

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE



Visiting Liberian journalists ask questions of the Registrar, the Acting Prosecutor and the Principal Defender at a press conference on Friday. See today's *Special Court Supplement*.

PRESS CLIPPINGS

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

Monday, 19 June 2006

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

PRESS RELEASE

Freetown, Sierra Leone, 16 June 2006

Special Court Registrar Welcomes United Nations Security Council Resolution

The Registrar of the Special Court, Mr Lovemore Munlo SC, has welcomed today's Chapter 7 Security Council Resolution, which clears the way for the trial of Charles Taylor to be held in The Hague.

“Resolution 1688 provides the legal basis for the Government of the Netherlands to conclude a Headquarters Agreement with the Special Court for Sierra Leone,” Mr Munlo said. “This was a necessary step before the Special Court could make a determination on whether Charles Taylor should be tried in The Hague”.

The Security Council Resolution calls the presence of Mr Taylor in the subregion “an impediment to stability and a threat to the peace”, and asks the Secretary-General “as a matter of priority” to assist in making the legal and practical arrangements for the transfer of Mr Taylor to the Netherlands, and for the provision of all necessary facilities for the conduct of his trial.

The Security Council also calls on the Dutch government to facilitate the trial by allowing, among other things, the transport to and the detention of Mr Taylor in the Netherlands, and enabling the appearance of witnesses, experts and other persons required by the Court under the same conditions as are provided for the International Criminal Tribunal for the former Yugoslavia (ICTY).

Mr Munlo emphasised that although the trial will take place in a courtroom of the International Criminal Court (ICC), it will be conducted in accordance with the Statue and Rules of the Court by Judges of the Special Court for Sierra Leone. “The Resolution stresses that the Special Court will retain exclusive jurisdiction over Mr Taylor during his presence in the Netherlands,” Mr Munlo said.

The headquarters of the Special Court will remain in Freetown, where three other trials are already underway. Two of these trials have already entered the Defence phase, while the Prosecution is expected to conclude its case in the third trial later this year.

#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. To date, the Prosecutor has indicted eleven persons on various charges of war crimes, crimes against humanity, and other serious violations of international humanitarian law. Nine indictees are currently in the custody of the Court.

United Nations Security Council, Resolution 1688

Friday, 16 June 2006

Resolution 1688 (2006)

Adopted by the Security Council at its 5467th meeting, on 16 June 2006

The Security Council,

Recalling its previous resolutions and the statements of its President concerning Liberia, Sierra Leone, and West Africa, in particular its resolutions 1470 (2003) of 28 March 2003, 1508 (2003) of 19 September 2003, 1537 (2004) of 30 March 2004 and 1638 (2005) of 11 November 2005,

Recalling that the Special Court for Sierra Leone (“the Special Court”) was established by Agreement between the United Nations and the Government of Sierra Leone on 16 January 2002 (“the Agreement”) pursuant to its resolution 1315 (2000) of 14 August 2000,

Recalling article 10 of the Agreement pursuant to which the Special Court may meet away from its seat if it considers it necessary for the efficient exercise of its functions, and recalling also Rule 4 of the Rules of Procedure and Evidence of the Special Court pursuant to which the President of the Special Court may authorize a Chamber or a Judge to exercise their functions away from the seat of the Special Court,

Recalling the Council’s determination to end impunity, establish the rule of law and promote respect for human rights and to restore and maintain international peace and security, in accordance with international law and the purposes and principles of the Charter,

Expressing its appreciation to Liberian President Johnson-Sirleaf for her courageous decision to request the transfer of former President Taylor in order that he may be tried at the Special Court,

Expressing its appreciation to President Obasanjo of Nigeria on his decision to facilitate the transfer of former President Taylor, and noting the role Nigeria has played in securing and promoting peace in Liberia and the wider subregion, including President Obasanjo’s decision in 2003 to facilitate the removal of former President Taylor from Liberia which allowed the Comprehensive Peace Agreement to take effect, and recognizing the contribution made by the Economic Community of West African States (ECOWAS) in this regard,

Recognizing that the proceedings in the Special Court in the case against former President Taylor will contribute to achieving truth and reconciliation in Liberia and the wider sub region,

Expressing that it remains committed to assisting the Governments of Liberia and Sierra Leone in their efforts to a more stable, prosperous and just society,

Reiterating its appreciation for the essential work of the Special Court and its vital contribution to the establishment of the rule of law in Sierra Leone and the sub region,

Welcoming the transfer of former President Taylor to the Special Court on 29 March 2006,

and noting that at present the trial of former President Taylor cannot be conducted within the subregion due to the security implications if he is held in Freetown at the Special Court,

Noting that it is not feasible for the trial of former President Taylor to be hosted at the premises of the International Criminal Tribunal for Rwanda due to its full engagement on the completion strategy, and that no other international criminal tribunals exist for the trial of former President Taylor in Africa,

Taking note of the exchange of letters between the President of the Special Court and the Minister of Foreign Affairs of the Kingdom of the Netherlands dated 29 March 2006 (“the exchange of letters dated 29 March 2006”),

Taking note also of the Memorandum of Understanding between the Special Court and the International Criminal Court dated 13 April 2006 (“the Memorandum dated 13 April 2006”),

Noting that former President Taylor has been brought before the Special Court at its seat in Freetown and determining that the continued presence of former President Taylor in the subregion is an impediment to stability and a threat to the peace of Liberia and of Sierra Leone and to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Takes note of* the intention of the President of the Special Court to authorize a Trial Chamber to exercise its functions away from the seat of the Special Court, and his request to the Government of the Netherlands to host the trial, including any appeal;

2. *Welcomes* the willingness of the Government of the Netherlands, as expressed in the exchange of letters dated 29 March 2006, to host the Special Court for the detention and trial of former President Taylor, including any appeal;

3. *Takes note of* the willingness of the International Criminal Court, as requested by the Special Court and as expressed in the Memorandum dated 13 April 2006 to allow the use of its premises for the detention and trial of former President Taylor by the Special Court, including any appeal;

4. *Requests* all States to cooperate to this end, in particular to ensure the appearance of former President Taylor in the Netherlands for purposes of his trial by the Special Court, and encourages all States as well to ensure that any evidence or witnesses are, upon the request of the Special Court, promptly made available to the Special Court for this purpose;

5. *Requests* the Secretary-General to assist, as a matter of priority, in the conclusion of all necessary legal and practical arrangements, including for the transfer of former President Taylor to the Special Court in the Netherlands and for the provision of the necessary facilities for the conduct of the trial, in consultation with the Special Court, as well as the Government of the Netherlands;

6. *Requests* the Special Court, with the assistance of the Secretary-General and relevant States, to make the trial proceedings accessible to the people of the subregion, including through video link;

7. *Decides* that the Special Court shall retain exclusive jurisdiction over former

President Taylor during his transfer to and presence in the Netherlands in respect of matters within the Statute of the Special Court, and that the Netherlands shall not exercise its jurisdiction over former President Taylor except by express agreement with the Special Court;

8. *Decides further* that the Government of the Netherlands shall facilitate the implementation of the decision of the Special Court to conduct the trial of former President Taylor in the Netherlands, in particular by:

(a) Allowing the detention and the trial in the Netherlands of former President Taylor by the Special Court;

(b) Facilitating the transport upon the request of the Special Court of former President Taylor within the Netherlands outside the areas under the authority of the Special Court;

(c) Enabling the appearance of witnesses, experts and other persons required to be at the Special Court under the same conditions and according to the same procedures as applicable to the International Criminal Tribunal for the former Yugoslavia;

9. *Decides* that the measures imposed by subparagraph 4 (a) of resolution 1521 (2003) of 22 December 2003 shall not apply to former President Taylor for the purposes of any travel related to his trial before the Special Court, as well as any travel related to the execution of the judgment, and also to exempt from the travel ban the travel of any witnesses whose presence at the trial is required;

10. *Recalls* that the costs to be incurred as a result of the trial of former President Taylor in the Netherlands are expenses of the Special Court in the sense of article 6 of the Agreement and that no additional costs can be incurred by any other party without their prior consent;

11. *Recalls* the Secretary-General's letter of 5 April 2006 and reiterates its appeal to States to contribute generously to the Special Court and notes with appreciation the States which have done so in the past;

12. *Decides* to remain seized of the matter.

Special Court backs Taylor trial in The Hague

By Sayoh Kamara

The Registrar of the Special Court for Sierra Leone, Mr. Lovemore Munlo has welcomed the Chapter Seven decision reached by the United Nations Security Council, which clears the way for Charles Taylor to be tried in The Hague.

In a Press Release from the court last Friday, 16th June 2006 Mr. Munlo

maintained, "Resolution 1688 provides the legal basis for the Government of the Netherlands to conclude a Headquarters Agreement with the Special Court for Sierra Leone. This was a necessary step before the Special Court could make a determination on whether Charles Taylor should be tried in The Hague."

Contd: page 2



*Charles Taylor:
On his way out*

Monday June 19th, 2006

Special Court backs Taylor trial in The Hague

From front page

The Special Court for Sierra Leone Registrar went on to emphasize that although the trial will take place in a courtroom of the International Criminal Court (ICC), it will be conducted in accordance with the Statute and Rules of the Court by Judges of the Special Court for Sierra Leone. "The Resolution stresses that the Special Court will retain exclusive jurisdiction over Mr. Taylor during his presence in the Netherlands," Mr. Munlo stated.

The Security Council Resolution 1688 calls on the Dutch Government to facilitate the trial by allowing, among other things, the transport to and detention of Mr. Taylor in the Netherlands, and enabling the appearance of witnesses, experts and other persons required by the court under the same conditions as are provided for by the International

Criminal Tribunal for the former Yugoslavia (ICTY).

The Security Council calls the presence of Mr. Taylor in the West African sub region as "an impediment to stability and a threat to the peace". It went on to ask the Secretary General "as a matter of priority" to assist in making the legal and practical arrangements for the transfer of Mr. Taylor to the Netherlands, and for the provision of all necessary facilities for the conduct of his trial.

Meanwhile, the Special Courts states that its headquarters will remain in Freetown, Sierra Leone where three other trials are already underway. It states that two of these trials have already entered the Defence phase, while the Prosecution is expected to conclude its case in the third trial later this year.

Awareness Times
Monday, 19 June 2006

Margai's PMDC Copycats Hinga Norman Move

In what is going to be a very interesting scheme of events, the People's Movement for Democratic Change (PMDC) led by Lawyer Charles Margai has written to the Political Parties Registration Commission to petition the eligibility of Mr. Solomon Ekuma Berewa as Leader of the Sierra Leone People's Party whilst holding the office of Vice-President of the Republic of Sierra Leone; basing their argument on the same grounds as Hinga Norman's own in his case taken to the Supreme Court. The letter which states that the petition finds its legal position in the fact that the Constitution in two separate sections states that (1) no person shall be qualified to be a leader of a political party if that person is not qualified to be an MP and also that (2) no person shall be qualified to be an MP if that person is a sitting Vice President (VP).

The PMDC is therefore saying that since the Leader of the SLPP is Solomon Berewa who was the VP on Sept 4 2005 when he was elected leader, their petition seeks to have determined whether in the light of the aforesaid two provisions, Mr. Solomon Ekuma

Berewa as Vice-President of the Republic of Sierra Leone and Leader of the SLPP is not contravening the aforementioned sections. This legal argument is the exact same one that Hinga Norman had presented to the Supreme Court which the Court had advised Norman to instead take to the PPRC. The interesting angle to the latest PMDC move is that they have highlighted Section 27(1)(b) of Act No.3 of 2002 which states, "*Without prejudice to any other penalty prescribed by this Act or any other enactment, the Commission may apply to the Supreme Court for an Order to cancel the registration of any Political Party where that Party has contravened any provision of the Constitution or this Act*"

In essence, this means that the PMDC is now copycatting the Hinga Norman legal argument but this time instead of going to the Supreme Court directly with no locus standi, they are following the Supreme Court Judges ruling given to Norman last year and are now going to the Supreme Court through the right channel (the PPRC)

New Citizen
Monday, 19 June 2006



Charles Taylor

TAYLOR HEADS FOR THE HAGUE SOON

The Special Court for Sierra Leone on Saturday circulated a press release in Freetown emphasizing that the Special Court Registrar, Lovemore Munlo is satisfied with the Security Council Chapter 7 Resolution which clears the way for

Charles Taylor to be tried in The Hague in the Netherlands. There is no doubt anymore that Charles Taylor will not be tried in

Freetown as the Security Council Resolution, among other things, insists that the presence of Charles Taylor in

the sub-region amounts to an impediment for stability and threat to peace. The Security Council has asked

the UN Secretary General, Kofi Annan to, "as a matter of priority" in making the legal
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FROM PAGE 1

and practical arrangement for the transfer of Taylor to the Netherlands and for the provision of all necessary facilities for the conduct of Charles Taylor's trial.

Furthermore, the Security Council calls on the Dutch government to facilitate the trial of Taylor by allowing, among other things, the transport to and detention of Mr. Taylor in the Netherlands and to further ensure the appearance of witnesses, experts and other persons required by the Court under the same conditions as were provided for the International Criminal Tribunal for the former Yugoslavia.

The Registrar of the Special Court emphasized past Friday, "although the trial will take place

TAYLOR

in the courtroom of the International Criminal Court (ICC), the trial will be conducted in accordance with the statutes and rules of the Court by judges of the Special Court for Sierra Leone."

The press release further explained that the Headquarters of the Special Court will still remain in Freetown where three other trials are still in progress, two of these trials of RUF and CDF leaders have entered the defence stage while the prosecution is expected to conclude in the said trial later this year. After the Security Council Resolution on the 16th of June, the next step in the move to transfer Charles Taylor to The

Hague will be the official determination by the President of the Special Court for Sierra Leone, Justice George Gelega-King, after which there will be a headquarters agreement with the Dutch government and there will also be an agreement between the Special Court and the International Criminal Court to allow the Special Court to use the premises of the ICC in The Hague.

According to a Special Court source, all witnesses relevant to the matter, both for the prosecution and the defence, would be flown to The Hague and the expenses would be paid by the Special Court.

New Citizen
Monday, 19 June 2006

DOWNBELOW: SIR ALBERT CONVERSES WITH MARAH & TEACHER LAGAWO—EPISODE 6/PART 6

Sir Albert observed, "surely, the exploit of the Kamajors was a worrisome embarrassment to the soldiers, is that not so Richard?"

Teacher Lagawo responded, "yes Sir Albert. Infact, the accolades the Kamajors received from the people caused a lot of problems for us. It was like the proverbial people of Israel who praised David to the envy of Saul." Sir Albert shook his head and said, "the Israelites sang the song, Saul killed thousands while David killed tens of thousand."

Again, Teacher Lagawo opined, "so you still remember the Bible very well Sir Albert?"

Sir Albert responded and also asked, "but did you ascertain whether the soldiers were not disturbed by this development?"

Teacher Lagawo replied, "Sir Albert, we did our best. Hinga endeavored to imbibe in members of the armed forces their principal goal which was to flush out the rebels."

Sir Albert observed, "o.k. May I ask what was the consequence of these developments - I mean the success of the Kamajors whom you earlier stated raided the base of the rebels at a place called

Zogoda'?"

Teacher Lagawo responded, "infact, that assault forced the rebels to accept negotiating peace in the Ivorian capital, Abidjan."

Teacher Lagawo questioned, "you mean you signed a peace treaty with the rebels?"

Teacher Lagawo replied, "the peace talks were arranged by the international community, particularly ECOWAS and the U.N."

Sir Albert asked, "what were the terms and conditions you agreed on?"

Teacher Lagawo answered, "first and



S. B. Marah

foremost, a date was scheduled for the peace talks to commence."

Sir Albert shook his head and said, "so a press release from State House explained to members of the public that the RUF



Hinga Norman



Sir Albert

leader, Foday Saybana Sankoh had agreed to meet and negotiate with the government of Sierra Leone on 30th November 1996."

Marah quickly said, "but Sir Albert, some strange development took place before Tejan left for Abidjan to attend the peace talks."

Sir Albert also asked, "what was this strange development S.B.?"

Marah replied, "Tejan announced a cabinet reshuffle that dismissed some ministers."

Sir Albert asked, "why the reshuffle as you had earlier mentioned that the international community was not in favor of Tejan maintaining a large cabinet. Did Tejan want to trim down his cabinet?"

Marah replied, "indeed, Tejan wanted to downsize his cabinet as Maigore Kallon was sacked as Foreign Affairs Minister and replaced by Shirley Gbujama."

Sir Albert smiled and said, "you have again mentioned the name of Yeama."

To be continued

Sierra News
Monday, 19 June 2006

Special Court welcomes Taylor's transfer

The Registrar of the Special Court, Mr. Lovemore Munlo SC, has welcomed Friday's Chapter 7 Security Council Resolution, which clears the way for the trial of Charles Taylor to be held in the Hague. "Resolution 1688 provides the legal basis for the Government of the Netherlands to conclude a Headquarters Agreement with the Special Court in Sierra Leone,"

Mr. Munlo said. "This was necessary step before the Special Court could make a determination on whether Charles Taylor should be tried in The Hague."

The Security Council Resolution calls the presence of Mr. Taylor in the sub region "an impediment to stability and a threat to the peace," and asks the Secretary General "as a matter of priority" to assist in making the legal and practical arrangements for the transfer of Mr. Taylor to the Neth-

See back page



Charles Taylor

Special Court welcomes Taylor's transfer

erland, and for the provision of all necessary facilities for the conduct of his trial.

The Security Council also calls on the Dutch government to facilitate the trial by allowing, among other things, the transport to and the detention of Mr. Taylor in the Netherlands, and enabling the appearance of witnesses, experts and other persons required by the Court under the same conditions as are provided for the International Criminal Tribunal for the former Yugoslavia (ICTY)

Mr. Munlo emphasised that although the trial will take place in a courtroom of the International

Criminal Court (ICC), it will be conducted in accordance with the Statue and Rules of the Court by Judges of the Special Court for Sierra Leone. "The Resolution stressed that the Special Court will retain exclusive jurisdiction over Mr. Taylor during his presence in the Netherlands," Mr. Munlo said.

The headquarters of the Special Court will remain in Freetown, where three other trials are already underway. Two of these trials have already entered the Defence phase, while the Prosecution is expected to conclude its case in the third trial later this year.

For di People
Monday, 19 June 2006

SPECIAL COURT TRIAL CONTINUES

SAJ Musa Restructured The Army

ALEX TAMBA Brima alias Gullit in his defence, explained to the UN Special Court how captain SAJ Musa re-structured the army while he and nine other secretaries of state were in captivity at colonel Eddie town.

by
SU THORONKA

Brima said he only knew about a command structure on the arrival of SAJ Musa at a muster parade where major FAT Sesay handed over command to him, but that prior to the handing over the second in command was major Turay, the adjutant in charge of the camp at colonel Eddie town was captain King while captain O5 was operations officer, Junior Lion as second operations officer and captain Foday

B Marah as B-company commander.

He said SAJ Musa changed their command structure by making himself the commanding officer while he chose Sesay as his deputy and that Eddie became the adjutant, Turay the

OC military Police and George Idrissa as Task Force Commander. He said those who accompanied SAJ Musa to Colonel Eddie town were Alabama, Mohamed Zedden Sidique alias Terminator, a close ally to SAJ Musa and Raymond

Kargbo. He went further to explain that SAJ Musa informed all the soldiers that were present at the muster parade that the ten captured men including him (Brima) had nothing to do with the army.

That SAJ Musa later in November 1998 ordered the task force team to leave for Freetown taking along all of them that were under detention and that on arrival at one village, SAJ Musa had course to slap the quarter master for eating the food that was provided for him and after this incident the troops advanced to Mange bridge. "After the death of SAJ Musa at Benguema, the troops went to Goba Water where Junior Lion decided he was going to kill all of the detainees including myself because he accused us of being responsible for the death of SAJ Musa" he said.

He said Junior Lion was restrained by commander

05 who took him a distance away from the detainees and that an argument later ensued among the officers which diverted their attention from them. That during this period he and two others, Santigie Kanu, the second accused and W02 Wuyo managed to escape.

"We went up to Macdonald using the bush path until we finally surfaced at Lumpa," he said.

From Lumpa the witness said they traveled to Makari and arrived there sometime in January 1999.

Alex Brima denied having control of the AFRC after the death of Commander 'C'. The jungle business, he said, had nothing to do with AFRC but that it was purely SLA business because SAJ Musa said the main purpose was to re-instate the Sierra Leone Army that was disbanded by government. That on the Christmas eve of 1998, he was between Masiaka and Lunsar.

Spectator

Monday, 19 June 2006

Special Court Registrar Welcomes UN Security Council Resolution

The Registrar of the Special Court, Mr. Lovemore Munlo SC, has welcomed today's Chapter 7 Security Council Resolution, which clears the way for the trial of Charles Taylor to be held in The Hague.

"Resolution 1688 provides the legal basis for the Government of the Netherlands to conclude a Headquarters Agreement with the Special Court for Sierra Leone." Mr. Munlo said, "This was a necessary step before the Special court could make a determination on whether Charles Taylor should be tried in The Hague."

The Security Council Resolution calls the presence of Mr. Taylor in the sub-region "an impediment to stability and a threat to the peace", and asks the Secretary-General "as a matter of priority" to assist in making the legal and practical arrangements for the transfer of Mr. Taylor to the Netherlands, and for the provision of all necessary facilities for the conduct of his trials.

The Security Council also calls on the Dutch government to facilitate the trial by allowing, among other things, the transport to and the detention of Mr. Taylor in the Netherlands, and enabling the appearance of witness, experts and other persons required by the Court under the same conditions as are provided for the International



Charles Taylor

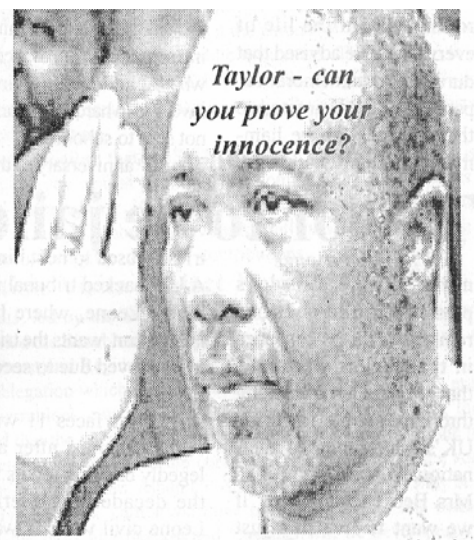
Criminal Tribunal for the former Yugoslavia (ICTY).

Mr. Munlo emphasized that although the trial will take place in a courtroom of the International Criminal Court (ICC), it will be conducted in accordance with the Statute and Rules of the Court by Judges of the Special Court for Sierra Leone. "The Resolution stresses that the Special Court will retain exclusive jurisdiction over Mr. Taylor during his presence in the Netherlands," Mr. Mounlo said.

The headquarters of the Special Court will remain in Freetown, where three other trials are already underway. Two of these trials have already entered the Defence phase, while the Prosecution is expected to conclude its case in the third trial later this year.

If convicted...

Taylor to be jailed in UK



Taylor - can you prove your innocence?

15 June that, subject to parliament passing the necessary legislation, the United Kingdom would allow the former president of Liberia, Charles Taylor, to

cial Court for Sierra Leone.

Mrs. Beckett said "I was delighted to be able to respond positively to the request of the United Nations Secretary General that, should he be convicted, Charles Taylor serve his sentences in the UK. My decision was driven by two compelling arguments."
Cont. page 2

The British High Commission in Freetown has confirmed that the British Foreign Secretary, Margaret Beckett, announced on

serve his sentence in the UK, should he be convicted by the Spe-

Taylor to be jailed in UK

From front page

ments. Firstly, that Taylor's presence in Sierra Leone remains a threat to peace in that region. Secondly, that we are demonstrating through concrete action the UK's commitment to international justice.

Mrs. Beckett continued, "if we want to live in a just world, we must take responsibility for creating and fostering it. In taking this decision we are demonstrating clearly two of our foreign policy priorities: to ensure that those accused of serious crimes of international concern face justice and to prevent and resolve conflict through a strong international system. The UK is determined to do what is necessary to defend international justice." This paves the way for his trial to start in The Hague, after other European coun-

tries refused to host him. A UN-backed tribunal in Sierra Leone, where he is in prison, wants the trial to be moved due to security fears.

Mr Taylor faces 11 war crimes charges after allegedly backing rebels in the decade-long Sierra Leone civil war. "I was delighted to be able to respond positively to the request of the United Nations Secretary General, that, should he be convicted, Charles Taylor serve his sentence in the UK," British Foreign Minister Margaret Beckett said. However, she said new legislation would be required. Mrs Beckett said the decision showed the UK's "commitment to international justice". The Dutch government agreed to host Mr

Taylor's trial, as long as he was imprisoned in another country, if he was convicted.

Both Sierra Leone and Liberia are recovering from years of conflict, in which Mr Taylor played a central role. Liberia's President Ellen Johnson-Sirleaf, who took office in January, said she feared that putting Mr Taylor on trial in West Africa could lead to renewed instability.

Britain, the former colonial power in Sierra Leone, sent troops to help oust rebels from the capital, Freetown in 2000. Sierra Leone's Revolutionary United Front rebels were notorious for mutilating civilians, by hacking off their arms or legs with machetes.

Reuters

Friday, 16 June 2006

16:23 16Jun2006 RTRS-UN approves sending Liberia's Taylor to The Hague

UNITED NATIONS, June 16 (Reuters) - The U.N. Security Council on Friday authorized the transfer of former Liberian leader Charles Taylor to The Hague to stand trial for war crimes in a special chamber of a Sierra Leone tribunal.

A resolution adopted unanimously by the 15-nation council asked Secretary-General Kofi Annan to help with the legal and practical arrangements required to send Taylor to the Netherlands from the jail in the Sierra Leone capital Freetown where he is now being held.

((Reporting by Irwin Arieff, editing by Diane Bartz;
un.newsroom@news.reuters.com; Reuters Messaging: irwin.arieff.reuters.com@reuter
s.net; +1 212 355-6053, fax +1 212 355-0143)) Keywords: WARCRIMES TAYLOR UN

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Friday, 16 June 2006 16:23:50
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BBC Online

Friday, 16 June 2006

UN agrees Taylor trial transfer

The United Nations Security Council has unanimously agreed to allow the transfer of the trial of Liberia's ex-leader Charles Taylor to The Hague.

He is currently in prison at a UN-backed tribunal in Sierra Leone, where he is accused of backing rebels notorious for mutilating civilians.

But it is feared that putting Mr Taylor on trial in West Africa could threaten the new regional stability.

He has denied 11 charges of war crimes and crimes against humanity.

On Thursday, the British government said Mr Taylor could serve a prison sentence in the UK if he was convicted of war crimes.

The Dutch government had agreed to host Mr Taylor's trial, still conducted by the Special Court for Sierra Leone, as long as he was imprisoned in another country if he was convicted.

TAYLOR TIMELINE

1989: Launches rebellion

1991: RUF rebellion starts in Sierra Leone

1995: Peace deal signed

1997: Elected president

1999: Lurd starts rebellion to oust Taylor

June 2003: Arrest warrant issued

August 2003: Steps down, goes into exile in Nigeria

March 2006: Arrested, sent to Sierra Leone

Mr Taylor is accused of exchanging weapons for diamonds mined in rebel-held areas of Sierra Leone.

Both Sierra Leone and Liberia are recovering from years of conflict, in which Mr Taylor played a central role.

Liberia's President Ellen Johnson-Sirleaf, who took office in January, said she feared that putting Mr Taylor on trial in West Africa could lead to renewed instability.

Britain, the former colonial power in Sierra Leone, sent troops to help oust rebels from the capital, Freetown in 2000.

Sierra Leone's Revolutionary United Front rebels were infamous for mutilating civilians, by hacking off their arms or legs with machetes.

CBC (Canada)

Friday, 16 June 2006

Liberia's Taylor to be tried for war crimes in The Hague

The former Liberian president, Charles Taylor, is to be tried for war crimes at the new International Criminal Court in The Hague.

In a unanimous vote, the United Nations Security Council authorized Taylor's transfer to The Hague from Sierra Leone, where he has been held in a UN-guarded prison cell since Nigeria arrested and sent him to Freetown last March.

A UN official said he could be on his way to The Hague within weeks.

A special court set up in the Sierra Leone capital had recommended that the former Liberian leader be tried and jailed elsewhere.

Taylor denies the 11 charges against him, which include encouraging conscription of child soldiers, allowing sexual slavery of women and children, terrorizing civilians and murder.

The charges relate to Taylor's six years as president of Liberia. A former rebel leader, he was first elected as head of state in 1997. He is accused of fomenting a brutal civil war in neighbouring Sierra Leone.

Stepped down under intense pressure

The militia allegedly backed by Taylor had squadrons of drugged child soldiers and used machetes to hack limbs from civilians and opposing fighters.

The conflict was fuelled by diamond smuggling from mines in eastern Sierra Leone.

Under intense international pressure, Taylor resigned as Liberia's president in 2003 and went into exile in Nigeria.

An election earlier this year in Liberia was won by Ellen Johnson-Sirleaf, who has warned that trying Taylor in West Africa could further destabilize a long-troubled region.

If Taylor is convicted and sentenced to prison by the International Criminal Court, he will serve his time in a British jail.

United Nations News Service

Friday, 16 June 2006

UN Council authorizes trial of former Liberian President in the Netherlands

Security Council

16 June 2006 – Citing reasons of security and expediency, the Security Council today paved the way for the transfer of former Liberian President Charles Taylor to The Hague, Netherlands from Sierra Leone, where he is now awaiting trial under a United Nations-backed tribunal on charges related to his role in that country's bloody civil war.

Through an unanimously adopted resolution drafted by the United Kingdom, the 15-Member body requested Secretary-General Kofi Annan “to assist, as a matter of priority, in the conclusion of all necessary legal and practical arrangements,” for Mr. Taylor’s transfer and the provision of the necessary courtroom facilities for the conduct of a trial under the auspices of the Special Court of Sierra Leone.

Saying that the ex-Liberian leader’s continued presence in the West African sub-region “is an impediment to stability and a threat to the peace of Liberia and of Sierra Leone,” and that the International Criminal Tribunal for Rwanda (ICTR) was already too busy to handle the case, the Council decided that the Special Court would retain “exclusive jurisdiction over former President Taylor during his transfer to and presence in the Netherlands.”

The Netherlands is willing to host the Special Court for the trial, the Council noted in its text, and the International Criminal Court (ICC), based in The Hague, is willing to allow the use of its premises for the detention of Mr. Taylor and the trial proceedings.

Mr. Taylor faces an 11-count indictment for crimes against humanity, and other serious violations of international humanitarian law, including sexual slavery and mutilations allegedly committed during Sierra Leone’s decade-long civil war.

But the Special Court, as well as newly-elected Liberian President Ellen Johnson-Sirleaf, feared that Taylor’s presence in the countries where he allegedly fomented uprisings during the 1990s could shatter the fragile peace that was taking hold in the long-troubled West African region.

Shortly after Taylor’s arrest, the Netherlands expressed its willingness to host the Special Court, and just yesterday, the British Government said Taylor could serve his prison sentence in the United Kingdom if he was convicted, a decision immediately hailed by the Secretary-General as “another step forward in our battle against impunity for the most heinous crimes.”

Expressing a similar sentiment in its resolution today, the Council said that the proceedings in the case against Mr. Taylor would contribute to achieving truth and reconciliation in Liberia and in wider West Africa.

Associated Press

Friday, June 16 2006

Security Council OKs Transfer of Taylor

By GERALD NADLER Associated Press Writer

UNITED NATIONS — The U.N. Security Council authorized the transfer Friday of former Liberian President Charles Taylor to an international tribunal that will try him for war crimes.

Taylor is now in the custody of a special U.N. court in Sierra Leone, where he pleaded innocent in April to charges stemming from that nation's 1991-2002 civil war.

The Special Court in Sierra Leone requested that the trial be moved to The Hague, Netherlands, for fear a man who once was among the region's most feared warlords could still spark unrest in West Africa.

The Security Council voted 15-0 to authorize Taylor's transfer to The Hague, where the Special Court will conduct the trial.

Taylor faces 11 counts of war crimes and crimes against humanity stemming from his alleged backing of Sierra Leonean rebels, who terrorized victims by chopping off their arms, legs, ears and lips during the civil war.

He pleaded not guilty during his April 3 arraignment.

No trial date had been set, and the resolution approved by the council did not specify when the former warlord would be moved. The president of the council for June, Danish Ambassador Ellen Margrethe Loj, said she did not know when the transfer would occur.

Efforts to begin Taylor's trial had stalled because no country had agreed to imprison him if he was convicted. But Britain broke that impasse Thursday by saying it would jail him if necessary.

The Netherlands agreed to host the trial but only if a third country agreed to jail Taylor if he is convicted. It also insisted that the arrangement be endorsed by a Security Council resolution and that Taylor leave immediately after the trial, regardless of the outcome.

While the charges refer only to Sierra Leone, Taylor is accused of fomenting violence in his homeland and elsewhere in West Africa.

The road to trial for Taylor began in August 2003 when he went into exile in Nigeria as part of a deal that helped end Liberia's 14-year civil war.

After the Nigerian government agreed in March to hand him over to the U.N. Special Court, he tried to slip away but was captured and flown to Sierra Leone.

He has been in the Special Court's detention facilities in the Sierra Leonean capital since March 29.

Reuters

Friday, June 16 2006

By Christo Johnson

Liberia's Taylor may go to The Hague within weeks

FREETOWN (Reuters) - Former Liberian leader Charles Taylor could be transferred to The Hague within weeks to stand trial for war crimes after the United Nations Security Council authorized his transfer on Friday, court officials said.

A resolution adopted unanimously by the 15-nation Council asked U.N. Secretary-General Kofi Annan to help with legal and practical arrangements to move Taylor from the court in Sierra Leone where he is currently being held.

He faces 11 charges of war crimes and crimes against humanity for backing Sierra Leone's Revolutionary United Front rebels, who sent drugged child soldiers into battle and mutilated and raped civilians in the country's 1991-2002 civil war.

"It's a matter now partly of legal issues and partly of logistics. It's not as easy as just calling in an airplane and saying we have a passenger for you," said Peter Andersen, spokesman for the U.N. backed Special Court in Freetown.

"It could happen fairly soon. We do not want to talk about the exact timing, but it will not be a matter of months."

Britain drafted the U.N. resolution after promising on Thursday to jail Taylor, one of Africa's most feared warlords, if he is found guilty.

The Freetown tribunal had asked the Netherlands to host the case at the International Criminal Court because of security concerns but needed a third country to volunteer as his jailer.

Sierra Leone's government welcomed the plans to transfer Taylor, saying removing him from West Africa would improve security in the region, with both the former British colony and neighboring Liberia still fragile after years of conflict.

"Taylor's continued stay in Sierra Leone is a continued threat to the peace of Sierra Leone as well as the West African region," Sierra Leone's Vice President, Solomon Berewa, told Reuters in a telephone interview.

"As a government we are grateful to Britain, the people of the Netherlands and the Secretary-General of the United Nations ... With Charles Taylor to be tried outside Sierra Leone it will help the government to concentrate on other areas of security."

SEEING JUSTICE DONE

Taylor, seen as the mastermind behind intertwined conflicts in Liberia and Sierra Leone, is being held in a prison cell guarded by Mongolian U.N. peacekeepers, nestled among the rolling, shanty-covered hills of Freetown.

Some in Sierra Leone have voiced concern that moving his trial to Europe will mean those who suffered in the war will not see justice being served at first hand.

"Victims of atrocities in Sierra Leone have long waited for Charles Taylor to face trial," Richard Dicker, international justice director at Human Rights Watch, said in a statement.

"Security concerns may well merit moving the trial to The Hague, but the Special Court needs to explain this more fully to the people of West Africa," he said.

The court, which already runs an "outreach" program that includes sending video and audio summaries of proceedings around the country, said it was discussing the possibility of streaming the trial live by television back to the Freetown court.

(Additional reporting by Evelyn Leopold in New York, Nick Tattersall in Dakar)

Business Day

Monday, 19 June 2006

Blair's offer to jail Taylor may clear way for war crimes trial

WASHINGTON — The US has welcomed Britain's decision to jail former Liberian strongman Charles Taylor if he is convicted of war crimes charges in an international tribunal.

British Prime Minister Tony Blair's decision paved the way for the United Nations (UN) Security Council on Friday to authorise the transfer of Taylor to The Hague to face the charges connected to years of fighting in Liberia and neighbouring Sierra Leone.

"We would applaud (that) the process is able to move forward," US state department spokesman Sean McCormack said.

The security council unanimously passed a resolution on Friday authorising the transfer of Taylor to the Netherlands to stand trial for war crimes.

Taylor, seen as the mastermind behind intertwined civil wars in Liberia and Sierra Leone, is being held in a cell in Freetown, the Sierra Leonean capital.

He faces 11 charges of war crimes and crimes against humanity for backing Sierra Leone's Revolutionary United Front rebels, which sent drugged child soldiers into battle and killed, mutilated and raped civilians during the conflict.

The International Criminal Court in The Hague has agreed to lend the UN-backed special tribunal in Sierra Leone a cell and a courtroom during the trial.

The resolution adopted by the 15-state security council asked UN Secretary-General Kofi Annan to help with the legal and practical arrangements required to send Taylor to the Netherlands.

Liberian and Sierra Leonean authorities did not want to host the trial, fearing Taylor's presence could spark unrest among his supporters and possibly restart a civil war in either country.

On Saturday, drunken Taylor supporters charged the UN compound in Monrovia, destroying property and looting offices.

"The continued presence of Taylor in the subregion is an impediment to stability and a threat to the peace of Liberia and of Sierra Leone and to international peace and security in the region," the resolution said.

Denmark's UN ambassador, Ellen Margrethe Loj, said that holding the trial in Sierra Leone would be a risk for the region. "That is why the whole council agreed to physically move it out of the region," she said.

The Netherlands had agreed to admit Taylor for the trial only if a prison was made available. Reuters, Sapa-DPA

Cocorioko website

Sunday, 18 June 2006

Opinion

http://nocache.homestead.com/hstrial-lkanu/Playing_Hardball.html

TRIAL AND IMPRISONMENT ABROAD WILL BRING MORE AGONIES FOR CHARLES TAYLOR

When former Liberian leader, Charles Taylor was first arrested, he and his family were depressed about whether he will receive a fair trial in Sierra Leone , a country he trained and sponsored rebels to level to the ground. The argument was that passions against the former rebel chieftain would rise to such levels that the trial would be affected.

After a while though, the Taylor people reversed their stand and began pressing for the trial to be held in Freetown, the Sierra Leone capital. The reason was not hard to find. Charles Taylor will enjoy more hospitality, courtesies and let-offs in Sierra Leone than in a strange and foreign land. We are Africans and we know how the system works in our continent.

Taylor may have perpetuated the worst offences against Sierra Leone, but Liberians and Taylor's relatives must know that Sierra Leoneans are about the most forgiving and sentimental people you would find anywhere. It will stun them to know that when Taylor was arrested, some Sierra Leoneans expressed pity when they saw his pictures while in handcuffs, with tears in his eyes. It goes without saying therefore that if he had been tried in Sierra Leone, he would have had some sympathizers, although this will not have saved him now if he had been found guilty. However, when a man is in Taylor's kind of desperate straits, it brings some comfort at times to look into sympathetic faces. In the Hague, Taylor will miss this streak of the African nature. Over there, all he will stare into are hard, heavy-drawn and unfamiliar faces. He will be in what the Lokko man calls "Yayoma " (A completely strange and foreign setting).

In Freetown, Taylor will have the assurance of the presence of not only his wives (If Jewel and Agnes decide to react in typical African style to offer help and sympathies to an estranged one in trouble), girlfriends, sisters and cousins but even fellow Liberians who still love him. After a hard day's trial, Taylor will look into their empathic faces and gain some consolation. In the Hague, it will be extremely expensive and inconvenient for Taylor's family, paramours and sympathizers to set up shop there. Living conditions are very expensive and African food is not easy to come by.

And if Taylor had found guilty and jailed in Freetown, life behind bars would have been less stressful, lonely and painful than in a foreign land. We Africans are known for cutting corners around rules and regulations. After a while, Taylor would have established some kind of rapport and bond with other Sierra Leonean prisoners and this would have assured him of some courtesies and company that would be difficult to get in a foreign land.

Prison officers, while executing their duties , however make some allowance for the expression of the usual African sympathy and respect for prisoners, especially one who is a one-time President of a neighbouring country. Taylor will remain in jail but he will enjoy certain privileges and sympathies. In Britain, where he is likely to be jailed, if found guilty, Taylor will most likely have for prison mates stiff upper-lipped English and European prisoners who do not care two hoots for neighbourliness or bonding. We who live abroad have seen how in some cases, you do not even know your next-door neighbour. Thus, jail time in England would be a lonely and bitter

experience for Taylor .And when you consider how rigidly rules are enforced abroad, you realize that there might be no cutting of corners for the former Liberian leader.

These are facts that should be taken into consideration by Sierra Leone who are disturbed that the kind of justice they want for Taylor would be missing when he is tried and jailed abroad. Sierra Leoneans want Taylor to be tried where he committed the atrocities --Sierra Leone-where he will feel the indignity of a former President of a sovereign country being put on trial by a country he despised and hated. Sierra Leoneans also feel that while on trial in Sierra Leone, Taylor will have the chance to see the amputees and other disabled people his acts of wickedness produced and this will burden his conscience more.

While the above is true, Taylor's situation will not be made any better with his impending trial in the Hague and possible imprisonment in England. He might suffer worse hardships, deprivations, insecurity and frustration.

The Patriotic Vanguard

Saturday, 17 June 2006.

Special Court: Problems with Norman Defence

By Our Correspondent



Reverend Alfred Sam Foray of the Hinga Norman Defence Fund recently stated in a press release that the Norman Defence team may appeal Tuesday's decision by the Special Court to dismiss the subpoena motion on president Kabbah. But it looks like an appeal at this time is highly unlikely according to investigations conducted by this paper.

Usually reliable sources at the court informed us that the Norman team has first of all to seek the permission of the trial chamber to appeal the decision and that this has to be done by submitting a motion to trial chamber. It is also the prerogative of the court to accept or dismiss such a motion. Moreover the Norman defence team has not been able to conclude its case this trial session due to problems of marshalling its witnesses and presenting them to the courts.

"They have run out of witnesses", one of our sources stated.

Two prominent witnesses, Major General Wan Mohamed of the Nigerian army (formerly of ECOMOG) and Mr. J.A. Carpenter, the Clerk of the Sierra Leone parliament have not yet appeared. They may appear in September when the court resumes.

Scoop

Saturday, 17 June 2006

<http://www.scoop.co.nz/stories/WO0606/S00337.htm>

Trial of former Liberian President in Netherlands

UN Council authorizes trial of former Liberian President in the Netherlands.

Citing reasons of security and expediency, the Security Council today paved the way for the transfer of former Liberian President Charles Taylor to The Hague, Netherlands from Sierra Leone, where he is now awaiting trial under a United Nations-backed tribunal on charges related to his role in that country's bloody civil war.

Through an unanimously adopted resolution drafted by the United Kingdom, the 15-Member body requested Secretary-General Kofi Annan "to assist, as a matter of priority, in the conclusion of all necessary legal and practical arrangements," for Mr. Taylor's transfer and the provision of the necessary courtroom facilities for the conduct of a trial under the auspices of the Special Court of Sierra Leone.

Saying that the ex-Liberian leader's continued presence in the West African sub-region "is an impediment to stability and a threat to the peace of Liberia and of Sierra Leone," and that the International Criminal Tribunal for Rwanda (ICTR) was already too busy to handle the case, the Council decided that the Special Court would retain "exclusive jurisdiction over former President Taylor during his transfer to and presence in the Netherlands."

The Netherlands is willing to host the Special Court for the trial, the Council noted in its text, and the International Criminal Court (ICC), based in The Hague, is willing to allow the use of its premises for the detention of Mr. Taylor and the trial proceedings.

Mr. Taylor faces an 11-count indictment for crimes against humanity, and other serious violations of international humanitarian law, including sexual slavery and mutilations allegedly committed during Sierra Leone's decade-long civil war.

But the Special Court, as well as newly-elected Liberian President Ellen Johnson-Sirleaf, feared that Taylor's presence in the countries where he allegedly fomented uprisings during the 1990s could shatter the fragile peace that was taking hold in the long-troubled West African region.

Shortly after Taylor's arrest, the Netherlands expressed its willingness to host the Special Court, and just yesterday, the British Government said Taylor could serve his prison sentence in the United Kingdom if he was convicted, a decision immediately hailed by the Secretary-General as "another step forward in our battle against impunity for the most heinous crimes."

Expressing a similar sentiment in its resolution today, the Council said that the proceedings in the case against Mr. Taylor would contribute to achieving truth and reconciliation in Liberia and in wider West Africa.

The Australian

Saturday, 17 June 2006

War crimes trial to start

From correspondents in Liberia

THE UN Security Council today gave the green light to transfer jailed former Liberian president Charles Taylor from Sierra Leone to the Netherlands for trial on war crimes charges.

In an unanimous vote, the 15-member council justified its decision by arguing that "the continued presence of Taylor in the sub region is an impediment to stability and a threat to the peace of Liberia and of Sierra Leone and to international peace and security in the region."

The transfer, requested for security reasons by the UN-backed Special Court for Sierra Leone, followed yesterday's British offer to jail Taylor if he is convicted of war crimes over Sierra Leone's civil war.

The council called on all states to ensure Taylor's appearance in the Netherlands for his trial by the Special Court and urged them to ensure that any evidence or witnesses are promptly made available to the court.

The Sierra Leone court has struck a deal with the International Criminal Court (ICC), based in The Hague, to use its premises to conduct Taylor's trial.

Taylor, 58, has been indicted by the Special Court on charges of crimes against humanity, war crimes and violations of international human rights.

He is seen as the most powerful figure behind a series of civil wars in Liberia and neighbouring Sierra Leone between 1989 and 2003, which left about 400,000 people dead.

He is accused of sponsoring and aiding rebel groups who perpetrated murder, sexual slavery, mutilation and conscription of child soldiers in Sierra Leone's civil war in exchange for a share in the lucrative diamond trade.

Today's council resolution stressed that "the Special Court shall retain exclusive jurisdiction" over Taylor during his transfer to and presence in the Netherlands.

It said the Netherlands shall not exercise its jurisdiction over former President Taylor "except by express agreement with the Special Court".

While directing the Dutch government to allow Taylor's "detention and the trial in the Netherlands", the council made it clear that expenses resulting from Taylor's trial in the Netherlands are to be borne by the Special Court.

"No additional costs can be incurred by any other party without their prior consent," the council said.

On Wednesday, British Foreign Secretary Margaret Beckett said London had agreed to a request by UN chief Kofi Annan that Taylor -- if convicted -- serve his jail sentence in Britain.

The question of where Taylor would be jailed if found guilty had held up an offer by the Dutch government to move his trial to the ICC facilities in The Hague.

Dutch authorities declared that following Britain's offer, "all conditions set by the Dutch government have been met" for a trial in The Hague.

Taylor pleaded not guilty to all 11 charges in early April when he appeared before the Sierra Leone court for the first time.

Britain's deputy high commissioner in Freetown, David Dodd, said today Taylor could soon be moved to The Hague for trial.

"It is up to the UN and the international community and the Special Court to work out details, but I think it might be quite soon," he told a press conference.

The Peninsular

Monday, 19 June 2006

<http://www.thepeninsulaqatar.com/commentary/commentaryother.asp?file=junecommentary4520>

This time Taylor will have to take charges seriously

(By RICHARD BEESTON)

CHARLES TAYLOR was once asked by a journalist how he responded to charges that he was nothing better than a murderer?

Without pausing, the flamboyant former guerrilla leader and then President of Liberia shot back: "Jesus Christ was accused of being a murderer in his time."

The response was typical of a man of great charisma, a sense of humour and, to those he liked, even charm. At the time Taylor never imagined that one day he might have to face his accusers and come up with a better defence.

For most of his fellow Liberians and many of his neighbours in Sierra Leone and the Ivory Coast, his name will for ever be associated with a decade of unimaginable violence when governments collapsed and the only law came from the barrel of a gun, often carried by groups he armed and financed.

Specifically, Taylor is accused of helping Sierra Leone's Revolutionary United Front (RUF), a rebel group that repaid the support with "blood diamonds". The RUF established a reputation for unparalleled savagery, which included hacking off the limbs of their victims, mass murder and rape. Some 50,000 people died during the civil war, which ended after a British military intervention to restore the government to power.

In all, Taylor is charged with 11 counts of war crimes and crimes against humanity. If found guilty he will probably serve his sentence in Britain.

The prospect of spending his remaining years behind bars will come as no shock to Taylor, whose life has been punctuated by dramatic highs and lows.

Plucked from the Americo-Liberian elite, who are descendants of freed slaves returned from America, Taylor was sent to the US to read economics in the early 1970s. He was rewarded with a senior job in the Liberian government but was forced to flee after being accused of embezzling nearly \$1m (£540,000). US authorities held him on an extradition warrant in Massachusetts, but he escaped 18 months later using a saw to cut through his bars and climb down a knotted bedsheet.

He made his way to Libya, where Colonel Gaddafi trained him to become a guerrilla leader. He returned home at the head of a rebel army and spent the next decade fighting for control of Liberia in a conflict that cost 250,000 lives and forced half the country's population to flee.

Taylor was elected president in 1997 but the title fooled no one. International opinion was hardening against him, his regime was targeted with sanctions and his grip on power challenged by a new rebel group.

When The Times accused him of cannibalism, he threatened to sue the newspaper for libel but dropped the case because he feared being arrested if he came to Britain to give evidence.

After charges were brought against him for war crimes, Taylor agreed to leave Liberia in exchange for asylum in Nigeria. He lived there with his family until March, when even the Nigerians could no longer protect him.

The once immaculate dresser, who on one occasion wore the white robes of an angel, was last seen being led into captivity in Freetown, Sierra Leone. The swagger was gone and he looked old and dishevelled as, in his first appearance in court, he pleaded not guilty.

Special Court Supplement

Press Conference for Visiting Liberian Journalists
The Registrar, the Acting Prosecutor and the Principal Defender
Friday, 16 June 2006

LOVEMORE MUNLO, SC: Good morning, ladies and gentlemen. First of all, I want to say to you are very welcome to this Special Court. We have been waiting for your visit for some time



now, because we got a programme some time. I just want to introduce you to the Court, and later on my colleague here, the Acting Prosecutor will also say something about the Court to you.

You know now the Court has been in operation, talking in terms of judicial process, since 2004. We have moved a lot. Two cases are already in Defence: the AFRC case and the CDF case are already in Defence. The RUF case, the Prosecutor is in the last process of giving

evidence. I can't say when they will finish, but I think they are very much advanced, they are about to finish it. So very soon the focus of the judicial focus will basically be in Defence, will be focusing on Defence. The defendants will have their day in Court; it will be their time to be giving evidence.

I'm mindful I don't have much time, so I'm going to tell you in a compacted manner a lot of things that I would have said. So, these are the three major cases: The RUF, CDF, and the AFRC. Each case has three accused persons.

You are of course interested to know of the case of Mr Charles Taylor who came here towards the end of March. He had his initial appearance. There is a procedure [which follows] the initial appearance. The Prosecutor will release documents which make up his case. Technically we call this "disclosure". So he disclosed all the documents he has at the moment on the Taylor case to the Defence. The Defence lawyer, as you have seen from the document, is Mr Karim Khan. He practices from England. He has all these documents. Now it's his turn to study the documents, and if he has motions to put up motions. He has just come back – I saw one of the documents that he doesn't wish to put up motions. He is now waiting for the case when it starts. At the moment, the case has been assigned to Trial Chamber II, because we have two Chambers, Trial Chamber I and Trial Chamber II. Trial Chamber II is the one which was dealing with the preliminary motions and all that. On 21st this month, the Court has set down the case in a Status Conference to see the state of preparedness between the parties. That's where we are.

It's so much to tell you and I think I will stop at that.

[Question unheard] ...it will be a pretrial conference to see where they have gone, and as I said, the Prosecutor has already released all the documents to the Defence that are in the Prosecutor's

possession, and it's up now to the Defence to put up motions, but as I have said they are not putting up motions. So that 's why the Court has called for, on 21st, a Status Conference.

Q: 21st of June?

MUNLO: Yes, on Wednesday.

DR CHRISTOPHER STAKER: Well I too would like to welcome all of you here to the Special Court today. We're very pleased in the interest that you're displaying in the Court, which is



important. It's important because the Court is playing a role in the region. And it's important that people in the region are aware of what's happening and take an interest in developments.

I will keep my opening remarks brief, because I know your time is limited, and I prefer to leave more time for you to ask questions about the things that you particularly want to know.

Just by way of brief background, the Special Court is a genuinely international court. It is not

part of the judiciary of Sierra Leone. It was established by an international treaty between the United Nations and the Government of Sierra Leone, so it is a court established under international law by an international treaty in much the same way as the International Criminal Court in The Hague. It has been given a jurisdiction to try those bearing the greatest responsibility for serious violations of international humanitarian law committed in the territory of Sierra Leone since the 30th of November 1996. It also has jurisdiction over certain crimes under Sierra Leonean law, although those jurisdictional provisions have not yet been applied.

The Court has focused its indictments on the most serious crimes under international law – crimes against humanity, war crimes, and other serious violations of international humanitarian law.

To date the Prosecutor of the Special Court has indicted 13 people. There are three accused each in three cases that are presently at an advanced stage before the Court – three in the RUF case, three in the CDF case and three in the AFRC case. A further accused, of course, is the former Liberian president Charles Taylor. Two of the indicted accused are now known no longer to be alive, and one further accused, Johnny Paul Koroma, is still at large. His whereabouts are unknown and investigations continue. That makes 13 accused.

Now the Special Court, despite its name “Special Court”, is not special in certain ways that need to be emphasised. It is an ordinary court in the sense that the law it applies are well-established laws under international law. They have been well-recognised as violations of international law for a long time. This means that although the Court was only established in 2002, after the events in question, it is not retrospectively applying laws to things that happened in the past. It is applying laws that criminalised conduct at the time the conduct was committed. It's only the judicial machinery for enforcing that law that has been established since. It's the same law that's applied by the Rwanda tribunal in Arusha, by the Yugoslavia tribunal in The Hague, and by the International Criminal Court in The Hague.

I need to emphasise that the Special Court's jurisdiction is limited to indicting individuals. It doesn't indict countries; it doesn't indict peoples. It is not established to determine which side is

an aggressor or was the victim of aggression. It's not there to determine whether the war itself was the fault of one party or another. The law that the Special Court applies accepts the reality



that wars occur. And when wars occur, combatants fight each other, combatants get injured, combatants get killed. What the Special Court is looking at is violations of certain fundamental laws that exist to protect those who are not combatants – violations of the law such as deliberately attacking civilians, deliberately destroying civilian property, mistreatment of prisoners of war who are no longer fighting because they're out of combat because they've been taken prisoner, use of child soldiers, conscription of civilian labour, looting and

pillaging, and so forth. Which means that the Prosecution is not looking to indict those who hold the most senior positions, but those who bore the greatest responsibility for the crimes that were committed. And in pursuing these crimes, the Prosecution is necessarily guided by the evidence.

The procedures that this Court adopts are very similar to the procedures that you would expect in a national court. An accused is entitled to a fair trial. The Prosecution does not decide if a person is guilty or not. The Prosecution is charged, first of all, with investigating, with collecting evidence, with interviewing witnesses, and on the basis of that evidence, determining if there is a case against a particular individual that would indicate that individual is one of those individuals bearing the greatest responsibility.

If the Prosecution has that evidence, it then brings an indictment setting out the charges against an accused. Once the accused is arrested and transferred to the Special Court the trial happens in the normal way. The Prosecution calls its witnesses, asks them questions. The Defence then has an opportunity to pose questions to the Prosecution witnesses. The Defence then has the opportunity to call its own witnesses. The Defence counsel, they ask questions of the witness. The Prosecution can also ask questions. The parties may also want to tender documentary evidence. And at the end of that process, all of the parties can make their final submissions to the Court, and then the question is determined by the Judges, who are independent, who are impartial, and who are there to ensure that all the fair trial rights of an accused are respected.

Then, even after a final verdict, there is an Appeals Chamber of the Special Court. There is a provision for appeals to be brought if a party feels the Trial Chamber itself fell in error in certain ways.

In that respect, I also emphasised that all accused are equal before the law. The fact that the possibility exists that Charles Taylor may be tried in the Netherlands rather than here in Freetown does not mean that there is any special treatment being accorded. It is simply that the Special Court has, and has always had under its Statute and its Rules, a provision that allows it to sit away from Freetown if there are reasons for doing so. The power to determine that is reposed on the President of the Special Court. The President is a Judge of the Court – it's not the Prosecutor. The Appeals Chamber recently gave a decision in which it said this is an administrative and diplomatic function of the President who, in exercising that function, can take into account concerns about security, concerns about stability in the region, and so forth.

It is a matter for the President, but I think everybody can understand that the Special Court must act as a responsible international organisation, that part of its mandate is to contribute to the

restoration of peace and stability in the region, and if responsible figures in the region express concerns that a trial conducted in Freetown may have implications for security in the region, that is obviously a matter that the Court has to take into account.

I emphasise also that if the trial were to take place in The Hague, if that happens it will be a trial by the Special Court for Sierra Leone. It will be a trial by exactly the same institution that is conducting the trials here in Freetown. The trial will be before Judges of the Special Court for Sierra Leone. It will be prosecuted by the Prosecutor of the Special Court for Sierra Leone, and it will be Defence counsel appointed by this institution that will conduct the trial. The only difference will be the geographic place where it occurs, the bricks and mortar of the building in which the trial occurs, but institutionally there is no difference at all.

Now I think that hopefully gives you a background and brings you up to date. As I say, there will be time for questions afterwards, so if there are particular issues of interest I would be very pleased to take questions at the appropriate time. Thank you Mr Registrar.

PROF VINCENT NMEHEILLE: Well I can see you are all [choking] a lot of instruments towards me. I will just plead that you make sure that you quote us properly when you eventually write, because sometimes there is a tendency to be flamboyant and misquote what we say. And



it's not fair to us that we should read ourselves saying what we never said in any particular gathering. I just thought I should mention that caveat to you, whatever I'm going to say.

My name is Vincent Nmehielle, Principal Defender of the Special Court. And of course as my function implies, meaning I am responsible for facilitating the defence of the accused persons in accordance with the Statute and the Rules of Procedure of the Court.

Now of course your questions and comments and answer period will elucidate on what you want to ask me, but I will assume that you want me to give you an overview of the Defence Office.

I need to say this, that this Court prides itself, and the world at large echoes it, that the Special Court for Sierra Leone elevated Defence to the height it has never been in the international criminal process since Nuremberg in the sense that there is an identification of a need for the defence of accused persons to be such that would take care of the rights of the accused persons. And therefore, under Rule 45 of the Rules of Procedure and Evidence of the Court, the Office of the Principal Defender was established within the Registry for the Registrar to ensure that such a function as was required to take the interests and fair trial rights of the accused persons as stipulated in Article 17 is implemented. And it's on that basis that the Defence Office was established, overseen by the Principal Defender.

Now, of course there are a number of things that the Defence Office will do in ensuring the rights of the accused person. For example, Rule 45(A) tells you that if an accused person is brought, or arrested, before the Court, it is the responsibility of the Defence Office and the Principal Defender, to afford the person initial advice and representation, because obviously within that period of initial arrest, there will be no counsel on the ground. And you all know that the most recent case that we have had so far is that of Charles Taylor. It was on the basis of that, that when he was brought here and arraigned in his initial appearance, that the Defence Office took charge

and represented his interests until a provisional assignment was made for appointment of counsel. And that was how, of course, we exercise our mandate within Rule 45. And I represented Taylor as counsel on his initial appearance. Of course subsequently we have assigned provisional counsel to Mr Taylor based on determining whether or not he's entitled to legal aid in accordance with the Rules and in accordance with the Directive on Assignment of Counsel.



That is one aspect of our work. The other aspect of our mandate is to ensure and to facilitate the defence of the accused persons. For example, with the assignment of counsel, you would be in a position to facilitate the work of counsel. Of course, counsel will enter into legal services contract with the Defence Office to provide representation to the accused person.

Of course we provide that representation using counsel on the basis that the accused person does not have sufficient means to defend himself, and therefore the Court needs to bear the expenses for his defence. It is in that regard that we now engaged counsel who does the day-to-day work while we facilitate the work of that counsel.

And of course my office is composed of the Deputy Principal Defender, Duty Counsel who are attached to trials, and we are hoping that the Taylor trial of course will not be an exception, that we'll have a high-calibre Duty Counsel assigned to it to ensure that the daily logistics of the work of the Defence counsel and Defence team of Mr Taylor would be the same as we have in other trials. And of course we have a Legal Advisor who works with the Defence Office, and also with the teams in terms of whatever legal research that may be necessary, in terms of assisting the team to put together whatever research and motions as may be required of the Defence Office. Of course we have Administrative Assistant, Finance Assistant, Witness Support Assistant, and Defence Outreach Assistant, all gearing towards facilitating the defence of the accused person. And also we engage from time to time with the Registry on the welfare and interests of the accused persons in detention.

Of course, some of you have seen a lot of things in newspaper, some people have said that some detainees are dead, or some detainees are so ill. We engage on such issues to ensure that the minimum standards as required internationally of the health of the accused persons are maintained, liaising with the Registry, liaising with the accused persons themselves, and the team of course the doctor in detention. So we will be able to verify some of the information that may be erroneously published in newspapers as to health of the accused persons in terms of whether or not such persons are dead, or such persons are sick unto death as sometimes allegations are made.

I do not know what other question you have, but one thing I want to clearly put to you is the essence of defence in international criminal justice system cannot be over-emphasised. Now this is a case whereby national and international public opinion appeared to be 99.999 percent against an accused person. And under the principle of fair trial, there is a presumption of innocence until a case has been proved beyond a reasonable doubt by the Prosecution. So the burden is on the Prosecution to prove his case. But the tendency is that in trials of this nature, the whole world believes that the accused person is guilty their trial comes on. And it gives a heavy burden on the Defence – almost a reverse standard of proving your innocence before the trial begins or in course

of the trial. But one thing I always advise people is that to have an open mind, to be able to listen to the other side, to be able to hear the other side when a criminal process is in place. And that is why Defence is very important, else human rights would be on trial. Why should human rights be on trial? I need to remind people that the rights of accused persons are also human rights.

Remember, there was a time when women began to shout to us “Women’s rights are also human rights”. And I want to say that rights of accused persons are also human rights. And let’s not forget that either as accountability in human rights movement, or the international civil society, or the international community, because international rule of law requires that the Prosecution will prove its case beyond all reasonable doubt and the Defence, if there is any doubt whatsoever in the case put forward by the Prosecution, the Judges will be at liberty to acquit. And so let’s have the open mind while the criminal processes go on.

On that note, I will stop my address and hopefully in the comments, questions and answers period engage with you on specific issues that you may have. Thank you very much.

Q ... and also the correspondent for African News Dimension based in Johannesburg for Monrovia. You talk about Defence, but let me get [indistinct]. Could you just be direct in telling us about the treatment of your main principal indictee of this court, Mr Taylor. How is he being treated in court? I mean, is he entitled to phone calls? I mean, how many meals is he entitled to a day? [indistinct]

PROF NMEHIELLE: Well, in terms of how he’s treated, Mr Taylor is not treated any differently from every other accused person. Remember that there are minimum standards on treatment of persons in detention. And I want to mention that these persons are not yet convicted persons. They are in detention while awaiting trials. And basically what is curtailed is their freedom in terms of movement, and therefore not necessarily any other freedom apart from when security considerations are taken into account. Now, in terms of their meals of course they are entitled, Mr Taylor is entitled, to three square meals. And you can be sure that when somebody is over 50, they begin to watch what they eat. So if Mr Taylor decides to take, say, two square meals a day rather than three, it will be because he thinks it’s for his health, but otherwise he’s entitled to three square meals a day just like any other accused or person in detention.



Health-wise, of course the Court does not take the health of accused persons lightly. Neither would my office take it lightly, so if there is any need for health concern to be addressed we make sure that it is addressed promptly. And that is done regarding all detainees including Mr Taylor. He is treated with respect, just like every other accused person is treated with respect, and again, the respect with which you are treated as a detainee is most of the time based on the respect that you have for yourself and for authority. And Mr Taylor, I believe, has quite a great deal of respect for the authority knowing that the rules in place and making sure that he doesn’t violate them, and he doesn’t violate them, and therefore he’s treated in accordance with what the rules say.

Of course he’s entitled to calls within the Rules of Detention and he gets his calls. He’s entitled to visitation within the Rules of Detention and policies as implemented by the Registrar. And so again, bearing all serious security considerations, every right that an accused person who is in detention has, in accordance with international standards, are afforded all accused persons.

One thing I must tell you is this: when a person is in confinement, despite what treatment you get, you don't always feel that you get the best of treatment. And we do understand that. As individuals, freedom is priceless. No matter how best treatment you get, freedom cannot be priced. You may not even have one square meal a day, but as long as you are free it doesn't bother you because you make a determination not to. So that is what I will answer in that question.

Q: My name is Jerry Wonde. I'm the editor of one of the local dailies in Monrovia, the National Chronicle. My question to the Defence also. You just stated that it is important to observe the rights of an accused. In fact, the accused is innocent until proven guilty. Yesterday I saw on the net that the UK has already found a jail cell for your counsel (sic.) How sure are we that Mr Taylor is going to get a fair trial through you?

PROF NMEHIELLE: ...Judges are, but if you ask me as Principal Defender to answer, my role is to ensure that the fair trial rights of the accused persons are observed, and in this regard you and I are really on the same side in this matter.

DR STAKER: I would like to say something on this subject. This has to be clear. I said earlier in my presentation that under the Statute and the Rules of the Special Court an accused is entitled to a fair trial. This has been said by the Principal Defender. It's been said by me. It's fundamental: an accused is innocent until proven guilty. It is the case, the burden remains on the Prosecution to establish guilt beyond a reasonable doubt, and the question of whether a person is guilty or not is

not taken by the Prosecutor. It's taken by the Judges after hearing all of the evidence and all of the arguments of both parties.



Now I know that the Principal Defender spoke earlier about the perceptions of the public. He spoke about a sense that maybe the accused feel that they are presumed guilty and that they have to establish their innocence. It's a matter for the media, for the public, for others to work on public opinion, because the Prosecutor's role is not to discuss the case publicly or to discuss the

evidence publicly. While the matter is before the Court it's a matter for the Judges to decide, and the trial should occur inside the courtroom and not outside of it.

The fact that the United Kingdom has recently announced that it's willing to accept Charles Taylor to serve his sentence in that country if he's convicted does not mean that any verdict has been reached yet, and it should not be perceived in that way. Obviously the Prosecutor would not be bringing this case if the Prosecutor did not believe in good faith in its professional opinion, and the professional opinion of all of the experienced professionals who work in the Office of the Prosecutor that it had a case. But that's a matter for the Judges to decide.

Nonetheless, if the trial happens, the question will always be, "What happens if the accused is convicted"? It's not to say he *will* be convicted, what happens *if* he's convicted? Now you can understand the Netherlands as a country hosts the International Criminal Tribunal for the former Yugoslavia, it hosts the permanent International Criminal Court – there will be many international criminal trials that occur in that country. And it's not the practice for every person who is convicted to serve their sentence in that country. You can imagine what the implications would be

for the Netherlands if anybody convicted by any of those courts stayed in the Netherlands after the sentence was served. So when the question was raised whether it would be possible for valid reasons for the trial to be conducted in The Hague rather than in Freetown, the question arose, well, what arrangements will be made for service of sentence in the event of a conviction? But it does not mean that anything has changed about the rights of the accused, or the presumption of innocence, or the burden of proof of the Prosecution. And the trial has not yet occurred.

Q: Okay, I'm Gibson Jerue. I'm the editor of the Analyst newspaper. [indistinct] I have learned that the Prosecution has submitted 300,000 pieces of evidence [indistinct] charge to the Defence, which the [public assumes] is one of the main reasons why the case has not yet proceeded. I don't know if the Defence, if you have responded to these charges, this indictment [as heard] 300,000 pages [indistinct] whether you have responded to it. Then the other issue has to do with the issue of Taylor's – there was information that he's been given television to watch World Cup [indistinct] newspaper [indistinct] Currently the perception is he's getting too much [indistinct] defendants are getting, and the possibility is, it's like "you're already guilty, let's just give him anything he wants".

DR STAKER: Well I would deal just with the first question, the pages of documents. The figure is more 30,000 than 300,000. But just to explain the way the procedure works, one aspect of a fair trial is that when the trial starts before the Judges in the courtroom, the accused has to know what the case against them is. Now the indictment sets out what the charges are and what the main facts are that are alleged. But of course there's a lot of detail in the evidence. And you can imagine it would be difficult to defend yourself if you appeared in Court, the first witness is called, and you and your lawyers have no idea what that witness is going to say. And the witness says things that may surprise you or you may have no idea what they're going to say, and then immediately you have a right to cross-examine the witness, but what questions do you ask if you've come totally unprepared? Now, this is one aspect of a fair trial. The Prosecutor has an obligation, at a very early stage, to disclose to the Defence statements of witnesses that are going to be called, any evidence that the Prosecution is aware of that may indicate that the accused is not guilty – that's what we call "exculpatory material" – it means that once the trial starts, the accused and the accused's lawyers have an idea of which witnesses are going to be called, what they can expect these witnesses to say, what other evidence exists against them, and the detail of the charge. It enables them to prepare their own defence, to know which evidence and which witnesses they need to look for, and assist them in preparing their questions for cross-examination. So this is not intended to burden the Defence. This is an aspect of the fair trial and to enable the accused to prepare the defence properly.

Q: (Jerue) And before the Defence just come in, you the Registrar, and I don't know what your function is exactly, but in my place, if you were the court clerk you're supposed to be the custodian of court documents. What is the time limitation the Defence has to respond to the indictment?

MR MUNLO: Well they have sufficient time. I don't know exactly how much time they have.

PROF NMEHIELLE: 30 days.

MR MUNLO: 30 days. But as I said, during that time they are also supposed to put in motions if they have any motions relating to the documents that have been disclosed or any other matter which has arisen, they take it before the Court and as I said to you, the lawyers going through these, the Defence lawyer, and he has said he is not putting up any other motions. This is why they have decided that on 21st June they must have this Status Conference.

You have asked about television – it’s true that Charles Taylor is entitled to watch television. It’s not only Charles Taylor that is entitled to do that. He found this facility there for all the other detainees who are there. So what he’s having is what he already found. As we told you, we maintain international minimum standards. These people [indistinct] going to court are entitled to relax, and we have to give them facilities for relaxing including even games, areas where they can do exercises, and also know what is going on. What is very important to realise is that these people are not guilty. They are presumed innocent until they are proven guilty. So there is also a tendency from outside to think that once someone is answering a case he should be in a very oppressive situation even before the judgment is given. That is not appropriate and that is why we maintain that until they are proved guilty, the thing that has happened is that they are confined so that they can answer their case, but they should not also have an element of punishment before the case is over.

PROF NMEHIELLE: Well, what I can say about what the Defence has done – I’m Principal Defender, I’m not counsel assigned, I have assigned Provisional Counsel to Mr Taylor. All I know that about what counsel has done is that at this stage counsel has joined issues with



Prosecution requiring that, as the trial goes forward, each party would play its role. Now of course 32,000 is far, far, far less than 300,000 that you have quoted in terms of disclosure of documents. So it is not 300,000. And after a review of the case the Defence has filed a motion to say, an application to say, “yeah, we have joined issues, the case can move on, there is no challenge to the indictment in terms of the way it is. The preliminary motion that he filed, of course, had to do with the issue of venue

which has been ruled upon by the Appellate Chamber. So the issues are joined, and everybody is ready now to bring out his arsenal in the process of the case. The Prosecution of course has disclosed. The Defence is studying in preparation for the case, so it’s left for the Prosecution to commence its case.

Q: (Jerue) In Liberian jurisprudence, it is the right of the defendant to determine prejudice. And under the prejudice rules, the defendant can say “hey, I have prejudice here, and I don’t want the trial to be held here”. In this case, at this Special Court, do you have any rules that protect defendants’ rights to determine where to be tried in consideration of prejudice that he may have experienced or the inability to summon his witnesses and to summon his materials or evidence?

PROF NMEHIELLE: Well, Defence has every right to file any application. One thing you must know is that filing an application does not necessarily mean that you will get the prayers you pray in an application. As you are aware, Defence had filed a motion challenging the change of venue without hearing the accused person. That motion has been overruled by the appellate chamber. So a process has been completed in terms of what you call prejudice in relation to venue. Now, that motion has been overruled by the appellate chamber in terms of who has the power to determine the venue. Under the ruling, it is within the President of the Court in the exercise of his diplomatic function and administrative function to determine whether the situation warrants the move of venue. And there is a provision in the constitutive documents of the Court asking that where the Court thinks feasible, venue can change. And it is under that rubric that the President has indicated the need to move. Of course, there may be other considerations which people have alluded to in terms of security and all that, but that is a totality of facts to be taken into

consideration by the President or by the Court in determining whether or not to (indistinct) the motion. So the Defence had dealt with the issue as to venue and the motion has been overruled.

Q: Yeah, my name is Francis Pelenah, I write for the Liberian Express newspaper. I'm concerned about the witnesses. How many of them have they been able to gather so far both against and for Charles Taylor?

DR STAKER: Well in terms of against, it's too early to give any figures. The trial procedure will continue. One of the questions that will arise is to what extent the Defence are willing to agree to certain facts. Usually in an indictment, there are many detailed facts that are alleged, and often many of them are uncontroversial. For example, whether the person standing in the dock is the person that the Prosecution claims he is. If he says yes, I admit I am the accused in this indictment, then there's no dispute about that. If the accused denies that the Prosecution has to bring evidence to prove that the person in the dock is the person the Prosecution says the person is. So in all of these detailed allegations, part of the pre-trial process will involve exchanges between the Prosecution and the Defence to determine the facts that the Defence disputes and facts that the Defence does not dispute which are common ground, and the result of that process will determine the amount of different things that the Prosecution has to prove, and that will determine which witnesses are called and how many witnesses are called to prove those facts. It will be in light of the Prosecution case that the Defence will have to decide what witnesses the Defence want to call. It's not for me to speak on behalf of the Defence so I won't say any more, except that as a Prosecutor I would expect that the Defence could probably not answer your question until after the Prosecution case is ended.

PROF NMEHIELLE: It's as simple as that. I mean, at this stage (for the Defence to say the number of witnesses they will call) would be very, very premature. We still have a whole lot of case of the Prosecution to go through. Until that is done, if counsel now tells me "I have all the witnesses, begin to prepare for them", I will really wonder what kind of counsel he is at this point in time, but that will come. Definitely, care will be taken to ensure that whatever witnesses that the Defence will call will be properly arranged.

Q: Just one question please, maybe for the Prosecutor. The British government just accepted to host him if he is found guilty. The Security Council is working on a resolution in that regard to fast-track his transfer. Can you say how soon he would be would be transferred, or can you give us the steps that it might likely take before he is finally transferred to (indistinct). Thank you.

DR STAKER: Yes, I think the question's not appropriately addressed to me, because all of the steps that have to follow are in the hands of others than the Prosecutor. To the extent of the Special Court's functions, they fall principally within the province of the Registry, so I think that's (indistinct).

MR MUNLO: ...say now, or to speculate, because as you correctly said, the Security Council will be making a resolution. I do not know, I do not work in the Security Council to know how long it will take them to make a resolution, so we have to wait for that. After they have made the resolution, the President, as you heard, under appropriate rules of the Court, will have to make a determination whether this is an appropriate case to be heard outside the seat of the Court. That decision has not been taken. So these are entities or institutions in their own right. I could not myself determine when they might make those decisions. If I did that I would be speculating.

Q: ...months or weeks...?

Mr MUNLO: Yes, within the next few months, as much as that, but I can't give you definite dates because they are different institutions that will have to adjudicate on those issues.

Q: Okay, my name is Moses Wenyou from Star Radio. There's a general feeling among Liberians that since Charles Taylor was brought here and incarcerated, all is now over for the Special Court, and in fact most of those expatriates who were here are being recalled – they are going back home and leaving the Court on the jurisdiction of the Sierra Leonean authorities. Now, that's the general feeling. And my second question is are you faced with the challenge of funding to live up to the lifespan of the Court, or do you have any kind of hitches when it comes to funding, or is all well?

DR STAKER: Well I think this is probably also a Registry question, but if the Registrar will permit, I'll make a few comments. On the question of funding, one of the things that is unique about the Special Court compared to other international criminal tribunals before, is that it does not fall within the regular budget of the United Nations, but is funded by voluntary contributions from states. There were preliminary motions brought in 2003 in which the Appeals Chamber decided that it was consistent with rights of the accused to have a financial model on this basis. Being funded by voluntary contributions means that the funding comes in from time to time. It's not guaranteed for years ahead. But until now the Court has always secured the funding it needed to get to this stage. We have no reason to think that we will not have the funding to continue to complete our mission. From time to time you hear comments in the press or the public that the Court's about to run out of money. It's never happened, and we have no reason to think that the Court will not successfully complete its mandate as expected.

On the question of people leaving, the Court is of course a temporary *ad hoc* institution. Once its mandate is completed it will no longer be here. As existing trials end, the number of staff will diminish, but for the time being work is continuing vigorously. We have had numbers of staff who have left for various reasons, sometimes for other commitments or personal reasons or whatever, but so far we have been recruiting new people to replace those who have been leaving, so it's not a case of - I think your term was "abandoning". And I think you mentioned "to Sierra Leonean authorities". As I mentioned, the Special Court as an institution is independent of the judiciary of Sierra Leone. It's an independent international organisation created by the Government of Sierra Leone together with the United Nations, and that legal basis will not change regardless of any changes in staffing until it completes its mission.

Q: Yeah, a follow-up please. With respect to funding, how do you compare the flow of funding prior to Charles Taylor being brought here and after Charles Taylor was brought here?

DR STAKER: Well, it's perhaps too early to tell for the future just exactly what funding and budgets will be. You'll understand as an organisation we have our own rules about finances and so forth. A budget has to be approved by a Management Committee in New York, but to date funding has been secured for budgets that have been approved. But I am now very much stepping into the Registrar's province for which I must apologise.

MR MUNLO: Yeah, I think just to confirm that the funding is not done on a daily basis. We have a year which runs from 1st July to 30th June, and we already submitted our budget as to how much we want. And funding will be coming from time to time to meet that budget. So regardless of whether Mr Taylor is here or not, they will not give us more money because Mr Taylor is here. They will look at our budget, what are our requirements, what we need, and those are already factored in our budget.

Q: Can we know the exact amount of the budget?

MR MUNLO: It's an estimate and it has not been approved as yet, so it's difficult to talk about a document that has not been approved. I can tell you the figure today, you know what happens in the Management Committee, they look at what I put there for each item and they cut, like in Parliament. So they cut and in the end it might not be what I asked for.

Q: My name is Othello Garblah. I'm the editor of the New Democrat newspaper. My question goes to the Acting Special Prosecutor. There is this feeling among Liberians that just before ex-President Taylor was arrested, there was this count of 17 counts brought against him. After he was arrested they were reduced, and there was a general feeling that, well, they never had a case against him in the first place because they have started reducing the counts. And again, they are also looking at the issue of fair trial, because recently it was announced that a Sierra Leonean has taken over the Special Court, and it seems to worry most Liberians whether indeed Taylor will actually have a fair trial. So I just wanted to clarify these things please.

DR STAKER: Well on the first question, when the counts were reduced, this was largely a procedural step. A count in an indictment in an international criminal trial like this can encapsulate a very large number of events. A person may be charged with the crime against humanity of murder, but that one count may encompass hundreds or even thousands of killings in different locations at different times. So the reduction in the counts doesn't necessarily mean that instead of charging crimes against three people you now are only charging crimes against two. The reason for reducing the number of counts was to streamline the indictment to enable the trial to be more streamlined and to proceed more efficiently. It was also done in part because, since the original indictment was drafted, there has been case law of the Special Court on the form that an indictment should be prepared in, and the amendments brought it into line more with what the case law said an indictment should look like. It certainly should in no way be understood that the Prosecution had doubts about the strength of its case and so we're starting to drop counts.

The second question was on fair trials. I may have to ask you to clarify the question again. We've spoken quite a bit about fair trials so far.

MR MUNLO: I think you should clarify it. What did you say?

Q: There have been misgivings among Liberians that ex-President Taylor may not have a fair trial since a Sierra Leonean has taken over the Special Court as President.

MR MUNLO: Okay, let me explain that. You know, as the Prosecutor said, the formation of this Court was made after an agreement between the Secretary-General of the United Nations and the Government of Sierra Leone. In that agreement, they have agreed how many Judges will be appointed by the Secretary-General, and how many Judges will be appointed by the Government of Sierra Leone. Now Justice King, who is the President now of the Court, is an Appeals Chamber Judge. He will not in any way be concerned in the trial of Mr Charles Taylor. This will be done in the Trial Chamber. As you know, we have two Trial Chambers, Trial Chamber I and Trial Chamber II. Each Chamber has three Judges. Two Judges are appointed by the Secretary-General of the United Nations. One Judge is appointed by the Government of Sierra Leone. These are the people who would try the cases. So the President does not come in in the initial trial of Mr Charles Taylor, although the President is from Sierra Leone. When the case finishes, just for the sake of argument, either he will be acquitted or he will be convicted in the Trial Chamber. My experience is that if he's acquitted, the Prosecutor would appeal, and if he's convicted, the Defence would appeal. So at that time is when it goes to the Appeals Chamber. In the Appeals

Chamber, the composition is like this: There are three Judges appointed by the Secretary-General of the United Nations, and two Judges appointed by the Government of Sierra Leone. Is that correct? So there is no question of saying that the Government of Sierra Leone has taken over these proceedings. They have not taken over these proceedings. That is how these Courts are composed, and one Judge does not have sway as to how a decision will go one way or the other. It is a majority decision of that Court sitting.

DR STAKER: The first of course is that a Judge is an independent judicial officer. They have an oath of office to be independent and impartial. It shouldn't be assumed that because a person is of a certain nationality, this has any influence on the exercise of their judicial function.

I just wanted to note also, the Registrar mentioned that under our Rules, it is possible for the Prosecution to appeal against an acquittal, just as it's possible for the Defence to appeal against a conviction, but it's certainly not automatic that there would be an appeal. And for an appeal, you have to show that something went wrong. I think it's far too early to talk about whether there might be appeals after a trial or not.

Q: My name is Isaac Yeah. I work for UN Radio in Liberia. It has to do with this issue of passing misinformation, really. You mentioned that you have a Provisional Counsel in the person of Mr Karim Khan. Do you have other Liberians or non-Liberians who are part of the Defence team of Mr Taylor, and how many of them? And then whether Mr Taylor has been able to have access to his family and his children. Are they able to come here and see him and speak to him or (indistinct) incommunicado or something like that?

PROF NMEHIELLE: Well, in terms of, now, the Rules of Procedure of, the Directive of Assignment of Counsel is very clear on how to proceed. Now my office administers the Court's legal aid system. And for you to be a beneficiary of the legal aid system means you do not have sufficient resources to handle your case by your own lawyer [that] you will pay. And of course Mr Taylor did fill out what we call a determination of means application under which I determined that he is partially indigent. And under the requirements of the Directive of Counsel, and in the interests of justice under the circumstances, he requires counsel. And under that provision, I will do what is called "provisional assignment of counsel" for a period of 90 days, within which I will be under an obligation to establish a full legal team. I will work in consultation with Mr Taylor himself. If, within the period of 90 days, Mr Taylor tells me, "Hey, I don't need your money, I have adequate resources to establish my Defence team", I say well and good. Then supply me the names of your lawyers so that they become part of the process. Now if Mr Taylor does not have the resources and I still determined that he is indigent, or partially indigent, I will constitute a legal team based on the list that the Principal Defender keeps of lawyers which may include names of lawyers that Taylor himself knows, who have satisfied the requirements to be listed on the list, and sent to him to choose the lawyers on the list that he wants to represent him. There are Liberian lawyers on the list, so that if Mr Taylor chooses the Liberian lawyers also in the list, they will be part of his team as he may desire. If he chooses lawyers from the UK only or the United States only, they will become members of his team. So I will wait until I am satisfied that he needs those lawyers within my list and he tells me "yes, I need them because I do not have the resources within the period of provisional assignment".

Now in terms of his family, his family have had access to him. His children have come here. His wife has come here. His sisters have come here. His brothers have come here. Again, being a high-profile case in the sense of former president, of course his security interests are taken into consideration, and there is a process of approving whoever wants to visit him. And as soon as

those processes are sorted out, normally people are allowed access to visit him who are entitled to visit him.

Q: (As leaving) Is it possible for us to visit Mr Taylor?

MR MUNLO: You will need an application (laughter), and a security clearance.