

**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:

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

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United Nations  **Nations Unies**

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Complete Media Summaries
5 January 2009

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

Newspaper Summary

[No newspaper published today apparently due to the New Year celebrations.]

Libyan Leader Renews Commitment to Liberia

(The Inquirer, The News, National Chronicle, Heritage, New Democrat, Daily Observer, Public Agenda)

- Libyan leader, Colonel Muammar Gaddafi has renewed his government's commitment towards the implementation of projects his country has agreed to undertake in Liberia,
- According to an Executive Mansion release, the projects to be undertaken include a rubber processing plant, a US \$30-million dollars agriculture project and the renovation of the Hotel Africa facilities in Virginia, on the outskirts of Monrovia.
- The Libyan leader made the commitment at the weekend during a stopover visit to the country.
- Meanwhile, President Ellen Johnson Sirleaf and Colonel Gaddafi later discussed a wide range of issues including bilateral relations between the two countries and the recent military takeover in neighbouring Guinea among other things.

President Sirleaf Visits Former Transitional Chairman Bryant

(The Analyst)

- President Ellen Johnson Sirleaf has visited the residence of the former Chairman of the National Transitional Government of Liberia, Mr. Gyude Bryant in Monrovia. Wednesday's visit, coming on the eve of the New Year, was part of the President's goodwill gestures marking the holidays.
- During the visit, the Liberian leader extended warm holiday greetings to the former transitional Chairman and wished him well as we welcome 2009. The President later told reporters that her visit was also a gesture of reconciliation as Liberians work together to rebuild the country
- Former Transitional Chairman Bryant welcomed the move, saying he was honoured by the President's visit, which according to him, came as a surprise. Mr. Bryant described the President's visit as a gesture aimed at building a new bridge into the New Year as the country and its people continue to reconcile. He said it was time to hold together and move the country forward, urging all Liberians to work towards the common good of the country.
- Wednesday's surprised visit to the home of Chairman Bryant is part of visitations by the President as part of gestures to mark the holidays. President Sirleaf recently visited ailing Catholic archbishop Michael Francis and later exchanged holiday greetings with the Standard bearer of the Liberia Action Party, Cllr. Varney Sharman when the two met in Robertsport last weekend during a retreat. The President has also visited a number of hospitals and clinics around Monrovia and its suburbs as well as orphanages and the Monrovia Central prison, distributing food and gift to the institutions.

Timor Massacre Trial Somersaults – 4th Witness claims main perpetrators on the run

(Daily Observer)

- Uncorroborated testimonies given by the various state witnesses in the ongoing Timor massacre trial appear to rest the burden of proof on the Government to prove its case beyond all reasonable doubt as the fourth witness, Tidoe Morden, last Friday, January 2, 2009 told the court that the main organizers of the crime were still at large.

Major Cabinet Reshuffle set for This Month - Information Minister Says

(Heritage)

- The Ministry of Information says President Ellen Johnson Sirleaf will early this month carry out a major cabinet reshuffle in her government. Addressing the year-end edition of the regular Information Ministry news conference, Minister Laurence Bropleh said the President has reiterated her resolve to reshuffle her cabinet to increase efficiency, effectiveness and productivity in government.

Radio Summary

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

Libya Reassures Liberia of Continued Aid

President Sirleaf Visits Rivercess County Today

- President Ellen Johnson Sirleaf will today visit Rivercess County and tour several projects undertaken by NGO's and the Liberian Government.
- In an interview, Rivercess County Senator Jonathan Baney said the President will also tour the newly constructed police station and a 100-bedroom guest house still under construction in the county.
- The President will also visit the site of a major highway project linking Buchanan to Cestos City.
- The rehabilitation of the highway was done by the United States Government through USAID with the Liberia Community Infrastructure Programme (LCIP) as implementing partner.

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

Two Criminals Arrested for Stealing Nearly US\$2,000 from Fellow Passenger

- Two alleged criminals have been arrested in Monrovia for stealing nearly US\$2,000 from a fellow passenger in a taxicab.
- The two men are said to be involved in a new criminal scheme referred to as operation "escort passenger" that has left several passengers robbed.
- Speaking to reporters following their arrest, the men admitted to the act and said they usually enter taxis and steal from unsuspecting passengers.

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

Police Investigates 18 Suspected Looters

- Police in Monrovia are investigating at least 18 people for their alleged involvement in the looting of a local mattress factory.
- Police sources said the suspects were arrested Sunday with several items including mattresses and computer sets allegedly looted from the factory while it was engulfed by fire.
- The cause of the fire has not been established but it is believed to have started from the production room. Investigation is underway to determine the cause of the fire.

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

Truth F.M. *(News monitored today at 10:00 am)***Press Union Seeks Injunction to Halt Its Headquarters Project**

- The Press Union of Liberia has filed a petition before the Civil Law Court seeking an injunction to the construction of its headquarters in Sinkor.
- According to PUL President Peter Quaqua, the decision was taken after series of efforts to hold discussions with the company failed.
- Mr. Quaqua said the contract had a number of flaws that needed to be reviewed in keeping with the union's constitution.

Postal Affairs Ministry Beefs up Surveillance Measure at Facilities

- The Ministry of Post and Telecommunications has installed several surveillance cameras at its operational facilities to detect what it referred to as fraudulent activities.
- Postal Affairs Minister Jeremiah Sulonteh said the exercise is part of the comprehensive post-war reform programme which is intended to upgrade the country's postal system.

Voice of America

Wednesday, 31 December 2008

2008 and the Rule of Law in Africa

By Joe DeCapua
Washington D.C

In 2008, the rule of law played a prominent role in a number of African countries and is expected to do so in the New Year as well. David Crane, former chief prosecutor of the UN-backed Special Court for Sierra Leone and a Syracuse University College of Law professor, spoke to VOA English to Africa Service reporter Joe De Capua about the rule of law and justice over the past year.

"It moves forward slowly and in incremental steps, but stop and think what's taken place

in 2008. The (Charles) Taylor trial has started and it's gone very well. It's moving forward justly and openly. We've had the request by the prosecutor of the International Criminal Court for an indictment against another African head of state, (Omar) al Bashir... in Sudan. We've had (Zimbabwe President Robert) Mugabe go to some kind of peace table; granted, it's started to unravel. And we've had what I consider an incredibly important judgment and that is the conviction and sentencing of Col. Bagosora, who was really pretty much the linchpin in the starting of the genocide in Rwanda. So, from this ole chief prosecutor's point of view, I think it's been a good year," he says.

David Crane

Crane expects a verdict in the Taylor trial in 2009. He's accused of war crimes and crimes against humanity stemming from Sierra Leone's civil war, in which he allegedly supported rebels.

In seeking peace, there may be a choice between expediency and the rule of law. That is, granting amnesty, for example, rather than trying those accused of serious crimes. Crane uses the case of Charles Taylor to explain his position.

"When I unsealed the indictment, and he was whisked off to Calabar in Nigeria (for exile), individuals were saying, oh my goodness, this is going to disrupt the peace process, justice is going to get in the way. We need peace first, justice later. But at the end of the day, if you consider it, two years later you had the free and fair election...of Ellen Johnson Sirleaf, the first woman in Africa to be elected a sitting president. So, in my mind, the indictment of Charles Taylor and his eventual arrest and trial actually brought peace to the region," he says.

He says the same issues were discussed before the ICC prosecutor requested an arrest warrant for Sudan's president in connection with the crisis in Darfur. He says, "An

indictment, if properly carried out according to procedure and law, actually brings peace over time.... Justice is always the important end state. And certainly peace is important and we may have to have peace first, then justice, but to actually have a sustainable peace we really have to have justice as well."

Professor Crane says President-elect Obama will face a number of rule-of-law challenges when he takes office on January 20th.

"In his campaign, he certainly has laid down a marker that we will return to the rule of law and respect the rule of law. And...his administration certainly will follow that up. We've see grumblings related to Guantanamo (prison for suspected terrorists) and its possible closing. We see considerations as to what's going on in the various tension centers in Iraq and Afghanistan. And I think that with his approach of reaching out, I think that we're going to see...an attempt to move forward with respect to the rule of law," he says.

But he says it won't be easy. "It's going to be a real challenge because of the fact that the rest of the world has looked at the United States through a prism based on the alleged problems that President Bush and Vice-President Cheney have had with the rule of law," he says.

The Economist.Com

Thursday, 11 December 2008

A middle way for justice in Sudan

Instead of being carted off to The Hague, could Sudan's president be tried at home?

EVER since July, when the chief prosecutor of the International Criminal Court (ICC) in The Hague sought the indictment of the Sudanese president, Omar al-Bashir, on charges of genocide and war crimes, foreign diplomats, regional leaders and many Sudanese, including much of the political opposition, have been scrambling for a way out of a seemingly impossible dilemma. Most support the idea of prosecuting Mr Bashir and others for the carnage they are alleged to have inflicted on Sudan's western province of Darfur. But they also dread what could happen in Sudan as a result of the indictment of a serving president by an international court.

A vindictive Mr Bashir could stymie the national elections planned for next year, end a very fragile peace process in Darfur, expel UN troops from the region or retard the already slow implementation of a peace agreement between his government and the former rebels in south Sudan. He could do one of these things or all of them together. Surely there must be some better mechanism, many argue, for holding those responsible for the atrocities in Darfur to account without reversing some of the hard-fought and precarious political and humanitarian gains of the past few years?

Now Sudan's most prominent opposition politician, Sadiq al-Mahdi, thinks he has an answer: what he calls a "third way" between hauling Mr Bashir to The Hague and doing nothing about crimes in Darfur. He suggests setting up an independent "hybrid" court for Darfur, which would have both Sudanese judges and international ones and sit in Sudan.

It is an intriguing proposal. The idea of mixing national and international procedure has been accepted in Sierra Leone and Cambodia. And Mr Mahdi has huge weight, as head of the Umma party, Sudan's main opposition. He was the last prime minister to be democratically elected, back in 1986. He is also the spiritual leader of the powerful Ansar sect. Like many others, he says an ICC indictment of Mr Bashir would lead to "chaos" in Sudan; he hopes that his third way would "reconcile stability with accountability".

Both legally and politically, the idea has its attractions. Such a hybrid court would dispense justice close to the scene of the crime, another ambition of the ICC. And if the special court were deemed to be a genuine, impartial attempt to obtain justice, rather than a stalling tactic, the ICC could, under Article 16 of its statutes, defer its indictment of Mr Bashir.

That would get everyone off the hook, and the move would probably be welcomed by the UN Security Council. But would Mr Bashir and his government bite? Maybe. In public, he and his supporters have been furiously denouncing the ICC and all its works as a Western imperialist plot. In private, however, they have begun to accept that they will have to engage with the court. The government has hired a firm of British lawyers, Eversheds, to scrutinise the charges and help them with the case. A hybrid court might be a way out for the government too.

Several such tribunals have already been set up by the UN and the country most intimately concerned. The first, the Special Court for Sierra Leone, was set up in the capital, Freetown, in 2002 to try the leading figures in that country's savage 11-year civil war; it is now in the process of winding up. Three rebel leaders have been convicted of war crimes and sentenced to terms of up to 50 years in jail. Three others

from a different rebel group are likely to get equally hefty jail terms when they are sentenced in January. Two senior members of a pro-government militia, also convicted of war crimes, got somewhat reduced terms in recognition of their help in ousting the brutal rebels from power.

From Liberia to Lebanon

At the same time, the trial of Charles Taylor, the Liberian ex-president accused of planning and financing the rebel atrocities in Sierra Leone, continues in premises lent to the Special Court by the ICC in The Hague. The prosecution has already presented more than 80 witnesses and is due to conclude its case next month.

A hybrid tribunal has likewise been set up by the UN and the Lebanese government to try the alleged assassins of Rafik Hariri, a former Lebanese prime minister. It is due to start operations in The Hague in March. Hariri was killed along with 22 others by a huge truck-bomb in Beirut, the Lebanese capital, in February 2005. The new court's chief prosecutor, Daniel Bellemare, a Canadian, has said that a "network of individuals" were involved. It is widely believed in Lebanon and the wider Middle East that Syria's hand was behind the assassination. At least 17 other, possibly related, political murders are being investigated by the court.

Far away in Cambodia's capital, Phnom Penh, a joint UN-Cambodian tribunal is due to start its first genocide trial early in the new year. The surviving leaders of the Khmers Rouges, a bunch of extreme agrarian communists, are held responsible for the deaths of about 2m men, women and children, a quarter of the population.

In Senegal, not a hybrid court but nevertheless a "special" one has been set up to try one man—Hissène Habré, a former dictator of Chad—"on behalf of Africa". In 2006 the African Union asked Senegal, where Mr Habré has been living in exile since 1990, to take on the case after coming under pressure from human-rights groups and Belgium, which had threatened to try him for crimes against humanity under its "universal jurisdiction" law. Senegal's constitution has now been amended, the necessary laws passed, and special judges appointed; the court can start its work as soon as a date is set.

Kony at large, unrepentantIn Uganda, there is continuing talk (though not much action) about setting up a special court there to try the three surviving leaders of the Lord's Resistance Army (LRA) indicted by the ICC. Led by Joseph Kony, a half-crazed mystic, the rebel group terrorised northern Uganda for more than two decades with rape, murder, the torching of villages and the abduction of children, before decamping to Congo's eastern province of Ituri, where it continues to do the same. Two of the indicted leaders have been killed since the ICC issued arrest warrants, its first, in 2005.

It was Uganda that asked the ICC to intervene. Indeed, it was almost certainly the threat of being hauled off to The Hague, where the court is based, that induced Mr Kony and his henchmen to come to the negotiating table in July 2006. But as the talks dragged on and Mr Kony continued to refuse to sign any final deal unless the ICC charges were withdrawn, Uganda's president, Yoweri Museveni, seemed to undergo a change of heart. He offered to set up a special tribunal in Uganda which would try the rebel leaders, with an implicit understanding that they might get off lightly or maybe escape prison altogether.

Mind those hurdles

Under the ICC's strict principle of "complementarity", the court will take on an atrocities case only if the country itself is "unable or unwilling" to do so. The court may agree to hand over the prosecution of the case in midstream, but only if its judges are convinced that the proposed special domestic (or hybrid) court will be as strict and fair in its application of justice—including its sanctions—as the ICC itself. That will be a high hurdle for countries like Sudan and Uganda to overcome. So far, the court has shown no readiness to give up any cases, even when it has come under international pressure to do so.

Six months ago, the ICC faced a lot of flak—and some ridicule—when its first trial was suspended and the defendant, a Congolese warlord, ordered to be released after it was found that potentially exculpatory evidence, relied on by the prosecution, had been shown to neither the defence nor the trial judges. On an appeal by the prosecution, the court agreed to keep the defendant, Thomas Lubanga, in custody. But many saw the affair as a devastating blow both to the reputation of the court and to international justice in general.

The matter has now been cleared up, and Mr Lubanga's trial is set to start in The Hague on January 26th. If anything, the court's credentials have been enhanced, as a result of its determination to ensure fairness to the defence. Two other Congolese warlords, Mathieu Ngudjolo Chui and Germain Katanga, are awaiting trial in The Hague, while a fourth, Bosco Ntaganda, has been indicted, but is still at large. He is second-in-command to Laurent Nkunda, the rebel leader whose troops have terrorised Congo's eastern provinces of North and South Kivu. The ICC's chief prosecutor, Luis Moreno-Ocampo, will soon announce the start of another case in Congo.

The neighbouring Central African Republic is the fourth country where the ICC has opened formal investigations—in this case, into the atrocities perpetrated by both rebel and government forces between October 2002 and March 2003 in the lead-up to the coup against the then president, Ange-Felix Patassé, by the rebel leader, now president, François Bozizé. Jean-Pierre Bemba, a former vice-president of Congo and warlord whom Mr Patassé called to his assistance, has already been arrested and transferred to The Hague. Further charges are expected to follow—of Mr Patassé and possibly Mr Bozizé, too. That is why the latter has followed Mr Bashir's suit in asking the Security Council to suspend the proceedings.

Meanwhile, as governments consider what to do about Zimbabwe's president, Robert Mugabe, a possible prosecution by the ICC is being mooted. Some say this would be impossible as the court normally acts only in the case of atrocities perpetrated either in a member state or by a member's nationals, and Zimbabwe has not signed up to the court. But Sudan is not a party either: in such cases, the UN Security Council can ask the court to investigate.

On the other hand, the ICC has jurisdiction only over the most serious crimes—genocide, war crimes, mass rape, crimes against humanity and the like—and only if they occurred after it began work in July 2002. Most of the atrocities carried out on Mr Mugabe's watch happened before that. The question is whether Mr Mugabe's failure to tackle the present humanitarian crisis could be construed as a crime against humanity. If it were, he too could find himself hauled off to The Hague. Like most other international courts, the ICC rules out immunity for anyone—even serving heads of state.