

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



Photos from yesterday's outreach event at Kamabai and Karina, Biriwa Chiefdom will appear in tomorrow's "*Special Court's Supplement*"

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:

Thursday, 23 September 2010

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

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Witness Disagrees with Prosecutors over Small Boys Unit

As his cross-examination moved into a second week, Charles Taylor's 20th defence witness today disagreed with prosecutors that Mr. Taylor's National Patriotic Front of Liberia (NPFL) rebel group had a Small Boys Unit (SBU) during Liberia's civil conflict.

Prosecutors allege that the SBU comprised of children, who were forcefully conscripted and used for combat purposes by Mr. Taylor's rebel forces in Liberia. These children did not only fight in frontlines, but were also used to man NPFL checkpoints and served as bodyguards to NPFL rebel commanders, prosecutors say.

It is also alleged that this practice was replicated by Revolutionary United Front (RUF) rebels in Sierra Leone, who Mr. Taylor is alleged to have controlled and supported during the 11 year conflict in Sierra Leone. Mr. Taylor has denied these allegations. In his testimony as a defence witness for Mr. Taylor, DCT-008 has told the court that the NPFL did not use children in combat or to man checkpoints. According to the witness, commanders only lived with their younger brothers, who helped them perform domestic chores, and these were the ones called



SBUs. They neither took part in combat, nor were they made to man checkpoints or to serve as bodyguards to rebel commanders, the witness said.

Today, Chief Prosecutor Brenda Hollis challenged the witness on the NPFL's use of SBUs.

When asked whether "it is true that the NPFL did indeed have a unit called SBU," DCT-008 said, "No."

When the prosecutor stated that "these SBUs were used at checkpoints," the witness said, "No." "My testimony is that the NPFL did not have any unit called the SBU. The SBU was the name given to those young boys who were with their big brothers and sisters, but they were not part of the NPFL," DCT-008 said.

"They were not soldiers, they

were not gun carriers," he added.

Ms. Hollis read a portion of the statement made to defence lawyers by Mr. Taylor's first witness, Yanks Smythe, a Gambian member of the NPFL who later attained Liberian citizenship and was appointed Liberian ambassador to Libya and Tunisia. In the statement, Mr. Smythe was quoted as saying to defence lawyers that the "SBUs were under aged but part of the NPFL rank."

When this was presented to the witness with a suggestion that he also knew of the SBUs being part of the NPFL, DCT-008 said, "I don't know that, I don't know of a unit called SBU and there was no unit in the NPFL called SBU."

Put to him again that Mr. Smythe said in his statement that "SBUs

The witness also refuted allegations that Mr. Taylor personally had SBUs assigned to him, telling

the court, "Mr. Taylor to my knowledge never had SBUs around him."

Ms. Hollis also quoted John T. Richardson, a former member of the NPFL and National Security Adviser to Mr. Taylor who in a 1994 news interview said, "The NPFL used children to fight for their own protection."

The witness still insisted, "I am not aware of that."

Earlier in the morning, the witness attempted to make corrections to certain aspects of his testimony given to the court last week about being present when RUF commander Sam Bockarie said that Vamunya Sheriff, a previous prosecution witness and a member of Mr. Taylor's security apparatus, had sold arms and ammunition to the RUF. The witness also told the court last week that the Special Security Services (SSS) communications office was located on the 4th floor of the Executive Mansion, an account that is contrary to that given by Mr. Taylor himself that the communications office was located on the 5th floor of the mansion.

Today, as his cross-examination was about to recommence, the witness told the court, "I want to make a correction on my testimony regarding Vamunya Sheriff and also

some clarification concerning the 5th floor."

Both Ms. Hollis and the presiding judge of the Trial Chamber, Justice Julia Sebutinde, told the witness that any clarifications to his earlier testimony will be made during re-examination by defence lawyers.

Ms. Hollis took further steps to suggest that the witness had notes in his room which he uses to cross-check his daily testimony, a suggestion which the witness denied and to which defence lawyers objected. "Do you have notes in your room? Because this is the second time you have said you want to clarify something...because when you go back and study your notes, you realize you have deviated from your notes and you come back and try to prescript your evidence," Ms. Hollis questioned the witness.

"I do not have any notes in my room," the witness responded.

When defence lawyers objected to this line of questioning, the presiding judge upheld the defense objection and cautioned Ms. Hollis not to put such questions to the witness when there was no evidence to support suggestions that the witness did indeed have notes in his room.

DCT-008's cross-examination continues next Tuesday

Premier News

Thursday, 23 September 2010

ICC Is Not A Priority To Salone

Chairperson of Parliamentarians for Global Action (PGA), Dr. Bernadette Lahai, has stated that for domesticating the Rome Statute in Sierra Leone is not a priority to Government.

By Alpha Bedoh Kamara

Dr. Lahai noted that even the Attorney General and Minister of Justice, Abdul Serry-Kamal remarked during a visit to his office that domesticating the Rome Statute in Sierra Leone is not a Government priority.

She made this statement yesterday at Parliament during a consultative meeting with the Sierra Leone Coalition for the International Criminal Court (SLCICC) on a draft legislative policy for the domestication and implementation of the Rome Statute in Sierra Leone.

She said in 2008, Sierra Leone hosted the Round Table Discussion in Africa on the International Criminal Court (ICC) and that having signed and ratified the agreement, Sierra Leone has the mandate to domesticate the ICC.

She disclosed that in a previous ICC meet in Kampala, the deputy Minister of Foreign Affairs and International Cooperation made a presentation reiterating series of recommendations with regards the crime of aggression in Sierra Leone.

The PGA, formed in 2003, was first chaired by Ibrahim Sorie and its first meeting held in Canada.

"Since then the PGA has been holding various activities in the country," she said, adding that ICC being one of their themes, will provide their utmost best to push the process forward.

The Chairman of the SLCICC, James Mathew, emphasized the positive impact the Special Court for Sierra Leone brings to Sierra Leone, noting that Sierra Leone should be part of the international community by domesticating the ICC.

Mathew said most of the violations in society are grievous offences in international law but that the perpetrators go unpunished and continue their act with impunity.

He cited the guilty verdict of ex-combatants tried at the Special Court for offences ranging from forceful marriage to sexual slavery.

"It is time for us to work together to ensure the rights of people are protected," he said, adding that with the deliberate

attempt to negate the ICC many people will continue to commit acts of violation with impunity.

He said it is time for Sierra Leone to commit itself to the ICC so that the nation could benefit from the many opportunities for people and areas affected by the war.

"The good thing about the ICC is unlike the Special Court for Sierra Leone that tried perpetrators but rather provides support for victims and communities affected by the violations.

"We will loose greatly if we fail to domesticate the ICC in Sierrua Leone," he said, noting that with the ICC no one can continue to commit crimes of international nature with impunity.

Taking a cue from Mathew, the Director of Amnesty International-Sierra Leone, Brima A. Sheriff noted that proposals in the ICC may threaten the independence of the International Criminal Court.

"We are calling on all states to reject proposals which could seriously undermine the integrity of the Rome Statute and deeply politicize the Court," he said, noting that the amendments are being considered at the first Review Conference of the Rome Statute, which concludes in Kampala this week.

He said delegates appear to be moving towards a compromise that would authorize the United Nations Security Council, a political body, to control which crimes of aggression the Court could investigate and prosecute.

"This outcome would risk shattering the Court's independence achieved in Rome and open the door to the politization of its work and attacks against its credibility.

He said allowing states to protect their leaders from prosecution for the crime of aggression risks undermining the credibility of the ICC.

"Governments have effectively created a two-tier system of international justice where they can choose to stand above the law, retreating from the principles established in Rome twelve years ago," he noted.

Telegraph

Wednesday, 22 September 2010

Naomi Campbell says she was a scapegoat at war crimes trial

Naomi Campbell, the supermodel, has said she was "used as a scapegoat" at the war crimes trials of the former Liberian president Charles Taylor.



*Naomi Campbell celebrated 25 years in the fashion industry at a Dolce and Gabbana shop in London
Photo: REUTERS*

Campbell, 40, told the court in The Hague last month that she had been given a pouch of "dirty stones" by two men hours after she met Mr Taylor.

She denied knowing that they were from the former leader of Liberia.

In an interview with Sky News to mark 25 years in the fashion business she said: "What you have to understand is, I was not on trial. I was forced by subpoena to testify.

"It was nothing to do with me. This trial has been going on for how many years and no-one cared to write about it?

"You bring Naomi Campbell to the stand and the whole world knows. So as far as I was concerned, I was used as a scapegoat."

During questioning at the trial Miss Campbell said the pair knocked on the door of her hotel room and woke her up late at night after the dinner with Mandela.

The men, who she had never met, told her "there is a gift for you". They gave her a "pouch" which she opened the next morning and containing "a few small very dirty looking stones".

In response to questioning, she said, in a husky voice, "I guess they were diamonds". She added: "They were dirty- looking pebbles. I'm used to seeing diamonds, shiny and in a box."

Lubangatrial.org

Wednesday, 22 September 2010

Lubanga Opposes Prosecutor's Bid To Interview Pending Witnesses

By Wairagala Wakabi

The defense for war crimes accused Thomas Lubanga has this week opposed the bid by International Criminal Court (ICC) prosecutor Luis Moreno-Ocampo to take testimony from witnesses, who were previously scheduled to testify in the trial, even as proceedings remain suspended.

Last week, the prosecutor asked trial judges to permit prosecutors to take the testimony of witnesses, who were scheduled to testify in the trial before proceedings were stayed last July. The prosecutor argued that should the stay be lifted by the appeals chamber, trial judges would then determine whether to admit the testimony into evidence in the case. He argued that this proposal was consistent with the law setting up the ICC, as it authorized trial chambers to take testimony even when no proceedings were actively underway.

Lead defense attorney, Catherine Mabilie, however, countered in a September 20, 2010 filing by dismissing the prosecution's application as "clearly inadmissible." She argued that none of the provisions in the Rome Statute provided for the possibility for evidence to be collected and submitted to judges while there was a stay of proceedings.

Ms. Mabilie said the prosecutor's application did not have any legal basis and was designed exclusively to get the trial chamber to review its decision staying the proceedings, yet the appeal chamber was considering the prosecutor's appeal against that decision. "In seeking the further hearing of witnesses ... the prosecutor is in fact asking for the immediate lifting of the suspension of proceedings and the resumption of the trial," she argued.

According to the defense lawyer, it was up to the appeals chamber to decide whether to cancel the stay of proceedings and order the resumption of the trial, or to invite the trial chamber to reconsider the issue.

The defense has accused intermediaries of bribing and coaching witnesses to provide false testimony to court. This prompted judges to order prosecutors to produce two intermediaries to testify. The testimony of the third was brought to an abrupt end by the stay of proceedings.

Besides the intermediaries, trial judges also ordered three prosecution investigators to take the witness stand, although none had appeared by the time the trial was suspended. The prosecution was also planning to call three or four rebuttal witnesses (or take their testimonies) before the defense would file its application for judges to consider dismissing the case on the grounds of abuse of process.

On July 8, 2010, the trial chamber presided over by Judge Adrian Fulford ordered a stay of proceedings due to the prosecution's "unequivocal refusal to implement the repeated orders" made by judges for the disclosure of the identity of 'intermediary 143' to the defense. The intermediary helped prosecution investigators in the Democratic Republic of Congo (DRC) to identify persons who testified against Mr. Lubanga.

The prosecution a week ago disclosed to the defense the identity of 'intermediary 143'. The prosecution does not intend to question this intermediary nor does it plan to call him as a witness. Early in July, the defense said it could not continue with the cross-examination of 'intermediary 321' who was in the witness stand then, if it were unaware of the identity of 'intermediary 143'.

In hesitating to comply with the judges' orders last July, prosecution stated that revealing the identity of 'intermediary 143' before protective measures were put in place for him would have put his life at risk.

Mr. Lubanga, whom prosecutors allege was the founder of the Union of Congolese Patriots (UPC), is accused of enlisting, conscripting, and using child soldiers in armed conflict during 2002 and 2003. According to prosecutors, Mr. Lubanga was the commander-in-chief of the Patriotic Forces for the Liberation of Congo (FPLC), an armed group allied to the UPC that used child soldiers in inter-ethnic fighting in Congo.

Mr. Moreno-Ocampo argued last week that allowing prosecutors to take the testimony of the pending witnesses as the appeals ruling is awaited would better serve the rights the parties to the case, as well as those "of the victims who deserve closure and of witnesses who face continuing stress from the indefinite postponement of their testimony." He added that it would also serve the court's interest by enabling the use of its resources notwithstanding that the trial is stayed.

However, the defense has said this week that the prosecution was wrong to assume that the stay of proceedings was essentially based on the non-disclosure of the identity of 'intermediary 143' and that once his identity was disclosed then the trial could resume.

Bloomberg

Wednesday, 22 September 2010

<http://www.bloomberg.com/news>

Most Kenyans Want International Criminal Court to Try Violence Suspects

By Sarah McGregor

Most Kenyans want the International Criminal Court to try suspected instigators of post-election violence in 2008 that killed as many as 1,500 people, according to survey by market research company Synovate.

Fifty-four percent of Kenyans favor the perpetrators standing trial at the Hague-based ICC, with the remainder almost split evenly between forgiving the offenders and trying them locally, the Nairobi-based unit of Synovate said in an e-mailed statement yesterday. The poll of 1,501 Kenyans between Sept. 16 and Sept. 20 had a margin of error of 3 percentage points, Managing Director George Waititu said today in a phone interview from the Kenyan capital, Nairobi.

The clashes were sparked by a disputed December 2007 election, which the opposition said was rigged to return President Mwai Kibaki to office for a second term. The bloodshed stopped after Kibaki signed a power-sharing deal with his rival, Raila Odinga, who became prime minister.

The ICC's chief prosecutor, Luis Moreno-Ocampo, announced yesterday that the court will start prosecutions against as many as six suspects.

Synovate's poll indicates the Kenyan public may disagree with some government officials, such as Justice Minister Mutula Kilonzo, who argued that provisions in the country's new constitution to strengthen local courts means there's no longer a need for the ICC's involvement, Waititu said.

Kibaki signed into law the new constitution on Aug. 27 to replace one dating to Kenya's independence from the U.K. in 1963.

Capital News (Kenya)

Thursday, 23 September 2010

Omar plays down threats to ICC witnesses

BY JUDIE KABERIA



Omar Hassan KNCHR/ File photos

NAIROBI, Kenya, Sep 23 - The Kenya National Commission on Human Rights (KNCHR) on Wednesday accused some Non-Governmental Organisations of misleading the world that International Criminal Court (ICC) witnesses in Kenya were under threat.

KNCHR Commissioner Hassan Omar told Capital News that the ICC guards its own witnesses and did not rely on outsiders to provide security to those under its protection programme.

"The real concern we would have as a commission is the very casual nature in which we have continued to discuss the issues of witness protection. There is need to exercise a lot of diligence when we are dealing with matters of witnesses. I do know certain situations witnesses make up," he said.

He was responding to media reports that a witness expected to testify before the ICC was abducted and tortured in Eldoret.

Mr Omar said organisations and individuals should be careful when referring to ICC witnesses since The Hague court fully takes responsibility of its witnesses.

He said the court would not risk or expose the lives of its witnesses including their associates, family and friends.

He said the court had a comprehensive and strict protection programme that did not have the loopholes reported by some human rights organisations.

"Anybody who is under the ICC protection wing cannot be under any serious jeopardy, the ICC protection procedure is quite water tight and anybody who has been taken up as a potential witness is protected to the fullest," he said.

He believed that the alleged threats were not to ICC witnesses.

The commissioner begged local organisations, the media and the entire country to refrain from mishandling the witness protection matters to avoid creating unnecessary fear among real potential witnesses.

Mr Omar however urged the government to provide security and offer protection to other witnesses and victims in the country.

"Primary responsibility in terms of witness protection is the government. When you see there is intimidation of witnesses it is because the government is not putting the right procedures for witness support," he said.

According to the ICC Protection Program, the court takes responsibility of protecting only its witnesses.

When ICC Prosecutor Moreno Ocampo visited Kenya in May this year, he assured his witnesses of protection but asked the government to protect witnesses of the Waki commission and victims of the post election violence.

He clarified that the court would protect only its potential witnesses.

He said that the Kenyan government had assured him that it would protect victims and witnesses of the 2007/2008 post election violence.

"I raised the issue in my meeting with the Ministers. That was my main topic and they recognised they have to agree with the police because some of the victims were injured by the police," he said at the time.

Bloomberg

Thursday, 23 September 2010

Israel Broke Human Rights Law in Gaza Strip Flotilla Action, UN Panel Says

By Peter S. Green

Israel's May 31 efforts to stop a flotilla of ships from reaching the Gaza Strip broke international human rights and humanitarian law, and more such incidents may occur, a United Nations human rights panel said.

The assault on the ship Mavi Marmara constituted "grave violations of human rights law and international humanitarian law," according to a report by a three-person panel of experts appointed by the UN Human Rights Council.

"Lethal force was employed by the Israeli soldiers in a widespread and arbitrary manner which caused an unnecessarily large number of persons to be killed or seriously injured," the report said. "Less extreme means could have been employed in nearly all instances of the Israeli operation, since there was no imminent threat to soldiers."

Israel's Foreign Ministry called the report "as biased and as one sided as the body that has produced it," and said its own inquiries had sufficiently investigated the raid.

Israel has said that in the confrontation, which followed numerous warnings for the ships to change course, its soldiers were attacked with knives and clubs after boarding the Mavi Marmara, one of the six vessels in the flotilla, and seven were wounded, including by gunfire after volunteers aboard the ship managed to grab Israeli firearms.

Activists have said they threw the firearms into the sea. There was no violence on the other five ships.

Naval Blockade

The Israeli raid on vessels attempting to breach a naval blockade of the Hamas-controlled Gaza Strip left nine Turkish citizens dead, generated international criticism and led Turkey to suspend diplomatic and security cooperation. Turkey was once Israel's closest ally in the region.

"There was no legal basis for the Israeli forces to conduct an assault and interception in international waters," the report said.

Israel refused to cooperate with the UN inquiry, and video and photographic evidence obtained from Israel, mostly through the Internet or published proceedings from Israeli inquiries, couldn't be relied on, the report said.

While it was clear that the Israeli soldiers who tried to take control of the ship were attacked, the panel found no evidence that passengers used firearms to shoot at the soldiers.

Similar incidents are likely to occur unless “there is a dramatic shift in the existing paradigm,” the UN said. “Might and strength are enhanced when attended by a sense of justice and fair play. An unfair victory has never been known to bring lasting peace.”

UN Panel Report

The UN panel’s report was prepared by Karl Hudson-Phillips, a former attorney general of Trinidad and Tobago; Desmond de Silva, former chief prosecutor of the UN-backed Special Court for Sierra Leone; and Mary Shanthi Dairiam, a Malaysian women’s rights activist.

Israel has been blockading Gaza since Hamas ousted forces loyal to President Mahmoud Abbas’s Fatah group and seized full control in 2007 after winning Palestinian parliamentary elections the previous year. Hamas is considered a terrorist organization by Israel, the U.S. and the European Union.

Israel launched an operation in the Gaza Strip in December 2008 that it said was meant to stop the firing of rockets into its territory. More than 1,000 Palestinians and 13 Israelis were killed in the conflict. Since the end of the three-week operation, some 330 rockets have been fired from Gaza into Israel, killing one foreign worker last March, the Israeli army said.

The Israeli government says its blockade of Gaza is legal because it is in “a state of armed conflict” with Hamas. Some countries, such as Turkey, dispute the legality of the blockade.

Hamas’s charter calls for the destruction of the Jewish state. Hamas leaders say they will renounce violence when Israel withdraws from territory occupied in 1967 and allows Palestinians to return to areas in Israel from which they fled in 1948.

To contact the reporter on this story: Peter S. Green in New York at psgreen@bloomberg.net

To contact the editor responsible for this story: Mark Silva at msilva34@bloomberg.net