

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



Boats at Tombo.

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, 10 December 2010

Press clips are produced Monday through Friday.
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Editorial

Protecting The Unprotected

Last week, we ran a very interesting story of a Special Court Prosecution witness who was complaining of being left unprotected despite threats.

The witness TFI 375, is very angry that while not-so key Liberian witnesses have been relocated to a third country mainly in Europe, he has been left on his own living somewhere in Freetown without any protection.

The witness is also feeling that he has been used and dumped by the Special Court who now is not bothered about his protection because they don't even know where he lives after giving evidence against Charles Taylor. We ran that story after contacting three officials of the Special Court but only one managed to talk to us on the issue.

His comments were published but he claimed that he was misquoted in some way even though he did not say anything damaging to the whole story.

We are surprised that the Special Court for Sierra Leone should find itself in this position particularly now that the Taylor's case is not yet over and the defence can capitalize on the disgruntled attitude of the witnesses.

The Special Court is now in a position in which it is slowly rounding up its operations but it has to tidy up all the loose ends or else the court's job will be incomplete.

We wonder whether it would be too much for the Special Court to pay special attention to these kinds of accusations which will damage its reputation and make the whole series of trials questionable, if the witnesses decide to continue to go public about what actually transpired before they went on the witness stand.

We are not sure what the witnesses were promised or what they were told would be their protection status, but it is logical to believe that if the witnesses were kept together and then some of them were granted asylum, while others were left in the cold, they would protest.

This protest must not be allowed to become too loud for the credibility of the Court, so action must be taken to ensure that the men who sacrificed their freedom so that justice will be done, are safe and free from harm.

We are not saying that they should be paid off, but we believe their protection is paramount because sooner or later, people will find out that these are the guys who sold them out and will want to revenge on them.

This is not far-fetched because we know that people do not forget easily especially those who were benefitting from these people.

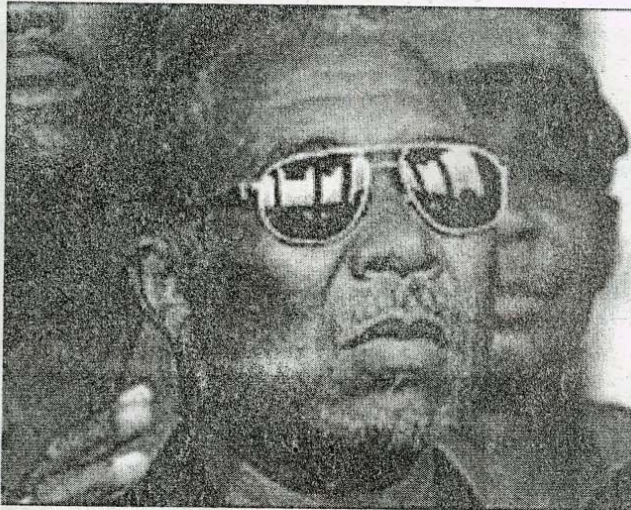
Even though they may be behind bars, the likes of Charles Taylor and others have sympathizers who are in both Sierra Leone and Liberia, and will use any opportunity to kill those who prosecuted their breadwinners.

We therefore ask that these witnesses be protected for their own good.

Taylor's Judgment In July

Judgment in the trial of the former Liberian President, Charles Taylor will be made in July next year, according to the prosecutor.

By Abu Bakarr Munu



The former president is standing trial in The Hague, at the Special Court for Sierra Leone (SCSL), where he is accused of human rights abuses and crimes against humanity relating to the war in Sierra Leone.

The SCSL Prosecutor, Brenda Hollis made this disclosure during a public lecture on the activities and legacies of

the court at the Department of Mass Communication at Fourah Bay College.

Brenda Hollis said the defence team for Charles Taylor has concluded its submission of no case to the panel of Judges and that by next year the court will deliver judgment.

"Taylor was indicted in 2003 and arrested in 2006, and later transferred to The Hague in Netherland," she said.

The prosecutor went on to

say that in January both sides will present written arguments to the panel of judges, and by the end of February judges will be writing their judgments for a verdict in the matter.

Speaking on the legacies of the court, Brenda Hollis said it was created by the people of Sierra Leone because they believe in the rule of law and the principles of forgiveness and accountability for lasting peace.

Earlier, the prosecutor said the SCSL was set up in 2000 after the Lome Peace Accord, an agreement between the Government of Sierra Leone and the United Nations to bring to book major players (those who bear the greatest responsibility).

She said the aim was to address the issue of impunity and bring lasting peace for the people of Sierra Leone.

She said two trials have been concluded namely the RUF and CDF, all of whom are now serving jail terms ranging from 15 to 52 years.

Awareness Times
Friday, 10 December 2010

Judiciary Commissions Two New Courts

*By Augustine Samba &
Aruna Turay*

The Sierra Leone Judiciary, under the leadership of Chief Justice Umu Hawa Tejan Jalloh, has commissioned two newly constructed court houses plus a Judicial and Legal Training Institute in Freetown.

The various commissioning ceremonies that took place on Thursday 9th December 2010 attracted distinguished personalities including Vice President Samuel Sam Sumana, Inspector General of Police and his deputy, Francis Allieu Munu and Richard Moigbeh respectively, the newly appointed Attorney General and Minister of Justice, Frank Kargbo, newly appointed Deputy Minister of Information and Communication, Sheka Tarawallie, Judges, Magistrates and a host of other legal practitioners. The newly commissioned Fast Track Commercial Court and the Judicial and Legal Training Institute are situated at Government Wharf whilst the Magistrates' Court is situated at Pademba Road.

In her statement at the Government Wharf ceremony, Chief Justice of Sierra Leone, Her Lady Umu Hawa Tejan-Jalloh, thanked the Government of Sierra Leone and our donors for making the project a success, while describing the event as a land-mark in the history of the Sierra Leone

Judiciary. "When we conceptualized the establishment of a Fast Track Commercial Court, it appeared ambitious and unbelievable," she said, adding, "But here we are today to dedicate this court. Indeed, where there is a will, there is a way."

The Chief Justice said the court and the institute form part of the strategy of judicial reform and access to quality justice, noting that both events are the first in the judiciary of Sierra Leone and therefore very historic.

"We are grateful to the government for making these two buildings which were until recently occupied by the CID and FSU available to us for the establishment of this Fast Track Commercial Court and Judicial and Legal Training Institute," she disclosed, and further thanked the United Nations Peace Building Fund for providing the funding for the infrastructural changes and the UNDP for implementing the projects.

According to the Chief Justice, the Fast Track Commercial Court will take commercial justice to a different and higher level. "It is hoped that the time it takes to complete commercial and admiralty cases will be greatly reduced from 2-3 years to 6 months," she said.

"The new Commercial Court Rules which are now in place makes provision for alternative dispute resolution," she disclosed, adding that



Newly dedicated Fast Track Commercial Court

it is important for business people who do not want to spend too much time in court.

She explained that the court is fully

automated to ensure speed, efficiency and transparency.

The Chief Justice pointed out that the simultaneous dedication of the training



Newly commissioned Magistrates Court at Pademba Road

institute is no coincidence, noting that it was as a result of the imperative to build the capacity of the court's human resource.

"The institute will provide continuous judicial education to judges and magistrates. This has become a common element in legal and judicial reform globally. Additionally, training in various forms and styles will be provided to law officers, police prosecutors, court interpreters, legal executives, judicial and other legal support staff," she revealed.

She emphasized that the training will not only improve knowledge, but will also build judicial integrity and bring about attitudinal and behavioral change in the judicial and legal service. At the Pademba Road Magistrates' Court ceremony, the Chief Justice said the new court will ease the congestion at the law courts.

"This court was built and fully furnished with funding from Department for International Development (DFID), implemented by the Justice Sector Development Programme (JSDP) to the tune of five hundred and sixty six thousand pounds (approximately Le3,500,000,000.00)," she explained, adding: "This court house provides three court rooms, one of which is a child friendly court for juvenile offenders, two JP's courts, a mediation room (which is necessary for the policy of diversion in juvenile justice) and other facilities. The court will have its own regular water supply as we are privileged to have our own borehole, here on the premises".

Statement was delivered by Vice President Sam Sumana and cutting of tapes was also done by him.

Awoko

Friday, 10 December 2010

MOJ & JSDP Hosts Conference on Criminal Procedure Bill

The Ministry of Justice (MOJ), with support from the Justice Sector Development Programme (JSDP), is hosting a stakeholders' meeting to discuss the draft Criminal Procedure Bill on Friday 10th December 2010, at the Njala Venue, Lumley Beach Road, Aberdeen, and Freetown.

Leading representatives who work within the criminal justice system are meeting to discuss proposals for new criminal procedure laws. These include Judges, Magistrates, Justices of the Peace, lawyers, and personnel from the Sierra Leone Police, the Prisons Service. Representatives from UN Agencies, NGOs and Civil Society will also form part of the conference.

The existing laws in Sierra Leone, spanning 45 years, which were suitable for their time, are no longer able to meet the needs of the twenty first century's legal environment. The new law is therefore being designed to grapple with the increasingly complex and difficult cases that are now being tried.

Discussions at the conference will take place on a range of important matters, including the proposed abolition of Preliminary Inquiries. Currently prosecution witnesses must give oral evidence in the Magistrates court as well as at the High Court and this repetition contributes towards the unwillingness of vulnerable victims and witnesses to attend court. The proposed new law provides for a form of committal proceedings, which will, in the majority of cases, make it unnecessary to rehearse the evidence twice before a case is transferred to the High Court as is the current practice.

Other significant proposals contained within the draft bill include provisions for alternative sentencing options for Judges, Magistrates and Justices of the Peace. At the present time most offenders receive either fines or custodial sentences. If enacted the draft bill will provide the options of suspended sentences, discharges and sentences of providing service within the

community.

Punishment will be more tailored to fit the crime that has been committed and prison will be reserved for those deserving such a sentence either because they pose a danger to society or because they are unable or

unwilling to respond to other penalties.

Such changes in the proceedings will mean that cases will be expedited in order to deliver justice for victims' witnesses and defendants to be achieved at a much earlier date and at much reduced cost to the country.

Awoko

Friday, 10 December 2010

**Human Rights Commission of Sierra Leone
Message for International Human Rights Day 2010, 10th December 2010.**

Today, we in Sierra Leone join countries all over the world to celebrate International Human Rights Day. 10th December commemorates the day in 1948 that the United Nations General Assembly adopted the Universal Declaration of Human Rights. Human rights are the foundation of freedom, peace, development and justice and laws to protect and promote human rights are indispensable. However, in many instances, improvements in the protection and promotion of human rights come down to people who make sacrifices to protect not only their own rights but also the rights of others based on the resolve to make rights real in people's lives. It is to these human rights defenders that this year's observance of Human Rights Day is dedicated with the theme 'human rights defenders who act to end discrimination'.

Today therefore, we should all celebrate human rights defenders who are active in every part of the world, working alone or in groups, in our local communities, in national politics and internationally. This day we highlight and promote the achievements of these human rights defenders with the slogan 'Speak up, Stop discrimination'. By this slogan we aim to encourage and inspire a new generation of defenders to speak up and take action to end discrimination in all of its forms.

We are inviting every one to play a role in fighting against discrimination thereby ensuring respect for human rights. Human rights defenders play a vital role in the fight against discrimination because their activities galvanize us to action and stir up change. They act against human rights violations, often at great personal risk to themselves and their families.

Human Rights Defenders are a diverse group from all works of life and backgrounds, but what they all have in common is the fundamental conviction that human rights must be protected and promoted. Human Rights Defenders share a collective commitment to protect the most vulnerable and end impunity. They stand up; speak out and act in the name of freedom and human dignity against abuse and violations including discrimination, exclusion, oppression and violence.

However, we should also remember that around the world, thousands of Human Rights defenders lose their jobs, are threatened, harassed, defamed, imprisoned illegally, tortured, murdered and forced into exile as a result of their actions. Their friends and family members are also subjected to harassment and intimidation. In addition, Women human rights defenders who form part of the vulnerable groups face additional risks, and

therefore need additional support.

The Declaration on human rights defenders which was adopted on 12th March 2009 recognizes that the implementation of international human rights standards is to a great extent dependent on the activities of human rights defenders and that these defenders, precisely because of their work, often require additional protection. In April 2010, the UN Human Rights Council expressed grave concern at continuing threats and attacks faced by many human rights defenders and adopted a resolution on their protection, which identifies the State as having the key role in fully supporting human rights defenders and promoting for them a safe and enabling environment. The resolution is also clear that when there are violations against human rights defenders, States should ensure that incidents are promptly and impartially investigated and the perpetrators prosecuted.

On this International Human Rights Day, we as a Commission want to emphasize the primary responsibility Government has in enabling and protecting the work of Human Rights Defenders. In the Human Rights Commission of Sierra Leone State of Human Rights report for 2009 we reported that civil society organizations continued to operate freely in Sierra Leone, with little or no government interference. However the report also highlighted that there has been increasing regulation of NGO's by the Ministry of Finance and Development which threatens the autonomy and independence of civil society organizations.

The Human Rights Commission of Sierra Leone therefore calls on the Government of Sierra Leone to guarantee the freedoms - freedom of expression, freedom of assembly and freedom of information- that make the work of Human Rights Defenders possible. When the lives of human rights advocates are endangered, we are all less secure. When the voices of human rights advocates are silenced, justice itself is drowned out.

This International Human Rights Day is an occasion to salute the courage and achievements of human rights defenders everywhere, and to pledge to do more to safeguard their work.

On this International Human Rights Day, let us be inspired by those seeking to make our country more just. And let us remember that everyone can be a human rights champion. Each one of us has the potential to make a difference. So let us use that power. Let us each be a human rights defender. Let us Speak out and Stop Discrimination, today and every day.

I wish you all a Merry Christmas and a Bright and Prosperous 2011.

UN News

Thursday, 9 December 2010

Genocide continues as Sudan's indicted leader games world – ICC prosecutor



Luis Moreno-Ocampo

Genocide is still continuing in Darfur and Sudanese President Omar al-Bashir, already indicted by the International Criminal Court (ICC), is undertaking “enormous efforts” to cover up the crimes and manipulate the world community, the Court’s prosecutor said today.

“The Government of Sudan is not cooperating with the Court and has conducted no national proceedings against those responsible for the crimes committed,” Prosecutor Luis Moreno-Ocampo told the Security Council.

He noted that in just the last six months, hundreds of civilians in the Darfur region were killed and hundreds of thousands forcibly displaced, while more than 2 million people suffer a subtle form of genocide – genocide by rape and fear.

“President al-Bashir, in accordance with the chamber’s findings, issued the criminal orders to attack civilians and destroy their communities. Logically, President al-Bashir does not want to investigate those who are following his orders. President al-Bashir is using his promises of justice to manipulate the international community and cover up the crimes.”

The ICC in July issued a second arrest warrant for Mr. al-Bashir, adding genocide to the list of charges for crimes he has allegedly committed in war-ravaged Darfur. In March 2009, he became the first sitting head of State to be indicted by the Court, which charged him with two counts of war crimes and five counts of crimes against humanity.

“The arrest warrants will not go away,” Mr. Moreno-Ocampo said. “The legal work is done but the crimes are ongoing. President al-Bashir and his supporters are doing enormous efforts to cover up the crimes and divert the attention of the international community by announcing new strategies and new justice efforts.”

The most recent cover-up statement came in September when Sudan’s special prosecutor for Darfur, Nimr Mohamed, announced investigations in an attack earlier that month that killed at least 37 people and injured at least 50 more. But two weeks later he was replaced by Justice Ministry Under-Secretary Abdel Daim Zamrawi, since when no progress has been reported.

“Until the orders to Government of Sudan forces to commit crimes in Darfur cease, there is no possibility of justice for Darfur,” Mr. Moreno-Ocampo said.

He said regional organizations such as the Arab League and the African Union were crucial to stopping the crimes, alleviating the humanitarian situation and providing stability to Sudan. “A proper dialogue with them is crucial to achieving these goals,” he added.

Speaking to reporters following his briefing to the Council, Mr. Moreno-Ocampo called rape and fear the “silent weapons” of genocide that slip below the radar of peacekeeping forces in the region, which has been plagued by atrocities since war erupted in 2003 between the Government, supported by the Janjaweed militia, and rebels seeking greater autonomy.

The Hague Justice Portal

Thursday, 9 December 2010

Fugitives, referrals and acquittals top ICTR agenda 09 Dec 2010

Presenting the Tribunals' latest report on its Completion Strategy, the President and Chief Prosecutor at the ICTR stressed three principal concerns to the UN Security Council.

As part of the Completion Strategy imposed on the International Criminal Tribunal for Rwanda (ICTR) by the UN Security Council, Judge Dennis Byron, President of the Tribunal, and Hassan Jallow, Chief Prosecutor, have presented the ICTR's latest six-monthly report. In doing so they stressed three principal concerns facing the Tribunal.



According to the Prosecutor, who highlighted the Democratic Republic of Congo (DRC), Kenya and Zimbabwe in particular, "it is necessary that...states intensify cooperation and search for the 10 [remaining] fugitives". The most high-profile of those still at large include Félicien Kabuga, the businessman alleged to have provided significant funds in the planning perpetration of the 1994 Genocide, as well as Protais Mpiranya and Augustin Bizimana, commander of the Presidential Guard and Minister of Defence respectively. ICTR information suggests that all of the fugitives remain in east, central or southern Africa. Judge Byron similarly asserted that the cooperation of UN Member States in the tracking, arrest and transfer of fugitives to the ICTR is fundamental to the Tribunal's work.

Hassan Jallow moreover emphasized the importance of the referral of cases to national jurisdictions for prosecution, having filed three requests at the beginning of November for cases to be transferred to Rwanda. The Prosecutor stressed that UN member states must "share the responsibility of the ICTR's completion strategy" by accepting referrals from the Tribunal, thereby easing the Tribunal's burden. Should any of the remaining fugitives be apprehended, greater state cooperation concerning criminal trials would be even more fundamental for the Completion Strategy.

The interests of justice will not be served

Addressing the Security Council, Judge Byron furthermore sought to bring attention to the plight of those persons acquitted by the Tribunal, but who remain in safe houses in Arusha having failed to secure agreement from states on their relocation. The President warned that if the issue remains unresolved, "the interests of justice and the rule of law will not be served". Former Rwandan Minister, André Ntagerura, was acquitted by the Tribunal in February 2004, a decision which was confirmed on Appeal two years later.

The ICTR was established by Security Council resolution in 1994, with the Completion Strategy introduced in 2003 originally calling upon the Tribunal to complete its work by 2010.

M & G News

Thursday, 9 December 2010

Denmark remands suspected Rwandan war criminal in custody

Copenhagen - A Rwandan man suspected of having actively participated in the 1994 genocide in the East African country made a brief appearance before a Danish court Thursday.

The unidentified 48-year-old who has been living in Denmark since 2001, was arrested in the city Roskilde, west of Copenhagen, on Wednesday.

He was remanded in custody by the court in Roskilde and ordered to appear again on January 4.

According to prosecutor Lars Plum of the Special International Crimes Office, the man is suspected of having killed two women with a machete in Rwanda.

He has reportedly denied the allegations against him, with his lawyers arguing that witness statements are unreliable.

The man had reportedly been under investigation since June, following information provided to Danish authorities by an as yet unnamed source. Investigators travelled to Rwanda in preparing the case..

An estimated 800,000 ethnic Tutsis and moderate Hutus were massacred by Hutu militia and civilians in the Rwandan genocide that began in early April 1994 and lasted approximately 100 days.

Several Rwandans suspected of having played a role in the mass killing, have been found to be living in Denmark. In 2001, one suspect was extradited to Arusha, Tanzania, to stand trial before the Rwanda genocide tribunal.

ICTR Prosecutor wants DRC, Kenya and Zimbabwe to act over genocide fugitives

The International Criminal Tribunal for Rwanda (ICTR) Prosecutor Hassan Jallow has urged the Democratic Republic of Congo (DRC), Kenya, Zimbabwe and neighbouring states to intensify cooperation in tracking the remaining 10 fugitives, including Felicien Kabuga, Major Protais Mpiranya and Augustin Bizimana.

"It is necessary that the governments of DRC, Kenya, Zimbabwe and neighbouring states intensify cooperation and search for the 10 fugitives, all of whom, according to our sources, are within east, central and southern Africa," he told the UN Security Council on Monday.

Kabuga is a Rwandan businessman allegedly bankrolled the 1994 genocide, while Mpiranya, the alleged high level fugitive and a top indictee of the Tribunal, was commander of the Rwandan Presidential Guard during genocide whereas Bizimana was Minister of Defence.

The prosecutor pointed out that tracking efforts to secure the arrest and transfer to the ICTR of Kabuga, Mpiranya and Bizimana would continue to be a top priority.

"We count on the continued call by the Security Council on all states to cooperate fully with the tribunal in its efforts to apprehend and bring these fugitives to justice. We are committed, in the meantime, to continue and intensify our tracking efforts so long as these fugitives remain earmarked for trial at the ICTR," he said.

Jallow also stressed that the referral of all but three of the ten fugitives to national jurisdictions for trial remains a key element of the completion strategy of the ICTR. In the absence of acceptance of these cases by other member states, he said, Rwanda continued to be the focus of the ICTR referral strategy.

"It is my sincere hope that member states with the requisite capacity will share this responsibility of the ICTR's completion strategy by accepting a transfer from the Tribunal of the cases of one detainee and six fugitives to their national jurisdictions for trial," he pointed out.

The prosecutor pointed out further that in the absence of transfer of these cases and with the probable arrest of fugitives in the near future, the work of the Tribunal could increase significantly, thus extending the projected completion date for trials.

"On the other hand the referral of these cases now to national jurisdictions could possibly see the end of trials at the Tribunal by the end of 2011," he said.

In November 2010, the prosecutor filed three new applications for referral of cases to Rwanda for trial involving Pastor Jean Uwinkindi, a detainee and two fugitives, Fulgence Kayishema, who was communal judicial police inspector and ex-mayor Charles Sikubwabo. The first five requests were rejected by ICTR judges.

FK/ER/GF

The Associated Press

Thursday, 9 December 2010

Hariri assassination indictment coming very soon

By MIKE CORDER

LEIDSCHENDAM, Netherlands -- The prosecutor of the U.N.-backed tribunal investigating the 2005 assassination of former Lebanese Prime Minister Rafik Hariri will issue his first indictment very soon, the court's new leader said Thursday.

Special Tribunal for Lebanon registrar Herman von Hebel gave no details about the content of the indictment, which will remain confidential until it is confirmed by a judge at the Special Tribunal for Lebanon, likely early next year.

Tension over the tribunal has paralyzed Lebanon in recent weeks amid speculation prosecutor Daniel Bellemare will indict members of Hezbollah, the Syrian- and Iranian-backed Shiite militant group that controls a military force that is more powerful than the national army and part of Lebanon's fragile governing coalition.

Hariri, a Sunni Muslim, was Lebanon's most prominent politician in the years after the 1975-1990 civil war. He and 22 other people were killed by a truck bomb on Feb. 14, 2005. At the time, he was trying to limit Syria's influence in Lebanon.

Von Hebel, a Dutchman who has previously worked at tribunals prosecuting crimes in Sierra Leone and the former Yugoslavia, stressed that the Hariri court will indict individuals and not organizations.

"We are talking about individual criminal responsibility, not group responsibility," he told a small group of reporters at the court's headquarters, the day after the United Nations appointed him registrar for a three year term.

He said a pretrial judge will likely take six to 10 weeks to confirm all or parts of the indictment, or reject it if there is insufficient evidence. A trial could begin four to six months after an indictment is confirmed.

The indictment could remain sealed even after it is confirmed, if the court believes that would make arresting suspects easier, Von Hebel said.

The Hariri tribunal, like other international war crimes courts, does not have its own police force to arrest suspects.

Unlike other tribunals, it has the power to try suspects in absentia if they elude arrest.

That will prevent situations like that of former Bosnian Serb army commander Gen. Ratko Mladic, who remains on the run from justice 15 years after being indicted by the U.N. Yugoslavia tribunal for genocide.

The tribunal, based in a former intelligence agency headquarters in a village on the edge of The Hague is gearing up for its busiest year.

In an effort to streamline potentially drawn-out pretrial litigation, the judge confirming the indictment can ask the court's appeals panel to rule on key legal principles underpinning any charges.

"Undoubtedly there are legal issues here," Von Hebel said. "The jurisdiction is partly based on Lebanese law so there may be questions in relation to that. What is the crime of a terrorist attack under Lebanese law, for example. These kind of issues may have an impact."

The U.N. recently approved the court's 2011 budget of \$65.7 million (euro50 million), a 20 percent rise from 2010 because of anticipated extra staff needed as the court begins working toward its first trial.

Half of the budget comes from Lebanon's government and Hezbollah has said it may try to block funding, arguing that the court is unconstitutional because Lebanon's Cabinet approved it in 2006 after the resignation of five Shiite ministers. Hezbollah and its allies say the government at the time was no longer legitimate because the constitution requires that "all sects should be justly represented in the Cabinet."

Von Hebel said that Lebanon failing to pay its half of the budget "would be a serious challenge."

The court, which employs 333 staff from 62 different countries, has a courtroom built in a former gymnasium at the court's headquarters and 12 cells ready in a special wing of a Dutch jail that also has wings for suspects detained by the International Criminal Court and Yugoslav war crimes tribunal.

Von Hebel said officials meet regularly with Dutch counterterrorism authorities to discuss security.

And while the court is focussed for now on its first indictment, Von Hebel said more would be filed in the future.

Under the court's statute, the prosecutor also can investigate cases connected to the Hariri assassination since Oct. 1, 2004.