

**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:**

Monday, 28 February 2011

Press clips are produced Monday through Friday.  
Any omission, comment or suggestion, please contact  
Martin Royston-Wright  
Ext 7217

### Local News

Charles Taylor's Lawyer Needs a Lawyer / <i>Awoko</i>	Page 3
Gaddafi Instrumental in Sierra Leone Conflict / <i>Awoko</i>	Page 4
Judge Refuses to Attend Disciplinary Hearing for Taylor's Lawyer / <i>Concord Times</i>	Page 5
Judiciary Launches Special SGBV Court Sitings / <i>Awareness Times</i>	Page 6

### International News

Judge Refuses to Attend Disciplinary Hearing for Lawyer in Charles Taylor's War Crimes Case / <i>AP</i>	Page 7
Judge Boycotts Taylor Hearing / <i>SAPA</i>	Page 8
Trial Chamber Not Properly Constituted, Disciplinary Hearings... / <i>CharlesTaylorTrial.org</i>	Pages 9-10
Prosecutor Reveals How Britain let Gaddafi Off / <i>Times</i>	Page 11
Stephen J. Rapp Emphasizes Importance of Justice / <i>The Miscellany News</i>	Pages 12-13

Awoko

Monday, 28 February 2011

# Charles Taylor's lawyer needs a lawyer

**C**ourtenay Griffiths QC, represented by Karadzic lawyer Peter Robinson, could face dismissal at disciplinary hearing before special court for Sierra Leone on Friday

For more than three years, the charismatic defence lawyer Courtenay Griffiths has stood in front of international judges, arguing that former Liberian President Charles Taylor is not responsible for the horrific rapes, murders, and mutilations committed during Sierra Leone's 11 years civil conflict.

This week, Griffiths will walk back into the same courtroom, this time, though, not as a defence lawyer arguing on behalf of his high-profile client, but as a "defendant counsel." Griffiths, himself, has become the subject of a disciplinary hearing before the special court for Sierra Leone.

Griffiths is facing the possibility of sanctions after walking out of court on Tuesday, February 8, when the court had convened to hear closing arguments from both prosecution and defence lawyers in the Taylor trial. Griffiths had protested the judges' decision not to accept the defence final brief, which had been filed late - 20 days after the January 14 deadline.

The brief was late because Griffiths and his team were waiting for decisions from the judges on eight outstanding motions - decisions, Griffiths says, which could have impacted the shape of his closing arguments. Two of the three judges remained unconvinced.

At the closing arguments last week, Griffiths protested, telling the court that he saw no role for himself and Taylor in the proceedings if their final brief was not accepted.

As Griffiths attempted to walk out of court, the presiding judge of the trial chamber, Justice Teresa Doherty ordered him to take his seat.

Ignoring the presiding judge's order, Griffiths walked out of the courtroom. Griffiths also failed to appear in court the next day to make closing arguments for his client. In his absence, judges ordered Griffiths to appear in court on Friday, February 11, to apologise for walking out of court or risk being sanctioned.

Rule 46 of the court's procedural rules (pdf) states that

"A chamber may, after a warning, impose sanctions against or refuse audience to a counsel if, in its opinion, his conduct remains offensive or abusive, obstructs the proceedings, or is otherwise contrary to the interests of justice."

Griffiths did appear in court on Friday as directed. But rather



*Courtenay Griffiths*

than apologise to the court, he requested a special disciplinary hearing where he would be represented by an experienced counsel. The judges accepted Griffith's request.

When Griffiths appears as "defendant counsel" tomorrow he will be represented by an American lawyer, Peter Robinson. Like Griffiths, Robinson is also defending a big fish before an international court: Robinson is the defence counsel for former Bosnian president Radovan Karadzic at the international criminal tribunal for the Former Yugoslavia (ICTY).

Also like Griffiths, Robinson is no stranger to controversy. In June 2010, he was a subject of contempt proceedings before the international criminal tribunal for Rwanda (ICTR). Robinson, who was defending an accused genocide in the 1994 Rwandan massacres, refused to examine a defence witness because of developments outside the courtroom: his co-defence counsel had been arrested in Rwanda on allegations of genocide denial.

Robinson asked to withdraw from the case until his colleague was released. The judges at the ICTR denied his request, and, despite being ordered to continue the examination of his witness, Robinson refused. The judges brought contempt proceedings against him, but he was ultimately acquitted.

Disciplinary hearings before special court for Sierra Leone judges are not new, either. In December 2005, the trial chamber sentenced Yada Williams, a defence counsel at the special court to a public reprimand and a fine of Le. 1000000 (250 USD) after a disciplinary hearing found that he assaulted

a female court staff.

Although the circumstances surrounding the disciplinary hearings for Robinson, Williams, and Griffiths are different, the outcomes could have similarities. Griffiths could put up a strong defence for his action, like Robinson did at the ICTY, and the judges could decide that there is no case against him. Alternatively, the judges could find a case of misconduct against him and ask him to apologise. An apology, like that made by Williams in 2005, could save him any further sanctions. A third option could be that Griffiths is found guilty of misconduct and have penalties levelled against him.

According to the court's rules, a number of possible sanctions exist. Penalties can include a fine, a report to Griffith's home bar association in the UK, a "refusal of audience" (or inability to present arguments in court), or he could be dismissed as the defence lawyer for his client.

A refusal of audience would not bar Griffiths from being Taylor's lead counsel. While he would still be in a position to sign legal documents or file motions on Taylor's behalf, he would not be entitled to actually present arguments in court. If this happens, then Taylor would have to rely on another counsel to make arguments to the judges (including his closing statement), at a sentencing hearing if Taylor is found guilty, or at any appeals hearings after the Trial Chamber's final judgment. If, on the other hand, Griffiths is declared ineligible to represent Taylor, the former Liberian president would need to look for another lawyer to finish the case.

For any sanction imposed on Griffiths, he would be able to appeal it to the appeals chamber of the special court for Sierra Leone. Any such appeal might delay proceedings in the trial further, as a final determination by the appeal chamber might be needed to work out who will conclude Taylor's defence.

Whatever the outcome of this hearing, it makes its own contribution to the many dramatic events that have unfolded in this war crimes trial. This hearing will see Griffiths, the charismatic lawyer who has fiercely defended the interest of his client, become a client himself.

Whoever thought that Griffiths would need a lawyer? Or become a client like Taylor? What a way to wear someone else's shoes.

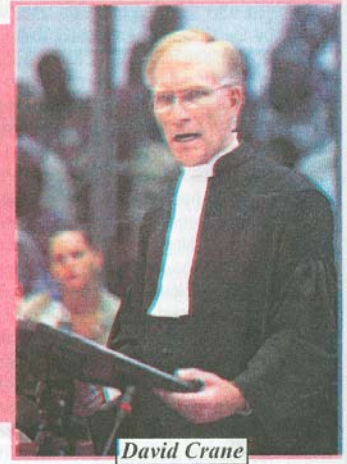


Awoko

Monday, 28 February 2011

# Gaddafi instrumental in Sierra Leone Conflict

*-David Crane*



David Crane

## News

By Soraya Kishtwari

Britain put pressure on an international court not to indict Colonel Gaddafi for war crimes despite evidence that implicated him in the maiming of more than one million people in Sierra Leone, the Chief Prosecutor on the case has claimed.

The United Nations Security Council, which counts Britain among its permanent members, had evidence linking Colonel Gaddafi to war crimes in Sierra Leone as early as 2003.

Prosecutors named Colonel Gaddafi in the indictment of Charles Taylor, the former President of Liberia who is currently on trial for alleged war crimes. However, due to resistance from UN member states, including Britain, the decision was made not to indict the Libyan leader.

Professor David Crane, of Syracuse University, who was the Chief Prosecutor at the Special Court of Sierra Leone between

## Gaddafi instrumental in Sierra Leone conflict David Crane

2002-05, said: "It was my political sense, dealing with senior leadership in the United Kingdom, United States, Canada, United Nations, and the Netherlands, that this would not be welcome," he said. "This [Colonel Gaddafi's involvement] is not speculation on my part. We named and shamed him in the actual indictment."

Indicting Gaddafi would have been the "death knell" for the courts as the countries objecting would have pulled funding, Professor Crane added. Asked why he believed there was opposition from the international community to act on the evidence he had uncovered, he said: "Welcome to the world of oil."

Professor Crane said Colonel Gaddafi was instrumental in planning the conflict in Sierra Leone, which went on for ten years from 1991 and resulted in the deaths of 50,000 civilians and left hundreds of thousands displaced.

His view is corroborated by his colleague at the time. Sir Desmond de Silva, QC, one of Britain's leading barristers and an authority on human rights, confirmed that Colonel Gaddafi's primary role in the war had been that of trainer and financier.

Kofi Annan, the then Security-General of the UN, issued a mandate instructing the prosecutors to limit the scope of their investigation to 1996-2001. Sir Desmond believes this was the reason that led to the decision not to indict the man Ronald Reagan once dubbed "the mad dog of the Middle East".

"I think the main reason why we didn't prosecute him although he [Colonel Gaddafi] was not to know that was that we felt that his

involvement in the horrors of Sierra Leone was prior to 1996 or that was what the evidence seemed to suggest," he said.

Professor Crane said the full extent of Colonel Gaddafi's role in the carnage at Sierra Leone had gone unreported for too long. "Gaddafi was ultimately responsible for the mutilation, maiming and/or murder of 1.2 million people. This is an important story and one that must be told," he said.

Jack Straw, who was Foreign Secretary between 2001 and 2006, expressed surprise at the suggestion that the British Government had sought to influence the investigations. He said he had "absolutely no recollection of knowing any involvement by the UK in putting pressure of any kind on anyone". He added: "And given our approach to international tribunals I would be very surprised if it turned out that anyone acting on behalf of the UK did so."

Sir Malcolm Rifkind, former Foreign Secretary under John Major, was also surprised. "If this is true than I am appalled because, first of all, it's been kept pretty secret until now." He was doubtful, however, that oil was behind any decision-making process.

In a statement, the Foreign Office said: "The Special Court for Sierra Leone was set up to investigate allegations of war crimes and crimes against humanity committed in Sierra Leone after 1996. As an independent judicial body, the issue of indictments is a matter for the Prosecutor.

"The UK is committed to ensuring there is no impunity for those alleged to have committed the most serious crimes of international concern."

Concord Times  
Monday, 28 February 2011

## Judge refuses to attend disciplinary hearing for Taylor's lawyer

*By Mike Corder*

A disciplinary hearing for the chief defence lawyer of former Liberian president Charles Taylor was adjourned indefinitely Friday after just seven minutes because one judge refused to attend.

The hearing by the Special Court for Sierra Leone was to weigh possible punishment for British lawyer Courtenay Griffiths after he stormed out of Taylor's war crimes trial two weeks ago to protest the court's rejection of his written summary, which was filed late.

Griffiths appeared Friday, represented by Peter Robinson, the American legal adviser to former Bosnian Serb president Radovan

Karadzic. But Ugandan judge Julia Sebutinde did not attend.

Presiding Judge Teresa Doherty read a brief statement in which Sebutinde said she decided to stay away because she disagreed with the court's move to discipline Griffiths.

Doherty adjourned the hearing indefinitely, saying all three judges needed to be present.

Friday's non-hearing was the latest twist in a chaotic end to Taylor's three-year trial for fueling Sierra Leone's brutal 1991-2002 civil war.

Taylor has pleaded innocent to 11 charges including murder, torture and using child soldiers for arming and supporting rebels noto-

rious for hacking off the limbs of their enemies.

Prosecutors say from his seat of power in the Liberian capital, Monrovia, Taylor backed Sierra Leone's Revolutionary United Front in return for "blood diamonds" illegally mined using slave labour.

Earlier this month, Taylor and Griffiths boycotted closing arguments after the three-judge panel refused to accept their closing brief, which was filed three weeks after the deadline.

Griffiths has appealed the rejection of his 547-page summary. Sebutinde had argued that judges should have accepted the defence document.

## Judiciary Launches Special SGBV Court Sitings

*By Augustine Samba*

The Sierra Leone Judiciary, in partnership with the United Nations Development Programme (UNDP), on Saturday 26<sup>th</sup> February 2011, officially launched special court sittings on matters dealing with sexual and gender based violence (SGBV).

The ceremony, which attracted various distinguished personalities, was held at the Law Courts Building in Freetown. The initiative was borne out of the desire to expedite all SGBV backlog cases.

It has been slated that the court sittings under review would be held every Fridays afternoon and the whole of Saturdays.

At the launching ceremony, Consultant Master and Registrar of the Sierra Leone Judiciary, Madam Julia Sarkodie-Mensah, said the issue of gender based violence has become a cause for concern to all peace loving and law abiding Sierra Leoneans.

She expressed dismay over the rate at which heinous crimes are being committed, especially with regards to those affecting women and children.

According to her, such crimes have the propensity to hinder development in any country, if left unabated.

She spoke of the general perception of the people about the judiciary, stating that it is widely believed that the judiciary is doing little towards frustrating the challenge under review. She defends against such perception, as according to her, the judiciary and its development partners, and civil society are well committed towards the fight against crimes.

Madam Mensah disclosed rape and other abuses on children are on the increase, while noting that such heinous offences are not only despicable but also humiliating.

She assured that the judiciary, with support from the UNDP, is going to embark on effective strategies that will make the “invisible victims visible”.

UNDP Programme Specialist, Shazia Razzaque, lauded the Sierra Leone Judiciary for creating an avenue that will properly redress violence against women and children. She described the venture as a step in the right direction. Razzaque said the importance to ensure stringent actions to protect women and children cannot be overemphasized.

She revealed that the launching of the special court sittings will soon be replicated in Kenema, Bo, Makeni and other parts of the country.

## Associated Press

Friday, 25 February 2011

### **Judge refuses to attend disciplinary hearing for lawyer in Charles Taylor's war crimes case**

By Mike Corder (CP)

LEIDSCHENDAM, Netherlands — A disciplinary hearing for the chief defence lawyer for former Liberian President Charles Taylor was adjourned indefinitely Friday after just seven minutes because one judge refused to attend.

The hearing by the Special Court for Sierra Leone was to weigh possible punishment for British lawyer Courtenay Griffiths after he stormed out of Taylor's war crimes trial two weeks ago to protest the court's rejection of his written summary, which was filed late.

Griffiths appeared Friday, represented by Peter Robinson, the American legal adviser to former Bosnian Serb President Radovan Karadzic.

But Ugandan judge Julia Sebutinde did not attend.

Presiding Judge Teresa Doherty read a brief statement in which Sebutinde said she decided to stay away because she disagreed with the court's move to discipline Griffiths.

Doherty adjourned the hearing indefinitely, saying all three judges needed to be present.

Friday's non-hearing was the latest twist in a chaotic end to Taylor's three-year trial for fueling Sierra Leone's brutal 1991-2002 civil war.

Taylor has pleaded innocent to 11 charges including murder, torture and using child soldiers for arming and supporting rebels notorious for hacking off the limbs of their enemies.

Prosecutors say from his seat of power in the Liberian capital, Monrovia, Taylor backed Sierra Leone's Revolutionary Front in return for "blood diamonds" illegally mined using slave labour.

Earlier this month, Taylor and Griffiths boycotted closing arguments after the three-judge panel refused to accept their closing brief, which was filed three weeks after the deadline.

Griffiths has appealed the rejection of his 547-page summary. Sebutinde had argued that judges should have accepted the defence document.

## SAPA

Friday, 25 February 2011

### **Judge boycotts Taylor hearing**

Leidschendam - A disciplinary hearing for the chief defence lawyer for former Liberian president Charles Taylor was adjourned after just seven minutes on Friday because one of the judges refused to attend.

The hearing by the Special Court for Sierra Leone was to weigh possible punishment for British lawyer Courtenay Griffiths after he stormed out of Taylor's war crimes trial two weeks ago in protest over the court's rejection of his written summary, which was filed late.

Griffiths appeared on Friday, but Ugandan judge Julia Sebutinde did not.

Presiding Judge Teresa Doherty said Sebutinde decided not to attend because she disagreed with the court's move to discipline Griffiths.

Doherty adjourned the hearing indefinitely, saying all three judges needed to be present



CharlesTaylorTrial.org

Friday, 25 February 2011

## **Trial Chamber Not Properly Constituted, Disciplinary Hearings for Charles Taylor's Lawyer Cannot Take Place**

Alpha Sesay

The disciplinary hearing for Charles Taylor's lead defense counsel Courtenay Griffiths, which was scheduled to take place today, was adjourned as the Trial Chamber could not be properly constituted.

Griffiths was to be subject to a disciplinary hearing for walking out of the court on Tuesday, February 8, 2011 after he had made complaints about the rejection of the defense final trial brief by the judges. The judges said Griffiths had filed the final brief 20 days late. Griffiths responded he was awaiting decisions in several outstanding motions before the judges.

After his walk-out, the judges asked for an apology from Griffiths, but the defense lawyer instead requested a disciplinary hearing, which was granted by the judges. The disciplinary hearing had been set for today, February 25.

However, when court was convened this morning, Ugandan judge, Julia Sebutinde, who had originally dissented to the order requesting an apology from Griffiths, refused to take part in the proceedings. Only the Presiding Judge Justice Teresa Doherty, Justice Richard Lussick, and the Alternate Judge Justice El-Hadj Malick Sow were present in court.

In giving the reason as to why Justice Sebutinde was absent in court, Justice Doherty read a notice that had been sent by Justice Sebutinde to her colleagues indicating that she did not intend to sit on the disciplinary hearing.

"This is to notify you that in view of the recent developments in the Trial Chamber, and consistent with my earlier views and opinion on those matters both in chamber and on the bench, wherein I dissented from the directive to lead counsel, I will not in principle attend Friday's hearing," the statement from Justice Sebutinde read.

When asked whether the defense has any comments on the constitution of the court in Justice Sebutinde's absence, defense counsel Terry Munyard requested that the alternate judge, Justice Sow, be invited "to participate so the bench is constituted of three regularly constituted judges."

The disagreement among the judges became very public, first with Justice Sebutinde's notice of absence and then with Justice Sow's remarks after the defense lawyers had suggested that he be allowed to participate in the proceedings.

"Let me make this clear...two judges cannot sign decisions. When the bench is sitting, it's sitting with three judges, not two judges... I'm not here for decoration. I am a judge. This bench is regularly composed as everybody can see. I don't know how people can think that two judges - I don't know where in this world you will see two judges sitting. It's not possible. This bench is regularly composed with three judges. This is my comment. No matter how parties will look at it, it shows and it's apparent that this bench is composed with three judges. We are three judges sitting," Justice Sow said.

His comments made clear that the other judges had prevented him from participating in the proceedings as a replacement for Justice Sebutinde.

Justice Doherty made clear that while the Chamber was not properly constituted, the situation still did not warrant the inclusion of Justice Sow as alternate judge in the proceedings.

"The Articles governing the composition of this Court and the Trial Chamber mandate that it is to be composed of three judges...Accordingly, in our view, this Trial Chamber is not properly constituted and we consider we have no option but to adjourn this hearing today. The matter is adjourned to a date to be fixed."

Times (London)

Friday, 25 February 2011

## **Prosecutor reveals how Britain let Gaddafi off**

Author: Soraya Kishtwari

Britain put pressure on an international court not to indict Colonel Gaddafi for war crimes despite evidence that implicated him in the maiming of more than one million people in Sierra Leone, the Chief Prosecutor on the case has claimed.

The United Nations Security Council, which counts Britain among its permanent members, had evidence linking Colonel Gaddafi to war crimes in Sierra Leone as early as 2003.

Prosecutors named Colonel Gaddafi in the indictment of Charles Taylor, the former President of Liberia who is currently on trial for alleged war crimes. However, due to resistance from UN member states, including Britain, the decision was made not to indict the Libyan leader.

Professor David Crane, of Syracuse University, who was the Chief Prosecutor at the Special Court of Sierra Leone between 2002-05, said: "It was my political sense, dealing with senior leadership in the United Kingdom, United States, Canada, United Nations, and the Netherlands, that this would not be welcome," he said. "This [Colonel Gaddafi's involvement] is not speculation on my part. We named and shamed him in the actual indictment."

Indicting Gaddafi would have been the "death knell" for the courts as the countries objecting would have pulled funding, Professor Crane added. Asked why he believed there was opposition from the international community to act on the evidence he had uncovered, he said: "Welcome to the world of oil."

Professor Crane said Colonel Gaddafi was instrumental in planning the conflict in Sierra Leone, which went on for ten years from 1991 and resulted in the deaths of 50,000 civilians and left hundreds of thousands displaced.

His view is corroborated by his colleague at the time. Sir Desmond de Silva, QC, one of Britain's leading barristers and an authority on human rights, confirmed that Colonel Gaddafi's primary role in the war had been that of trainer and financier.

Jack Straw, who was Foreign Secretary between 2001 and 2006, expressed surprise at the suggestion that the British Government had sought to influence the investigations. He said he had "absolutely no recollection of knowing any involvement by the UK in putting pressure of any kind on anyone".

In a statement, the Foreign Office said: "The UK is committed to ensuring there is no impunity for those alleged to have committed the most serious crimes of international concern."

## The Miscellany News

Wednesday, 23 February 2011

### **Stephen J. Rapp emphasizes importance of justice**

#### **U.S. Ambassador-at-Large for War Crimes Issues to lecture**

Courtesy of [democracyinaction.org](http://democracyinaction.org)

U.S. Ambassador-at-Large for War Crimes Issues Stephen J. Rapp will deliver the annual C. Mildred Thompson Lecture on Tuesday, March 1.

U.S. Ambassador-at-Large for War Crimes Issues Stephen J. Rapp will speak about his experiences on bringing war criminals to justice on Tuesday, March 1 at 5:30 p.m. in Sanders Classroom room 212.



In 2009, Rapp was appointed by President Obama to his current position, Ambassador-at-Large for War Crimes Issues. The position was established during the second term of the Clinton administration. The Office for War Crimes Issues was originally focused on coordinating the international criminal tribunals emerging in the '90s, such as the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda. As Ambassador-at-Large, Rapp advises the United States Secretary of State on responses to atrocities committed in areas of conflict and elsewhere throughout the world. He travels as the President's envoy, meeting with heads of state and international organizations to build international support for these policies. In an interview published in TIME Magazine on Sep. 14, 2009, Rapp discussed some of the issues he wanted to face, and the role he now plays. In describing his role, he stated, "Like the canary in the coal mine, we give the signal that something very serious is occurring." He went on to state, "The office, together with the Secretary for Global Affairs and the Secretary of State, has the responsibility to collect information on ongoing atrocities, and it is then the responsibility of the President to determine what steps might be taken towards justice." He also made a point to make a distinction between human rights law, which addresses human rights in everyday contexts, and international humanitarian law, which concerns itself with the laws of war and is the focus of Rapp's work. "My job deals with atrocities, genocide and war crimes ... I'll be working not just with new developments and existing courts but also unhealed wounds created by past atrocities," said Rapp.

Ambassador Rapp brought about several important war crime convictions prior to his appointment. When he served as senior trial attorney and chief of prosecutions at the International Criminal Tribunal for Rwanda, Rapp headed the trial team that convicted the nation's Radio Télévision Libre des Mille Collines radio station and Kangura newspaper for incitement to commit genocide, which was the first ever of such convictions for leaders of the mass media. In 2007 he began serving as prosecutor of the Special Court for Sierra Leone, leading the prosecutions of former Liberian President Charles Taylor and other persons alleged to bear the greatest



responsibility for the atrocities committed during the civil war in Sierra Leone. He helped to secure the first ever convictions for the recruitment of child soldiers, and the first convictions for sexual slavery and forced marriages as crimes against humanity. Rapp's biggest issue in Sierra Leone was the building of a domestic system of justice. "The concern all of us had was that we were conducting justice in a comfortable courtroom with long trials and well-paid attorneys... A mile away in the local prison there were simply no resources. Cases can't go forward, witnesses are lost and people stay in detention for many years at a stretch. [If I was] to do it over, I would try to develop a court within the national system," said Rapp in the interview.

Rapp argued in the interview that although some may believe that trials can get in the way of restoring peace to a war-torn area, justice in fact helps to bring peace about: "I think we've learned that contrary to fears, holding people accountable for atrocities does not make the problem worse—it makes it better ... Justice is a necessary ingredient to the establishment of peace. There's always an argument that justifies doing nothing, but you can't defer it forever." Rapp now has two years of experience in his current position, and may have new experiences to share.

Rapp's presentation is the History Department's annual C. Mildred Thompson Lecture, which is open to the public, The C. Mildred Thompson Lecture honors a Vassar alumna from the class of 1903 who went on to be a professor of history and a dean at Vassar.