

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



Justice Teresa Doherty delivering her sentence in Last Friday's Prince Taylor contempt hearing. See more photos in today's *Special Court Supplement*.

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:

Monday, 11 February 2013

Press clips are produced Monday through Friday.
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Special Court for Sierra Leone
Outreach and Public Affairs Office

PRESS RELEASE

Freetown, Sierra Leone, 8 February 2013

Former Special Court Investigator Prince Taylor Sentenced to 2-1/2 Years in Prison

Prince Taylor, a former Defence investigator at the Special Court, must serve a total of 2-1/2 years on his conviction of interfering with Prosecution witnesses, Justice Teresa Doherty ruled today.

Prince Taylor was convicted on 25 January 2013 on five counts of contempt of court. The first four counts alleged he had “otherwise interfered” with witnesses who had testified against former Liberian President Charles Taylor in The Hague. The Court found that Prince Taylor, through former RUF member Eric Koi Senessie, attempted to induce four witnesses to recant their testimony. The fifth count alleged that Prince Taylor had interfered with Eric Koi Senessie at a time when he was a potential witness in contempt proceedings before the Chamber.



Prince Taylor was sentenced to two years on each of the four counts of interfering with witnesses who had testified in the Charles Taylor trial, and 2-1/2 years for interfering with Eric Koi Senessie. The terms will run concurrently, meaning that he will serve a total of 2-1/2 years from October 2012, when he was taken into custody. Under the Rules, he could have faced a maximum penalty of seven years in prison, a fine of two million leones, or both.

In imposing the sentence, Justice Doherty referred to a number of aggravating factors, but also noted Prince Taylor’s previous good record, his service to justice during his seven years as a Special Court investigator, and his father’s plea on his behalf at Thursday’s sentencing hearing.

Under the Special Court’s Rules, both the Prosecution and the Defence have the right to appeal.

#END

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

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Produced by the
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Awoko

Monday, 11 February 2013

Special court contempt case... 30 months sentence for convict

By Betty Milton

Former defence investigator, Prince Taylor, now convicted for interfering with prosecution witnesses was on Friday sentenced to two and half years in jail, after being convicted on five out of nine counts.

In her ruling, Justice Teresa Doherty said, considering the good records and his excellent support to the justice system of the country and his family, he should not be given the sentence recommended by the prosecution.

She stated that the testimony the convict father

who said that Taylor has never been involved in trouble before, and that he is a man of standing integrity in their community.

Justice Doherty ruled that the acquittal of bribery of a witness, does not mean money did not exchange hands with witnesses but that there was not sufficient evidence to corroborate the issue of the \$500 that was to be paid to Eric Senessie, if he had got the witnesses to recant their evidence.

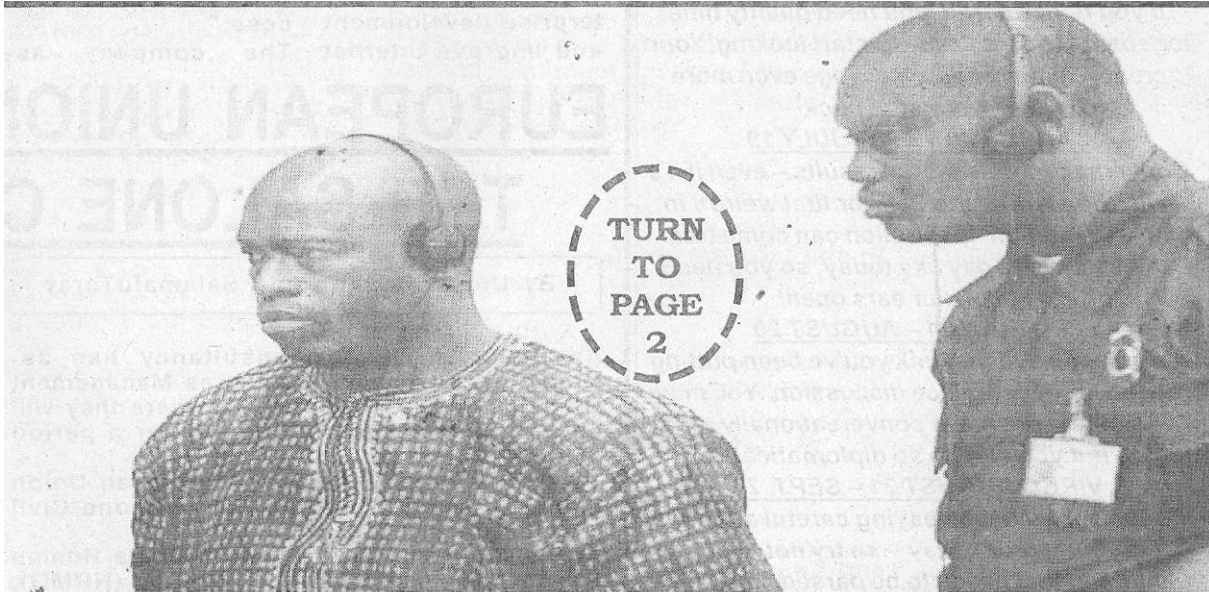
However because of his good attitude, Prince Taylor was sentenced to two and half years on counts nine, 2 years each on count 2, 4, 7 and 8 to

be served concurrently, with time spent on remand deducted.

Earlier in their sentence hearing, the Independent Counsel had recommended a sentence from four to five years and a fine of two million Leones.

The Defence recommended requesting that Taylor's father be allowed to testify at the hearing.

He said because the convict was not convicted on bribery, the judge should consider a lesser sentence and that she should also consider Taylor's good character, while working with the court for about seven years.



Special Court jailed another Taylor 2 years

Special Court for Sierra Leone
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Former Special Court Investigator Prince Taylor Sentenced to 2-1/2 Years

at a time when he was a potential witness in contempt proceedings before the Chamber. Prince Taylor was sentenced to two years on each of the four counts of interfering with witnesses who had testified in the Charles Taylor trial, and 2-1/2 years for interfering with Eric Koi Senessie. The terms will run concurrently, meaning that he will serve a total of 2-1/2 years from October 2012, when he was taken into custody. Under the Rules, he could have faced a maximum penalty of seven years in prison, a fine of two million

leones, or both.

In imposing the sentence, Justice Doherty referred to a number of aggravating factors, but also noted Prince Taylor's previous good record, his service to justice during his seven years as a Special Court investigator, and his father's plea on his behalf at Thursday's sentencing hearing. Under the Special Court's Rules, both the Prosecution and the Defence have the right to appeal.

Africa Review

Sunday, 10 February 2013

Special Court for Sierra Leone sends former investigator to jail

By TERRANCE SESAY in Monrovia



Prince Taylor. BBC

The UN-backed Special Court for Sierra Leone has sentenced a former defence investigator to two-and-a-half years in prison after being found guilty of interfering with prosecution witnesses.

Prince Taylor was sentenced to two years on each of the four counts of interfering with witnesses who had testified in the Charles Taylor trial, and two-and-a-half years for interfering with former rebel Eric Koi Senessie.

According to Justice Teresa Doherty who gave the ruling Thursday, the terms will run concurrently from October 2012, when he was taken into custody.

Prince Taylor was convicted on 25 January 2013 on five counts of contempt of court.

The Court found that Prince Taylor, attempted to induce four witnesses to withdraw their testimonies.

Under the court, both the prosecution and the defence have the right to appeal.

The Special Court is an independent tribunal established jointly by the United Nations and the Government of Sierra Leone.

It is mandated to try those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed during the civil war.

Reuters

Friday, 8 February 2013

Rwanda puts genocide tribunal's legacy under the spotlight



Former Rwandan Trade and Industries Minister Justin Mugenzi and his lawyer Ben Gumpert share notes during the court proceedings at the International Criminal Tribunal for Rwanda in Arusha, Tanzania, in this photo from November 2003. REUTERS/Antony Njuguna

U.N. tribunal has cost in excess of \$1 billion

- * Court quashed convictions against two ministers this week
- * Rwanda prosecutor says court dismantling its legacy

By Jenny Clover

KIGALI, Feb 8 (Reuters) - The U.N.-backed war-crimes court trying chief Rwandan genocide suspects risks going down as a \$1 billion white elephant, Rwandan officials and a survivors group said after the court overturned the conviction of two former ministers.

Prosecutor General Martin Ngoga warned people in Rwanda, a country ripped apart along its ethnic seams by the 1994 massacre, were in "serious disagreement" after the tribunal quashed 30-year jail terms handed down to the ex-politicians.

One genocide survivors' group said the Tanzania-based International Criminal Tribunal for Rwanda (ICTR) appeared to be slowly liberating convicted members of the then-government.

More than 800,000 ethnic Tutsis and moderate Hutus were slaughtered during a three-month killing spree by Hutu extremists that followed the fatal downing of a plane carrying President Juvenal Habyarimana.

The east African country's incumbent President Paul Kagame has been widely hailed by Western powers for fostering stability and development, but for many Rwandans the scars still run deep.

"It's worrying because the trend is pointing at exonerating political leadership from the responsibility of the genocide," a visibly irritated Ngoga told a news conference this week.

"We shall end up with a situation where the tribunal has convicted the rank and file and left out the real big fish."

Justin Mugenzi and Prosper Mugiraneza were convicted in September 2011 of conspiracy to commit genocide and direct and public incitement to commit genocide and jailed for 30 years.

The pair had been part of a case involving high-ranking officials, including the former health minister, Casimir Bizimungu, and former foreign minister, Jerome-Clement Bicamumpaka, who were acquitted in 2011.

An appeals court at the ICTR noted errors in the trial chamber's assessment of evidence, ordering Mugenzi and Mugiraneza's immediate release.

"As far as Rwandans are concerned, (the ICTR is) dismantling its image, its legacy," Ngoga said.

"WHERE ARE THE ACHIEVEMENTS?"

Based in the sleepy town of Arusha at the foot of Mt. Kilimanjaro, the tribunal was at the centre of efforts to set new standards in international justice.

Critics of the tribunal say it has been slow and costly. Some have also questioned its focus solely on the Hutus who led the genocide against minority Tutsis and not on any war crimes that might have been committed by the other side.

Roland Amoussouga, a spokesman for the ICTR, said the court had sent a clear message that no one was above the rule of law. Judgments, he said, were based on fact and law alone.

"We are not a political court, we are a court of law," Amoussouga said by telephone.

The court had been due to wind up "first instance" trials in 2008 and appeals in 2010, but is now due to close down in 2014. It has cost more than \$1 billion.

Monday's verdict means just 58 have been jailed by the court for crimes related to genocide. Fifteen of those have appeals pending. A dozen individuals have been acquitted and nine indictees remain at large.

Three of the fugitives are considered to be among those most responsible for planning and executing the massacre. If caught, they will now not be tried by the ICTR, though their cases would still likely be heard by an international tribunal.

Naphtal Ahishakiye of the genocide survivors' organisation Ibuka acknowledged the court was tackling cases that were tough to prosecute, but expressed disappointment.

"Where are the achievements for the big budget that they had?," Ahishakiye said.

The tribunal was losing the respect of Rwandans, Ngoga said.

"I will not be surprised if in the several appeals that are pending and involve cabinet ministers, if they are also acquitted," Ngoga said. (Editing by Richard Lough and Jon Hemming)

Agence France Presse

Monday, 11 February 2013

Cash crunch threatens Cambodia's war crimes court

PHNOM PENH (Feb 11, 2013): Cambodia's Khmer Rouge war crimes court has been dogged by controversy since its creation but now the UN-backed tribunal faces a potential threat to its very existence - it has run out of money.

The court's 2013 budget still has not been approved by international donors, who have appealed in vain for Cambodia to provide extra funding before they inject more money themselves.

While the contracts of the tribunal's international staff have been extended until June, about 270 Cambodian employees -- including drivers, prosecutors and judges -- have received no pay since November.

The court, whose top donors include Japan, the European Union, Australia, France, Germany and Britain, urgently needs \$9.5 million for 2013.

A relatively small amount on paper but a fortune given the strained relations between the donors and the government, accused of doing nothing to save the court, which is trying top leaders of the murderous, hardline communist regime that ruled the country in the late 1970s.

"There is a certain weariness among donors who are fighting to finance the tribunal and often have the impression that the government is not fully mobilised on the issue," said a foreign diplomat who did not want to be named.

"Nobody seems to have money to pay."

Other court observers talk of a standoff between the donors and the government of strongman Hun Sen, a former Khmer Rouge cadre who defected and went on to become prime minister in 1985.

"There are two cars driving full speed at each other to see who will be the one who makes a turn first to avoid the crash," a foreign official at the court said on condition of anonymity.

Set up in 2006 after years of negotiations, the tribunal has so far survived controversy over allegations of corruption, political interference and slow progress in achieving justice, as well as a string of high-profile resignations.

Led by "Brother Number One" Pol Pot, who died in 1998, the Khmer Rouge wiped out nearly a quarter of the population through starvation, overwork or execution in a bid to create an agrarian utopia.

Ex-foreign minister Ieng Sary, "Brother Number Two" Nuon Chea and one-time head of state Khieu Samphan are on trial and deny charges of war crimes, genocide and crimes against humanity.

Health fears have long hung over the court with the octogenarian defendants all suffering from varying ailments.

The tribunal has so far spent \$179 million but has achieved just one conviction, sentencing former prison chief Kaing Guek Eav, better known as Duch, to life in jail for overseeing the deaths of some 15,000 people.

Although the cost seems high for a country as poor as Cambodia, it is still far less than that of the International Criminal Tribunal for Rwanda (ICTW), whose budget was \$172 million for the financial year 2012-13 alone.

But since its creation by the UN in 1994, the ICTW has delivered 55 verdicts.

While trials for mass crimes are by their nature onerous, the task is crucial to tackle impunity and rebuild society, according to Heather Ryan, a trial monitor at the Open Society Justice Initiative.

"It's almost a game of chicken between the government and the donors," she said. "The donors generally have put so much money in. It would not look good for the donors if after so many years the court would collapse."

Cambodia's neighbours have shown no sign of reaching into their pockets and Hun Sen has not asked them to do so, according to the diplomat. As for his own government, it says that it has already done its duty.

Government spokesman Ek Tha said it "has no budget" available to pay the court staff and has "contributed its maximum effort", doling out \$1.8 million for 2013, more than three times the figure for 2006.

From 2006 to 2012 Cambodia contributed a total of \$16.9 million, he added.

"We cannot let this crisis go on and on. That is why we are seeking more financial support from new donors and friends of the court," he said. "We are optimistic that the international community will not let this court down."

The tribunal has been frequently cash-strapped since it was set up to find justice for the deaths of up to two million people under the Khmer Rouge.

In late 2011, it ran out of funds to pay hundreds of Cambodians workers until it received new funding from Japan in March last year.

This time, some Cambodian employees have threatened to go on strike -- a scenario that observers say could not come to fruition without the government's implicit agreement.

To avoid a fiasco, observers say, money must be found to avoid the judicial process being derailed.

"It seems that the international community has decided it would not allow the court to collapse," said the foreign court official. "If you start cancelling some court hearings, then of course the money will come." – AFP

Associated Press
Friday, 8 February 2013

Kenyan war crimes suspect asks international court to reconsider trial decision

By Associated Press

THE HAGUE, Netherlands — One of four prominent Kenyans charged with involvement in crimes including murder and deportation following disputed elections wants the International Criminal Court to reconsider its decision to put him on trial, saying it was based on “fraudulent evidence.”

In a written motion released Wednesday, lawyers for Deputy Prime Minister Uhuru Kenyatta have asked the court to halt the April 11 start of his trial and again assess whether prosecution evidence is strong enough to warrant his prosecution.

The motion says a key prosecution witness recanted his testimony linking Kenyatta to an organized crime gang allegedly involved in the violence.

“In the circumstances, the (decision to put Kenyatta on trial) was ... based upon fraudulent evidence,” the motion said.

Kenyatta is charged together with Kenyan Cabinet Secretary Francis Muthaura with crimes against humanity for alleged involvement in the murder, forcible deportation, persecution and rape of supporters of Prime Minister Raila Odinga in the aftermath of the 2007 vote.

Violence after the election left more than 1,000 people dead.

Despite the ICC case, Kenyatta is standing as a candidate in this year’s presidential election.

In a separate trial, due to start April 10, former education minister William Ruto and journalist Joshua Arap Sang face charges of murder, forcible deportation and persecution of supporters of President Mwai Kibaki’s National Unity Party after the 2007 vote.

Ruto is running for the vice presidency on a joint ticket with Kenyatta in the March elections.

In a written statement, the prosecutor’s office refused to publicly address the Kenyatta defense claims, saying the issue would be handled in court, not through the media.

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Xinhua

Thursday, 7 February 2013

Trials over Lebanese ex-PM assassination could be delayed: official

An official of the Special Tribunal for Lebanon (STL), which is investigating the assassination of former Lebanese Prime Minister Rafiq Hariri, hinted Wednesday that the trials of Hezbollah members accused of involvement in the assassination could be delayed.

At the start of his visit to Lebanon, Francois Roux, head of the STL defense office, said STL pretrial judge Daniel Fransen had set March 25 as the provisional date to start the trials, but defense lawyers announced that they were not ready yet for the trials next month, and the prosecution agreed to their request to postpone the trials.

“So I think that the pretrial judge will take notice of the positions of both the defense and the prosecution,” he said.

In a hearing chaired by Fransen last week, lawyers of the indicted Hezbollah members called for delaying the trials and said that the prosecution had failed to disclose all relevant documents crucial to the case.

Roux said the prosecution vowed to complete disclosing all the documents by Feb. 15.

The French judge said his visit to Beirut is aimed at discussing with the Lebanese authorities their cooperation with the tribunal. He has met with Lebanese Prime Minister Najib Miqati, Justice Minister Shakib Qortbawi, and General Prosecutor Hatem Madi.

The STL issued warrants for four members of Hezbollah in June 2012, and Interpol has also issued a “red notice” for the suspects, but none of them have been arrested.

The STL turned down in October an appeal by the four men’s lawyers, in which they argued that the tribunal had no jurisdiction in the case.

Set up by a UN resolution in 2007 at Lebanon’s request to probe Hariri’s murder in a massive car bomb attack on the Beirut seafront in February 2005, the STL is the first court of its kind to deal with terrorism as a distinct crime.

Rwanda Focus (Kigali)

Sunday, 10 February 2013

Rwanda: Justice Is Not a Game of Dice

Editorial

Last week, the appeals chamber of the International Criminal Tribunal for Rwanda (ICTR) caused controversy and anger by acquitting former Trade Minister Justin Mugenzi and former Public Service Minister Prosper Mugiraneza for their role in the Genocide against the Tutsis, thus annulling the 30-year prison sentence they received at the end of their trial.

Prosecutor general Martin Ngoga called the decision very disappointing, and warned that the legacy of the tribunal risks to be strongly damaged. He added, though, that he wouldn't be surprised to see more such decisions.

The Genocide survivors association for its part pointed out that the ICTR is courting with Genocide denial, since these are not the first top officials to be declared innocent of the charges against them. If according to the ICTR those people are not guilty of planning the Genocide, Ibuka reasons, then it basically says there has been no planning, thus no Genocide.

However, the prosecutor general also pointed out that the ruling makes little sense. Normally, when someone is sentenced to a heavy sentence such as 30 years by a trial chamber, there is always a possibility that the sentence is reduced in appeal. Yet by acquitting the two former Ministers, the ICTR appeals chamber basically said that the judges of the trial chamber were wrong and did not know what they were doing.

That is indeed a strange thing. While the trial judges accepted the well-founded arguments and evidence presented by the prosecution, all but one of the appeals judge suddenly gave the same logic and facts a completely different interpretation, and decided that the Ministers were innocent.

While the acquittal of people accused of serious crimes does indeed happen occasionally all over the world, this is usually due to new evidence that has been unearthed or flaws discovered in the original evidence. Yet that wasn't the case with the Mugenzi-Mugiraneza; the appeals chamber was presented the exact same facts as the trial judges, yet they decided to accept the defense's weak and unlikely reasoning - such as saying that the prefet of Butare might have been sacked because of political reasons, while the prosecution had clearly demonstrated that he was considered an obstacle in the perpetration of the Genocide in that prefecture (he was indeed killed shortly after his dismissal, and the massacres in Butare increased very quickly).

Justice should not be a game of dice, as the ICTR appeals judges in this case apparently considered it to be. It should be based on facts and logic, not whims. With this decision, the ICTR has done great disservice to justice in Rwanda, and spat in the face of all Genocide survivors. Shame on them.

Special Court Supplement

Photos of Sentencing hearing on contempt case: Independent Counsel vs. Prince Taylor

