

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



Aerial view of Freetown business district

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:

Thursday, 29 November 2012

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Charles Taylor May Be Freed

BY SARA WEBB

From AMSTERDAM, Reuters correspondent reported that the former Liberian President Charles Taylor should have walked free and not been jailed for war crimes because there was not enough evidence to prove he was guilty beyond reasonable doubt, a judge involved in his trial said in a magazine interview.

Justice Malick Sow's criticism of how the trial was conducted and of the final decision-making process is likely to be seized on by Taylor's defence lawyers as part of his appeal. Taylor, 64, was the first head of state convicted by an international court since the trials of Nazis after World War Two.

He was jailed in May for 50 years for helping Sierra Leonean rebels commit what the United Nations-backed court in The Hague called some of the worst war crimes in history. Sow, from Senegal, was an alternate judge at the Special Court of Sierra Leone that tried Taylor in The Hague, which meant he could step in if one of the three judges was unable to complete the trial.

When Taylor was convicted in April, Sow tried to read out a dissenting opinion, but was prevented from doing so by the court. He no longer works there. Taylor "should have been a free man at this stage because I haven't seen the proof of guilt of the accused," Sow said in his first interview about Taylor's trial, published in the De-

ember edition of New African magazine.

Sow could not be reached for comment by Reuters, but a person close to him verified his quotes in the interview. "I couldn't be indulgent in the face of the countless contradictions, lies, deceptions and manipulations in this trial, and conclude that the accused was guilty beyond reasonable doubt of the crimes he was charged with," Sow told the magazine.

"International justice cannot be based on rumours. These are mass crimes. This is where we must have the highest standard of proof. It's about proving the guilt of the accused beyond reasonable doubt. But they didn't even reach the lowest standard of proof."

Sow criticised the payment of witnesses and some of the witness statements. "The accused came with very official papers, with witnesses who were at the frontline, witnesses who were main actors of this whole conflict. How can you compare these witnesses with those people who didn't get even close to the scene?" he said.

"The prosecution's case by itself is so insufficient, so unreliable. It's about people contradicting themselves, people denying what they had said in previous statements."

In the interview, Sow said it came as a "total surprise" to hear in court that the three judges had reached a unanimous decision. "In each of the very few times we discussed anything, there were very different opinions," he said.

He said he had been excluded from the final discussions about Taylor, and questioned whether one of the three judges, who had already been appointed to the International Court of Justice in The Hague, should have remained as a judge at Taylor's trial.

Morris Anyah, Taylor's lawyer, said he wants to call Sow as witness in the appeals process and has asked for a waiver of Sow's immunity from being called as a defence witness.



Former Liberian President Charles Taylor attends his trial at the Special Court for Sierra Leone based in Leidschendam, outside The Hague, May 16, 2012.

REUTERS/Evert-Jan Daniels/Pool

Reuters

Tuesday, 27 November 2012

Former Liberian president Taylor should be a "free man" – judge

By Sara Webb



Former Liberian President Charles Taylor attends his trial at the Special Court for Sierra Leone based in Leidschendam, outside The Hague, May 16, 2012. REUTERS/Evert-Jan Daniels/Pool

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(Editing by Jon Hemming)

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Agence France Presse

Thursday, 29 November 2012

UN tribunal acquits Kosovo ex-PM of war crimes



A Ramush Haradinaj supporter holds his portrait outside the International Criminal Tribunal for the former Yugoslavia at the Hague on Nov 29. AFPpic

THE UN war crimes court on Thursday acquitted Kosovo's ex-prime minister Ramush Haradinaj of murder and torture during the 1990s war of independence, enraging Belgrade with the second such acquittal in two weeks.

"The chamber finds you not guilty on all counts in the indictment," Judge Bakone Justice Moloto said, ordering Haradinaj and two former guerrilla comrades released immediately after their retrial on charges of witness intimidation.

Fireworks exploded around Kosovo's capital Pristina and the court's public gallery erupted in cries of joy as the acquittals were announced, while the accused calmly welcomed the news.

Haradinaj, 44 and Idriz Balaj, 41, were being retried on six war-crime charges at the International Criminal Tribunal for the former Yugoslavia (ICTY) for allegedly murdering and torturing Serbs and non-Albanians during the 1998-99 war.

The third accused, Lahi Brahimaj, 42, faced four counts for his role in the fight between independence-seeking ethnic Albanian guerrillas and the Belgrade forces of late Serbian strongman Slobodan Milosevic.

Belgrade slammed the verdict — which came after the court in The Hague two weeks ago acquitted Croatian General Ante Gotovina of war crimes against Serbs — as legalising "Mafia rule" because of the alleged witness intimidation.

"The Hague tribunal has legalised Mafia rule in Kosovo, above all, the omerta, the law of silence which still prevails and is stronger than any crime," government spokesman Milivoje Mihajlovic told AFP.

Senior Serbian officials had warned that should Haradinaj walk, EU-sponsored talks between Pristina and Belgrade — which still considers Kosovo to be part of Serbia — could be jeopardised.

Several hundred people braved the rain to watch the verdict on a giant screen in a central square of Pristina, where Haradinaj is considered a hero by Kosovo's ethnic Albanian majority.

"Justice has won, Kosovo has won," said Haradinaj supporter Jahja Lluka as tears of joy streamed down his face.

Former rebel fighter Shpetim Felmanaj said: "We are awaiting his return with joy to lead Kosovo".

Prosecutors accused the three men of murdering and torturing Serbs and suspected collaborators against the separatist KLA and had demanded prison sentences of at least 20 years.

But judges found that the accused had not taken part in a "joint criminal enterprise" to cleanse the area of ethnic Serbs, and that some witness testimony was unreliable.

Moloto said that one witness may not have been in the Jablanica detention camp where alleged abuses took place and "may have told what he heard from others."

"There is no credible evidence that Haradinaj was even aware of the crimes committed at Jablanica," Moloto said.

The men's lawyers welcomed the ruling and rounded on the tribunal's former prosecutor, Carla Del Ponte, for having brought the charges in 2005.

Haradinaj's lawyer, Ben Emmerson, said the verdict had vindicated his client.

"He has asked me to say that he will be returning to Kosovo this evening and with the consent of the people, will soon be resuming his rightful position as the political leader of the country," Emmerson said.

Haradinaj will "guarantee the rights of all minorities and he will ensure full political participation for the Serbs in Kosova," Emmerson said.

He added that Del Ponte should be made to answer for her actions.

"She was told over and over again by the British and Americans and others that she had got this badly wrong. But she was determined to press ahead in the teeth of the evidence."

Brahimaj's lawyer Richard Harvey for his part denied that witnesses had ever been intimidated.

"Carla del Ponte lied repeatedly when she said witnesses had been intimidated and even murdered."

The most senior Kosovo Liberation Army (KLA) commanders to be tried, Haradinaj as well as Balaj, his lieutenant and commander of the feared "Black Eagles" unit,

were acquitted in April 2008 on 37 counts of war crimes and crimes against humanity.

Brahimaj was convicted of torture and sentenced to six years in jail.

Haradinaj, who established the Alliance for the Future of Kosovo party after the conflict, has been free on bail since May and living at home in Pristina.

However, he is still wanted in Belgrade on war crimes charges.

The conflict in Kosovo ended when NATO forces intervened to stop a crackdown on ethnic Albanians by the troops loyal to Milosevic.

More than 10,000 people died in the fighting which marked one of the darkest chapters of the 1990s Balkans conflicts.

Kosovo unilaterally declared independence from Serbia in 2008, but Belgrade fiercely opposes its international recognition. — *AFP*

The New Times (Rwanda)

Wednesday, 28 November 2012

Rwanda: ICTR Transfers Another Genocide Case to Rwanda

By Edwin Musoni

The International Criminal Tribunal for Rwanda (ICTR) on Tuesday handed over to Rwanda the case file of Phénéas Munyarugarama, a former officer in the genocidal army - the eighth and last fugitive case file to be transferred to Kigali by the UN tribunal.

Munyarugarama held the rank of Lieutenant Colonel in the ex-FAR and was the highest ranking military officer at Gako military camp between early 1993 and May 14, 1994.

His transfer marks the last of all the eight cases in the tribunal's custody as it closes in to the end of its mandate.

Speaking at the handover ceremony, the ICTR Chief Prosecutor Hassan Bubacar Jallow said Munyarugarama is charged with genocide, direct and public incitement, extermination, murder, persecution and rape for acts committed both by him, by the soldiers and army serving under his command and by Interahamwe to whom he distributed fire arms from the camp armoury.

The alleged killings and rapes took place between May 8 and May 20 in 1994 at Kanzenze, Nyamata, Ntarama and Mwendo in the Bugesera region.

"He was indicted by the tribunal and an arrest warrant was issued in March 2002; an amended indictment was confirmed in June 2012 and a new arrest warrant was issued directing all UN Member States to arrest the fugitive and transfer him to Rwanda for trial," Jallow said at the event.

The ICTR referral chamber granted the Prosecutor's request to transfer Munyarugarama's case to Rwanda for trial in June this year. The same decision was upheld by the Appeals Chamber of the tribunal last month.

"The Mechanism of the International Criminal Tribunals enjoins the Office of the Prosecutor to render assistance in tracking of fugitives in the cases transferred to national jurisdictions for trial, so the Office of the Prosecutor will continue working with Rwanda in tracking Munyarugarama," Jallow said of the new temporary mechanism that will soon take over ICTR business.

UN War Crimes Ambassador, Stephen Rapp, recently said that the US Rewards of Justice programme continues to apply to cases of fugitives that have been referred to Rwanda for trial by the ICTR.

Rwanda's Prosecutor General, Martin Ngoga, who received Munyarugara's file, welcomed the tribunal's pledge to help track down ICTR-indicted fugitives, adding that Rwanda will accord the suspects fair trial when they are arrested.

"The referral of cases to Rwanda is a result of enormous effort by Rwanda in building a standard justice system. It is a major boost for Rwanda and opens up possibilities for other countries to cooperate with Rwanda in tracking and bringing Genocide suspects to justice," said Ngoga.

It is alleged that Munyarugarama was directly involved in the planning and execution of the systematic attacks directed against the Tutsi civilian population at various sites, including at Kanzenze communal

office, Nyamata Sector, Ntarama Catholic Church, Cyugaro Primary School and the Ntarama swamps during the time of the 1994 Genocide against the Tutsi.

Former Pentecostal pastor Jean Uwinkindi was the first ICTR suspect to be transferred to Rwanda, while Fulgence Kayishema, a former judicial police officer, is still held at the Arusha-based UN court's detention facility where he is awaiting transfer to Kigali.

Also transferred are case files for fugitives Bernard Munyagishari, Charles Sikuwabo, Ladislav Ntaganzwa, Ryandikayo, and Aloys Ndimbati.

Hirondelle News Agency (Lausanne)

Wednesday, 28 November 2012

Rwanda: German Police 'Just Missed' Most Wanted Rwandan Genocide Suspect in 2007

Arusha — German police coming to arrest one genocide suspect in 2007 just missed Félicien Kabuga, the most wanted Rwandan genocide suspect of all, according to the latest edition of Jeune Afrique. Kabuga, the alleged financier of the 1994 genocide, had entered Germany on a false Tanzanian passport, it says.

On September 7, 2007, police knocked on the door of a house near Frankfurt, according to the French publication. Inside was Augustin Ngirabatware, former Rwandan Planning Minister, who is currently awaiting judgment before the International Criminal Tribunal for Rwanda in Arusha, Tanzania. Ngirabatware reacted strangely, taking a USB key out of his pocket and stamping on it to try and destroy it. Police took the damaged key for investigation. Their investigators finally managed to extract some documents, which included a 5,000 Euro hospital bill for a Tanzanian citizen suffering from "chronic respiratory problems", according to Jeune Afrique.

German police managed to trace the passport used by the patient to enter Germany, and asked the Tanzanian authorities for his file. To their surprise, the photo - obtained by Jeune Afrique and printed in its latest edition -- is clearly that of Ngirabatware's 77-year-old father-in-law Félicien Kabuga, the most wanted ICTR fugitive with a 5 million dollar price on his head.

When police returned to the house, Kabuga was gone. But when police showed neighbours the photo, they confirmed they had seen the man moving around with the aid of a walking stick.

Jeune Afrique quotes a source close to the investigation as saying that when police entered the house that first day, Ngirabatware also shouted out several sentences in a language unknown to them. Was it Kinyarwanda, the article asks, and was he talking to his father-in-law? Jeune Afrique says German police probably missed Kabuga by just a few hours ... or even a few metres.

Russian Legal Information Institute

Thursday, 29 November 2012

ICTY upholds Serbian nationalist leader's contempt of court sentence

The Appeals Chamber has upheld the sentence handed down to the leader of the Serbian Radical Party, Vojislav Seselj, by the International Criminal Tribunal for the Former Yugoslavia (ICTY) in October 2011, the ICTY's official website reads.

Seselj was sentenced to 18 months in prison for contempt of court. This is the second sentence issued to the politician for contempt of court: the ICTY had earlier sentenced him to 15 months in prison for the same offence; in addition, last June he was sentenced to two years in prison on the same count.

Seselj was accused of contempt of court for divulging information on court-protected witnesses in cases regarding military crimes committed in the former Yugoslavia in the 1990s.

The court repeatedly demanded that Seselj should take down four books from his website and other documents containing information about the witnesses.

Seselj voluntarily gave himself up to the ICTY in February 2003. The trial over his case started in November 2007. The ICTY has charged Seselj with persecuting civilians in the early 1990s for political, racial and religious reasons. He is suspected of illegal deportations, inhumane actions, murder, torture, violence, destroying villages without just cause and looting in Bosnia Herzegovina, Croatia and the Autonomous Province of Vojvodina.

Seselj was tried for these crimes in March.

The judges are expected to pronounce his sentence next year.