explorations into genocide and other forms of mass violence", published by the Foundation as "Development Dialogue" no. 50. The book is accessible on the Foundation's website.