

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



Historical postcard

**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 October 2010

Press clips are produced Monday through Friday.  
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# The Punch

Friday, 22 October 2010

## Violence Against Women: A Crime Against Humanity

***By Abubakarr Kamara***

Women constitute approximately 51 percent of the population of Sierra Leone, but like many countries the world over, women and girls face various forms of inequality and marginalization, preventing them from enjoying and exercising their rights on the same level as men.

Sierra Leone is a typically patriarchal (male dominance) society, where traditions and culture determine and reinforce perceptions and attitudes towards women and girls. As a consequence, the rights of women and children, particularly girls, continue to be compromised and abused. This is expressed in low literacy levels for women and girls; low level of participation in decision making; limited access to economically viable and productive resources and opportunities; denial of property and inheritance rights; and a host of other violations including violence against women and girls.

"I've been a victim of violence many times but cannot complain due to the help I receive from him at the work place and my current financial status. My boss usually asks me to have sex with him and since I don't want to lose my job, I have to succumb to his wish. I know it's very bad for me to keep silent but if I voice it out to the relevant authorities, I will definitely lose my job and how can I take care of my family of six (father, mother, two sisters and a brother) without a job?," said Zainab Sesay (not her real name), a worker in one of the GSM companies in Sierra Leone.

Zainab and many other women in Sierra Leone face similar challenges and even though Human Rights organizations are paving the way to ensure that such attempts by superiors over their subordinates in work places are reported, most of them prefer to suffer silently in order to secure their jobs because they are afraid to be victims of circumstances.



A husband brutally abusing his wife

The Beijing Platform and Programme of Action defined Violence against Women as 'any gender based violence that results in or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in private or public life'. Violence against women is not confined to a specific culture, region or country, or to a particular group of women within a society. On the contrary, it is truly a global phenomenon occurring within the family, the community, and perpetrated or condoned by State and non-state actors.

In Sierra Leone, four out of every five women have been subjected to one form of violence or the other according to the Community Action for Human Security (CAHS) – a human rights NGO based in Makeni in the northern province of the country. According to CAHS Programme Manager, Zainab Tarawally, violence against women has been a perennial problem in the country, but noted that after the war officially ended in 2002 governments and NGOs have been working assiduously to salvage this problem. "Since the passing into law of the three gender bills by parliament and sensitization workshops organized by human rights organisations throughout the country, violence against women has been reducing drastically especially in the capital city and the headquarter towns. The FSU (Family Support Unit), in collaboration with NGOs, is doing its best in handling matters relating

to violence against women, but there is the urge for more improvement in the area of sensitization and creation of awareness raising in villages where violence against women occurs at a higher rate," said the CAHS Programme Manager.

Violence against women is broadly classified as physical, sexual and psychological with varied forms and types. The most common forms of violence against women in Sierra Leone include Physical Abuse (such as beating, torturing); Sexual Abuse (including rape, sexual harassment, sexual exploitation and abuse); Economic Abuse (such as deprivation of basic necessities, controlling earnings, forbidding employment, denial of access to economically viable resources and opportunities including denial of education); Socio-Cultural (including harmful traditional practices such as FGM, Wife inheritance, dowry related offences and early age marriage). Of these, sexual and physical abuses are the most common challenges, according to Mr. Ibrahim Kamara, the Northern Region, Gender and Children's Desk Officer in the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA).

Violence against women in Sierra Leone is indicative of unequal power relation and stereotypes regarding women and girls in society. It undercuts the enormous potential of women to contribute to peace and development by restricting their choices and limiting their ability to act. The factors perpetuating violence against women and girls include low level of literacy, traditional and cultural beliefs, poverty and economic

dependence and silence around sexual violence- which continues to hold sway in most communities. Fear, shame, ostracism, disappearance of witnesses, cumbersome bureaucracy and lack of financial support to take cases forward are all militant factors against victims. "Violence against women and girls occurred in both private and public sphere including communities, schools and workplaces. Women and girls in various institutions of learning have to put up with various forms of violence. Teachers and lecturers in most institutions of learning, exploit the vulnerability of students by soliciting/ demanding sexual favours in exchange for better grades. Because of the power imbalance, most girls are coerced, induced or threatened to submission thereby compromising their sexuality and girls who refused to yield are punished with lower grades," said Mr. Kamara.

Sierra Leone has acceded to a number of international Human rights instruments promoting gender and child rights including the CEDAW, the AU Protocol on Women, the CRC and the African Charter on the Rights and Welfare of the Child. In recognition and fulfillment of those commitments, successive governments in Sierra Leone have instituted and adopted institutional, legislative and policy measures aimed at enhancing the status of women and children. Notwithstanding the impressive gains made so far in terms of policy and legal reforms, women and girls continue to face biases and discrimination in many spheres.

However, on-going legal reforms (a number of women and girls friendly legislations) have been passed including: Devolution of Estates Act 2007; Domestic Violence Act 2007; Registration of Customary Marriage and Divorce Act 2007; Child Rights Act 2007 and the Anti-Human Trafficking Act while others are pending including the Sexual Offences and Matrimonial Causes Bills.

All these and the National Policies on Gender Mainstreaming and Advancement of Women (aimed at advancing the status of women in all spheres) and the Education Act and revised Code of Conduct for teachers put together are expected to improve the status of women and hence break down the level of violence against them in the country.



# African Human Right Day Celebrated

***By Bampia Bundu***

The Human Rights Commission of Sierra Leone (HRCSL) on 21<sup>st</sup> October, 2010 celebrated the African Human Rights Day at the CCSL Hall King Harman Road in Freetown on the theme 'Human Rights a key to achieving sustainable peace and security in Africa.'

In his address, Commissioner Revered Mosis Kanu noted that the 21<sup>st</sup> of October every year marks the commemoration of the day that was adopted by the African Charter on Human and Peoples' Rights in 1986. He however, informed that the adoption of a human rights' treaty for Africa had begun as early as 1961. "The Organization of African Unity (OAU) was concerned with the eradication of colonialism and the dismantling of apartheid and as such the OAU viewed human rights instruments as promoting peaceful and positive international cooperation on the continent," he posited, saying the African Charter was to reflect the history, values, tradition and economic concerns of the continent. He said the

African Charter was adopted on the 26 June, 1981 but that it only entered into force in 1986 after receiving the required number of ratifications and accessions from member states. It seeks to combine African values with international norms, guaranteeing civil and political rights as well as socio-economic rights in a single document emphasizing the unity and indivisibility of all human rights," he stated.

The reverend informed that the supervisory institution of the African Charter is the African Commission on Human and Peoples' Rights, and that Sierra Leone has ratified the African Charter on Human and Peoples' Rights. "This means we have made a very serious commitment to the promotion and protection of human rights both in Sierra Leone and on the continent and we must keep to," he fostered.

Speaking on Behalf of UNDP, Madam Shazia Razzaque reiterated date the African Charter came into force. She said they were together to not only recognize its significance on the legal human rights landscape of Africa but

to frankly discuss what it means for the peoples of Africa, particularly Sierra Leoneans. "As Sierra Leone cast its eyes back, one can recall how far the country has come from the nadir of human rights violations during the war to a country that has demonstrated its resolve to forge a new history for its next generations: one that includes efforts for law reform, an independent Human Rights Commission and increased access to justice, especially for the most vulnerable members of society." She noted.

She said the principles harmonize with the very wording of the key UN human rights instruments such as UN Declaration of Human Rights which states "the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world".

The key note address was delivered by the new Director General of the Sierra Leone Broadcasting Corporation, Mr. Elvis Gbanabom Halowell

## CharlesTaylorTrial.org (The Hague)

Thursday, 21 October 2010

### **Liberia: Judges Order Prosecutors to Disclose Exculpatory Material and Payments Suggesting That AFRC Leader Johnny Paul Koroma Was Not Killed By Charles Taylor**

Alpha Sesay

On Wednesday, October 20, 2010, the Special Court for Sierra Leone judges in The Hague ordered prosecutors to disclose exculpatory evidence in their possession that suggests Charles Taylor did not order the execution of Johnny Paul Koroma, the former leader of Sierra Leone's military junta, the Armed Forces Revolutionary Council (AFRC).

The decision stems out of the "Defense Motion for Disclosure of Exculpatory Information Relating to DCT-032" that was filed by Mr. Taylor's defense lawyers on September 24, 2010.

In the motion, defense lawyers alleged that DCT-032, a defense witness for Mr. Taylor, was previously a potential prosecution witness who spoke extensively to prosecution investigators about the alleged death of Mr. Koroma. The witness, who later became a defense witness informed defense lawyers about the information he gave to prosecutors regarding the alleged death of Mr. Koroma, payments made to him by prosecutors for him to cooperate with their investigators, and a letter that was written to him by the former Chief Prosecutor of the Special Court for Sierra Leone, Stephen Rapp, indemnifying him of any criminal prosecutions for his cooperation. These actions by prosecutors, defense lawyers said, were meant to induce the witness to give false testimony against Mr. Taylor. The witness himself admitted to defense lawyers that he was "making up the story in order to get money from the Prosecution."

During the presentation of the prosecution's case, it was alleged that Mr. Taylor ordered the execution of several persons who had knowledge of his dealings with Sierra Leonean rebel forces. One such person who was allegedly executed on Mr. Taylor's orders was AFRC leader Mr. Koroma. Witnesses who testified about the execution of Mr. Koroma on Mr. Taylor's orders included Mr. Taylor's former Vice President Moses Blah, former member of Mr. Taylor's National Patriotic Front of Liberia (NPFL) rebel group Joseph Zig Zag Marzah, and a protected witness, TFI-375. Though these witnesses did not claim to be present when Mr. Koroma was executed, their evidence implicated several other persons who were subordinates to Mr. Taylor. One subordinate mentioned as being among those who carried out the murder of Mr. Koroma in Foya, Liberia, was DCT-032, the witness who is the subject of the defense motion.

According to the defense motion, when prosecutors were investigating the alleged murder of Mr. Koroma in 2008, they contacted DCT-032, who provided them with information regarding the death of the former AFRC leader and his burial site somewhere in Lofa County, Liberia. Following the disclosure of such information, prosecutors carried out exhumations at two burial sites which were identified by DCT-032. DNA tests were carried out on the remains that were exhumed, but they did not match Mr. Koroma's DNA.

In their motion, defense lawyers argued that based on the information provided to prosecutors by DCT-032, Mr. Koroma may well be still alive. They argued further that based on information provided to them by DCT-032, the payments that were made to him and the indemnity letter that was written to him by prosecutors were meant to induce him to provide false testimony against Mr. Taylor.

The details of the information provided to prosecutors by DCT-032, the results of the DNA tests, the payments, and the indemnity letter provided to the witness by prosecutors "suggest the innocence of the Accused or mitigate his guilt or may affect the credibility of the prosecution evidence," defense lawyers said. Such information must have been disclosed by the prosecution to the defense according to the Court's Rules of Procedure and Evidence, defense lawyers argued. They therefore asked the judges to now order the prosecution to make the necessary disclosures and provide an explanation as to why such material details were never disclosed to the defense.

In response, prosecutors asked the judges to dismiss the defense motion as it was "unfounded and [that] the information requested is not exculpatory." Prosecutors further argued in their response that while they had honored all their disclosure obligations under the court's rules, such disclosure obligations do not require them to operate an

"open door policy." Prosecutors also said that DCT-032 was never listed as a prosecution witness. He was only used as a source, and there is no obligation that payments or promises made to sources must be disclosed, prosecutors argued.

On October 20, 2010, the judges dismissed the prosecution's arguments and ruled in favor of the defense.

According to the judges, the fact that DCT-032's name was mentioned as a key player in the alleged execution of Mr. Koroma and the subsequent information provided by him to prosecutors about his background, his role in the Sierra Leone and Liberian conflicts, and his participation in the alleged murder of Mr. Koroma, including the latter's burial site (whether true or false), proves that he was a potential prosecution witness and not merely a source. The judges further said that based on the payments that were made to the witness and the letter that was written by the former Chief Prosecutor assuring the witness that he would not be prosecuted, it is clear that the prosecution intended to seek DCT-032's cooperation, including his testimony. These actions by prosecutors, the judges said, were not done because DCT-032 was a source, but rather because he was a potential prosecution witness.

"The Trial Chamber opines that the Prosecution payments were not used to buy information from a source, but rather were given to a potential witness for his own benefit," the judges said in their decision.

"Accordingly, the Trial Chamber holds that prior to his listing as a Defense witness, Witness DCT-032 was for all intents and purposes, a potential Prosecution witness, notwithstanding that he was never listed by the Prosecution as such."

The judges also agreed with defense lawyers that "the fact that the Prosecution interviewed this alleged murderer and that he led them to a grave or grave sites that later turned out not to be that of Johnny Paul Koroma is relevant to the issue of whether Johnny Paul Koroma is dead or alive, and may affect the credibility of the Prosecution evidence."

The judges said the fact also that DCT-032 was unable to provide the prosecution with adequate information regarding the death of Mr. Koroma "despite being promised 5000 United States Dollars and indemnity against criminal prosecution, is potentially exculpatory in that it may affect the credibility of the Prosecution evidence" alleged his (DCT-032) involvement in the alleged killing of Mr. Koroma.

"This information with respect to the Prosecution investigation should therefore also have been disclosed to the defense," the judges said.

The judges concluded their decision by ordering the prosecution to disclose:

Full details of all investigations carried out by the Prosecution into the alleged death of Mr. Koroma including results of DNA tests carried out on corpses exhumed from graves identified by DCT-032.

Full details of all monies that were given to DCT-032.

An original duplicate copy of the letter of indemnity against criminal prosecution that was written to the witness by former Chief Prosecutor Stephen Rapp.

In another motion, defense lawyers have asked the judges to order the setting up of an investigation into the conduct of the Office of the Prosecutor during the gathering of evidence against Mr. Taylor. Defense lawyers allege in their motion that prosecution investigators bribed witnesses to testify against Mr. Taylor and that in some cases, potential witnesses were intimidated and physically assaulted to elicit information from them against Mr. Taylor. A decision on this motion is expected soon.

# Human Rights Watch

2010 Report

## Sierra Leone

Throughout 2009 the government of President Ernest Bai Koroma made notable progress in addressing endemic corruption and weak rule of law, thus distancing Sierra Leone further from the issues that gave rise to its 11-year armed conflict that ended in 2002. However persistent weaknesses within the police and judiciary, and several risk factors—notably the global economic crisis, high unemployment, and growing insecurity in neighboring Guinea— illuminated the fragility of these gains.

An outbreak of politically motivated violence between supporters of the ruling All People's Congress and the Sierra Leone People's Party in early 2009 showed the weakness of the Sierra Leone police and judiciary, which failed to adequately investigate and hold accountable those responsible. However, swift reconciliation efforts by the President avoided a deepening of the crisis.

Through the efforts of the United Nations-mandated Special Court for Sierra Leone, there was significant progress in achieving accountability for war crimes committed during the country's civil war. However, there was little improvement in access to key economic rights including healthcare and primary education. Sierra Leoneans suffer the highest maternal mortality rates in the world.

## Voice of America

Friday, October 22, 2010

### **Kenya Urged to Arrest Sudan President During Visit**

Civil and human rights groups have sent Kenya's president a letter calling for the arrest of Sudan's President Omar al-Bashir on war crimes charges during his upcoming visit.

Human Rights Watch said Thursday, more than 20 groups signed the letter addressed to President Mwai Kibaki.

His counterpart, President Bashir, is expected to travel to Kenya within a few weeks for a meeting on southern Sudan's referendum vote for independence in January.

Bashir attended Kenya's new constitution celebration in August, sparking criticism from the International Criminal Court, which is seeking his arrest on charges of war crimes and genocide charges.

The ICC said Kenya has a "clear obligation" as a member of the court to cooperate in enforcing its arrest warrants.

Kenya has defended its earlier decision saying the government did not want to threaten the stability of Sudan or Kenya itself.



## Hirondelle News Agency

Thursday, 21 October 2010

### **Rwanda to summon American lawyer to face genocide denial charges**

Rwandan Prosecutor General, Martin Ngoga said Wednesday that his country would summon American lawyer Peter Erlinder, a defence counsel at the International Criminal Tribunal for Rwanda (ICTR) in the coming few weeks to face charges of genocide denial.

"It is going to happen very soon. I would say in a couple of weeks," Ngoga told a press conference jointly conducted by the Spokesperson of the ICTR, Roland Amoussouga.

Erlinder is lead counsel for genocide-convict Major Aloys Ntabakuze who has appealed against life imprisonment sentence rendered by ICTR on December 18, 2008. His appeal is yet to be heard.

Ngoga's statement follows a recent decision by the Appeals Chamber of the Tribunal on a motion filed by Ntabakuze.

"We have a substantive case against Erlinder," Ngoga pointed out, adding that "genocide denial is not acceptable. It doesn't matter wherever you come from."

He explained that if Erlinder does not respond to the summons he would be a fugitive and Rwanda would opt to use the Interpol, to track him down for his arrest. "He is a lawyer and he knows the consequences of jumping bail," he warned.

"We will proceed as planned to prosecute him for genocide denial and make sure that throughout the process we are not infringing his functional immunity as defence lawyer of the ICTR," Rwandan Prosecutor General emphasized.

In its decision of October 6, the Appeals Chamber recognized the functional immunity of the defence counsels in the course of executing their duties in defence of their clients before the ICTR.

"The small reference to a particular document that was seen to be infringing his immunity will be withdrawn from our charge sheet," Ngoga said.

Erlinder went to Rwanda to defend the opposition leader, Victoire Ingabire of unregistered United Democratic Forces (UDF-Inkingi) party, who wished to run for presidency alongside President Paul Kagame and who has herself been charged with genocide denial.

NI/FK/ER/GF

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Naharnet

Thursday, 21 October 2010

## Yugoslavia Tribunal Prosecution Recalls Experience with Telecom Data, False Witnesses, Crime Scene Tampering: Bellemare is Right!

Naharnet Special Report – The Hague:



The morning period of the second day of the International Media Forum organized by the Special Tribunal for Lebanon in the Dutch city of The Hague was characterized by a visit to the headquarters of the International Criminal Tribunal for the former Yugoslavia.

The highlight of the visit was a demonstration made by Bob Reed, Operations Officer in the Office of the Attorney General to the International Criminal Tribunal for War Crimes in Former Yugoslavia.

The aforementioned presentation triggered a quest by the Lebanese journalists in an attempt to find answers for the thorny questions the Lebanese are bickering about.

These questions are considered part of the junctures and essentials of the investigation conducted by Danielle Bellemare, Prosecutor of the Special Tribunal for Lebanon probing the murder of ex-PM Rafik Hariri and his companions.

In this regard, the following headlines must be contemplated:

1. Telecommunications Data: Asked whether investigations into crimes under the jurisdiction of the tribunal he was part of had focused on telecom data, and whether the database of phone calls can be considered as an evidence to be relied on in indicting individuals, the official at the prosecutor's office of the Yugoslavia tribunal, Australian, said the investigations into the cases the tribunal was looking into had not been based on the phone calls issue because it was not an element in the probe.

"Had they existed, we would've used them ... and nothing prevents resorting to them (telecom data) in other probes if they existed," he added, noting that before he joined the Yugoslavia tribunal, he had managed during his tenure in Australia to unveil two major drug trafficking cells through analyzing the database of phone calls.

After intercepting and monitoring phone calls, Reed added, an "empire" for drug trafficking and dealing had been dismantled. The aforementioned database was used to unveil the cells and interrogate their members in addition to being used, along with other material, as accusatory instruments and criminal evidences, according to Reed.

2. False Witnesses: Asked whether the investigation had bumped at some stage into "false witnesses" who had given incorrect information that led to misleading the probe, and whether those witnesses had negatively affected the investigation's credibility and the indictment, the official at the prosecutor's office

of the Yugoslavia tribunal said that such matters cannot affect the probe's credibility if it was based on other data, presumptions and evidences that lead to the same result.

Reed added that the prosecutor can drop some testimonies and even presumptions from his indictment, even during the trial, without that affecting the credibility of his indictment. But if the prosecutor was to act against all individuals who give information he deems as incorrect, that would require him to prosecute all defense witnesses because they usually contradict prosecution witnesses, said the official.

He clarified that the false witnesses to be prosecuted are the ones who appear before court and give their false testimonies under oath, adding that only one person was tried over this charge before the Yugoslavia tribunal, which gave him three months in prison.

3. Faltering with Crime Scene: Asked about faltering with the crime scene and whether the crimes investigated by the Yugoslavia tribunal had witnessed such cases, and whether those responsible had been prosecuted, the official at the prosecutor's office of the Yugoslavia tribunal said that a case of faltering with the crime scene had been recorded during the Srebrenica massacres.

Reed noted that the then U.S. secretary of state, Madeleine Albright, had disclosed in the media pictures of mass graves in that region. But the authorities, he added, moved the bodies buried in the mass graves to other places after the news broke out.

"But the international investigators managed, through the advanced technologies they used, to find a link between the Srebrenica mass graves and the unearthed bodies," he said, adding that "no matter how much the perpetrators try to clean their crime scene, they can't remove all evidences."

Reed noted that the remnants of a blood drop for instance can lead to unveiling a lot of evidences. As to trying those behind faltering with the crime scene in former Yugoslavia, he added, the international tribunal did not look into the case, given that its jurisdiction was limited to probing the massacres as acts of killing.

The Australian official noted that probing the act of faltering with the crime scene was under the jurisdiction of the Sarajevo tribunal.

Lebanese journalists sought to project the controversial topics accompanying the investigation conducted by STL Prosecutor Bellemare into the Hariri crime on the course of the investigation conducted by the prosecutor of the Yugoslavia tribunal.

They tried to compare between the courses of the two probes and to anticipate the answers Bellemare is supposed to present in his indictment regarding the telecom data, evidences and other information; testimonies given by individuals whose "credibility is in question"; and the criminal liability of those behind tampering with the crime scene.

If the Lebanese are divided, due to their political backgrounds, in tackling these issues and defining their legal worth, that is because they read in conflicting political and factional books. However, the international prosecutors seem to have one legal opinion in evaluating the questions being raised, even without prior coordination, because they read in the same book of law, which has nothing to do with the divides and disputes of the Lebanese.



## B92 News

Friday, October 22, 2010

[http://www.b92.net/eng/news/politics-article.php?yyyy=2010&mm=10&dd=22&nav\\_id=70443](http://www.b92.net/eng/news/politics-article.php?yyyy=2010&mm=10&dd=22&nav_id=70443)

### "Much more known" on Mladić whereabouts

Rasim Ljajić says that the state now knows much more about Ratko Mladić's hiding than several months ago.



Rasim Ljajić (FoNet, file)

The head of the National Council for Cooperation with the Hague Tribunal told daily Večernje novosti that all security services were making maximum effort in order to "complete" the job.

Ljajić pointed out that he "has been burned" before trying to assess when the remaining Hague fugitives could be arrested and that he therefore did not wish to make any guesses now.

"All the talk about the Hague fugitives is pointless until we arrest them. It's no good saying 'we're getting closer', 'we're getting farther', 'we're more optimistic' anymore," he explained.

When asked whether President Boris Tadić's statement that it was only a matter of time when Mladić would be arrested meant that the authorities knew that he was in Serbia, Ljajić said that nobody knew exactly where Mladić was.

"If we knew 100 percent where he was, it would be finished soon. We are acting as if he were in Serbia and we are conducting operations in accordance with that," he pointed out.

He also stressed that he expected the talks about reconstruction of the government to begin.

The head of the National Council for Cooperation also said that he expected elections in the second half of 2012 because he did not see what could force early parliamentary elections.

Brammertz announces Belgrade visit

Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia (ICTY) Serge Brammertz will visit Serbia November 15, Special Adviser to the Prosecutor Frederick Swinnen told Tanjug on Thursday.

Brammertz is going to visit Belgrade in preparations of his semiannual report on Serbia's cooperation with the Hague, which he is to present to the UN Security Council December 6.