

**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, 24 August 2012

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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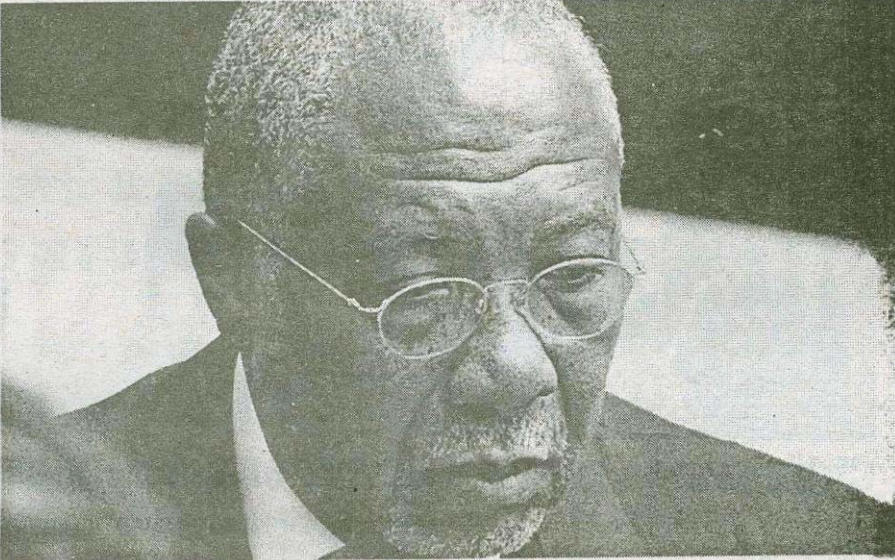
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Special Court gives Taylor deadline



The UN-backed Special Court for Sierra Leone has given ex-President Charles Taylor October 1, 2012 as the deadline to file his submission months after his lawyers filed a notice of appeal. Similar deadline has been awarded the prosecution to file its returns.

Mr. Taylor was sentenced to 50 years in prison early this year for

aiding and abetting rebels during Sierra Leone's civil war. His lawyers have since filed a notice of appeal and have twice requested an extension of time to complete preparation. Prosecution has also requested additional but not in the same number as the defence has requested.

The Court on Monday August 21

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Special Court gives Taylor deadline

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granted both the defence and prosecution an additional 21-day extension to file their submissions after an earlier request for 41 days were granted. Both parties have been granted extensions in the amount of 108 days, thereby allowing them 162 days for the filing of all appeal submissions.

In its ruling, the Special Court Appeal Judges indicated that they considered the defence's request for additional time to that already granted as "necessary to prevent injustice", suggesting it (defence) will not be able to complete

preparation of its Appellant's Submission by September 10, 2012.

The court agrees that the defence's admission that the earlier extensions granted were not enough to complete preparations to file its submission "goes to the fair trial rights of the Appellant, who is entitled to competent assistance of counsel in the preparation of his appeal".

The requests the court said were in line with its rules but stressed that the deadline for filing of the submissions are adjusted to reflect the 21-day extension.

Ambassador Attends African Court Clinic

*By Abdul Karim Koroma, Information
Attaché - Addis Ababa, Ethiopia*

Sierra Leone's Chief of Mission to the Federal Democratic Republic of Ethiopia, His Excellency Mr. Andrew Gbebay Bangali today attended the official opening ceremony of the Regional Sensitization Seminar on the Promotion of the African Court for East and North Africa at the new African Union Commission Conference Centre in Addis Ababa.

The confab which is themed: 'The African Court on Human and Peoples' Right: Your New Partner in Strengthening the Promotion of Human Rights in Africa' is slated to end on Friday 24th August, 2012.

The African Court on Human and Peoples' Rights is a continental court established by Member States of the African Union to ensure the protection of human rights and peoples' rights in Africa. The Court was established by virtue of Article 1 of the Protocol to the African Charter on Human and Peoples' Rights to complement the protective mandate of the African Commission on Human and Peoples' Rights. The main thrust of the sensitization seminar is to raise public awareness about the court, sensitizing would-be applicants on how to access the Court and the procedures before the Court and encouraging the public utilization of the Court in settling human rights disputes and encouraging the utilization of the Court to render advisory opinions.

The other participants who are also attending the workshop include a wide range of stakeholders drawn from Eastern and Northern Africa, human rights organizations working towards the promotion and protection of human rights in the Continent, African Union Organs, Regional Courts, Academic Institutions and International Nongovernmental Organizations among others.

For the next three days the participants will discuss among other issues: General presentation of the African Court, the role of the Court



Ambassador, Andrew Gbebay Bangali

in contentious matters, the role of the Court in advisory matters, the relationship between the Court and the Regional Economic Communities' Courts and the enforcement of the Court's decisions.

Mr. Alimamy Sesay, Senior Legal Officer in the Office of the Legal Counsel of the African Union Commission who made a statement on behalf of the outgoing Chairperson of the Commission, Dr. Jean Ping, spoke about the importance and the workings of the Court.

Other speakers included the Chair of the Permanent Representatives' Committee and Benin's Ambassador to Ethiopia, His Excellency Ferdinand Pentecote Montcho and Justice Sophia Akuffo, Vice President of the Court.

Justice Gerard Niyungeko, President of the Court declared the meeting officially opened.



As IGP Munu Gives Update on BVR Fraud Cases Charged to Court...

"ICC Is Not Meant For One Institution Or Person But For Everybody..."
- Inspector General of Police States

By Madieu Jalloh

Speaking at the usual Thursday MIC press briefing on the Biometric Voters Registration fraud cases, Inspector General of Police (IGP) Francis Munu stated that the International Court of Justice (ICC) is not meant for any particular institution or person noting categorically that the ICC is established with the chief purpose of

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From front page

restoring human rights and making people conform to law as required by international standards.

He made this remark whilst responding to a warning from the 'PEEP' Magazine Editor that he will be held responsible and taken to ICC if his men behave unprofessionally in keeping the peace and conduct themselves in a civic manner whilst manning security for the elections.

He also pointed out glaringly that even media practitioners are liable to be taken to the ICC if they are found wanting of publishing inciting articles that are wont to spark violence.

He used the opportunity to inform pressmen that fraud cases related to multiple registrations for the forthcoming November elections countrywide have been charged to court, noting among other things that as far as the Sierra Leone Police as law enforcement institution are concerned, there is no foreseeable threat during the elections.

IGP Munu dilated that the SLP is being run strictly by modern principles management noting that strategic plans are been instituted confirming that this was the third plan, adding that there is already a plan by the SLP spanning from 2012 to 2014 wherein discussions on security matters are been charted for the next three years.

Quoting Sections 19 of the Public Elections Act of 2012 on multiple

registrations, he stated that the penalty for infringement on the said Act was not less than Le 500,000 or two years imprisonment.

Highlighting the number of cases charged to court with regard double registrations, he outlined that so far the Western Area has 22 persons charged; North Western Region which include Port Loko, Kambia and Masiaka has 10 cases; North Eastern Region-Makeni, Kabala and Kamakwei has 18 people charged; Eastern Region has 24 persons and finally for the Southern Region 24 persons all of them are before court on the aforementioned charge of multiple registration.

He also illuminated that the electioneering process was not a single event emphasizing that it was a holistic process geared towards achieving a fair and peaceful outcome. He noted that planning and preparation for the election involves identifying the task and provision of relevant skills required in putting up robust security measures in place; and confidently confirmed that they have far gone in looking into those areas and they are on the finishing touches.

He however boastfully and confidently asserted that as far as putting security measures in place, the National Electoral Commission (NEC) was satisfied adding that as of now no threat geared toward hindering security has been detected.

The Post-Journal

Friday, 24 August 2012

Humanitarian Law Dialogues Begin Sunday

CHAUTAUQUA - The 2012 Chautauqua Declaration will be issued at 2:30 p.m. Tuesday at the Athenaeum Hotel in Chautauqua Institution.

The declaration will close the sixth annual International Humanitarian Law Dialogues, co-sponsored by the Robert H. Jackson Center, is a gathering of renowned international prosecutors from Nuremberg, the International Criminal Court, the International Criminal Tribunals for the former Yugoslavia and Rwanda, the Special Court for Sierra Leone, The Extraordinary Chambers in the Courts of Cambodia and the Special Tribunal for Lebanon.

The 2012 installation of the dialogues will be Sunday through Tuesday at Chautauqua Institution and focus on the theme, "Hybrid International Courts: A 10th Anniversary Retrospective on the Special Court for Sierra Leone." The sessions are free and open to the public, with the exception of meals. For more information, call the Robert H. Jackson Center at 483-6646.

Sunday night will feature events at the Jackson Center in Jamestown including the laying of a brick in honor of one of the 20 "most powerful women in the world" and the presentation of a humanitarian award. On Monday, Hans Corell, former under secretary general for legal affairs and the legal counsel of the United Nations will deliver the keynote address at Fletcher Hall in the Chautauqua Institution.

Each year, the dialogues conclude with the issuance of a Chautauqua Declaration, a statement developed by the prosecutors during the two-day symposium that calls on all nations to pursue justice as a matter of law. It reaffirms the first Chautauqua Declaration, issued in 2007, which stated, "The challenge for states and for the international community is to fulfill the promise of the law they created; to enforce judicial decisions; [and] to ensure the arrest and surrender of sought individuals ..." The dialogues are held each year to honor the declaration's ideals and to help advance the field of international humanitarian law. The 2012 declaration signing will be moderated by Elizabeth Andersen of the American Society of International Law.

The Robert H. Jackson Center was established to advance the legacy of Justice Jackson through education, exhibitry and pursuing the relevance of his ideas for current and future generations. For more information about the information center or its upcoming events, visit www.roberthjackson.org or call 483-6646.

International Humanitarian Law Dialogues 2012

***“Hybrid International
Courts: A Tenth Anniversary
Retrospective on the Special
Court for Sierra Leone”***

**Sunday, August 26
through
Tuesday, August 28**

The 6th annual International Humanitarian Law Dialogues, co-sponsored by the Robert H. Jackson Center at the Chautauqua Institution, is an historic gathering of renowned international prosecutors from Nuremberg through the present day and leading professionals in the international criminal law field. This unique three day event, held August 26-28, will allow participants and the public to engage in meaningful dialogue concerning past and contemporary crimes against humanity, and the role of modern international criminal law.

PROSECUTORS

Fatou Bensouda
International Criminal Court

Serge Brammertz
*International Criminal Tribunal for
the Former Yugoslavia*

H.W. William Caming
*United States Military Tribunal,
Nuremberg*

David Crane
Special Court for Sierra Leone

Sir Desmond de Silva
Special Court for Sierra Leone

Brenda J. Hollis
Special Court for Sierra Leone

Hassan Jallow
*International Criminal Tribunal for
Rwanda and International Residual
Mechanism for Criminal Tribunals*

Robert Petit
*Extraordinary Chambers in the
Courts of Cambodia*

Amb. Stephen Rapp
Special Court for Sierra Leone

William Smith
*Extraordinary Chambers in the
Courts of Cambodia*

Ekkehard Withopf
Special Tribunal for Lebanon

SPEAKERS

Diane Marie Amann
University of Georgia School of Law

Elizabeth Andersen
*American Society of International
Law*

Cherif Bassiouni
*DePaul University College of Law
(Emeritus Distinguished Research
Professor)*

Andrew Beiter
*Director, Summer Institute for
Human Rights and Genocide Studies*

Raymond Brown
International Justice Project

Amb. Hans Corell
*Former Under-Secretary General
for Legal Affairs and the Legal
Counsel of the United States*

Irwin Cotler
*Former Minister of Justice and
Attorney General of Canada*

Mark Ellis
International Bar Association

Doug Farah
*IBI Consultants and the
International Assessment and
Strategy Center*

Hans-Peter Kaul
*Judge of the
International Criminal Court*

Jennifer Khurana
American Red Cross

Binta Mansaray
Special Court for Sierra Leone

Michael Newton
Vanderbilt University School of Law

Valerie Oosterveld
University of Western Ontario School of Law

Mark Quarterman
*Enough (The Project to End Genocide and
Crimes Against Humanity)*

Leila Nadya Sadat
Washington University School of Law

William Schabas
*Middlesex University in London and Leiden
Law School*

Michael Scharf
Case Western University School of Law

David Scheffer
Northwestern University School of Law

Ian Smillie
Diamond Development Initiative

Bankole Thompson
*Eastern Kentucky University and
Special Court for Sierra Leone*

Alan White
Alan White Associates, Inc.

Sunday, August 26

Arrival of the Prosecutors and Participants

2:00 p.m. Showing of the film *Granito*, followed by a discussion

Monday, August 27

Day 2

7:00 a.m. Breakfast with the Prosecutors at the Athenaeum Hotel

9:00 a.m. Welcome by James C. Johnson (President of the Robert H. Jackson Center) and Tom Becker (President of the Chautauqua Institution) at Fletcher Hall

9:15 a.m. Awarding of the *Impunity Watch* Essay Contest Winner Andrew Beiter and Emily Krouse, Editor-in-Chief of *Impunity Watch* at Fletcher Hall

9:20 a.m. Keynote Address by Hans Corell, Former Under-Secretary-General for Legal Affairs and the Legal Counsel of the United Nations; introduced by Professor David Crane at Fletcher Hall

10:00 a.m. Break

10:30 a.m. A dialogue with current prosecutors; moderated by Professor Michael Scharf at Fletcher Hall

12:30 p.m. Lunch at the Athenaeum Hotel

1:15 p.m. 1st annual Clara Barton Lecture by Ambassador David Scheffer introduced by Jennifer Khurana, American Red Cross at the Athenaeum Hotel

2:30 p.m. Panel on the Special Court for Sierra Leone—An Assessment; Moderated by Professor William Schabas (Panelists: Amb. David Scheffer, Amb. Stephan Rapp, Binta Mansaray, Bankole Thompson; Raymond Brown) at Fletcher Hall

4:00 p.m. Break

4:15 p.m. Clayton Sweeney Student Porch Session with the Prosecutors; “Practitioners/Prosecutors” moderated by Andrew Beiter, and “The Challenge of Piracy” with Seychelles Supreme Court Judge Duncan Gaswaga, moderated by Professors Scharf and Williams

5:30 p.m. Reception at the Athenaeum Hotel

6:30 p.m. Dinner at the Athenaeum Hotel

7:30 p.m. Second Annual Katherine B. Fite Lecture, Professor Leila Sadat; introduction by Professor Diane Marie Amann at the Athenaeum Hotel

Tuesday, August 28

Day 3

7:00 a.m. Breakfast with the Prosecutors at the Athenaeum Hotel

7:45 a.m. Breakfast address by Cherif Bassiouni DePaul University College of Law (Emeritus Distinguished Research Professor), introduced by Mark Quarterman and sponsored by the “Enough Project”

9:00 a.m. Drafting of the 6th Chautauqua Declaration (Private – Prosecutors only)

9:15 a.m. Lecture: “Recent Developments in International Criminal Law” by Professor Valerie Oosterveld of the University of Western Ontario, at the Athenaeum Hotel

11:00 a.m. Porch Sessions with the Prosecutors; “SCSL Outreach” with Professor Crane and Ms. Mansaray moderated by Professor Oosterveld; “SCSL New Crimes/New Law” with Ms. Hollis and Dr. Thompson moderated by Professor Sadat; “Blood Diamonds” with Mr. Farah, Mr. Smillie and Dr. White moderated by Mr. Cordeman; “Sierra Leone Truth and Reconciliation Process” with Professor Schabas, Professor Amann and Professor Cotler moderated by Professor Newton

12:30 p.m. Lunch at the Athenaeum Hotel

1:15 p.m. Luncheon address “The ICC of the Future” by Judge Hans-Peter Kaul of the ICC, introduced by Mark Ellis

2:30 p.m. Issuance of the 6th Chautauqua Declaration moderated by Elizabeth Andersen, American Society of International Law at the Athenaeum Hotel

* Program subject to change

** There will be no charge for program segments but there will be a charge for meals

*** Buses will be available for transportation between the Athenaeum Hotel and Fletcher Hall

The Guardian (Nigeria)

Monday, 30 July 2012

‘Judiciary must make Chapters 2 and 4 of the Constitution justiciable’

THE 1999 Constitution is the organic document that is guiding and guarding the operation and direction of governance in Nigeria, as well as the relationship between the component states, on one hand, groups and individuals on the other hand. Generally, all the provisions of the Constitution are sacredly important. However, certain provisions, especially Chapters 2 and 4 of the Constitution, have been deemed to be peculiarly important especially to the ordinary and vast majority of Nigerians.



To that extent, therefore, it is expected that governments at all level in the country ought to make its implementation paramount at all times. But how far has government and its institutions fared in this regard?

Nigeria’s international jurist of repute, **Justice Emmanuel Olayinka Ayoola**, examined this question at a lecture he delivered recently at the Law Society, Faculty of Law, University of Lagos (UNILAG) to mark the 2nd Professor Alfred Bandele Kasunmu (SAN) Lecture.

Justice Ayoola, who is also a former Chief Justice of The Gambia, in his critical analysis of compliance with Chapters 2 and 4 of the constitution by succeeding governments in the country, unequivocally submitted that government had been paying lip-service to these chapters, which incidentally remained the main provisions that determine the standard of life the vast majority of the people live, preservation of their lives, their safety and security, their constitutionally backing socio-economic share from the national income, among others. The former Gambian Chief Justice highlighted Chapter 2 of the Constitution to drive home his point: “Principle of democracy and social justice shall guide government policies; security of the people, promotion of national unity and integration, maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity for the common good are paramount, suitable and adequate food. Welfare of the disabled shall be provided; ideals of freedom, equality and justice shall be the foundation of the social order; equality of rights, obligation and opportunities before the law shall be observed.... Government’s actions shall be humane....”

In this conscience-searching exercise, Ayoola, who is also a former Justice of the Supreme Court, in line with the topic of the lecture “Good governance in Nigeria; the role of the judiciary, was of the opinion that for these provisions to truly benefit the people, the judiciary and indeed the legal profession have enormous role to play.

Ayoola, who could not conceal his pain that provisions of Chapters 2 and 4 are not meaningfully reflected in the standard of life of the people, traced this to the wrong view that have been unconsciously engrained in the mind of the people by government that the provisions are unjusticiable.

According to the international jurist, this is where the challenges of the Bar and the Bench lie. To members of the Bench, particularly the new leadership, he said, it must now rediscover the social role of the judiciary as an agent of change, which through its decision, would compel government to live up to its constitutional obligations to the people as provided for, especially in Chapters 2 and of the constitution.

He advised the judiciary to move away from what he called the “Positivist culture on which it has been built and nurtured since the colonial era”.

He opined that “such judicial tradition can hardly be expected to embark on energetic and value driven interpretation and application of the basic law of our nation by which alone the constitution becomes a vibrant and potent value tool of socio-political and socio-economical transformation of society and a document that will engender faith in its promise”.

Ayoola described Chapter 2 as the value system, which the judiciary and the entire legal system must invigorate by insisting that its provision formed the spirit and letters of all government policies.

He reiterated the directive of the immediate past Chief Justice of Nigeria, Dahiru Musdapher, that judicial decisions should not be determined on the basis of technicalities. “The Judiciary must break itself from the strangle-hold of an ultra-positivist culture and subjection to technicalities as a style of adjudication”, he advised.

Cover Story **Africa-ICC**

A 27-person delegation from the New York-based December 12th Movement, and the Barbados-based International Association Against Torture, travelled to The Hague to petition the ICC to widen its net beyond African indictees. **Martin Mwale** reports.

Black groups challenge the ICC

ON 18 JUNE, THE PRESIDENT of the Peoples Empowerment Party (PEP) of Barbados, David Comissiong, threw down the gauntlet to the International Criminal Court (ICC), when he and a group of Pan-African activists lodged a petition at the ICC's headquarters in The Hague, Netherlands, demanding that the political and military leaders of the USA, Britain, France, Canada, and Italy be investigated and prosecuted for the commission of crimes against humanity and war crimes against the nations and people of Libya, Côte d'Ivoire, Haiti and against the African-American population of the USA.

Comissiong was among a 27-strong international delegation that congregated in New York and travelled to the Netherlands in order to personally deliver to the office of the chief prosecutor of the ICC a massive compilation of evidence of international crimes arising out of the NATO military assault on Libya, the French intervention in Côte d'Ivoire in 2011, the 2004 overthrow and kidnapping of President Aristide of Haiti, and the centuries-long oppression of those of African descent in the USA.

The entire venture was coordinated by the New York-based December 12th Movement and the International Association Against Torture, and was based on the output of the January 2012 International Peoples Tribunal that was held at Columbia University Law School in New York.

The actual presentation of the petition was made by the legal duo of Roger Wareham, attorney-at-law and head of the International Secretariat of the December 12th Movement, and David Comissiong, a senior Barbadian attorney-at-law.

Also in attendance were Minister

Akbar Muhammad of the Nation of Islam (Minister Farrakhan's international spokesman), and attorneys-at-law Sylvestre Kouadio (Côte d'Ivoire), Alfred Tousseint (Haiti), and Troy Griffith (USA).

And so, the ICC, which during its first 10 years has focused largely on African cases, is finally being put to the test. If there is a scintilla of concern for justice and the rule of law in the ICC, then one would expect the Western leaders along with their key political and military functionaries who committed as much war crimes and crimes against humanity as the Africans brought before the Court, would find themselves under criminal investigation and subject to international arrest warrants.

But will the officials of the ICC apply the letter of the law to the leaders of the powerful Western countries that were mainly responsible for setting up the ICC, and that provide the bulk of funding for the Court? Only time will tell!

The full text of the challenge that Comissiong and his fellow crusaders for justice delivered to the ICC read as fol-

lows: "We wish to warn you, Madam Prosecutor [Fatou Bensouda, *pictured below left, with her predecessor Luis Moreno-Ocampo*] and by extension the entire ICC, that the eyes of the people of the world are on you.

"The people of the world have seen you rush to investigate and indict leaders of the African continent on the most flimsy of pretexts. They have witnessed you – the ICC – following in the wake of Western-orchestrated destabilisation campaigns against African leaders that the West disapproves of, and they have wondered at the connection between you – the ICC – and the said Western powers.

"In light of this record, the request that we make of you presents you with what is, perhaps, the final opportunity to demonstrate to world opinion that the ICC is not an instrument of Western imperialist manipulation and does not operate on the basis of a double standard.

"We have presented you with an opportunity to do your duty fairly to the victimised people of Libya, Côte d'Ivoire and Haiti, and to the long suffering African people of the USA.

"The ultimate fate and future of the ICC will now be determined by how you respond to this clear and unequivocal cry for justice!"

This challenge was issued against the background that, to date, every single one of the ICC's 26 indictees has been an African, inclusive of such notable African leaders as President Laurent Gbagbo of Côte d'Ivoire, President Omar Al-Bashir of Sudan, Deputy Prime Minister Uhuru Kenyatta of Kenya, and the former Libyan leader, Muammar Al Gathafi. Clearly, an important new front in the African struggle for justice, freedom and sovereignty has been opened. ■ **NA**

