

**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:**

Friday, 22 March 2013

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

## **PRESS RELEASE**

**Freetown, Sierra Leone, 21 March 2013**

### **Appeals Chamber Upholds Contempt Convictions Against Former AFRC Leaders**

A three-judge panel of the Appeals Chamber has rejected the appeals by three former AFRC leaders convicted in September 2012 of contempt for interference with Prosecution witnesses. The appeal was heard by Justice Emmanuel Ayoola (presiding), Justice Renate Winter, and Justice Jon M. Kamanda.

Ibrahim Bazy Kamara and Santigie Borbor Kanu (aka: “Five-Five”) each appealed against their convictions and sentences of one year and fifty weeks for “knowingly and willfully interfering with the administration of justice” in violation of Rule 77(A) (ii) and (iv) of the Rules of Procedure and Evidence, by interfering with prosecution witnesses who had testified against them in their trial for war crimes and crimes against humanity. Kamara was convicted on two counts of otherwise interfering with a prosecution witness, and for knowingly disclosing the identity of a protected witness. Kanu was convicted on two counts of offering a bribe to a witness and otherwise interfering with a witness.

Samuel Kargbo (aka: “Sammy Ragga”), who pleaded guilty to two counts at his initial appearance in July 2011, appealed what he alleged was the trial judge’s failure to order protective measures for him. A fourth defendant, Hassan Papa Bangura (aka: “Bomblast”), did not file a proper Notice of Appeal within the extended time granted him by the Appeals Chamber to do so.



Ibrahim Bazy Kamara  
File Photo



Santigie Borbor Kanu  
File Photo



Samuel Kargbo  
At sentencing judgement

In the summary of the decision read out in court by Presiding Judge Justice Emmanuel Ayoola, the Chamber found that many of Kamara and Kanu’s grounds of appeal failed to comply with the Special Court’s Practice Direction for Certain Appeals, noting that both their form and contents did not satisfy the standard of review for appeals from judgements.

The Judges dismissed Kamara’s appeal as “incompetent” on the grounds that his Notice of Appeal failed to stipulate “the grounds on which the appeal was made” (Article I.1 of the Practice Direction), or “clearly

delineate which filing or part of the filing constitutes grounds and which part of the filing constitutes submissions based on those grounds” (Article I.2).

“The Appeals Chamber is unable to overlook the fundamental flaw in the Notice of Appeal brought about by the manifest non-compliance with Rule 106(A) and the 2004 Practice Direction,” Justice Ayoola said.

The Judges also dismissed Kanu’s 27 grounds of appeal against conviction and three grounds of appeal against sentence, finding that “several, if not all, of his grounds of appeal suffer from similar deficiencies to those outlined in Kanu’s grounds of appeal.

The Judges dismissed Kargbo’s appeal as “incompetent” on the grounds that it was not an appeal either against conviction or against sentence, and thus did not fall with the appellate jurisdiction of Appeals Chamber.

“For the foregoing reasons, the Appeals Chamber...dismisses all the grounds advanced by Defence of Samuel Kargbo, Brima Bazy Kamara and Santigie Borbor Kanu, affirms the sentences imposed on Samuel Kargbo, Brima Bazy Kamara and Santigie Borbor Kanu by the Single Judge, and orders that the Judgement be enforced immediately pursuant to Rule 102 of the Rules,” Justice Ayoola said.

#END

Awoko

Friday, 23 March 2013

## Special Court upholds convictions of AFRC leaders

**A**ppel judges of the Special Court for Sierra Leone have upheld the convictions of three former AFRC leaders, convicted in September 2012 of contempt for interference with Prosecution witnesses.

Ibrahim Bazy Kamara and Santigie Borbor Kanu (aka: "55") each appealed against their convictions and sentences of one year and fifty weeks for "knowingly and willfully interfering with the administration of justice" in violation of Rule 77(A) (ii) and (iv) of the Rules of Procedure and Evidence, by interfering with prosecution witnesses who had testified against them in their trial for war crimes and crimes against humanity.

Kamara was convicted on two counts of otherwise interfering with a prosecution witness, and for knowingly disclosing the identity of a protected witness. Kanu was convicted on two counts of offering a bribe to a witness and otherwise interfering with a witness.

Samuel Kargbo (aka: "Sammy Ragga"), who pleaded guilty to two counts at his initial appearance in July 2011, appealed what he alleged was the trial judge's failure to order protective

measures for him.

A fourth defendant, Hassan Papa Bangura (aka: "Bombblast"), did not file a proper Notice of Appeal within the extended time granted him by the Appeals Chamber to do so. In the summary of the decision read out in court by Presiding Judge Justice Emmanuel Ayoola, the Chamber found that many of Kamara and Kanu's grounds of appeal failed to comply with the Special Court's Practice Direction for Certain Appeals, noting that both their form and contents did not satisfy the standard of review for appeals from judgments.

The Judges dismissed Kamara's appeal as "incompetent" on the grounds that his Notice of Appeal failed to stipulate "the grounds on which the appeal was made" or "clearly delineate which filing or part of the filing constitutes grounds and which part of the filing constitutes submissions based on those grounds".

"The Appeals Chamber is unable to overlook the fundamental flaw in the Notice of Appeal brought about by the manifest non-compliance with Rule 106," Justice Ayoola said.

The Judges also dismissed Kanu's 27 grounds of appeal against conviction and three grounds of appeal against sentence, finding that "several, if not all, of his grounds of appeal suffer from similar deficiencies to those outlined in Kanu's grounds of appeal.

The Judges dismissed Kargbo's appeal as "incompetent" on the grounds that it was not an appeal either against conviction or against sentence, and thus did not fall within the appellate jurisdiction of Appeals Chamber.

"For the foregoing reasons, the Appeals Chamber...dismisses all the grounds advanced by Defence of Samuel Kargbo, Brima Bazy Kamara and Santigie Borbor Kanu, affirms the sentences imposed on Samuel Kargbo, Brima Bazy Kamara and Santigie Borbor Kanu by the Single Judge, and orders that the Judgement be enforced immediately pursuant to Rule 102 of the Rules," Justice Ayoola said.

The appeal was heard by Justice Emmanuel Ayoola (presiding), Justice Renate Winter, and Justice Jon M. Kamanda.

Concord Times  
Friday, 22 March 2013

## LOCAL NEWS

# Contempt convictions against three AFRC leaders upheld

A three-judge panel of the Appeals Chamber of the Special Court for Sierra Leone has rejected the appeals by three former AFRC leaders convicted in September 2012 of contempt for interference with prosecution witnesses. The appeal was heard by Justice Emmanuel Ayoola (presiding), Justice Renate Winter, and Justice Jon M. Kamanda.

Ibrahim Bazy Kamara and Santigie Borbor Kanu (aka "Five-Five") each appealed against their convictions and sentences of one year and fifty weeks for "knowingly and wilfully interfering with the administration of justice" in violation of Rule 77(A) (ii) and (iv) of the Rules of Procedure and Evidence, by interfering with prosecution witnesses who had testified against them in their trial for war crimes and crimes against humanity.

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Samuel Kargbo (aka "Sammy Ragga"), who pleaded guilty to two counts at his initial appearance in July 2011, appealed what he alleged was the trial judge's failure to order protective measures for him. A fourth defendant, Hassan Papa Bangura (aka "Bomblast"), did not file a proper Notice of Appeal within the extended time granted him by the Appeals Chamber to do so.

In the summary of the decision read out in court by Presiding Judge



Ibrahim Bazy Kamara



Santigie Borbor Kanu



Samuel Kargbo at sentencing judgement

Justice Emmanuel Ayoola, the Chamber found that many of Kamara and Kanu's grounds of appeal failed to comply with the Special Court's Practice Direction for Certain Appeals, noting that both their form and contents did not satisfy the standard of review for appeals from judgements.

The Judges dismissed Kamara's appeal as "incompetent" on the grounds that his Notice of Appeal failed to stipulate "the grounds on which the appeal was made" (Article I.1 of the Practice Direction), or "clearly delineate which filing or part of the filing constitutes grounds and which part of the filing constitutes submissions based on those grounds"

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The Judges also dismissed Kanu's 27 grounds of appeal against conviction and three grounds of appeal against sentence, finding that "several, if not all, of his grounds of appeal suffer from similar deficiencies" to those outlined in Kanu's grounds of appeal. The Judges dismissed Kargbo's appeal as "incompetent" on the grounds that it was not an appeal either against conviction or against sentence, and thus did not fall with

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**Credit: Special Court Outreach and Public Affairs Office**

# Appeals Chamber Upholds Contempt Convictions Against Former AFRC Leaders



A three-judge panel of the Appeals Chamber has rejected the appeals by three former AFRC leaders convicted in September 2012 of contempt for interference with Prosecution witnesses. The appeal was heard by Justice Emmanuel Ayoola (presiding), Justice Renate Winter, and Justice Jon M. Kamanda.

Ibrahim Bazy Kamara and Santigie Borbor Kanu (aka: "Five-Five") each appealed against their convictions and sentences of one year and fifty weeks for "knowingly and willfully interfering with the administration of

justice" in violation of Rule 77(A) (ii) and (iv) of the Rules of Procedure and Evidence, by interfering with prosecution witnesses who had testified against them in their trial for war crimes and crimes against humanity. Kamara was convicted on two counts of otherwise interfering with a prosecution witness, and for knowingly disclosing the identity of a protected witness. Kanu was convicted on two counts of offering a bribe to a witness and otherwise interfering with a witness.

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**Santigie Borbor Kanu (aka: "Five-Five") Ibrahim Bazy Kamara**

**Hassan Papa Bangura (aka: "Bomblast")**

# AFRC Leaders' Appeal Rejected!

A three-judge panel of the Appeals Chamber has rejected the appeals by three former AFRC leaders convicted in September 2012 of contempt for interference with Prosecution witnesses. The appeal was heard by Justice Emmanuel Ayoola (presiding), Justice Renate Winter, and Justice Jon M. Kamanda.

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contd.  
page 2



Santigie Borbor Kanu



Ibrahim Bazy Kamara



# Special Court: Appeals Chamber Upholds Contempt Convictions Against Former AFRC Leaders

*from front page*

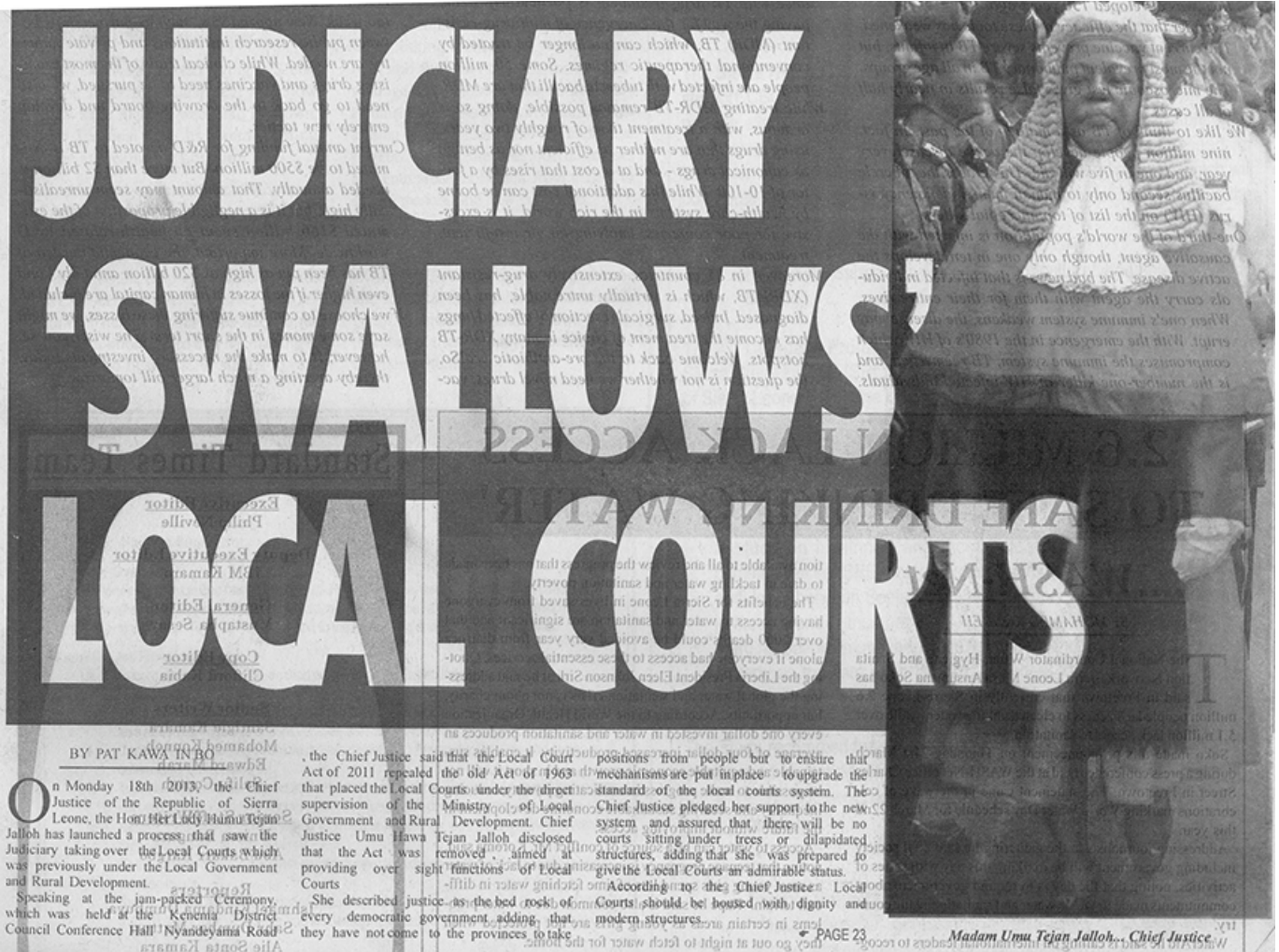
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# JUDICIARY 'SWALLOWS' LOCAL COURTS

FROM PAGE 1

She admonished Local Courts Chairmen and other Local Authorities to be supportive of the Local Court Act No 10 of 2011 so that the dignity and respect will be restored, adding that the Local Courts under the Agenda for prosperity should reach the level of respectability and called on the Chiefs and other state actors to support the new initiative for the process to be very smooth. She maintained that when there is peace, there is stability and development. The Chief Justice promised that the Kailahun District will soon get a Resident Magistrate to serve the people in that part of the country.

The Attorney General and Minister of Justice Mr. Frank Kargbo explained that he was in the provinces with the Chief Justice to confirm that the supervision of the Local

Courts had moved from the Local Government to the Judiciary. He assured the people of Government commitment to give a befitting standard to the Local Courts system such as providing training programmes and adequate payment of salary to the workers.

He congratulated the Chief Justice for improving the Judiciary, adding that both the 1991 Constitution and the Truth and Reconciliation Commission recommended the Local Courts in the country to be under the Judiciary. Mr. Kargbo encouraged the gathering to take serious consideration of the Act and further admonished them to perform their duties very well with honesty.

The Director of the Open Government Initiative (OGI) Madam Khadija Sesay said the leadership of the Chief Justice had improved the Judiciary with admirable increase in the

positions from people but to ensure that mechanisms are put in place to upgrade the standard of the local courts system. The Chief Justice pledged her support to the new system and assured that there will be no courts sitting under trees or dilapidated structures, adding that she was prepared to give the Local Courts an admirable status. According to the Chief Justice, Local Courts should be housed with dignity and modern structures.

number of Magistrates and Judges across the country. She called on the Local Courts authorities to embrace the new initiative of the Local Courts system which she said would add value to the entire Judiciary Sector.

The Resident Minister, East Hon. William Juana Smith praised the Government of Dr. Ernest Bai Koroma for appointing a female to head the Judiciary in the country. He said this is part of the agenda for prosperity to promote Gender Equality.

The Hon. Resident Minister maintained that pursuant to the Local Courts Act of No. 10 2011 has indicated that the country is moving forward with the Agenda for Prosperity.

Speaking on behalf of the Paramount Chiefs in the Eastern Region P.C. Kailondo Banya of the Kailahun District who doubles as Chairman of Council of Paramount Chiefs called on

the Chief Justice to embark on a massive sensitization programme so that the Local Courts authorities or officials who were not fortunate to attend the launching would get the information. P.C. Kailondo Banya said that most of the Court Chairmen are illiterate which had created serious problems for the Local Government and Rural Development.

He commended the Chief Justice for launching this all important process.

Other important dignitaries at the ceremony who made meaningful contributions were the Mayor of the Kenema City Council J. S. Kefella, Chairman Kenema District council, Dr. Senesie Mansary Paramount Chief Amara Bonia Vangahun of Nongowa Chiefdom and the Resident Judge Justice Munge Deen Tarawally among others.

## Newstime Africa

Thursday, 21 March 2013

### **Special Court for Sierra Leone – Appeals chamber upholds contempt convictions against former AFRC leaders**

African Press Organization (APO) – A three-judge panel of the Appeals Chamber has rejected the appeals by three former AFRC leaders convicted in September 2012 of contempt for interference with Prosecution witnesses. The appeal was heard by Justice Emmanuel Ayoola (presiding), Justice Renate Winter, and Justice Jon M. Kamanda.

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Samuel Kargbo At sentencing judgement

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## Mail and Guardian

Friday, 22 March 2013

### Warlord Ntaganda seeks safety in The Netherlands

*The seven-year pursuit of one of Africa's most wanted war criminals ended when he pulled up in a taxi at the United States embassy in Rwanda.*

Bosco Ntaganda, known as "The Terminator", fled his base in the eastern Democratic Republic of Congo (DRC) after losing control of the most recent rebel group he commanded, the M23, and sought the protection of the Americans.



*Bosco Ntaganda has led numerous rebellions and held -positions in the Congolese army, enriching himself in the process, in spite of two arrest warrants for war crimes. (AFP)*

Embassy officials described their shock at the sudden appearance of the Congolese warlord, who has been wanted by the International Criminal Court at The Hague since an

arrest warrant was issued in 2006. US diplomats insisted they had no advance warning of the 39-year-old's arrival, while Rwanda's government denied that he had been hiding in the country prior to his "surrender" on Monday.

The US state department confirmed his presence at its mission and said it was working to facilitate his request to be transferred to a tribunal in The Netherlands. Neither the US nor Rwanda is a signatory to the Rome Treaty that established the International Criminal Court (ICC), but the US is expected to transport him to The Hague regardless.

Western diplomats in the Rwandan capital, Kigali, struggled to explain why a man facing charges ranging from the recruitment of child soldiers to sexual slavery, assassinations and the masterminding of a 2008 massacre in which 150 people were killed, would hand himself in.

"He was a man with few options," said one diplomat. "This was his best way of staying alive."

The former DRC general is believed to have fallen out with his protectors in the Rwandan government as well as rivals in the M23 rebel group. Fighters loyal to Ntaganda have been fleeing across the border from the eastern DRC for the past week since losing a battle with another M23 faction led by Sultani Makenga, a long-time rival of Ntaganda.

#### Permanent tribunal

Ntaganda's rapid fall from being one of the most powerful military commanders in Central Africa has underlined how quickly alliances can shift in the eastern DRC. He was cited in a UN Group of Experts report to the security council last year as the "highest commander of rebels on the ground" and was alleged to report directly to Rwanda's defence minister. For more than a decade, he has alternated among various armed rebel groups and stints as a general in the Congolese army. Typically, the rebellions ended

in peace deals in which the combatants were rewarded with senior posts in the national army. Ntaganda used these positions to amass wealth and recruit militias for fresh rebellions.

The ICC charges relate to two periods: the first from 2002 to 2003, when he was second in command to Thomas Lubanga with the Union of Patriotic Congolese rebel group. Lubanga is the only Congolese soldier so far convicted by the permanent tribunal at the ICC. Despite the 2006 arrest warrant, Ntaganda went on to play leading roles in two more armed groups and was charged with fresh crimes under a separate indictment in 2008. A peace deal between rebels and the government in Kinshasa in 2009 ignored the ICC charges and resulted in him being awarded the rank of general in the Congolese army for a second time.

An ethnic Tutsi, born in Rwanda, Ntaganda grew up in the DRC, but joined the Rwandan Patriotic Front, led by the current president of Rwanda, Paul Kagame, who overthrew the country's Hutu-led government in 1994 after the genocide.

Ntaganda's career has typified the military entrepreneurship that has sustained a war economy in the DRC's Kivu provinces. He used his military power to control the lucrative mineral smuggling networks in Goma, eastern DRC's aid and trading hub, including a sideline in fake gold, according to a UN report.

Ntaganda helped launch a mutiny in the army last year after he became concerned that DRC President Joseph Kabila might hand him over to the ICC. The M23 movement, named after the March date of a past peace deal, recruited other disaffected commanders worried that they might be posted outside the mineral rich Kivu in an overhaul of the army. Despite its lack of clear aims, or popular support, M23 was able to capture Goma from the ineffective Congolese army and UN peacekeepers.

However, accusations that Rwanda was using M23 as a proxy to destabilise its vast neighbour resulted in Western allies withdrawing aid budgets, which then hit the economy. The rebels withdrew from Goma and have since split with Makenga's faction, reportedly willing to agree a peace deal based on folding some of the rebels back into the army. Ntaganda was well aware that he would not have been -protected under any new deal.

## Radio Free Asia

Thursday, 21 March 2013

### Hundreds Attend Ex-Khmer Rouge Leader's Cremation

Some 1,000 mourners attended the cremation Thursday of Cambodia's former Khmer Rouge leader Ieng Sary, who died last week while on trial for genocide and war crimes.

At a ceremony in Malai in northwestern Cambodia's Banteay Meanchey province, relatives and former regime cadres paid their last respects to the leader, who had co-founded the brutal Khmer Rouge regime.



*Mourners watch Ieng Sary's cremation ceremony in Malai, Banteay Meanchey province, March 21, 2013.*

His body was cremated at 6:30 in the evening with former Khmer Rouge soldier and Pailin governor Y Chhieng lighting the torch.

Ieng Sary's death from cardiac failure on March 14 at age 87 ended any hopes he would be punished for his role in the regime and prompted calls from rights groups and the U.N. to speed up proceedings for the remaining two Khmer Rouge defendants, both of whom are in their 80s.

In a trial before the Extraordinary Chambers of the Court of Cambodia (ECCC), Ieng Sary had denied the charges against him, saying he had no knowledge of mass executions that came to define the Khmer Rouge regime, and claimed he had no powers of arrest.

Tem Moeun, a former Khmer Rouge soldier who took part in the cremation ceremony, said Ieng Sary was a responsible leader who had protected Cambodia's territory and sovereignty and helped lead the country toward peace and national reconciliation after defecting from the regime.

Ang Odom, who served as one of Ieng Sary's defense lawyers and who worked with him for the past five years, said his client had not kept any evidence about the Khmer Rouge years that was to be revealed after his death.

Ieng Sary's widow Ieng Thirith, the regimes' social affairs minister, attended the beginning of the cremation ceremony with tears in her eyes before being wheeled away.

cambodia-ieng-thirith-mar-2013-400.jpg

Ieng Thirith at her husband's cremation ceremony, March 21, 2013. Photo credit: RFA.

Originally a co-defendant in the tribunal, Ieng Thirith was deemed unfit for trial last year after being diagnosed with Alzheimer's disease.

Still standing trial at the ECCC tribunal are former Khmer Rouge head of state Khieu Samphan, 81, and “Brother Number Two” Nuon Chea, 86. Both have suffered strokes and are in frail health.



*Ieng Thirith at her husband's cremation ceremony, March 21, 2013.  
Photo credit: RFA.*

The ECCC has so far completed just one case, sentencing former prison chief Kaing Guek Eav, better known as Duch, to life in jail for overseeing the deaths of some 15,000 people.

Civil parties in the ECCC expressed “deep regret” last week that Ieng Sary died without providing an account of his role during the Khmer Rouge era and without finally being held accountable for his actions.

Led by the notorious Pol Pot, the Khmer Rouge killed an estimated 2 million Cambodians through starvation, overwork, or execution in a bid to create an agrarian utopia.

Reported by Morm Moniroth for RFA’s Khmer Service. Translated by Samean Yun. Written in English by Rachel Vandenbrink.

AllAfrica.Com

Thursday, 21 March 2013

### **Kenya: International Criminal Court to Continue Kenyatta Case**

The International Criminal Court (ICC) will not drop charges against Kenyan president-elect Uhuru Kenyatta, ICC Chief Prosecutor Fatou Bensouda announced Wednesday (March 20th).

"We will not drop the charges," Bensouda said, adding it was only a question of when, not if, he goes to trial, according to AFP.

Kenyatta, his deputy William Ruto and radio presenter Joshua Arap Sang are charged with crimes against humanity over their alleged involvement in deadly post-election violence five years ago.

Bensouda criticised the Kenyan government's lack of co-operation, and said the cases include intimidation of witnesses.

"Kenya is the most challenging situation our office has had to deal with," she said.

Kenyatta's lawyers on Monday urged the ICC to dismiss the case after the ICC officially dropped all charges against former Kenyan Head of Public Service Francis Muthaura after a key witness withdrew testimony.