

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



**PRESS CLIPPINGS**

**Enclosed are clippings of local and international press on the Special Court and  
related issues obtained by the Press and Public Affairs Office  
as at:**

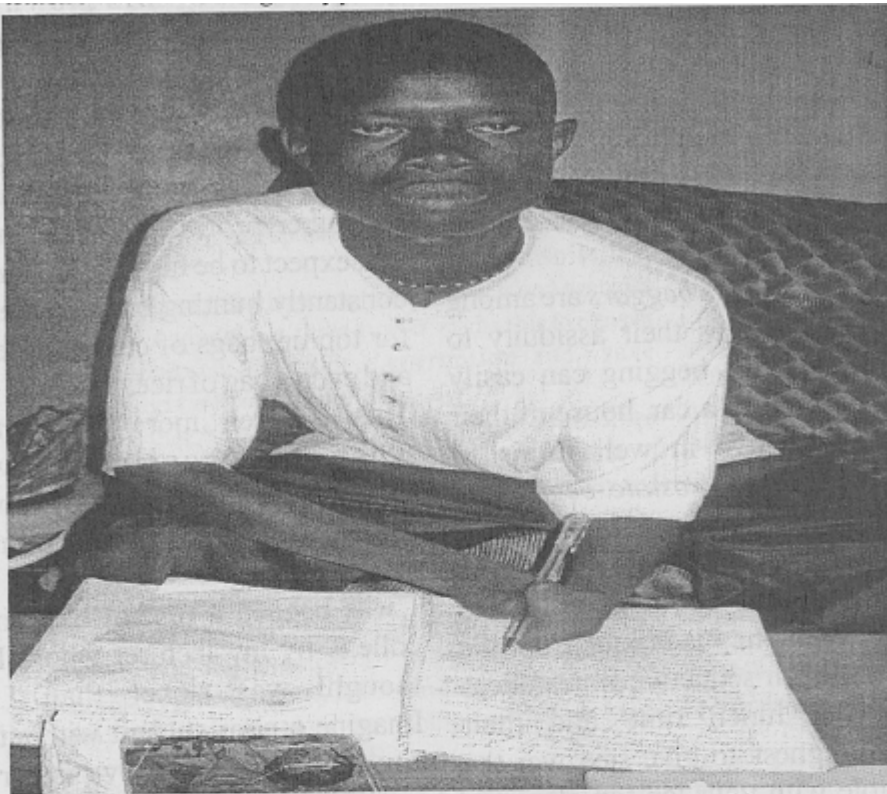
**Tuesday, 12 February 2008**

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

Tuesday, 12 February 2008



### *Paul M Bangura at studies* **Friend of the Earth's Coordinator assesses prison conditions**

Friends of the Earth's national coordinator, Mohamed Kenei Sei, has visited the Kenema prison and veterinary division of the ministry of Agriculture in Kenema.

Mr Sei, in an interview with Awoko, said his visit to the prison was to assess the prisoners' conditions and the prison's structures.

He said there was already a development programme going on in respect of putting up one structure for the use of the prison staff and the entire administration.

The coordinator stated that he did not see much being done as far as the welfare of prisoners was concerned, and that it would be necessary for government to look into how the supply of items for the use of the prisoners were being distributed among prisoners and how best the cells could be of human habitation. Mr Sei however said it was necessary for the pet control unit of the ministry of Agriculture to fumigate the whole prison environment as this would contribute greatly to improving the health conditions of prisoners.

He finally said the entire environment needed a standby power generator for both the prisoners and workers of the prison.

In another development the national coordinator also visited the veterinary division of the ministry of Agriculture to find out whether the division was well equip for the anti rabbis programme that was launched by the first lady, Sia Koroma.

Mr Sei said, "the anti-rabbis programme is an environmental programme that is to be implemented by Friends of the Earth Sierra Leone in the eastern region, and the programme should be implemented in collaboration with the veterinary division."

# The Globe

2 February 2009

## The Concluding Part of Recalling the Political and Economic Trends of Sierra Leone

WE NOR KNOW YAI



Sydney Lefevre

Sydney Lefevre (pictured above) ended up his recall of the political and economic trends of Sierra Leone in the last issue where Valentine Strasser and the boys in military uniform paid Joseph Saidu Momoh and his APC administration a visit. The Strasser visit ended up with another visit by Coporal Foday Sankoh. The Sankoh visit caused mayhem and destruction through out the land. Sydney now concludes with the two visits and the economic indicators of Sierra Leone as reported by the Central Intelligence Agency (CIA) Factsheet. He wrote:

A year earlier the head creep himself and king of slime, Corporal Foday Sankoh, in conjunction with some of our disgruntled neighbours, had attacked the eastern boundary of the country, killing countless people including government officials working in the area and plunged the country into a rebel war that will further cripple this country and make us lose our very sense of identity. The only problem with this visit, President Momoh, very much in character like his

predecessor Shaki did not wait to hear the gripe of Val and the boys, fearing the worst, he simply stuck his tail between his legs like a scared puppy and fled. Did I just say he was a major general of the army! Damn! Pardon me, maybe that was a tactical retreat. He retreated and took refuge in neighbouring Guinea with his friend President Lansana Conteh, leaving the country to cope with the situation solo. Val and his boys recognising an opportunity and

fearing the risk of reprisal; took over the seat of power and made an announcement of a coup de tate through an FM radio situated at Bintumani Hotel. They later called themselves the National Provisional Ruling Council.

### Economic Indicators in Sierra Leone

As we are anticipating, if this new government maintains political stability, economic transformation will be achieved and sustained if the central bank advocates for independence from total government control and commits to establishing and maintaining a stable monetary policy. Export-oriented trade policies, low flat-tax rates and the utilisation of relatively cheap labour should be explored, thus creating the economic platform necessary for investment, hence economic growth. It is common knowledge that Sierra Leone is classified as one of the poorest countries in the world if not the poorest. We now have the opportunity to wrest ourselves out of this cauldron of poverty and take our rightful place in the world politics and business. The table on page 15 gives an indication of the state of the main economic indicators as reported by the Central Intelligence Agency (CIA).

(See page 15)

# The concluding part of recalling the political and economic trends of Sierra Leone

By Sydney Lefevre In the United Kingdom

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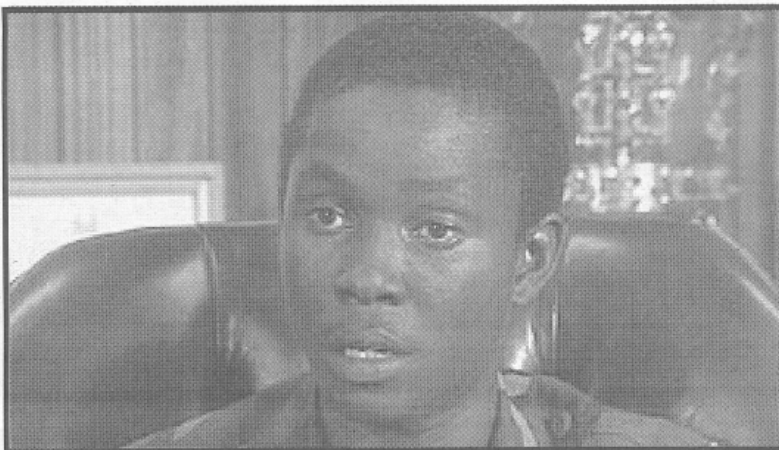
## Economic Indicators in Sierra Leone

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(See page 15)



Maj. Gen. Joseph Saidu Momoh admits failing the people and apologised. He fled to neighbouring Guinea when Valentine Strasser and his boys visited him in 1992.



Captain Valentine Strasser is on record as the man who toppled the APC regime under Momoh and caused Momoh to flee for dear life. He now lives on handouts in Freetown



Coporal Foday Sankoh led a rebel war that lasted almost 11 years with his Revolutionary United Front (RUF). He drugged up our children, raped our sisters, children and mothers. He virtually brought the entire nation to a halt. He held the nation to ransom. But in the end the people bravely confronted him. He was arrested and was tried for war crimes and crimes against humanity. He died in prison a broken man. He will be forever remembered for destroying our country.

## BBC World Service Trust

Monday, 11 February 2008

By Joseph Cheeseman, at The Hague

CHEESEMAM: The Prosecution eleventh witness has ended his testimony on direct examination, stating that a female fighter of the NPFL with a code name General 245 took three companies of recruits from the Cobra Base in Gbartala, Bong County, to Sierra Leone in 1992.

Suwandi Camara said General 245 took the three companies of recruits to Daru.

COUNSEL: Information you got was that the recruits went to Sierra Leone in a place called Daru.

CAMARA: Yes, that is what I told you. She came to collect them from our training base. This happens (sic.) in the year 1992.

CHEESEMAM: He told the Court Foday Sankoh, Sam Bockarie and RUF fighters travelled without any restriction between the NPFL controlled areas and the RUF occupied areas in Sierra Leone. Suwandi said NPFL personnel like Momo Gebbah and Benjamin Yeaten escorted the RUF authorities and their fighters whenever they were returning to Sierra Leone. He also told the Special Court that the NPFL and the RUF joined forces to form the Lofa Defense Force which fought against ULIMO.

CAMARA: Tell him that I said Morris Kallon, who came with the RUF soldiers who were referred to as Vanguard, were joined with Mustapha's soldiers, the NPFL. These two groups were named LDF, Lofa Defense Force. Mustapha Jalloh was the military leader.

CHEESEMAM: The witness is testifying to the Accused's role as the overall commander in the joint action, including but not limited to the Accused's authority over the NPFL, the SSS, the Special Security Service; the ATU, and the RUF.

Suwandi Camara is also testifying to Charles Taylor's alleged assistance to the RUF, including provision of arms and ammunitions during the period from 1991 to 1996, and providing training in Liberia from the early 1990s through 2003 as well as ensuring free passage for the RUF through Lofa County in Liberia.

Suwandi further testified that after the recapture of Gbarnga from ULIMO in 1994, Charles Taylor executed some of his fighters, accusing them of conniving with ULIMO. The Prosecution eleventh witness named some of those executed as Cassius Jacob, Michael Seboe, Junior Goe and Nixon Gaye. He said the fall of Gbarnga brought about the loss of confidence in Liberian NPFL fighters. Suwandi testified that Taylor entrusted his personal security and then Executive Mansion, then in Gbarnga, to the Gambians. He told the Court that communications between the Taylor and RUF were monitored by him.

CAMARA: The first time I came to know about this communication, that day Jackson came and talked to the communication man and told him to contact the RUF side and ask him about the situation there. When Jackson told the communication man about that, the communication man then did his communication, but the report he gave to Jackson – I don't know that.

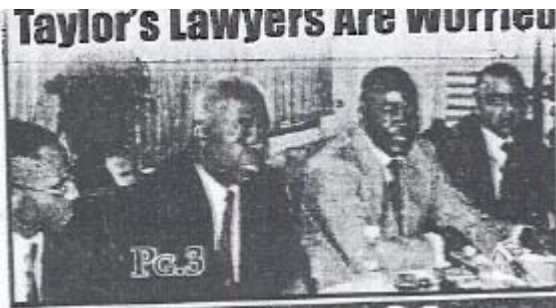
COUNSEL: And when you said "Jackson", are you referring to General Jackson?

CAMARA: Yes. I'm referring to General Jackson, Charles Taylor's special bodyguard.

CHEESEMAM: The Defence team started its cross-examination by declaring Suwandi's testimonies about Taylor's alleged support to the RUF as hearsay, and that he himself did see any of the events he narrated to the Court.

This is Joseph Cheeseman reporting for the BBC World Service Trust and Search for Common Ground, from The Hague.

New Democrat (Liberia)  
Tuesday, 12 February 2008



## Taylor's Lawyers Are Worried

Over Tough Times in Finding Witnesses, Public Access to Trial

Lawyers representing detained former President Charles Taylor say the trial is ahead of schedule but expressed worries that the public may not be able to see some of the primary evidence upon which Mr. Taylor may be convicted.

Mr. Taylor is standing trial for war crimes and crimes against humanity that he allegedly committed in neighboring Sierra Leone, amongst them rape, murder and spillage. Taylor has pleaded not guilty to the charges.

But speaking on the United Nations Radio Tuesday morning, Mr. Taylor's lead counsel, Mr. Courtney Griffiths said the hearing of evidence from high profile witnesses behind closed doors for fear of reprisals from Mr. Taylor's supporters is a matter of concern and may prevent the public from hearing the primary evidence upon which a conviction might be made. Below is an excerpt from the interview.

Mr. Griffiths: "And that is the argument they are going to be raising in relation to all of the high profile witnesses. And as I said to them, this is a matter of concern, because (...) some of the primary evidence upon which a conviction might be made, could be evidence that the public at large never see or hear."

Mr. Griffiths also maintained that the prosecution and western media have pre-conditioned the global mind to assume that Mr. Taylor is already guilty.

"Well, it has always been one of our concerns that the officers of the prosecution and the Western media generally, have pre-conditioned the global mind to assume that former President Taylor is guilty. So rather than a normal situation in a criminal trial, where a defendant is not required to prove his innocence, in this particular case, because of the blanket adverse commentaries about Mr. Taylor over the years. That's where the burden of prove going is being reversed. And it's all like he has already been convicted even though the trial has not yet begun. Now, don't get me wrong, I am not downhearted about that because we are convinced that given the chance, given quality of time in the courtroom whereby we can properly put up a defence, we are confident that we can expose the shadowiness, and the shadowiness of this prosecution. We are confident that

we can do that. But we do expect we have a mountain to claim in terms of obtaining not just in Western Africa but throughout the world about former President Taylor."

However, Mr. Griffiths admits that the defence has some challenges that they need to surmount.

Griffiths: "I think the biggest challenge is twofold, firstly overcoming the prejudice, which is in the general public reminding about Mr. Taylor, he is this demon, this demonic warlord who has designed on taking over all of West Africa contrary to the interests of the United States, Great Britain and other freedom loving countries all over the world that he was a dictator that's the first obstacle we've got. The second major obstacle we've got is where I have mentioned earlier that evidence that is being given in closed sections may have a consequence. We are denied the proper facilities to investigate the testimonies of that witness, in order to assist the court in deciding whether the witness is truthful or not. Those I think are our two biggest obstacles."

The Defence Case

Griffiths: "We anticipate that the defence will soon start sometimes in Autumn, because again contrary to the ways things have been portrayed in the media, your former President isn't anxious to delay this trial. We are not ...in fact, we are already ahead of schedule, and we planned on keeping it that way and we feel we can conclude the prosecution case by the early summer. And thereafter commence the defence case in autumn. And to be quite frank with you, I will be very disappointed if we weren't able to keep at that schedule."

Impact of the case away from West Africa

Griffiths: "Well, I think the first point we need to make on that is this, bearing in mind that the Special Court of Sierra Leone, was ostensibly set up to instill the principles of rule of law and fairness, and to embed that in West African culture. And, you know, there is a certain arrogance about that assertion, that somehow, West Africans have to be taught about justice by outsiders. But put that argument to one side for a moment, bearing in mind that that's the avowed objective. How does it exist to take the (Taylor) trial



all the way from West Africa and put it in The Hague and I think that was done for tactical reasons. I don't think it was done because of concerns that the trial in Sierra Leone might destabilize that part of Africa. I think it was moved to The Hague specifically so that the public in Africa won't be able to follow the trial to a fair extent, because out of the public glare it is much easier to secure a conviction even where the evidence is shabby as I have suggested. Because not everyone will be able to observe, the public that is, to ensure that the quality of the evidence is indeed high because we, make no noise about that, we appreciate that even though we don't have a jury in the court room, in The Hague, our jury is the public in West Africa. We want the public in West Africa to follow this trial so that at the end of it, if he is convicted, and they have had the opportunity of following the evidence they can say hands up high the former president received a fair trial. But equally, if the public in West Africa followed the proceedings and are in the position to follow these proceedings, they will say at the end of the day that there is noway that this man can be convicted with this kind of evidence."

## LPRC Rebuffed

The Liberian Senate Friday rebuffed an invitation by the Liberia Petroleum Refining Corporation (LPRC) to attend a power-point presentation scheduled for today, where the corporation says it wants to 'showcase

What we are interested in is the disclosure of the Nigerian oil deal by the LPRC," a senator said after a letter written by LPRC inviting the senators, was read before the senate plenary last Friday.

LPRC is coming under new and intense criticism,

huge sums of money out any documental LPRC Board also the managing director Greaves of "one man's show."

LPRC, to ward off criticism, last week wrote al organizations and tions, including the



its improvement."

"We are not interested in any public relations stunts or any power point show,

particularly after the revelation from the just published Ernst & Young Audit Report, accusing LPRC of sending

to attend a power point show highlighting 'improvements' made so the corporation

## Other Facets (Partnership Africa Canada)

February 2008

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### **TAYLOR WAR CRIMES TRIAL BEGINS** **PAC's Ian Smillie is First Witness**

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The long-awaited war crimes trial of former Liberian president Charles Taylor started in The Hague in January. The trial's first witness was Ian Smillie, Partnership Africa Canada's Research Coordinator. Smillie has led PAC's work on conflict diamonds since 1999, and in 2000 was seconded to a UN Security Council Expert Panel which reported on links between diamonds and the weapons traffic in Sierra Leone and Liberia.

The Special Court for Sierra Leone, set up to deal with atrocities perpetrated during the country's 11-year civil war, was moved to The Hague because of fears that Taylor's presence in Sierra Leone might lead to political or military instability. Taylor, who is accused of direct complicity in the war in Sierra Leone and of profiting from the country's diamond trade, is pleading innocent to 11 counts of war crimes and crimes against humanity. He is alleged to have encouraged mass murder, the sexual enslavement of girls, widespread rape, the recruitment of child soldiers, and the systematic amputation of limbs.

Human Rights Watch described the start of the case as a huge moment. 'A former head of state is being tried for these most serious crimes,' said Elise Keppler, a lawyer with the group's international justice programme.

Information on the Taylor trial can be found at <http://charlestaylortrial.org/>. The trial itself can be watched 'live' on the Internet with a 30 minute delay when the court is sitting, at <http://www.sc-sl.org/>. Smillie's report for the Office of the Prosecutor, Special Court for Sierra Leone, entitled 'Diamonds, the RUF and the Liberian Connection' is available at <http://charlestaylortrial.files.wordpress.com/2008/01/p-19-report-ian-smillie.pdf>

## Independent Online (South Africa)

Monday, 11 February 2008

### **Hefty jail term possible for 'arms dealer'**

Amsterdam - The Dutch public prosecutor on Monday demanded a 20-year prison term for Guus Kouwenhoven, a former arms dealer suspected of illegal weapons activities in Liberia.

Speaking before the court in The Hague, the public prosecutor said Kouwenhoven committed several war crimes and also violated arm trade prohibitions.

In addition to the jail term, the prosecutor demanded that Kouwenhoven pay a €450 000 fine.

Dutch businessman Kouwenhoven is suspected of providing weapons between 2000 and 2003 to former Liberian president Charles Taylor during the Liberian civil war.

Taylor is standing trial on accounts of war crimes himself in the Special Court for Sierra Leone that is also located in the Hague.

Last week the former Liberian leader was called as a witness in the trial against Kouwenhoven. - Sapa-dpa

## Agence France-Presse

Tuesday, 12 February 2008

### Arms dealer appeals

THE HAGUE - Dutch prosecutors have called for a 20-year prison sentence on appeal for a timber trader convicted of selling arms to Liberia's former president Charles Taylor.

"The prosecution is seeking a 20-year jail sentence and a fine of 450,000 euros for participating in the commission of war crimes and violating a United Nations (UN) arms embargo," prosecution spokeswoman Thea Tjeerdema told AFP.

Timber trader Guus Kouwenhoven was already convicted and sentenced to eight years in prison by a lower court. On appeal the prosecution is trying to get a higher sentence and a conviction for war crimes.

A former president of the Oriental Timber Corporation, Kouwenhoven was convicted in June 2006 for supplying AK-47 machine guns and anti-tank weapons to Taylor between 2000 and 2003, in violation of a UN arms embargo against Liberia.

According to the court, he exchanged the weapons for lucrative timber concessions. Kouwenhoven has always maintained his innocence.

Former Liberian strongman Taylor is now being held in a prison in The Hague after his trial before the Special Court for Sierra Leone was moved to the Netherlands amid fears his presence in Freetown could threaten security in the region. He was questioned over the Kouwenhoven case last Friday.

"I understand he appeared before a Dutch investigative judge but he would not say anything other than to confirm his name was Charles Taylor," Tjeerdema said.

The former Liberian president faces charges of controlling armed militias in neighbouring Sierra Leone that murdered, raped and tortured civilians during the country's 1991-2001 civil war.

A Dutch businessman in his sixties, Kouwenhoven was released in March pending his trial because judges said the appeals procedure was taking too long.

His defence will give their closing arguments in the appeals case next Monday. The appeals court is expected to hand down a verdict in the first half of March, Tjeerdema said.

## UNMIL Public Information Office Complete Media Summaries 11 February 2008

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

### **Newspaper Summary**

*No newspaper published today due to the holiday [Armed Forces Day].*

### **Radio Summary**

**Local Media – Star Radio** *(News culled today from website at 10:00am)*

#### **Liberia Celebrates 52<sup>nd</sup> Armed Forces Day - CIC wants officers submit to the rule of law**

- Liberia today celebrated its 52<sup>nd</sup> Armed Forces Day with President Ellen Johnson Sirleaf who is also Commander -In- Chief challenging officers of the restructured army to submit to the rule of law.
- Liberia's army originated from the Liberia Frontier Force (LFF) which was formed in 1908 and re-organized as the Armed Forces of Liberia (AFL) under the Amended National Defense Law of 1956. The Army was factionalized and drawn into active military combat during the country's decade-long civil war.
- However, a comprehensive peace deal which ended the war in 2003, addressed security sector reform and declared that future recruits for the new AFL be screened for their fitness for service as well as prior human rights violations; that the new force would be ethnically balanced and without political bias, and that the new force's mission would be to defend national sovereignty and respond to natural disasters.
- Consequently, the United States provided funding in 2005 for DynCorp International, a private American military contractor hired to train the new Liberian army to a force-strength of 2000 men. Recruits have to pass a literacy test, an aptitude test, a drug test and an HIV test, and their names and faces are put on posters which are distributed to try and make sure none have a history of war crimes or other human rights violations.
- On 11 January, 2008 a total of 485 soldiers graduated from Initial Entry Training class. The addition of this third class of soldiers, consisting of 468 men and 17 women, raised the total strength of the AFL from 639 to 1,124. The graduation marked a significant milestone in the U.S.-led Security Sector Reform for National Defense programme, as the total number of soldiers who have completed basic training exceeds 50 percent for the first time.

*(Also reported on Truth FM, Star Radio and ELBC)*

#### **Second Judicial Circuit Court Complains of Overcrowded Docket**

- The trial docket of the Second Judicial Circuit Court in Grand Bassa County is reportedly overcrowded. According to the Clerk of Court, there are eighteen criminal and nine civil cases on the docket.
- Mr. Henry Garsaynee attributed the over crowdedness of the docket to the lack of speedy trial during the 2007 August and November terms of court.
- He said theft of property dominates docket but murder, armed robbery and rape will be prioritized during the February Term.

#### **UL Volunteers Begin Raising Funds for Blind School**

- The Volunteer Movement of the University of Liberia has begun raising funds for the needy.
- The movement's Chairman told journalists that volunteers are now soliciting funds from communities for the implementation of projects under the movement.

- Mr. Franklin Natt said funds initially generated would be given to the school of the blind and the renovation of the volunteer center on campus.
- Mr. Natt said the program was initiated by the United Nations Volunteers and is the first of its kind in the country.

### **New Drivers License Launched in Monrovia after a year of suspension**

- The Justice and Transport Ministries have official launched the new driver's license for Liberia.
- A machine worth over two hundred thousand U.S. dollars was purchased for the production of the new driver's license. Outgoing Transport Minister Jeremiah Sulunteh said the machine would afford drivers to get their license in the shortest time.
- Minister Sulunteh said drivers would obtain the license based on the vehicles being operated and each license would last for a three-year period.
- The issuance of the new driver's license would run from February 12 to June 30 this year.
- The issuance of drivers' license was suspended for a year due to what government referred to as constraints.

### **Senate pro-tempore calls for unwavering submission to TRC**

- The President Pro-Tempore of the Senate has called on Liberians to fully submit to the Truth and Reconciliation Commission (TRC).
- Senator Isaac Nyenebo said the TRC process is the best remedy to reconcile the people of Liberia.
- Senator Nyenebo wants Legislators give backing to the TRC to heal the wounds of the Liberian civil war.
- The Senate Pro-Tempore was responding to a question on a suggestion by Senator Prince Johnson of Nimba County.
- Senator Johnson had said if he were to be summoned for public hearings at the TRC, the Liberian Senate would debate his appearance.
- Although Senator Nyenebo did not directly respond to Senator Johnson's argument, he said the TRC has the right to subpoena anybody.

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## United Nations News Centre

Monday, 11 February 2008

### **Congolese rebel leader makes first appearance at International Criminal Court**

The former Congolese rebel leader Mathieu Ngudjolo Chui today made his first appearance before the International Criminal Court (ICC), where he is facing nine counts of war crimes that include allegations of sexual slavery and the use of child soldiers.

Judges at the ICC, which sits in The Hague, verified Mr. Ngudjolo Chui's identity and had the full arrest warrant read out to him, four days after he was arrested by authorities in the Democratic Republic of the Congo (DRC) and handed over to the court.

The ICC is scheduled to hold a hearing tomorrow to determine whether to join the charges against Mr. Ngudjolo Chui with the charges against Germain Katanga, another indictee before the tribunal.

Currently a colonel in the DRC's national armed forces, Mr. Ngudjolo Chui is a former commander of the rebel National Integrationalist Front (FNI), and he faces three counts of crimes against humanity and six of war crimes.

He is alleged to have played a key role in designing and carrying out a deadly attack on the village of Bogoro, in the north-eastern DRC province of Ituri, in February 2003.

The ICC is an independent, permanent court that tries persons accused of the most serious crimes of international concern – namely genocide, crimes against humanity and war crimes.

The situation in the DRC is one of four situations currently under investigation by the ICC Prosecutor. The others are the Darfur region of Sudan, the Central African Republic and Uganda.

## United Nations News Centre

Monday, 11 February 2008

### **Estonia agrees to enforce sentences imposed by UN war crimes tribunal**

11 February 2008 – Estonia today became the fourteenth European country to agree to enforce a sentence imposed by the United Nations war crimes tribunal that was set up to deal with the worst crimes committed during the Balkan conflicts in the 1990s.

Anyone convicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) and given a jail term can now serve that sentence in an Estonian prison after an agreement was signed in Tallinn, the capital.

Italy, Finland, Norway, Sweden, Austria, France, Spain, Germany, Denmark, the United Kingdom, Belgium, Ukraine and Portugal have already entered into similar agreements with the Tribunal.

More than 35 people convicted by the ICTY either have served, or are currently serving, their sentence in one of the European countries which have signed an agreement. Seven others are awaiting transfer to one of the States.

Under today's agreement, which must be ratified by the country's Parliament, Estonia will only enforce ICTY sentences when the length of the jail term does not exceed the highest maximum sentence for a relevant crime under its domestic laws.

## Sudan Tribune

Tuesday, 12 February 2008

<http://www.sudantribune.com/spip.php?article25935>

### **“UNAMID” Troops’ Obligation to Apprehend ICC Suspects in Darfur**

By Dr Sami Saeed

February 11, 2008 — Pursuant to the Security Council Resolution 1593/2005, Chapter 7 of the Charter of the United Nations, and Article 13/b of the Rome Statute of the ICC, the situation in Darfur, since 1st of July 2002, has been referred to the prosecutor of the International Criminal Court (1). The resolution urges all States, not only Sudan, regional and other international organisations to fully cooperate with the ICC. This is true notwithstanding a sentence in paragraph 2 of the resolution, which redundantly recognises that "States not party to the Rome Statute have no obligation under the Statute". In fact, requests of co-operation to non parties will be made by the court on the basis of the resolution, which is adopted under Chapter 7 of the UN Charter as an enforcement measure not implying the use of force (Article 41, UN Charter). And if the State proves unwilling to cooperate, the Prosecutor may bring the matter of non-cooperation to the attention of Security Council (Article 87.7, Rome Statute), which may take further enforcement measures.

The international co-operation with the Prosecutor will bring an added value to the ICC involvement given the veracity of the old adage that “justice must not only be done but also be seen to be done”. In this connection, victims and communities will clearly benefit from greater accessibility to the ICC; and that the proceedings themselves will take place at locations where the crimes are committed.

The resolution requests the regional and international organisations to fully co-operate with the ICC and explicitly mentions the African Union obligations, which include entering into negotiations with the Court with a view to holding ICC proceedings in an appropriate location in Africa. Furthermore, the expression "fully co-operate" suggests that all international actors, have an obligation under Chapter 7 of UN Charter, to implement the Security Council willingness to restoring peace and security in the region. To that end, UN Peacekeeping Missions are the first international organisation corresponded by the resolution, particularly “UNAMID” which is a UN body created to serve as one of the Security Council measures concerned with the conflict addressed by the resolution 1539/2005.

Taking into consideration the power of the Security Council, in accordance with Chapter 7, to add, amend or create a new measures to facilitate the ICC function, "the purpose of the referral of the situation in Darfur by the Security Council, to the ICC, is to contribute to the restoration and maintenance of peace, as well as to contribute to international justice. This will be seriously impaired if the indicted suspects are not brought to justice". For that purpose, the resolution "invites the prosecutor to address the Council [...] every six months thereafter on actions taken pursuant to the resolution".

On 2 May 2007 the Pre-Trial Chamber of the International Criminal Court (ICC) issued arrest warrants against Ahmed Harun and Ali Kushayb(2), who face a list of 42 and 50 charges respectively, of crimes against humanity and war crimes committed in Darfur. Sudan rejects the ICC’s jurisdiction, and has made it clear it will not hand over the two suspects, arguing that as it did not accept the establishment of the ICC, the court had no jurisdiction over its citizens. Urging the 15 member council to act and put an end to this pattern of non-cooperation (3), the Prosecutor said, “Sudan, a UN member state, has not complied with its obligation under (2005) Security Council Resolution 1593 to arrest and surrender suspects.”

In the Charles Taylor's case before the Special Court for Sierra Leone the Security Council, acting under Chapter 7 of the UN Charter, unanimously passed a resolution (1638/2005 ) that empowered the United Nations Mission in Liberia (UNMIL) to arrest, detain and transfer Taylor to the UN court in Sierra Leone in the event that he appeared in Liberia.

According to resolution 1638, which has established a new precedent; the UN Security Council decided that the mandate UNMIL shall include the following additional element: "to apprehend and detain former President Charles Taylor (4) in the event of return to Liberia and to transfer him or facilitate his transfer to Sierra Leone for prosecution before the Special Court for Sierra Leone (SCSL) ....".

This new task assigned to a UN peacekeeping mission is a significant departure from previous practice. Although there are a few precedents of military troops acting within the framework of UN missions which have been authorised to arrest criminals, the conferral of an explicit and clear mandate constitutes a welcome novelty. This resolution is indicative of the trend emerging in the UN Security Council's practice to combat impunity by enhancing the rule of law and promoting international criminal justice; in particular, it is notable because it evinces the Security Council's willingness strengthen cooperation with the International Criminal Court.

Taylor's trial sets a precedent, in that it is the first time that an African head of state has had to face an international war crimes tribunal for crimes against humanity- another step in growing efforts to make leaders accountable for their actions during conflict.(5) Reading Taylor's precedent, together with the Security Council's power under Chapter 7 of the United Nations Charter, UNAMID troops are not only authorised to, but also are obliged to implement paragraph 2 of the "Resolution 1593/2005", and to cooperate with the International Criminal Court; to arrest and to transfer the detainees to The Hague in the Netherlands. And in the Darfur context, arresting a war criminal can easily be reconciled with the non-coercive nature of UNAMID peacekeeping operations, provided that the consent of all parties involved is secured.

In "UNAMID" where the multinational peacekeeping troops do not have effective control and jurisdiction over the national territories, the consent of the host State will always be legally required. To circumvent that obstacle, the only available alternative would be a UNSC Chapter VII Resolution imposing a clear duty on peacekeeping troops to enforce the ICC arrest warrants irrespective of the consent of the State. Following the influence of the UNSC Resolution 1638 mandate to allow UNMIL to arrest Charles Taylor, an order directed towards peacekeeping troops rather than towards States, would have much a greater chance to be first issued by the UN supreme decision-making body, then to be accepted by the international community of States, and finally to be executed.

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The views expressed are those of the author and do not necessarily reflect the views of the United Nations.

Notes:

1- S/RES 1593/2005, adopted by the Security Council at 5158th meeting, on March 31, 2005 on the situation in Darfur, Sudan, was adopted with 11 votes in favour and 4 abstentions. The members of Security Council that voted in favour of the resolution were: France, The United Kingdom, Benin, Greece, Denmark, Argentina, The United Republic of Tanzania, and Romania( States parties to the ICC Statute) as well as Japan, the Philippines and Russia, which are not yet ICC Member States. The United States, China, Algeria, and Brazil abstained.

2- S/RES 1593/2005, adopted by the Security Council at 5158th meeting, on March 31, 2005 on the situation in Darfur, Sudan, was adopted with 11 votes in favour and 4 abstentions. The members of Security Council that voted in favour of the resolution were: France, The United Kingdom, Benin, Greece, Denmark, Argentina, The United Republic of Tanzania, and Romania( States parties to the ICC Statute) as well as Japan, the Philippines and Russia, which are not yet ICC Member States. The United States, China, Algeria, and Brazil abstained.

3- ICTR has a similar pattern, "In his progress report to the Security Council on June 18.2007, the new President, Judge Dennis Byron voiced a passionate call to member state to help in efforts to arrest the indicted suspects still at large". [http:// allafrica.com/stories/200707170284.html](http://allafrica.com/stories/200707170284.html).

4- Charles McArthur Ghankay Taylor (born January 28, 1948) served as President of Liberia from August 2, 1997 to August 2, 2003. was elected president at the end of that conflict, subsequently was forced into exile, and now is in detention at The Special Court for Sierra Leone. Taylor has been indicted on 11 counts of war crimes and crimes against humanity for allegedly supporting a brutal rebel movement in Sierra Leone [...] United Nations Peace Keepers effect the arrest former Liberian President Charles Taylor after surrendering him by Nigerian Police Forces at Monrovia's Roberts International Airport. Taylor was immediately transferred to the Special Court for Sierra Leone in Free Town [.....] his first court sitting convened in The Hague, January, 2008.

5- "Former UN Secretary General Kofi Anan pointed out, Taylor's capture and trial do not only close a chapter but also send a powerful message to the region that would be warlords will ultimately pay a price. Charles Taylor's case is thus loaded with implications for African presidents including coup leaders and others accused of human rights violation". Nivedita Ray, Charles Taylor's Arrest: A Message to the Continent, INSTITUTE FOR DEFENCE STUDIES & ANALYSES, April 04,2006. <http://www.idsa.in/publications/stratcomments/niveditaray040406.htm>