

**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:

Wednesday, 10 February 2010

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Concord Times
Wednesday, 10 February 2010

Taylor accuses Special Court of conspiracy

By Alpha Sesay

As the cross-examination of Charles Taylor drew to a close after almost two months, the former Liberian president repeated his claim that a conspiracy by western powers to oust him from Liberia is what landed him in the Special Court for Sierra Leone today.

"Throughout your testimony to these judges, you have talked about a supposed conspiracy against you, and you have referred to this whole case as being about 'let's get Taylor' and referred to it as a 'construct' - yes, Mr. Taylor?" asked lead prosecutor, Brenda Hollis.

"That is correct," Mr. Taylor responded, arguing that the conspiracy was led by Britain and the United States.

Ms. Hollis pointed out that in Mr. Taylor's own testimony, he had agreed that cooperation existed between his government and the United States Central Intelligence Agency (CIA) when Mr. Taylor was in power in Liberia. He had also told the court that the CIA had even tipped him off to an assassination attempt against him, Ms. Hollis said.

And yet, Ms. Hollis continued, if there was such cooperation between the CIA and Mr. Taylor's government, then the CIA would have been working against the interest of the United States - which, according to Mr. Taylor, wanted him out of office.

"Was the CIA part of this supposed conspiracy against Charles Ghankay Taylor?" Ms. Hollis asked.

"It could have been, because sometimes intelligence agencies do one thing on one side and do another thing on the other side. So it could have been," Mr. Taylor replied.

Mr. Taylor also extended this supposed conspiracy against him to

other institutions which included the World Bank, the International Monetary Fund (IMF) and the European Union.

Asked whether former Sierra Leonean president, Ahmed Tejan Kabbah, was part of the conspiracy - considering that the Sierra Leonean president had constantly accused him of providing support to Revolutionary United Front (RUF) rebels in Sierra Leone - Mr. Taylor demurred.

"Oh, Kabbah is in a little different boat. Kabbah was doing what he had to do as president of Sierra Leone. I don't know as to whether he was part of that conspiracy. But Kabbah was doing what came natural for him as president of Sierra Leone given the situation," Mr. Taylor said.

"So you are saying that he was simply doing the bidding of others, Mr. Taylor?" Ms. Hollis enquired further.

"I would say that, yes," Mr. Taylor responded.

Responding to a question as to whether Maxwell Khobe, the former Nigerian commander of the West African peacekeeping force that was based in Sierra Leone was part of the conspiracy, Mr. Taylor said no.

"No, Khobe is small potatoes. Khobe was doing what he was told to do. He's small potatoes," Mr. Taylor said. The former president also exempted other military commanders of the West African peacekeeping troops, including General Timothy Shelpidi, General Victor Malu and General Mujalpero from involvement in the conspiracy against him.

"When it comes to these military people I don't put them in this conspiracy thing. These military people were more concerned about

getting their work done or whatever. No, they are not a part," Mr. Taylor said.

These military commanders, all, at one point or the other, accused Mr. Taylor of providing support to RUF rebels in Sierra Leone.

According to Mr. Taylor, former Nigerian president Olusegun Obasanjo was not part of the conspiracy against him, but was pressured by the United States to arrest Mr. Taylor and transfer him to the Special Court for Sierra Leone. This pressure, according to Mr. Taylor, forced Mr. Obasanjo to yield to the conspiracy.

Ms. Hollis, in disagreeing with Mr. Taylor's alleged 'conspiracy' theory told the former president that he was in court because he had brought untold suffering upon the people of Sierra Leone. Mr. Taylor disagreed with Ms. Hollis' allegation.

"And as the leader of the NPFL [National Patriotic Front of Liberia] and president of Liberia, your actions brought immeasurable suffering to countless victims in Sierra Leone, to your African brothers and sisters, that's the truth of it, isn't it Mr. Taylor?" Ms. Hollis asked Mr. Taylor.

"That's not the truth. I'll care about them more than you," Mr. Taylor responded.

As she concluded her cross-examination of Mr. Taylor today, Ms. Hollis has this to say to the former president:

"And Mr. Taylor, at the beginning of your testimony on 14 July 2009, your defense counsel asked you if you were guilty of the charges on the indictment, and you said you were not guilty of all these charges, not even a minute part of these charges.

Premier News

Wednesday, 10 February 2010

Taylor Trial Adjourned

The war crimes trial of Former Liberian President, Charles Taylor was on Friday adjourned for one week.

Judges of the Special Court for Sierra Leone granted a Defence request to suspend Mr. Taylor's trial until next Monday.

The Judges also lifted a restriction earlier placed on Mr. Taylor not to discuss his testimonies with anyone including his lawyers.

The Prosecution however disagreed with the Defence motion for adjournment. John Kollie transcribes reports from The Hague for the BBC World Service Trust.

Lead Defence Lawyer, Courtenay Griffiths said Mr. Taylor has identified some contentious issues from the Prosecution cross-examination and that he wants to discuss those issues with him (Griffiths) before the re-direct examination begins.

Mr. Griffiths reminded the Judges that during the cross-examination Mr. Taylor was restricted by the court not to discuss his testimonies with any one including his Lawyers.

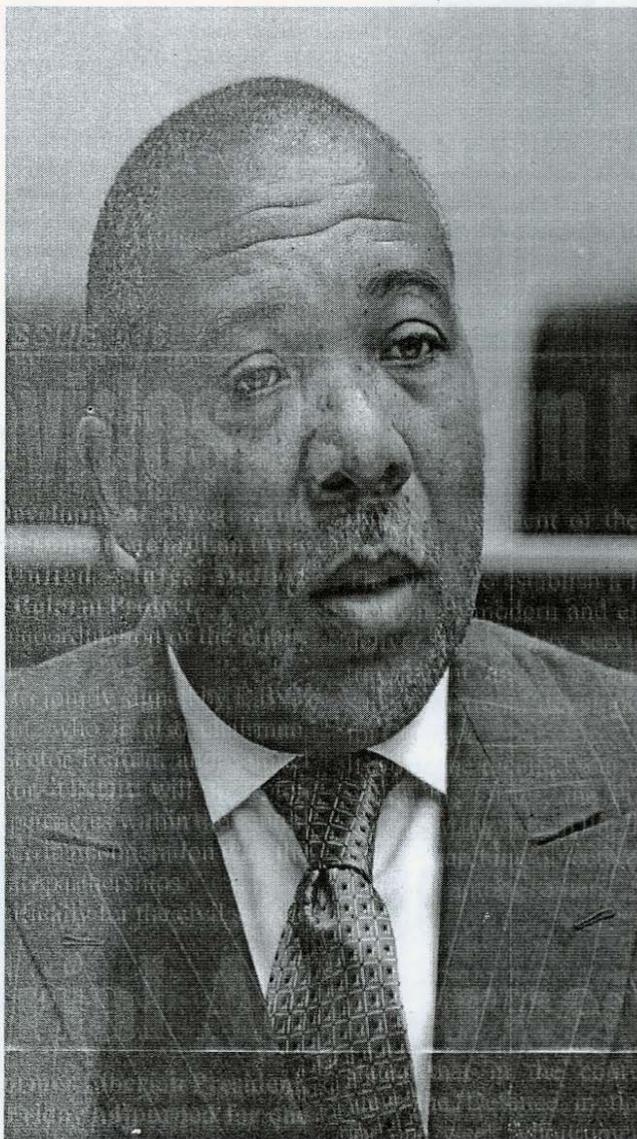
Lead Prosecution Lawyer, Brenda Hollis disagreed with the justifications provided by the Defence for an adjournment.

In her ruling, Presiding Judge, Julia Sebutinde said the court was mindful of Mr. Taylor's

rights to consult counsel of his choosing and to have adequate time for the preparation of his defence. Justice Sebutinde also

stated that in the court's view the Defence motion for one week adjournment was reasonable.

The re-direct examination of Mr. Charles Taylor is expected to start next Monday February 15.



The Exclusive
 Wednesday, 10 February 2010

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Lead Prosecution Lawyer, Brenda Hollis

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ICC

Tuesday, 9 February 2010

Taylor's Sierra Leone verdict by year end

By International Justice Desk



*The Hague,
Netherlands*

A verdict in the long war crimes trial of former Liberian President Charles Taylor is not expected until the end of this year, although the defense is cutting

back on witnesses, a prosecutor said on Monday.

Taylor, 62, denies all 11 charges of instigating murder, rape, mutilation, sexual slavery and conscription of child soldiers during intertwined wars in Liberia and Sierra Leone, in which more than 250,000 people were killed.

His trial by the UN-backed court for Sierra Leone in The Hague officially opened in June 2007, but was almost immediately adjourned after Taylor boycotted proceedings and fired his legal team. It began in earnest in January 2008.

Acting prosecutor Joseph Kamara of Sierra Leone told Reuters in an interview he was "optimistic that by the end of this year we should see a closure to this case." Any appeal could take three to four more months, he added.

The original prosecutor, American Stephen Rapp, said a year ago he expected a verdict early this year, a target that was later put back until mid-2010.

But Taylor's own evidence has dragged on. He took the witness stand in his own defense last July, and prosecutors only completed their cross-examination last Friday. He is expected to face more questions from his own lawyers before other defense witnesses are called.

Prosecutors say Taylor armed and directed Revolutionary United Front rebels to win control of neighbouring Sierra Leone's diamond mines and destabilize its government to boost his regional influence during the West African country's 1991-2002 civil war.

Taylor was indicted by the Sierra Leone court in June 2003 and, under US pressure, resigned from power two months later. He accepted asylum in Nigeria, but was later arrested there and transferred to The Hague in 2006.

He has denied supplying arms to Sierra Leone rebels, saying the British and US governments were involved in supplying arms to the region as both countries wanted him ousted from power. The United States wanted to gain control of the region's oil reserves, he has said.

Kamara said he heard on Sunday that the defense wanted to review its original list of 98 witnesses, "meaning that they want to reduce the number, which will help us to a large extent." Prosecutors called 91 witnesses before wrapping up their case last February.

Daily Observer (Liberia)

Tuesday, 9 February 2010

Charles Taylor Trial Adjourned



Pending Re-examination of the Defendant

THE HAGUE – Judges of the Special Court for Sierra Leone have granted a defense request for a one-week adjournment of the trial of accused Liberian president, Charles Taylor.

The judges also granted a defense request Monday for restrictions on Taylor not to discuss his testimony with anyone, including his own lawyers.

When the court adjourned with the conclusion of Taylor's cross-examination by prosecutors on Friday, it was anticipated that the former president's defense lawyers would commence his re-examination. However, when the court resumed Monday morning, lead defense counsel for the defense, Courtenay

Griffiths, informed the judges that certain contentious issues had been identified in Taylor's cross-examination and that the former president wished to discuss those issues with his defense team before the commencement of his re-examination.

Lead prosecution counsel, Brenda Hollis, raised her objection to the defense application, but her objection was overruled by the judges.

Presiding Judge of the Chamber, Justice Julia Sebutinde, stated that it was part of Taylor's fair trial rights to consult a lawyer of his choosing and for him to be given adequate time to prepare his defense the one-week adjournment requested by the defense, Sebutinde said, was not unreasonable.

Court was adjourned for one week and Taylor's re-examination is set to commence on Monday, February 15.

The Patriotic Vanguard
 Wednesday, February 10, 2010

Sierra Leone should not abandon Special Court detainees

By Alfred Munda SamForay



Whether they are former rebels of the Revolutionary United Front (RUF) and the Armed Forces Revolutionary Council (AFRC), or people's heroes of the Sierra Leone Civil Defence Forces (CDF), the eight men serving prison sentences in the Republic of Rwanda for war crimes and crimes against humanity are citizens of the Republic of Sierra Leone who were sent to Rwanda on Sierra Leone passports. Unlike the United States detainees at Guantanamo Bay in Cuba, the three AFRC, three RUF and two CDF detainees at Mpanga Prison in

Rwanda are by no means beasts of no nation and should never be left to the goodwill and hospitality of the international community or the soon to dissolve Special Court for Sierra Leone.

The men in Rwanda are our prisoners held at our request by the international community for crimes allegedly committed by Sierra Leoneans against Sierra Leoneans in Sierra Leone. The body that sent these men to Rwanda, the Special Court for Sierra Leone, is also the brainchild of the government of Sierra Leone and the United Nations. Of course, a more sensible government and a less hypocritical international community of nations would have chosen genuine reconciliation through the much ignored Truth & Reconciliation Commission. But then, no one has ever accused our world leaders of being the best and brightest outcome of the evolutionary process, if there was such a thing as human evolution.

Be that as it may, it is my judgment that it is morally indefensible, socially abhorrent and politically suicidal (for those who have ears to hear) to simply dump these men on the international community. History recalls that this was the same way Pontius Pilate tried to wash his hands of the execution of Jesus Christ as though it was simply a Jewish affair when in fact it was Rome which sentenced Jesus to death for alleged crimes against the Roman Empire. Rather than peace through reconciliation, we as a nation chose to selectively prosecute a rather inconsequential minority of the warring factions. The resulting prisoners of such an ill-conceived judicial process are our national responsibility, regardless of which country actually holds these prisoners on our behalf. Though the task of incarceration has been delegated to Rwanda, the responsibility for these men has not and cannot be delegated. Responsibility, I was told in one of my graduate management classes, can never be delegated.

To start with, His Excellency, President Ernest Koroma, though he had no hands in the creation of the Special Court and probably wished that both the court and its problematic prisoners simply vanished – but they won't – has a moral and constitutional responsibility to be properly informed of the whereabouts and well being of these our brethren and to assure the nation that they are serving their sentences honorably wherever they are presently. We are, however, reliably informed that since their arrival in Rwanda, our citizens have never been visited by the Sierra Leone Ambassador to Ethiopia who is also accredited to Rwanda to ascertain their well being. We, therefore, implore His Excellency both as Chief Magistrate of the Republic and Father of the Nation to ensure as our glorious National Anthem instructs us that "No harm on thy children may fall. That blessing and peace may descend on us all."

It is also my understanding that there is a body in the Sierra Leone House of Representatives called the Parliamentary Oversight Committee on Human Rights whose role it is to make sure that all Sierra Leoneans – even those judged to be the least among us – are accorded the same basic human rights accorded to all our citizens at home and abroad. One would expect then that with respect to the Special Court detainees the Speaker of the House and both the Majority and Minority Leaders should as a matter of urgency get together and send a member of the Human Rights Committee to Rwanda to ensure that our citizens there are accorded the same rights accorded to all international prisoners.

For their part as the loyal opposition, the SLPP, I am told, made a half-hearted appeal to the Registrar of the Special Court to keep these men from being taken from Sierra Leone. As they say in America, the Opposition was a day late and a dollar short. What the SLPP should have done was not to have established the Special Court in the first place. Having established the tribunal in concert with the United Nations, the former SLPP government should have done everything possible to exempt the CDF which they themselves created and armed after their own soldiers connived with the RUF to twice remove them from power from prosecution. Having failed to exempt the CDF from prosecution, the SLPP should have at the very least provided moral and humanitarian support in cash and kind to the families of the CDF detainees. Having failed to do all of the above and having been evicted from power by the people for neglect of duty, what the SLPP parliamentarians should now do is to seek some form of collective redemption by working with the ruling APC government to ensure that not only they CDF they betrayed but the rest of our citizens presently incarcerated in Rwanda are in good hands.

Next, the citizens of Sierra Leone, although ordinarily nonchalant and pre-occupied with their perpetual poverty, should take a break from their usual falling down and getting up and demand of both the government and the Special Court to account for these men presently incarcerated in a country most of us only know for war and genocide rather than as the final arbiter of international justice. Where is Rwanda, anyway? And who decided to take our citizens to a place most of us have never been to or have any desire to go to? I know that Guinea has always been a place of refuge for our deposed heads of state – Siaka Stevens and Tejan Kabbah, to be sure – but why was Rwanda so eager to rid us of eight of our less desirable citizens? These are some of the questions an enlightened citizenry should ask its leaders.

Finally, there are also various civil society and student human rights groups in this country who should demand both from government and the Special Court how our citizens are doing in Rwanda. That at least is one way some of these groups can justify their existence. I am strangely amused by one such group known as the Child Rights Constitution World which claims that it is cruel for boys ten years and below to join the Poro Society. I was nine years old when I was joined and I would rather prevail on this group to inquire about the welfare of our citizens incarcerated in Rwanda as a far more appropriate utilization of their idle time. For the sake of transparency, I must state that I have spoken to some of the detainees in Rwanda including members of the CDF and RUF.

I am also informed that efforts are underway at the Special Court to send members of the immediate families designated by the detainees to Rwanda for a visit. I am personally convinced that the men are faring well considering in the case of the CDF they are serving sentences for offences I don't believe they should have been charged with, in the first place. As it is written, "If it were not so, I would have told you."

As many of you well know by now, I will not allow people in government or the Special Court to sleep well if the CDF detainees are not sleeping well. After all, the CDF came into being by an Act of Parliament which hired, armed and mobilized them to go to war on our behalf when our own national army rebelled against the constitutional government and a less than honorable international community abandoned our people and fled the

country en masse. We were all fully aware that the main purpose for arming the CDF was to kill since the main purpose of war is to kill or be killed; and that's why we deployed the CDF. But no one should accept my word as fact that the detainees are fairing well. I am not a representative of the Special Court, the Government of Sierra Leone or the UN both of which created the Special Court and its never ending saga.

In short, Sierra Leone should never abandon any of our citizens abroad, whether saints or sinners. History will judge both the government and the people of Sierra Leone very harshly if we abandon our collective and individual civic and constitutional responsibilities to the international community. Posterity will hold us in very low esteem if we fail to stand up for the rights of our own citizens whether we like them or not. It was a profound national shame to allow Chief Sam Hinga Norman to die in a foreign prison. Now we have another opportunity to prove ourselves worthy of the freedoms for which Mr. Norman and his colleagues of the CDF fought and died. As the one hundredth member of the United Nations, Sierra Leoneans should not allow others to fight for our freedom, usurp our system of justice and assign to others the responsibility for our own citizens and still maintain our national pride among the community of nations.

We are, after all, the land of Unity, Freedom and Justice as inscribed on our Great Seal.

Editor's note: Rev. Alfred Munda SamForay is the former spokesman and adviser to the Hinga Norman Defence Fund and the Sierra Leone Civil Defence Forces. He presently resides in Kenema, the Eastern Regional capital of Sierra Leone.

Photo: CDF leaders.

UNMIL Public Information Office Media Summary 9 February 2010

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

International Clips on Liberia

Taylor's S.Leone verdict by year's end: prosecutor

Tue Feb 9, 2010

UNITED NATIONS (Reuters) - A verdict in the long war crimes trial of former Liberian President Charles Taylor is not now expected until the end of this year, although the defense is cutting back on witnesses, a prosecutor said on Monday. Taylor, 62, denies all 11 charges of instigating murder, rape, mutilation, sexual slavery and conscription of child soldiers during intertwined wars in Liberia and Sierra Leone in which more than 250,000 people were killed. His trial by the U.N.-backed court for Sierra Leone in The Hague officially opened in June 2007, but was almost immediately adjourned after Taylor boycotted proceedings and fired his legal team. It began in earnest in January 2008. Acting prosecutor Joseph Kamara of Sierra Leone told Reuters in an interview he was "optimistic that by the end of this year we should see a closure to this case." Any appeal could take three to four more months, he added. The original prosecutor, American Stephen Rapp, said a year ago he expected a verdict early this year, a target that was later put back until mid-2010. But Taylor's own evidence has dragged on. He took the witness stand in his own defense last July, and prosecutors only completed their cross-examination last Friday. He is expected to face more questions from his own lawyers before other defense witnesses are called.

Former Liberian Warring Faction Leader Arrested by US Authorities

Source: VOA 09 February 2010

U.S. Immigration and Customs Enforcement Service has arrested the former leader of the Liberian Peace Council, one of the many factions during Liberia's 14-year civil war. George Boley was arrested January 15 in New York State and is being held on allegations of being in the United States without proper legal documents. Pat Reilly, spokeswoman for the U.S. Immigration and Customs Enforcement Service said Boley will have to appear before an immigration judge to defend the charges against him. "Mr. Boley was arrested on January 15th at the Peace Bridge which is on the border of the United States. He was asked to appear there upon entering the United States in November because it was suspected that he did not have documentation to be in this country legally," she said. Reilly said Boley is also being held on charges of committing extra-judicial killings in Liberia.

International Clips on West Africa

Guinea

Guinea leader picks union chief for key job

February 09 2010 at 12:34AM
 m.iol.co.za

Conakry - Guinea's interim president has named a union leader to head a council charged with managing a transition from military to civilian rule, a decree read on state radio and television said on Monday. "Rabiadou Serah Diallo, secretary general of Guinea's National Workers Confederation, has been named president of the National Transition Council," the decree signed by interim leader General Sekouba Konate declared. The body will be composed of 101 Guineans from civil society,

political parties, religious groups as well as members of the ruling junta's council. They will have legislative responsibilities since the National Assembly was dissolved in December 2008 after the military seized power in a coup following the death of longtime strongman Lansana Conte. Serah Diallo gained international attention in 2007 as a leading figure in protests against the Conte regime. Guinea is involved in a delicate transition process after an accord was reached on January 15 that would pave the way for the West African nation to emerge from its political crisis and hold elections in June.

Cote D'Ivoire

Ivory Coast rioters torch government building

ABIDJAN, Feb 9 (Reuters) - Rioters in western Ivory Coast burned down a local government building on Tuesday during a demonstration against the government's handling of voter registration in a much delayed election. Witnesses said over 1,000 demonstrators marched through the city of Vavoua as local security forces tried unsuccessfully to disperse them by firing shots in the air.

Overseas minister Vyalar Ravi to be Airlifted from Cote d'Ivoire

The Times of India, 9 February 2010

NEW DELHI: Overseas Indian Affairs minister Vayalar Ravi, who was injured in a car crash in Liberia, will be air lifted to India by a special aircraft tomorrow from Abidjan, the capital of Cote d'Ivoire. A senior official in the ministry said Ravi will be brought back home by a special aircraft having all the required medical support on board and it will arrive in Chennai tomorrow night. "The Minister's health is stable and he is recovering well," the official said.

Ravi was injured in a car accident at Monrovia in Liberia on February 4. He was on a tour to African countries including Ghana, Tanzania, Kenya, Liberia and Nigeria. The Minister was on his way to catch a flight to Nigeria, his next destination, before a speeding taxi ran into his car. After initial treatment at the John F Kennedy hospital in Liberia, Ravi was air lifted to Abidjan the next day where he was admitted to the PISAM hospital.

Local Media – Newspaper

Executive Mansion Clarifies President Sirleaf's Directive to Employ UP Partisans

(The News, The Analyst, New Democrat and New Vision)

- Addressing journalists in Monrovia, Presidential Press Secretary, Cyrus Badio said President Ellen Johnson Sirleaf's directive to her Ministers to begin employing Unity Party partisans in no way intended to dismiss civil servants and employ supporters of the ruling party.
- Press Secretary Badio clarified that the mandate was instead a response to concerns raised by UP partisans over the years.
- Since the President announced the decision there has been obvious disagreement to the mandate especially by opposition politicians.
- In an interview, Representative George Mulbah of the opposition National Patriotic Party (NPP) said the President's statement is intended to cajole Liberians to join the ruling party only to secure jobs amidst hardship in the country.
- Similarly, a local daily quoting two cabinet ministers who spoke on the basis of anonymity said they were dissatisfied over the President pronouncement.
- Meanwhile, the leadership of the Civil Servants Association has described as a return to the spoiled system, President Sirleaf's call for UP partisans to be given jobs.
- The President of the Association, Mr. Jefferson Elliott said the President's statement is an attempt to politicize the civil service and to give it what he called a partisan picture.

President Sirleaf Wants World Bank Hasten Projects in Liberia

(The Inquirer, The News, New Vision, The Analyst and The Informer)

- World Bank President Robert Zoellick has responded positively to a call by President Ellen Johnson Sirleaf to hasten the implementation of World Bank projects in Liberia.
- Mr. Zoellick said he understands the challenges post-conflict countries, particularly Liberia, have to face in meeting the high expectations of its citizens.
- During a meeting in Addis Ababa, Ethiopia with President Sirleaf, the World Bank President promised to urge officials overseeing World Bank projects in Liberia to act with urgency in putting in place measures that would shorten the bureaucratic hurdles delaying the implementation of the projects.
- The meeting between President Sirleaf and Mr. Zoellick was held to review current projects in Liberia funded by the World Bank, with specific emphasis on road construction and rehabilitation.

Education Ministry, UNICEF Sign US\$8.4 Million Work Plan For 2010

(Daily Observer and National Chronicle)

- The Education Ministry and the United Nations Children's Fund (UNICEF) Monday signed US\$8.4 million work plan for 2010.
- Education Minister Dr. Joseph Korto said the ministry and UNICEF usually signed a work plan that identifies a number of projects for implementation at the start of each year.
- Dr. Korto said projects identified include the construction of more schools throughout Liberia, production of school furniture and the enhancement of girl's education policy.
- At the same time, the Education Ministry and Core Education Skills for Liberian Youth (CESLY) have signed a memorandum of understanding.
- The MOU involves the effective implementation of the accelerated learning programme and the designing of a non-formal Literacy and numeracy curriculum to address the educational need of over aged and out of school youth.

Gains Could Be Lost with Serious Security Gaps, Bad Police... Says ICG

(New Democrat)

- The Brussels-based think tank, The International Contact Group has warned that serious security gaps in the country could see all the gains made since the departure of former President Charles Taylor melt away.
- The report recently released said public distrust of the Liberia National Police has resulted in increasing resort to mob violence.
- The report entitled "Liberia Uneven Progress in Security Sector Reform", highlights to the country's security reform which it says has serious gaps and big challenges.

Finance Ministry Reports US\$7 Million Bank Balance

(National Chronicle)

- The Finance Ministry has reported a bank balance of about US\$7 million to the House of Representatives.
- According to the Chairman of the House Finance Committee, Representative Emmanuel Nuquay the amount represents the last fiscal year 2008/2009.
- Representative Nuquay said the House will verify the amount reported to know how it was brought forth.
- He spoke Monday following discussion with Finance Minister Augustine Ngarfuan.
- The submission of the bank balances comes amidst calls by Representative Kuku Dorbor for government to present the documents.
- She stressed the bank balances would provide clarity as to how money allotted in the last fiscal budget was expended.

Lawyers Blame Police for the State Losing Cases

(New Democrat)

- Lawyers in the country have blamed the police for contributing to state prosecutors losing major cases in the country.
- Speaking at the opening of the February term of court, the lawyers accused the police of gathering insufficient evidence in major cases before sending the matter to court saying this has been a key factor in losing cases that are to be won by Government.
- The lawyers' comments are in an apparent reaction to public concerns over the "continuous defeat" experience by Government especially in several high-profile cases.

125 Indian Women Peacekeepers Due in the Country

(New Vision)

- About 125 members of the Indian Central Reserve Police Force (CRPF) are due in the country.
- Addressing the contingent, CRPF Director General (DG) Vikram Srivastava said they were not only representing the Force but also representing the country."
- The contingent will be posted in the country for a year and will be accompanied by some male members as support staff.
- The Force's women will assist the Liberian administration which has been facing turmoil while the country has lost many lives due to the civil wars.
- CRPF's women personnel, who are trained as rigorously as their male counterparts, have previously been entrusted with various peacekeeping

Former President Charles Taylor Trial Adjourned

(New Vision, Daily Observer and The News)

- Judges of the Special Court for Sierra Leone have granted a defense request for a one-week adjournment of the trial of accused Liberian president, Charles Taylor.
- The judges also granted a defense request Monday for restrictions on Taylor not to discuss his testimony with anyone, including his own lawyers.
- When the court adjourned with the conclusion of Taylor's cross-examination by prosecutors on Friday, it was anticipated that the former president's defense lawyers would commence his re-examination.
- However, when the court resumed Monday morning, lead defense counsel for the defense, Courtenay Griffiths, informed the judges that certain contentious issues had been identified in Taylor's cross-examination and the former President wished to discuss those issues with his defense team before the commencement of his re-examination.
- Lead prosecution counsel, Brenda Hollis, raised her objection to the defense application, but her objection was overruled by the judges.

Local Media – Star Radio *(culled from website today at 09:00 am)*

Angel Togba Murder Case Enters Crucial Stage

- A medical doctor from the JFK is expected to clarify Tuesday whether or not the document from the hospital in the Angel Togba murder case was altered.
- Criminal Court 'B' Judge Blamo Dixon summoned Dr. Wilhelmina Jallah for the clarification based on a request by the parties.
- Defense lawyers Friday alleged someone added a phrase, 'trauma to the vagina and neck' to the medical chart from the hospital, which it described as dangerous to the interest of the defendants.
- Reports say the phrase is in the original document but is absent from the duplicates.
- Dr. Jallah's clarification could be crucial to the determination of the case the reports asserted.

President Sirleaf Wants Ministries Create Employment For UP Partisans

(Also reported on Truth FM, Sky FM, and ELBC)

"President Sirleaf Violated Constitution", Says Cllr Dempster Brown

- Human Rights Lawyer, Cllr. Dempster Brown has provided a legal opinion on President Ellen Johnson Sirleaf's second term bid declaration at the National Legislature last month.
- According to Cllr. Brown, President Sirleaf grossly violated Article 58 of the Constitution.

- He argued the President was sworn in to protect and uphold the constitution and the event at the National Legislature was not meant for political declaration.
- He said although the President has a right to a second term, the forum used for her declaration put her in error.
- Cllr. Brown who is also Chairman of the Coalition of Human Rights Defenders believes the President committed an irreversible error.

Youth And Sports Ministry Releases 2009 Progress Report, Pledges Commitment To Youth Develop

- Youth and Sports Minister Etmonia Tarpeh has released the 2009 progress report of her ministry pledging commitment to youth development.
- In the two-page summary report, Minister Tarpeh describes the development of youth and sports as a critical factor for peace, stability and security.
- During the year under review, the Ministry says it provided US\$300,000 in subsidies to seven national youth organizations.
- The money, the Ministry said was intended to assist in developing the groups' organizational and program implementation capacities.

Education Ministry, UNICEF Sign US\$8.4 Million Work Plan For 2010

Finance Ministry Reports US\$7 Million Bank Balance

VICE Apologizes For 'Damaging' Documentary On Liberia

- The owner of VBS.TV, VICE, has written an open letter of apology to Liberia for a documentary produced on the country.
- In the letter, the group said it apologizes for any harm the documentary may have caused the image of the country.
- The group said it really intended portraying the recovery of Liberia following 14 years of civil conflict.
- VICE is an American online television network that produced a documentary on Liberia which Government considers damaging to the image of the country.
- Last week Government expressed disdain over the documentary and said a formal communication would be sent to the Cable News Network (CNN) after it posted the video on its website. CNN is yet to respond to the Government's communication.

Radio Veritas *(News monitored today at 09:45 am)*

World Bank To Hasten Projects In Liberia

(Also reported on Truth FM, Sky FM, and ELBC)

Government Halts Printing Of 'Critical' Newspapers?

- [SIC]Reports say the Liberian government has ordered printing houses in the country not to print several newspapers for their critical stance against it, but the government has denied the reports.
- The newspapers include Heritage, New Democrat, Public Agenda and FrontPage Africa.
- A source said government gave the directive over the weekend.
- But two of the newspapers, New Democrat and Front Page Africa appeared on the newsstand Monday because the two newspapers have their own printing facilities.
- It is how not ever clear how the Public Agenda newspaper got printed amidst the reported directive to the Dremags printing house.
- But the Heritage newspaper was the only paper that did not appear on the newsstand Monday because the Dremags which usually prints the paper refused to print the paper.

Truth FM *(News monitored today at 10:00 am)*

Criminal Court 'E' Judge Concerns Over Arrest, Detention without Indictment And Trial

- The assigned circuit judge of Criminal Court 'E' has expressed concern over the arrest and detention of individuals accused without indictment and trial.

- Speaking at the opening of the February term of court for assigned judges of the first judicial circuit, Judge Evelina Quaqua said the delay in indicting and trying of accused persons has a negative effect on the judiciary.
- Judge Quaqua urged the prosecution not to use the unwillingness of witnesses to testify due to fear as an excuse to delay the process but should provide security protection for victims and witnesses.

The Hague Justice Portal

Tuesday, 9 February 2010

ICC: Appeal Chamber upholds Arrest Warrant appeal

The ICC Appeals Chamber has upheld the Prosecutor's appeal against the decision on the Al Bashir arrest warrant.

On 3 February 2010 the Appeals Chamber of the International Criminal Court (ICC) delivered its judgement upholding the Prosecutor's appeal against the Pre-Trial Chamber's decision to not include genocide in its warrant of arrest of Sudan President Omar Hassan Ahmad al-Bashir. The Appeals Chamber reversed the decision that the Prosecution had not provided sufficient evidence to include the crime of genocide. The Appeals Chamber found that the Pre-Trial Chamber applied the incorrect test in determining whether there were 'reasonable grounds' under Article 58 of the Rome Statute. The question will now be sent back to the Pre-Trial Chamber to decide on whether to include the genocide count, using the "correct standard of proof".

Warrant of Arrest

On 4 March 2009, Pre-Trial Chamber I at the ICC issued an arrest warrant for the President of Sudan, President Omar Hassan Ahmad al-Bashir for war crimes and crimes against humanity related to the situation in Darfur, Sudan. However, the Pre-Trial Chamber rejected the Prosecutor's request to include charges of genocide. The Majority held that Prosecutor had provided insufficient evidence to include the count of genocide. In its Decision, the Pre-Trial Chamber considered that if, on the facts provided, the existence of genocidal intention "is only one of several reasonable conclusions available [...] the Prosecution Application in relation to genocide must be rejected as the evidentiary standard provided for in Article 58 of the Statute would not have been met."

Prosecution Appeal

On 6 July 2009 the Prosecutor filed an appeal against the decision of the Pre-Trial Chamber. The Prosecutor argued that the Pre-Trial Chamber applied the wrong legal test in relation to drawing inferences to determine "reasonable grounds" under Article 58 of the Rome Statute. According to the Prosecution, while the Pre-trial Chamber recognised that the applicable legal standard is one of reasonable grounds to believe, it in fact applied a higher level of proof which is only necessary for a conviction at the trial stage - beyond reasonable doubt –by requiring that the *dolus specialis* of genocide be the only reasonable conclusion to be drawn.

The Prosecution argued that by applying the incorrect legal test, the decision imposed an evidentiary burden inappropriate for the stage of proceedings. Citing the ICC's own jurisprudence, the International Criminal Tribunals for the former Yugoslavia and Rwanda, as well as the European Court of Human Rights, the Prosecution argued that such a standard has no foundation in either statute or applicable law. The Prosecution submitted that the correct approach to drawing inferences under Article 58 is provided by Judge Ušacka in her Dissenting Opinion, determining that the Rome Statute "proscribes a progressively higher evidentiary threshold [...] at each stage of proceedings", which at the pre-trial stage for a warrant of arrest is only 'reasonable grounds to believe'.

Appeal Chamber Decision

The Appeals Chamber held that the evidentiary threshold at the pre-trial stage for the issuance of an arrest warrant ("reasonable grounds to believe") must be distinguished from the threshold required for the confirmation of charges ("substantial grounds to believe") or for conviction ("beyond reasonable doubt"). The Appeals Chamber stated that the Pre-trial Chamber "should not require a level of proof that would be required for the confirmation of charges of for conviction". Thus, by requiring the Prosecutor to establish that the existence of genocidal intent is the only reasonable conclusion based on the evidence, the Pre-trial Chamber required proof of genocidal intent "beyond reasonable doubt" rather than the lower threshold of "reasonable grounds to believe".

The Appeals Chamber therefore found that the Pre-Trial Chamber had made an error of law in coming to its decision on the arrest warrant. The issue will therefore be sent back to the Pre-Trial Chamber, which will now decide whether to add the crime of genocide to the existing seven counts of crimes against humanity and war crimes, including murder, extermination, torture and rape.

ICTR

Tuesday, 9 February 2010

Rwandan mayor pleads not guilty at genocide tribunal

By Thijs Bouwknecht



Arusha, Tanzania

Grégoire Ndahimana, former mayor of Kivumu, Kibuye prefecture in Rwanda, today pleaded not guilty to all charges during his further appearance at the International Criminal Tribunal for Rwanda (ICTR).

In the amended indictment of 5 February 2010, he is charged with three counts of genocide, or complicity in genocide and crimes against humanity for extermination.

According to the indictment, Ndahimana planned the massacres at the Nyange Parish, jointly with Father Athanase Seromba (sentenced to life imprisonment) and Fulgence Kayishema (still at large). In these massacres, more than 2000 Tutsi refugees were killed.

In the first indictment, he was charged with four counts of genocide; or in the alternative, complicity in genocide; conspiracy to commit genocide, and extermination as a crime against humanity. During his initial appearance on 28 September 2009 he pleaded not guilty to all the charges.

Ndahimana, born in 1952, was arrested on 10 August 2009 at Kachuga Camp in North Kivu, Democratic Republic of Congo (DRC) during a combined operation by the ICTR, the United Nations Mission in the DRC (MONUC) and the DRC law enforcement agencies. He was transferred to the United Nations Detention Facility in Arusha on 21 September 2009.

(ICTR)