

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



Credit: Lawrence Sesay, CITS

**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:**

Friday, 28 January 2011

Press clips are produced Monday through Friday.  
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## ***Charles Taylor Trial...***

# **Sierra Leoneans Wait for Final Judgment**

***By Alpha Sesay***

Mabinty Kargbo was just 15 years old when Sierra Leonean rebels cut off her hands and killed her parents in front of her during the country's horrific 11 year war. Now, she waits anxiously to hear whether the former Liberian President, Charles Taylor, was behind the rebel crimes as his trial draws to a close in The Hague.

"We all want to hear the judgment that the judges will issue, and we hope they execute Taylor, let him die just the way he caused the death of our people in this country. But even when Taylor dies, we will not forget what the rebels did to us. When I look at my hands, and when I wake up in the morning and don't see my parents, I will always remember the war in this country," Mabinty, now 26, tells me.

I was in Sierra Leone over the New Year break, wanting to find out what people thought about the high profile trial of Taylor, who has been charged with backing Revolutionary United Front (RUF) rebels, the rebel group that fought an 11 year battle to control the territory and resources of Sierra Leone. The trial has lasted for three years and with prosecutors and defense lawyers set to make their closing arguments from February 8-11, Sierra Leoneans can hope that judges will deliver a final verdict before the end of 2011.

During the closing arguments, Prosecutors hope to tell the judges that Taylor "created, armed, supported, and controlled" the RUF. Prosecutors intend to impress upon the judges that Taylor supplied RUF rebels with materials and manpower and that if it were not for Taylor's support to the rebels, "the crimes suffered by the people of Sierra Leone would not have occurred."

Defense lawyers, on their part will stress Taylor's innocence in their closing arguments. They will argue that RUF rebels might have had dealings with personnel within Taylor's security apparatus but any such relationships were not with Taylor's knowledge and support. Defense lawyers will tell the judges that when Taylor eventually had dealings with RUF rebels after he became president of Liberia in 1997, such dealings happened with the consent of other West African leaders and they were only geared towards bringing a peaceful resolution to the conflict in Sierra Leone.

Whatever the parties say to the judges, Sierra Leoneans will be waiting for only one thing—a final determination of whether Taylor is guilty or innocent. If the judges find Taylor guilty, many, like Mabinty, will be anxious to know the sentence he will receive.

Back in Sierra Leone, I had to explain to Mabinty that the Special Court for Sierra Leone will not hand out the death sentence on any convicted person.

Public opinion in Sierra Leone about Taylor is hardly neutral, with a larger percentage of people you speak with pointing fingers at the former Liberian president as being responsible for what the RUF did to the people of that country.

Speaking with people in Sierra Leone over the new year break, a 46 year old man whose right hand was amputated by rebel forces in January 1999 tells me what it would feel like if he sees Taylor in jail.

"It will be a great day for, not only me, but for the hundreds of Sierra Leoneans who suffered at the hands of the rebels sent by Taylor, if he is sent to jail for the rest of his life," Lamin Bangura, 46, an amputee says..

At a meeting with university students in Sierra Leone, a bulk of them have a common position-that the fact that Taylor has been subjected to a credible accountability process, whether he is found guilty or not, should bring a measure of satisfaction or justice to victims of the conflict in Sierra Leone.

A prominent Pentecostal Pastor in Freetown thinks otherwise; "I hope Taylor is not released," he tells me.

On a radio discussion program held to commemorate the January 1999 rebel invasion of Freetown, a man makes reference to an alleged statement by Taylor in 1990, that "Sierra Leone will taste the bitterness of war."

"So when rebels entered the country, from Liberia, just as Taylor had predicted, who are we to blame?" Yusuf Kargbo, who lives in the East of Freetown, asks.

Kargbo adds that "we all know that RUF rebels reported directly to Taylor, he gave them arms and ammunition to attack us in this country..."

Another man calls into the radio program and says that "we should blame our own Sierra Leonean brothers and sisters for what they did to us during the conflict. Let us stop blaming Taylor. With my senses, if a foreigner tells me to kill my own brother or sister, I will use my own senses to say no way. So let us not blame Taylor."

I ask Eldred Collins, presently the interim leader of the RUF, what he thinks about allegations of Taylor's support to the RUF.

"Let us wait for the judges to deliver their judgment," he tells me.

This is what Sierra Leoneans now await-a determination by Special Court for Sierra Leone judges whether Taylor is guilty or innocent of the charges against him.

Many people you speak with along the streets of Freetown will tell you that the process has taken too long and that all they want to hear now is the judgment.

A university student tells me in Freetown that "if this year comes to an end without a judgment for or against Taylor, we'll no longer be interested in the trial."

A taxi driver who survived several rebel attacks during the conflict believes that the Taylor trial must be brought to a close so as to allow Sierra Leoneans to forget about anything that has to do with the war.

"As it is, the major thing that reminds us about the war is when we see the Special Court and know that it is still trying Charles Taylor," he tells me, as we drive pass the Special Court for Sierra Leone premises in Freetown in January this year.

"We want this thing over with, let the judges tell us if Taylor is guilty or not, and then we can put this all behind us," he adds.

For Mabinty, however, looking at her arms and not seeing her parents will always remind her about the war. While she will carry the pain of her experiences for a long time, Mabinty believes that ensuring that those responsible for her ordeal are held accountable will still give her a measure of satisfaction.

"We feel like our cries are being heard...we feel like there are people who did not suffer like us but who want to make sure that those responsible for our sufferings are made to answer for their acts and that the same thing does not happen to other people again," she tells me.

Alpha Sesay is a Sierra Leonean lawyer and International Criminal Court-Legal Officer for the Open Society Justice Initiative.

Voice of America

Thursday, 27 January 2011

### **Court Admits Leaked Cables in Charles Taylor Trial**

The war crimes court trying former Liberian President Charles Taylor has admitted into evidence leaked U.S. cables he says challenge the court's objectivity.

Taylor's lawyers had asked the Special Court for Sierra Leone to admit two U.S. government cables, leaked by the website Wikileaks and published in Britain's theGuardian newspaper.

His lawyers say the cables raise “grave doubts” about the court's “independence and impartiality.” They also say the cables support defense claims that the prosecution of Taylor is “political,” and that his indictment was “deliberately selective.”

One of the cables quotes the U.S. ambassador to Liberia, Linda Thomas-Greenfield, as saying the court should consider all legal options to ensure Taylor cannot return to Liberia. She said such a return could destabilize the country.

Charles Taylor is facing 11 charges — including war crimes and crimes against humanity — for allegedly instigating a rebel campaign of murder, rape and mutilation that left more than 100,000 people dead during neighboring Sierra Leone's civil war.

Taylor is accused of supplying weapons to Sierra Leone rebels in return for diamonds.

He has denied all the charges.

## Charlestaylortrial.org (The Hague)

Thursday, 27 January 2011

### **Liberia: With Anticipation, Sierra Leoneans Look Forward to Final Judgment in the Charles Taylor Trial**

Alpha Sesay

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Reuters

Thursday, 27 January 2010

### **U.S. Diplomatic Cables Allowed in Liberian's Trial**

The Sierra Leone war crimes tribunal in The Hague on Thursday granted Charles G. Taylor, the former Liberian president, the right to use two leaked American diplomatic cables as evidence to challenge the court's impartiality. One of the cables released by WikiLeaks quoted the United States ambassador to Liberia as warning that if Mr. Taylor were acquitted or given a light sentence, his return to Liberia could "tip the balance in a fragile peace." Mr. Taylor's lawyers said the cables raised doubts about the court's independence and suggested that the prosecution was political.

Reuters

Thursday, 27 January 2011

### **Charles Taylor lawyers to use U.S. cables in court challenge**

AMSTERDAM (Reuters) - Defense lawyers for former Liberian President Charles Taylor, on trial for war crimes, won the right to use leaked U.S. cables as evidence to challenge the Sierra Leone war crimes court's independence and impartiality.

On trial at the Special Court for Sierra Leone, Taylor denies all 11 charges of instigating murder, rape, mutilation, sexual slavery and conscription of child soldiers during wars in Liberia and Sierra Leone in which more than 250,000 were killed.

Both the prosecution and defense have already finished presenting their evidence, but the court ruled in favor on Thursday of a defense motion seeking to re-open its case for the "limited purpose" of admitting into evidence two U.S. cables.

One of the diplomatic cables leaked by WikiLeaks last month contained comments made by a U.S. ambassador warning that if Taylor was acquitted or given a light sentence, his return to Liberia could "tip the balance in a fragile peace."

"The international community must consider steps should Taylor not be sent to prison for a long time. We should look at the possibility of trying Taylor in the United States," the U.S. ambassador to Liberia, Linda Thomas-Greenfield, wrote in a March 10, 2009 cable.

In their filing, defense lawyers for Taylor said the cables "raise grave doubts about the independence and impartiality of the Special Court's prosecution of Charles Taylor."

They added that the cables "support the defense position that the prosecution of Mr. Taylor is political and his indictment was deliberately selective."

**Human Rights Watch**  
 Wednesday, 26 January 2011

## **African Union: New Plan for Mixed Court to Try Hissène Habré**

African Union: New Plan for Mixed Court to Try Hissène Habré  
 Senegal Should Accept AU Commission's Proposal

Senegal should accept an African Union Commission plan for Senegal to try Hissène Habré before a special court with Senegalese and African judges, human rights groups said today.

The plan will be at the center of discussions at the African Union summit in Addis Ababa beginning January 30, 2011. It was drawn up in response to a decision by a west African regional court that Senegal must try Habré before a special court.

"The African Union has proposed an excellent plan to try Hissène Habré," said Jacqueline Moudeina, president of the Chadian Association for the Promotion and Defense of Human Rights. "If Senegal really wants justice to be done, at long last, it should accept the AU plan."

Habré is accused of thousands of political killings and systematic torture when he ruled Chad, from 1982 to 1990, before fleeing to Senegal.

Under the AU plan, presented on January 12 to President Abdoulaye Wade of Senegal by the AU peace and security commissioner, Amb. Ramtane Lamamra, an Extraordinary African Chambers would be created within the Senegalese justice system with the presidents of the trial court and the appeals court appointed by the African Union. The court would prosecute the person or persons "who bear the greatest responsibility" for genocide, crimes against humanity, war crimes and torture committed in Chad from June 1982 to December 1990.

On November 18, 2010, the Court of Justice of the Economic Community of West African States (ECOWAS) said that Habré's trial should be carried out by "a special ad hoc procedure of an international character."

One week later, on November 24, international donors met in Dakar and fully funded the \$11.7 million budget for the trial. Senegal's justice minister said that the donors' meeting was the "completion of the long process of preparation leading up to the actual start of trial" and that Senegal would discuss with the AU how to respond to the ECOWAS decision.

President Wade then backtracked on December 10 and invoked the ECOWAS decision in announcing that he had "had enough" of the Habré case and was "returning" it to the African Union.

On January 12, 2011, in response President Wade's statement, the United Nations Committee against Torture wrote to Senegal to remind it of its "obligation" to prosecute Habré or to extradite him to Belgium, which requested him for trial in 2005. (see CAT's letter here)

In a communiqué on January 19, President Wade said that Habré should be tried in Africa, and evoked the possibility of sending Habré back to Chad for trial. Chad's president, Idriss Déby, has said on several recent occasions that he was ready to hold the trial in Chad. The human rights groups expressed concern that Habré would not get a fair trial in Chad and worry that he could be mistreated or subject to the death

penalty. A Chadian court in August 2008 sentenced Habré to death, in absentia, for his alleged participation in a rebellion to overthrow President Déby.

"There is no way Habré could get a fair trial in Chad," said Dobian Assingar, honorary president of the Chadian League for Human Rights and representative of the International Federation of Human Rights (FIDH). "The courts in Chad are under the thumb of the executive."

"Senegal's credibility in the fight against impunity is on the line in the Habré case. It can't both challenge the prosecution of abusive African leaders by international courts and fail to fulfil its own international obligations," said Alioune Tine, President of the African Assembly for the Defense of Human Rights (RADDHO).

The groups " Human Rights Watch, FIDH, ATPDH, RADDHO " said that they still believed that Habré's extradition to face trial in Belgium would be the most efficient and timely option for ensuring that he is able to respond to the charges against him with all the guarantees of a fair trial.

Habré was first indicted in Senegal in 2000, before Senegalese courts ruled that he could not be tried there. His victims then turned to Belgium and, after a four-year investigation, a Belgian judge in September 2005 issued an international arrest warrant charging Habré with crimes against humanity, war crimes and torture and requested his extradition.

Senegal then asked the African Union to recommend a course of action. On July 2, 2006, the African Union called on Senegal to prosecute Habré "on behalf of Africa," and President Abdoulaye Wade declared that Senegal would do so. He had refused to proceed for several years, however, until Senegal was provided with money to finance the trial.

Associated Press  
Friday, 28 January 2011

### **Rwandan rebel: I am innocent of Congo war crimes**

A Rwandan rebel told war crimes judges Friday that he was not involved in what prosecutors describe as a murderous 2009 bid for power in Congo.

Callixte Mbarushimana spoke at his first appearance at the International Criminal Court since he was handed over by French authorities on Tuesday. He was arrested in Paris last October.

"All my life I have fought injustice, hatred of other people and all forms of exploitation of human beings and I will continue to fight that in all its forms," he told judges at his arraignment.

Mbarushimana, a leader of the Hutu rebel group Democratic Forces for the Liberation of Rwanda, is accused of 11 counts of crimes against humanity and war crimes by his rebels, including murder, rape, persecution based on gender, and extensive destruction of property.

Mbarushimana had been on Interpol's list of wanted fugitives for alleged involvement in the Rwandan genocide in 1994, but he was arrested in connection with crimes in 2009 in Congo's Kivu provinces, where Hutu militants from Rwanda have been active.

Prosecutors allege his FDLR fighters deliberately targeted civilians "in order to ultimately obtain political concessions."

And while Mbarushimana lived in France at the time, prosecutors say he "personally and intentionally" contributed to the criminal plan by leading an international campaign seeking political power, waged from his Paris apartment.

Among the allegations against him are that FDLR forces forced men to rape and mutilate women in Congo's North and South Kivu provinces. On one occasion in May 2009, they slit open the bellies of pregnant women and tore out the fetuses, prosecutors allege.

Mbarushimana, who told judges he was a computer engineer, was not required to enter a plea on Friday. But he insisted he was "in no way involved" in any of the crimes.

"I condemn attacks on innocent civilians," he said.

Mbarushimana's lawyer Nicholas Kaufman said he would file a formal request soon for his client to be released pending further hearings.

The court scheduled a hearing for July 4 to weigh prosecutors' evidence and determine whether it is strong enough to merit sending Mbarushimana to trial.

The court's chief prosecutor, Luis Moreno-Ocampo, said earlier this week that prosecuting the FDLR leadership is "a step toward justice for all victims, peace for the region, hope for the populations."

Mbarushimana is the fifth suspect in the court's custody, four of them accused of crimes in Congo. He had been in France since 2002, and received political refugee status in 2003.

France had refused to arrest him on the genocide charges because it does not extradite citizens of countries that have the death penalty.

## Monday Morning

Thursday, 27 January 2011

### **Bellemare presents the indictment to Fransen: Will the two Daniels be in agreement?**

Daniel Bellemare

Waited by some, denounced by others, will the indictment spark things off in Lebanon? The speculations have preceded it for a long time: those who reject it affirm that it has been fabricated by Washington and Israel to deal a fatal blow to Hezbollah, Syria and Iran; for the others, it is the guarantor of justice and security in Lebanon. For the time being and on the official level, Daniel Bellemare, general prosecutor of the Special Tribunal for Lebanon (STL) in charge of the investigation into the assassination of former Prime Minister Rafik Hariri and his companions, on February 14, 2005, presented on Monday, January 18, the indictment to Daniel Fransen, the pre-trial judge.

The clerk of the tribunal, Herman von Hebel, said that the indictment, accompanied by evidence which remains confidential at this stage of the procedure, is going to be examined by Judge Fransen, who will decide whether or not to hold a trial. This will take six to ten weeks.

On the level of speculations, a whole range of information has been circulating for months. Some say they have read the indictment, which they consider to be made up from start to finish; others put forward the name of the persons implicated in the murder and several leaks have circulated in the media. How we can tell the true from the false? A local TV channel, the New TV, has for several days been broadcasting recordings of the deposition of Saad Hariri before the international inquiry, and of his conversations with Siddik and Wissam Hassan. The recordings are competing in popularity with the Turkish soap operas dubbed in Arabic and broadcast on our local channels. People do not know whom to believe. Especially since the indictment has, even before its publication, weighed heavily on the public mind and on Lebanese life in general. It has led to the toppling of Saad Hariri's national unity government and to what most expect to be a long period of political uncertainty and has increased the tension on the ground. Will its publication be positive and liberating, or destructive?

Let us turn our attention to what Judge Bellemare said. In a pre-recorded statement which was broadcasted on January 18 the prosecutor affirmed: "I respect the first part of the promise which I made to the Lebanese people when I left Beirut on February 28, 2009. I declared that my team and myself would do all that is humanly and legally possible, in order to reveal the truth and bring before justice those who are responsible for the crimes coming within our competence. This is an important moment for the Lebanese people".

Concerning the slowness of the process, Bellemare commented: "The course of justice cannot be disrupted. The evidence should be credible and irrefutable. I clearly indicated from the beginning that I would act with independence, being directed only by the evidence". He continued: "I am proud and grateful for the perseverance and professionalism of my collaborators. They are all deeply committed to this dossier". He thanked them for this, and he addressed his thanks to the Lebanese authorities for "their support and their assistance".

Judge Bellemare also spoke of the confidential character of the procedure, affirming that "as frustrating as this may be, the contents of the indictment should remain confidential for the time being (...) since I cannot presume that the pre-trial judge will confirm this indictment (...). If it is confirmed, the contents of the document will be made public at the right time upon the decision of the judge, and the answers to

many of our questions will be provided. During the trial, you will have the opportunity to verify for yourselves, the strength of the evidence we have collected”.

For Bellemare, the indictment is nothing other “than a first stage on the path which leads to the end of impunity in Lebanon. It is also the first stage of the judicial process”. He indicated that all the persons named in the indictment are presumed innocent and this even after the confirmation of the indictment. “This means that the accusation should prove before the trial chamber beyond any reasonable doubt, that they are guilty. If a reasonable doubt remains, the accused person will be discharged.”

The prosecutor continued: “Every accused person has the right to defend himself with strength against any allegation contained in the indictment (...). And the defense bureau was created in order to help the accused persons and to ensure to them the best possible defense”.

He concluded: “Our duty is far from being finished. We will continue our mission with the same degree of passion and commitment in complete respect for the rights of the victims and the accused persons”.

In his presentation, Bellemare especially stressed the importance of this tribunal, recalling that “for the first time, a judicial procedure has been launched against those responsible for a political assassination in Lebanon. This action was taken upon the request and in the name of the Lebanese people and in compliance with a mandate emanating from the United Nations. It is an important moment for the international community, as well as for those who believe in international justice”.

What impact do these words have? They comfort those who believe in this tribunal, but they change nothing in the attitude of those who are sceptical, credulous or definitely hostile towards it. How can we reconcile the two opposed positions and prevent them from degenerating into internal conflicts?

Bellemare published another statement, affirming that he was very concerned about “the non-authorized broadcasting on some Lebanese TV channels, of what is presented as interrogations conducted by representatives of the independent international investigation. These documents,” he said, “constitute protected confidential information and were made public in an illegal way”. Bellemare denounced these broadcasts and said he would seek to find those responsible for these leaks. But can he do this?

The clerk of the tribunal, Herman von Hebel, has confirmed that nothing would stop the functioning of the STL, which will continue its mission, no matter what the next government of Lebanon does.

Voice of America

Friday, 28 January 2011

## ICC in Nairobi as Kenya Looks to African Union for Trial Deferment

David Clement



**Photo: AP**

*Kenyan protesters hold placards while shouting slogans during a protest in Nairobi, Jan 18 2011*

As an African Union summit that could sanction Kenya's non-cooperation with the International Criminal Court (ICC) begins, the international community is bearing down on

Kenya as signatories to the Rome Statute arrive to gauge the country's commitment to the court.

The African Union summit in Addis Ababa, Ethiopia is being anxiously watched by observers in Nairobi and The Hague. One of the items on the agenda could be the deferment of Kenya's post-election-chaos trial at the International Criminal Court.

The Kenyan government has been pushing for this shield against the Court, and the past two weeks have seen a sort of African shuttle diplomacy, with Vice President Kalonzo Musyoka jetting around the continent to rally support. Musyoka has reportedly secured the blessings of South African President Jacob Zuma, Ugandan Leader Yoweri Museveni and Ethiopian President Meles Zenawi, all major players in the continental body.

Some politicians in Kenya support the deferral on the grounds that a local trial would better serve the cause of justice, but that stance has been controversial. Prime Minister Raila Odinga recently came out in favor of ICC trials. Kenyan MP and Assistant Minister for Foreign Affairs Richard Onyonka said local trials would only be possible if certain steps are taken.

"Kenya can have a deferment, but there are things we must do," said Onyonka. "We must put a judiciary which is believable, which is beyond reproach. We must make sure that we start engaging the Security Council to make sure that we explain to them why feel that there is a necessity to have a local tribunal. "

Plans to seek a deferral of the Kenyan case could take shape at the parallel Intergovernmental Authority on Development Summit Sunday. IGAD support would set the stage for African Union approval the following day.

But international criticism is mounting as the meeting nears. The President of the Assembly of States Parties, Christian Wenaweser, came out against Kenya's deferment push, arguing the Court is a critical component in the fight against impunity.

The Assembly of States Parties is the legislative and political body of the ICC. Weneweser is in Kenya on a two-day fact-finding mission that will include meetings with senior government officials and civil society to discuss the country's commitment to the court.

If the African Union agrees to support Kenya, it will submit a written request to the U.N. Security Council to defer the Kenyan case. Under court rules, the Security Council may request a one-year deferment from the court in case of a threat to international peace.

More than 1,000 people were killed and 300,000 displaced after Kenya's disputed presidential elections in December of 2007. Ethnic violence ripped through the country for nearly two months until then-rivals President Mwai Kibaki and Prime Minister Raila Odinga signed a political accord ending the chaos.