

**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, 10 December 2009

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

Plans to Impeach Taylor's Document / <i>The Spectator</i>	Pages 3-4
Taylor Speaks Out / <i>The Exclusive</i>	Page 5
Special Court Uncovers \$14m in Charles Taylor's Account / <i>Independent Observer</i>	Page 6
Waters Getting Hotter for Charles Ghankay Taylor / <i>For di People</i>	Page 7
Statement by the Chairperson of the Human Rights Commission of Sierra Leone / <i>Awoko</i>	Pages 8-9

International News

Taylor's Secret Bank Account Revealed / <i>Radio Netherlands Worldwide</i>	Page 10
Sierra Leone Moves Ahead With Compensation for War Victims / <i>IRIN</i>	Page 11
UNMIL Public Information Office Media Summary / <i>UNMIL</i>	Pages 12-16
Gacaca Courts Near End / <i>Radio Netherlands Worldwide</i>	Page 17
Duch Trial Ends With a Twist / <i>International Justice Tribune</i>	Pages 18-19
Dutch SS Confesses / <i>International Justice Tribune</i>	Page 20

The Spectator

Thursday, 10 December 2009

Plans to Impeach Taylor's Document

Impeach Taylor Documents

The trial of former Liberian president, Charles Taylor, took an unexpectedly early recess today after his defense team asked for more time to study documents disclosed by prosecutors for use in Mr. Taylor's cross-examination.

After judges issued an order last Thursday requiring prosecutors to disclose to Mr. Taylor's defense team all new documents intended for use by prosecutors in cross-examining Mr. Taylor, prosecutors have now disclosed more than 100 new documents.

These documents will either be used to try to impeach Mr. Taylor's credibility as a witness in his own defense or to point to his guilt on the 11 charges of war crimes, crimes against humanity and other serious violations of international humanitarian law for his alleged role in the crimes committed by rebel forces during the Sierra Leonean conflict.

Yesterday, defense lawyers told the judges that the magnitude of the docu-

Plan to Impeach Taylor Documents

ments already disclosed - with more expected from the prosecution - they would need more time to study them and prepare for Mr. Taylor's cross-examination based on those documents.

The team requested that proceedings be adjourned immediately and that they be given the entire period of the Christmas recess to study all the disclosed documents. The court's recess was due to run from December 11, 2009 to January 11, 2010.

"I am asking that we be given this week and the rest of the recess to have time to assimilate these documents," lead defense counsel Courtenay Griffiths told the judges.

The defense also asked the judges to exercise some judicial supervision over the use of the documents that prosecutors intend to use in cross-examining Mr. Taylor. The defense requested that "before any document is

used, we should establish that the document is in the interest of justice and does not violate the fair trial rights of the accused."

Prosecutors did not object to the defense application. On the defense request for the court to order an immediate adjournment of the proceedings, lead prosecutor Brenda Hollis told the judges that "should the defense think that they need more time to consider these documents, then it is their right to do and it is for you to determine."

After conferring with each other, the judges issued an order granting the defense request for an immediate adjournment that will run into the court's Christmas recess. The court also ordered that all documents intended for use in cross-examination of Mr. Taylor be served on the bench for "judicial supervision."

The Exclusive

Thursday, 10 December 2009

Taylor Speaks Out

The Accused, Charles Taylor, has been testifying on cross-examination by the Prosecution since 10 November 2009. The below are transcript excerpts of some of the more interesting and compelling moments from the cross so far. These include:

Continued page 3

Taylor Speaks Out

From front page

" Mr. Taylor's claims concerning violence and atrocities in Liberia and Sierra Leone

" His alleged support for the rebels in Sierra Leone

" Bribes paid to officials in other countries to buy weapons

" His alleged use of child soldiers

" Mr. Taylor as a leader - not sharing the hardships of his soldiers, not being on the front lines

" Taylor allegedly having personal bank account(s) taking money that should have gone to the Liberian treasury, or by corrupt means; in addition, the use of Citibank in New York as a correspondent bank.

Two Prosecution attorneys have conducted the cross-examination of Mr. Taylor: Brenda Hollis, the Principal Trial Attorney, and Nicholas Koumjian, a Senior Trial Attorney. The trial adjourned on 7 December and will resume on 11 January. When court resumes, the Prosecution will continue to make use of documents to challenge Mr. Taylor's credibility and show he was not truthful during his direct testimony. The Prosecution's right to do so under the established principles of international law was affirmed by the Judges in their ruling on the use of such materials on 1 December.

In addition, here are a few quotes from the Acting Prosecutor, Joseph Kamara:

" "Given the length of Mr. Taylor's direct-examination, there are many issues for us to explore. We certainly don't intend to take as long as the 13 weeks the Defence took. But it's important that we fully test Mr. Taylor's stories and account."

" "We are pleased to have begun our cross in earnest, and to be challenging the Accused with documents to show he has not been truthful in this courtroom."

" "We've tested the credibility of Mr. Taylor's claims on a number of fronts, and our cross has only just begun. He challenged us to bring forth evidence of the wealth he accumulated while in power. We were pleased to do this. And throughout our cross we will confront his claim that he was a peacemaker in Sierra Leone. Our evidence shows just the opposite."

" "We are very pleased with where the trial is now, as we break for the holiday recess. And we're very much looking forward to confronting Mr. Taylor with more material as soon as trial resumes on January 11."

Excerpts from Testimony
NOVEMBER 18 and 19

Context: Arrest of journalists. The Prosecution contends that these

journalists, including the reporter/filmmaker Sorious Samura, were jailed because they were going to reveal illegal and improper practices of Mr. Taylor and the Liberian government. Mr Taylor denied this, and stated they were charged with espionage, that they were going to spread lies, and also that they were part of a plot to kill him with the use of a camera that could issue a laser of some kind that could cause cancer.

Nov 19 - Page 32107

Q. And Mr Taylor, in fact during your leadership in Liberia the same sort of prohibitions were placed on members of the public and members of the media; isn't that correct?

A. Total nonsense.

Q. And the truth of it is, these journalists were put in jail because they were going to investigate things that were really going on in your country; that's truth of it isn't it, Mr Taylor?

A. Totally untrue. Total nonsense.

Q. Things like the lack of good governance in your country?

A. No.

Q. They were going to investigate that, weren't they?

A. Total nonsense, no.

Q. And they were going to investigate the ongoing criminal conduct of your subordinates against civilians in your country; isn't that correct, Mr Taylor?

A. Totally incorrect.

Q. And they were going to investigate your criminal

involvement with the RUF and Sierra Leone diamonds; correct, Mr Taylor?

A. That's the essence of your fallacy with your - with my criminal conduct. There was no such criminal conduct on my part, and I was not aware that they were there to investigate such.

Q. And you were not going to permit this, were you, Mr Taylor?

Not from journalists, and not from other individuals?

A. Total nonsense. There were so many other journalists from Western governments that had come and gone: CNN, BBC, everybody.

It was their mischief on their part and the criminal conduct that they conducted in Liberia that was proven, that they confessed to and apologise unreservedly. So your assertions are totally unfounded and nonsensical.

Q. And so you found a way to shut down their investigation so

they could not further expose your activities. That's the truth of it, isn't it, Mr Taylor?

A. That's the false of it.

NOV 18 Page 32087

[Prosecution quoting from previous testimony of Mr. Taylor]

Mr. Taylor: "Here is an attempt to kill me. And let me just mention, I mean the Sorious report is available, and why it was - I mean, they were arrested, those journalists were arrested.

Continued next edition

Independent Observer
Thursday, 10 December 2009

Special Court UnCOVERS \$14m In Charles Taylor's Account



In testifying in his own defence earlier, Mr. Taylor had categorically denied operating an account anywhere in the world not even in Liberia.

But when the prosecution brought this to his attention on Monday this week, he replied that it was set aside to buy arms.

There was a stunning revelation at the Sierra Leone Special Court sitting in The Hague when the prosecution produced evidence to show that Mr. Charles Taylor operated a US dollar account in his name. The account with Liberia's Development Investment Bank was opened in December 1999 with an initial amount of US\$1,000. But over a period of time it was credited with monies totalling US\$14 million of which US\$3 million came from the Government of Taiwan.

Minister To Nullify

For di People

Thursday, 10 December 2009

Waters getting hotter for Charles Ghankay Taylor

TWO PROSECUTION Attorneys have conducted the cross-examination of Mr Charles Taylor: Brenda Hollis, the Principal Trial Attorney, and Nicholas Koumjian, a Senior Trial Attorney.

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Awoko

Thursday, 10 December 2009

Statement by the Chairperson of the Human Rights Commission of Sierra Leone (HRCSL) Edward Sam on Human Rights Day in Sierra Leone, 10 December, 2009

Today, International Human Rights Day, is the 61st Anniversary of the Universal Declaration of Human Rights (UDHR). This Declaration reminds us that “all human beings are born free and equal in dignity and rights”. These famous first few words of the UDHR set the basic premise of international human rights. As you know Sierra Leone has ratified many international human rights instruments founded on the UDHR, enacted laws and established institutions including the Human Rights Commission of Sierra Leone to promote and protect human rights.

Reflecting on this year's global theme “Embrace Diversity and End Discrimination” is a call to celebrate our different national cultures as well as our racial and ethnic diversity. The theme also directs us to end all forms of discrimination in Sierra Leone as is re-enforced by our national theme “We all na wan”.

As we close our 16 days of activism against gender violence, let us remember that women, children, persons with disabilities, the elderly and the poor experience discrimination, thereby limiting their enjoyment of civil and political rights as well as economic and social rights. The theme also calls on every one of us to work to end discrimination based on race, ethnicity and nationality. The U.N. High Commissioner for Human Rights, Ms. Navi Pillay, in her statement marking this day has reminded us that racial and ethnic discrimination remain the most dangerous forms of discrimination, and that left unchecked, or actively fanned, they can all too easily lead to hatred, violence and, in the worst case-push on up the scale to full blown conflict, crimes against humanity and genocide.

As a post conflict nation we must recommit ourselves never again to engage in actions that will disregard human rights. We must resolve to implement in full the recommendation of the Truth and Reconciliation Commission Report that are directed at the promotion and protection of human rights in our country.

The participation of all Sierra Leoneans in various

activities nationwide marking human rights week demonstrates the collective efforts of HRCSL, Government, Parliament, National Institutions, Civil Society Organizations, the Media, educational institutions, the private sector, traditional leaders, foreign nationals, the United Nations System and the diplomatic community to heighten awareness of, and deepen respect for human rights of everyone and end discrimination.

Sustainable peace, development, and prosperity cannot thrive when some people and sections of our society feel excluded or marginalized due to the treatment they receive from others who are in the majority: treatment that prejudices, stigmatises or denies them their human rights.

As a nation, let us henceforth from this day, embrace diversity and inclusiveness. Let us work to end discrimination by transformation of our attitudes. Let us build a new culture of social

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Radio Netherlands Worldwide

Wednesday, 9 December 2009

SCSL: Taylor's secret bank account revealed

By Franck Petit



The Hague, Netherlands

Nicholas Koumjian, who has been leading the cross-examination of Charles Taylor at the Special Court for Sierra Leone, ended the last hearing of the year with a dramatic piece of evidence: a previously unseen statement from a personal bank account opened by the defendant in December 1999.

The former Liberian president is charged with 11 counts of war crimes and crimes against humanity relating to his role in Sierra Leone's civil war.

Taylor - who has always claimed that "no one, no human being has ever come up and said, 'Here is a bank account with a million dollars belonging to Mr Taylor'" - acknowledges the existence of the account at the Liberian Bank for Development and Investment, but rejects prosecutors' suggestions that he used it to hide illicit funds. It was a "covert account opened up by the Government of Liberia during this period, to fight our war", Taylor told the court.

The prosecution focused on two major deposits made in 2000: 2 million dollars from Natura Holdings, whose Dutch owner was accused and later acquitted of illegal arms sales; and 3.5 million dollars from the Taiwanese embassy in Monrovia.

"The total for nine months, Mr Taylor, \$10,842,268.93", said Koumjian. "Why is it covert? Because it's going into your pocket?"

"No, Mr Koumjian. We were accumulating money. That's how we managed to pay for the arms that I have said that I ordered in 2001," Taylor replied. Arms paid "in cash" to Serbia, he added, but said he "can't remember" millions of dollars of transactions shown by the bank statement. "It was used for covert activities", admits Taylor.

Taylor's cross-examination will continue when the trial resumes in January.

IRIN

Wednesday, 9 December 2009

Sierra Leone Moves Ahead With Compensation for War Victims

Sierra Leone has made a strong start in compensating war victims but only early steps have been made in a long process that needs long-term government commitment and funding, says an NGO monitoring reparations progress.

"The reparations made to date have been an important effort by NaCSA [National Commission for Social Action], but we are afraid the government might see these as having filled its duty of complying with obligations to victims," said Cristián Correa, senior associate at the International Center for Transitional Justice (ICTJ).

To meet its obligations to eligible war victims - orphans, war widows, amputees and rape survivors - the government must commit financially to long-term health and education assistance, building a sustainable national programme in collaboration with victims and civil society, ICTJ says in a 4 December report.

ICTJ examined and reviewed the lessons learned from a one-year project - funded at US\$3 million by the UN Peacebuilding Fund (PBF) - for boosting national capacity to implement the Truth and Reconciliation Commission (TRC) recommendations. To date the government has put US\$246,000 toward the reparations programme.

ICTJ notes that conditions put on the PBF funding - that it be used within a year and that 75 percent go to direct victim benefits - made it difficult to lay the groundwork for longer-term goals.

In 2009 NaCSA provided small grants to victims, as a way of providing relief before longer term help is in place.

"This is an interim measure and is an important source of immediate support to those in most need," the ICTJ report said. "But these grants will at best serve as a preliminary stipend. so it is necessary that a permanent measure of financial reparations be implemented soon."

NaCSA said it was seeking funding from international donors, but ICTJ researchers say the government must not depend on outside sources.

"The TRC clearly said the government is mainly responsible for funding reparations," said Mohamed Suma, ICTJ consultant and co-author of the report. "[The TRC] proposed a variety of mechanisms by which to do so - including taxes [e.g. on diamonds] and government budgetary allocations. To date there is no indication that the government has taken these up and developed such mechanisms, apart from launching the Trust Fund."

The government recently in October launched a war victims trust fund, to be financed by private and public sources.

ICTJ called the trust fund a good starting point, if overdue, but said it must not depend on international funding. "The main responsibility for funding reparations resides with the government and Sierra Leonean society."

Government director of reparations Obi Buya Kamara told IRIN the government is doing what it can to mobilize resources both locally and internationally. "This government is committed to reparations. The trust fund is one example of the serious commitment." Sierra Leone is "a post-conflict country" and is working to address human rights violations from the war, he added.

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 09 December 2009

[The media summaries and press clips do not necessarily represent the views of UNMIL.]

International Clips on Liberia

International Clips on West Africa **Sierra Leone**

Mixed Reactions to Libel Laws Ruling

Freetown, Dec 09, 2009 (Inter Press Service/All Africa Global Media via COMTEX) -- Journalists in Sierra Leone can still be arrested and jailed for writing material considered "libel" regardless if what they published is true or not. The country's Supreme Court recently threw out the case calling for an interpretation and repeal of current law. The Sierra Leone Association of Journalists (SLAJ), which brought the case to court, says the organisation is disappointed at the ruling and called it a serious blow to the battle for Press freedom. The SLAJ had argued that the provisions of the 1965 Public Order Act, which stipulates prison terms for journalists guilty of libel, contradicted section 25 of the country's 1991 National Constitution, which guaranteed freedom of expression.

Guinea

Guinea talks at an impasse after junta pull out

CONAKRY, Dec 9, 2009 (AFP) - Talks between Guinea's junta and the opposition have reached an impasse after the military leadership announced it would pull out until its leader Captain Moussa Dadis Camara had recovered from a murder bid. The junta announced Tuesday night that it was suspending talks with ECOWAS mediator Blaise Compaore, Burkina Faso's president, until Camara returns to work. On Wednesday the opposition called on the international community to force them to relaunch the talks. "The junta cannot use the poor health of its leader to stay in power indefinitely," said one opposition leader, Mamadou Bah Baadiko. Camara is in Morocco receiving medical treatment after being shot by one of his aides on December 3. "It is up to the Economic Community of West African States (ECOWAS) to take steps to move the situation forward and to force the junta back to the negotiating table," said Baadiko, the leader of the Union of Democratic Forces (UFD).

Guinea's junta suspends political negotiations

Source: AP Online Regional - Africa Date: December 09, 2009

CONAKRY, Guinea_A spokesman for Guinea's military junta says negotiations on the country's political crisis have been suspended until the return of the country's wounded president. Minister of Communications Idrissa Cherif says that the talks meant to find a solution to the country's political stalemate have not been canceled. Cherif said Wednesday the talks though cannot continue until the president returns and says that timing is up to doctors. Guinea's military leader suffered a bullet wound to the head last week when his aide-de-camp opened fire on him. He was rushed to Morocco

for emergency surgery. The state of his health has been a mystery. Junta officials insist he is doing well, while foreign diplomats indicate that he is seriously wounded.

Cote d'Ivoire

Ivorian farmgate cocoa prices rise on shortage fears

Wednesday December 09 2009

FARMGATE cocoa prices in Ivory Coast jumped last week, propelled by fears of a tightening in supply early next year and firm port prices led by the London futures market, farmers and buyers said yesterday.

UN concerned about poll delay in Ivory Coast

UNITED NATIONS (AFP) – December 9, 2009 -The UN Security Council on Tuesday urged **Ivorian** parties to resolve technical and financial hurdles that caused the sixth postponement of the presidential elections in the West African country. It noted with concern that the polls, which had been scheduled for November 29, were again put off until early next year. The 15-member body adopted a non-binding statement that "urges the **Ivorian** actors to address the remaining tasks and to hold open, free, fair and transparent presidential elections at the earliest possible date." It noted that the publication of a final voters list certified by the UN special representative to the former French colony "is crucial for the holding of open, free, fair and transparent elections."

Local Media – Newspaper

TRC Final Report Release, Ten Names Added for Prosecution

(Public Agenda, National Chronicle, The Analyst, Liberia Journal, Heritage, Liberian Express, The News, The Inquirer)

- The Truth and Reconciliation Commission of Liberia (TRC) has released its final report with additional names recommending prosecution and punishment for alleged perpetrators.
- According to the TRC, at least ten new names were included to the list of individuals identified as most notorious perpetrators of the Liberian war.
- Speaking at a news conference yesterday, the Chairman of the TRC, Jerome Verdier said at least two names were also recommended for public sanctions while five others were listed for economic crimes.
- Chairman Verdier said as part of the final report, there is also a list of about one hundred foreign fighters labelled as mercenaries.
- He said although the TRC does not have enforcement powers, Liberians must demand the full implementation of the report.

Guinean Military Junta Arrest 60 Persons For Attempt on Leader's Life

(Public Agenda, Liberia Journal, Heritage, New Democrat, Liberian Express The News, Plain Truth)

- Reports say alleged coup plotters who tried to kill the Guinean junta Leader, Captain Moussa Dadis Camara are being 'hunted down' and arrested by the military Government.
- The Junta spokesman, Idrissa Cherif said more than 60 persons are in custody over last week's assassination attempt.
- Other reports say the troops are torturing and killing people and residents of the capital, Conakry are living in fear.
- Rights groups say Captain Camara who is recovering from a bullet wound in the head should step down.
- He was flown to Morocco for surgery after the incident with conflicting report on the severity of the injuries.
- Meanwhile, a local daily, Plain Truth reports from that news from that neighbouring country suggests that the Government of Liberia is being accused of aiding dissident forces with arms and ammunition to overthrow the Guinean military junta.

UN Envoy Recognizes Volunteers' Immense Contributions to Liberia

(Heritage, Public Agenda, The Informer)

- The Special Representative of the Secretary-General (SRSG), Ms. Ellen Margrethe Løj has hailed UN volunteers for their immense contribution to the work of the UN in Liberia.
- Ms. Løj said she was not surprised by their dedication and commitment and thanked them for their contributions to the work in the country.
- Earlier, delivering the UN Secretary-General, Ban Ki-moon's International Volunteer Day 2009 message, the UN Envoy said volunteerism is a source of community strength, resilience, solidarity and social cohesion.
- She said volunteerism can also bring positive social change by fostering respect for diversity, equality and the participation of all.

Visiting Nigerian Military Delegation Promises more Support for Liberia

(Heritage, The Inquirer)

- Speaking Tuesday when a high-powered Nigerian military delegation visited the Ministry of National Defense, Minister Brownie Samukai called on Nigeria to offer additional training opportunities to the Armed Forces of Liberia.
- Minister Samukai said the training provided the new Army has added value to the military.
- According to the Defense Ministry Boss, AFL soldiers and senior military officers trained by Nigeria are performing with distinction and credibility.
- For his part, the head of the delegation, Nigerian Chief of Defense Staff, General Paul Dike assured that the Nigerian Military was prepared to assist the AFL in any way possible.

NEC Undertakes Post By-Election Evaluation

(The Informer, Heritage)

- The National Elections Commission(NEC) in the lead-up to the 2011 Presidential and General elections will tomorrow commence a two-day post Montserrado County Senatorial by-election evaluation retreat in Gbarnga , Bong County.
- According to a NEC release, the exercise is necessitated by new challenges experience during the conduct of the just-ended Senatorial By-election.
- The retreat is being held in collaboration with the International Foundation of Electoral System (IFES) with funding from the United States Agency for International Development (USAID) and is expected to bring together participants from the NEC and IFES.

Egypt Awards Eight Scholarships, Training Program To Liberians

(The Analyst)

- Egyptian Ambassador to Liberia, Ahmed Fadel Yakoub says his government has offered 8 more Scholarships to Liberians to undergo training programs in Diplomacy, Judiciary, Agriculture, and to pursue undergraduate studies in the Egyptian University.
- According to Ambassador Yakoub, two mid-career Liberian diplomats are currently at the Institute of Diplomatic Studies in Cairo taking part in a training course along with participants from other English speaking African countries.
- They are Ms. Ethel Davies and Ms Perry Kaddie, who is currently assigned at the Liberian Embassy in France.
- The Scholarships were also granted to two Liberian Judicial Cadres of the Civil and Administrative department of The Supreme Court of Liberia.

TJWG Focuses on TRC Report - Embarks on Three-Month Dissemination Project (The Analyst)

- The Transitional Justice Working Group (TJWG) said it has embarked on a three-month project on the dissemination of the final Truth and Reconciliation Commission (TRC) Recommendations.
- The United Nations Development Fund (UNDP) funding the project which is expected to cover ten of the most populous counties of Liberia.
- According to the Coordinator of the TJWG, Cllr. Augustine Toe of the Catholic Justice Peace Commission (JPC) the project is targeting about 40 participants drawn from women, youth and local leaders in a town hall meeting in each county.
- The Transitional Justice Working Group (TJWG) is a coalition of 20 civil society organizations (CSOs) working on transitional justice in Liberia.

World Bank Reviews Liberia's Waste Disposal Methods

(The News)

- The World Bank Country Director in Liberia, Ohene Nyanin has questioned the procedures put in place by the Municipal government and the communities to ensure a frequent solid waste collection.
- Mr. Nyanin said the World Bank has made resources available to the government to ensure the collection and disposal of solid wastes but blamed community residents for not disposing their garbage properly.
- For his part, Public Works Minister Samuel Woods said government was working with the World Bank and the city Corporation to design strategies to tackle the problem of solid waste.
- They spoke when a delegation comprising the Public Works Minister, World Bank Country Director and the Acting City Mayor toured two solid waste collection sites in Monrovia

Government/EU Screen Video on Forest Law Enforcement

(The Heritage)

- Government and the European Union have completed the screening of the second technical video on forest law enforcement in Liberia.
- The voluntary partnership agreement seeks to promote sustainable forest management in Liberia by addressing the problem of illegal logging in the country.
- It is also intended to promote legally-harvested and sustainable Liberian forest products on European markets.
- As part of the agreement signed between Liberia and the EU, a licensing system has been put in place to ensure that exported timber products have been legally produced.

Local Media – Star Radio (*culled from website today at 09:00 am*)

TRC Final Report Release, Ten Names Added for Prosecution

(Also reported on Radio Veritas, Sky F.M., Truth F.M. and ELBC)

Visiting Nigerian Military Delegation Promises more Support for Liberia

(Also reported on Radio Veritas, Sky F.M., Truth F.M. and ELBC)

World Bank Reviews Liberia's Waste Disposal Methods

(Also reported on Radio Veritas, Sky F.M., Truth F.M. and ELBC)

Government,EU Screen Video on Forest Law Enforcement

(Also reported on Radio Veritas, Sky F.M., Truth F.M. and ELBC)

Truth F.M. (*News monitored today at 10:00 am*)

NEC Undertakes Post By-Election Evaluation

UN Envoy Warns Troops Against SEA

- The Special Representative of the Secretary-General (SRSG), Ms. Ellen Margrethe Løj has praised the Philippine contingent serving in the UN Mission in Liberia for their work in the country.

- Speaking when she presented peacekeeping medals to the 12th Philippine contingent, Ms. Løj said they had gone beyond the call of duty by conducting clean-up campaigns in parts of the city.
- She then reminded UNMIL troops and personnel to respect the UN Secretary-General's request for zero tolerance on sexual exploitation and abuse.
- Also speaking, the Contingent Commander, Vicente Gregorio Tomas promised that his men would maintained the zero tolerance on sexual exploitation and abuse during their tour of duty.
- One hundred and thirty five Filipino peacekeepers received UN medals.

“Widows” of Former State Security Personnel Stage Peaceful Protest to Demand Their Husband

- Widows of former state security personnel yesterday staged a peaceful protest before the Headquarters of UNMIL.
- In an interview, the widows said they had gone to the UNMIL Headquarters to follow up on a letter asking the SRSG to intervene on their behalf so Government can pay them the benefits of husbands.

Radio Netherlands Worldwide

Wednesday, 9 December 2009

Rwanda: Gacaca courts near end

By Thijs Bouwknecht



Kigali, Rwanda

The Rwandan Gacaca courts, initially scheduled to close in June 2009, will now have to finish their work by the end of this year.

The traditional courts were enlisted in 2001 to serve as a vehicle for truth, justice and reconciliation following the 1994 Rwandan genocide.

The age-old system was retooled to deal with overcrowded prisons holding up to 120,000 genocide suspects. Since 2005, more than 12,000 community juries have dealt with over a million files and secured over 70,000 convictions. Some 3,000 cases have not yet not been completed and their files will be sent to Rwanda's national courts.

Executive Secretary of the Gacaca Courts, Domitilla Mukantaganzwa, said the courts had been a success. "Gacaca has had a very big role in promoting the reconciliation process in Rwanda because it helped those who killed to come face to face with the survivors and through this process, genocide perpetrators have been able to seek forgiveness from survivors."

But not everyone has welcomed the traditional folk tribunals. Amnesty International said that the trials were compromised since the accused have no right to see their files or be legally represented. Amnesty also reported that judges and witnesses were frequently threatened and sometimes even murdered.

Richard Goldstone was the first Chief Prosecutor at the International Criminal Tribunal for Rwanda. He agrees that the Gacaca "is not a fair system by the international standards", but argues that in the case of Rwandan genocide – where there were as many perpetrators as victims – the Gacaca has served a useful purpose. "I have yet to hear any rational alternative which could be used by the Rwandan government to get tens of thousands of suspects out of prison."

International Justice Tribune

Wednesday, 9 December 2009

Duch trial ends with a twist

By Thierry Cruvellier



*Phnom Penh,
Cambodia*

“Do I infer that the accused is seeking an acquittal?” asked Judge Cartwright.

“I did say that. Release means an acquittal,” responded Cambodian defence counsel Kar Savuth.

These were the final words in the trial of Kaing Guek Eav, a.k.a. Duch, the former head of the Khmer Rouge detention and torture centre S-21. They signalled the implosion of Duch’s defence team after an eight month trial during which it had appeared to be the most well-prepared and cohesive party by far.

At the last possible moment, during closing arguments last month, the Cambodian co-counsel asked for his client to be released, arguing that the Extraordinary Chambers in the Courts of Cambodia (ECCC) lacked jurisdiction to try Duch since he had never been a senior leader of the Khmer Rouge regime.

This was a complete reversal from what had been the defence line for more than two years under French co-counsel François Roux. Under Roux’s guidance, Duch had pleaded guilty, apologized to his victims and said that he would accept the harshest sentence for his crimes.

But he is now asking to be acquitted, openly siding with his Cambodian lawyer against his French one. In a final twist, the defence team effectively destroyed itself, without any help from the prosecution.

“We were as surprised as everyone,” said acting Chief Prosecutor William Smith at a press conference after the hearing.

“Throughout the case we have said that the accused’s remorse and cooperation were limited. The fact that it ended [this way] reinforces my position that his remorse is limited.”

Civil parties, who had consistently expressed their doubts about the sincerity of Duch’s remorse and full cooperation, also felt vindicated by the accused’s u-turn.

“This was a slap in the face of the victims of the regime,” said one of their lawyers, Silke Studzinsky.

“The door is now closed,” she added, while one of her colleagues said he still preferred that it “remained ajar.”

Despite the actions of his Cambodian co-counsel, Roux has nevertheless remained on board - at least for the time being.

In an interview with online newspaper Ka-Set, Roux noted that his co-counsel's position echoed the Cambodian government's desire not to prosecute any suspects other than the four members of the Khmer Rouge leadership awaiting trial before the ECCC in 2011.

"The message [being sent] to the three Cambodian judges is far from neutral," he said.

"I may be wrong in my interpretation but I am not off the subject when I hear [Cambodian Prime Minister] Hun Sen say: 'I don't want more', when I know that [Cambodian prosecutor] Chea Leang does not want more and when Kar Savuth says 'There mustn't be more'...If this is what is meant to be acknowledged, then Duch is not involved," Roux said.

"To witness such collapse at the end of the Duch trial is to send a very strong message: 'Your tribunal is not ours'," Roux concluded.

Following the hearing, Smith told reporters that "the collaboration between Cambodians and non-Cambodians is one of the greatest successes of this court."

Roux, however, disagrees and says that it is precisely this peculiar feature of the ECCC - where at every level a Cambodian national shares responsibilities with an international counterpart - that led to such an undesirable situation.

"A detainee is always in his lawyers' hands. It is an impossible situation for him when he has two lawyers who say two different things."

For two months the international co-investigating judge has also been dealing with an uncomfortable conflict with his Cambodian colleague. Last week was the turn of the defence. Tomorrow, it may well be the turn of the trial judges.

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Dutch SS confesses



Aachen, Germany

Dutch war criminal Heinrich Boere has made a full confession to the three murders for which he stands accused.

The 88-year old told a court in Aachen, Germany, that he had joined the Nazi SS during World War II and killed three Dutch citizens in reprisal for anti-Nazi attacks.

In 1949, two years after escaping from a Dutch prison, Boere was sentenced to death in absentia by a Dutch court for the three murders.

He reappeared in Germany in 1954. Because he had by then acquired German citizenship, he could not be extradited to the Netherlands. A Dutch request to have him serve time in a German prison was denied because his conviction was ruled invalid by a German court. Instead, the German justice ministry began its own case against Boere.

Before he made his confession, the court denied a defence motion to dismiss the case. The motion was filed last Monday, when the Treaty of Lisbon came into effect. The treaty states that a court in the European Union cannot try or sentence an accused for the same crime more than once.

The court ruled that the ban on double jeopardy was insufficient grounds for dismissal, arguing that the rule does not apply if the accused flees the country where he was prosecuted in order to avoid serving prison time.