

**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:

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Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Local News

Taylor Wants Appeal Judges Removed / *Concord Times* Page 3

International News

Institute's Pupils Not Even 20 and Already Making a Difference / *Minneapolis Star Tribune* Page 4

Taylor Wants Appeal Judges Removed From His Hearing / *Leadership* Pages 5-6

Heavy Fighting Near Liberian Border / *The New Dawn* Page 7

Paul Kagame Opponents Press for Charges Over DRC Conflict / *The Guardian* Pages 8-9

M23 Rebels Have Not Committed War Crimes, Says U.S. Envoy / *The New Times* Pages 10-11

Liberia: Taylor wants appeal judges removed

Lawyers representing ex-president Charles Taylor have filed a motion requesting the voluntary withdrawal or disqualification of Appeals Chamber judges from his (Taylor's) appeals hearing.

Mr. Taylor's lawyers are requesting that a new appeal panel composed of judges who did not participate in the decision and sanction against Justice Sow, the alternative judge whose statement of dissent at the April 26 verdict of Taylor sparked concern.

In a motion dated July 19, 2012, Taylor's lawyers argued that Taylor's notice of Appeal also arises from the statement made by Justice Sow (Ground of Appeal) and that all of the members of the Appeals Chamber voluntarily withdraw from deciding these grounds.

"It is requested that a separate appeal panel, composed of judges who did not participate in the decision and sanctions against Justice Sow, should determine those Grounds of Appeal." Taylor lawyers said.

"In the event that the Appeals Chamber Judges do not withdraw voluntarily on the basis of the present motion, they are respectfully invited to refer the present request to a separate and impartial panel of judges for a determination as a motion for disqualification.

The basis of this motion is that a reasonable observer, properly informed, would apprehend bias on the part of the Judges of the Appeal Chamber, because they have already made an adverse finding in the plenary and therefore pre-judged a critical aspect of the credibility of a source of evidence which is

fundamental to the Grounds of Appeal. Thus they are precluded from deciding on these grounds."

But in response to their motion, the prosecution the defense motion is without merit, and should be dismissed.

"The Motion does not meet the "high burden" required to overcome the "presumption of impartiality which attaches to a Judge", deriving from the Judge's oath of office and qualifications for appointment? This presumption cannot easily be rebutted' and has not been rebutted," the prosecution said in response dated July 27, 2012.

The prosecution said the Defence

failed to adduce reliable and sufficient evidence which "firmly establishes" a reasonable apprehension of bias by reason of prejudgement." Although the standpoint of an accused is a relevant consideration, it is not decisive. But Mr. Taylor's lawyers maintained in a response to the Prosecution that the Defence submissions are based on apprehended bias and not actual bias.

"The Defense has adduced a sufficient factual basis and applied the correct legal test to demonstrate that there is a reasonable apprehension of bias in the circumstances," the defense said.

The defense countered that

"Firstly, the Motion sets out Justice Sow's statement in open court on 26 April 2012 ("Justice Sow's Statement" or "Statement") and explains its fundamental importance to the Grounds of Appeal.

The defense wonders why Justice Sow's statement was deliberately removed from the court's record arguing that the Statement was considered significant enough to form the factual basis for the finding and sanction against Justice Sow for judicial misconduct, but was not considered important enough to be maintained in the official trial transcripts in the interests of accuracy and transparency.

Minneapolis Star Tribune

Monday, 13 August 2012

Rosenblum: Institute's pupils not even 20 and already making a difference

Article by: GAIL ROSENBLUM , Star Tribune

A year after Ellen Kennedy promised that young lives would be transformed by an innovative summer institute, it's safe to say she's made good on her word.

One of her students just returned from Kosovo, where she studied conflict resolution. Another witnessed the sentencing of former Liberian President Charles Taylor to 50 years in prison for atrocities committed in Sierra Leone. Others developed bullying programs in their school districts or brought genocide-awareness programs to their churches.

And nobody's even 20 yet.

"It's done what I had hoped it would do," said an always enthusiastic Kennedy, executive director of World Without Genocide at William Mitchell College of Law, which hosts the conference.

"And it goes on and on."

The three-day Summer Institute for High School Students gears up again Tuesday. The conference is the brainchild of University of Minnesota graduate Rachel Beecroft, who was inspired by Kennedy's work.

Twenty-six students, including five ESL students, several who live in shelters and the son of a Hmong refugee, will dive into 12-hour days focused on leadership and legal training, and candid conversations about brutal realities.

-SNIP-

Isaac Marshall, 19, has had that sense for years. In his early teens, he volunteered in homeless shelters and mentored younger kids at his synagogue. Since I interviewed Marshall last summer, he's completed his first year at Hampshire College in Amherst, Mass., a liberal arts school whose motto is "To Know Is Not Enough."

One of eight college students plucked for a prestigious short-term field course at the Hague, Marshall was stunned to learn he would witness a pivotal moment in history -- the sentencing of Taylor on May 30 at a Special Court for Sierra Leone held at the International Criminal Court.

"I was 20 feet away from him," said Marshall, who sat in the viewing box of the former Dutch secret service building. "The justices came in. We rose." After a few witness testimonies, Taylor was asked to rise. "It took 36 minutes to sentence him," Marshall said.

That moment, and the institute experience that connected him to it, will long influence him. "I'll always carry with me the values of caring for other people and doing my part," said Marshall, on this year's institute staff. "That starts with understanding what's broken."

-SNIP-

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Leadership (Nigeria)

Monday, 13 August 2012

http://leadership.ng/nga/articles/32436/2012/08/13/genocide_taylor_wants_appeal_judge_removed_his_hearing.html

Genocide: Taylor Wants Appeal Judge Removed From His Hearing



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The New Dawn (Liberia)

Tuesday, 14 August 2012

Heavy Fighting Near Liberian Border

Johnson Sharty, Grand Gedeh County

Heavy Gun battle has erupted between Ivorian government forces and the country's rebels near the border with Liberia in Grand Gedeh County.



The fighting started Monday around the western town of Touloupleu inside Ivory Coast between the two groups.

Fleeing refugees entering Liberia told the New Dawn in Grand Gedeh the attackers seem to have outnumbered government troops, but heavy casualties were reported on both sides.

Some villagers (refugees) who deserted their areas and crossed into Liberia said the situation is very tense to the extent that the echo of gun sounds could be heard everywhere.

Some Liberians who were awaiting UNCHR repatriation program are said to have been caught between the fighting forces.

The Guardian

Monday, 13 August 2012

Paul Kagame opponents press for charges over DRC conflict

Rwandan opposition parties in exile will go to The Hague to urge action over claims regime is arming rebels across border



The Rwandan president, Paul Kagame, strenuously denies claims his regime is supporting rebel forces in the Democratic Republic of the Congo.

Photograph: Chris Jackson/Getty Images

Rwandan opposition parties in exile are to ask the international criminal court to press charges against the country's president, Paul Kagame, after a UN report accused his regime of supporting rebel forces in the Democratic Republic of the Congo.

Representatives of the United Democratic Forces party and the Rwandan National Congress will travel to The Hague on Friday to demand that the court examines claims that Kagame's regime is recruiting and arming the rebels in an attempt to annex the DRC's Kivu provinces. They also want an investigation into suggestions that Rwanda is stealing eastern Congo's mineral resources.

Rwanda's alleged support for the M23 rebels has opened a diplomatic rift between Kigali and Kinshasa that several regional summits have failed to resolve. Kagame strenuously denies the claims and the Congolese president, Joseph Kabila, refuses to negotiate directly with the rebels, who have advanced to within 19 miles (30km) of Goma, the capital of North Kivu.

In late July the head of the US war crimes office, Stephen Rapp, suggested that Kagame and other implicated Rwandan government figures could face prosecution at the ICC if M23 committed atrocities in the DRC. Rapp said Kagame could potentially face charges of aiding and abetting crimes against humanity in the DRC.

In May the former Liberian president Charles Taylor was given a 50-year sentence after being found guilty of similar charges. Rapp has also called for the arrest of the M23 leaders Bosco Ntaganda, Sultani Makenga and Innocent Zimurinda.

The UN report prompted the US government to withhold \$200,000 (£130,000) of military aid to Rwanda, and other countries followed suit, including the UK which suspended £16m of aid.

The demand to bring charges against Kagame has support among Congolese as well as opposition Rwandan politicians. "The politicians in Kinshasa are aware of these charges and they support them, although there have been no official statements as yet," said Nzangi Butondo, a Congolese MP representing Goma. "We think now is the right time to [go to The Hague]. It is certainly something to raise publicity, but there is also the hope that the ICC will, as a result, at least launch an investigation into this affair."

The New Times (Rwanda)

Tuesday, 14 August 2012

M23 Rebels Have Not Committed War Crimes, Says U.S. Envoy

By James Munyaneza and James Tasamba

There is no evidence the M23 rebels, who are fighting the Congo government, have committed war crimes, a top US war crimes official has said.

"I made it clear that in my observation, to date, in terms of mass killings, rapes and atrocities, I do not see evidence of M23 having engaged in that level," **Amb. Stephen Rapp**, the head of the US office of Global Criminal Justice, told journalists in Kigali yesterday, in reference to a recent Guardian story which quoted him as saying senior Rwandan officials were open to international prosecution for their alleged support to the Congolese rebels.

"Three to four weeks ago, I was interviewed about the case regarding Charles Taylor and the meaning of that case internationally and what it means for all countries in the world.... There is no comparison between them and RUF (Revolutionary United Front)", he added.

RUF is a rebel group that fought the government of Sierra Leone between 1991 and 2002 which committed atrocities for which former Liberian leader Charles Taylor was indicted and later sentenced by an international tribunal to 50 years in jail.

Rapp said that while Washington believes Rwanda was backing M23 rebels "I didn't believe that there is criminal responsibility in any kind of cross-border support".

"What I said is that one can be held responsible for crimes even when you don't cross the border if you provide aid to a group that is committing atrocities and you know they are using it in that way and you continue to provide it, that's how we successfully prosecuted Charles Taylor".

He added, "I did note, however, that obviously if they (M23) were to engage in those kinds of crimes, and the aid that would be provided to them, we would have that kind of situation".

"(The Guardian) headline had names we didn't mention; they drew conclusions from my statements, and added a headline that was incorrect".

Amb. Rapp, who was in the country en route from DRC, is a former prosecutor at the International Criminal Tribunal for Rwanda (ICTR), which has tried key masterminds of the 1994 Genocide against the Tutsi which claimed more than a million lives.

A UN Group of Experts (GoE) has also accused Kigali of supporting the M23 rebels, but the latter denied the allegations in a rebuttal to an addendum to an interim report by the experts.

Remnants of the perpetrators of the Genocide are still holed up in eastern DRC, operating under what is known as the Democratic Forces for the Liberation of Rwanda (FDLR). The Rwandan government has accused the GoE of bias, especially after wide circulation of past publications by Steve Hege, the group's coordinator, in support of the FDLR cause. Ibuka, a Genocide survivors umbrella, last week petitioned the UN Secretary General Ban Ki-moon to remove Hege from the GoE, citing his questionable credibility and soft spot for the Genocide perpetrators.

FDLR field commander Sylvestre Mudacumura was recently indicted by the International Criminal Court (ICC) for atrocities committed by the militia, which was blacklisted by the US and a regional inter-state platform, Tripartite Plus, as a terrorist organization.

Speaking to journalists yesterday, Prosecutor General Martin Ngoga, said that while Rwanda has welcomed the ICC warrant against Mudacumura, it needed to see efforts on the ground to try and arrest him. "There is one thing to say there is an indictment by ICC but that becomes meaningless if there is no equivalent effort to arrest him".

Amb. Rapp also said he had raised concerns of possible xenophobic attacks in the Congo in the wake of the latest conflict, which has seen the rebels take strategic towns and villages in areas close to Uganda.

"The US is always concerned about the safety of the civilians.....we know the dangers of xenophobia and we have to guard against that and that is the strong message I delivered in the Kivus that under no circumstances should anyone target the civilians because of what is happening between the armed groups," he said.

Last month reports indicated that pro-government militias were attacking Rwandans and Kinyarwanda speaking Congolese, with Kigali protesting the death of a Rwandan who died after alleged torture in a Congolese army facility.

Earlier, 11 Rwandans who were "dumped" at the border by Congolese officials also claimed to have been tortured by the Congolese army (FARDC).

Last week, an extra-ordinary Summit of Heads of State from the International Conference on the Great Lakes Region (ICGLR), hosted by Ugandan President Yoweri Museveni, mandated Defence ministers from seven member states to come up with a viable solution to the crisis within two weeks.

The M23 fighters, largely composed of the former CNDP and PARECO rebels, mutinied in April accusing Kinshasa of reneging on a 2009 Rwanda-brokered peace deal under which they had been integrated into the national army.

Allegations of Rwanda links with the rebels have since resulted in some donor countries delaying or cutting aid to Kigali.