

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



View of downtown Freetown

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

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Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Sierra Leone's Ambassador Bangali blames ICC for its frosty relationship with the African Union

By: Abdul Karim Koroma



Sierra Leone's multi-accredited emissary to the Federal Democratic Republic of Ethiopia, Ambassador Andrew Bangali on Thursday 18th April 2013 said without mincing his words that the International Criminal Court (ICC) is to be blamed for the frosty relationship the court is having with the African Union Commission.

(Photo: From (L-R) Ambassador Bangali, Madam Intelmann and Ambassador Katende)

He cited an example of the request made by the then Chairperson of the Commission, Dr. Jean Ping on behalf of the 54 African Heads of State of the Continent on the deferral of the indictment of the Sudanese leader, Omar Al-Bashir which is still being ignored by the ICC.

He also wanted to know what was the fate of the Kenyan President Uhuru Kenyatta whose co-defendant, Mr. Francis Muthaura, erstwhile Kenya's Head of Civil Service and Secretary to the Cabinet has been acquitted and discharged by the Court.

Ambassador Bangali who doubles as Sierra Leone's Permanent Representative to the Africa Union Commission and Vice Dean of the Group of ECOWAS Ambassadors' made this statement during a very interactive discussion when the President of the Assembly of States Parties to the Rome Statute, Ambassador Tiina Intelmann visited Addis Ababa to exchange views with States Parties to the Rome Statute on the workings of the Court and its relationship with the African Union Commission. Ambassador Intelmann had requested His Excellency Mr. Mull Katende, Uganda's Ambassador to Ethiopia to convene a meeting in his country's capacity as a member of the Bureau of the Assembly of States Parties to the Rome Statute.

The Ambassador, like his colleagues, expatiated on a number of other issues which the ICC was still in disagreement with the African Union Commission and questioned why the Court is going after Africans and turning a blind eye to atrocities that are being committed elsewhere in the world. In her statement, the President of the Assembly of States Parties to the Rome Statute, Ambassador Tiina Intelmann said the ICC is a court of last resort.

She said that 18 cases are before the Court including eight from Africa, adding that it has in its custody 31 suspects.

"There are now 122 countries which are States Parties to the Rome Statute. 34 are from Africa and the latest to join is Ivory Coast," Ambassador Intelmann said.

She said the relationship between her institution and the African Union should be handled through quiet dialogue, adding that the court's new Prosecutor Ms. Fatou Bensouda's style is different from her predecessor, Mr. Luis Moreno-Ocampo.

The President of the Assembly of States Parties explained that every day the court is facing impossible situations, pointing out that some of the suspects on international arrest warrants like Joseph Kony of the Lord Resistance Army are yet to be arrested. She applauded the move made by the fugitive M23 rebel leader Bosco Ntaganda who surrendered himself to the US Embassy in Kigali since he was wanted by the ICC for suspected war crimes.

Ambassador Intelmann, however, refused to proffer comments on the issue of Presidents Kenyatta and Al-Bashir, saying the relationship between the United Nations Security Council and the ICC was the most difficult thing.

Other delegations who spoke during the meeting were very concerned why the African Court should not be given criminal jurisdiction to try its own people.

The meeting which was climaxed by an impressive interactive question and answer session was chaired by the Ugandan Envoy to Addis Ababa, Ambassador Katende.

Mr. Amadu Koroma, Sierra Leone's Deputy Chief of Mission to Ethiopia also attended the meeting. Meanwhile, on 17th April, Ambassador Bangali chaired the meeting to adopt the report of the Joint Retreat of the African Union Commission and the Permanent Representatives' Advisory Sub-Committee on Administrative, Budgetary and Financial Matter which took place from 27th February to 2nd March, 2013 in Zanzibar, Tanzania.

In a related development, Executive Director of the Coalition for Dialogue on Africa (CoDA), Mr. Gaetan Rimwanguya Ouedraogo paid an audience granting visit on Ambassador Bangali last week at the Chancery.

CoDA is a Forum established to promote free dialogue on Africa's security, peace, governance and socio-economic development.

The Organization aims to facilitate free discussion among state and non-state actors for the promotion of peace and security, as well as the political and socio-economic development in Africa; influence decision-makers at the highest level in both the public and the private sectors for the advancement of Africa and be a think-tank on emerging issues, especially critical issues of development, among others.

Local News Ambassador Bangali blames ICC for its frosty relationship with the African Union



From (L-R) Ambassador Bangali, Madam Intelmann and Ambassador Katende

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indictment of the Sudanese leader, Omar Al-Bashir which is still being ignored by the ICC.

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Nyasa Times

Sunday, 20 April 2013

Malawi Chief Justice Munlo's early retirement confirmed

By Nyasa Times Reporter

As first reported by Nyasa Times on Thursday, the Chief Justice Lovemore Munlo early retirement has been confirmed.

After Nyasa Times story, Capital Radio carried a story which said Munlo refuted that he has gone for retirement, insisting he was still at the helm of the Judiciary.

But acting registrar of Malawi Supreme Court of Appeal and High Court of Malawi, Mike Tembo, confirmed that indeed it is true Munlo has gone on early retirement.



Munlo: Out of judiciary

“He has gone on early retirement,” Tembo is quoted in the Weekend Nation.

“ If you remember, it was once reported that he already got 50 percent of his gratuity and, therefore, he was supposed to retire next year in May. He has just decided to leave for retirement early,” said Tembo.

Munlo was accused last year by Malawi President Joyce Banda of being part of the plot to thwart her ascendancy to the presidency after the death of late president Bingu wa Mutharika.

But Munlo was cleared of any wrongdoing by the Commission of Inquiry into Mutharika's death—which also investigated machinations to stop Banda from taking over power.

Before his appointment as Chief Justice, Munlo served in various portfolios in government such as Minister of Justice and Attorney General (1993 to 1994), Justice of the High Court of Malawi (1990 to 1992); Director of Public Prosecutions (1984 to 1987); Senior State Advocate (1980 to 1984) and State Advocate (1976 to 1980).

He also served in various positions at international bodies such as the International Criminal Tribunal for Rwanda and the **Special Court for Sierra Leone**.

The Standard (Kenya)

Friday, 19 April 2013

Ruto's fresh plan to fight ICC charges

By MOSES MICHIRA and FELIX OLICK

Kenya: In a new strategy to fight off serious charges facing him, Deputy President William Ruto has picked the lead counsel who got Mr Francis Muthaura off the hook at The Hague to lead his defence.

He also filed an application seeking the leave of the court to let him, as part of exercising his rights, to waive the right to be present in all trial hearings beginning next month. This, if granted, would however not apply for the opening of the trial and when the court directs that he be present in the courtroom.



Britain-based lawyer Karim Khan joins Deputy President [William Ruto's](#) defence team with the credential of having set free former Head of Civil Service Francis Muthaura. [PHOTO: FILE/STANDARD]

Britain-based Queen Council (QC), Mr Karim A Khan, walks into Ruto's defence not only with the credential of having set free the former Head of Civil Service, but also the knowledge of the inside workings of international criminal trial systems while with UN International Criminal Tribunal for the Former Yugoslavia and International Criminal Tribunal for Rwanda.

Khan argues that under the Rome Statutes that established the court, a suspect has a right rather than a requirement to be physically present in court while proceedings are ongoing.

New submission

It is that right to appear in court that Mr Ruto now wants the judges to waive, and allow his counsel to play any role that he could otherwise have satisfied should he have been in the courtroom.

It is not clear whether Ruto retained his previous lead counsel at the International Criminal Court, Mr David Hooper and Mr Kioko Kilukumi. This is because along with Khan, the Deputy President also got Shyamala Devi Alagendra, who previously served as a Prosecution Trial Lawyer with the ICC.

The revelations came in a detailed application made by Khan on behalf of Ruto to the Trial Chamber V Judges to be allowed to waive his right to be present in person during trials.

Unlike previous applications that were signed by Hooper, Khan, who successfully defended Muthaura leading to his acquittal last month, signed the new submission.

However, in releasing Muthaura the court said the case against the former Head of Civil Service was weakened by witness bribery and intimidation, and even murder and death of others.

With the release of Muthaura, who had been charged in one crime file with Mr Uhuru Kenyatta, the President sought to be set free arguing that his case collapsed because the key witness linking him and Muthaura to alleged State House meeting with Mungiki adherents was found to have been untrustworthy and not credible.

Khan had maintained the case against Muthaura couldn't stand after the prosecution withdrew the principal and only witness that linked them to the alleged State House meeting.

Khan had also insisted that the case had metamorphosed and fought for the case to be referred back to Pre-Trial Chamber for reconsideration before the ICC Prosecutor Fatou Bensouda finally dropped it.

It is after his numerous applications challenging the case that Bensouda finally petitioned the three-Judge bench to drop the charges against the former Civil Service Chief because of insufficient evidence.

In the application filed yesterday, Ruto stated that given he is now Kenya's Deputy President, exemption from sitting through hearings at The Hague would afford him time and space to discharge his new duties in line with the expectation and wishes of Kenyans.

Fully informed

In the court documents, he wants the trial judges to waive his right to be physically present in court during the proceedings as he was fully represented by his team of lawyers.

Having been fully informed of the implications, Mr William Samoei Ruto wishes to waive his right to be present at his upcoming trial, wrote Khan.

He added: Mr Ruto's waiver is submitted in order that he be permitted to discharge his constitutional duties to the Kenyan people.

Already both Ruto and Uhuru have filed an application seeking to have them take part in the hearing through video link, something that ICC appeared keen on since it immediately gave directive to be furnished with costs of video link.

The application by Ruto's counsel introduces a new dimension to the criminal charges levelled against Kenya's top leadership that was sworn into office only last week.

The court is yet to rule on Uhuru-Ruto video link application.

Uhuru also has a pending application seeking to have the Judges halt all counts against him after the collapse of the case against Mr Muthaura. Bensouda has since applied to the court seeking to provide fresh evidence against President Uhuru that would strengthen the counts that he is charged with.

But the ICC will now have to contend with the different circumstances in which the trial is likely to start, as both Uhuru and Ruto are now the most powerful duo in Kenya after assuming office on April 9.

While both have expressed their willingness to continue cooperating with the ICC even after assuming office, it should be remembered that the last time they attended the court sessions, Uhuru was a Deputy Prime Minister and Ruto an ordinary Member of Parliament.

Kenya's scenario is also unique for the ICC because it has never tried a sitting Head of State or the deputy, as Sudan's Omar Al-Bashir, who was indicted for war crimes in 2010, has ignored summons to appear.

Several African countries, including Kenya, have also ignored the international warrant of arrest issued over Al-Bashir by the same court a year earlier.

The focus now shifts to how the Judges led by Kuniko Ozaki of Japan will rule on the applications, including the latest by Mr Khan on behalf of his new client.

Khan in supporting his application said that Mr Ruto had all along cooperated with the court by honouring its summons, projecting that the Deputy President would have no reason to skip any appointments in the future at the judges request.

It is in these particular circumstances and against a background of established past compliance and future promised compliance that Mr Ruto respectfully requests that he be permitted to waive his right to be present at trial, the application read further.

Ruto's lawyers have submitted that allowing their client to stay away for the courtroom would enhance confidence in the ICC. The defence submits that by granting Mr Ruto's request, the court's authority and effectiveness would be significantly enhanced in this and future cases and encourage serving senior state officials exercising constitutional duties in future cases to voluntarily submit to the court's jurisdiction, Khan went on.