

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



PRESS CLIPPINGS

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

as at:

Monday, 20 December 2010

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Freeze all Charles Taylor's assets, UN Security Council demands

For the fourth consecutive year, the Security Council today demanded that the Liberian Government "make all necessary efforts to fulfil its obligations" to freeze the assets of former president Charles Taylor, currently facing trial for war crimes before an international court.

At the same time, it welcomed the Government's leadership at regional and international levels in the Kimberley Process that

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Freeze all Charles Taylor's assets, UN Security Council demands

From page 1

seeks to ban so-called "blood diamonds" - gems illegally mined or traded to finance conflicts, a major factor in unrest in Africa and a tool that Mr. Taylor is alleged to have used in the decade and a half when civil wars ravaged Liberia and neighbouring Sierra Leone.

In a unanimous resolution on sanctions that aim to shut off the sources of conflict, from illegal funding to illicit trade in natural resources to arms trafficking, the 15-member body noted "with serious concern the lack of progress" in implementing a 2004 resolution demanding that all the assets of Mr. Taylor, family members and associates be frozen to prevent them

from obstructing the restoration of peace in Liberia and the region.

Mr. Taylor is on trial on charges of war crimes and crimes against humanity before the United Nations-backed Special Court for Sierra Leone (SCSL) in The Hague, the Netherlands. He left his country amid violent conflict in 2003, and the UN Mission in Liberia (UNMIL) has since then helped the West African country return to peace through democratic elections. The Council extended for another year the mandate of a Panel of Experts set up in 2007 to monitor compliance with the sanctions imposed in connection with the civil war.

It urged the Government to re-

double its efforts to ensure the effectiveness of the Kimberley Process under which diamonds have to be certified to have come from conflict-free sources, and said insufficient progress had been made on issues relating to arms trafficking. Recalling an earlier decision not to renew sanctions on the export of timber, one of many natural resources that have been used to fund conflicts in Africa, it stressed that Liberia must continue to enforce forestry reform and revenue transparency laws. It called on the Panel during the coming year to conduct two assessment missions to Liberia and neighbouring States to investigate any violations with regard to the illicit trade in arms,

including individual perpetrators and sources of financing, such as natural resources, and to monitor progress in the freezing of assets, forestry reform and the Kimberley process. As it has in past years, the Council warned that despite the significant progress made in Liberia since 2003, "the situation there continues to constitute a threat to international peace and security in the region," and stressed UNMIL's continuing importance in improving security and helping the Government establish its authority throughout the country, particularly in the diamond, timber, and other natural resources-producing regions, and border areas.

Gbagbo orders peacekeepers to leave Ivory Coast

The UN has 10,000 peacekeepers in Ivory Coast. Incumbent Ivory Coast President Laurent Gbagbo has demanded that all foreign peacekeepers to leave the country immediately, escalating a dispute over last month's presidential elections. His spokesperson accused UN and French troops of colluding with former rebels. The UN and major powers

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Gbagbo orders peacekeepers to leave Ivory Coast

From Front Page

have recognized Mr. Gbagbo's rival, Mr. Alassane Ouattara, as the winner of the 28 November poll which Mr. Gbagbo insists he has won.

Mr. Ouattara is currently under UN protection at a hotel in Abidjan.

In a statement read on national television on Saturday, government spokeswoman Jacqueline Oble said Mr. Gbagbo had "requested the immediate departure of the Onuci [UN mission] and the French forces supporting it".

The UN force, the statement added, had "interfered seriously into the internal affairs of Ivory Coast".

Earlier, the UN said one of its patrols had come under fire as it entered the mission compound in Abidjan, the

country's main city.

Early on Friday, opposition supporters were arrested in Grand Bassam, about 30km (20 miles) east of Abidjan, and there are reports of several people being killed there.

Mr Ouattara's supporters have said they would again go to the streets following gun battles which left 20 dead in Abidjan on Thursday.

The UN Security Council warned that all sides would be held accountable under international law for any attacks against civilians.

The United Nations, the US, former colonial power France, and the African Union have all called on Mr. Gbagbo to stand down.

French President Nicolas Sarkozy on Friday said he should quit by Sunday

MinBuza.nl

Thursday, 16 December 2010

http://www.minbuza.nl/en/News/Newsflashes/2010/12/Evidence_for_Special_Court_for_Sierra_Leone_secure_in_the_Netherlands

Evidence for Special Court for Sierra Leone secure in the Netherlands

Newsflash | 16 December 2010



Evidence and archive documents used by the Special Court for Sierra Leone were flown in today from Freetown, the capital of Sierra Leone, to the air force base in Eindhoven, the Netherlands by the Royal Netherlands Air Force.

Over the past few years, the Special Court for Sierra Leone has tried and convicted a number of people for crimes committed during the civil war in the 1990s. The Special Court is currently trying the final defendant, Charles Taylor, former president of Liberia. These proceedings are taking place in the Special Court's location in Leidschendam.

The Special Court's Freetown location will be closed. The archives and the remaining evidence in the Taylor case could not be kept in Sierra Leone for security and climatological reasons. The Netherlands offered to house the material in the National Archives and ensure secure transport.

The UN and the Special Court imposed strict security requirements concerning this transport. The UN peace mission in Liberia (UNMIL) supervised and guarded the loading of the aircraft. The Special Court can now close the Freetown location permanently and complete the trial of Charles Taylor.

Bewijsmateriaal Sierra Leone Tribunaal veilig in Nederland

Nieuwsbericht | 16 december 2010

Bewijsmateriaal en archiefstukken van het Speciaal Hof voor Sierra Leone zijn vandaag overgebracht naar Nederland. Een toestel van de Koninklijke Luchtmacht vervoerde de stukken van Freetown, de hoofdstad van Sierra Leone, naar vliegbasis Eindhoven.

Het Speciaal Hof voor Sierra Leone heeft de afgelopen jaren een aantal personen berecht en veroordeeld voor misdaden die zij pleegden tijdens de burgeroorlog in de jaren '90. Het Hof berecht op dit moment de laatste verdachte, Charles Taylor, de voormalig president van Liberia. Dit proces vindt plaats in de vestiging van het Hof in Leidschendam.

De vestiging van het Hof in Freetown sluit. Om veiligheids- en klimatologische reden kon het archief niet in Sierra Leone blijven. Ook het resterende bewijsmateriaal in de Taylorzaak moest weg uit Freetown. Nederland heeft daarom aangeboden deze archieven te huisvesten in het Nationaal Archief en te zorgen voor een veilig transport.

Aan dit transport waren vooraf door de VN en het Hof strenge veiligheidseisen verbonden. De VN-vredesoperatie UNMIL begeleidde en bewaakte het laden van het toestel. Het Hof kan nu definitief zijn vestiging in Freetown sluiten en de berechting van Charles Taylor afronden.

Wikileaks

Friday, 17 December 2010

The US embassy cables:
The documents



US embassy cables: The protracted case against Charles Taylor

guardian.co.uk, Friday 17 December 2010 21.30 GMT

A [larger](#) | [smaller](#)

Wednesday, 15 April 2009, 15:00

CONFIDENTIAL THE HAGUE 000247

DEPARTMENT FOR S/WCI - WILLIAMSON/DOHERTY, L - DONOGHUE,

L/UNA - BUCHWALD, L/AN - OHAHS

EO 12958 DECL: 04/15/2019

TAGS PREL, PGOV, KAWC

SUBJECT: SCSL'S TAYLOR TRIAL MEETS KEY MILESTONE, BUT SCSL

STILL FACES SERIOUS HURDLES

REF: A. REF: A) 2008 THE HAGUE 00021 B. B) 2008 THE HAGUE 00226

Classified By: Legal Counselor Denise G. Manning per reasons 1.5(b, d).

Summary

US officials wonder why a special court judge might be interested in slowing down the prosecution case against the former Sierra Leonean president. Key passages highlighted in yellow.

-- SUMMARY: SCSL MEETS A KEY MILESTONE, BUT FACES UNCERTAINTY IN TERMS OF TIMING, FINANCES, AND COMPLETION ISSUES --

1. (SBU) On February 27, 2009, the Special Court for Sierra Leone (SCSL or Court) took another step toward completing its work when the Prosecution rested its case against former Liberian President Charles Taylor -- the last SCSL case at the trial stage. The Court could potentially complete its work before the end of 2010. A number of open issues, however, may affect timing, including the start date and length of the Taylor Defense case. Timing may be particularly important given expected funding shortfalls and the possible loss of courtroom space this coming September. Additionally, the current Registrar, Herman von Hebel (Netherlands), has resigned effective June 1, and his successor will inherit a host of difficult issues and a complex transition during the final days of the Court's operations.

--BACKGROUND: A SMALL COURT WITH SEVERAL FIRSTS --

2. (U) A Trailblazing Court. The hybrid SCSL, created in 2002 through an agreement between the United Nations and the Government of Sierra Leone (GOSL) and funded entirely by voluntary contributions, has jurisdiction over those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in Sierra Leone after November 30, 1996. Although established almost ten years after the creation of the International Criminal Tribunals for the former Yugoslavia and Rwanda (ICTY and ICTR), the SCSL is poised to complete its work before these tribunals. The SCSL has also been the first internationalized criminal

tribunal to: 1) issue an indictment for an African head of state (Liberian President Charles Taylor); 2) enter convictions for the crime of recruiting and using child soldiers; and 3) successfully prosecute forced marriage as a crime against humanity and intentional attacks on U.N. peacekeepers as a serious violation of international humanitarian law.

3. (U) Last Trial Standing. In 2003, the SCSL indicted Charles Taylor, the leader of the National Patriotic Front of Liberia from 1989 to 1997 and the President of Liberia from 1997 until the 2003 indictment. The indictment alleges Taylor's deep involvement in the Sierra Leone conflict including his role in arming, training and acting in concert with the RUF and in trafficking the Sierra Leonean & blood diamonds that fueled and financed the fighting. The SCSL charged Taylor with eleven counts, including, inter alia, terrorizing the civilian population, unlawful killings, sexual violence, abductions and forced labor, and conscripting child soldiers.

))TIMING: TAYLOR TRIAL'S LINK TO CLOSING SCSL))

4. (SBU) Status of Trial. As the only ongoing SCSL trial, the Taylor trial is the linchpin to the SCSL completing its work. From April 6-9, 2009, the Court held the & judgment of acquittal hearing, with Defense arguing for acquittal on all of the charges. (Comment: In the & judgment of acquittal hearing, the Court considers whether Prosecution Qacquittal hearing, the Court considers whether Prosecution has presented any evidence that could sustain conviction on the charges, acquitting only if Prosecution has presented & no evidence to sustain the charge. End Comment.) In this hearing, Defense acknowledged that crimes had occurred in Sierra Leone but argued that the Prosecution had failed to 1) present evidence linking Taylor to those crimes and 2) establish that Taylor had been part of a joint criminal enterprise (JCE) because, if a JCE existed, it existed before November 30, 1996, the date at which the temporal jurisdiction of the SCSL begins. The Prosecution responded to these arguments by summarizing Taylor's responsibility for the crimes and pointing to Taylor's liability for JCE crimes committed after November 30, 1996, even if the planning of the JCE took place before that date. (Comment: The Court will most likely not issue its Rule 98 decision in April, especially since the Judges may recess through May. An acquittal does not seem likely. End Comment.)

5. (SBU) Next Up: Defense Case. A contact in the Registry has indicated that Defense will likely request three months to prepare for trial and four months to present its case. If the Court grants this request, the Defense case may start at the end of August. However, the same Registry source predicts that the Trial Chamber may order Defense to begin its case as early as June, working through July and August with a possible recess in September. One wild-card factor, however, is the Defense's pending interlocutory appeal arguing that the Prosecution failed to properly plead the JCE theory of liability. The Trial Chamber may not schedule the Defense case before the appeals decision so the Defense knows which mode(s) of liability it must defend against. (Comment: Currently, the Registry's budget milestone document projects an October 31 trial termination date, a March 2010 judgment, sentencing in April 2010, and the conclusion of appeals in October 2010. If, however, the Defense case starts in August, the timeline could be pushed back by approximately two months. End Comment.)

6. (U) Spill-Over Timing Effects. A delay in the timing for the Taylor trial may create additional challenges. First, the International Criminal Court (ICC), the location of the Taylor trial, has informed the SCSL that it will need its second courtroom as of September 2009. (The ICC scheduled its second trial to start September 24th, and will likely need the courtroom prior to September 24th for pre-trial work). Back-up options explored by the Registry include finding other space or working during gaps in the ICC schedule. Second, according to Registry sources, each additional month of trial time

costs approximately one million dollars.

))THE JUDICIAL FACTOR))

7. (C) *Judges Slowing Things Down? Further muddying timing predictions, Court employees have intimated that the Trial Chamber could work more expeditiously.* The Taylor Chamber consists of three judges who take turns presiding: Justice Richard Lussick (Samoa), Justice Teresa Doherty (Northern Ireland) and Justice Julia Sebutinde (Uganda), along with an alternate judge, Justice El Hadji Malick Sow (Senegal). A couple of Court employees have grumbled that when the last Prosecution witness testified on January 30, 2009, the Court still had 11 outstanding motions, some over a year old. Additionally, one Chamber contact believes that the Trial Chamber could have accelerated the Court's work by excluding extraneous material and arguments. Moreover, contacts in Prosecution and Registry speculate that Justice Sebutinde may have a timing agenda. They think she, as the only African judge, wants to hold the gavel as presiding judge when the Trial Chamber announces the Taylor judgment. Reportedly, her next stint as presiding judge begins in January.

8. (SBU) Expedited Appeals? The Appeals Chamber, with one empty seat, consists of President Renate Winter (Austria); Vice President Jon Kamanda (Sierra Leone); Justice George Gelaga King (Sierra Leone); and Justice Emmanuel Ayoola (Nigeria). President Winter reportedly has indicated that the Appeals Chamber intends to expedite any Taylor trial. The Appeals Chamber intends to expedite any Taylor trial appeals. Up for election in May, Winter may not, however, preside over the Appeals Chamber for any Taylor trial appeals, reportedly she will step down after the RUF appeal if she is not re-elected President.

))DEFENSE STRATEGY: WHO ME?))

9. (SBU) Drama-Bound Defense Case. A British Queen's Counsel, Courtenay Griffiths, heads Charles Taylor's top-notch and quick-tongued defense team, which reportedly finds itself in the midst of identifying and proofing witnesses. All signs indicate that Taylor himself will take the stand as their first witness possibly staying in the box for 6 to 8 weeks, and based on Defense's actions to date, the Defense team will likely argue that although the crimes may have occurred, Taylor has no link to the crimes.

))AN IMMINENT BUDGET CRISIS))

10. (C) Funding Shortfall. The Registry fears that the Court will run out of money as early as next month, although an expected Canadian USD 6 million contribution would keep the Court financed until early July 2009. In a marathon campaign, Registrar Von Hebel attended 250 meetings in 15 months to drum up funds from potential donor countries, but with, according to Von Hebel, little traction, due to donor fatigue, the difficult economic situation, and contributions going to other tribunals (e.g., the Special Tribunal for Lebanon (STL) or the Extraordinary Chambers in the Courts of Cambodia). Von Hebel wants to make another run at the Arab countries of Saudi Arabia, Qatar, Kuwait, and the United Arab Emirates. He also believes that a letter from U.N. Secretary General Ban Ki-Moon asking countries to contribute might help open wallets. According to Von Hebel, when Ban sent out a similar letter in 2007, a number of countries made first-time donations. In addition, a couple of traditional donor countries have advised him they may need a similar letter in order to donate this year.

11. (U) Cost-cutting Measures: Concerned about the looming financial crisis, the Registry has undertaken cost-saving measures, reducing staffing costs by downsizing, incorporating liquidation clauses in contracts, and encouraging The Hague staff to use leave during the break between prosecution and defense cases. The Registry also plans to hand over the Freetown facilities to the GOSL in July 2010, reserving some space for

its own continued use. Finally, Registry may look to consolidate the Appeals Chamber and the Taylor trial operations in The Hague, after the Appeals Chamber finalizes the RUF appeal.

12. (SBU) Help from Washington. The Registry may also seek USG,s assistance on financial issues. First, it may press the USG not to reduce its FY2009 contribution by 2 million, but to stay at last year,s level of 9 million USD. (Comment: The extra sum would not solve the Court,s immediate financial problem, since the USG generally contributes in the fall. End Comment.) Second, the Registry may ask for USG political support in the form of demarches to Arab countries, impressing upon the targeted Arab countries the critical nature of the SCSL,s financial situation.

))COMPLETION HICCUPS AND ISSUES))

13. (SBU) Registrar Musical Chairs. On April 8, 2009, the Court announced Registrar von Hebel,s resignation, effective as of June 1, 2009. Von Hebel will assume the Deputy Registrar position at the newly established Hague-based STL. (According to Embassy contacts, STL offered Von Hebel the position at the insistence of and to placate the Dutch, who believe the Dutch ICTY Registrar had been treated unfairly when the ICTY President unexpectedly declined to renew his contract). Given that the STL Registrar Robin Vincent (U.K.) recently resigned, Von Hebel may eventually step into Vincent,s shoes. Von Hebel is also tying up as many SCSL loose ends as possible, including signing a sentence-enforcement agreement with the Government of Rwanda. In terms of a successor Registrar, a Registry contact believes that the current Deputy Registrar Binta Mansaray (Sierra Leone) will surface as a strong candidate.

))COMMENT: RESIDUAL ISSUES))

14. (SBU) A Larger Role for The Hague? Although currently headquartered in Freetown, Sierra Leone, the Registry has toyed with the possibility of locating any Residual Mechanism Qtoyed with the possibility of locating any Residual Mechanism) or parts thereof) in The Hague. For instance, Von Hebel believes that the Court may need to move its archives out of Sierra Leone in order to properly maintain and secure them. The City of The Hague has indicated its willingness to provide archiving facilities in connection with the ICTY,s closure. Some have also suggested combining some or part of the SCSL,s residual functions with those of The Hague-based ICTY and the Arusha-based ICTR. A combined residual mechanism might prevent duplication, but it would also face significant hurdles, given SCSL,s structural differences, e.g. funding, oversight mechanism and applicable legal framework. Furthermore, GOSL desires will be key, since a joint GOSL-UN agreement created the Court.

GALLAGHER

Guardian

Friday, 17 December 2010

WikiLeaks cables reveal US concerns over timing of Charles Taylor trial

Leaked dispatches retell speculation that former Liberian leader's war crimes trial is being slowed down by Ugandan judge



Former Liberian president Charles Taylor sits in the international criminal court, The Hague. WikiLeaks cables detail America's lack of confidence in the proceedings against former Liberian president Charles Taylor (right) in the international criminal court, The Hague. Photograph: MICHAEL KOOREN / POOL/EPA

Judges in one of the world's most controversial war crimes trials have been deliberately slowing down proceedings, senior US officials believe, causing significant delays to proceedings.

Secret cables reveal US doubts about the trial in The Hague of Charles Taylor, the former president of Liberia, amid allegations that one of the judges has manipulated proceedings so that she can personally give the verdict in the case.

"[Sources] speculate that Justice [Julia] Sebutinde may have a timing agenda," one senior US diplomat states. "They think she, as the only African judge, wants to hold the gavel as presiding judge when the trial announces the Taylor judgment."

The cable alleges that Sebutinde, from Uganda, had slowed proceedings while she waited for her turn at the court's rotating presidency, which finally came up in January. Experts say such moves are common in international criminal proceedings.

"It is certainly the case that the identity of the presiding judge is a factor that those involved in an international trial pay careful attention to," said international law expert Philippe Sands QC. "That has been very clear in my experience."

Taylor, who was the president of Liberia but is on trial for alleged crimes relating to the conflict in Sierra Leone, remains in custody in The Hague, where the trial continues in the premises of the international criminal court. Sierra Leoneans have expressed anger at the slow proceedings.

"People are frustrated that this case is taking so long," said AB Jalloh, a Sierra Leonean journalist. "Sierra Leoneans are really frustrated that they have not been able to reach the final decision at the set time, and that they have kept on extending proceedings. Many feel that the money could have been better spent elsewhere in Sierra Leone."

The court denied that proceedings had been deliberately slowed down, stating that the judges had tried to speed up proceedings. "Since she became presiding judge last January, Justice Sebutinde has worked to

expedite the Taylor trial," a spokesperson said. "All of the judges of the trial chamber have worked tirelessly, and made personal sacrifices, to expedite the Taylor trial. The allegations that any or all of the judges have sought to slow down the proceedings is untrue."

But the cables reveal America's lack of confidence in the proceedings, as officials at the court explored possibilities for eventually putting Taylor on trial in the US.

"The best we can do for Liberia is to see Taylor is put away for a long time and we cannot delay for the results of the present trial to consider next steps," another high-ranking US official stated in a cable.

"All legal options should be studied to ensure Taylor cannot return to destabilise Liberia. Building a case in the US against Taylor for financial crime such as wire fraud would probably be the best route. There may be other options, such as applying the new law criminalising the use of child soldiers or terrorism statutes," the cable adds.

Americans were so keen to see Taylor's trial begin quickly that they were willing to ignore reports that a senior official at the court was being abusive towards employees, the documents also reveal.

The Taylor trial has been dogged by controversy from the outset. It had originally been anticipated that proceedings at The Hague would have concluded by the end of this year.

Earlier this year the model Naomi Campbell was summoned to give evidence at the court, amid allegations that she had received a "blood diamond" from the former Liberian leader, which prosecutors said proved Taylor's connection to the conflict in neighbouring Sierra Leone.

Daily Monitor (Uganda)

Monday, 20 December 2010

<http://www.monitor.co.ug/News/National/-/688334/1075434/-/cjxl0fz/-/>

Sebutinde delaying Taylor trial, says US diplomat

Kampala

A senior Ugandan judge has been accused by an American diplomat of delaying the ongoing trial of former Liberian President, Charles Taylor, in the Netherlands, and questioned her motive for slowing down the prosecution.

Justice Julia Sebutinde, speaking to this newspaper by phone yesterday, however, said the allegation contained in a diplomatic cable released by Julian Assange's whistleblower website, WikiLeaks, manifest "ignorance and racism" on the part of the author.

The April 15, 2009, dispatch from one Gallagher and classified by Denise Manning, the legal counsellor at the American embassy in the Netherlands, summarises the UN Special Court for Sierra Leone's milestones, including "uncertainty in terms of timing, finances, and (trial) completion".

The diplomat, reportedly drawing from accounts offered by a contact at the court, wrote in the confidential report to Washington that "the Trial Chamber could have accelerated the court's work by excluding extraneous material and arguments".

"Moreover, contacts in Prosecution and Registry speculate that Justice [Julia] Sebutinde may have a timing agenda," the memo reads in part. "They think she, as the only African judge, wants to hold the gavel as presiding judge when the Trial Chamber announces the Taylor judgment."

The document says the delay is messing timing predictions yet the Court Registrar's budget showed the trial should have been concluded by October last year; judgment and sentencing expedited in April 2010, with October set as deadline for handling any appeal.

In yesterday's interview, Justice Sebutinde said the allegations against her are "odd and factually incorrect" since her colleague Richard Lussick, a Samoan, was the presiding Judge in 2009 when the memo was originated. "It's unjustified and I have no idea what the motivation (of the author) could be other than racism," she said, "Perhaps, since I am the only African Judge, some of these racists think it is easier to target the black one."

Together with Northern Ireland's Teresa Doherty, The Hague-based special court has three full-time judges. Senegalese Justice El Hadji Malick, designated as an alternate fourth judge, has no voting power and can, therefore, not practically influence the court's decision.

Justice Sebutinde, who took over as the court's rotational presiding judge on January 18, this year, said she is baffled by how she came to be singled out for attack for slowing Mr Taylor's trial yet "we take decisions on majority basis".

She said: "As a (trial) chamber, we are trying to run the trial in a fair and expeditious manner with due regard to fairness to both sides (prosecution and defence) and without bending to external pressures like those [contained in the diplomatic cable]."

It has emerged that the US, partly concerned about shrinking financing for the court, has quietly been nudging for a speedy conviction of Mr Taylor, 62. He is in the dock over eleven counts of unlawful

killings, sexual violence, abductions and forced labour, conscripting child soldiers and terrorising civilians.

The war crimes, according to prosecution, were committed when Mr Taylor, a former warlord, backed the Revolutionary United Front rebel group in the neighbouring Sierra Leone.

An additional month for the court costs international financiers at least \$1 million (Shs2.3b), according to details in the diplomatic cable. Justice Sebutinde suggested that Washington may be nervous that as an African, she may return favourable judgment for the former Liberian President. “My integrity speaks for itself,” said the Lady Justice, remembered in Uganda for her no-nonsense handling of two separate inquiries into corruption in the country’s police force and revenue body.

“I did not do such a thing [of delivering manipulated verdict] while a national judge, and why would I do so while in a high-profile position?” she asked.

Her current one-year tenure as presiding judge at the court ends on January 17, 2011, and she will hand over to Justice Doherty.

Mr Taylor, former leader of the National Patriotic Front of Liberia, was indicted in 2003, for allegedly arming and training Sierra Leone rebels. He is also accused of trafficking blood diamonds that fuelled and financed the fighting.

He denies all the charges.

Wikileaks

Friday, 17 December 2010

guardian.co.ukThe US embassy cables:
The documents

US embassy cables: Rising concern about the Charles Taylor prosecution case

guardian.co.uk, Friday 17 December 2010 21:30 GMT

[A](#) [larger](#) | [smaller](#)

Tuesday, 10 March 2009, 12:51

C O N F I D E N T I A L SECTION 01 OF 02 MONROVIA 000188

SIPDIS

EO 12958 DECL: 03/10/2019

TAGS PREL, PGOV, UNSC, PHUM, KCRM, LI

SUBJECT: PRO-TAYLOR ELEMENTS STILL A FORCE TO BE RECKONED WITH

Classified By: Ambassador Linda Thomas-Greenfield for Reasons 1.4 (b) and (d).

Summary

A US ambassador warns that a cash shortfall could jeopardise the case against the former Sierra Leone president, stirring up old resentments in Sierra Leone and Liberia. Key passages highlighted in yellow.

1. (C) Summary: The recent remarks by Special Court for Sierra Leone prosecutor Stephen Rapp suggesting Charles Taylor may go free because of budgetary reasons caused alarm within the GOL and has emboldened Taylor supporters. Communication inside the Taylor camp remains intact, and those in leadership roles continue to be active and unrepentant. Should Taylor be acquitted in The Hague or given a light sentence, his return to Liberia could tip the balance in a fragile peace. *The international community must consider steps should Taylor not be sent to prison for a long time. We should look at the possibility of trying Taylor in the United States.* End Summary.

RAPP'S COMMENTS RAISE CONCERN WITHIN THE GOL

2. (C) Chief Prosecutor Stephen Rapp's ill considered announcement in the press February 24 that Charles Taylor may walk free because of a supposed budget shortfall for the Special Court for Sierra Leone, where Taylor is presently on trial, made headlines in the local press, and raised anxiety here about Taylor's imminent return. The GOL was alarmed enough that President Sirleaf called Ambassador on February 28 to raise her concerns. Sirleaf pointed out that Liberia's stability remains fragile, and such remarks reverberated throughout the country, as people are still traumatized by Taylor and the war.

3. (C) The press accounts out of The Hague have also emboldened the pro-Taylor factions here, including his extended family members, financiers and National Patriotic Party (NPP) loyalists, raising their hopes that Taylor might be acquitted soon. Despite

their rhetoric about "moving on," they have thus far refused to appear before the Truth and Reconciliation Commission (TRC) to account for their activities, and those on the UN Sanctions lists continue to request delisting on the basis they have done nothing wrong rather than demonstrating what they have done to provide restitution for their activities.

GOL TREADING CAREFULLY WITH TAYLOR FACTIONS

4. (C) The government itself is caught in the middle. There is quite little the GOL can do legally to arrest, prosecute or freeze assets of those who were close to Taylor, even if the political will were there, which remains an open question. The TRC has recommended a domestic war crimes court be set up, but under statute an Independent National Commission on Human Rights (INHCR) would implement the recommendation, and the Legislature (some of whom had close ties to Taylor) has thus far failed to establish the INCHR. The Legislature has also refused to pass any law that would allow the GOL to freeze assets of those on the UN sanctions list, and the Supreme Court has ruled that any confiscation of property can be done only after a trial.

5. (C) The Accra Comprehensive Peace Agreement (CPA) of August 2003 that ended the 14-year civil war, did not require the NPP to disband and in fact permitted the NPP to participate in the transitional government and in the 2005 elections. The NPP now holds seven seats in the Legislature (which may be one reason the legislation is being blocked). As well, none of Taylor's properties have been seized by the government and they remain in good shape and remarkably free of squatters, as no one dares to take the risk of retribution.

COMMUNICATIONS AMONG TAYLOR SUPPORTERS REMAIN STRONG

6. (C) *The pro-Taylor forces still have the ability to organize themselves.* An NPP rally in December 2008 gathered a sizeable crowd, and Taylor supporters in June 2008 succeeded in preventing FBI investigators from entering Taylor's residence "White Flower" to obtain evidence for the Chucky Taylor trial in Florida. The most recent example was their effort on March 7 to disrupt the International Women's Colloquium. Taylor remains popular within many rural communities, especially in Bong, Lofa and Nimba counties, and is seen as someone who was able to unite Liberia's different ethnic groups. We also suspect there is some sympathy within the Americo-Liberian population who saw him as their deliverance from their losses following the 1979 coup. While we do not suggest they would want Taylor to return, we are sure that they do not want too many rocks to be turned over.

7. (C) Although we do not have any direct evidence to support the belief that pro-Taylor factions are behind much of the

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armed robbery on the premise that crime will keep the government weak and the country unstable, the GOL is certainly convinced of this, and has taken steps to counteract the threat. The most recent act was to put Taylor-era head of police Paul Mulbah into the LNP as an "advisor" that some accuse (and the government denies) was in order to placate the Taylor people in advance of the March 7-8 International Women's Colloquium. That the Taylor crowd can still motivate such a reaction in the government is a testament to their influence.

8. (C) Lines of communications within Taylor's faction, the National Patriotic Front of Liberia (NPFL) remain intact. To be sure, the disarmament of the factions following the

CPA has been extremely successful, and we have thus far been unable to confirm the existence of any large weapons caches, despite the persistent rumors. But the reintegration of the ex-combatants is far from complete. Former NPFL commanders Roland Duo (the only senior Taylor supporter to have testified before the TRC), Christopher "General Mosquito" Vambo and Melvin Sogbandi (none of whom are on the sanctions lists) remain in contact with the ex-combatants, and would have the capability to organize an uprising or even criminal activity.

9. (C) Certainly, the same is true for the other factions, the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL). While apparently unarmed and not active in Liberia, we continue to receive reports that LURD is recruiting ex-combatants for militias in Guinea and MODEL is doing the same for Cote d'Ivoire.

THREAT OF TAYLOR'S RETURN ADVANCES THEIR CAUSE

10. (C) XXXXXXXXXXXXXXX

11. (C) The threat of a return of Taylor strengthens their hand and for now they see no need to give in at all. However, if Taylor is put away for a long time, the government may feel a bit bolder in recovering assets and bringing Taylor backers who committed war crimes to justice.

12. (C) The international community has just a few tools to pressure the Taylor people into accepting the new reality. The UN sanctions appear to have the intended effect of keeping them somewhat marginalized and fearful of further attempts to strip them of their ill-gotten gains. However, we have regularly heard of travel outside Liberia of those on the travel ban list without prior approval.

NEXT STEPS FOR THE INTERNATIONAL COMMUNITY

13. (C) However, the best we can do for Liberia is to see to it that Taylor is put away for a long time and we cannot delay for the results of the present trial to consider next steps. All legal options should be studied to ensure that Taylor cannot return to destabilize Liberia. Building a case in the United States against Taylor for financial crimes such as wire fraud would probably be the best route. There may be other options, such as applying the new law criminalizing the use of child soldiers or terrorism statutes.

14. (C) The peace in Liberia remains fragile, and its only guarantee is the robust and adaptable UNMIL presence. The GOL does not have the ability to quell violence, monitor its borders or operate independently to fight crime. A free Taylor could tip the balance in the wrong direction. THOMAS-GREENFIELD

The Independent

Saturday, 11 December 2010

Geoffrey Robertson QC: The Great Defender

One man stands between Julian Assange and extradition. Fortunately for the WikiLeaks founder, he is a barrister whose brilliance has won some of the defining legal battles of the age

By Ben Chu



He says: "Justice is the great game because it provides the opportunity of winning against the most powerful, and against the state itself."

to come to the defence of his fellow Australian. The case of the WikiLeaks founder, combining as it does high liberal principle, low scandal and massive publicity, might have been designed with Robertson specifically in mind.

To Robertson "justice is the great game because it provides the opportunity of winning against the most powerful, and against the state itself. This does not mean that David will necessarily slay Goliath, but the laws of battle will prevent Goliath from siding up and hitting him on the head".

Robertson has said nothing since he took on the brief. But it seems a safe bet that the QC sees in Assange (a man who powerful American politicians have suggested should be hunted down like a terrorist) something of an outgunned David. And if anyone can prevent Assange being unfairly hit on the head by powerful forces it is Robertson.

Geoffrey Ronald Robertson was born in 1946 and grew up in a comfortable home in the Sydney suburbs. He was inspired to enter the law on reading reports of the 1960 Lady Chatterley trial at the Old Bailey and, in particular, the performance of the defending barrister, Gerald Gardiner.

Afflicted by heavy acne as a teenager, he didn't socialise much and developed the habits of a workaholic. After Epping Boys High School came a law degree at Sydney University. Robertson was an earnest student, with, in his own words, "a detached and slightly puritanical outlook".

He arrived in UK in 1970 expecting his Rhodes scholarship at Oxford to be a "pleasant diversion" before beginning a career at the Sydney Bar. But Oz, ironically enough for an Australian in England, intervened. In Oxford, Robertson met fellow Australian expat Richard Neville, the publisher of an underground satirical magazine of that name. Oz had been charged with "a conspiracy to corrupt public morals" for featuring a cartoon of a tumescent Rupert Bear. Neville and Robertson got on and the young lawyer was given the job of preparing Neville's legal defence.

"Openness is conducive to better government." Those words might have come from Julian Assange, the founder of WikiLeaks who was arrested and detained in London this week, pending extradition to Sweden accused of rape.

But, as chance would have it, they can be found in the memoirs of the man who stands between Assange and prosecution abroad: Geoffrey Robertson QC.

But of course chance has nothing to do with it. Those who have followed Robertson's career will not have been surprised to see the QC cutting short his holiday

Although the defence failed, Robertson decided that his future lay in Britain. He was eventually called to the bar 1973 and embarked on a remarkable career. Cause célèbre followed cause célèbre. In 1978 he defended two journalists who had been accused of breaching the Official Secrets Act when they interviewed a former intelligence officer. The acquittal of the journalists was a landmark victory for press freedom. Robertson went on to defend Gay News and the National Theatre from the legal assaults of Mary Whitehouse. These trials – and their outcome – helped to deliver the coup de grâce to cultural censorship in Britain.

Thereafter Robertson's focus shifted to human rights and holding governments to account. In the 1990s he defended the four directors of the machine tools manufacturer Matrix Churchill who were accused of illegally supplying arms to Saddam Hussein. The trial collapsed after the judge rejected attempts by the government to suppress key documents. And a subsequent judicial inquiry found that the ministers had actually encouraged the arms sales. Robertson was at centre stage again when he defended The Guardian against the libel suit brought by Neil Hamilton, the Tory MP accused by the paper of taking cash to ask questions in the Commons.

There was other less high-profile, but no less important, work too. As a QC he prosecuted the Malawian dictator Hastings Banda and defended dissidents detained by Lee Kuan Yew in Singapore. He appeared in many Caribbean death sentence appeals at the Privy Council. And in 2002 came a move from defence to judgment, when Robertson served as a judge on the United Nations war crimes tribunal in Sierra Leone.

It would be an exaggeration to say that Robertson's private life has been as eventful as his public one. But his marriage to the wisecracking Australian novelist Kathy Lette has kept him close to the media spotlight, even when not in the court. The two met in Brisbane 20 years ago filming an episode of Robertson's long-running Australian current affairs television programme Hypotheticals. Both were in relationships at the time, Robertson with the future television chef Nigella Lawson, and Lette married to the Australian television executive Kim Williams. "Opposites attract" is Robertson's explanation of the unlikely union of the crusading liberal barrister and the author of such works as Foetal Attraction and Men \

The couple have two children, Georgina and Julius, who, Robertson admitted in an interview last year, have urged their father to slow down. Robertson told Peter Thompson of the Australian channel ABC: "It's all very well to say seize the day, do everything you can. It does take a toll. One day something will hit me, maybe a stroke."

He is not joking. Simply to read Robertson's schedule is enough to bring on fatigue. As well as his practice work and sitting on the Sierra Leone tribunal, Robertson has written three books in the past five years including a polemic calling for the prosecution of the Pope and a scholarly historical work on John Cooke, the barrister who took on the task of prosecuting Charles I after the Civil War (a job one senses the author himself would have relished).

Robertson is not to everyone's taste. Right-wingers dislike his liberal campaigning. Catholics have been irked by his Pope-baiting. And Robertson's long-standing support for humanitarian military interventionism as a means of bringing war criminals and human rights abusers to justice has led him to a somewhat awkward position on Iraq. In the 2006 edition of his book Crimes Against Humanity he speaks of "the moral rightness of overthrowing Saddam Hussein and the wrongfulness in law of the means used to accomplish it" with the implication that George Bush's mistake was merely to use the wrong justification for the invasion.

At times he has allowed his eye for publicity to override his legal judgement. In 2003, The Guardian, urged on by Robertson, brought a legal challenge against the 1848 Treason Felony Act, which makes it an offence to call for the abolition of the monarchy. Throwing out the case, Lord Scott noted that Robertson was "a very good lawyer" but that the case lacked "common sense" since there was never a realistic

prospect of someone being prosecuted under the act. There are legitimate questions about his methods too. If Robertson wants to change society, it might be asked, should he not have stood for election rather than seeking to do so through judicial activism?

That is an argument that Robertson would dismiss as the old fallacy he encountered at university in Australia: the idea that the law is simply a system for applying rules drawn up by legislators. Robertson has always been guided by a very different star. In his memoirs, he describes how, in his view, the law can serve as a "lever for liberation". It is a philosophy to which his entire career, whether in the courtroom, the television studio, or in print, has been devoted. And if Robertson can lever Julian Assange, another campaigner for openness in public life, out of custody it will surely go down as the QC's most notable triumph yet.

A life in brief

Born: Geoffrey Ronald Robertson, 30 September 1946.

Education: Epping Boys High School, Sydney University, Oxford University.

Family: Married to the novelist Kathy Lette. Two children, Georgina and Julius.

Career: Barrister since 1973, Queen's Counsel 1988, founder of Doughty Street Partners 1990, appeal judge on United Nations Special Court for Sierra Leone, 2002-2007.

He says: "Justice is the great game because it provides the opportunity of winning against the most powerful, and against the state itself."

They say: "Robertson appears to want vengeance." Catherine Pepinster, editor of *The Tablet*, a Catholic weekly

European Parliament

Thursday, 16 December 2010

European Parliament resolution of 16 December 2010 on the Annual Report on Human Rights in the World 2009 and the European Union's policy on the matter (2010/2202(INI))

The European Parliament ,

-SNIP-

58. Underscores the need to strengthen the international criminal justice system in general and in this respect notes with concern that Ratko Mladić and Goran Hadžić remain at large and have not been brought before the ICTY; in this context, calls on the Serbian authorities to ensure full cooperation with the ICTY, which should lead to the arrest and transfer of all remaining indictees, in order to open the way to the ratification of a Stabilisation and Association Agreement; notes the need for ongoing support, including financial support, **to enable the Special Court for Sierra Leone to complete ongoing trials, including any appeal processes;** also notes progress in multilateral cooperation on the supply of expertise and assistance where the identification, collection and preservation of information would assist a wide range of international and transitional justice options, in particular through the Justice Rapid Response (JRR), in which more than half of EU Member States are participants, and encourages ongoing and increased support for the JRR;

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195. Instructs its President to forward this resolution to the Council and the Commission, to the governments and parliaments of the Member States and the candidate countries, to the United Nations, the Council of Europe and the Organisation for Security and Cooperation in Europe, and to the governments of the countries and territories mentioned in this resolution.

UN News Centre

Friday, 17 December 2010

Liberia: UN demands Government take action to freeze former warlord's assets

17 December 2010 – For the fourth consecutive year, the Security Council today demanded that the Liberian Government “make all necessary efforts to fulfil its obligations” to freeze the assets of former president Charles Taylor, currently facing trial for war crimes before an international court.



At the same time, it welcomed the Government's leadership at regional and international levels in the Kimberley Process that seeks to ban so-called “blood diamonds” – gems illegally mined or traded to finance conflicts, a major factor in unrest in Africa and a tool that Mr. Taylor is alleged to have used in the decade and a half when civil wars ravaged Liberia and neighbouring Sierra Leone.

In a unanimous resolution on sanctions that aim to shut off the sources of conflict, from illegal funding to illicit trade in natural resources to arms trafficking, the 15-member body noted “with serious concern the lack of progress” in implementing a 2004 resolution demanding that all the assets of Mr. Taylor, family members and associates be frozen to prevent them from obstructing the restoration of peace in Liberia and the region.

Mr. Taylor is on trial on charges of war crimes and crimes against humanity before the United Nations-backed Special Court for Sierra Leone (SCSL) in The Hague, the Netherlands. He left his country amid violent conflict in 2003, and the UN Mission in Liberia (UNMIL) has since then helped the West African country return to peace through democratic elections.

The Council extended for another year the mandate of a Panel of Experts set up in 2007 to monitor compliance with the sanctions imposed in connection with the civil war.

It urged the Government to redouble its efforts to ensure the effectiveness of the Kimberley Process under which diamonds have to be certified to have come from conflict-free sources, and said insufficient progress had been made on issues relating to arms trafficking.

Recalling an earlier decision not to renew sanctions on the export of timber, one of many natural resources that have been used to fund conflicts in Africa, it stressed that Liberia must continue to enforce forestry reform and revenue transparency laws.

It called on the Panel during the coming year to conduct two assessment missions to Liberia and neighbouring States to investigate any violations with regard to the illicit trade in arms, including individual perpetrators and sources of financing, such as natural resources, and to monitor progress in the freezing of assets, forestry reform and the Kimberley process.

As it has in past years, the Council warned that despite the significant progress made in Liberia since 2003, “the situation there continues to constitute a threat to international peace and security in the region,” and stressed UNMIL's continuing importance in improving security and helping the Government establish its authority throughout the country, particularly in the diamond, timber, and other natural resources-producing regions, and border areas.

Voice of America

Saturday, 18 December 2010

UN Pushes Liberia to Freeze Assets of Accused Warlord



The United Nations Security Council is stepping up pressure on Liberia to freeze the assets of accused former president Charles Taylor.

The 15-member Council on Friday approved a resolution on sanctions that aim to eliminate funds for conflicts through the sale of illegally mined diamonds.

Taylor allegedly used profits from so-called "blood diamonds" to fund years of civil war in Liberia and neighboring Sierra Leone.

The former Liberian president is facing 11 charges for allegedly instigating a rebel campaign of rape, murder and mutilation in neighboring Sierra Leone that killed more than 100,000 people during a decade-long civil war, which started in the late 1990s.

Taylor is currently on trial for war crimes in the Hague, the Netherlands.

The court has set February 8 for the prosecution and defense to start their concluding arguments.

Africa Review

Saturday, 18 December 2010

UN Security Council again urges Liberia to freeze Taylor assets

By TAMBA JEAN-MATTHEW

The UN Security Council has expressed dissatisfaction over the lack of efforts by the Liberian



government to freeze the assets of the country's former leader, Charles Taylor.

A UN statement issued on Friday said this was the fourth consecutive year since the Security Council was making the request.

The UN said it was again appealing to the Liberian Government "to make all necessary efforts to fulfil its obligations" to freeze the assets of Mr Taylor who is facing trial for war crimes before a

UN-backed court in the Hague.

Even though the statement did not indicate the assets in question, but it is widely believed that they include cash and real estates estimated to cost several millions of dollars.

The statement said the resolution calling for the freeze was unanimously endorsed by the 15-member Council in 2004.

Among other things, the resolution called on the Liberian government to freeze all the assets of Mr Taylor, his family members and associates "to prevent them from obstructing the restoration of peace in Liberia and the region."

Imposing

The UN said it was imposing on the freeze because the former president and his entourage had obtained the assets mainly from "blood diamonds" during the war in neighbouring Sierra Leone.

Meanwhile, the UN has expressed appreciation of Liberia's stand at regional and international fora on the Kimberley Process which seeks to ban so-called "blood diamonds".