

**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:

Wednesday, 30 January 2013

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

Wednesday, 30 January 2013

In Special Court Contempt case... Taylor guilty on five counts

Prince Taylor accused of contempt at the Special Court for Sierra Leone has been convicted on four out of nine counts.

According to the Prosecution, Taylor was charged for attempting to interfere with prosecution witnesses that who had earlier testified in the Charles Taylor trial in The Hague.

He was convicted on 4 counts of “otherwise interfering” with prosecution witnesses who had given testimony in the Taylor trial at The Hague, and convicted on 1 count of interference with Eric Koi Senessie, who was then a potential prosecution witness.

He was however acquitted on 4 counts of offering bribes to witnesses, who had testified for the prosecution in The Hague.

Prince Taylor, a former Special Court investigator working for Charles Taylor, was charged on October 4 last year on an Indictment with 9 counts of contempt. The first eight counts relate to four Prosecution witnesses who testified against Charles Taylor, and the ninth relates to Eric Koi Senessie, who was convicted of contempt on 21 June.

Giving her ruling, presiding Judge, Teresa Doherty gave a background to the trial while the accused pleaded not guilty to all the nine counts.

The judge gave a summary on the witness evidence with the prosecution presenting Eric Koi Senessie who had testified about the money he received from the accused and how he [accused] persuaded him to get the witnesses recant the evidence they had earlier given in the Taylor trial in the Hague.

The defence in their submission stated that the prosecution has the responsibility to prove beyond reasonable doubt, that the accused is guilty of the charges.

The defence also submitted that the court must aware of the witness Eric Senessie who is a proven liar as it has been shown in the trial.

However the Justice Teresa Doherty convicted the accused on five out of the nine counts.

By Betty Milton

Voice of America

Tuesday, 29 January 2013

Khmer Rouge Tribunal Moves Forward Without 2 Defendants

Former Khmer Rouge Nuon Chea, former President Khieu Samphan and former FM Ieng Sary (L-R) attend their trial at the Extraordinary Chambers in the Courts of Cambodia (ECCC), November 21, 2011. Three days later, the former head of state, Khieu Samphan, who at 81 is the youngest defendant, was taken to the same hospital suffering from fatigue and shortness of breath.

Both men have waived their right to be present in court. In their absence, the tribunal is hearing arguments about which documents the prosecution and the defense wish to introduce as evidence.

On Monday, the court asked Nuon Chea's international defense lawyer, Victor Koppe, for an update on the condition of his client.

"The health situation is deteriorating though - so that's troublesome - but there's no change in respect to the waiver issue," he said.

The third defendant, former foreign minister Ieng Sary, who is 87, remains at the detention facility. Ieng Sary is widely seen as the most frail of the accused.

The age of the three has long been a major concern, and January's health scares have reignited fears that one or more of the men might die during trial.

Anne Heindel, a legal adviser with the Documentation Center of Cambodia, the country's leading genocide research organization, said, "Well, this is of major significance because all three accused are elderly and have health concerns, and there are only three accused in this trial and now two are in the hospital."

The three are the surviving leaders of the Khmer Rouge, the Communist movement headed by Pol Pot that ruled Cambodia between 1975 and 1979. In that time an estimated two million people - or one in four Cambodians - died from execution, starvation, illness or overwork.

Heindel says the trial represents the only chance to hold the leadership of the Khmer Rouge to account.

"However, the fewer accused that you have and the less crimes that are discussed during a trial, and certainly if judgment's never reached, then the opportunity to tell a story about crimes during a particular period gets smaller and smaller," she said.

The case against the ex-leaders already has lost one defendant. Late last year, 80-year-old Ieng Thirith, the former social affairs minister, was ruled mentally unfit to stand trial. She is believed to have Alzheimer's disease.

The defendants all deny charges of genocide, war crimes and crimes against humanity. Given the complexity of the case, the age of the defendants and their health, the tribunal divided it into a series of smaller trials to run consecutively.

That means in theory the court could hand down judgments as it proceeds. In so doing, it would reduce the risk that one or more of the defendants died without a ruling being issued - as happened at the trial of the former Serbian president Slobodan Milosevic. Defendants who die before judgment is rendered cannot be convicted.

The first mini-trial, which is ongoing, got under way in late 2011. It is examining the alleged crimes against humanity in the forced movement of people in 1975 during which the prosecution says thousands died.

Other crimes on the charge sheet - including genocide, war crimes, collectivization, forced labor camps and slavery - are meant to be tackled in the subsequent mini-trials.

Heindel says it looks increasingly likely that this first mini-trial will take the rest of the year. Few observers believe the second, third or fourth mini-trials ever will be heard.

"It's extraordinarily unlikely - and has been seen as unlikely even before these recent health concerns were raised - that there would be additional trials. So it's looking more and more remote that these accused will ever be prosecuted for some of the most pressing crimes of that era - meaning those that survivors remember and feel the most distressed about," said Heindel.

This month's health scares have highlighted a pressing question: whether all three defendants will even live long enough to hear judgment handed down in their first mini-trial.

The New Times

Tuesday, 29 January 2013

France to Hold First Rwandan Genocide Trial?

France has indicated intent to try first Genocide suspect, French media reported yesterday.

Pascal Simbikangwa, a Captain who headed Rwanda's intelligence agency in 1994, is set to stand trial later this year or early in 2014, in France, according to media reports.

Simbikangwa, who is suspected to have organised Interahamwe militia and prepared lists of the Tutsi to be killed during the Genocide against the Tutsis, is one of the 25 pending high-profile Genocide cases living on French soil, with impunity since 1994.

However, Prosecutor General, Martin Ngoga, is sceptical about the development.

Ngoga said: "A plan to hold one trial by next year is just not serious. France should not arrange symbolic trials, each case has its own merits and delays have been too much. This kind of attitude is not acceptable."

"If there is policy change in France, it should be seen as such and not just window dressing. One trial out of 25 in two years leaves much to be desired. At that pace France will need a century to deal with these cases. "



Skulls of genocide victims at the Murambi Genocide Memorial site in Rwanda (file photo).

Senior French political and military leaders are believed to have played a role in the 1994 Genocide against the Tutsis.

Simbikangwa lived in Mayotte, a French Overseas Department, until he was arrested in 2008 on Genocide charges following a complaint for damages made by France-based rights group, Collectif des Parties Civiles pour le Rwanda (CPCR), an association that pursues Genocide suspects living in France.

CPCR President Alain Gauthier said he will only believe after seeing the trial take place.

Gauthier said: "What I can say is that we hope that the first trial will take place in France. Why Simbikangwa? Simply because Simbikangwa has been in prison for some time and he may not stay there very long without being tried."

"He [Simbikangwa] asked to be released several times and was refused. It is the same for Octavian Ngenzi. There are other cases that have dragged on too long: Munyeshyaka and Bucyabaruta, as well as Munyemana or Rwamucyo. And what about Kanziga? We want trials, but just like St. Thomas, I can only believe after seeing."

Simbikangwa's lawyers, Alexandra Bourgeot and Epstein Fabrice, reportedly say their client denies allegations against him.

The Muslim News

Sunday, 27 January 2013

Lebanon: Media coverage of international justice

Al-Akhbar:

This past Friday, 18 January 2013, Nabila Hamza made the opening remarks at the Beirut conference “Media Coverage of International Justice.” The president of the Foundation for the Future described some of the symptoms afflicting the Arab world: “the distortion of facts”; “the lack of independent media”; and “a weak legal culture.” Overall, this amounts to a “media failure.”

The conference, sponsored by the Samir Kassir Foundation (SKeyes) at the Riviera Hotel will run for three days. “The conference is not focused on the issue of the Special Tribunal for Lebanon,” explained SKeyes executive director Ayman Mhanna. “It is meant to build capacities in the media to cover all kinds of international tribunals.”

But remarkably, none of Friday’s sessions touched on the issue of professional development for journalists, especially in terms of honing critical thinking skills, since they are otherwise responsible for exposing any breaches of public trust by said tribunals.

Indeed, international tribunals are not infallible; they are built on equally fallible systems that may suffer from loopholes and ambiguities. One implication is that journalists must be well-versed on how to look for those irregularities.

The conference will host a total of nine sessions, yet none of them will address how to scrutinize the work of international tribunals.

On Saturday, three sessions will seek to tackle issues like legal terminology, sources and resources on international justice, and print media coverage of international justice.

Then on Sunday, the final sessions will focus on video coverage of international crimes, international justice and social media, and finally, the protection of the presumption of innocence and impartial coverage of international justice.

Many of the speakers at Friday’s sessions drew attention to the similarities between the STL and the International Criminal Tribunal for the former Yugoslavia (ICTY). Nerma Jelacic, head of communications for the ICTY, said that the Yugoslavia tribunal had come under some sharp criticism, many of the allegations baseless. But, she would never claim that the tribunal was perfect.

According to Jelacic, the tribunal had up to 6,000 witnesses and dealt with millions of documents, including intelligence reports which were presented as criminal evidence. Moreover, she said, some of the identities of witnesses under protection were leaked, in addition to information about physical evidence.

As a result, journalists and lawyers were prosecuted. Some received court sentences, bearing in mind that the maximum penalty for such violations is seven years in prison and a fine of 100,000 Euros.

During the first session as well, a “personal” criticism was addressed at Al-Akhbar, after the newspaper published the details of some STL witnesses, as this has allegedly “jeopardized their safety.”

Personal because Marten Youssef, official spokesperson for the STL, expressed only his opinion about Al-Akhbar’s move, without ever mentioning the legal measures that may be taken against the newspaper.

This is despite the fact that there is a clear clause in the STL Rules of Procedure and Evidence (Rule 60 bis) which refers to prosecuting all those who disclose information that is supposed to remain confidential, because doing so is deemed interference in the judicial process.

Youssef said that he believes that Al-Akhbar's move to publish the names and details of the witnesses was the result of "irresponsible journalism," and added, "I am a bit passionate about this. It has provoked me on a personal and professional level."

Youssef repeated his direct attacks on many occasions against Al-Akhbar during the conference. By contrast, Walid Kassir (brother of the late Samir Kassir) was keen on not naming the newspaper, and only referred to it as being "a media outlet."

For his part, SKeyes executive director Mhanna told Al-Akhbar on the sidelines of the conference, "The Foundation organizes the conference, but does not endorse all the views expressed within it." When asked whether he thought the STL functioned properly, he said, "I will not answer this question because my answer would only be a personal opinion."

MP Marwan Hamadeh, a victim of an assassination attempt that was included in the STL's jurisdiction, gave remarks at the event as well, and said, "The freedom of the press may sometimes amount to murder," in reference to the potential harm caused by publishing witness' identities.

Hamadeh failed to mention the other media outlets that had published information about witnesses and other individuals involved in the case, and singled out Al-Akhbar for criticism. Also recall that a Western media outlet had published an official and classified document issued by international investigators, which named a Lebanese officer who was subsequently assassinated.

In truth, Al-Akhbar had already disclosed the identity of a STL witness a few months ago, and yet, no legal action was taken against it at the time.

Finally, Rule 60 bis mentioned above states the following: "The Tribunal, in the exercise of its inherent power, may hold in contempt those who knowingly and wilfully interfere with its administration of justice, upon assertion of the Tribunal's jurisdiction according to the Statute. This includes [...] any person who: discloses information relating to proceedings in knowing violation of an order of the Pre-Trial Judge or a Chamber."

Nashabe, the STL and Al-Akhbar

On 21 December 2012, the president of the Special Tribunal for Lebanon, Judge David Baragwaneth, ruled that the Defense Office may procure the services of Omar Nashabe. Accordingly, the Defense Office notified Nashabe of its desire to hire him and he replied in kind.

Although the contract has yet to reach Nashabe, he has suspended his journalistic role as of Monday afternoon. Nashabe is therefore not accountable for what Al-Akhbar publishes except for his last article above.

Furthermore, Nashabe was not apprised of what was published on the witnesses in Al-Akhbar last week, nor of what shall be published on this topic today.

This article is an edited translation from the Arabic Edition.

<http://english.al-akhbar.com/content/skeyes-international-justice-stl-and-al-akhbar>

KCSG.Com Television

Tuesday, 29 January 2013

By Jen Burt

Chief Prosecutor in Rwanda War Trials coming to SUU

In 1994, over the course of just 100 days, 20 percent of Rwanda's total population was wiped out in a genocidal mass slaughter of an estimated 800,000 people.

An International Criminal tribunal for Rwanda commenced later that same horrific year and continues its work today in an effort to bring to justice those responsible for the killings. Hassan Bubacar Jallow, lead prosecutor in the trials, will be visiting Cedar City this February 7 and 8 as the keynote speaker for Southern Utah University's annual Global Engagement Conference.

The conference, which is free and open to the public, seeks to bring world-renowned leaders on globally themed topics to SUU in order to help broaden the perspectives and world knowledge of students, faculty, staff and local community members.

Jallow's experience and expertise fit perfectly with this year's conference theme, "Socio-economic Development in Africa: Challenges & Opportunities." His keynote address will be given at 1 p.m. on Friday, February 8, in the Great Hall of SUU's Hunter Conference Center. All are invited to attend.

For the past nine years, Jallow has served as the United-Nations-appointed Chief Prosecutor of the International Criminal Tribunal for Rwanda (ICTR). Before that, he served as one of the drafters of the African Charter on Human and People's Rights, worked as under secretary general for the United Nations, and as a judge of the Appeals Chamber of the Special Court for Sierra Leone. United Nations Secretary-General Kofi Annan personally selected Jallow to carry out a judicial evaluation of the ICTR, as well as the Criminal Tribunal for Yugoslavia.

Jallow's accomplishments are especially impressive considering his humble background. He grew up in a small village in The Gambia where the literacy rate was only 10 percent, but had a passion for learning from an early age. Before he was enrolled, he would sit outside the classroom at the local primary school to listen and try to write what the class was learning. When his older brother began high school at one of only two such schools in the entire country, Jallow would read and study the books his brother brought home. At that time, there was no electricity in his village, so he read by candlelight, hurricane lamps and firelight.

While in Cedar City, Jallow will participate in several conference-related events. In addition to giving the keynote speech on February 8, he will participate in a question-and-answer session on February 7 in the Sharwan Smith Student Center Theater, following an 11:30 a.m. showing of the movie "Hotel Rwanda." The movie, which documents the Rwandan genocide, will show again that night at 7 p.m. in the Student Center Church Auditorium.

All Global Engagement Conference events will be held on the SUU campus, and all are free and open to the public. In addition to Jallow, the conference will feature presenters from diverse parts of the world with expertise in various African-related topics. An agenda outlining all conference events and presentations is available online at suu.edu/globalconference.