

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



Bunce Island, the site of the former “slave factory”

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, 5 October 2012

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Sierra Express (Online)

Friday, 5 October 2012

Special Court for Sierra Leone – Sentencing hearing in the Contempt Trial of Bangura, et. al.

Justice Teresa Doherty will convene a sentencing hearing in Freetown at 9:00 a.m. Friday for four ex-AFRC officials convicted on contempt charges relating to attempting to bribe and/or otherwise induce prosecution witnesses to recant testimony (say the testimony was untrue) given in the AFRC trial.

Two of those convicted, Hassan Papa Bangura (“Bombblast”) and Samuel Kargbo (“Sammy Ragga”) will participate in Freetown. The other two, Ibrahim Bazy Kamara and Santigie Borbor Kanu (“Five-Five”) will participate via VTC video link from Rwanda, where they are serving their prison sentences on convictions for war crimes and crimes against humanity.

The Prosecution brief was received last Friday. The Defence briefs are due today (Friday).

The media and public are invited to view the oral arguments in Courtroom 1 at the Special Court.

Outreach and Public Affairs Office, Special Court for Sierra Leone

Awoko (Online)

Thursday, 4 October 2012

To commemorate ICC's 10th anniversary... African journalists meets in Nuremberg

Fifteen (15) journalists from Africa, America and the Arab League are meeting in Nuremberg, Germany, to commemorate the 10th anniversary of the coming into force of the Rome statute of the International Criminal Court (ICC).

The programme includes a conference and workshop for journalists that is being organized by 'Wayamo Communication Foundation' and the Nuremberg Founding office with funding from the German Foreign Office.

It also has as its theme 'through the lens of Nuremberg: The International Criminal Court at its tenth anniversary'.

Course Director of the Wayamo Fondation, Bettina Ambach said that the purpose of the meeting is that "this city hosted the Nuremberg trials after the Second World War and for a long time, there have been questions as to why there are no criminal justice institutions in Nuremberg."

Because of all these questions "the Parliament last year, decided to establish the Academy in Nuremberg and this conference hosting the first big events, which is a two-day conference starting Thursday to Friday and also a four-day workshop for the journalists"

Adding that "this is not a conference or event, that we are using to try to convert everybody to be supporters of the International Criminal Court, International Criminal Justice. But rather we want to offer a discussion forum where different views will be uttered, discussed and where Africa and Arab concerns are freely discussed. It is a modest expectation that can be reached"

The Course Director maintained that "for the journalists, we expect them to report objectively, fairly factual about these issues. Not telling them what to write but to have knowledge about these issues and be able to identify the very common misconceptions of the court."

Targeted for this programme, she said "are Africa, representatives from the International Criminal Court but also the other tribunals like the **Special Court for Sierra Leone**. We also have representatives of the Arab league and African Union civil society representation, representatives from the US and situation countries like Kenya, Uganda and Libya."

These people will be talking on topics like; the Nuremberg trials and their relevance today, Heads of State immunity-a thing of the past?, how to deal with critical perceptions of the ICC Africa and Arab countries and experiences of prosecutions in international Criminal Courts and Tribunals," she said.

For Sierra Leone, Ambach said the Prosecutor for the Special Court, Brenda Hollis will be in two panels where they will be discussing Heads of State immunity.

"We ask the question, is that a thing of the past? We will be looking at the sentence of Charles Taylor, the indictment of Al Bashia, where the court is now saying there is no immunity, we look at Ivory Coast where the former president is in the Hague now."

"The second panel which is the role of international prosecutor, there other issues life complementarity what can and should a national state do to make their own judiciary system capable of prosecuting international crime without going to the Hague.

Critical perception about ICC, why so many people in Africa think that ICJ targets Africa. How do we deal with these misceptions, how do we inform the people better.”

For Sierra Leone, she said “another issue is, once the court closes down what do we do with the material, victims and experiences, the completion strategy of the court and the legacy it has?”

The conference starts today in Nuremberg, Place of Justice.

By Betty Milton in Germany

Sierra Express (Online)

Thursday, 5 October 2012

Former Salone ACC Commissioner, delivers speech at high level debate on Rule of Law

The high level panel discussion on the Rule of Law and Post 2015 Agenda held on Thursday, September 27, 2012 at the UN Secretariat was sponsored by the Republic of Senegal, Open Society Foundations and the Bingham Center for the Rule of Law. (Photo: Abdul Tejan Cole)



The discussion was moderated by Sir Jeffrey Jowell, Director of the Bingham Center for the Rule of Law, and former Vice President of the Council of Europe's Commission for Democracy Through Law ('The Venice Commission').

Panelists included Minister of Justice of Senegal, the Hon. Ms. Aminata Touré; United Nations Development Program, Mr. Magdy Martinez-Soliman and Open Society Foundations' Africa Regional Director, Mr. Abdul Tejan Cole (former Anti-Corruption Commissioner, Sierra Leone)

Though, Minister for Justice and Attorney General of Sierra Leone, the Hon. Mr. Frank Kargbo was a scheduled panelist, however, he was unable to attend or participate.

According to the UN Department of Public Information the "Declaration on the Rule of Law at the National and International Levels" adopted by the General Assembly during its 67th Session is a renewed avowal that "the rule of law applied equally to all States and international organizations, including the United Nations. All persons, institutions and entities were accountable to just, fair and equitable laws, and entitled to equal protection before the law, without discrimination."

In his speech, Mr. Tejan-Cole argued that in this time of world uncertainties "legal tools and effective, fair and functional legal institutions can help create the stability and security that are needed around the world, particularly by the poorest among us."

"This stability and security, in turn, gives all of us hope for the future, and allows us to develop resilience against the shocks and setbacks that the world throws at us," he added.

Mr Tejan-Cole's profile on Yale World Fellows Program 2002 indicates his credentials includes New York and Acting Executive Director of the Open Society Initiative for West Africa (OSIWA), A noted human rights lawyer and activist, former Commissioner of Sierra Leone's Anti-Corruption Commission, Deputy Director of the International Center for Transitional Justice's Cape Town office, and worked as Adviser and Component Manager for the Justice Sector Development Program.

He served as Secretary General, Vice President, and President of the Sierra Leone Bar Association. He was Board Chair of the Open Society Initiative for West Africa, West Africa Democracy Radio, Open Society Justice Initiative and Timap for Justice. He also worked as a trial attorney and Appellate Counsel in the Special Court for Sierra Leone and taught law at the University of Sierra Leone.

Excerpts from Speech by Mr. Tejan-Cole:

As we look towards the future, our world is in trouble.

The financial crises that continue to rock Europe and the United States are reverberating around the globe, plunging many families into poverty and despair. Aid budgets are shrinking. The gap between the “haves” and the “have-nots” is widening. The hopes that poured out on the streets with the Arab Spring were ignited by one young man’s desperation that the law – and institutions that enforced it – were not fair, accountable or accessible. But the reforms prompted by the massive upheavals in the Middle East and North Africa remain uncertain, fragile and prone to setbacks.

And yet, this narrative of global uncertainty and fear poses the possibility of a counter-narrative– a positive, bold and imaginative vision for the future. To realize this, however, we will need to come together and unite behind a common purpose. Such a task is not easy. All these sources of ongoing instability and crisis can, and do, act as hindrances to development. A stabilizing, and in fact, a positive force amid this global insecurity, however, is the rule of law – and it needs to be a central tenet of any post 2015 world.

As an international civil society organization with deep country-based roots around the globe, the Open Society Foundations works with governments to pursue a vision of the world where everyone, including the poor and marginalized, has access to fair legal structures and can have their grievances heard and addressed equitably; where legal systems operate according to clear rules and do not arbitrarily deprive people of their freedom; where those victimized by unspeakably brutal acts during conflict can have their day in court and have their violators account publicly for their actions. There are many uncertainties in our present world, but one thing holds true: that legal tools and effective, fair and functional legal institutions can help create the stability and security that are needed around the world, particularly by the poorest among us. This stability and security, in turn, gives all of us hope for the future, and allows us to develop resilience against the shocks and setbacks that the world throws at us.

When we come together at the United Nations, we use a lot of terms that can become catchphrases, if we are not careful. Development is one of those words. What do we really mean by the word “development”? We must challenge ourselves to remember, constantly, that the word development has human content and human application. Development is, and should be, all about realizing human potential and freedom. But development doesn’t achieve itself. We must work to enable people to achieve their potential and freedom, and for this, we need a range of legal tools that aim to recognize and respond to these emerging “big picture” challenges while empowering people and improving their lives in a meaningful way, every day.

To give an example from my own beloved country, Sierra Leone: it is a country in which poverty is pervasive and where two thirds of the population live on less than 2 USD a day. The country’s legal profession is severely undersized, with fewer than 200 practicing lawyers mainly based in the capital Freetown serving a population of about 6 million. Legal services are unaffordable and inaccessible for the vast majority of people, especially those in rural areas.

Although the overall prison population is not large, it is growing – doubling since 2004 — and 57% of those in prison are remand prisoners awaiting trial. And of those, the vast majority are male, married, and income earning, supporting an average of four dependents at the time of arrest, mostly young children. In short, they represented the average man riding the Freetown poda poda (mass transportation vehicles) in Sierra Leone.

We know this because, in 2011, we surveyed 128 detainees in three major prisons in Sierra Leone who were waiting for their day in court. They were overwhelmingly poor and without the cushion of extra resources to fall back on in times of trouble. With no safety net, the impact of their brush with the law was, in nearly all cases, devastating – not only for them as individuals but also for their families as well. Detainees spoke of the social stigma they and their families suffered, the serious economic consequences,

including debt and the need to sell household goods to survive, and the contraction of life-threatening illnesses while in detention. On average families spent the equivalent of eight months of earnings on expenses associated with a family member's detention.

To address this problem, we are working with a local organization, Timap for Justice, on a pilot project which has employed 10 paralegals to work at police stations, prisons and courts in three districts of Sierra Leone. It is part of a much larger community legal empowerment involving 75 paralegals – but in this pilot, the paralegals provide basic information and assistance to suspects immediately after arrest and during their journey through the criminal justice system.

Despite the small number of paralegals, we have been able to reach and assist more than half of all people who came through the police stations in the three target districts since the project started in 2009. An independent assessment of this pilot by Oxford University conducted during 2009-2010 found that this project “produced impressive impacts on the system as a whole.” Specifically, in those prisons where the paralegals work, the pilot resulted in a 20% decrease in the share of prisoners held in pretrial detention. In addition, the pilot intervention has resulted in a 13% increase in detainees at police stations who are released on bail or who have the charges dropped against them entirely.” Oxford concluded that these impacts were “remarkable given the small amount of resources available to the pilot and demonstrate the crucial importance of recognition and institutionalization of paralegal services in Sierra Leone.”

This example shows what is possible for families and communities when modest resources are placed into legal empowerment efforts. Significant impact can also be seen in the Democratic Republic of Congo, where we support a different type of legal empowerment effort — the work of mobile gender courts, which operate to address the sexual violence that was so pervasive against women during the DRC's horrific conflict. Women who would otherwise never see, let alone access and participate in, a justice mechanism, are now having their day in court. Alleged rapists are forced to answer for their actions, and if found guilty, are punished. To date, the court in South Kivu has heard over 300 rape cases with a conviction rate exceeding 70%. Local justice for international crimes is providing the basis for stability and justice that has been missing from the community in eastern Congo for so long.

These types of efforts make us excited about the prospects of a post 2015 agenda which incorporates justice as a core element. The beauty of this new post 2015 process, which succeeds the Millennium Development Goals is that it represents the opportunity to address the shortcomings of the MDGs. The lack of recognition of the rule of law as a critical element for promoting development, and justice as a goal, is surely one. The rule of law are the “missing MDG” or the “9th MDG”. Not only is it a goal, it is also a means to achieve all 8 MDGs. It is a founding and cross-cutting principle for the achievement of all MDGs as outlined in the Millennium Declaration.

We are eager to work with governments, the UN and the High Level Panel of Eminent Persons to develop a vision of the post 2015 agenda which is reflective of open society values, incorporating human rights, accountable governance and the rule of law. The commitment to equity, and particularly, the need to include marginalized groups, is both implicit, and must be made explicit, as a part of these values.

In the context of the post 2015 thinking, OSF would be interested in exploring a variety of options for incorporating the rule of law into the agenda – whether through analysis of what it would mean to seek a specific post 2015 goal that has the rule of law at its core, or whether the rule of law could be seen as an indicator cutting across other new goals.

But while civil society has a crucial role to play in these deliberations towards creating a post 2015 agenda, it is really governments who have the final say. The government here with us today has demonstrated a commitment to promoting the rule of law in their own country as a means of promoting development. They have also demonstrated leadership in international and regional contexts by for example joining with the African Union to try to address international crimes.

Leadership by countries such as Senegal will be crucial in putting the rule of law on the post 2015 agenda. Senegal can do so in a variety of ways. Showing leadership within the African Union discussions on shared values could be one avenue towards building a strong continental dialogue and set of recommendations on the linkage between the rule of law and development, which could in turn feed into the post 2015 process. We would be interested to hear ideas from the minister about how she might view her own role in national, regional, cross-regional and international contexts.

One only need open a newspaper, listen to the radio, or step outside, to be reminded of the challenges we face in this twenty-first century world. We have a crucial opportunity, with the post-2015 development agenda process, to advance a positive vision of a world where freedom, opportunity, and stability are available to all. How we undertake this process, what commitments governments make, and how we communicate this vision, matters to those who will never set foot in the UN. In this room, we may feel, right now, that the people for whom we undertake this work are very far away from, but we must resist that distance. Those who are furthest from us right now—the poorest, the most marginalized, and the most disenfranchised in our countries—desperately need us to create the platform of stability and security that translates into freedom and opportunity. That platform is built on the rule of law. Let us work together to make it strong.

United Press International

Wednesday, 3 October 2012

Sierra Leone prepares for historic vote

UNITED NATIONS, Oct. 3 (UPI) -- A U.N. peace-building commission announced plans to visit Sierra Leone this month as the country prepares for November elections.

The U.N. peace-building commission called on national leaders and members of the international community to ensure root causes of conflict are addressed and emerging threats are monitored ahead of the vote.

Sierra Leone has presidential, parliamentary and local elections Nov. 17. Major political parties in May signed a declaration committing to free and peaceful elections. So far, the agreement has been honored but rivalries could escalate as the election draws near, the U.N. Security Council was told last month.

Sierra Leone Foreign Minister Joseph Dauda told the peace-building commission the government was "firmly committed" to a sweeping election that was free, transparent and fair.

An estimated 50,000 people were killed in the 11-year civil war in Sierra Leone. Former Liberian President Charles Taylor was sentenced by a U.N. special court in May to prison for aiding and abetting crimes against humanity committed by rebel forces in the country during civil war in the 1990s.

The peace-building commission said it was sending a delegation to the country Oct. 31 to examine the situation ahead of the vote.