

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



Aerial view of a bridge in Biriwa chiefdom. Northern Sierra Leone

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:

Thursday, 18 November 2010

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
Martin Royston-Wright
Ext 7217

Local News

IPAM Wins 6 th Moot Court Competition / <i>Awoko</i>	Page 3
Fambul Tok Reconciles RUF Commander With Konos / <i>Premier News</i>	Page 4
Extradited Arms Dealer Victor Bout Arrives in US / <i>For di People</i>	Pages 5-6

International News

Closure of Taylor Trial / <i>IntLawGrrls</i>	Page 7
ECOWAS Calls for Peace in Guinea / <i>Voice of America</i>	Page 8
Viktor Bout Pleads Not Guilty To Terrorism Charges... / <i>The Wall Street Journal</i>	Pages 9-10
International Court Prosecutor Says 'Bribed' Witnesses Will Not Testify... / <i>The Canadian Press</i>	Page 11
Court Rules Prosecution Has Broad Duty to Disclose / <i>Lubangatrial.org</i>	Pages 12-13

Awoko

Thursday, 18 November 2010

IPAM wins 6th Mootcourt Competition in IHL

Lamin I. Bangura, Ibrahim Sanka Jalloh, and Sahr Simon Borboh from Institute of Public Administration and Management (IPAM) emerged as winners of this year's National Mooting competition on International Humanitarian Law (IHL), organised under the auspices of SLRCS with the support of Special Court for Sierra Leone (Outreach Section) in Freetown.

The winning team will represent Sierra Leone at the forthcoming 10th Pan-African Moot Court Competition in Arusha, Tanzania, in November this year.

As in previous years, six university colleges (Njala University, Fourah Bay College, Milton Margai

College of Education and Technology, Freetown Teachers College, Institute of Public Administration and Management and LICCSAL Business College) participated in this year's national mooting contest held at the facility of the Special Court for Sierra Leone.

The National IHL Moot Court Competition is an annual training event on Humanitarian Law and Principles intended for students and aimed at "taking law out of the books".

During the competition, which started on Tuesday 1st June 2010 culminating in a 'grande finale' at Trial Chamber II of the Special Court for Sierra Leone on 4 June 2010?

Students were placed in an imaginary armed conflict situation assuming the roles of prosecution and defence lawyers.

They dealt with allegations of violations of IHL and argued their case before a panel of judges, which included the President of the Special Court, Justice John Kamanda, two Legal Interns from the Special Court, a Legal Personnel from the Republic of Sierra Leone Armed Forces and the Legal Advisor of the SLRCS.

The exercise allows students to acquire knowledge of this body of laws while at the same time appreciating its practical relevance.

The event is funded by the International Committee of Red Cross (ICRC).

Fambul Tok Reconciles RUF Commander With Konos

One-time Revolutionary United Front (RUF) self-styled Col. Mohamed Savage over the weekend confessed openly on bended knees his atrocities against the people of Kono District.

By Abu Bakarr Munu

He apologized and asked for forgiveness from the people, while begging them to accept him back in their society.

The ground for the reconciliation was laid by Fambul Tok International (FTI), which is working to create space for victims of the civil conflict and offenders to dialogue on what went wrong, and why they turned against each other, to start the journey to reconciliation.

The historic apology took place before a multitude about seven miles from Koidu Town, at the Tombodu Town Court Baray, Kamara Chiefdom.

Looking morose, down cast and visibly moved by the crowd of people, Savage called on the people to let bygones be bygones, and for them to turn to a new page, saying "I cannot use money to ask for forgiveness."

"I know what I did was wrong, and personally accept the blame for all the mayhem and atrocities caused by my men during those dreadful days," Col. Savage stated.

Some people threatened to lynch him but were restrained by the Paramount Chief, PC Aiah Melvin Ndekia II and officials of FTI.

PC Aiah Melvin Ndekia II said he personally has forgiven Savage and thanked the people of Tombodu for their resilience through those difficult days.

He expressed the hope that the people of

Kamara Chiefdom will find a place in their hearts to forgive Col. Savage and corporate with him, as by so doing, their old wounds would be healed.

Usif Mansaray of FTI disclosed that Fambul Tok is presently working within five chiefdoms in Kono, stressing that they are working very hard to fulfill their mandate to reunite Sierra Leoneans with their families and provide help for the less fortunate within the township.

He called on the people of Kono to see Col. Savage as their son, brother and to accept him back into the community, as what has been done cannot be undone.

"The spirit or culture of forgiveness should be the watchword of the people of Kono as prescribed in the Truth and Reconciliation Commission reports," he said.

Looking back at what Col. Savage did to them as Kono people, Bondu Karku, leader of Kono Women's Wing said the people of Kono must be ready to forgive and forget what Savage did to them for the betterment of Kono and Sierra Leone as a whole.

Pa Aiah Kelly, the Court chairman of Tombodu said he was captured in April by Col. Savage's men as he was trying to rescue his. He said Col. Savage and his men treated him inhumanely, but as God would have it, some confusion broke out among them that eventually led to his freedom and other hostages. He ended up by saying that as long as God has forgiven Savage, he too is ready and willing to forgive him, and called on the people of Tombodu to embrace Savage as their son and try to live together as family.

Madam Sia Karkurin said she is still feeling the pain from the treatment she received at the hands of Col. Savage.

She said they burnt her children and Col. Savage asked her to eat them as meat, adding that her refusal led to her stabbing on the head by Savage which has resulted in some mental disorder.

"Whenever I think of my children and the ugly incident, I feel pain as a single parent," she said.



Col. Savage

For di People

Thursday, 18 November 2010

Extradited Arms Dealer Viktor Bout Arrives in US

ALLEGED RUSSIAN arms dealer Viktor Bout has arrived in New York, following his extradition from Thailand and a diplomatic row with Russia.

US Attorney General Eric Holder said the extradition was a "victory for law and order" saying Mr Bout had been "a source of concern around the world".

Russia described the extradition as a "blatant injustice", the result of extreme American pressure on Thailand.

Mr Bout, who denies all charges, will appear at a US court on Wednesday.

The former Russian air force officer, 43, has been accused of trying to sell arms to Colombian rebels and supplying weapons that fuelled conflicts in Africa and the Middle East.

Mr Bout - dubbed the "Merchant of Death" by his critics - was arrested in Bangkok in 2008 in a US-led operation.

Russia had been demanding Viktor Bout's immediate release and return to Moscow from the moment he was caught by FBI agents in a sting-operation in Bangkok two years ago.

It has now lost that battle and has reacted furiously... But its strong words may be driven by much more than a simple desire to help Mr Bout as a Russian citizen.

Well-placed sources in Moscow have told the BBC Mr Bout could not have operated what is alleged to have been a massive illegal arms dealing business without support from many different parts of the Russian state... in particular the secret services.

Many suspect Mr Bout is himself an intelligence officer or at least closely connected with the intelligence agencies here.

A former British minister who had access to secret files while in office has alleged that Mr Bout's connections go to very senior levels of the Russian government.

If these allegations are correct, then Mr Bout's extradition to the US will be very worrying because highly sensitive information could be handed over to the Americans.

Following a long legal battle, Thailand eventually backed the US request for his extradition.

He was taken to Bangkok airport on Tuesday in handcuffs, escorted by armed police officers and with snipers deployed along the route.

If convicted, he faces a maximum penalty of life in prison.

But Mr Bout denies being, or ever having been, an arms dealer - and Moscow also insists he is innocent.

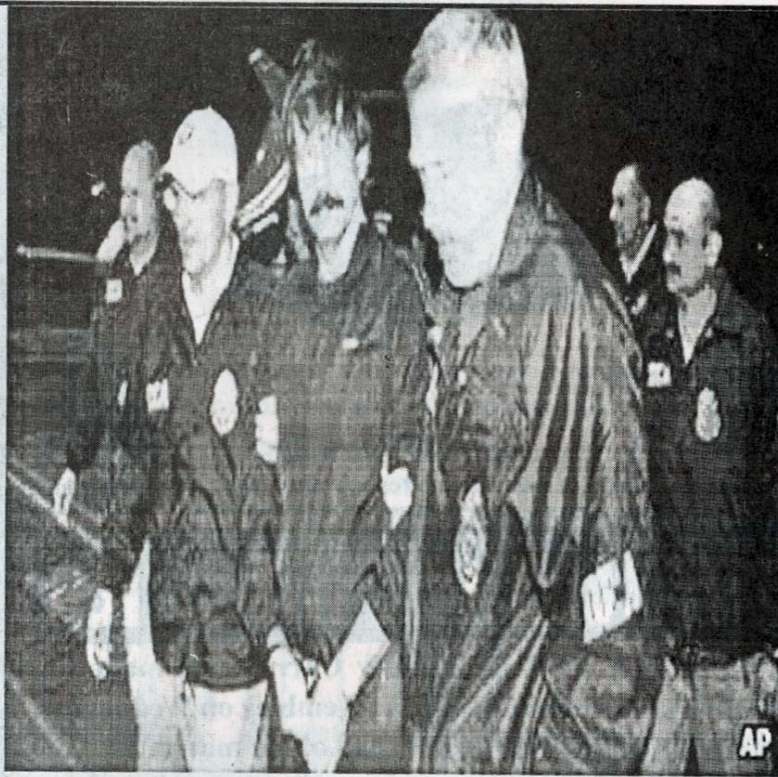
"Viktor Bout has been indicted in the United States, but his alleged arms trafficking activity and support of armed conflicts in Africa has been a cause of concern around the world," said US Attorney General Holder in a statement.

"His extradition is a victory for the rule of law worldwide."

Mr Bout is thought to have knowledge of Russia's military and intelligence operations, and Russian diplomats fear the revelations he might make in open court, correspondents say.

Russian Foreign Minister Sergei Lavrov reiterated Russia's belief that the US pursuit of Mr Bout was politically motivated, and said Russia would use all legal means to support him.

"Contrary to two rulings by a Thai criminal court which concluded that



BOUT: the Russian Federation is supporting him strongly

Viktor Bout's guilt was not proven, he has still - by a decision of the Thai government - been extradited to the United States," Mr Lavrov told Rossiya TV on Tuesday.

"I consider this to be unprecedented political pressure on the judicial process and on the government of Thailand. This whole story is an example of blatant injustice. We, as a state, will continue to render all necessary assistance to Viktor Bout as a Russian citizen."

Mr Bout's wife Alla rushed to the prison to see him - but found she was too late

Mr Bout's wife, Alla Bout, appeared outside the prison in an apparent attempt to see her husband before he left - but she was too late. She insisted there was "every ground" to win the case in court.

A Russian embassy official told the BBC that the Russian consul had also been unable to see Mr Bout.

Viktor Bout first came to prominence a decade ago when he was described in a United Nations report as "a well-known supplier of embargoed non-state actors" - the UN's way of describing an arms supplier to rebels.

Dubbed the Merchant of Death by a British politician, he was alleged to have supplied arms to Angola, Liberia and the Democratic Republic of Congo.

But he is also suspected of having used his network of air freight companies to supply weapons, in the early 1990s, to Afghanistan and Bosnia.

A website that describes itself as "The official site of Viktor A Bout" says he is a businessman with an undying love for aviation and an eternal drive to succeed.

The website says he started his career in the army of the former Soviet Union - and it was when the Soviet Union collapsed that he started buying up surplus Antonov and Ilyushin cargo planes.

IntLawGrrls

Monday, 15 November 2010

Closure of Taylor Trial

On Friday, Charles Taylor's defence officially closed its case in the case of Prosecutor v. Taylor (Taylor, far left) at the Special Court for Sierra Leone. In his final submissions, Taylor's lead counsel, Courtenay Griffiths, told the judges that "it has been accepted by us right from the outset that terrible crimes were committed in Sierra Leone. We share the concerns for the victims of these crimes, and we want to make clear that differences between the parties in the courtroom should not be exploited as evidence that either party naturally assumes a morally superior position. On that note, this is the case for Mr. Taylor."

Taylor is charged with responsibility for 11 counts, including the crimes against humanity of rape and sexual slavery, and the war crimes of recruitment and/or use of child soldiers and committing acts of terror. The defence formally opened on July 13, 2009, and Taylor took the stand in his own defence the next day. He remained on the stand until February 18, 2010. The defence called 21 witnesses on its behalf, ending with the testimony of Sam Flomo Kolleh, a Liberian national and former member of the Revolutionary United Front in Sierra Leone. The defence used Mr. Kolleh's evidence to try to rebut the prosecution's evidence that Taylor was responsible for providing support to the Revolutionary United Front.

Written final trial briefs will be filed in January 2011, with oral closing arguments for both parties scheduled for February 8-11, 2011. The trial judgment is expected in mid 2011. The trial began in 2008 at the premises of the International Criminal Court in The Hague, and then moved in May to the premises of the Special Tribunal for Lebanon in nearby Leidschendam, Netherlands.

The Registrar of the Special Court, Binta Mansaray (right), noted that the closure of the defence case "is not only a major milestone in the Charles Taylor trial, but in the work of the court as a whole." The end of the Taylor trial and any subsequent appeals will mark the end of the current work of the Special Court. The Special Court will then close and be succeeded by a residual mechanism in order to carry out legal and practical obligations that naturally continue after closure, such as victim protection and sentence enforcement monitoring. The Prosecutor, Brenda Hollis (left), also welcomed the closure of the defence case, expressing thanks to all of the witnesses who testified during both the prosecution and defence phases of the trial: "Their courage and willingness to take the stand and bear witness has been an inspiration. We in the Prosecution have always said that we fight for justice in the name of the victims, but they are the ones who have truly made justice possible."

The Taylor trial has been lauded for its efficiency, which was directly related to the cooperation of Taylor. As well, Taylor's lead defence counsel, Griffiths, has garnered attention for his effective – and dramatic - advocacy on his client's behalf.

As I noted in an earlier post on the Taylor trial, the most difficult aspect of this case for the prosecution is adequately proving the linkages between Charles Taylor, who was in Liberia during the time period of the indictment, and the crimes committed in Sierra Leone. The prosecution brought linkage witnesses, and Taylor's defence worked to raise doubts about that evidence.

In February, keep an eye on the incredibly helpful blog [The Trial of Charles Taylor](#) for updates on the closing arguments in the Taylor case. You can also watch the closing submissions through live streaming on the Special Court's website.

Voice of America

Wednesday, 17 November 2010

ECOWAS Calls for Peace in Guinea

Peter Clottey

A top official of the Economic Community of West African States (ECOWAS) said the West African regional bloc will continue to work with political leaders in Guinea to ensure peace and stability ahead of a Supreme Court ruling to certify the results of last week's presidential run-off vote.

Sonny Ugoh, communications director for ECOWAS said supporters of President-elect Alpha Conde and challenger Cellou Dalein Diallo should desist from engaging in violence that could destabilize the country.

"It's important for all the parties in Guinea, particularly the two parties that went for the run-off to keep their supporters under check. They have the greater responsibility to maintain peace and security in that country. It is only under that kind of atmosphere, of course, that you can talk about democracy, which is what we have been anxious to return to that country."

This came after Guinea's military government declared a state of emergency, as violence sparked by the disputed presidential election continued.

Army Chief Nouhou Thiam said in a nationwide television broadcast Wednesday that the state of emergency will remain in effect until Guinea's Supreme Court verifies the election results.

ECOWAS official Ugoh said the regional bloc is working closely with the political leadership to ensure a stable Guinea in that country's journey towards constitutional rule.

"By imposing the curfew, we believe that the military junta there is trying to make sure that whatever it is of the outcome of the election, the reaction the two parties particularly the party that was not declared the winner will put a lid on things so that it doesn't get out of hands," said Ugoh.

"We are watching the situation very keenly. We have an office there through which we are engaging with the various stakeholders, the leaders of the political parties and the junta to make sure that things don't get out of hand."

Army Chief Thiam said "troublemakers" were deliberately attacking security forces and civilians.

Officials say the decree prohibits any public gatherings and gives police extra powers to tackle the situation.

Guinea's electoral law gives the Supreme Court until 23rd November to confirm the results.

Mr. Diallo is asking the Supreme Court to annul votes from two districts where he said thousands of members of his ethnic group were driven from their homes in pre-election violence. If those results are thrown out, Mr. Diallo would end up with more votes than Mr. Conde.

The presidential election was considered Guinea's first democratic vote after more than 50 years of dictatorship and military control.

The Wall Street Journal
 Wednesday, 17 November 2010

Viktor Bout Pleads Not Guilty To Terrorism Charges Hours after Extradition

By Samuel Rubinfeld

Viktor Bout, the alleged Russian arms dealer whose reported escapades inspired the film “Lord of War,” pleaded not guilty in a New York court to charges that he agreed to supply Colombian terrorists with weapons with the intent to kill Americans.



*U.S. Department of Justice
 Viktor Bout deplanes after arriving at
 Westchester County Airport.*

The plea came only hours after Bout was extradited from Thailand, after two years of legal wrangling. Bout, a former Soviet air force officer, arrived Tuesday night at Westchester County Airport in New York. Bout runs an air-cargo business that he has said specializes in bringing legitimate cargo into conflict zones, but U.S. authorities labeled him as the world’s most notorious arms dealer for using his business to fly weapons across the world. Suspected clients

include Liberia’s Charles Taylor and Libyan leader Moammar Gadhafi; Bout’s life was the subject of a bestselling book.

“The so-called ‘Merchant of Death’ is now a federal inmate,” said Manhattan U.S. Attorney Preet Bharara at a press conference, referring to a nickname Bout received for his activity over the years. “No one is beyond the reach of the law.”

At the press conference, Bharara said Bout was secretly recorded advocating that his weapons be used to kill Americans and that he supported FARC’s goals.

He was added to the specially designated nationals list at the Office of Foreign Assets Control in July 2004 for weapons trafficking activity in Liberia, and the indictment says 30 more companies and four individuals linked to him were added in April 2005.

According to the indictment, U.S. Drug Enforcement Agency agents, working undercover with confidential sources posing as agents of the Colombian rebel group FARC, convinced Bout to sell them weapons including 700 to 800 surface-to-air missiles, 5,000 AK-47 firearms, unmanned drones and land mines, for the purpose of killing Americans. The conspiracy with the agents lasted from November 2007 through March 2008, when he was arrested at a hotel in Bangkok.

He was charged with conspiring to kill U.S. nationals, conspiracy to kill American officers and employees, conspiring to use and acquire anti-aircraft missiles, and conspiring to provide material support to a foreign terrorist organization. If convicted on all four counts, Bout faces a maximum sentence of life in prison, or a minimum of 25 years in prison.

His extradition from Thailand was fought to the end by the Russian government, and it could imperil U.S.-Russian relations. The Russian Foreign Minister called the extradition an “extreme injustice,” saying his government will defend him “by any means.”

Also at the press conference, Bharara announced the guilty plea of Andrew Smulian, who faced the same four counts as Bout's associate. He agreed to cooperate with the investigation, and faces a maximum of life in prison, or a minimum of 25 years.

"Viktor Bout has been indicted in the United States, but his alleged arms trafficking activity and support of armed conflicts in Africa has been a cause of concern around the world. His extradition is a victory for the rule of law worldwide," said Attorney General Eric Holder in a statement.

The Canadian Press

Wednesday, 17 November 2010

International court prosecutor says 'bribed' witnesses will not testify in Kenya violence case

By Mike Corder (CP)

THE HAGUE, Netherlands — International Criminal Court investigators probing the postelection violence in Kenya will not use testimony from three witnesses who claim they were bribed to provide false evidence against a prominent politician, the court's prosecutor said Wednesday.

Luis Moreno Ocampo also said he is aware of attempts to intimidate or bribe potential witnesses in the case and has informed Kenyan authorities.

Moreno Ocampo's written statement did not name the politician, but it came days after the Kenya National Commission on Human Rights said that Kenya's former higher education minister, William Ruto, should be investigated for allegedly persuading three men in a witness protection program to recant statements they made implicating him in the violence that erupted in late 2007 and 2008 after Kenyan elections.

Ruto was higher education minister until last month. He recently travelled to The Hague in an attempt to clear his name as investigators prepare to indict suspects before the end of the year.

Moreno Ocampo has said the killing of more than 1,000 people along with instances of rape and forced deportation after the election amount to crimes against humanity, and he expects to charge up to six suspects who bear the greatest responsibility.

In April, Moreno Ocampo said he had a list of 20 possible suspects that included leaders of President Mwai Kibaki's Party of National Unity and Prime Minister Raila Odinga's Orange Democratic Movement.

Moreno Ocampo's statement Wednesday appeared to be an attempt to reassure Kenyans that the world's first permanent war crimes tribunal will not be fooled by false witnesses and will deal impartially with the politically charged case.

"The judicial process will show respect for the victims, respect for the law and also respect for the suspects," he said, pledging that those most responsible "will face justice."

Upon returning from his talks with the court in The Hague, Ruto claimed the Kenyan human rights commission bribed witnesses to implicate him. The day after Ruto returned, the three men who had earlier co-operated with the government-funded commission signed sworn statements recanting the allegations they had made against Ruto.

They claimed one of the organization's commissioners, Hassan Omar Hassan, coached and coerced them to name Ruto in their statements.

But Hassan said what the men claimed as bribes are standard payments for the commission's witness protection program. He said Ruto may be trying to derail the ICC process by discrediting potential witnesses.

Copyright © 2010 The Canadian Press. All rights reserved.

Congo-Kinshasa: Court Rules Prosecution Has Broad Duty to Disclose

Judith Armatta

On Friday, November 12, 2010, the judges of Trial Chamber I at the International Criminal Court (ICC) in the trial of Thomas Lubanga ruled that the prosecution's duty to disclose information to the accused is broad, encompassing everything relevant in its possession except materials related to its theories or tactics. Mr. Lubanga's counsel raised the scope of disclosure issue on March 5, 2010, when it appeared the prosecution was questioning a defense witness based on undisclosed information. The chamber asked the parties to submit written arguments.

Under the Rome Statute, the governing treaty of the ICC, the prosecution is directed to disclose to the defense any potentially exculpatory evidence. Exculpatory evidence is evidence that the prosecution believes: i) shows or tends to show the innocence of the accused; ii) mitigates the guilt of the accused; or iii) may affect the credibility of the prosecution evidence. In addition, the Rules of Procedure and Evidence state that the prosecution is obligated to allow the defense "to inspect any books, documents, photographs and other tangible objects in the possession or control of the Prosecutor, which are material to the preparation of the defense or are intended for use by the Prosecution as evidence . . . or were obtained from or belonged to the person [accused]."

In an earlier ruling in this case, the appeals chamber decided that the trial chamber erred by interpreting the rules too narrowly "because it excluded objects which, while not directly linked to exonerating or incriminating evidence, may otherwise be material to the preparation of the defence." (emphasis added)

In its recent decision, the trial chamber ruled that anything potentially relevant to defense preparation includes substantive material that "may significantly assist the accused in understanding the incriminating and exculpatory evidence, and the issues, in the case." Such evidence might include background information about a particular battle or crime site, for example.

The prosecutor opposed broadening the extent of its obligation to make exculpatory evidence available to the accused. In its view, the prosecution should not have to reveal in advance material, which it will use to test the credibility of a defense witness. To a certain extent, cross-examination is reactionary. While parties are required to provide a summary of evidence a witness is expected to give, at times a witness will go beyond that. The prosecutor argued it should not be expected to turn over material it uses to cross-examine on unanticipated issues.

The trial chamber did not agree. "The prosecution's disclosure obligations continue throughout the trial, and once fresh items are identified that should be provided to the defense, this is to be effected expeditiously," the court concluded.

The trial chamber cited efficiency as a reason for its decision. Knowing the material the prosecution plans to use in cross-examination will allow the defense to decide whether or not to call the witness. "It will increase the likelihood that only those witnesses are called who are, on an examination of all the relevant material, credible and reliable."

Mr. Lubanga, the alleged former head of the Union of Congolese Patriots (UPC), has been on trial at the ICC since January 2009. He is on trial over the recruitment, conscription, and use of children in armed conflict during 2002 and 2003 in the Democratic Republic of the Congo.

Throughout the trial, the defense has protested that the prosecution was not honoring their disclosure obligations. In June 2008, trial judges issued a stay of proceedings in the case after determining that it was impossible for the trial to be fair because the prosecutor had not disclosed to the defense, or availed to judges, important potentially exculpatory evidence. Trial judges also ordered Mr. Lubanga's unconditional release, but the decision was not effected following a prosecution appeal. Once the prosecution made the disclosures, trial judges lifted the stay of proceedings on November 18, 2008. This paved the way for the opening of the trial on January 29, 2009.

However, defense lawyers up to this day are not satisfied with the level of disclosures by the prosecution. Earlier this month, lead defense counsel, Catherine Mabile, said there were many outstanding disclosures that the prosecution had to make. "We are not satisfied with the disclosure by the OTP [related to] the elements for the request on abuse of process," stated Ms. Mabile. "If possible we would like to include this issue in our request with regard to abuse of process," she said. The defense will next month file an application asking judges to dismiss the case because of the alleged coaching of prosecution witnesses by intermediaries of the Office of the Prosecutor (OTP). It has requested the OTP to disclose various documents and communications related to the intermediaries alleged to have played a role in corrupting evidence.