

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



Sculpture at NEC Headquarters, Tower Hill. Credit: Richard Sylvah

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, 25 October 2013

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
Martin Royston-Wright
Ext 7217

International News

High Risk Criminal - Britain Describes Taylor / <i>The New Dawn</i>	Pages 3-4
Victims and Special Court Prosecutor Express Gratitude in Sierra Leone / <i>Charlestaylortrial.org</i>	Pages 5-6
Kenya's Ruto Must Attend Trial / <i>Voice of America</i>	Page 7
Cambodia Court Races Death, Dwindling Resources to Rule on Khmer Rouge... / <i>Reuters</i>	Pages 8-9
Khieu Samphan Defence Makes Its Case / <i>The Phnom Penh Post</i>	Pages 10-11
Rwanda and the ICC - Playing Politics With Justice / <i>AllAfrica.Com</i>	Pages 12-14

The New Dawn
Friday, 25 October 2013

High Risk Criminal - Britain Describes Taylor

Othello B. Garblah

Former Liberian President Charles Taylor transferred to the UK few weeks ago to serve his remainder 50 years jail terms has been described as a high risk prisoner by local Frankland Prison Officials in New Castle, Britain, family members have said.

Two of Mr. Taylor's daughters who spoke with Thursday from his New Castle prison said their father (Taylor) has been told not to use some of his personal belonging he took with him from The Hague; for fear that he might be attacked if he uses them.



Mr. Taylor's daughters-Chorale Taylor, and her younger sister, currently reside in the UK and are children by Agnes Reeves Taylor, an ex-wife of Taylor. Since his transfer to the UK, Taylor has spoken with his family twice.

The family has hired a QC, John Jones, in London to seek better prison condition for Mr. Taylor, a family spokesperson told this paper Thursday. This paper emailed Special Court Public Affairs Director Peter Andersen for comment on the issue, but he did not respond as at press time last night.

Mr. Arthur Saye told the New Dawn that the family is also appealing to the African Union to give some attention to the Taylor prison condition. He said their appeal is in line with a letter the family wrote the AU in April this year, just months before the Appeal Chambers of the UN back Special Court could uphold the 50 years conviction of the Trial Chambers. Mr. Saye said he still holds the view that Taylor's imprisonment is politically motivated.

Despite his protest against being sent to a British jail for fear that he could be attacked and killed by fellow inmates serving jail terms there, Taylor was transferred from The Hague to the United Kingdom on Tuesday October 15, 2013 to serve the remainder of his 50 year-sentence.

A Special Court release said Mr. Taylor departed the Netherlands in a chartered plane at 10:54 a.m. local time (8:54 GMT), and arrived in the UK at 12:00 p.m. (10:00 GMT) where he was handed over to representatives of Her Majesty's Prison Service. He was accompanied by Special Court detention and security officials.

The release detailed that on 4 October, pursuant to Rule 22 of the SCSL Statute and Rule 103(B) of the Rules of Procedure and Evidence, Special Court President, Justice George Gelaga King, signed a confidential order, designating the UK as the State in which Mr. Taylor would serve his sentence.

That order was made public on 10 October 2013. Taylor's transfer was made in furtherance of the President's order, and in accordance with the terms set down in the Enforcement of Sentences Agreement concluded between the Court and the UK on 10 July 2007.

Taylor had written the Special Court of Sierra Leone, protesting being sent to a British jail for fear that he could be attacked and killed by fellow inmates serving jail terms there. His family members had also argued that Taylor be preferably jailed in Rwanda, which they said would be less expensive for visits unlike the United Kingdom.

But Special Court Spokesman Peter Andersen said the concerns raised by the Taylor family is a non issue because such concerns are considered in the court's Statue, Rules and Practice Direction, including measurers to ensure Taylor's physical safety, the availability of vocational and educational programs, religious accommodations and medical services, among others.

"The Special Court can only send prisoners to countries with which we have enforcement agreements. We have no such agreement with Rwanda in respect of Mr. Taylor, and we have no enforcement agreement at all with Norway," Andersen clarified.

In his letter to the Special Court of Sierra Leone, Taylor wrote among other things: "Most of my close relations, including my wife, ex-wife, and most of my children, reside in Liberia. Travel for them to Rwanda is much less costly easier than travel to the UK for several reasons.

Liberia: Exchange of Thanks - Victims and Special Court Prosecutor Express Gratitude in Sierra Leone

By Alpha Sesay

It was an exchange of thanks as Special Court for Sierra Leone (SCSL) Prosecutor Brenda Hollis traveled the length and breadth of Sierra Leone, explaining the Court's Appeals Chamber judgment to people in various communities that were affected by Sierra Leone's 11 year conflict. In many of these communities, the scars of the conflict still remain. Civilians whose limbs were amputated by rebels still roam the streets. Many still bear the loss of family members while some deal with the stigma of having being raped by rebels. For these crimes, Taylor has been convicted and sentenced to a 50 year jail term. For what they did to make this historic judgment possible, Prosecutor Hollis visited these communities to thank the people, most of whom are victims.

To loud applause among hundreds of residents attending the various outreach events around the country, Prosecutor Hollis said in Krio, Sierra Leone's local parlance, "The Charles Taylor case don don," meaning the Charles Taylor case has come to an end.

She expressed thanks and appreciation to the people and government of Sierra Leone for the opportunity to serve them and help bring a measure of justice for their sufferings during the country's bloody conflict. She had special thanks for those men and women who served as witnesses in the Taylor case, describing them as "those brave men and women who came to the court to tell their stories."

She called them "strong people who will never forget but have forgiven and are working towards a brighter future."

"This judgment brings some measure of justice to the many victims of Charles Taylor's very wicked conduct," she told residents in Tongo, a town in Sierra Leone where several people were killed and subjected to forced labor as they mined diamonds for the rebels. These diamonds, judges have said, were a motivation for Taylor's involvement in Sierra Leone's conflict. Rebel commanders took mayonnaise tins full of diamonds to Taylor in Liberia, and in exchange, he assisted them with materials including arms and ammunition.

A Sierra Leonean lawyer, Mohamed Bangura, who was one of the prosecutors in the Taylor case, was also full of praise for his countrymen. Sharing the pain of their sufferings during the conflict, Bangura thanked Sierra Leoneans in Kailahun town for their show of support throughout the court's work. He referenced those times that he personally travelled to their communities to speak with victims and witnesses and the help they provided to the accountability process.

While the Prosecutor expressed thanks and appreciation to residents in various communities, the people thought it was the Prosecutor who deserved their thanks. A gentleman, who himself had traveled to The Hague to witness the proceedings commended Prosecutor Hollis for starting and finishing her job with distinction. He explained to the audience that Prosecutor Hollis had faced a very strong defense team but still won the case on behalf of the people of Sierra Leone. He thanked the Prosecutor for paying special attention, both in case presentation and outreach, to areas where rebel atrocities were prominent.

"It is good that you paid special attention to the areas hardly hit by the conflict," he told Prosecutor Hollis.

Participants at Outreach Event Thanking Prosecutor Hollis

After completing an outreach event in Tongo, several young and old people crowded around Prosecutor Hollis's vehicle, giving her handshakes and thanking her for a job well done.

In their view, prosecuting, convicting and sentencing Taylor was the right and necessary thing to do.

Chieftom Speaker in the RUF's former headquarters of Buedu told the Prosecutor that the people in his chieftom were grateful to her and to the Court for a job well done.

"We waited for years to see this happen. Now we know the wait was worth it," he told the Prosecutor and her team.

"Big men can no longer run away if they do terrible things and for making this reality, we the people of Sierra Leone thank you," he added.

Throughout these outreach events, people expressed concerns about the plight of victims who are yet to receive reparations from the Government of Sierra Leone. They still have expectations that the justice and accountability process will include reparations for victims. While they await this, they acknowledge the SCSL as part of a process meant to provide a measure of justice for them. In their minds, the Court has done its part, and for that, their thanks go to the Prosecutor and other persons at the Court who made this possible.

Voice of America

Friday, 25 October 2013

ICC: Kenya's Ruto Must Attend Trial

The International Criminal Court has ruled that Kenyan Vice President William Ruto must attend his trial on charges of crimes against humanity.

The Hague-based tribunal's Friday ruling overturned a decision earlier this year that would have allowed Ruto to miss most of the trial, which began in September, so he can attend to official duties.



FILE - Kenya's Deputy President William Ruto addresses the nation during a special Inter-Religious Prayer Service for the people killed and injured in the recent Westgate shopping mall attack in the capital Nairobi, Oct. 1, 2013.

It is not clear if the decision will also affect the case against President Uhuru Kenyatta, who is set to stand trial at the Hague in less than three weeks on similar charges. The ICC ruled earlier this month that Kenyatta would only have to attend key parts of the trial.

Both men say attending the trials would distract them from governing, especially in the aftermath of last month's terrorist attack on a Nairobi shopping mall that killed 67 people.

Kenyatta and Ruto have both pleaded not guilty but have agreed to cooperate with the court. The Kenyan government has asked the U.N. Security Council to call for a 12-month delay in the trials.

The men are charged with crimes against humanity for their alleged roles in 2007 post-election violence that killed more than 1,100 people.

Despite the charges, Kenyatta won a first-round victory in Kenya's elections this March with Ruto as his running mate.

Reuters

Wednesday, 23 October 2013

Cambodia court races death, dwindling resources to rule on Khmer Rouge war crimes

The clock is ticking at Cambodia's Khmer Rouge war crimes tribunal, where the two elderly defendants are in poor health and funds vital for bringing some semblance of justice for the horrors of the "Killing Fields" era are fast drying up.

On trial are 87-year-old "Brother Number Two" Nuon Chea and former president Khieu Samphan, 81, the right-hand men of the late Khmer Rouge leader Pol Pot, whose dream of a peasant utopia claimed as many as 2.2 million Cambodian lives from 1975-1979.

The hybrid U.N.-Cambodian tribunal has so far reached a verdict in just one case, the life sentence in 2010 for Kaing Guek Eav, alias "Duch", chief of the S-21 torture centre where 14,000 people died. Prosecutors face a race against time to ensure Duch is not alone.



Former Khmer Rouge leader Nuon Chea (L), also known as Brother Number Two, attends the testimony of former Khmer Rouge S-21 prison chief Kaing Guek Eav (not pictured), also known as Duch, at the Court Room of the Extraordinary Chambers in the Courts of Cambodia (ECCC) on the outskirts of Phnom Penh March 20, 2012. REUTERS/Nhet Sokheng/ECCC/Handout

They are asking for life imprisonment for the two cadres in a complex case being fast-tracked to salvage something from a court set up in 2005 ostensibly to bring Cambodians closure for one of the darkest, bloodiest chapters of the twentieth century.

Khieu Samphan was no figurehead, but a "skilful, manipulative" leader, while Nuon Chea was as much an extremist today as he was when almost a quarter of Cambodians died of execution, starvation, torture or disease, international deputy prosecutor William Smith said in his final arguments.

International civil party lawyer Christine Martineau launched a scathing attack on the defendants' claims they had no role in directing the bloodshed.

"You followed Pol Pot until his last day, you were the two men he trusted. You never distanced yourself from him," Martineau told the court last week.

"You continue to lie to this day."

TIME AND FUNDS RUNNING OUT

The words have made little dent on the defendants. Khieu Samphan showed no emotion throughout the final arguments that began last week and for long periods he sat with his eyes shut.

The former Khmer Rouge cadres are all that remains from case 002, which initially had four defendants charged with crimes against humanity and genocide, among other offences.

Many fear that only Khieu Samphan will live to hear his verdict. Nuon Chea is in poor health and has attended much of the proceedings via video from his cell. Former foreign minister Ieng Sary died earlier this year and his wife, former social affairs minister, was diagnosed with Alzheimer's and declared unfit for trial.

To try to secure a conviction, Case 002 was broken up into smaller cases. The current hearing is about their alleged role in the forced evacuation of the Phnom Penh in 1975 and execution of government troops. The court expects a verdict within the first half of next year.

Kuy Ke, a 62-year-old rural farmer, said he feared facing Nuon Chea and Khieu Samphan in the afterlife if there was no ruling soon.

"We want punishment," he said. "In one to two years, they will die."

There are more Khmer Rouge members under investigation and two generals, Meas Mut and Sou Met, faced possible indictment. Sou Met died in June, however, and it was unclear if Meas Mut would ever appear before the tribunal.

Due process takes time the court does not appear to have. It also takes funding from increasingly reluctant donor countries, \$173 million from 2006-2012, and three foreign judges have quit, two citing "political interference".

Cambodia's government, which includes some former Khmer Rouge members, has not helped much either. It is obliged to foot the bill for the local staff and running costs of the chamber, but instead asks for donations, fuelling claims it wants to ensure no more cases go to court.

Activists and rights groups fear it will get its way.

"With uncertain foreign funding, government obstruction and concerns about the health of the accused, the likelihood of such trials occurring are slim at best," the Cambodia Center for Human Rights said in a tribunal briefing.

(Writing by Martin Petty; Editing by Nick Macfie)

The Phnom Penh Post

Friday, 25 October 2013

Khieu Samphan defence makes its case

Stuart White

The Khieu Samphan defence team let loose with both barrels as it began its closing statements today at the Khmer Rouge tribunal.

International co-lawyer Arthur Vercken blasted what he characterized as the prosecution's shoddily made case, as fellow international co-defender Anta Guisse took the prosecution to task on the issue of criminal intent – an element she asserted their allegations sorely lacked.

National defence attorney Kong Sam Onn closed the day defending the character of his client, a man he said “has been painted as a devil”.



Khieu Samphan listens as prosecutors make their case against him earlier this week at the Khmer Rouge tribunal. ECCC

Vercken's fiery opening, which earned him warnings from the bench for condemning other parties, accused the prosecution of “changing their case” with their evolving description of the defendants' alleged joint criminal enterprise, and slammed them for resorting to events that lay outside of the scope of the trial to make their case.

At one point, while questioning the quality of the prosecution's arguments, Vercken even wondered aloud whether the Office of the Co-Prosecutor was staffed by “backpackers from riverside who donned purple robes”.

Guisse took a cooler-headed, though at times incredulous, approach to her dissection of Khieu Samphan's criminal intent – or, in her estimation, the lack thereof.

The picture she painted of Cambodia just before the Khmer Rouge took power was one of starvation, economic depression and rampant destruction caused by widespread American bombing campaigns in the country's east. It was a country in need of drastic measures to ensure its own survival, she argued.

“Seventy-five per cent of the livestock had been destroyed by the war. People had to plough the fields on their own, people who were undernourished,” she said, alluding to massive swaths of rice fields that were no long producing after the intense bombing. “That is the reality in Cambodia in 1975. Not the reality created by the Khmer Rouge, but the reality that existed when they took power.”

“In the closing order, the investigators are not afraid to say that the food penury was caused by self-imposed conditions. Seriously? In these conditions, of course, the Khmer Rouge took the methods that seemed to them the most obvious, given the situation, in order to feed the population,” Guisse continued. “And yes, indeed, emphasis had to be put on agriculture on the 80 per cent of land that was no longer harvested.”

Even if the methods proved to be unsuccessful, she argued, the intent was never to punish urbanites and elites, as the prosecution has long maintained.

“When we focus on the intent, whether they were successful or not, the aim was not to punish the new people. The aim was not to punish the city dwellers,” she said. “The aim at that time was to try to find a solution to the disastrous situation, the poisonous situation that they had inherited.”

Guisse also took aim at what she characterized as the myth of the Communist Party of Kampuchea's monolithic leadership, saying that zone commanders enjoyed a huge amount of autonomy, and were not firmly under the control of the party's central leaders.

Sam Onn, for his part, closed the day with an examination of Samphan's character and personal background, noting that in the 1960s, the former National Assemblyman enjoyed a sterling personal reputation among the public, as evidenced by his nickname, “Mr Clean”.

According to Sam Onn, Samphan had never hidden his communist leanings – beliefs he held in hopes of “find[ing] development and improvement for the livelihood of the people, and economic and social equality” – and even referenced a quote by Samphan himself defending his involvement in leftist politics.

“It's true I was interested in communist doctrine. I studied communist doctrine,” Sam Onn read. “Today you make a joke of it, but at that time, communism was a doctrine that gave hope to millions of youths across the world.”

AllAfrica.Com

Friday, 25 October 2013

Rwanda and the ICC - Playing Politics With Justice

By Stephen A. Lamony

Analysis

Rwanda's stated position on the International Criminal Court (ICC) is highly critical. Rwandan Foreign Minister Louise Mushikiwabo called the ICC "a political court" and said that Rwanda has "never believed in its jurisdiction".

In 2008, President Kagame called the ICC a "fraudulent institution" that is "made for Africans and poor countries" who did not realize what they were signing up for when they ratified the Rome Statute. However, the clear-cut stance expressed in these statements seems to be blurred by Rwanda's recent decision to facilitate the transfer of indicted militia leader Bosco Ntaganda to The Hague in March of this year.

This is not to say that Rwanda's rhetoric has changed: during a Security Council debate on conflict prevention in Africa in April, Rwanda blocked the inclusion of any positive language for the work of the ICC in a presidential statement.

In May, President Kagame said that Rwanda "cannot support an ICC that condemns crimes committed by some and not others or imposes itself on democratic processes or the will of sovereign people". The apparent contradiction between Rwanda's words and actions can only begin to be understood by examining its relationship with the ICC within its political and historic context.

Rwanda has not always so loudly opposed the idea of a permanent international criminal court. During the Rome Conference that created the ICC, it explicitly supported the creation of such an institution, and even favored giving it some powers that the ICC does not possess, such as the authority to use the death penalty for the most heinous crimes.

Neither did it speak negatively of the International Criminal Tribunal for Rwanda (ICTR), but rather pointed out that an international criminal court "would not obviate the need for ad hoc tribunals, which should retain their jurisdictional competence and continue to receive support".

However, Rwanda chose not to sign the Rome Statute as it was finally negotiated, and has since become one of the ICC's harshest critics. It has also employed more negative language for the ICTR.

Former Justice Minister Tharcisse Karugarama said his country felt "betrayed" by the ICTR and current Justice Minister Johnston Busingye claimed that the ICTR had fallen short of its potential, while the community-based system of "gacaca courts" have been a big success.

In theory, Rwanda's official position can be summed up by saying that it supports international justice, but simply thinks it has not been done well. In an address given in Addis Ababa in May of this year, President Kagame said that an international justice system "needs to be free of political interference and uphold the principle of sovereign equality of states, an objective Rwanda believes the ICC has completely failed to accomplish".

Therefore, Rwanda claims to be an advocate for ending impunity but critical of the alleged political maneuvering behind the ICC.

In reality, however, Rwanda's own actions and relationship with the ICC are also very much motivated by political interests. Many have argued that the real reason Rwanda does not want to sign the Rome Statute is so its military commanders and political leaders cannot be held accountable to the ICC for their involvement in supporting rebel groups in neighboring Democratic Republic of the Congo (DRC).

These fears are not totally unfounded. In August 2012, opposition groups from Rwanda and the DRC asked the ICC to investigate Paul Kagame for alleged war crimes in eastern Congo.

However, up until recently, on a broader scale, Kagame has had a positive international image as the leader who got Rwanda back on its feet after the 1994 genocide, and has been regarded as a key Western ally in the region.

International opinion started to turn recently after the M23 rebel militia took control of Goma in eastern DRC and the United Nations published a report stating that Rwanda had created the group and commands it. Some of Rwanda's European donors cut back on their aid, and the US warned Rwanda against continued interference in the DRC.

In the following months, the M23 militia experienced severe fragmentation of its leadership: violence broke out between camps led by rivals Bosco Ntaganda and Sultani Makenga.

There were reports that Makenga was in negotiations with the Congolese government for a peace deal, and Rwanda allegedly pressured M23 officers to side with Makenga, seeing an opportunity to end a costly war by reintegrating him and his men into the regular army. After suffering a defeat at the hands of Makenga's men and feeling that his life was in danger, Ntaganda surrendered himself to the US embassy in Kigali.

Given its openly critical position towards the ICC, it came as a surprise when Rwanda agreed to facilitate Ntaganda's transfer to The Hague. Since then, however, many have questioned Rwanda's claim that it had no prior knowledge of Ntaganda's intentions to give himself up.

Rather, it has been argued that Rwanda - with the support of the US - in fact carefully orchestrated the surrender. A Rwandese newspaper claims that Ntaganda was coached on how he should defend himself at the Court, with strict instructions not to sell out Kagame but rather act as "Kagame's ambassador at the ICC".

Should these allegations be true, it is not difficult to imagine Rwanda's motivations. With international pressure rising, being seen as cooperating with the ICC to put a leader of the M23 militia on trial could be a way to defuse accusations of Rwanda's support for the group and portray Kagame as an advocate for justice.

By making a deal with Ntaganda and reassuring him that he will have all the support he needs to be exonerated of the charges, Ntaganda would be less likely to reveal the extent of Kagame's and Rwanda's involvement in the DRC. As a demonstration of cooperation, it could also be taken as a sign of good faith in order to reassure its foreign allies so that aid will return to previous levels.

Furthermore, with the recent signing of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region in February, Western powers are more likely to be interested in ending the war and promoting stability - both of which require Rwanda's cooperation - rather than determined to prove that Kagame should be tried at the ICC.

In this context, the facilitation of Ntaganda's surrender and transfer by Rwanda should not be taken as a sign of a shifting ideological position on the ICC - which remains oppositional - but rather as part of a more complex political strategy.

Stephen Lamony is a Senior Adviser, AU, and UN & Africa Situations at the Coalition for the International Criminal Court.