

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



Aerial view of houses in Biriwa chiefdom.

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, 29 September 2010

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

Local News

Joseph F. Kamara Steps Down as Deputy Prosecutor of Special Court / *Sierra Express Media* Page 3

International News

Very Unlikely That We'll Call Any Live Witnesses But... / *Charlestaylortrial.org* Page 4

Boley Ordered Killings, Witness Says / *Democrat and Chronicle.com* Pages 5-6

Kenya Sends Mixed Signals as ICC Team Arrives / *Voice of America* Pages 7-8

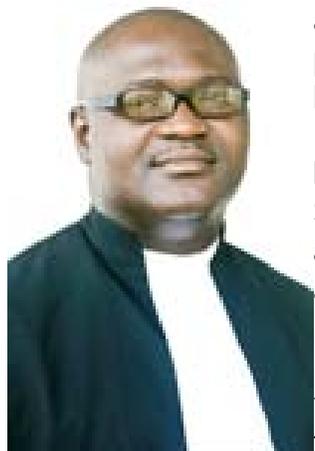
Ministers Slap ICC Team With New Conditions / *The Standard* Pages 9-11

Cabinet Backs Down on State Secrets / *Daily Nation* Pages 12-14

Robinson Concerned by Mladic, Hadzic Still Being at Large / *Emg.rs* Page 15

Joseph F. Kamara Steps Down as Deputy Prosecutor of Special Court**Author:** SEM Contributor

Prosecutor Brenda Hollis today hailed outgoing Deputy Prosecutor Joseph F. Kamara as a man of “the highest standards and integrity” who has provided exemplary service to the people of Sierra Leone during his tenure at the Special Court.



Mr. Kamara leaves the Court to take up his new post as head of Sierra Leone’s Anti-Corruption Commission. His nomination was announced in July by H.E. President Ernest Bai Koroma, and was approved by Parliament earlier this month.

“Since his arrival at the Office of the Prosecutor, he has served the people of Sierra Leone in the Court’s quest to bring justice for the horrific crimes committed against innocent men, women and children,” Ms. Hollis said. “He is leaving the Office of the Prosecutor to continue to serve the people of Sierra Leone in his new capacity.”

Prosecutor Hollis said Mr. Kamara would be missed.

“The Office of the Prosecutor’s loss is the people of Sierra Leone’s gain,” she said. “Throughout his tenure in the Office of the Prosecutor he has demonstrated the highest standards of professionalism and integrity, traits that will ensure his success as Commissioner of the Anti-Corruption Commission.”

“Mr. Kamara’s selection for this position is but one example of the Special Court’s legacy of returning talented experts to the service of their country,” she added.

Mr. Kamara joined the Court in January of 2004 and was appointed Deputy Prosecutor in August 2008, the first Sierra Leonean to occupy the post. He also served as Acting Prosecutor.

by Special Court for Sierra Leone

Charlestaylortrial.org (The Hague)

Tuesday, 28 September 2010

Liberia: "Very Unlikely That We'll Call Any Live Witnesses But We Can't Rule It Out," Defense Lawyers Say at Status Conference

Alpha Sesay

At a status conference held on Monday, September 27, 2010, defense lawyers for Charles Taylor told the Special Court for Sierra Leone judges in The Hague that in their estimation, they will not rule out the possibility of calling any live witnesses, even though they have been clear that they do not have any such live witnesses in waiting. Whether to call new live witnesses or not will depend on the ruling of the judges on outstanding motions that they have already filed, defense lawyers said.

Stating the position of the defense team, defense counsel Terry Munyard informed the judges that "the defense position is as it was on previous occasions."

"It is very unlikely in our estimation if we'll call any live witnesses, but we can't rule it out until we have the court's decisions on our outstanding motions. But it is very unlikely," Mr. Munyard said.

He added, "I am not suggesting that we have anybody [witnesses] in the pipeline."

Mr. Munyard also asked that prosecutors be made to disclose details of all payments they have previously made to potential defense witnesses with whom prosecutors had prior contact.

Such disclosures relate solely to "potential defense witnesses, who were treated as potential prosecution witnesses before they became defense witnesses," Mr. Munyard said.

In her submission, Chief Prosecutor Brenda Hollis said that while her team was willing to make the necessary disclosures as earlier ordered by the judges, she was not sure of the specific names of potential defense witnesses that defense lawyers were talking about because the defense had earlier filed a list of over 250 witnesses as potential defense witnesses, most of whom she said had only been identified by pseudonyms.

Mr. Munyard clarified that they already had the names of the specific witnesses for whom disclosures were required.

Ms. Hollis further asked the judges to set a definite date for the closure of the defense case, saying that the defense did not have a right to an open-ended date for the closure of their case.

"We do ask your honors to set an end date for the close of the defense case. They do not have a right to an open-ended date," Ms. Hollis said.

After a brief recess, the judges ordered, as requested by defense lawyers, the new date for a status conference will be set at October 22, 2010, rather than October 12 as earlier planned. Presiding judge of the chamber Justice Julia Sebutinde also told defense lawyers that on the October 22 status conference, the judges expect that defense lawyers will be very clear about the closure of the defense case.

"[On October 22], we intend to hear submissions from the parties and a final statement on closure. We really do not hope to hear the kind of statement you [defense] have been making...we really expect a final closure," the presiding judge said.

Justice Sebutinde also added that on October 22, the judges expect to "hear submissions on time limits for filing briefs for final arguments and other incidental matters."

Court will resume on Friday, October 22, 2010 at 10:00AM.

Democrat and Chronicle.com
Wednesday, 29 September 2010
<http://www.democratandchronicle.com>

Boley ordered killings, witness says

Gary Craig, Staff writer

Clarkson resident George Boley, a man who headed a warring political faction in his homeland of Liberia, planned a 1996 assault that ended with a failed attempt on the life of Charles Taylor, according to testimony Tuesday in Boley's deportation trial.

Taylor would go on to be president of Liberia and is now facing a war crimes trial in The Hague.

Federal immigration officials are seeking to deport Boley, 60, who has lived in recent decades with his family in Clarkson. However, in the 1990s, Boley traveled to and from Liberia, heading a faction during the country's civil war known as the Liberia Peace Council, or the LPC.

Immigration officials maintain that Boley and the LPC committed atrocities and human rights violations during the civil war. One of the charges against Boley alleges that he was responsible for six killings in an Oct. 31, 1996, raid on Liberia's executive mansion, where both he and Taylor had offices.

Taylor's factions had battled with the LPC earlier during the civil war, before both he and Boley secured positions in the government.

In testimony via videoconference from Liberia on Tuesday, Blamo Tuan said that he was one of the leaders in the attack on the mansion. He took his orders from Boley, he said.

He and others smuggled weapons into Boley's office in the executive mansion, then on Oct. 31 he and 10 men went and used the weapons in an unsuccessful attempt to kill Taylor, Tuan said.

Taylor allies were killed in the firefight, but Taylor successfully hid in his office bathroom, Tuan said.

Tuan also alleged that he saw Boley personally execute four men by shooting each one at point-blank range. Boley also gave orders to destroy a village, a rout in which women and children were slain, Tuan testified.

Tuan said he served as a bodyguard to Boley, even helping him as recently as 2009 when Boley returned to Liberia to testify before the country's Truth and Reconciliation Commission, or TRC. The TRC was created to try to unearth the truth behind the 200,000-plus deaths that occurred during the 14-year civil war.

Boley's attorney, Matthew Kolken, challenged Tuan's credibility, especially after Tuan testified that his mother was slain by LPC fighters in 1996. Why, Kolken challenged, would Tuan stay loyal to Boley after his mother's death?

During cross-examination, Tuan also admitted that he had killed children. Tuan also acknowledged that his nickname during the civil war was "General Butt Naked." However, there is a better-known Liberian who used that name during the war who admitted later to thousands of killings, including women and children.

Both men occasionally went into war naked, hence, the nickname.

Tuesday's hearing at the federal detention facility in Batavia was plagued with technological problems with the videoconferencing from Liberia.

As testimony dragged on Tuesday, with long pauses to restore the video link, immigration Judge John Reid asked federal immigration attorney Denise Hochul, "How many witnesses do you have from Liberia, Ms. Hochul?"

"More than this one," she said.

The government's witness list, in fact, included 31 possible witnesses from Liberia, raising questions about how long the government may need for its case. The trial is expected to break after this week and resume in January.

Reid suggested Tuesday that government officials consider releasing Boley with an electronic monitor. Boley has been detained since January. With immigration court, federal officials, not the judge, would determine whether Boley could be released pending an outcome of the case.

Voice of America

Wednesday, 29 September 2010

Kenya Sends Mixed Signals as ICC Team Arrives

Michael Onyiego

Investigators from the International Criminal Court, or ICC, have arrived in Kenya to investigate suspected crimes against humanity committed during the 2007 post-election crisis. The Kenyan government has promised full cooperation. But recent comments by the Justice Minister have put the country's commitment to justice in doubt.

A team representing Prosecutor Luis Moreno-Ocampo of the International Criminal Court is in Kenya gathering evidence against the alleged masterminds of the chaos that swept across Kenya in late 2007 and early 2008.

The Kenyan government has promised full cooperation. But recent statements made by Justice Minister Mutula Kilonzo have many analysts concerned about the country's position.

Speaking to Kenya's *Daily Nation* newspaper, Kilonzo said the judiciary under Kenya's new constitution would allow suspects to be tried locally, adding that he preferred local trials over proceedings by the International Criminal Court.

The minister's remarks have provoked a public outcry, with many Kenyans accusing him of trying to disrupt probes into the violence. A statement issued by Moreno-Ocampo reaffirmed the court's commitment to the investigation.

On Monday, Kilonzo attempted to clarify his remarks, saying that those not tried in The Hague would be tried locally.

"You must understand I supported the ICC because cabinet refused to set up a local tribunal. My position has not changed. The prosecutor of the ICC cannot investigate murder, rape, arson, displacement, destruction of property and so on, so long as they are pegged to Kenya's penal code," said Kilonzo. "He can only do so under the Rome Statute. We do not know whether the ICC will admit a Kenyan case."

An estimated 1,300 people were killed as a result of the ethnic violence that erupted after election rivals President Mwai Kibaki and Prime Minister Raila Odinga accused one another of fraud in the December 2007 presidential vote. The accusations set off two months of violence and forced some 300,000 people to flee their homes. More than two years later, many of those who were displaced during the aftermath of the elections have yet to be resettled.



AFP

International Criminal Court (ICC) prosecutor Luis Moreno-Ocampo (File)

Moreno-Ocampo expects to charge as many as six people in two separate cases when he presents his case to The Hague at the end of the year. Although the prosecutor has not revealed his list of suspects, many people in Kenya expect prominent politicians and business leaders to be named in the case. The president and prime minister have promised to fully

support the ICC. But there are fears that the suspects might be shielded from prosecution by powerful allies.

In a May visit to Kenya, Moreno-Ocampo dismissed such concerns, promising justice for the victims of the violence.

"I believe that charges by the ICC will end in court. I have no doubt. I saw in my country President Videla who had a lot of power when he took office and one day we prosecuted him in court. I saw General Pinochet who was arrested when he was in London," said Ocampo. "I saw President Milosevic who was arrested in his own country. I saw Charles Taylor arrested and in The Hague. We are living in a new world in which power is not allowing you to commit massive crimes."

Moreno-Ocampo's pursuit of those responsible for the election chaos has earned him folk-hero status in Kenya. A recent public opinion survey by shows that more than half of the country prefers trials in The Hague to local tribunals, despite reforms being implemented under Kenya's new constitution.

Moreno-Ocampo's face can also be seen on buses in Nairobi, often alongside former U.N. Secretary General Kofi Annan, who helped end the violence in 2008.

But not everyone is happy with the ICC's involvement in Kenya.

A businessman from Mombasa, Joseph Gathungu, has filed a suit to stop the court's operations in Kenya. In a case brought to the Mombasa High Court, Gathungu argues that the investigation into the violence was illegal under Kenya's new constitution and that it violated the sovereignty of the east African nation.

Kenya's new constitution went into effect on August 27. Although some of the documents provisions have been implemented immediately, the laws will not be fully enforced until after national elections slated for 2012. In 2008, Kenya's parliament passed the International Crimes Act, which incorporated the Rome Statute and the ICC into Kenyan law. The prosecutor's team is expected to remain in Kenya until Wednesday. Moreno-Ocampo has promised to issue his first arrest warrants by December.

The Standard (Kenya)
Wednesday, 29 September 2010

Ministers slap ICC team with new conditions

By Cyrus Ombati and Vitalis Kimutai

International Criminal Court (ICC) investigators can only interview provincial security team leaders in the presence of a judge or the Registrar of the High Court.

This is the latest in a series of conditions spelt out by the Government that are likely to frustrate ICC investigations into the post-election killings of 2007-2008.

Citing legal technicalities in the International Crimes Act, 2008 the Government says the ICC detectives cannot interrogate top security leaders who were in charge before, during and after the 2007-2008 post-poll chaos until the conditions are met.



Cabinet ministers Moses Wetang'ula (left) and George Saitoti when they met International Criminal Court Registrar Silvana Arbia at Harambee House, Nairobi, on September 3. On Tuesday, the Office of the President directed senior police officers not to meet ICC detectives probing post-poll mayhem citing legal hurdles. [PHOTO: Moses Omusula/STANDARD]

The demand follows claims that key officials in government, led by ministers and the Attorney General Amos Wako have refused to release crucial information on the deployment of police forces in Nairobi, Rift Valley, Nyanza and Western provinces during the violence and the immediate period afterwards to the international court.

A team of ICC investigators arrived in the country on Monday from The Hague, ready to meet PCs and PPO's who were in charge at the time of the killings in Rift Valley, Nyanza, Western, Central, Nairobi and Coast provinces.

Strangely enough, two members of the ICC delegation met the Cabinet sub-committee handling the case on Tuesday, where the Government promised full cooperation.

big names

In Parliament, Garsen MP Danson Mungatana who chairs the Reform Caucus of the House, sought various answers from the Justice minister Mutula Kilonzo, who has lately been a centre of controversy over statements on Kenya's dealings with ICC, which is expected to indict of two big names and four others over the violence late this year.

Sources told The Standard last evening the Office of the President barred targeted Provincial Police Officers (PPOs) and Provincial Commissioners (PCs) from meeting the ICC officials, until a judge or Registrar of the High Court is appointed to take their evidence.

The Office of the President (OP) invoked sections 77 and 78 of the International Crimes Act, 2008, which demands that evidence to be given to the ICC officials be taken before a Judge of the High Court.

The ICC officials who were ready to meet the PPOs on Monday were shocked, when the deputy head of police reforms at police headquarters, Mr King'ori Mwangi showed up with apologies, citing the sections of the Act.

The latest manoeuvres by Government emerged as Parliament demanded full disclosure of the Government's agreements and commitments with the ICC.

"Did the Government commit fully to cooperate with ICC over post-election violence," asked the MP referring to a cooperation and immunities agreement signed several weeks ago between the court and Kenyan officials.

Mungatana asked the minister to "table the agreement signed with the ICC", and urged Mutula to explain if the "Government has afforded ICC all documents and information requested."

The MP also urged the Justice minister to disclose if the "Government has failed to give information on minutes of security operation during and after the violence."

Deputy Speaker Farah Maalim who was in the chair, asked Mutula to provide this information next Tuesday.

Kingori is said to have informed the ICC officials that those it sought were ready to give evidence once the procedure is followed.

This means the Chief Justice has to urgently appoint a judge or the Registrar of the High Court to hear the evidence given by the targeted Government officials.

Section 77 of the Act applies if the ICC requests, under paragraph 8, articles 19, 56 and 64 or paragraph 1 (b) of article 93 of the Rome Statute, that evidence be taken in Kenya; or documents or other articles in Kenya be produced.

The Attorney General should give authority for the request to proceed if it relates to an investigation by the Prosecutor or to any proceedings before the ICC, and there are reasonable grounds for believing that the evidence can be taken, or the documents and other articles can be produced in Kenya.

Section 78 says a judge of the High Court shall take the statement of each witness in writing on the oath or affirmation of that witness.

It adds that the judge who takes evidence shall certify the same and ensure send it to the AG.

And using this section OP, is understood to have written to police headquarters and told the Commissioner of Police to advise the PPOs not to talk to the ICC officials until the Judge is present.

It was then that King' ori was dispatched to meet the ICC officials to explain the "technicality" hence delaying the slated meetings.

Yesterday, sources said there were a series of meetings held at various levels to discuss the issue.

classified minutes

King' ori and Police Commissioner Mathew Iteere are said to have left one such meeting to get a briefing by the OP.

ICC officials were ready for weeklong interviews with the PPOs and PCs from Monday, during which they also demanded copies of classified minutes of security meetings before and during the period of post-election violence.

It also emerged that the ICC has invited lawyers to apply to represent the victims during the planned hearings. The court has set minimum qualifications for the applicants.

The application forms, which the lawyers are filling, are being sent to the Registry of the ICC of Victims and Counsel.

Specifically, the court is encouraging female candidates (lawyers) from Kenya to apply, as well as those practicing in countries in which a situation has been brought before the ICC.

"To qualify for admission a candidate must have practiced for over 10 years, and have established competence in international or criminal law and procedure," the ICC states in a Code of Professional Conduct for Counsel document in the possession of The Standard.

It further states that applicants should not have been convicted of a serious criminal or disciplinary offence considered to be incompatible with the nature of the office of counsel before the court.

"According to Rule 91 (10 of the rules of Procedure and Evidence, victims are free to choose a legal representative who must have a 10 years relevant experience as a criminal lawyer, judge or prosecutor," the ICC states.

Hague: Cabinet backs down on state secrets

Stephen Mudiari | NATION Internal Security minister George Saitoti (right) with ministers James Orengo, Otieno Kajwang' and Amason Kingi, who are members of the cabinet committee, moments after addressing a past media briefing. The committee agreed on Tuesday to allow the International Criminal Court access to sensitive government documents in its investigations.

By Bernard Namunane bnamunane@ke.nationmedia.com

A Cabinet committee on Tuesday dropped its opposition to allowing the International Criminal Court access to sensitive government documents in its investigations, according to *Daily Nation* sources.

The decision was reached during a three-hour meeting of the committee, which was formed to deal with the ICC.

The world court is investigating the killings and other crimes committed during the lawlessness following the last election.

The meeting was also attended by a team from the ICC, which expressed concern at the high level revelations of its communications with government officials regarding the investigations, the sources, who attended the meeting, said.

The committee, chaired by Internal Security minister George Saitoti, however was categorical that it would vet all documents requested by the ICC team before handing them over.

The committee agreed to ask Attorney General Amos Wako and the Kenya Police to hand over the requested information to the committee for them to choose the documents to hand over to the investigators, according to the sources, who asked not to be named because of the confidentiality of the meeting.

Level of cooperation

The meeting at Harambee House was called to discuss the level of cooperation the government was giving to the ICC and came amid revelations of a series of letters that The Hague had written asking for more information.

The information is related to the meetings reported by the Waki Commission and believed to have led to the killings in Naivasha and Kiambaa church in Eldoret.

“The government agreed to fully cooperate with the ICC and will give them access to the documents they want.

“However, the (Cabinet) committee will decide which documents to hand over,” said a source at the meeting.

The two sides of the Grand Coalition Government, it has emerged, were divided over the level of cooperation with the Orange Democratic Movement (ODM) demanding full access to all information requested by The Hague.

The Party of National Unity (PNU), however, was hesitant to submit reports of high level security meetings that were held at the height of investigations on grounds that they were State secrets.

Sources at the meeting said the ODM team, comprising Cabinet ministers James Orengo, Otieno Kajwang’ and Amason Kingi, pushed for the full cooperation.

They also reminded their colleagues of the recent agreement they signed with the ICC allowing it to establish offices in Nairobi to expedite its work.

PNU ministers Saitoti and Moses Wetang’ula, however, argued that even though the government had agreed to cooperate with the ICC, it was in the interest of Kenya to safeguard confidential State secrets such as high-level security meetings, according to the source.

Justice, National Cohesion and Constitutional Affairs minister Mutula Kilonzo reportedly argued that since the government had agreed to work with the ICC, it was obliged to provide information.

He was also reported by the sources to have added that it should not be taken that giving access to the minutes of such meetings would amount to the government incriminating itself.

Security meetings

The ICC has written two letters to the government seeking access to minutes of the security meetings and another session that was said to have been held at State House immediately after the outbreak of the violence.

Sources said ICC was not happy with the revelations about their activities and plans of travel by government officials.

They fear that should the trend persist, it could expose their investigators, who have a tradition of carrying out their work with the utmost secrecy.

The ICC team is in the country to prepare the way for investigators who will take statements from some key witnesses in the two post-election violence hotspots.

They were also to inquire about the pattern of violence in those areas and meet the administrators in areas which are set to be visited by the prosecutor Luis Moreno-Ocampo.

Emg.rs

Wednesday, 29 September 2010

<http://www.emg.rs>

Robinson concerned by Mladic, Hadzic still being at large

Source: Beta

Hague tribunal president Patrick Robinson said on Sept. 28, in Belgrade, that he is happy with the work of Serbian courts in prosecuting war crimes, but expressed concern over the fact that Ratko Mladic and Goran Hadzic, who are being sought by the international court, are still at large.

Hague tribunal president Patrick Robinson said on Sept. 28, in Belgrade, that he is happy with the work of Serbian courts in prosecuting war crimes, but expressed concern over the fact that Ratko Mladic and Goran Hadzic, who are being sought by the international court, are still at large.

Robinson told a news conference at the Serbian Appellate Court that he shares the concerns of Serge Brammertz, chief prosecutor at the International Criminal Tribunal for the former Yugoslavia, over the fact that the two fugitives have not been arrested, but stated his hope that both will soon be brought to justice.

The ICTY president said he feels encouraged by the time frames within which Serbian courts have rendered judgments, and by the quality of the trials.

Robinson was part of a presentation of an assistance project to the justice systems of countries of the former Yugoslavia in prosecuting war crimes.

Serbian war crimes prosecutor Vladimir Vukcevic said Serbia has a vested interest in apprehending Mladic and Hadzic and turning them over to ICTY.

"We are experiencing political, economic and moral disapproval because of two men. We do not deserve it and therefore want to see them in The Hague as soon as possible," Vukcevic said.

The prosecutor went on to say that Serbia has processed 383 people in connection with war crimes, 127 of whom have been charged, bringing Serbia closer to the ICTY than any other country in the region.

"As the war crimes prosecutor of Serbia, I am ready to go all the way to see the last ICTY fugitives brought to justice and Serbia meet its international and moral obligation," Vukcevic declared.

Justice Minister Snezana Malovic said shedding light on war crimes is Serbia's national and cultural duty to the victims of such crimes.

Vincent Degert, head of the European Union delegation to Serbia, said high standards in war crime trials are prerequisite for European integration.

He stated that one of the EU's conditions for Serbia is full cooperation with the ICTY from all Western Balkan countries.