

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



SCSL War memorial at Talia Yawbeko.

**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**

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## Charles Taylor's Sierra Leone war crimes trial attacked

The lawyer for Liberia's ex-President Charles Taylor has said the prosecution has turned his war crimes trial into a "21st Century form of neo-colonialism".

Courtenay Griffiths made the comments in his closing arguments at the special UN Court for Sierra Leone in The Hague.

Mr Taylor is the first former African leader to face such an international tribunal.

He denies 11 counts, including murder, rape and using child soldiers during the civil war in Sierra Leone.

He is accused of arming and controlling the Revolutionary United Front (RUF) rebels during a 10-year campaign of terror conducted largely against civil-



ians.

The RUF became infamous for hacking off the limbs of its victims, and using rape and murder to terrorise the population.

During his closing argument, Mr Griffiths told judges the trial was important for Africa and for "the evolving concept of international justice".

"It is to the shame of this prosecution that it

has besmirched the lofty ideals of international criminal law by turning this case into a 21st Century form of neo-colonialism," he said.

He also said the release of US diplomatic cables by Wikileaks last December had shown that "this was not a trial at all" and that the prosecution was political.

The BBC's Peter Biles

in The Hague says Mr Taylor has long claimed that he was tried because powerful countries such as the US and the UK wanted him out of office in Liberia.

Mr Griffiths said justice should be applied equally to all and asked why Libya's leader Colonel Muammar Gaddafi was not in the dock.

He said that it was because the British government of former Prime

Minister Tony Blair had wanted to pursue their economic interests in Libya.

The defence lawyer also said no-one had taken any notice of the case until supermodel Naomi Campbell and a Hollywood actress had turned up, and since then it had returned to obscurity.

Ms Campbell and actress Mia Farrow were summoned to give evidence at the trial last August.

The prosecution was trying to establish a link between Mr Taylor and a number of uncut diamonds that Ms Campbell said she was given in South Africa in 1997.

Mr Taylor is accused of selling "blood diamonds" for the rebels, in return for supplying them with weapons.

The defence has argued that Mr Taylor tried to

broker peace in Sierra Leone at the request of regional powers.

The trial, which is entering its final phase, was delayed for several weeks over a legal wrangle, but last week the defence team won its appeal to file its final brief.

It had missed its January deadline because it said new evidence had come to light.

The Special Court for Sierra Leone in The Hague has heard from more than 100 witnesses in what is the first international trial of an African former head of state.

The trial has already lasted more than three years and the judges are expected to deliver a verdict later in the year. If convicted, Mr Taylor would serve a prison sentence in the UK.

**Indict Muammar Gaddafi Now for War Crimes in Sierra Leone**

# Opinion



*By Aroun Rashid Deen*

With international pressure already mounting on Libyan leader Muammar Gaddafi and with the International Criminal Court now in the process of gathering information on civilian deaths in Libya, the Special Court for Sierra Leone and the International Criminal Court have a profound opportunity to indict Gaddafi for war crimes and crimes against humanity he has committed in Sierra Leone. The United Nations has already sanctioned Gaddafi's government, and now it's time his prior crimes in West Africa are brought to justice, too.

Muammar Gaddafi was the mastermind and key financier of the brutal war that left hundreds of thousands dead in Sierra Leone in West Africa in the 1990s. The war would not have happened in the first place had it not been for the desire of the Libyan leader to punish the government of Sierra Leone for what he regarded as its siding with the West in the 1980's when Gaddafi was at loggerhead with particularly the United States and Britain. It was also part of Gaddafi's broader agenda including his geopolitical ambition to destabilize much of West Africa

and establish satellite states in the region to be headed by puppet regimes that will be doing his biddings. The decade-long war ripped Sierra Leone apart. Thousands of its victims, whose arms and limbs were chopped off by rebels, were reduced to paupers, roaming the streets as beggars in Freetown and other cities. Children as young as a day old were also among those whose arms and limbs were hacked off by Gaddafi's rebels. Pregnant women, too, were disemboweled with delight in their display of ghastly brutality.

As part of his criminal plans to set West Africa on the warpath, Gaddafi instituted a program of guerilla warfare in Libya for a group of disgruntled West Africans, including a group of Sierra Leoneans he had invited to Tripoli to undergo training. The men who led the war on Sierra Leone -- former Liberian leader and warlord, Charles Taylor and Sierra Leone's rebel leader, Foday Sankoh, and The Gambian Fugitive, Kukoi Samba Sanyang -- were among those who trained in Libya.

The ring leaders of the Revolutionary United Front rebel group, which was fighting to overthrow the government of Sierra Leone, also received massive financial support from Libya through Gaddafi's People's Revolutionary Council.

For years since the government of Sierra Leone and the United Nations jointly set up the Special Court for Sierra Leone to prosecute key suspects of the war for war crimes and crimes against humanity, calls have been made for Gaddafi to face international justice for his role in Sierra Leone -- like Charles Taylor now in The Hague. An opposition leader in Sierra Leone, Charles Margai, who was one of the strong advocates for Gaddafi's indictment, was incensed when Gaddafi visited the country in 2007. In a BBC interview, he called on Sierra Leoneans to

# Indict Muammar Gaddafi Now For War Crimes In Sierra Leone

boycott the reception that was hosted for him at the national stadium.

David Crane, the first Chief Prosecutor at the Special Court, attempted to indict the Libyan dictator. But both the US and the UK governments, the two leading sponsors of the Special Court, threatened to cancel their support should Mr. Gaddafi be indicted. Nonetheless, Mr. Crane has not relented in his attempt to see Mr. Gaddafi give account of his alleged criminal roles.

The former prosecutor, who now teaches law at Syracuse University, says that the direct participation of the Libyan leader in the wars in both Sierra Leone and Liberia caused the "murder, rape, maiming, and mutilation of over a million human beings..." But calls for justice were not heeded because principle Western nations developed a fondness for Mr. Gaddafi following his so-called positive gestures, such as his abandoning of WMD programs.

In January 2004, former French Foreign Minister Dominique de Villepin was quick to express hope that French firms would participate fully in business activities in Libya. This followed Libya's signing of a deal to pay \$170 million to relatives of French victims of a UTA French airliner bombing in 1989, which was blamed on Libya. Current French President Nicolas Sarkozy also went to Tripoli in July 2007.

The greatest irony of it all is that Sierra Leone and Liberia never got compensations from Libya for the untold suffering, infrastructural damage and needless loss of lives even though evidence suggests that he was the mastermind of the carnage.

As part of what the British called the Blair-Gaddafi Project, then Prime Minister, Tony Blair, met Gaddafi in Tripoli in 2004. The meeting was christened with the signing of a 550 million pound sterling deal by Shell for gas exploration rights off the Libyan coast. The British government was said to be the most adamant against attempts to see Mr. Gaddafi stand trial. It is also speculated that the UK's contribution to the Special Court was money it got from Gaddafi in exchange for the UK's government's assurance that he, Gaddafi will not be indicted.

In August 2008, Italy's Prime Minister, Silvio Berlusconi visited Libya and signed a \$95 billion dollars investment

deal with Gaddafi. Condoleezza Rice, the former US Secretary of State has also been to Libya where she met with the controversial Gaddafi.

The Libyan leader's promise to, at the least, pay compensations to relatives of his brutal crimes as well as his giving up of his WMDs were welcome news in a world -- particularly in Europe -- that confronts many terrorists activities. Oil supplies from Libya mean much to the West. But appeasing the West should not stand in the way for justice for Sierra Leone, just so because it is not an affluent country endowed with oil deposits.

Up till now, Gaddafi's relations with the West were getting cozier by the day. His brutal treatment of peaceful protesters -- who seek nothing more than just a political change that guarantees freedom and better living standards -- shows clearly that Gaddafi is too grown to learn new tricks. He is fundamental in his choice to resorting to brutality as a means of addressing challenges.

Muammar Gaddafi bears the greatest responsibility for the brutality in Sierra Leone. The Sierra Leone Truth and Reconciliation Commission set up at the end of the war found out that Libya contributed in a significant way to the chaos and mayhem that engulfed the country. There is ample evidence to justify Gaddafi's direct involvement as David Crane found out during his initial investigation as Chief Prosecutor of the Special Court.

The desire for a share of Libyan oil or business prospect should not rub leading international policy makers of their moral responsibility to let Mr. Gaddafi account for his brutal misdeeds.

Gaddafi's hatred for Sierra Leone goes back to the early 1980's when then President of Sierra Leone, Siaka Stevens, in November 1982, boycotted an Organization of African Unity conference Libya was scheduled to host. The 1982 conference lacked a quorum due to the absence of many heads of state as a result of controversies surrounding Gaddafi's role in the rebellions that were going on in Africa at the time. Gaddafi must not go unpunished. What was good for the British and French must also be good for Sierra Leoneans too.

Cahrlestaylortrial.org

Wednesday, 9 March 2011

Daily Summary

## **Documentary Evidence Proves Taylor is Innocent, Defense Claims in Closing Arguments**

By Jennifer Easterday

After nearly three-and-a-half years, Trial Chamber II at the Special Court for Sierra Leone (SCSL) has heard evidence from the Prosecution and Defense about whether Taylor bears the greatest responsibility for the crimes committed during Sierra Leone's eleven year conflict. After much anticipation, the Defense finally presented its closing arguments today, marking the beginning of the end of the trial of Charles Taylor.

Closing arguments allow the parties to highlight the most important aspects of their cases to the judges. A month ago, the Prosecution presented its closing arguments. Today, Taylor's Defense team presented its closing arguments. The closing arguments will continue for two hours tomorrow morning, and on Friday the parties have the opportunity to respond to the arguments raised in oral arguments. Then, finally, the judges can retire to deliberate the evidence before them and reach a final judgment on Taylor's guilt or innocence.

### **Prosecution Oral Response to Defense Final Trial Brief**

The hearings this morning began with the Prosecution's oral response to the Defense final trial brief. Instead of submitting a written response, as the Defense will later this week, the Prosecution opted to respond orally. The Prosecution requested the oral presentation due to limitations in staff size and the short period they had to review the final brief.

### ***Defense Mischaracterization of Evidence***

The Prosecution began by going through different sections of the Defense brief and arguing against the Defense characterization of evidence. The Prosecution focused on key aspects of the trial, including the initial RUF invasion into Sierra Leone in March 1991, Operation Stop Elections, Ibrahim Bah's relationship with the RUF, and arms and ammunition shipments to the RUF. In general, the Prosecution argued that the Defense mischaracterized and excluded important aspects of the evidence and therefore drew incorrect conclusions about the evidence. The Prosecution also defended its own evidence where the Defense final trial brief suggested it was inconsistent.

### ***Political Motives and Selective Prosecution***

The Prosecution addressed Defense assertions that the trial was politically motivated and that Taylor is the victim of selective prosecution before the SCSL. Selective prosecution, where one person is prosecuted even though others in a similar situation could have also been prosecuted, is generally not allowed in criminal trials as it is seen as showing discrimination against the accused.

The Defense argued that the fact that former SCSL Prosecutor David Crane shared Taylor's sealed indictment with US government officials two months before it became public showed that Taylor was selectively prosecuted.

The Prosecution, however, contended that this practice is normal before international courts. Citing various cases at the International Criminal Tribunal for the former Yugoslavia (ICTY), the Prosecution argued that because international courts have no police power, they must share sealed indictments with governments so that governments can go and arrest suspects. Otherwise, the Prosecution submitted, there would be no possible way to arrest a suspect. The Prosecution argued that sharing the sealed indictment was completely within the discretion and power of the Prosecutor, and defended Crane's actions as necessary and completely proper.

The Prosecution also argued against Defense contentions that Taylor was selectively prosecuted instead of Blaise Compaoré, president of Burkina Faso, or Muammar Gaddafi, the leader of Libya, who also allegedly assisted the RUF. The Prosecution drew a distinction between these leaders and Charles Taylor, noting that while they may have assisted the RUF, Taylor's situation is different because he created, armed and led the RUF as a proxy army that fought on his behalf.

### ***Taylor's Role as Peacemaker***

Counsel for the Prosecution also countered Taylor's arguments that his meetings with the RUF were the result of his position as a peacemaker. The Prosecution stated that there is no question that Taylor tried to publically represent himself as a peacemaker, but pointed out holes in the evidence that suggest it was merely a façade.

For example, the Prosecution noted the lack of documentary or other evidence about Taylor's meetings with RUF leader Sam Bockarie in the fall of 1998. Even though Taylor had documents and photos of other similar meetings, there was suspiciously no similar evidence of these meetings, the Prosecution noted. This is because, according to the Prosecution, these were clandestine meetings planning the war in Sierra Leone, about supplying the RUF with ammunition, attacking Kono, and then moving on to attack Freetown.

The Prosecution will have another opportunity to address the Court on Friday, when it delivers its rebuttal to the Defense oral arguments.

### **Defense Closing Arguments**

Lead Defense Counsel Courtenay Griffiths delivered the first part of the Defense closing arguments today. The Defense arguments will continue tomorrow morning, with submissions made by Terry Munyard, and then both the Prosecution and Defense will have the opportunity to make rebuttal arguments on Friday. Key aspects of the closing argument are described below.

### ***Politically Motivated Selective Prosecution***

Griffiths began with a discussion of the contentious US government cables released by Wikileaks, arguing that these cables demonstrate that Taylor has been subjected to selective prosecution by the SCSL. Introducing these cables into evidence was the subject of litigation in the Taylor trial earlier this year, and was one of the reasons the Defense filed its final trial brief twenty days late.

The Defense further pointed to the political nature of the trial by suggesting that the US government had given Prosecutor Crane a special fund from which he was able to pay witnesses dishonestly for their testimony. Griffiths noted that the Defense had never been given a similar fund, and that the Prosecution had never come clean about where the money came from or how it was used. The issue of witness payments has been raised repeatedly in trials at the SCSL and has been of major significance in the Taylor trial. The Prosecution will have another opportunity to respond to these Defense allegations on Friday.

### ***The "Golden Thread"***

The Prosecution has alleged that Taylor, RUF leader Foday Sankoh, and others had developed a joint criminal plan in Libya to destabilize the West African region and provide each other with mutual assistance in their respective struggles. This, the Defense said, was the "golden thread" of the case.

As Griffiths moved through various phases of the case in his submissions, he would return to the "golden thread," pose questions challenging its truth, and ask whether the evidence could answer his questions and support the Prosecution allegations. The Defense suggested that unless the answers to these questions could be found in the evidence, no reasonable trier of fact could conclude that the Prosecution had proven its case beyond a reasonable doubt.

### ***Strength of Documentary Evidence, Weakness of Linkage Evidence***

Griffiths focused his submissions on what he claimed was the strength of the documentary evidence exonerating Taylor from the charges he faces.

Griffiths generally tried to raise doubts about the Prosecution's linkage evidence. Through this evidence, the Prosecution has tried to link Taylor to the RUF and the AFRC, groups that directly committed crimes in Sierra Leone. The Prosecution claims this evidence shows beyond a reasonable doubt that Taylor is most responsible for the crimes committed in Sierra Leone. The Prosecution has alleged that the RUF was Taylor's proxy force, which he used to gain political control over Sierra Leone in order to exploit its mineral resources.

Today, repeating Taylor's complete denial of these allegations, Griffiths claimed, "we have never denied that serious crimes were committed in Sierra Leone." However, the Defense said, "those crimes were committed solely by the RUF, AFRC, or [...] the CDF."

### ***Early Stages of the Sierra Leone Conflict***

Griffiths addressed the early alliance between the RUF and the NPFL, when Taylor admits he provided limited support to the RUF so that they could help protect his NPFL forces from ULIMO. However, the Defense has consistently argued that this alliance lasted little more than a year and ended on bad terms in June 1992.

Today, the Defense pointed to specific documentary evidence suggesting that the support was limited, including a letter sent by RUF leader Foday Sankoh to Taylor in May 1992. The letter raises serious doubts about the Prosecution allegations, Griffiths submitted.

In the letter, Sankoh requests increased assistance from Taylor. The Defense noted that Sankoh repeatedly refers to "his" (Sankoh's) struggle to free "his" (Sankoh's) people. The Defense asked why, if Taylor was Sankoh's boss and they were working together (as the Prosecution alleges), Sankoh would have referred to the struggle as "his," and not "theirs" or Taylor's. Moreover, the Defense argued that in the letter Sankoh was "begging" Taylor for support.

Griffiths argued, "He shouldn't be begging, it's part of the plan," and went on to ask, "If Taylor's got [the supplies] and it's a part of the plan, why is he not providing [Sankoh] with adequate supplies? Given the joint objective [of gaining political control of Sierra Leone to control its natural resources], why hasn't Taylor given him the ability to do that as quickly and effectively as possible?"

In June 1992, due to discord between the NPFL forces and the RUF forces working together in Sierra Leone, Taylor withdrew his forces at the request of RUF leader Foday Sankoh. The Defense submitted that this withdrawal of support created a breach between Taylor and Sankoh that never healed. After this breach, Sankoh was forced to resort to jungle warfare, and survive on weapons captured from ECOMOG or received through trade with ULIMO.

Griffiths argued that Sankoh was terribly bitter about Taylor's withdrawal of support in 1992 and remained bitter. The Defense submitted that the evidence proves that any joint criminal enterprise that might have been formed in Libya ended in June 1992. After June 1992 and until the Lomé peace negotiations in August 1999, there is no evidence of Sankoh and Taylor meeting, the Defense suggested. Griffiths claimed that the evidence about radio contact between the two is based on lies.

### ***RUF's Independent Arms Brokering***

Griffiths also discussed two other letters as further evidence of the lack of contact between Taylor and Sankoh during this period. The two letters, written in 1996, dealt with a request to Libyan leader Muammar Gaddafi to fund an arms purchase for the RUF. The Defense contended that the letters, which do not mention Taylor, show that the RUF was acting independently of Taylor and that Sankoh had resources other than Taylor to obtain supplies for the war.

Nine to eleven months later, the Defense noted, a shipment of arms arrived in Magburaka. The Defense claimed this shipment was engineered independently by Sankoh without the assistance of or collaboration with Charles Taylor.



The Defense also suggested that the evidence demonstrates that only small amounts of arms were “trickling” over the border from Liberia. He further argued that there were only two major arms shipments, the Magburaka shipment and the December 1998 shipment.

Griffiths discussed the Magburaka arms shipment in detail, pointing out what the Defense considers gross inconsistencies in the evidence on the shipment. Griffiths noted contradictory statements about how the shipment was paid for, who went to pick it up, when it arrived, and what it included. The Defense suggested that, although some inconsistencies could be expected in testimony about events from so long ago, the extent of the inconsistencies regarding this shipment were too great.

“When evidence is replete with inconsistencies and contradictions, there is only one thing to do with it: throw it in the bin. That is what we suggest the Court do with this bit of evidence: Get rid of it. We suggest it’s garbage,” Griffiths said. According to Griffiths, Defense witness and SCSL convict Issa Sesay had provided the most accurate version of events around this shipment.

### ***Conclusions***

The Defense suggested that the documents they highlighted provide a useful roadmap to the truth. Unless answers can be found to the questions raised by these documents, no tribunal could be satisfied that there is proof beyond a reasonable doubt to Taylor’s guilt.

Griffiths concluded by stating, “A criminal trial is not a beauty contest. We are not asking this court to like Charles Taylor.” However, Griffiths insisted, regardless of how the media has painted Charles Taylor, he deserves a fair trial by an independent court. If the court adopts the independent, rational and unemotional approach Taylor deserves, the Defense submitted that there was only one possible verdict: not guilty.

Reuters

Wednesday, 9 March 2011

## **Taylor war crimes trial politically biased: Defence**

By Aaron Gray-Block, Reuters March 9, 2011

Former Liberian President Charles Taylor (L) waits on February 8, 2011 for the start of the prosecution's closing arguments during his trial at the UN Special Court for Sierra Leone in Leidschendam.

AMSTERDAM - The defence lawyer for Charles Taylor on Wednesday accused the court trying the former Liberian president for war crimes of pursuing a politically motivated case.

Accused of crimes during the civil war in Sierra Leone in 1991-2002, Taylor went on trial in June 2007 and the case is coming to a close this week with the defence's closing arguments and rebuttals from the prosecution.

Taylor is charged with murder, rape, conscripting child soldiers and sexual slavery during intertwined wars in Liberia and Sierra Leone, in which more than 250,000 people were killed.

The court has heard gruesome testimony of killings and mutilations, cannibalism, drug-crazed child soldiers and "blood diamonds" — a reference to stones taken from conflict zones.

Supermodel Naomi Campbell and actress Mia Farrow were called as witnesses by the prosecution in an attempt to show that Taylor was knowingly trading weapons in exchange for diamonds.

Taylor, the first African leader to stand trial for war crimes, is accused of directing Revolutionary United Front (RUF) rebels in a campaign of terror to plunder Sierra Leone's diamond mines for profit and weapons trading.

Taylor, 63, has denied the charges, insisting he tried to bring peace to the region and arguing his trial is a politically motivated conspiracy by Western nations.

Defence lawyer Courtenay Griffiths said the prosecutor had "besmirched the lofty ideals of international criminal law" by turning the case "into a 21st century form of neo-colonialism".

Griffiths pointed to comments by David Crane, the former prosecutor at the Special Court for Sierra Leone which is hearing the case, who has said Libyan leader Moammar Gadhafi was responsible for conflicts in West Africa in his efforts to destabilize the region.

## **MOAMMAR GADHAFI**

"Have you not heard that the court would have been refused funding by the British government had they attempted to indict Gaddafi because the British government led by Tony Blair were anxious to pursue their economic interests in that country (Libya)," Griffiths said, citing comments made by Crane.

Gadhafi is now under investigation by the International Criminal Court for Libya's violent crackdown on protesters after the UN Security Council referred the situation to the ICC, the world's first permanent war crimes court.

Prosecutor Brenda Hollis has said there is "overwhelming evidence" proving that Taylor bears the greatest responsibility for the "campaign of terror and massive crimes" in Sierra Leone.

She said Taylor is responsible through his "wilful, knowing choices, actions and refusals to act."

Taylor's trial is being closely watched for its potential security implications, with a U.S. diplomat warning in leaked WikiLeaks cables that if Taylor is acquitted or given a light sentence, his return to Liberia may threaten "a fragile peace."

Taylor's trial had been scheduled to end last month, but Griffiths left the court in protest after judges refused to accept an overdue filing of his final case summary.

Both he and Taylor continued to boycott proceedings, raising the possibility that the trial would end the way it started, with Taylor refusing to participate.

It prompted the Open Society Justice Initiative, which monitors the trial, to urge in its weblog for "a satisfactory end" to the trial in the interests of both justice and victims.

Appeals judges later allowed Griffiths to file the case summary to prevent a "miscarriage of justice" and present his closing arguments, followed by rebuttals on Friday when the defence and prosecution will challenge each other's case.

Judges will then retire to consider their final judgment, which is expected mid-year.

Read more:

<http://www.vancouversun.com/news/Taylor+crimes+trial+politically+biased+Defence/4409095/story.htm>  
l#ixzz1GBqxGJOo

## Daily Observer (Liberia)

Thursday, 10 March 2011

### **Taylor Lawyers to Make Closing Arguments at Hague Trial**

Embattled Libyan leader Muammar Gaddafi, former President Charles Taylor and Taylor's lead lawyer, Courteney Griffiths

By: Observer Staff Reporter

Defense lawyers for Liberia's ex-President Charles Taylor are due to present their closing arguments at his war crimes trial at The Hague.

Mr Taylor denies 11 counts, including murder, rape, and using child soldiers during the civil war in Sierra Leone.

The trial at the special UN Court for Sierra Leone, which is entering its final phase, was delayed for several weeks over a legal wrangle.

Last week, the defense team won its appeal to file its final brief.

It had missed its January deadline because it said new evidence had come to light.

Mr. Taylor is the first former African head of state to be tried by an international tribunal.

He is accused of arming and controlling the Revolutionary United Front (RUF) rebels during a 10-year campaign of terror conducted largely against civilians.

The RUF became infamous for hacking off the limbs of their victims, and using rape and murder to terrorize the population.

The defense has argued that Mr Taylor tried to broker peace in Sierra Leone at the request of regional powers.

He is accused of selling "blood diamonds" for the rebels, in return for supplying them with weapons.

Last year super model Naomi Campbell and actress Mia Farrow were summoned to give evidence at the trial.

The prosecution was trying to establish a link between Mr Taylor and a number of uncut diamonds that Miss Campbell said she had been given in South Africa in 1997.

The Special Court for Sierra Leone in The Hague has heard from more than 100 witnesses in what is the first international trial of an African former head of state.

The trial has already lasted more than three years and the judges are expected to deliver a verdict later in the year.

If convicted, Mr. Taylor would serve a prison sentence in the UK.

### Gaddafi Should Have Been Docked

Meanwhile, lead defense lawyer of Mr. Taylor, Barrister Courtenay Griffiths, said Wednesday that Charles Taylor's trial was politically motivated, and asked that Libya's Muammar Gaddafi should have been in the dock. Alleging "selective" prosecution, Courtenay Griffiths reminded the Special Court for Sierra Leone that its mandate was to try those with the biggest responsibility for the brutal 10-year civil war. "Why is Colonel Muammar Gaddafi not in the dock?" he asked. Taylor's trial for arming Sierra Leone's Revolutionary United Front (RUF) rebels in exchange for blood diamonds entered its final phase Wednesday with the start of defense closing arguments. Griffiths told judges trying his client for war crimes and crimes against humanity that justice should be applied equally to all, adding: "whether that is the case is a matter for debate". "It is to the shame of this prosecution that it has besmirched the lofty ideals of international criminal law by turning this case into a 20th century form of neocolonialism", the lawyer said.

Repeating claims that Taylor believed some powerful countries to be "out to get him", Griffiths insisted that the prosecution was "politically motivated". Prosecutor Nicholas Kumjian told judges in the morning that other leaders like Gaddafi and Blaise Campaore of Burkina Faso had also supported the RUF, but it remained "a proxy army under one person, Charles Taylor". "The involvement of Muammar Gaddafi and Blaise Campaore has been proven," Kumjian told the court, but "the RUF did not fight for Blaise Campaore, it did not fight ... for Muammar Gaddafi". He described Taylor as "the Godfather" of the RUF" who "profited from the wars and the crimes they committed". Taylor's trial, which started in earnest more than three years ago, is the first-ever of an African head of state before an international tribunal.

The 62-year-old has pleaded not guilty to 11 charges counts of war crimes and crimes against humanity for allegedly arming RUF rebels who killed and maimed with impunity, in exchange for illegally mined so-called blood diamonds. The Sierra Leone civil war claimed some 120,000 lives in the 10 years to 2001, with RUF rebels, whom prosecutors described as Taylor's "surrogate army", mutilating thousands of civilians by hacking off their limbs.

## ABC News

Thursday, 10 March 2011

### Charles Taylor Defense: Why Is Gadhafi Not on Trial?

Defense Suggests Gadhafi Most Responsible for War Crimes in Sierra Leone

By LEE FERRAN and ANNA SCHECTER

The defense for Liberian warlord Charles Taylor said today the war crimes trial was politically motivated "neocolonialism" and asked why Libyan strongman Moammar Gadhafi does not face a similar court.



Jerry Lampen/Getty Images

*Former Liberian President Charles Taylor waits for the start of the prosecution's closing arguments during his trial at the UN Special Court for Sierra Leone, in this Feb. 8, 2011 file photo in Leidschendam.*

"This was a court, ostensibly and publicly, set up, we are told, to try those who bear the greatest responsibility," Taylor's lead counsel Courtenay Griffiths told the court in his closing arguments. "So why is Colonel Moammar Gadhafi not in the dock?"

Taylor, 63-year-old former President of Liberia, stands accused of acting with or directing African militant groups primarily in Sierra Leone who used child soldiers and committed acts of murder, rape and sexual slavery, among other charges. The defense did not deny the atrocities took place, but Griffiths argued that there was no proof directly linking Taylor to the crimes.

Prosecutor Nicholas Koumjian told the court today that Gadhafi was not indicted because there is "less than a tenth of the evidence" connecting Gadhafi to the rebel groups compared to Taylor. Gadhafi is currently under investigation for crimes against humanity for the recent brutal repression of peaceful protestors in Libya.

"Well perhaps there is one thing we can agree on with the defense. We would agree that Charles Taylor is as likely to use terror against civilians as Moammar Gadhafi," Koumjian said. "Of course, a prosecutor has an obligation to only indict those that they can prove the case beyond a reasonable doubt."

In his argument, Griffiths said there was nothing but circumstantial evidence linking his client to the 11 counts of war crimes and crimes against humanity with which he is charged. Griffiths argued instead that the trial was politically motivated, evidenced by the fact that Gadhafi was not brought to trial, despite allegations he too supported some of the same rebel groups, because of British economic interests in Libya.

"It is to the shame of this prosecution that it has besmirched the lofty ideals of international criminal law by turning this case into a 21st century case of neocolonialism," Griffiths said.

Taylor was directly connected to Gadhafi in this case by a key witness in 2008, former Liberian President Moses Blah. Blah testified that he was among nearly 200 rebels who were recruited by Taylor and sent to Libya for training at a military base near Tripoli before Taylor gained control of Liberia.

There, the men received "full military training" from Libyans, Blah said, including instructions on how to assemble, disassemble and fire an AK-47. Some were trained in the use of surface-to-air missiles. Taylor would often visit the group in Libya to inspect the men and give inspirational speeches, Blah said.

Gadhafi's support for Taylor was well-known at the time, according to a U.S. State Department cable posted on the website Wikileaks.

Defense: No One Cared About Trial Until Celebrities Were Involved

Griffiths also said that the trial had gone relatively unnoticed until supermodel Naomi Campbell and Hollywood actress Mia Farrow became involved.

Campbell was subpoenaed by the international tribunal following an ABC News report about allegations that Taylor had given her uncut "blood diamonds" on a trip to South Africa.

In August 2010, Campbell took the stand and admitted she received diamonds from men she believed to be representatives from Taylor.

Farrow, who ate breakfast with Campbell the morning after she received the diamonds, testified a few days later to dispute Campbell's previous statement to ABC News that she did not receive any diamonds.

Prosecutors previously alleged that Taylor used the sale of illegal "blood diamonds" to fund the rebel groups he supported.

Once the celebrities completed their testimony, however, the case "returned to obscurity," Griffiths said.

The defense will conclude its closing arguments Thursday before a round of rebuttals Friday.

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## Charles Taylor Defense Says War Crimes Trial Politically Motivated

Scott Stearns | Dakar

### Photo: AP

Former Liberian President Charles Taylor awaits the start of the prosecution's closing arguments during his trial at the U.N.-backed Special Court for Sierra Leone in Leidschendam, February 8, 2011

Defense attorneys for former Liberian president Charles Taylor say his war crimes trial is politically motivated and should include Libyan leader Moammar Gadhafi. Taylor's defense has begun its closing arguments in a trial that has lasted more than three years.

Defense attorney Courtenay Griffiths says Taylor is the victim of "selective prosecution" for his alleged role in helping to arm rebels in neighboring Sierra Leone because Libyan leader Moammar Gadhafi was equally involved.

"This was a court, ostensibly and publicly set up, we are told, to try those who bear the greatest responsibility," said Griffiths. "So why is Colonel Moammar Gadhafi not in the dock?"

Griffiths says that selective prosecution shows that Taylor's trial is politically motivated.

"We submit that it is to the shame of this prosecution that it has besmirched the lofty ideals of international criminal law by turning this case into a 21st century form of neocolonialism," said Griffiths. "And I am not apologizing for saying that."

Taylor pled not guilty to 11 counts of war crimes and crimes against humanity for his alleged support of Sierra Leonean rebels from the Revolutionary United Front, or RUF.

Prosecutor Nicholas Kumjian says Taylor bears primary responsibility for those rebels.



"Charles Taylor created the RUF on his territory," Kumjian said. "Charles Taylor armed the RUF. His forces led the RUF into Sierra Leone in March 1991."

While the Libyan leader and the Burkinabe president Blaise Compaore helped support those rebels, Kumjian says their involvement is in no way comparable to Taylor's actions.

"The RUF, the evidence shows overwhelmingly in our view, was a proxy army of Charles Taylor. The RUF didn't fight for Blaise Compaore," he said. "It didn't fight, as far as we know, for Moammar Gadhafi. But the evidence is overwhelming that Charles Taylor used them not just in Sierra Leone. He used his proxy RUF army in Liberia to fight against his enemies there. He used them in Guinea to fight against his enemies and forces in Guinea to invade that country. He sent them to the Ivory Coast."

Griffiths says the prosecution case is based largely on hearsay and circumstantial evidence.

"The prosecution are making assumptions in the absence of proof that, in effect, put bluntly, where no proof is available, let's make it up," added Griffiths.

As evidence of what he calls the political nature of this prosecution, Griffiths cites the U.S. government's receipt of Taylor's indictment two months before it was released.

Prosecutor Kumjian says Griffiths assertion that this was unethical reflects an unfamiliarity with the workings of international criminal justice.

"All international tribunals, including this one, have no police powers," Griffiths said. "The tribunals do not have the ability to arrest individuals. In order to affect an arrest, they need the cooperation of governments."

Taylor's defense is scheduled to conclude its closing arguments Thursday, with prosecution rebuttal on Friday. A judgment from the U.N.-backed Special Court for Sierra Leone is expected later this year.

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## **6 Kenya Violence Suspects to Appear Before ICC**

Six Kenyans accused of masterminding the country's 2007 and 2008 post-election violence have agreed to appear before the International Criminal Court.

The Kenyans were responding to a summons to appear before the Hague-based court on April 7.

The six include Finance Minister Uhuru Kenyatta, considered one of Kenya's most powerful men. Kenyatta said in a statement Wednesday that the court appearance will give him a chance to prove his innocence.

The others who agreed to appear are former education minister William Ruto, former industrialization minister Henry Kosgey, secretary to the cabinet Francis Kirimi Muthaura, former police chief Mohammed Hussein Ali and radio executive Joshua Arap Sang.

The ICC's top prosecutor, Luis Moreno-Ocampo, has accused all six of organizing the violence that killed some 1,300 people and displaced about 300,000.

Separately Wednesday, Kenya's government said it will challenge the right of the ICC to try cases involving the post-election violence.

Some Kenyan ministers argue the suspects should be tried locally.

Kenya's government has been making efforts to defer any ICC trials stemming from the violence. The country's parliament has urged the government to withdraw from the treaty that created the court.

Kenya, a signatory to the treaty that established the ICC, is legally obligated to cooperate with the tribunal.

The post-election violence broke out after results were announced from the December 2007 presidential run-off vote. Both President Mwai Kibaki and opposition leader Raila Odinga claimed victory. The two men eventually reached a power-sharing deal that made Mr. Odinga prime minister.

## Our Nation (Kenya)

Wednesday, 9 March 2011

### **Ocampo Six line up top lawyers for Hague trials**

The post-election violence suspects have assembled high profile foreign defence lawyers to argue their cases at The Hague.

The list features Kenyan lawyers who have taken part in proceedings in international criminal tribunals and special UN courts.

They have also employed the services of Kenyan lawyers on the ICC roll of counsel.

On the opposite side, civil society groups and human rights lawyers are preparing teams that will represent the victims.

Some of the foreign lawyers have acted for prominent suspects, including former presidents Slobodan Milosevic (Yugoslavia), Charles Taylor (Liberia) and Mr Jean-Pierre Bemba, a former DRC vice-president.

### **Genocide charges**

Others represented high-profile Rwandans facing genocide charges before the Arusha-based International Criminal Tribunal for Rwanda (ICTR).

Deputy Prime Minister Uhuru Kenyatta has contacted British lawyers Steven Kay and Gilian Kay Higgins who defended Milosevic.

They are expected to team up with local lawyers accredited by the International Criminal Court.

Head of Public Service Francis Muthaura has also sought the services British lawyer Karim Ahmad Khan, who in 1996 led Mr Taylor's defence.

### **Defence counsel**

Inquiries by the Nation indicate that Mr Khan will team with Mr Ken Ogeto, a former defence counsel at the Rwanda tribunal.

Eldoret North MP William Ruto is being defended by Dr Kindiki Kithure and Mr Katwa Kigen, who is also representing journalist Joshua arap Sang.

Nairobi lawyer Julius Kemboi is said to be coordinating Mr Henry Kosgey's defence.

In his unsuccessful application to the ICC seeking participation in the proceedings, Maj-Gen Hussein Ali had enlisted the services of Canadian lawyer John Philpot. The court documents had his name.

Mr Philpot will team up with Mr Gershon Otachi and Mr Evans Monari.

Kenyan lawyers cleared to handle ICC cases include Mr Philip Murgor, Mr Mbuthi Gathenji, Mr Ken Ogeto, Ms Mary Wambui Njogu, Mr Athur Igeria, Ms Chana Sureta and Prof Githu Muigai.

Mr Gathenji is among the lawyers expected to represent the post-election violence victims should the cases against the six suspects go to the trial stage. Others are Mr Karanja Kabage, and Mr Igeria.