

**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, 1 February 2011

Press clips are produced Monday through Friday.  
Any omission, comment or suggestion, please contact  
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The Torchlight  
Tuesday, 1 February 2011

## Cote d'Ivoire: UN chief urges Ouattara to form unity govt in Cote d'Ivoire

Addis Ababa, Ethiopia - UN Secretary-General Ban Ki-Moon on Sunday unveiled a five-point plan to help resolve the crisis in Cote d'Ivoire, but stressed that president-elect Alassane Ouattara, should form a unity government. Addressing the 16th Ordinary session of the AU Heads of State and Government in Addis Ababa, Ethiopia, Ban said incumbent President Laurent Gbagbo lost the polls in the West African nation and should cede power to Ouattara for the sake of peace.

His five-point plan emphasizes international aid to a government led by Ouattara to help it deal with the economic problems facing it, the

removal of the blockade on the operation of the UN troops and respect for human rights in Cote d'Ivoire.

He told African leaders that the actions taken by the UN and the African Union (AU) on Cote d'Ivoire would have a bearing on the image of both organizations.

"The action we take will have an impact not only on the credibility of our organizations, but also on other democratic transitions and elections in divided societies," Ban warned.

In his speech, French President Nicholas Sarkozy, warned that Africa's failure to resolve the crisis in Cote d'Ivoire, would be a "tragedy" for the



whole world.

"Our destinies are interlinked, we share the same values," he said.

Sarkozy voiced the French backing for calls for Gbagbo to relinquish power in respect of the election results. "The French supports the AU position on Cote d'Ivoire," he said.

President Sarkozy said the "freely expressed will of the people should not be treated with scorn."

African leaders, gathered here for a shortened Summit of two days, are expected to work out a desired direction that the mediation efforts in

Cote d'Ivoire should take over the next one month.

The AU has announced the formation of a panel of five African leaders to work out a solution to the crisis. The Panel's full composition would include AU Commission Chairperson Jean Ping.

Ping has ruled out the possibility of using force to oust Gbagbo from power, saying it would be "cowardly to do so."

Ping said Saturday no African nation had offered its army to undertake the mission to forcefully oust Gbagbo.

Voice of America  
Monday, 31 January 2010

## Court Admits Wikileaks Documents in Former Liberian President's Trial

Amanda Fortier



**Photo: AP**

*Former Liberian President Charles Taylor is seen at the U.N.-backed Special Court for Sierra Leone in Leidschendam, Netherlands, 05 Aug 2010*

Judges at the war crimes trial of former Liberian President Charles Taylor have admitted into evidence two Wikileaks documents that appear to question the impartiality of the Special Court for Sierra Leone. The decision comes just days before prosecutors and defense attorneys present their closing arguments in Mr. Taylor's war crimes trial.

Mr. Taylor is pleading not guilty to 11 counts of crimes against humanity for his alleged support of Revolutionary United Front rebels during a 10-year civil war in neighboring Sierra Leone.

His trial is drawing to a close after more than three years of testimony.

The secret U.S. cables released by Wikileaks are nearly two years old and appear to reveal doubts over the impartiality of the Special Court for Sierra Leone. An April 2009 document shows concern that Justice Julia Sebutinde has a timing agenda. Sebutinde is the only African judge presiding.

The document suggests she may have deliberately slowed court proceedings to ensure that she heads the Trial Chamber when they deliver Taylor's final sentence.

"We are closely following the trial," said attorney Larry Thomas, who works in Liberia's capital, Monrovia. "I think it is going well with witnesses taking the stand. But the Wikileaks information has the propensity to start a process, but we are watching the process with eagle eyes."

Other Wikileaks cables suggest the United States had concern about pro-Taylor groups organizing themselves in the rural parts of Liberia. The same cable said the

U.S. government's best option was to ensure that Mr. Taylor is jailed for a long time, even if it meant bringing the case over to the United States where he could be tried for financial crimes or with new laws against the use of child soldiers.

University of Liberia political science student Maxell Siemon says the cables damage the court's credibility.

"It means that the trial is politically motivated and the true essence of it will not be realized," Siemon said. "So in this manner, I am disappointed in the trial and I think it is like a witch-hunt for Mr. Taylor, because if he was judged from what the U.S. ambassador said regarding Taylor coming back to this region, it will mean that the region will be destabilized."

Aaron Coleman is a small trader in Monrovia. He has been following Taylor's trial closely.

"All we prefer is a fair trial where his lawyers will feel comfortable, Liberians, Africans, the international community also will feel comfortable," he said. "What I believe, that should serve as a deterrent, that should serve as a warning to other Liberians, to other citizens, to other people from Africans, not only Africa, but the world at large."

Mr. Taylor's trial is being held at space rented from the International Criminal Court in The Hague, because of fears that a trial in Sierra Leone could spark regional unrest.

The prosecution and defense are expected to deliver their closing arguments on February 8. If convicted, Mr. Taylor will serve prison time in Britain. The U.N.-backed tribunal does not impose the death penalty.

## Hirondelle News Agency

Monday, 31 January 2011

### **Appeal hearing in Bagosora's case to commence March 30**

The hearing of the appeal in the case of three former senior Rwandan military officers including Cabinet Director in the ministry of Defence, Colonel Theoneste Bagosora is set between March 30 and April 1, 2011 before the Appeals Chamber of the International Criminal Tribunal for Rwanda (ICTR).

Bagosora was handed down a life sentence by the lower court after being convicted for genocide.

Other appellants in this case known as "Military I" are Lieutenant-Colonel Anatole Nsengiyumva, former commander of the military sector of Gisenyi (northern Rwanda) and Major Aloys Ntabakuze, who commanded the Para-commando Battalion. They were sentenced to life imprisonment on December 18, 2008 whereas their co-accused former Brigadier-General Gratien Kabiligi was acquitted.

"The hearing of the appeals in the present case shall take place on 30 March, 31 March, and 1 April" scheduling order issued by the Appeals Chamber indicates.

The appeals hearing comes more than two years after the delivery of the judgment, mainly because of technical obstacles. Colonel Bagosora asked the Appeals Chamber to order and compel former Rwandan Defence Minister, General Marcel Gatsinzi, to testify.

General Gatsinzi, currently Minister for Natural Disaster and Refugee Affairs, had refused to testify for Bagosora in the first instance, but later in September 2006, he expressed his readiness, giving conditions that he would show up as a court witness and that he would be heard through video link.

Trial Chamber I refused to consider him as its witness and no follow up was made on the other condition. In his new demand, Bagosora, considered the mastermind of the 1994 genocide, seeks the testimony of Gen. Gatsinzi for search of truth.

According to Bagosora, during the trial he produced documentary exhibits, in which Gatsinzi does not question the effective powers he wielded as Chief of Staff, fails to mention a chain of command that could challenge his power and give a presentation on military attacks that was consistent with his defence case.

The decision on this motion is yet to be delivered.

NI/ER/GF

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## Hirondelle News Agency

Monday, 31 January 2011

### **MRND trial: Judges in Rwanda on February 20**

Arusha, January 31, 2011 (FH) - The Chamber of the International Criminal Tribunal for Rwanda (ICTR) currently trying former leaders of Rwanda ruling party in 1994, MRND, will complete an on-site visit to Rwanda from February 20 to 25.

Judges Dennis Byron, Gustave Kam and Vagn Joensen will be travelling with members of both defence and prosecution teams. They will go to Kigali and to Kibuye (West of Rwanda), according to a ruling published on Monday on the ICTR's website.

The two accused will not accompany the Chamber.

Former MRND President Matthieu Ndirumutse has been testifying on his own defence since January 10, whereas former Vice-president Edouard Karemera has already completed his defence case. The two men are charged with crimes of genocide and crimes against humanity.

The prosecution alleges that the defendants conspired with other civil and military personalities to commit genocide in 1994.

They are also charged for their command responsibility in crimes committed by members of their party.

Ndirumutse and Karemera do not deny that crimes were committed by members of their party but they assert that there was no chain of command between them and the militants.

ER/GF

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Voice of America  
Monday, 31 January 2011

## ICC Prosecutor Under Fire as African Union Backs Kenya

Michael Onyiego



**Photo: AP**

*President of the Assembly of State Parties to the Rome Statute of the International Criminal Court, Christian Wenaweser, speaks about Kenya's quest to seek deferral of cases against six prominent Kenyans in connection with country's post election violence, in Nairobi, Kenya, January 28, 2011*

International Criminal Court Prosecutor Luis Moreno-Ocampo is under fire as the African Union backs Kenya in its bid to stall trials aimed at the country's election violence.

Once viewed in Kenya as a hero, ICC Prosecutor Luis Moreno-Ocampo is now under fire in Africa, as the country moves forward with plans to forgo its own proceedings at the international court.

The prosecutor was, just months prior, seen as Kenya's only hope for justice. After naming surprise suspects in his two cases probing Kenya's violence, however, he has been accused of being "drunk with power" by Kenyan politicians.

The African Union is now jumping into the fire. Speaking at the A.U. Summit in Addis Ababa over the weekend, Chairman Jean Ping assured the Court of African support, but accused Moreno-Ocampo of bias. Ping highlighted the lack of court action in Gaza, Iraq and Burma (Myanmar) as evidence of a double-standard against African states.

On Sunday, the Executive Council of the African Union endorsed Kenya's request for deferral. The Summit will close Monday with a final session involving Africa's leaders. If the session produces support for Kenya, the continental body could then submit a formal request to the U.N. Security Council. Last week, the leader of the International Criminal Court's member states, President of the Assembly of States

Parties Christian Wenaweser, warned against such a course of action.

"I have made it quite clear that from the perspective of the States Parties this would be a far more problematic course of action that has a number of legal and political pitfalls," said Wenaweser. "First of all, it would not be an expression of continued cooperation with the court by the Kenyan government. It would also implicitly be a statement that the situation here poses a threat to international peace and security."

In its bid to defer the Kenyan trial, leaders in Nairobi are arguing for a local mechanism to deal with the violence.

Wenaweser expressed support for the local efforts, but urged Kenya to work with the court, rather than around it. The Liechtensteiner diplomat told reporters the ICC judges also could grant Kenya a deferral if evidence of substantial efforts made towards a local mechanism were presented.

Kenya attempted to address the 2007-2008 post-election chaos through the Truth, Justice and Reconciliation Commission, established in 2009. Despite many hopes, an ethics scandal engulfed its chairman and the commission never began work. Many politicians believe the judicial reforms envisioned in the new constitution will help address the violence.

## Kenya call to delay ICC case



*Some 1,200 people were killed in violence after the 2007 elections*

The African Union has endorsed Kenya's request to delay the International Criminal Court trial of those accused of organising post-election violence.

Kenya says it wants the six suspects named by the ICC to be tried at home.

It had failed to set up a local tribunal to investigate the 2007-8 clashes but says it will now do so.

As the AU ended its summit, its new chairman, Equatorial Guinea's President Teodoro Obiang Nguema, also dismissed criticism of his human rights record.

"My country is democratic and holds elections. In presidential elections the people are free, they choose the candidate they want," he said.

Human rights groups accuse his government of rigging election, oppressing the opposition and corruption and say he should not have been chosen to lead the AU for the next year.

The AU also extended the mandate of Somalia's parliament by two years, meaning it can choose a new government when its term expires in August.

### **"Start Quote**

The concept of democracy, human rights and good governance are not new to Africa, but they should be adapted to the African culture"

### **'National sovereignty'**

The six Kenyans who the ICC wants to put on trial are mostly very senior politicians - allies of both President Mwai Kibaki and Prime Minister Raila Odinga.

They include Deputy Prime Minister and Finance Minister Uhuru Kenyatta, the former police chief and two ministers.

Last year, Kenyan MPs voted to pull out of the ICC after the six were named.

President Kibaki said that having the trial in Kenya "will boost our efforts [for] peace, justice and reconciliation as well as uphold our national dignity and sovereignty; and prevent the resumption of conflict and violence".

Some 1,200 people died and more than 500,000 fled their homes in the violence following the disputed election in December 2007.

It ended when President Kibaki and his rival Mr Odinga agreed to share power, with Mr Odinga becoming prime minister.

### **ICC Suspects**



### **Kibaki allies**

- Uhuru Kenyatta (above), deputy PM and finance minister
- Francis Kirimi Muthaura, secretary to the cabinet
- Mohammed Hussein Ali, former police chief

### **Odinga allies**

- Henry Kosgey, minister for industrialisation
- William Ruto, suspended education minister
- Joshua Arap Sang, radio executive

In the peace deal they signed it was agreed perpetrators would face justice in Kenya or at the ICC in The Hague.

The AU also wants the ICC to defer its attempts to prosecute Sudan's President Omar al-Bashir over alleged war crimes committed in Darfur.

Some African leaders have accused the ICC of ignoring war crimes elsewhere in the world and only going after suspects in Africa.

AU Commission Chairman Jean Ping accused journalists of harassing President Obiang at a news conference after the summit.

Mr Obiang seized power in oil-rich Equatorial Guinea from his uncle in a 1979 coup.

In 2008, he was re-elected with 95% of the votes.

He has previously denied charges of corruption and human rights abuses.

In his acceptance speech on Sunday, Mr Obiang said: "The concept of democracy, human rights and good governance are not new to Africa, but they should be adapted to the African culture."

But Alioune Tine, from the Senegal-based African Assembly for the Defence of Human Rights (Raddho), told the AP news agency:

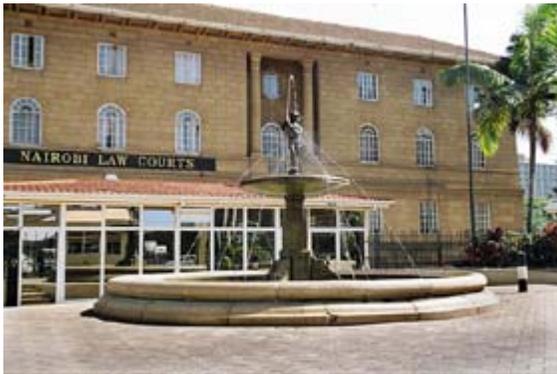
"Neither the African Union, nor Africans, deserve a leader whose regime is notorious for abuses, corruption and a total disregard for the welfare of its people."

# Kenya Broadcasting Corporation

Monday, 31 January 2011

## High Court stops Kenyan ICC statement taking

Written By: Michael Gichuki/Rose Kamau,



The High Court has temporarily stopped the process of statement taking by former security chiefs by the International Criminal Court (ICC).

Justice Daniel Musinga issued the order stopping Justice Kalpana Rawal from recording statements from senior officers who were in charge of areas hardest hit by the 2008 post election violence.

In the suit two businessmen had moved to court challenging the recording of the evidence on grounds that it was against the constitution.

Jackson Mwangi and James Ndirangu claimed the appearance of any Kenyan before judge Rawal for evidence taking was illegal.

The file has now been forwarded to the Chief Justice for the appointment of a three judge bench to hear the case.

The two businessmen initially appeared before Justice Hannah Okwengu who declined to issue the temporary orders and instead directed them to serve the respondents and appear in court on Monday.

They argued that the ICC rules, "which enable the judge to take the evidence are illegal in that they provide that all records and documents relating to the proceedings before the ICC shall be confidential and kept under seal thus conflicting with article 35 of the Constitution on access of information."