

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



Composite photo of yesterday's sentencing judgement in the contempt trial of Bangura, et. al.

PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office

as at:

Friday, 12 October 2012

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Special Court for Sierra Leone
Outreach and Public Affairs Office

PRESS RELEASE

Freetown, Sierra Leone, 11 October 2012

Four Sentenced for Interference in the Administration of Justice

Four persons convicted last month of contempt for interfering with the administration of justice at the Special Court were sentenced today to terms of imprisonment ranging from 18 months to two years.

Ibrahim Bazy Kamara and Santigie Borbor Kanu (aka “Five-Five”), who were each convicted on two counts of interfering with the administration of justice, were sentenced to prison sentences of two years on each count. Justice Teresa Doherty reduced their sentences by two weeks in consideration of their changed conditions of detention during the trial. The contempt convictions will be served concurrently, meaning they will each serve a total of one year and fifty weeks, in addition to the sentences they are currently serving at Mpanga Prison in Rwanda on convictions for war crimes and crimes against humanity.

Kamara was convicted on September 25 for attempting to induce a witness to recant (to state that he testified falsely) testimony given before the Special Court, and for disclosing the identity of a protected witness. Kanu was convicted of offering a bribe to a witness, and for otherwise attempting to induce a witness to recant testimony given in Special Court proceedings.

Hassan Papa Bangura (aka “Bomblast”) was sentenced to two 18-month prison terms for his convictions on two counts of offering a bribe to a witness, and of otherwise attempting to induce a witness to recant testimony given before the court. The two sentences will run concurrently. He will receive credit for the time he spent in detention during his trial.



Ibrahim Bazy Kamara
File Photo
Two year sentences



Santigie Borbor Kanu
File Photo
Two year sentences



Hassan Papa Bangura
18 month sentences



Samuel Kargbo
Suspended 18 month
sentences

Samuel Kargbo (aka “Sammy Ragga”) received two 18-month suspended sentences, meaning that he will serve no jail time as long as he remains of good behaviour for the next two years. Kargbo pleaded guilty at his initial appearance in July 2011 to offering a bribe to a witness and of otherwise attempting to induce a witness to recant his testimony. He subsequently testified for the prosecution.

During the four-month trial, the court held proceedings at the SCSL courthouse in Freetown and in an ICTR courtroom in Kigali, Rwanda. Bangura and Kargbo participated in their trial in Freetown, and Kamara and Kanu participated in Rwanda. The two courtrooms were connected by VTC video link.

Under the Special Court Rules which were in effect at the time the offences were committed, the court could have imposed a maximum sentence of seven years imprisonment, a fine of two million leones (approximately \$500), or both.

#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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Special Court For Sierra Leone Office Of The Prosecutor

Statement by Prosecutor Brenda J. Hollis, Special
Court for Sierra Leone
to the United Nations Security Council
9 October 2012

Mr. President,

Your Excellencies,

I echo the comments made by President Fisher and thank the Council for its decision to convene this briefing on the Special Court for Sierra Leone. As the Prosecutor of the Special Court, I am honored to be given this opportunity to brief the Council. I will focus my remarks on the achievements of the Special Court, and those of the Office of the Prosecutor in particular. I will also discuss some of the challenges faced by the Office of the Prosecutor, our responses to those challenges, and certain challenges the Residual Special Court for Sierra Leone may face.

I turn first to the achievements of the Special Court. President Fisher has mentioned some of the many successes of the Special Court. In my view, the principal achievement of the Special Court, and its most important legacy, will be the achievement of our mandate, to prosecute those who bear the greatest responsibility for the horrific crimes committed against the people of Sierra Leone. All members of the Office of the Prosecutor, past and present, can be proud of the significant contribution they have made in accomplishing that mandate. The achievements of the Special Court are the product of the hard work and dedication of all organs and members of the Special Court, who are to be commended for their untiring efforts. With the Council's permission, I will limit my comments to the achievements of the Office of the Prosecutor. The Office of the Prosecutor has acted expeditiously. We commenced operations in mid-2002 and we presented the first indictments in March 2003. Guided by the Special Court's Statute, we focused our efforts on prosecuting those who bear the greatest responsibility. Consequently, we presented 13 indictments, charging senior leaders of the three main factions in the Sierra Leone conflict, and Charles Taylor, the then President of Liberia. The first trials commenced in 2004.

With the exception of the case against Mr. Taylor, all cases were completed through appeal by October 2009. Unfortunately, it was not until 2006 that Mr. Taylor was surrendered to the Special Court, three years after he was indicted. The Office of the Prosecutor expeditiously and effectively prosecuted Mr. Taylor. We amended the indictment against him, reducing the number of charges in order to present the case more expeditiously. We presented evidence that resulted in Mr. Taylor's conviction on all charges, a result well noted by the Security Council in Resolution 2065 (2012). This is the first conviction of a former Head of State by an international criminal tribunal since the Nuremberg trials in 1946. On the basis of this verdict the Trial Chamber sentenced Mr. Taylor to 50 years imprisonment. 3 Mr. Taylor was convicted of these charges for two reasons. First, he was convicted for planning the attacks that culminated in the January 1999 invasion of Freetown and the mass crimes which resulted from those attacks. And second, he was convicted for aiding and abetting members of the Revolutionary United Front and the Armed Forces Revolutionary Council in the commission of the charged crimes. The Office of the Prosecutor and Mr. Taylor have both appealed the judgement and the sentence.

We are proud of our other achievements as well. The Office of the Prosecutor has been an active participant in the excellent Outreach program of the Special Court, a

program that has been widely commended for its effectiveness. Through this program, we have succeeded in engaging the people of Sierra Leone in a judicial process carried out in their name, and have fostered a two-way conversation between the Prosecutor and the affected communities. The Office of the Prosecutor has contributed significantly to international jurisprudence. We were the first to charge and prosecute the crimes of enlistment, recruitment and use of child soldiers, attacks on peacekeepers and forced marriage as an other inhumane act. The resulting jurisprudence may be relied upon by other international as well as national courts. Many deserve credit for these achievements, and I extend my gratitude to them, in particular to: the people of Sierra Leone, whose demand for justice, you will recall, resulted in the creation of the Special Court; the Security Council who, through Resolution 1315 (2000) and subsequent resolutions, responded to that demand; the Secretary General, whose work advanced the creation of the Special Court and whose continued support strengthened the Special Court; the victims, survivors and those members of the perpetrator groups who showed the courage and commitment to give information and to testify, both for the Prosecution and the Defence; the Government and 4 the people of Sierra Leone, for their continuing commitment to the Special Court and the support they have provided; the Member States who have faithfully served on the Special Court Management Committee; the 51 States, the United Nations, the European Commission and other organizations, who have provided funding and other support for the Special Court; and to civil society organisations in Sierra Leone, Liberia and worldwide, for their commitment to justice and support for the Special Court.

Particular mention must be made of the United Nations and the Government of Sierra Leone, as partners in establishing the Special Court. Together they created a Statute which achieved two important goals. First, as I have already discussed, the Statute focused our efforts appropriately on those who bear greatest responsibility. Second, the Statute ensured the Special Court would build on the strong foundation put in place by the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda, both as to substantive and procedural law. The Special Court has indeed built on that foundation in carrying out its mandate. I encourage all tribunals and courts who have followed to build on this expanded foundation.

Mr. President,

Your Excellencies,

As President Fisher has stated, the Special Court has faced numerous challenges during its decade of operation. I will now highlight some of those challenges which relate to the Office of the Prosecutor. The record will show that we have responded positively to those challenges, in ways which may have relevance to other courts and tribunals. Of the most demanding challenges before us, I would like to address three: indictment, staffing and witness issues. 5 First, I will discuss indictments. Charges are determined, first and foremost, by the evidence before a Prosecutor. As with other prosecutors who are faced with a multitude of crimes committed across a wide temporal and geographic area, we were challenged with developing indictments which balanced two goals: first, to truly reflect the nature and scale of the crimes to which an accused could be linked and the full extent of his criminal conduct, and second, to bring charges which could be proven expeditiously. To achieve that balance, we focused our indictments on representative crimes and on the scope of the criminal conduct of each accused person.

I now turn to staffing challenges. The Office of the Prosecutor was challenged with recruiting a sufficient number of staff to fulfil our exacting mandate, and with retaining experienced staff to maintain continuity of our work. These challenges were amplified by the uncertain nature of voluntary funding. We responded to these challenges by using short term contracts whenever possible to give us flexibility in meeting our needs, by reducing permanent posts in an orderly manner as we reached Prosecution milestones, and by relying heavily on experienced, talented professionals who were seconded to us by States. These secondments have proven to be an effective and financially desirable option. For example, we could not have conducted our investigations without the local knowledge and expertise of Sierra Leonean investigators loaned to us by the host government.

I will now discuss witness issues. Without witnesses, no trials would be possible. Our main challenges were to communicate and meet with some 800 potential witnesses in a safe environment, and, in cooperation with the Registry's Witness and Victim Section, to ensure the security before, during and after the trial, of the more than 300 Prosecution witnesses who testified. We relied extensively on investigators seconded from the Sierra Leone Police to enable us to contact our witnesses in a manner that guarded their security. We have also had regular contact with our witnesses, before and after trial, ensuring that we receive timely alerts of any security risks or harassment. Allow me to emphasize that the security of witnesses and the enforcement of witness protection orders were, remain, and will continue to be, a significant challenge. In their testimony, many witnesses named individuals who had committed horrific crimes; these witnesses continue to live amongst those individuals and their supporters.

I now turn to the Residual Special Court for Sierra Leone. Some of the challenges it may face can be anticipated today. The Residual Special Court plans to have a relatively small footprint. This is a positive response to the challenge of balancing the requirements of its mandate with financial efficiency. Such efficiency may be enhanced by sharing an administrative platform with other courts. As already emphasized, ensuring the security of witnesses, and the enforcement of witness protection orders, will be a continuing and significant challenge. Indicative of this challenge, this year the Special Court has convicted five individuals of contempt for interfering with witnesses; these convictions, of course, are subject to appeal. As made clear by Article 18 of its Statute, the Residual Special Court shall be responsible for ensuring the security of witnesses and those put at risk by witness testimony. It shall also be responsible for the enforcement of the protection orders of the Special Court and any put in place by the Residual Special Court.

Mr. President,

Your Excellencies,

It is imperative that the Residual Special Court be sufficiently resourced to meet these critical responsibilities, if we are to ensure that those who have risked their well-being to give meaning to justice continue to be protected by the court that they served. 7 By way of conclusion, I recall Security Council Resolution 1315 (2000), which was instrumental in the creation of the Special Court. I am constantly reminded of the prudence of this Resolution when I engage with the people of Sierra Leone. The trials conducted by the Special Court have brought some measure of justice to the victims of heinous crimes committed in Sierra Leone, and have advanced the global fight against impunity. I again thank the Security Council for its support over the years, and for the opportunity to speak with you here today.

The Satellite

Friday, 12 October 2012

UN WOMEN HAILS HISTORIC WORK DONE BY SPECIAL COURT FOR SIERRA LEONE STRENGTHENING WOMEN'S ACCESS TO JUSTICE

The leadership of the Special Court for Sierra Leone addressed the United Nations Security Council and briefed them on the progress made and the challenges that remain for ensuring justice in the country.

The work of the Special Court for Sierra Leone represents a critical landmark for international justice in prosecuting sexual and gender-based crimes committed during conflicts. The jurisprudence of the Special Court for Sierra Leone played an essential role in advancing the recognition in law for such crimes. The Revolutionary United Front trial judgment represented, for instance, the first-ever international convictions of forced marriage as a crime against humanity.

The Special Court of Sierra Leone is currently completing the trial phase of its mandate, with operational funding secured only through the end of November. UN Women has repeatedly called for support to international courts and tribunals, to allow them to complete their mandates and consolidate the gains made in the course of their work as regards to gender justice. UN Women highlights the importance of documenting and sharing the lessons learned on the prosecution of gender-based crimes and innovative aspects to strengthen access to justice for women, such as the important outreach work done by the Special Court for Sierra Leone.

In Sierra Leone, UN Women has supported women's access to justice domestically to complement the efforts of the Special Court. UN Women also supported the Truth and Reconciliation Commission and programmes to support women testifying as well as a reparations programme for survivors of sexual violence.

"War harms women in multiple ways. From mass rapes to mass displacements, women are on the frontlines of conflict and they are demanding justice. This includes effective prosecutions of war crimes and adequate redress for women. The Special Court for Sierra Leone has served justice and contributed to peace consolidation and reconciliation within a country destroyed by a devastating civil war," said Executive Director UN Women, Michelle Bachelet. "It is now essential that the Court be given the means to complete its mandate and to document and share lessons learned in strengthening women's access to justice."

The women leaders at the helm of the Special Court are President of the Court Justice Shireen Avis Fisher, Prosecutor Brenda Hollis, Chief Defender Claire Carlton-Hanciles and Registrar Binta Mansaray. Their leadership furthers the mandate of the ground-breaking Security Council Resolution 1325 which calls for an increase in the number of women in all areas of post-conflict recovery, including judicial processes. The leadership of the Special Court is historic, with all of its four Principals being women—a first in the history of international tribunals.

A press conference will be held on Tuesday 9 October at 2 pm EDT in the Dag Hammarskjöld Library Auditorium with Under-Secretary-General and Executive Director of UN Women Michelle Bachelet, President of the Special Court for Sierra Leone Justice Shireen Avis Fisher, Registrar of the Special Court for Sierra Leone Binta Mansaray, and Ambassador of Guatemala to the United Nations, Geri Rosenthal, as Guatemala holds Presidency of the Security Council in October. The press conference will be webcast live at www.unwomen.org.

UN Women is the UN organization dedicated to gender equality and the empowerment of women. A global champion for women and girls, UN Women was established to accelerate progress on meeting their needs worldwide. For more information, visit www.unwomen.org. UN Women, 220 East 42nd Street, New York, NY 10017. Tel: +1 646 781-4400. Fax: +1 646 781-4444.

UN News Centre

Thursday, 11 October 2012

Three men jailed for contempt by UN-backed Sierra Leone war crimes court



The Special Court for Sierra Leone in Freetown. Photo: SCSL

11 October 2012 – The United Nations-backed court trying war crimes in Sierra Leone today sentenced three senior members of the country’s former Armed Forces Revolutionary Council to jail terms ranging from 18 months to two years for contempt in tampering with a former prosecution witness.

Two of them are already serving long prison terms for war crimes and crimes against humanity committed in the civil wars that plagued the West African country, starting in 1996, while a fourth person convicted last month with the other three received a suspended sentence.

Santigie Borbor Kanu (aka Five-Five) and Ibrahim Bazy Kamara were sentenced to two years in prison on each of two counts of interfering with the administration of justice by offering a bribe to a witness, and for otherwise attempting to induce a witness to recant testimony he gave before the Special Court for Sierra Leone (SCSL). The terms are to be served concurrently.

Hassan Papa Bangura (aka Bomblast) was sentenced to two 18-month prison terms, to run concurrently, after being convicted on similar charges. Mr. Kamara and Mr. Kanu are currently serving 45 and 50-year terms, respectively, for war crimes and crimes against humanity.

A fourth accused, Samuel Kargbo (aka Sammy Ragga), pleaded guilty at his initial appearance in July 2011, subsequently testified for the prosecution, and today received two 18-month suspended sentences, meaning that he will serve no jail time as long as he remains of good behaviour for the next two years.

During the four-month trial, the court held proceedings at the SCSL’s premises in Freetown, Sierra Leone’s capital, where Mr. Bangura and Mr. Kargbo attended, and in a courtroom in Kigali, Rwanda, where Mr. Kamara and Mr. Kanu have been sent to serve their sentences. The two courtrooms were connected by video link.

Based in Freetown, the SCSL was set up in 2002 to try those most responsible for serious violations of international humanitarian law in the civil wars that plagued the country, starting in 1996.

The Star (Kenya)

Thursday, 10 October 2012

We Will Not Block International Criminal Court Cases

NEITHER William Ruto nor Deputy Prime Minister Uhuru Kenyatta is planning to frustrate the International Criminal Court if they are elected President next year, according to the Eldoret North MP.

Ruto told host Stephen Sackur on BBC's Hard Talk show that both of them were not standing because of the criminal cases they are facing in the Hague.

"We have absolutely no intention to interfere with ICC process, absolutely none. My quest for the presidency of this Kenya has nothing to do with ICC process," Ruto said when asked if he was planning to use presidential immunity to frustrate the ICC.

He explained that he was a candidate for the ODM's presidential nomination in 2007 while Uhuru was a presidential candidate in 2002 yet they were not facing ICC cases at the time.

"Nobody should ever think that we are trying to run for president merely because we are suspects. We are running because we are leaders and we have a contribution to make to this country at that highest level," Ruto said.

The trials of Uhuru and Ruto are due to start at the Hague on April 10 and 11. They are facing charges of crimes against humanity arising from the post-election violence in 2008.

Both Uhuru and Ruto have insisted that they will stand for president next March on the TNA and URP parties. Former Public Service chief Francis Muthaura and radio journalist Joshua Sang are their co-defendants at the Hague.

The courts are expected to rule later this month on whether Ruto and Uhuru are eligible to stand for president while facing criminal charges.

Last week, an international justice conference in Germany agreed that becoming president provides no immunity at the ICC.

The prosecutor of the Special Courts for Sierra Leone, Brenda Hollis, told the conference that the question of immunity for presidents only arises for countries who have not ratified the Rome Statute.

Kenya is a signatory so any Kenyan president would be obliged to obey a summons to the ICC. "They have not only waived their immunities but have also accepted that in certain circumstances, the UN Security Council may refer certain situation to ICC. Therefore, they are obligated to cooperate with the court in such circumstances," Hollis said.

Helmut Kreicker from the Attorney General's office in Karlsruhe in Germany however said that international customary law has tended to allow prosecution of leaders even in countries who have not signed the Rome Statute.

Yesterday, Ruto dismissed the charges preferred against him by the ICC prosecutor. He termed as an "absolute fallacy" allegations that he participated in buying weapons and distributed them to gangs to perpetrate the post-election violence.

In a separate interview with Sackur, Deputy Prime Minister Musalia Mudavadi said there is no deal to have him supported as the alternate candidate against Prime Minister Raila Odinga in case Uhuru and Ruto are barred from running.

"Right now, there is no deal that we are moving in. I think we are all competing, we would like everybody to have their opportunity and I am focused that I must win the hearts of the Kenyan people," said Musalia.

Mudavadi said his UDF party will not join a coalition merely to defeat Raila. He said there must be convergence on various issues such as economy.

"It is unfortunate, the issue of Kenyan politicians facing trials. If we were to go back to the violence of 2007 and 2008, there is a sense of national guilt, we went wrong as a nation," Mudavadi said.

"This is the interesting thing about the Kenya's political society, but I can say this, the popularity issue may be something else, and this will really be determined at the point of the vote," said Musalia when asked why he is trailing Uhuru in the polls yet he is facing charges at ICC.

The SOP

Thursday, 11 October 2012

<http://thesop.org/story/20121011/un-seeks-to-reinforce-rule-of-law-worldwide.html>

UN Seeks to Reinforce Rule of Law Worldwide

With its many years of experience and its entrenched neutrality, the United Nations is ideally placed to help countries establish the rule of law, a vital factor in post-conflict reconstruction, overall development and enforcing fundamental rights, a top UN official said today.

Newly-constituted governments are looking to the United Nations for advice and assistance in constitution-making processes, reforming justice and security institutions and dealing with legacies of atrocities, " Deputy Secretary-General Jan Eliasson told the General Assembly committee that deals with international legal matters, also known as the Sixth Committee.

The United Nations has a comparative advantage in providing this assistance, " Mr. Eliasson stressed, noting that it is currently helping 150 Member States on various aspects of the rule of law. We have a broad range of experience dating back many years. The UN brings neutrality and the weight of the international community to the work. We are also using out convening power to advance the issues and the debate. "

The committee is following up on the Assembly`s High-Level Meeting on the Rule of Law that was held last month, when world leaders stressed the universality of humanitarian law and the importance of the system of international courts in enforcing fundamental human rights.

Mr. Eliasson highlighted the crucial role played by the network of international tribunals such as the Hague-based International Court of Justice (ICJ), the principal UN judicial organ set up in 1945 to settle legal disputes submitted by States, and the more recent Hague-based International Criminal Court (ICC), an independent international body that is not part of the UN and tries those accused of genocide, crimes against humanity and war crimes.

Other UN-backed country-specific international courts deal or have dealt with such crimes committed in the former Yugoslavia, Rwanda, Sierra Leone and Cambodia. Mr. Eliasson reiterated the call Secretary-General Ban Ki-moon made at last month`s meeting for all States to accept the jurisdiction of the (ICJ).

The International Court of Justice plays a particularly important role, " he said. It is the only judicial forum to which Member States can bring virtually any legal dispute concerning international law. No other forum`s jurisdiction is as far-reaching. Yet the court is only competent to hear a case if the States concerned have accepted its jurisdiction. "

Only 67 of the UN`s 193 Member States, or 34 per cent, including only one permanent member of the Security Council, currently accept the ICJ`s compulsory jurisdiction. That compares with 59 per cent in 1948, when 34 of the then 58 UN Member States, including four of the five permanent members of the Security Council, recognized its jurisdiction.

Mr. Eliasson highlighted the crucial role played by the UN-backed international criminal tribunals, noting that the Special Court for Sierra Leone (SCSL) last year sentenced former Liberian President Charles Taylor to 50 years in prison for planning and abetting crimes committed by Sierra Leonean rebel forces during that country`s civil war, finding him guilty of acts of terrorism, murder, rape, sexual slavery and enlisting child soldiers.

Meanwhile, the ICC earlier this year found Congolese warlord Thomas Lubanga Dyilo guilty of conscripting child soldiers under the age of 15 into his militia in the Democratic Republic of the Congo (DRC) and jailed him for 14 years.

Looking forward, Mr. Eliasson called for strengthening the linkages between the rule of law and all three pillars of the UN's mission " peace and security; development; and human rights. This includes strengthening peace and security in post-conflict countries; establishing the necessary framework for commerce and international trade, including the sanctity of contracts and labour safeguards; and the need for governments to ratify international rights treaties and promulgate national laws that uphold these obligations.

The New Dawn (Liberia)

Thursday, 11 October 2012

Editorial (Excerpts)

Ellen Rules Out A Third-Term Run

-SNIP-

Also, information has it that one of the paramount reasons that brought bitterness or rift between the President and Senator Jewel Howard Taylor, if not the paramount reason, is that Madam Taylor felt deceived by Madam Sirleaf whom had earlier promised or assured her that she would not turnover former President Charles Taylor to the Special Court on Sierra Leone for prosecution, but later did exactly the opposite. It is said that Madam Jewel Taylor believed her when she made the promise. It was not only Madam Jewel Howard Taylor that Madam Sirleaf gave this assurance. It is said that she also made the same promise to the Traditional Women in Bong County. It is about a leader keeping her word; she did not. She is now saying that she will not be seeking a third term. Can we trust her words on this one?

Furthermore, when the question about who masterminded the extradition of former President Charles Taylor from Nigeria and his subsequent handover for prosecution, President Sirleaf denied ever having any part to play in it. And she was consistent in her denial. We believed her when she said that she had no part to play in it. It was only in 2012 when the Special Court was sentencing Mr. Taylor that the judge announced publicly that it was President Sirleaf who masterminded the extradition process of Taylor. In fact, the judge thanked her specially. Now, she is saying that she will not run for a third time. Can we trust her words on this one?

-SNIP-