

**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, 1 June 2011

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Special Court to hold contempt proceedings

By Alpha Sesay

Special Court for Sierra Leone judges have issued orders for two separate contempt proceedings to be held in respect of allegations that several individuals have attempted to contact prosecution witnesses with bribes for them to recant their evidence against accused or convicted persons.

The first contempt proceedings relate to allegations that persons acting on behalf of the defense for Charles Taylor attempted to bribe several prosecution witnesses, including those with protective measures for them to recant their evidence against the former Liberian president, who is on trial for allegedly controlling and providing support to rebel forces in Sierra Leone.

Prosecutors say that Mr. Taylor is responsible for war crimes, crimes against humanity and other serious violations of international humanitarian law committed in the territory of Sierra Leone from November 1996 to January 2002. Taylor has denied the allegations against him.

The second contempt proceedings relate to allegations that convicted members of the Armed Forces Revolutionary Council (AFRC) who are now serving jail terms in a Rwandan jail personally attempted to contact protected witnesses by phone while at the same time disclosing the identities of said protected witnesses to agents in Freetown with instructions to offer the witnesses bribes to recant their evidence against them.

Two AFRC convicts, Ibrahim Bazy Kamara

and Santigie Borbor Kanu, aka 55, both of whom are serving jail terms in Rwanda, and two former members of the AFRC, Hassan Papa Bangura, aka Bomblast and Samuel Kargbo, aka Sammy Ragga, both of whom reside in Sierra Leone are alleged to have breached such protective measures for witnesses.

The AFRC were a group of Sierra Leonean soldiers who overthrew the democratic government of Sierra Leone in May 1997. The AFRC teamed up with RUF rebels to establish a junta government which ruled Sierra Leone until they were forcefully removed from power by West African peacekeepers in 1998.

On February 25, 2011, prosecutors filed a motion in which they alleged that former investigator for Mr. Taylor's defense team, Prince Taylor and Eric Senesie, a former member of Sierra Leone's Revolutionary United Front (RUF), the rebel group which Taylor is on trial for allegedly supporting, attempted to bribe prosecution witnesses, including protected witnesses who had testified against the former president for them to recant their testimonies against him.

The Trial Chamber judges granted the prosecution's request and directed the Registrar of the Court to appoint an independent counsel to investigate whether the allegations were true. The Registrar appointed William L. Gardner as independent counsel on March 18, 2011.

On April 21 2011, the independent counsel submitted a report of his findings in which he con-

cluded that while there was insufficient evidence to proceed in contempt against Mr. Prince Taylor, "there are sufficient grounds to proceed against Eric Senesie for contempt of Court."

The Trial Chamber therefore ordered that an "Order in lieu of Indictment" be issued against Mr. Senesie and directed the independent counsel to prosecute him pursuant to said indictment.

In the said indictment, Mr. Senesie is alleged to have offered bribes to prosecution witnesses Mohamed Kabbah, Dauda Aruna Fornie, protected witnesses TF1-516, TF1-585 and Aruna Gbonda all of whom testified against Mr. Taylor in The Hague. It is alleged that Mr. Senesie tried to influence these witnesses to recant their testimonies against Mr. Taylor.

In the case of the AFRC convicts serving jail terms in Rwanda and former AFRC commanders in Freetown, the Trial Chamber on March 18 2011 issued a decision in which the judges directed the Registrar to appoint an independent counsel to investigate allegations that convicted persons Mr. Kamara and Mr. Kanu, together with former AFRC members Ragga and Bomblast had attempted to influence a protected witness who had testified in the AFRC trials before the Special Court for Sierra Leone in order to have him recant his evidence.

The Registrar appointed Robert L. Herbst as independent counsel on March 23 2011. On May 11 2011, the independent counsel submit-

Special Court to hold contempt proceedings

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ted a report of his findings.

In his report, the independent counsel submitted that there are sufficient grounds to believe that all four persons had indeed breached protective measures for witnesses by contacting a protected witness asking him to recant his evidence.

The Judges therefore ordered that an indict-

ment for contempt be issued against all four persons and that the independent counsel prosecutes them pursuant to said indictment. In the said indictment, all four persons are accused of trying to influence Protected Witness TF1-334 who testified against the AFRC convicts before Special Court for Sierra Leone judges in Freetown.

It is not yet clear where the contempt proceedings

will be held but it is a possibility that the AFRC convicts Kamara and Kanu will be made to leave their Rwandan jail for a temporary period to attend said proceedings if they are held at a place outside Rwanda.

Justice Teresa Doherty, a judge of the Trial Chamber hearing Mr. Taylor's trial has been assigned as designated judge for both contempt proceedings.

Standard Times

Wednesday, 1 June 2011

Interview with Joseph Kamara, former Acting Prosecutor for the Special Court

*(Courtesy Angela Stavrianou,
The Hague in the MONITOR)*
(PART 1)

In two previous editions of Monday March 22 and Tuesday March 23, 2010 I presented to you "ADMISSIBILITY OF HEARSAY EVIDENCE IN THE SPECIAL COURT FOR SIERRA LEONE" courtesy Angela Stavrianou in the MONITOR.

Today, I have decided to bring to you something close to the minds of many Sierra Leoneans who went through the brutal rebel war and its resultant disastrous consequences as concerns the ongoing trial of Charles Taylor. Read part one of the interview below.

Interview with Joseph Kamara Former Acting Prosecutor For the Special Court for Sierra Leone

By Angela Stavrianou, The Hague
The Defence opened its case in 13 July 2009 in the Charles Taylor Trial. On December 9 2009, CARL's Angela Stavrianou sat down to speak with Mr. Joseph Kamara, the then Acting Prosecutor in which she asked him questions relating to the trial and its progress thus far.

CARL: What is the biggest challenge for the Prosecution in this case?

Kamara: One of the main challenges for the prosecution is to show the linkage between the crimes committed by rebel groups and others, and Mr. Taylor. In order to prove our case against Charles Taylor, the Prosecution must do two main things-first, we must prove that the various crimes charged in the eleven count indictment were committed, amongst which are; murder, rape and other sexual violence crimes, amputations, and the use of child soldiers.

Second, we must prove that Mr. Taylor himself is guilty of these crimes

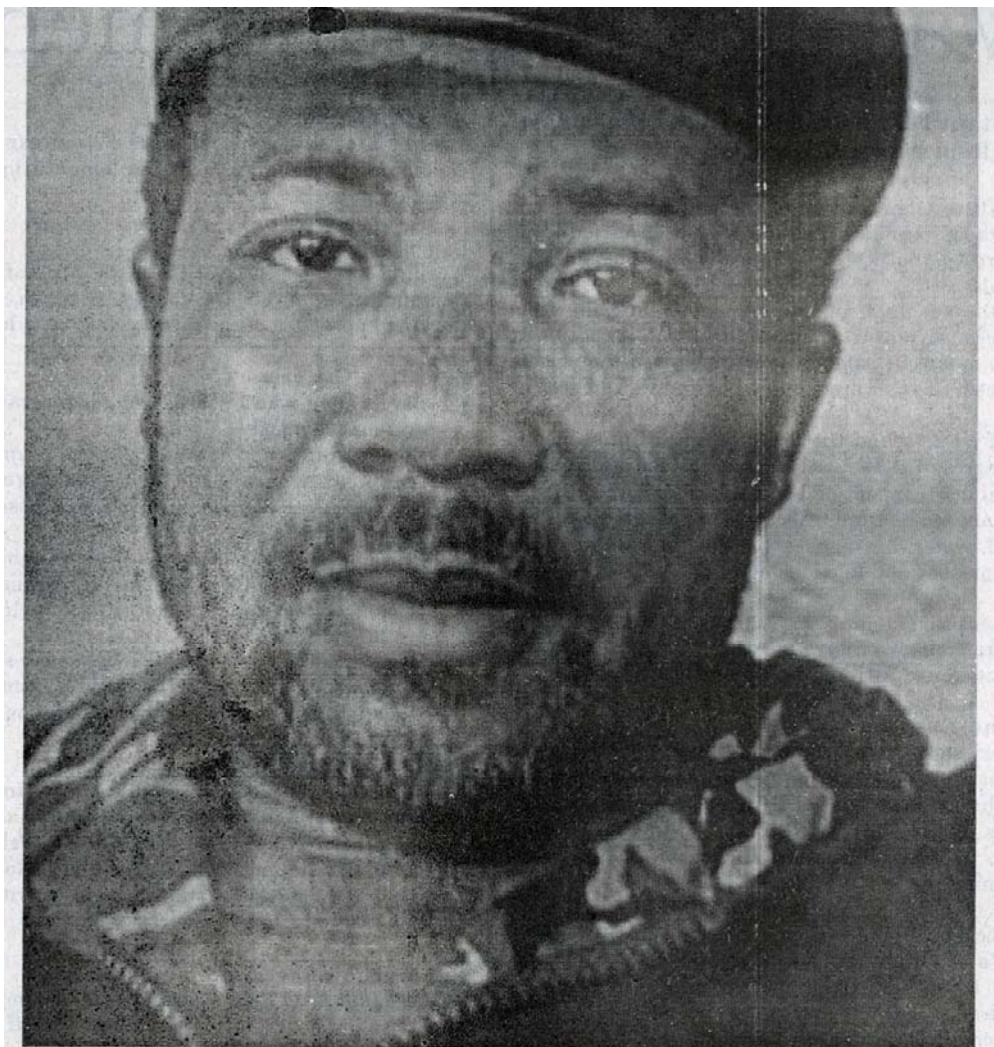
We have charged that Mr. Taylor is criminally responsible for the crimes set out in the indictment because he planned, instigated, ordered, and otherwise aided and abetted the crime, because of his participation in a joint criminal enterprise or common plan design or purpose, and because he failed to prevent or punish these crimes committed by his subordinates.

CARL: What are the biggest problems that the Special Court is facing?

Kamara: Outside of the work related to the trials, the biggest challenge the Special Court is facing



IBM Kamara



is funding. One thing that makes us different from the tribunals for Rwanda and the former Yugoslavia is how we get our financial automatically from the United Nations member states, we rely on voluntary contributions of UN Members states. Basically, we have to fundraise.

Over fifty Member States have given money to the SCSL, but we must go back to our larges and smallest donors to seek support every year.

Where, as with the SCSL, funding is optional, each funding cycle donor countries may choose to maintain funding levels, decrease them, or to not give at all. These choices are now impacted by the economic difficulties so many countries are facing. And with the Taylor trial in full swing, the Court still has tremendous funding requirements, from travel of Defence witnesses to OTP investigations in order to

challenge and test the Defence evidence, to paying for Mr. Taylor's full defence team and resources.

CARL: *What are your comments in relation to complaints by the Defence that the resources of the Special Court are inequality distributed in favour of the Prosecution?*

Kamara: This is just one of the many claims the Defence has made to try and portray Mr. Taylor as receiving less than what is absolutely fair and transparent trial. It is a part of their effort to portray him in the media as a victim in his process.

Here are the facts. Charles Taylor is receiving more money and support for his defence than has ever been provided to any Accused in the history of international tribunals.

He has a team of highly experienced lawyers, led by Courtenay Griffiths, a Queen's Counsel barrister from the UK. He

also has numerous other lawyers, investigators, interms, and office space in The Hague and in Freetown. He has been given the opportunity to present a full case and to tell his side of the story during some 13 weeks of direct examination, running to over 7200 pages of transcript, and involving some 300 documents. And let's not forget, the Defence does not have the burden of proving a case.

Compare all that with what the average Defendant gets in other tribunals or in any domestic system and you see the full extent of the resources provided to Mr. Taylor for his defence. These other defendants received fair trial though the degree of support was less in their cases, so it can hardly be said Mr. Taylor is receiving insufficient support for his defence.

Charles Taylor is being tried before a panel of independent judges, who ensure he receives all

At any rate, Sierra Leoneans and Liberians a like have been instrumental in all stages of the case against Mr. Taylor, from the investigators who helped gather the evidence to the witness management staff, and to our trial lawyers...

rights, afforded him. There are also journalists, numerous NGOs-such as CARL and legal experts monitoring the trial and making sure his rights are his rights are respected.

In short, Mr. Taylor has rights, resources and protection. None of his alleged victims were so lucky.

CARL: A key aspect of the Defence case is the suggestion that the Prosecution is bribing witnesses to provide evidence against Mr. Taylor. What is your response to this allegation?

Kamara: This is another claim the Defence likes to make in the media, in part to once again portray their client as the victim of an illegitimate process. Since this is an issue that is before the judges, Mr. Griffiths should know better than to break the rules of conduct of this Court by making specific comments on this publicly.

But let me say this- all disbursements to witnesses follow the Rules governing such disbursements and they are disclosed to the Court and the Defence. The Witness Victims Section (WVS) of the Court makes most of these, not the Prosecution, and they are part of the Court Registry. And what the Defence fails to mention is that in nearly all trials, both the Prosecution and the Defence make disbursements to witnesses for care, protection, and other necessary reasons.

CARL: Courtenay Griffiths has expressed concern that there is only one West African, Mohamed Bangura, on the Prosecution team, in a case that primarily concerns the people of West Africa. What are your comments on this issue?

Kamara: As a Sierra Leonean, I find it interesting that Mr. Taylor and his lawyers are suddenly so concerned with the well being of the people of the country. This is the ultimate irony from a man accused of bringing misery to the people of Sierra Leone.

The focus is not on the nationality of the personnel, but the quality and integrity of the process. Nonetheless, in the Office of the Prosecutor, we have personnel from Ghana, Tanzania, Canada, USA, Macedonia, UK, Caribbean, Sierra Leone and Liberia. Thus I am surprised at the comments of Mr. Griffiths, as I have respect for him as a seasoned practitioner, but these are not only misleading but equally mischievous. Again, I will implore to my colleagues to focus on the issue at trial. At any rate, Sierra Leoneans and Liberians a like have been instrumental in all stages of the case against Mr. Taylor, from the investigators who helped gather the evidence to the witness management staff, and to our trial lawyers.

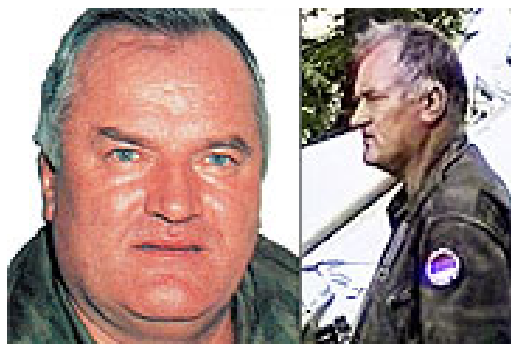
Further, Mr. Taylor is charged with horrible atrocities under international criminal law.

International crimes are an international responsibility. I am proud that the Prosecution has enjoyed the support of lawyers, investigators, and other staff from all over the world, from Uganda to the United Kingdom.

UN News

Monday, 29 May 2011

Security Council welcomes arrest of fugitives sought for crimes in the Balkans, Rwanda



Ratko Mladic

The Security Council today welcomed the arrests this week of two fugitives wanted by the United Nations tribunals set up to try those responsible for the worst crimes committed during the Balkans conflicts of the 1990s and the 1994 genocide in Rwanda.

Ratko Mladic, the war-time leader of the Bosnian Serb forces, was arrested yesterday in Serbia after evading capture for almost 16 years. He is awaiting transfer to The Hague, where he will stand trial before the International Criminal Tribunal for the former Yugoslavia (ICTY).

He faces numerous charges, including genocide, extermination, murder and inflicting terror on civilians, particularly in connection with the massacre of up to 8,000 Muslim men and boys in Bosnia and Herzegovina in the supposedly “safe haven” of Srebrenica in July 1995 in one of the most notorious events of the Balkan wars.

Council members congratulated the Serbian authorities on the arrest, which is “a clear demonstration of cooperation from the Government of Serbia with the International Criminal Tribunal,” Ambassador Gérard Araud of France, which holds the rotating Security Council presidency this month, said in a statement to the press.

“The members of the Security Council welcome Serbia’s intention to ensure the swift transfer of Mladic to the Tribunal in The Hague,” he added.

They also shared the hope that the detention and transfer of Mr. Mladic “will help to bring the Western Balkans region closer to reconciliation and to their European perspective.”

In addition, Bernard Munyagishari, who is wanted by the International Criminal Tribunal for Rwanda (ICTR) on charges of genocide and crimes against humanity, was arrested on 25 May in the Democratic Republic of the Congo (DRC).

Mr. Araud said Council members congratulated the DRC authorities on the arrest and their cooperation with the ICTR, which was set up in the wake of the Rwandan genocide, during which an estimated 800,000 Tutsis and moderate Hutus were killed, often by machete, in little more than three months.

“The members of the Security Council reiterate their support for the search for the last fugitives from the ICTR and call on Member States to continue efforts to fight all forms of impunity in the Great Lakes region,” he said.

Ratko Mladic to be arraigned on genocide charges at UN tribunal



Journalists in front of the international criminal tribunal for the former Yugoslavia (ICTY) in The Hague, where Ratko Mladic will face charges of war crimes. Photograph: Robin Utrecht/AFP/Getty Images

The former Bosnian Serb general Ratko Mladic will be arraigned on 11 charges including genocide and crimes against humanity on Friday morning, judges at the international criminal tribunal for the former Yugoslavia have announced.

The former commander of the Bosnian Serb army faces accusations that forces under his command massacred over 7,000 Bosnian Muslim men and boys in Srebrenica in July 1995.

The indictment also alleges his troops tortured, mistreated and physically, psychologically and sexually abused civilians confined in 58 detention facilities in 22 municipalities. Mladic is also facing charges for the shelling and sniping of Sarajevo, during which thousands of civilians were killed and wounded.

The announcement of his arraignment came after Mladic spent his first night in the United Nations detention unit in a seaside suburb of the Dutch capital. He was flown from Serbia on Tuesday afternoon and was taken under police escort into a isolation cell at dusk where he underwent a medical examination.

Mladic, 69, will be asked to enter pleas on all charges relating to his alleged masterminding of atrocities throughout the 1992 – 1995 Bosnian war.

The tribunal has appointed Judge Bakone Justice Moloto of South Africa, Judge Christoph Flügge from Germany and Judge Alphons Orie from the Netherlands to preside over the trial.

If Mladic complies with the schedule, his arraignment on Friday could bring him into the same court building as his superior during the Bosnian war, Radovan Karadzic. The former Bosnian Serb president is currently on trial for similar charges.

On Wednesday, Karadzic was in court dressed in a smart black suit and crisp white shirt and followed his case closely on two computer monitors. He looked relaxed, yawned and itched his nose.

His trial has already been under way for 18 months and observers at the court point out they are not even halfway through the evidence.

Before he left Serbia, Mladic's lawyer, Milos Saljic, insisted he was not well enough physically or mentally to stand trial. He tried to slow the proceedings by sending his appeal by post at the last possible moment on Monday, but Serbia's war crimes court rejected it almost as soon as it arrived on Tuesday.

The Telegraph

Wednesday, 1 June 2011

Ratko Mladic's new life behind bars

Former Bosnian Serb military commander Ratko Mladic is being held in a Dutch prison where he will face trial for war crimes.

Outside the International Criminal Tribunal for the former Yugoslavia, spokesperson Nerma Jelacic explained the conditions Mladic, and other prisoners, will be kept in.

"They only spend the night hours in the cell itself. They are able, on a normal day, to mix with those who are in the same wing as any accused during the day hours if they are not in a court attending trial," she said.

Mladic's cell has a bed, a table and toilet facilities, but he will be able to spend his time in the communal areas of the prison where he may use a computer and prepare his own food.

The Bosnian Serb was extradited to The Netherlands on a Serbian government jet last night following an unsuccessful appeal on grounds of ill-health.

Associated Press

Tuesday, 30 May 2011

An overview of the Yugoslav war crimes court

A brief look at the International Criminal Tribunal for the former Yugoslavia, established in 1993 by the U.N. Security Council.

—**JURISDICTION:** Perpetrators of atrocities committed during the Balkan wars of the 1990s, including grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war, genocide and crimes against humanity.

—**INDICTMENTS:** 161 ethnic Serbs, Croats and Muslims indicted. Majority are Serbs.

—**CASES:** 64 convictions, 13 acquittals, 16 at appeal, 14 on trial, 13 transferred to Balkan states for trial, 36 had indictments withdrawn, 4 awaiting trial, 1 at large.

—**JUST ARRESTED:** Former Bosnian Serb military chief Gen. Ratko Mladic, charged with genocide, extermination, murder, persecutions, deportation, inhumane acts, and other crimes committed against Bosnian Muslim, Bosnian Croat and other non-Serb civilians during Bosnia's 1992-1995 war.

—**TOP CONVICTS:** Gen. Stanislav Galic, sentenced to life imprisonment for commanding Bosnian Serb troops laying siege to Sarajevo; Gen. Radislav Krstic, 35 years for aiding and abetting genocide in Srebrenica, Bosnia, in 1995; Goran Jelisic, who called himself the "Serb Adolf," 40 years; Former Bosnian Serb President Biljana Plavsic, 11 years.

—**FUGITIVE AT LARGE:** Goran Hadzic, a former leader of rebel Croatian Serbs.

New Democrat (Monrovia)

Tuesday, 31 May 2011

Liberia: Trading Impunity for Reconciliation

Editorial

Unfolding events in recent times signal orchestrated ploys to defend and protect individuals responsible for some of the pronounced abuses anywhere.

One is the President's u-turn on her declared policy when she won the presidency, which was that individuals with unacceptable human rights records would never serve in her government.

The next is the declaration by the chair of the state-named human rights commission, Mr. Leroy Urey, that the travel imposed on Mr. Charles Taylor and family, and some of the key actors in his regime, is unconstitutional.

It is unfortunate that the president, a victim of human rights abuse, has reneged on this declared policy that won her admiration here and abroad.

We believe that the appointment of individuals who laid the foundation for the current misery under the guise of reconciliation is a clear message that impunity pays and can be continuously rewarded. It is a sad indication that the tens of thousands who were killed and maimed deserved what they got.

It is necessary to reconcile. But reconciliation cannot mean patting impunity on the back to create the environment for perpetual abuses and the absence of repentance. With the calls for a code of conduct for public officials, the political rehabilitation of key politicians of the past with horrifying record is again a testament that this government has turned its back on the values of human rights and accountability it came to office with.

Regarding the declared unconstitutionality of the UN Security Council's travel ban imposed to ensure national and regional security, we suggest that Mr. Urey, Deputy Justice Minister when abuses were acceptable and defended, has one option, and that it is to take the UN Security Council to court.

But we must remind Mr. Urey that there is no constitution worth the name that protects summary executions, pillage and other abuses that led the UN Security Council to impose the ban on behalf of the defenseless.

The ban remains necessary based on many reports that the security landscape that makes the presence of over 8000 UN soldiers necessary remains fragile and dangerous.

It is unfortunate and regrettable, but understandable, that the state-run and financed human rights commission sees its mandate as defending human rights violators, not the victims. This signals the rise of impunity and it is a dangerous signal.