



Special Court for Sierra Leone
Outreach and Public Affairs Office

PRESS RELEASE

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Appeals Chamber Upholds Contempt Convictions Against Former AFRC Leaders

A three-judge panel of the Appeals Chamber has rejected the appeals by three former AFRC leaders convicted in September 2012 of contempt for interference with Prosecution witnesses. The appeal was heard by Justice Emmanuel Ayoola (presiding), Justice Renate Winter, and Justice Jon M. Kamanda.

Ibrahim Bazy Kamara and Santigie Borbor Kanu (aka: “Five-Five”) each appealed against their convictions and sentences of one year and fifty weeks for “knowingly and willfully interfering with the administration of justice” in violation of Rule 77(A) (ii) and (iv) of the Rules of Procedure and Evidence, by interfering with prosecution witnesses who had testified against them in their trial for war crimes and crimes against humanity. Kamara was convicted on two counts of otherwise interfering with a prosecution witness, and for knowingly disclosing the identity of a protected witness. Kanu was convicted on two counts of offering a bribe to a witness and otherwise interfering with a witness.

Samuel Kargbo (aka: “Sammy Ragga”), who pleaded guilty to two counts at his initial appearance in July 2011, appealed what he alleged was the trial judge’s failure to order protective measures for him. A fourth defendant, Hassan Papa Bangura (aka: “Bomblast”), did not file a proper Notice of Appeal within the extended time granted him by the Appeals Chamber to do so.



Ibrahim Bazy Kamara
File Photo



Santigie Borbor Kanu
File Photo



Samuel Kargbo
At sentencing judgement

In the summary of the decision read out in court by Presiding Judge Justice Emmanuel Ayoola, the Chamber found that many of Kamara and Kanu’s grounds of appeal failed to comply with the Special Court’s Practice Direction for Certain Appeals, noting that both their form and contents did not satisfy the standard of review for appeals from judgements.

The Judges dismissed Kamara’s appeal as “incompetent” on the grounds that his Notice of Appeal failed

to stipulate “the grounds on which the appeal was made” (Article I.1 of the Practice Direction), or “clearly delineate which filing or part of the filing constitutes grounds and which part of the filing constitutes submissions based on those grounds” (Article I.2).

“The Appeals Chamber is unable to overlook the fundamental flaw in the Notice of Appeal brought about by the manifest non-compliance with Rule 106(A) and the 2004 Practice Direction,” Justice Ayoola said.

The Judges also dismissed Kanu’s 27 grounds of appeal against conviction and three grounds of appeal against sentence, finding that “several, if not all, of his grounds of appeal suffer from similar deficiencies to those outlined in Kanu’s grounds of appeal.

The Judges dismissed Kargbo’s appeal as “incompetent” on the grounds that it was not an appeal either against conviction or against sentence, and thus did not fall with the appellate jurisdiction of Appeals Chamber.

“For the foregoing reasons, the Appeals Chamber...dismisses all the grounds advanced by Defence of Samuel Kargbo, Brima Bazy Kamara and Santigie Borbor Kanu, affirms the sentences imposed on Samuel Kargbo, Brima Bazy Kamara and Santigie Borbor Kanu by the Single Judge, and orders that the Judgement be enforced immediately pursuant to Rule 102 of the Rules,” Justice Ayoola said.

#END

The Special Court is an independent tribunal established jointly by the United Nations and the Government of Sierra Leone. It is mandated to bring to justice those who bear the greatest responsibility for atrocities committed in Sierra Leone after 30 November 1996.

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