

**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:**

Thursday, 16 May 2013

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

Thursday, 16 May 2013

## Special Court rejects Taylor's appeal

The Appeals Chamber of the Special Court of Sierra Leone has rejected the appeal case filed by Prince Taylor investigator of the Court against his contempt conviction and 2-1/2 year prison sentence on the grounds that motion was not properly filed before the Chamber.

In the judgment signed by the three-member panel of the Appeals Chamber consisting of Justice Emmanuel Ayoola (presiding), Justice Renate Winter and Justice Jon Kamanda they noted that the Defence had filed its Notice of Appeal on 22 February 2013 unaccompanied by the appeal submissions, which is contrary to the procedure set out in the Practice Direction and the submissions were only filed with the Court three weeks later.

Justice Winter, who read out

the judgment summary, said that even, had the Defence submissions been accompanied by a late filing form setting out the reasons for the delay, the Chamber could have exercised its discretion whether or not to hear the appeal. Since the Defence had not taken advantage of this remedy, she said, the appeal was not properly before the Court. The Judges consequently dismissed the appeal in its entirety.

The Appeal Judgment was delivered in The Hague and streamed to Freetown by video link. Prince Taylor and his lawyer participated in the proceedings from the Special Court's Courtroom No. 1.

Prince Taylor, a former Special Court Defence investigator, was found guilty on 25 January 2013 on five counts of interfering with

Special Court witnesses. Four of the counts alleged that he had "otherwise interfered" with Prosecution witnesses who had testified against former Liberian President Charles Taylor. The Court found that Prince Taylor, through former RUF member Eric Koi Senessie, attempted to induce the four witnesses to recant their testimony. The fifth count alleged that Prince Taylor had interfered with Eric Koi Senessie at a time when he was a potential witness in contempt proceedings before the Chamber.

On 8 February 2013, Prince Taylor was sentenced to a 2-1/2 years prison sentence.

The Defence had appealed on four grounds against the judgement, and on two grounds against the sentence.

## New Dawn (Liberia)

Wednesday, 15 May 2013

### Taylor's Man Appeal Denied!

Bruce Wiah

An appeal filed by a former defense investigator in the trial of ex-president Charles Taylor against his conviction has been denied due to late filing, Judges at the UN backed Special Court for Sierra Leone said Tuesday.



Mr. Prince Taylor, no relations to detained ex-president Taylor who is also contesting his conviction, was found guilty on 25 January, 2013 on five counts of interfering with Special Court witnesses.

Four of the counts alleged that he had “otherwise interfered” with Prosecution witnesses who had

testified against Mr. Taylor to recant their testimonies.

A three-member panel of the Sierra Leone Special Court Appeals Chamber Tuesday dismissed the appeal by Prince Taylor against his contempt conviction and 2-1/2 year prison sentence due to late filing of the appeal submissions by his counsel.

The panel, consisting of Justice Emmanuel Ayoola (presiding), Justice Renate Winter and Justice Jon Kamanda, noted that the Defense had filed its Notice of Appeal on 22 February 2013 unaccompanied by the appeal submissions, which is contrary to the procedure set out in the Practice Direction. The submissions were only filed with the Court three weeks later.

Justice Winter, who read out the judgment summary, said that even then, had the Defense submissions been accompanied by a late filing form setting out the reasons for the delay, the Chamber could have exercised its discretion whether or not to hear the appeal. Since the Defiance had not taken advantage of this remedy, she said, the appeal was not properly before the Court. The Judges consequently dismissed the appeal in its entirety.

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## News24 (Bangladesh)

Wednesday, 15 May 2012

### Rapp has 'concerns' about trials

Also a prosecutor at war crimes tribunals in Sierra Leone and Rwanda, Rapp told the press on Wednesday in reply to a question whether he was satisfied with the trials in Bangladesh, "No, I am not happy. I still have concerns."

A few hours earlier, Law Minister Shafique Ahmed after meeting Rapp quoted the American envoy as saying there were no scopes for non-transparency and biasness in these trials.

However, the former district attorney from Iowa said some of his recommendations had been adopted and incorporated into the laws and rules while others had not been.

Rapp had earlier made a number of recommendations that called for the tribunal laws to define crimes against humanity along with the elements stipulating that the offences would have to be widespread, systematic, organised, directed against a certain group and the accused would have to have taken part with the knowledge that the crimes were part of a larger scheme.

Although still not incorporated into the laws, the US diplomat said there was a 'reflection' that tribunal judgements took those elements into consideration.



Rapp said the war crimes trial process was 'progressing' and was headed 'in the right direction'.

The US Ambassador-At-Large has had a busy visit meeting with government officials including the Law Minister, International Crimes Tribunal officials as well as the team of Jamaat-e-Islami defence lawyers.

Rapp also visited the Appellate Division on Wednesday when Jamaat's chief defence counsel Abdur Razzaq was deliberating upon the import of the elements of crimes against humanity in

Abdul Quader Molla's case. He was going through the terms 'widespread', 'systematic' and 'organised' and explaining to the court what they meant.

Having seen proceedings at both the tribunals as well as the apex court, Rapp commended both the prosecution and defence lawyers, noting that they had all come a long way since the trials began.

The diplomat said that the death penalty had to be given out with the greatest care since it is irreversible. He said factors to be considered should include the severity of the crimes, cruelty, the number of people affected while mitigating factors could include such things like youth when considering handing down the death sentence.

But the US envoy cautioned against handing down capital punishment to prevent the accused from going free in future. "The verdict must be protected regardless of the government in power."

And for that purpose, Rapp stressed on the importance of fairness of the trials. He emphasised equality of arms ensuring same facilities to the defence that the prosecution enjoys.

He also said the elements would have to be proven beyond reasonable doubt to secure a conviction and also that the burden of proof lay with the prosecution contrary to, what he said, the burden of alibi lying with the defence as well as presumption of innocence.

Rapp refused to comment directly regarding the war crimes cases since they are pending before the Appellate Division but said he was hopeful that omissions and shortcomings, if any, would be addressed during the appeals.

## The Daily Star (Lebanon)

Thursday, 16 May 2013

### STL defense head: Trial likely by end of year

By Niamh Fleming-Farrell

BEIRUT: The in-absentia trial of four men accused of involvement in the 2005 assassination of former Prime Minister Rafik Hariri should commence before the end of 2013, the Special Tribunal for Lebanon's Defense Unit head, Francois Roux, has told The Daily Star.

"I think that very soon the pretrial judge will issue a decision that will set up a new, and not [a] tentative – it will be the final – date for the trial to start this year," Roux said in an interview Tuesday at the close of a weeklong routine visit to Lebanon.

The previous start date, tentatively set for March 25, was postponed in February by pretrial Judge Daniel Fransen following a request from the defense, which cited the prosecution's failure to disclose all relevant documents and the volume and disorganization of the evidence that was received among its reasons.

"We cannot be ready for the trial to start unless the prosecutor discloses all the material he needs to disclose to us, and also unless the registrar is ready to provide all technical support and technical software for us to ... be able to examine the technical material provided by the OTP [office of the prosecution] at the court," Roux said, referring to the cause of the delays.

In a March 8 submission on the subject of a new start date, the defense had said it would be premature to suggest one at that time, but Roux maintained optimism that the trial would begin before the close of the calendar year.



*Head of Defense Office at the Special Tribunal for Lebanon Francois Roux speaks during an interview with The Daily Star in Beirut, Friday, May 27, 2011. (The Daily Star/Mohammad Azakir)*

The prosecution has now indicated it would complete its disclosure by June, while the registrar has said it would be ready for trial by September, he said.

But even if the long-awaited trial appears increasingly imminent, the Hague-based court has encountered other obstacles to its pursuit of justice.

Following the publication in the Lebanese press of alleged confidential witness lists on a number of occasions in recent months, the court has announced it will appoint an independent investigator to probe the matter.

Warning against characterizing these so-called witness lists as "leaks," and then employing the term regardless, Roux denied such lists could have originated from within the defense unit.

“I want to make it very clear the defense counsel did not have this list of alleged witnesses that has been leaked to the press. ... It is impossible for the defense counsel to have leaked this list because they did not have it, it was never disclosed to them,” he said.

But Roux’s remarks indicated that some of the names in the defense’s possession may overlap with the 167 alleged witness names released in April by hackers of Al-Mustaqbal newspaper’s website and on a website called “Journalists for the Truth.”

“The defense counsel had only a few of the names that were on this alleged list, that were disclosed to them earlier by the prosecutor, but we did not have all the names on the list,” he said.

However, when pressed on whether any of the names published by Journalists for the Truth were among the more than 550 names the prosecution confidentially filed to the court in its pretrial brief on Nov. 15 last year, Roux was adamant there was no overlap.

“Let it be very clear that the list of expert names and witnesses that has been disclosed by the prosecution to the defense is totally different from the list that has been leaked to the hackers’ website,” he said.

Roux himself has no access to the confidential list in question. As head of the Defense Unit, his role is to appoint and support the defense counsel, but his office does not play an active part in representing the accused.

However, under the terms governing confidential filings to the court, the defense counsel should have access to the list. Indeed, the STL has previously told The Daily Star that prosecution’s witness list annex has been disclosed to the defense counsel.

Yet, in addition to claiming the prosecution’s annex is “totally different” to the alleged leaked list, Roux acknowledged Tuesday the defense counsel has said it is not in possession of the complete witness list.

“The annex of the pretrial brief containing a list of experts’ and witnesses’ names has been disclosed to the defense counsel, but the defense counsel complained that some names were still redacted from that list,” Roux said.

Addressing the issue of the court’s credibility being called into question in light of so-called leaks, the defense head was keen to discourage premature assumptions.

“There are too many possibilities for the sources of the leaks. What is important is to wait for the results of this independent investigation. It is not wise to rush to conclusions or to accuse anyone,” he said.

But, in relation to the matter, Roux also drew attention to a French expression. “There is a proverb in France that says ‘Who will benefit from the crime, or the violation?’

“We should think and consider in whose interest it is to discredit the STL,” Roux said, adding: “Is it useful for the STL to discredit its own self as an entity?”

A version of this article appeared in the print edition of The Daily Star on May 16, 2013, on page 3.