SPECIAL COURT FOR SIERRA LEONE OUTREACH AND PUBLIC AFFAIRS OFFICE



Handing over assets from The Hague sub-office to the Sierra Leone Embassy in Brussels

PRESS CLIPPINGS

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

Friday, 20 December 2013

Press clips are produced Monday through Friday. Any omission, comment or suggestion, please contact Outreach and Public Affairs

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The Spectator Friday, 20 December 2013



AFRC, RUF, CDF Convicts On Hunger Strike

From Front Page
Tamba Brimah aka Gullit, Ibrahim
Bazzy Kamara, Morris Hassan
Kallon and Allieu Musa Kondewai
(AFRC, RUF and CDF war crimes
prisoners) have correspondingly
gone on hunger strike following illtreatment meted them by Rwanda
Mpanga's prison wards.

Our findings are that the prisoners have not been getting quality medical services, quality food, in particular West African type; extreme language barrier and that Sierra Leone did not have a diplomatic relation with Rwanda to enable them complain in the event of any ill-treatment against their persons.

That issues stated above, we are told, were agreed upon between all the prisoners and the registrar of then Special Court For Sierra Leone Mrs. Binta Mansaray, in a meeting held on 27th October 2009, preceding their transfer to Rwanda.

It is revealed that the registrar even gave them a Special Court Prisoner Hand book into which the address "Ethiopia, Embassy of the Republic of Sierra Leone, Jumma Road Woreda 23, Kebele 12, house No. 002, P.O Box 5619 Addis Ababa, Ethiopia, telephone +2511710033,

fax +2511711911, email: aleon.et@telecom.net.et, was stated as their immediate point of call to discuss issues of concern.

That efforts reaching the stated addresses as above proved regrettably negative.

Unconfirmed information have it also that the prisoners have had the Commissioner General of the Rwandan National Prison Services always angry with them each time they complain of ill-treatment.

As according to them, he has always accused them saying, "stop insulting my government, after all my government is not a subordinate to the Special Court."

This, our findings revealed, has seen them treated badly by the prison wards with to one to talk for them or complained to.

The hunger strike, it is reported, has left all the Sierra Leonean war crimes prisoners in a somewhat debilitating state, that if not addressed will lead to something negative.

To this also, have seen them write a letter to President Koroma asking him lobby United Nations relocate them to Sierra Leone, where they believe they can serve their jail terms in a more comfortable and hygienic manner.

Standard Times

Friday, 20 December 2013

FROM THE EDITOR'S DESK

BY: ISSA B.M. KAMARA

hen one looks at the Liberian/Rebel factor in Sierra Leone's brutal war for blood diamonds and his threat that Sierra Leone will taste the bitterness of war then there is no doubt that he played a major role in our over decade war that virtually wrecked this Nation

I am pretty certain that you may have read some of my articles under this column of the sad period this Nation and its people went through during our rebel war and military rule, and then it is clearer to you as to what went wrong especially those activities that moved ountry backwards. Furthermore you would have had a slight knowledge of certain political moves that were either misplaced or misdirected to restore sanity and peaceful coexistence. Whichever way you assess the situation, the fact remains that the cumulative effect of those activities and resultant conse quences that happened are not only responsible for the state we are today but the Herculean task we face now to rebuild a shattered nation and to re-brand the image of a country that had won the admiration of the sub-region in particular and Africa in general. Today, as I write, the task to handle the problems is enormous, yet the awakening reality that no one is to make Sierra Leone for us, but our very selves has not only become crystal care, but has also raised the awareness that together we stand, divided we fall. All hands must be on deck to restore our past glory.

A glory-that will remove our over dependence on foreign handouts and that will move us from the bottom index of underdevelop ment. It is a situation that should be tackled seriously and with a sense of purpose. No half-hazard approaches will suffice. This is the more reason why I keep refreshing you memory of the darkest period of our history, simply for you to comprehend the disaster we went through. However along the line we also clearly noticed the involvement of a Liberia with a motive that remains anybody's guess. Whether it was to help Sierra Leoneans to defeat the rebels, to make Sierra Leone a base to launch a rebellion in Liberia or for blood diamonds, or revenge by Charles Taylor as he had once promised that we will taste the bitterness of war remains food for thought. Please read on and see what you can make out of that.

At the outbreak of war, other problems occurred simply as the result of a familiar pattern of ingrained corruption within the m tary. Senior and top echelon officers responsible for the disbursement of war funds must bear deep blame for the misappropriation that became public knowledge. Between April and August 1991 a total amount of over Lee 2.6 billion was expended on the military, excluding Le 200 million monthly for salaries.

Despite this massive expenditure, soldiers



Author

Charles Taylor deserves the punishment!



in battle fronts suffered a variety of shortage of food, fuel, medication and vehicle spare

In the border south-east combat zone, there were 1,503 troops with 400 civilian volunteers. These were provided with 48 mostly old transport vehicles for which a required monthly supply of fuel was 5,000 gallons of diesel and 3.000 gallons of petrol. Actual quansupplies were 3,000 gallons of diesel and 1,800 gallons of petrol. While much of the rest was

initial stages of the war was clearly unnerving to government troops unfamiliar with it It created panie and chaotic retreats that of-

ten led to casualties.

The entire rebel arsenal was new, supplied from Charles Taylor's stocks in Liberia. In spite of these advantages, government forces rap-idly seized the initiative from the rebels pushing them out of many areas they had laid waste and looted. Regarding looting however many government soldiers even so early in the war. were behaving with comparable brigandage.

All those difficulties were the product primarily of neglect, ineptitude and venality in the military. They also came in the wake of a declining economy which compounded the problem...

sold clandestinely some found its way into the private diamond mining enterprises of military officers

Meanwhile in the combat zone, five senior army officers accused of desertion or collusion with the enemy by giving them information on government troop movements, received the light penalty of a simple dismissal from military service.

All those difficulties were the product pri-marily of neglect, ineptitude and venality in the military. They also came in the wake of a declining economy which compounded the

The rebels were hardly hamstrung by such problems. Trained in the tactics of insurgency warfare, they operated in a terrain that was similar to what they were accustomed to in Liberia. The first waves of invaders were augmented by Sierra Leone youths who were cap tured, terrorized, trained and inducted into their ranks. Among these they obtained knowledge able guides for their jungle movements. In their arsenal were brand new AK-47 assault rifles. rocket propelled grenade launchers (RPGs) and heavy machine guns, with a seemingly inexhaustible supply of ammunition. There was also the 'simulator' a curious devise which simulated the sound of intense machine gun fire and exploding mortar bombs. Its use in the

But there was one factor which made an imressive impact on the success of the Sierra Leone army. This was the ULIMO Factor.

The Liberian war had led to a massive influx of refugees into Sierra Leone. Among these were former supporters of the murdered President Doe, his ethnic kith and kin, anti-Taylor elements, members of Doe's national army and ethnic Mandingos, all severely victimized in the onslaught of the NPFL forces. In early May 1991, a small group of four was formed in Sierra Leone comprising of Arma Youlo former Assistant Director for intelligence at the National Security agency in Liberia. He was also Director of Operations and Special services dealing with espionage; Alhaji G. V. Kromah former Minister of Information in President Doe's government, as well as former assistant Professor of Mass Communications at the University of Liberia, James Chelley, Senator from Montserado Country; Major-General Albert Karpeh, Ambassador of Liberia to Sierra Leone. This group was to be joined later by Raleigh Seekie and Roosevelt Johnson. rd T. Kamara former Minister for Party Political affairs in Sierra Leone acted as the link between the group and President Momoh

The group which began meeting in March 1991, became known as the Liberian United Defence Force (LUDF). As time went on, the depth of commitment of Kromah. Youlo Karpeh and Johnson to the objective of liberating Liberia from the grip of the NPFL, made them the leading figures in the organization. When the war began in Sierra Leone, they of fered to fight the rebels on the understanding that government would provide base facilities for the force they were training to fight the NPFL in Liberia afterwards. To this the government of President Momoh gave its con-

On 6th April 1991, following the training of the first 150 Liberians in Kenema, the LUDF which later changed its name to the United Liberation Movement of Liberia (ULIMO). enced operations. The first engagement was in Gofur, eleven miles from Kenema town. from where government troops had retreated in the fade of heavy rebel attacks. ULIMO troops engaged the rebels here in a three hour battle and succeeded in pushing them back to Joru, where another five hour battle was fought with rebels sustaining heavy causalities. ULIMO soldiers fighting under the command of Arma Youlo sustained no casualties. A second engagement between ULIMO and the rebels was in Gorahun Tunkia in Kenema district where 22 Ulimo soldiers under the command of the late Lieutenant Solomon Kamara. a Krahn from Kakata in Liberia, and the late Warrant Officer Freekalar successfully defeated the rebels.

Following these successful engagements ULIMO became a significant factor in the war against the insurgents who had by this time swelled their ranks with a considerable number of forcibly recruited Sierra Leoneans. Other engagements took place in several towns in Kailahun and Kenema districts where ULIMO front line commanders like J. Domingo Bawah or Cobra, a Krahn from Grand Gedeh county in Liberia distinguished themselves.

In late May 1991, Cobra was summoned to Daru army based by Colonel Marray Contch. At Daru it was decided that a combined force of Sierra Leoneans, Guinean and ULIMO troops was to be assembled for the recapture of Bunumbu, which was now a heavily fortified rebel base, and from where rebels had carried out several attacks over a wide area including Gandorhun in the Kono district.

The town of Bunumbu in Kailahun district hosting one of the oldest educational institutions in the country had developed as a small and prosperous rural community. Its growth as a commercial centre had largely depended on the Teacher Training College established in the 1930s. With funding from the International Development Agency (IDA) beginning in the 1970s, the Institutor expanded its Teacher Training Programmes and its structural facili-ties to some of the best in the nation. Bunumbu College, with highly trained and competent teaching and administrative personal was the pride of the nation. The town and the college fused in a harmonious, tranquil and prosper ous relationship. It consequently became a prime target for rebel attack

On 16th April, the town of Manowa, eight miles from Bunumbu fell to the rebels who had by-passed Daru army base:

The fall of Manowa was a blow to the mili-tary, and it sent shock waves to the Bunumbu community and nearby towns. The Principal of the college sought urgent military protection for the college fro the army garrison in Kenema but to no avail. The security of Bunumbu was raised in cabinet as informa reached Freetown of an imminent attack.

The town and the college possessed massive ocks of private and government property

and thus a tempting target for banditry.

The casual military response to the poten tial danger facing Bunumbu convinced the Principal of the urgent necessity to evacuate th staff, their families and students. On 22nd April, the precipitate flight from Bunu began and completed on the 28th. Four days

fater on 2nd May, the rebels struck
TO BE CONTINUED

The Chronicle

Friday, 20 December 2013

Anthony Mackie to Host AfroPoP TV Series

NEW YORK, NY - Acclaimed actor Anthony Mackie adds TV host to his resume as he joins "AfroPoP: The Ultimate Cultural Exchange." The star, best known for his roles in "8 Mile," "The Hurt Locker" and "Pain & Gain," will emcee the sixth season of the documentary program, which brings films about popular culture across the African Diaspora to the small screen.

-SNIP-

The series then journeys to Africa for a special look at Sierra Leone with two films: Rebecca Richman Cohen's "War Don Don" ("The War Is Over"), an inside view of the U.N. special court trial of senior rebel leader Issa Sesay for his role in the country's 10-year conflict (January 27)...

-SNIP-

International Criminal Court

Thursday, 19 December 2013 Press Release

Statement of the Prosecutor of the International Criminal Court, Fatou Bensouda, following an application seeking an adjournment of the provisional trial date

Today, I filed an application with the Judges requesting an adjournment of the provisional trial date in the case of the Prosecutor v. Uhuru Muigai Kenyatta (ICC-01/09-02/11). My decision is based solely on the specific facts of this case devoid of extraneous considerations. As Prosecutor, I have consistently stated my actions and decisions are at all times strictly guided by the evidence in accordance with the Rome Statute legal framework. This recent decision is no different. It is my professional duty to react, and to take the necessary decisions when the state of the evidence changes, as it has in this case.

In the last two months, one of the Prosecution's key witnesses in the case against Mr. Kenyatta has indicated that he is no longer willing to testify. More recently, on 4 December 2013, a key second witness in the case confessed to giving false evidence regarding a critical event in the Prosecution's case. This witness has now been withdrawn from the Prosecution witness list. Having carefully considered my evidence and the impact of the two withdrawals, I have come to the conclusion that currently the case against Mr. Kenyatta does not satisfy the high evidentiary standards required at trial. I therefore need time to complete efforts to obtain additional evidence, and to consider whether such evidence will enable my Office to fully meet the evidentiary threshold required at trial.

Our pursuit of justice for the victims of the 2007-2008 post-election violence in Kenya has faced many challenges. Notwithstanding, my commitment and that of my staff to the pursuit of justice without fear or favour has remained firm. It is precisely because of our dedication and sense of responsibility to the victims that I have asked the Judges presiding over the case for more time to undertake all remaining steps possible to strengthen the case to ensure justice for the victims.

To the people of Kenya, my decision to apply for an adjournment today was not taken lightly and I have explained fully to the Judges the reasons for my exceptional decision. I have and will continue to do all that I can to realise justice for the victims of the 2007-2008 post-election violence.

The Diplomat

Friday, 20 December 2013

Khmer Rouge Tribunal: The Devil's Advocates

Defending Pol Pot's right-hand man at the troubled tribunal is a lonely job. By Daniel Otis

Son Arun sits in his team's office on the dusty outskirts of Phnom Penh. The room's walls are cluttered with photographs and posters: self-satisfied Khmer Rouge cadre aboard a train, a hefty and smiling Pol Pot surrounded by his grandchildren, a colorful map of Democratic Kampuchea, an image of a young Henry Kissinger pasted above the words "Brother No.?"

"The Cambodian people hate the Khmer Rouge," Arun says, "and because I'm a lawyer for the accused, they hate me too."

Arun and Dutch attorney Victor Koppe are representing Nuon Chea at the beleaguered Khmer Rouge Tribunal. Officially known as the Extraordinary Chambers in the Courts of Cambodia (ECCC), the tribunal was established in 2006 to try senior members of the Khmer Rouge with war crimes, genocide, and crimes against humanity committed during the regime's 1975 to 1979 rule – a period in which an estimated 1.7 million Cambodians lost their lives as a group of radical intellectuals and revolutionaries sought to transform their war torn country into an agrarian utopia. Nuon Chea is often cited as being the regime's chief ideologue and Pol Pot's right-hand man. Having officially served as deputy secretary of the Communist Party of Kampuchea, the terse and unrepentant 87-year-old is the highest ranking member of the Khmer Rouge to be indicted by the ECCC.

The ECCC delivered its first and only conviction in 2010, eventually sentencing Kaing Guek Eav to life imprisonment for authorizing the torture and deaths of more than 12,273 inmates at the Khmer Rouge's notorious S-21 prison. Hearings in the case against Nuon Chea and three other top Khmer Rouge cadre began in June 2011.

Because of the scope and complexity of the case (and perhaps in order to get a conviction while all of the elderly defendants were still alive), the ECCC's second case was severed into a series of "mini-trials" in September 2011. Since then, a dementia-suffering defendant has been declared unfit to stand trial and another – her husband – has died, leaving only Nuon Chea and Khmer Rouge head of state Khieu Samphan, 82, in the dock.

Known as Case 002/01, the first mini-trial, which dealt with mass population transfers and the execution of enemy soldiers, concluded on October 31. A judgment is expected in the second quarter of 2014. In the interim, the ECCC is discussing what future mini-trials might look like. The Supreme Court Chamber wants a final trial that encompasses "S-21, a worksite, a cooperative, and genocide" to "commence as soon as possible." At meetings last week, late February 2014 was floated as a possible start date. A new panel of judges may also be hired to expedite the process. Without citing specific details, the ECCC's Director of Administration, moreover, is assuring the Trial Chamber that that the chronically cash-strapped court will have sufficient funds to operate until the end of 2015.

As the details surrounding Case 002/02 coalesce, Arun and Koppe are preparing for what will likely be the ECCC's final chapter. With international and public opinion set firmly against their aging client, I ask Arun why he chose to take on a case he has little chance of winning.

"I became Nuon Chea's lawyer because I want to know the truth," Arun says. "I want to know why so many people died in the 1970s, and I want to know who killed them."

When I ask Arun why he didn't join the prosecution, he laughs. "They had no money."

In the early 1970s, Arun served as a major in Cambodia's U.S.-backed army, commanding a battalion of more than five hundred men in a losing war against Pol Pot's communists.

"Once, we fought for six days and six nights without food or water," Arun recalls. "Can you believe that? Six days without water and you can die – but I'm still alive."

Soon after the Khmer Rouge seized the capital in April 1975, Arun fled to Thailand. Had he stayed in Cambodia, he says, he would have surely been executed.

Arun eventually settled in the United States where he worked in doughnut shops while studying at the University of Houston. In 1979, the Khmer Rouge was overthrown by an invading Vietnamese army, and in 1981, Arun was back in Southeast Asia, training anti-communist guerillas in the jungles along the Thai-Cambodian border. For the next decade, Arun would divide his time between Southeast Asia and the U.S. In the late 1980s, he even canvassed for George H. W. Bush while serving as chairman of the Cambodian Republican Federation.

Arun returned to Cambodia permanently following the UN-brokered elections of 1993. He received a certificate from Cambodia's first lawyer training school in 1996 and has been practicing law in the country ever since.

When Arun first heard about the ECCC in 2006, he immediately tracked down his old high school teacher, Khieu Samphan. Like many other Khmer Rouge cadre, Samphan had been living free in western Cambodia since signing a ceasefire with the government in the late 1990s. Through Samphan, Arun got to know several prominent members of the long-toppled regime. One of them was Nuon Chea's nephew.

"The day they arrested Nuon Chea in 2007, his nephew called to ask if I'd be his uncle's lawyer," Arun says. While other cadre lived in relative comfort, Nuon Chea – perhaps the most steadfast of his comrades – was living a simple rural existence. Arun immediately contacted Samphan, who said, "Help him. He doesn't know anyone; he doesn't know anything – he's never even eaten noodles in a restaurant." Samphan would be arrested exactly two months later.

As a hybrid tribunal, each office at the ECCC is run by both national and international staff. Tasked with hiring an international counterpart, Arun settled on Amsterdam-based Böhler Advocaten. Partners Michiel Pestman and Victor Koppe have divided the case work since being hired in 2007, with Koppe fully taking the reins from Pestman in January 2013.

"I'm interested in cases that pit the individual against the state, the international community, or public opinion," Koppe tells me from the terrace of a Phnom Penh café. Koppe, a veteran criminal defense attorney, has represented terrorism suspects in the Netherlands, as well as defendants at the Special Court for Sierra Leone and the International Criminal Tribunal for the Former Yugoslavia. "My job is to be an advocate for my clients, to make sure that their perspectives are getting across."

And that's precisely what Koppe and Arun are doing at the ECCC. In the face of accusations that their client was one of the chief architects of one of the most violent episodes of the 20th century, Arun and Koppe have characterized the octogenarian revolutionary as a remote educator and propagandist. In his closing statement on October 31, Nuon Chea himself said that he taught cadre "to love, respect, and serve the people" and that his party "did not design any plan or policy to kill people... it had planned to increase population, and not to reduce it." He claimed that he was both unaware of and uninvolved in the bloody chaos that engulfed his country, though, because of his high position, he also expressed his "moral responsibility" for being blind to, and thus not doing enough to contain the violence wayward cadre and Vietnamese and American agent provocateurs caused in order to undermine his party's noble revolution. He concluded his statement by requesting immediate acquittal and release. Hearing Nuon Chea speak from the ECCC's packed public gallery, I was given the sense that the old man believes what he says – and that he wishes he would have done more to purify his party's ranks.

"Nuon Chea's position is quite clear, and much of what we do is derived from what he tells us," Koppe says. "He's very friendly and keen on taking advice... but he's saying things how he remembers them, and that's what we have to deal with."

When I ask Koppe if he sees any discrepancies between Nuon Chea's version of events and historical facts, the lawyer becomes evasive. "Ask me the same questions in a few years from now," he says.

For Arun, "These hearings are about one government, and that government isn't only Nuon Chea and Khieu Samphan."

In court, Nuon Chea's defense team has argued that the Khmer Rouge was not a solid hierarchical structure, but a group comprising at least two competing factions. One of these factions was controlled by Pol Pot. The other, they say, has been ruling Cambodia ever since it was installed by the Vietnamese army in 1979.

There is some credence to this. While the ruling Cambodian People's Party (CPP) still reminds people how it liberated the country from Pol Pot's vicious grasp, it has consistently failed to adequately account for the roles several senior CPP politicians played within the Khmer Rouge before defecting to Vietnam in the latter half of the 1970s.

To this effect, Koppe has repeatedly decried the ECCC's failure to summons the current president of Cambodia's National Assembly – a man who worked alongside Nuon Chea in the early days of the revolution.

"Heng Samrin is the single most important fact witness in this trial," Koppe told the court on October 24. "There's no conceivable reason for this Chamber's failure to summons him, other than the lack of meaningful independence from the government."

"The ECCC has all the elements of victor's justice being implemented," Koppe adds over drinks. "No one seems to care about this, because most everybody already thinks that Nuon Chea is guilty."

Only the international members of Nuon Chea's defense team will publicly express such sentiments.

"Behind the scenes, we agree on everything," Arun says of his international colleagues. "But if a document is critical of the government, I won't sign it. I've told them why. I'm Cambodian. I live here 24

hours a day and 365 days a year – I'm here all the time. They come and go. I have to be careful. If I was caught, no one could help me." Arun says that since taking on this case, he has stopped going out at night.

Without Arun, however, Koppe says that it would be impossible to defend Nuon Chea.

"Nuon Chea is a very secretive guy," Koppe says. "He tells me a lot because he knows that Son Arun trusts me."

Koppe claims that the two Cambodians have developed an intense personal relationship.

"When Nuon Chea was almost dying a year ago, Arun was interacting with him as though his beloved old father was in the hospital bed," Koppe says. "I've had a lot of clients and I usually get pretty close to them – but never to this level. I don't think you'd see this kind of thing with a Western lawyer."

For his part, Arun says that despite initial resistance, he is now close to Nuon Chea "like a baby is close to his mother."

"Little by little, I made him trust me," Arun says of his notoriously taciturn client. The secret, Arun states, is to never push or accuse, and to always listen to Nuon Chea with a sympathetic ear. Always a strategist, Arun also says that he has never disclosed his American citizenship or military past to his client.

"Even though he's a communist... I admire [Nuon Chea's] strong sense of nationalism," Arun says. Despite losing several family members to Khmer Rouge, Arun asserts that he has no qualms about representing his former enemy.

"A lawyer should be able to defend anyone."

Despite the obstacles in their way, both Arun and Koppe say that they are committed to working together until the trial's anticipated end in 2015.

"We have already argued before the Supreme Court Chamber that we at least want to have the genocide charges in," Koppe says of Case 002/02. "Nuon Chea feels strongly about this – he's always saying that there was never any intention to commit genocide, and he has the backing of a few experts on this."

With two proposed future cases involving a handful of mid-ranking Khmer Rouge cadre being vociferously opposed by the Cambodian government, 002/02 will likely be the last case the ECCC ever hears. If the remaining defendants live long enough (and barring an unlikely acquittal), that would mean that in the span of nine years and at a cost of more than \$267 million, only three people will have answered for the horrendous crimes committed during the Khmer Rouge's three year and month reign.

In the meantime, Nuon Chea spends his days listening to the radio and watching television in his holding cell. Despite demanding an acquittal, Arun says that the elderly revolutionary has no illusions about his fate. "As soon he was placed in detention," Arun recalls, "he said that he'll be in prison for the rest of his life."

Daniel Otis is a freelance journalist based in Phnom Penh. His writing has appeared in The Globe and Mail, the Toronto Star, the Southeast Asia Globe, and Australia's The Monthly.