

**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:

Tuesday, 14 December 2010

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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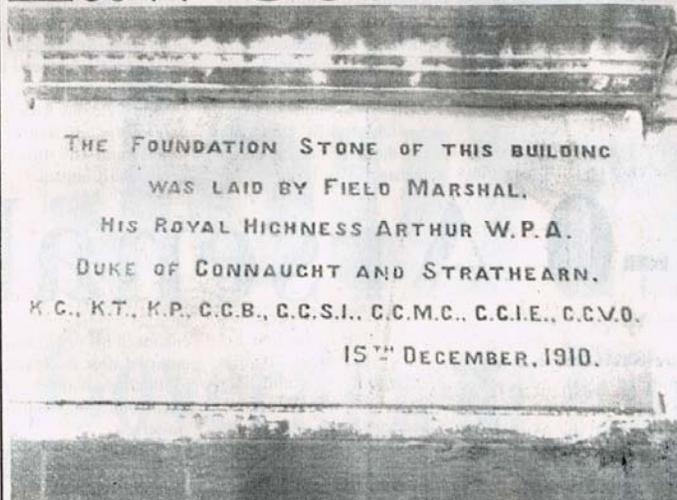
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Law Courts Building Turns 100



On the 15th December 1910, the foundation stone was laid to mark the birth of what is now known as the Chamber of the Chief Justice of the Sierra Leone Judiciary.

One hundred years have rolled by since the said foundation stone was laid by a representative of our British colonial masters, Field Marshal, His Royal Highness, Arthur W.P.A, Duke

of Connaught and Strathearn, K.C, K.T, K.P, C.C.B, C.C.S.I, C.C.MC, C.C.I.E, C.C.V.D.

According to the Master and Registrar of the Sierra Leone Judiciary, Elwyn Bailor, the court was constructed to concentrate judicial matters in one place and to ensure that the judiciary adequately plays its role as the upholder of justice in the country.

In one hundred years, there has not been much improvement to the infrastructure itself since it was built to last centuries, but there have been additions over the years with outside courts, water well, canteen and an improved library system.

The building has hosted high profile matters like the Mohamed Sorie

Fornah and others, and FM Minah and others treason trials, the Waterloo and Mammy Yoko Streets murders, the State vs. Foday Sankoh and the west side boys.

To mark the 100 years anniversary, the judiciary is planning a big celebration which is slated for 22nd December 2010.



Awoko Online

Monday, 13 December 2010

“The Act we will produce will be reflective of the needs of society” -Justice Browne-Marke

A one day stakeholders’ conference was held at the prestigious Njala Venue Centre at Aberdeen on 10th December, 2010 by the Justice Sector Development Programme in collaboration with the Ministry of Justice.

Justice Browne-Marke said that the aim of the conference was to come out with a draft bill on the Criminal Procedure Act (CPA) that will reflect the needs of society.

In his presentation on Committal proceedings, Justice Browne -Marke said they are not trials but rather means by which the courts search for the involvement of the accused in the matter in court.

Leading representatives who work within the criminal justice system met to discuss proposals for new criminal procedure laws. These included Judges, Lawyers, personnel from the Sierra Leone Police, Representatives from the International Community and the Media.

It can be recalled that existing laws in Sierra Leone, spanning half a century, which were suitable for their time are no longer able to meet the needs of this century to match international standards and the legal environment.

The new law is therefore being designed to grapple with the increasingly complex and difficult cases that are now being tried.

Discussions at the conference focused on major issues like the proposed abolition of the preliminary inquiries.

Currently, prosecution witnesses must give oral evidence in both Magistrate and High courts which lead to apathy in court attendance.

The new law will endeavour to make provision to address this ‘unnecessary’ waste of time and energy. The Justice Sector Development Programme (JSDP) is a Government of Sierra Leone initiative funded by the UK’s Department for International Development (DFID) and managed by the British Council. It is a six-year programme which started in March 2005 and will end in 2011.

The primary objective is to improve safety, security and access to justice for the people of Sierra Leone, particularly the poor, vulnerable and marginalized.

The new sentences in the draft bill will include the suspended sentence of imprisonment, Deferred sentence, Conditional discharge, Absolute discharge and community service which will be used according to the due process of the law.

He maintained that if the new laws are well implemented, committal proceedings which start on 31st December are expected to last for a maximum of 28 days only.

He however lamented that the JPs in Sierra Leone are not knowledgeable at law like in other countries, which could be a setback in the committal process.

Anthony Salmon, who presented his topic on Sentencing, said that the lack of suitable credible alternative sentences other than pecuniary sentences; fines and imprisonment are the main causes of Recidivism in Sierra Leone.

He therefore urged the Judiciary to look for alternatives in future. “Sentences must be commensurate to the offences committed”, Salmon maintained. He however stated that alternative sentences can be very costly and appealed to Organizations to endeavour to intervene in this direction. A lot of concerns were raised regarding the new court sentences in a country with a high level of illiteracy like Sierra Leone.

Other presentations made included procedures in the Constitution with regards arrests and proceedings and Summary/Special trials.

The legal instrument will be in tune with international standards take into consideration human dignity and human rights including the UN Child Rights Act.

By Sahr Ngegba

Hirondelle News Agency

Friday, 10 December 2010

Weekly summary - Lieutenant Hategekimana to remain behind bars for life

Three events featured before the International Criminal Tribunal for Rwanda (ICTR) this week, including delivery of judgement against former Rwandan military officer, Lieutenant Ildephonse Hategekimana, who was sentenced to life imprisonment for genocide, murder and rape as crimes against humanity.

The Tribunal convicted Hategekimana, officer who commanded the small military camp of Ngoma in Butare prefecture (southern Rwanda) in 1994, after being satisfied beyond reasonable doubts that he ordered the killing of Tutsis who had sought refuge at Ngoma church.

Other events were presentation of six monthly reports on ICTR completion strategy by President Dennis Byron and Prosecutor Hassan Bubacar Jallow before the Security Council and continuation of trial of ex-Rwandan Planning Minister Augustin Ndirabatware.

In his presentation, the ICTR president called upon international community to urgently resolve the problem involving relocation of people who have been acquitted by the Tribunal.

Despite significant efforts by the registrar, he said, three acquitted persons have still not been resettled and remained in safe houses in Arusha.

They are former Rwandan Transport Minister Andre Ntagerura, who was acquitted in 2006, former military officer, Brigadier General Gratien Kabiligi, who was freed in 2008 and businessman Protais Zigiranyirazo, a brother-in-law of the late president Juvenal Habyarimana, who was cleared in 2009.

The president warned that if such problem would not be dealt with in a comprehensive and long-term approach, interests of justice and rule of law would not be served.

The prosecutor, in his part, urged the Democratic Republic of Congo, Kenya, Zimbabwe and neighbouring states to intensify cooperation in tracking the remaining 10 fugitives.

In the trial of Ndirabatware, the prosecution started cross-examining him after concluding his examination in chief. The trial continues Monday.

FK/NI/ER/GF

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Voice of America

Monday, 13 December 2010

Kenya To Set Up Post-Election Violence Tribunal

The Kenyan government says it will set up a local court to try those responsible for deadly post-election violence that killed some 1,300 people.

Monday's announcement comes two days before the International Criminal Court is expected to reveal the names of six key suspects in the 2008 violence.

The office of President Mwai Kibaki says the decision to establish a local tribunal was reached at a cabinet meeting Monday.

A statement said Kenya's interests of peace, stability, national reconciliation, and justice for all victims of the violence cannot be achieved without a "local judicial mechanism."

The government tried to set up a tribunal last year but its proposal was rejected by parliament.

ICC chief prosecutor Luis Moreno-Ocampo subsequently said he would go after the suspected masterminds of the violence.

Kenya erupted in riots and ethnic killings after Mr. Kibaki was proclaimed the winner of the late 2007 presidential election. Opponent Raila Odinga and his supporters accused the president of stealing the election through fraud.

The country did not fully calm down until Mr. Kibaki and Mr. Odinga reached a power-sharing deal that made Mr. Odinga prime minister.

Kenya Broadcasting Corporation

Tuesday, 14 December 2010

Experts: Local tribunal won't derail ICC process

Written By: Carol Gakii,



Nairobi lawyer Harun Ndubi says putting in place a Local Tribunal will not in anyway affect the International Criminal Court-ICC process to try the six suspected masterminds of the post election violence.

Ndubi said ICC Prosecutor Luis Moreno Ocampo will carry on with his work since he took over the Kenyan case after parliament failed to pass legislations that would have created a local tribunal.

However, Ndubi says there is need to establish a local mechanism to try other crimes committed during the chaos.

He said the government must ensure that the tribunal created meets the international standards and independent from any political interference.

Speaking to KBC on phone, Ndubi called on the international community to come on board and assist the government in establishing a credible tribunal.

He said a local tribunal will ensure justice for all the victims since ICC will only deal with six cases.

Elsewhere, the International Commission of Jurist- ICJ says renewed efforts to form a local tribunal to try the masterminds of the post election violence are too little too late.

ICJ Kenya chapter executive director George Kegoro also says the efforts to form a local mechanism to deal with the suspects at the time when the International Criminal Court - ICC is preparing to release names of the six suspects under investigation could be seen as an attempt to jeopardize the ICC process.

In a telephone interview with KBC, Kegoro argued that establishing a special tribunal would not be easy adding that Mps rejected past efforts to form a local mechanism with an argument that the process was likely to be interfered with politically.

He said that claims of ICC being politically influenced are unfounded adding that those opposed to the International Court process were panicking.

ICC prosecutor Luis Moreno-Ocampo will Wednesday make public names of six suspects believed to bear the greatest responsibility over the violence. The names will be known at 5pm local time.

News Day (Zimbabwe)

Monday, 13 December 2010

‘Zim protecting genocide suspects’

KELVIN JAKACHIRA | HARARE

The tribunal trying suspects of the 1994 Rwandan genocide has petitioned the United Nations Security Council to ensure Zimbabwe cooperates in arresting a top suspect believed to be hiding in the country.

International Criminal Tribunal for Rwanda (ICTR) chief prosecutor Justice Hassan Jallow said there has been little co-operation from Harare in apprehending Protais Mpiranya, a former top soldier in Rwanda during the genocide.

In a letter to the UN Security Council last week, Justice Jallow said there were indications Mpiranya was enjoying high-level protection in Zimbabwe.

Mpiranya is one of the most wanted fugitives and has a \$5 million bounty on his head. He was a commander of the Rwandan Presidential Guard and allegedly masterminded the genocide that claimed the lives of close to a million Rwandans of Tutsi ethnic origin.

Politically moderate Rwandans from the majority Hutu ethnic group were also targeted during the mass killings. Rwandans who masterminded the genocide have been taken to the ICTR in Arusha, Tanzania, for trial.

Mpiranya was indicted by the ICTR but has remained elusive and is believed to be staying in Zimbabwe. Police in Harare said there were no genocide suspects in Zimbabwe.

Wayne Bvudzijena, national police spokesperson, recently told NewsDay: “We do not have those people here.”

But Justice Jallow, in his letter to the UN Security Council said: “For over a year now my office has been in contact with the government of Zimbabwe in relation to the fugitive Protais Mpiranya, former commander of the Rwandan Presidential Guard and a top level indictee of the Tribunal.

“There are indications that Mpiranya has connections with that country and has at several periods resided therein. During my visit to Harare in 2009, I was assured by officials of the government of Zimbabwe of their cooperation in this matter.”

Justice Jallow said the Zimbabwean government should fully co-operate to ensure Mpiranya was arrested and brought before the criminal tribunal.

“Investigators from my office continue to work with their Zimbabwean counterparts on the case,” Justice Jallow said.

“I would urge the Zimbabwe government to devote top priority to the case of this high-level fugitive in order to secure his location, arrest and transfer to the Tribunal.” Justice Jallow said the majority of the fugitives were staying in the Democratic Republic of Congo (DRC) and Kenya.

“It is necessary that the governments of the DRC, Kenya, Zimbabwe and neighbouring states intensify co-operation and search for the 10 fugitives, all of whom, according to our sources, are within east, central and southern Africa,” he said.

The other high-ranking fugitives include Felicien Kabuga and Augustine Bizimana. They also have \$5 million bounties on their heads. Kabuga, a wealthy businessman accused of bankrolling the army and militias that perpetrated the genocide, is believed to be holed up in Kenya.

Bizimana, a former defence minister, is believed to be in eastern DRC. Justice Jallow said tracking these suspects was a top priority of the ICTR.

“Tracking efforts to secure the arrest and transfer to the ICTR of Felicien Kabuga, Protais Mpiranya and Augustine Bizimana continue to be a top priority of our Tracking Team,” he said.