

**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

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Thursday, 28 March 2013

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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UN Salone Office Gets A Year More

The Security Council on Tuesday extended the United Nations Mission in Sierra Leone until 31 March 2014, by when it should be fully drawn down and its responsibilities transferred to the UN country team.

In a unanimously adopted resolution, the Council requested Secretary-General Ban Ki-moon to keep the 15-member body regularly informed of the developments on the ground in the country and to submit a report, no later than 15 September 2013, providing an update on the planned completion of the mandate of the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL).

In a recent report to the Council, Mr Ki-moon wrote that the next 12 months were “critical” for the mission to consolidate the gains it had accomplished so far by refocusing its mandate on the three main remaining areas. These are: good offices and the facilitation of political dialogue towards a constitutional review process and towards strengthening conflict prevention and resolution processes; security sector support; and strengthening of human rights institutions.

“This period is also critical to transition the mission’s residual tasks seamlessly to the United Nations country team and to ensure that the latter has adequate resources,” he added.

Mr Ki-moon noted that Sierra Leone had made significant progress since the end of its civil war in 2002, with the support of the UN.

“Over the 15 years of its operations in Sierra Leone, the United Nations supported the Government, civil society organizations and national institutions and organizations in the implementation of peace agreements, the holding of three free, fair and credible elections, national recovery, transition to a more comprehensive peacebuilding agenda, promoting good governance and human rights, and building the capacity of national institutions,” he said.

However, “despite the real signs of progress in the country, there are serious residual challenges, including strengthening the capacity of security sector agencies, combating transnational organized crime and drug trafficking and the proposed constitutional review process”, he noted.

“Support in addressing these challenges will require a reconfiguration of the mandate of the United Nations Integrated Peacebuilding Office for Sierra Leone,” he stated, adding that it would be important to ensure that there were adequate resources, including logistical capabilities, to enable the UN country team to carry out additional activities and programmes during the transition of UNIPSIL and after its liquidation.

The New Dawn
Thursday, 28 March 2013

Taylor's Lawyer Appeals to Ellen

Winston W. Parle

Former President Charles G. Taylor's lawyer in Liberia, Counselor J. Sayma Syrenius Cephus, has written President Ellen Johnson-Sirleaf, requesting her intervention to speedily address his client's demands for retirement benefits, following apparent unfruitful out-of-court settlement with the Justice Ministry here.

Cllr. Cephus' letter addressed to the Liberian Chief Executive reads: "This letter is an SOS call - the last gasp for hope that is being made on behalf of your fellow citizens and friends- two of the most venerated public officials of our great country."

Cllr. Cephus had earlier sought redress from the Supreme Court of Liberia to compel the Sirleaf Administration to pay Ex-President Taylor and former Interim Vice President John D. Gray retirement benefits.



At a conference in the Chamber Justice with Associate Justice Phillip A. Z. Banks, Cephus said state lawyers acknowledged the legitimacy of Taylor and Gray's retirement benefits, but pleaded that the matter be withdrawn for amicable resolution at the Justice Ministry.

But Cllr. Cephus has complained to President Sirleaf that there is no affirmative action coming from the Justice and Finance Ministries, despite series of communications.

"As it appears now, it would seem that there is some queer or perhaps a deliberate attempt by certain officials either to sport with the rights of my clients by downplaying these legitimate constitutional entitlements or create the false and misleading impressions that their actions are sanctioned by Your Excellency's Office, something which is difficult for me to believe or accept," said the tough-spoken defense lawyer, who earlier worked for Taylor's media empire, the defunct Liberia Communications Network.

According to him, the Deputy Finance Minister for Debt Management and Expenditure Angella Cassell-Bush, claimed that former President Taylor is a "civil servant", therefore, he should channel his plight through the Civil Service Agency (CSA), something he termed as laughable and shameful on the part of the minister.

In a letter dated February 20, 2013 and authorized by Deputy Minister Bush, she however reminded Cllr. Cephus of the Justice Ministry's letter dated January 29, 2013, "rightfully" referring him to the Civil Service Agency, which is the arm of government responsible to handle all matters pertaining to retirement.

But Minister Bush said the CSA was unable to assist the lawyer on grounds that former President Taylor's wife Victoria B. Addison Taylor, had sought judicial remedy.

In another letter dated March 14, 2013 under the signature of Deputy Justice Minister Benedict F. Sannoh, the Justice Ministry acknowledged receipt of Cllr. Cephus' letter and had embarked upon consultations with relevant agencies of government regarding the matter, except that the ministry could not relay government's decision to the counselor by March 15, 2013, as he demanded.

Meanwhile, Cllr. Cephus said the months of January and February have come and gone, and "we are at the doorsteps of the month of April, 2013" but still there is no affirmative action taken by the government lawyers.

Ex-President Taylor resigned and departed Liberia in 2003, when international pressure and various rebel factions' combat compelled him to surrender and subsequently flee to Nigeria amidst an indictment for war crimes by the UN-backed Special Court for Sierra Leone in The Hague where he has been convicted and imprisoned for aiding and abetting RUF rebels in Sierra Leone during his presidency in Liberia.

UN News

Tuesday, 26 March 2013

Ahead of drawdown, Security Council extends UN office in Sierra Leone for one year



Secretary-General Ban Ki-moon (right) meeting with amputees during a visit to Sierra Leone in June 2010. Photo: UNIPSIL

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However, despite the real signs of progress in the country, there are serious residual challenges, including strengthening the capacity of security sector agencies, combating transnational organized crime and drug trafficking and the proposed constitutional review process.

“Support in addressing these challenges will require a reconfiguration of the mandate of the United Nations Integrated Peacebuilding Office for Sierra Leone,” he stated, adding that it will be important to ensure that there are adequate resources, including logistical capabilities, to enable the UN country team to carry out additional activities and programmes during the transition of UNIPSIL and after its liquidation.

ICC sets 23 September for confirming charges of Bosco Ntaganda

The International Criminal Court (ICC) set 23 September as the start date for the confirmation of charges hearing for Congolese rebel leader Bosco Ntaganda, who made his first appearance before the tribunal today.

Mr. Ntaganda faces several counts of war crimes and crimes against humanity – including rape, murder and the recruitment of children – allegedly committed in Ituri province of the Democratic Republic of the Congo (DRC) between 2002 and 2003.



Bosco Ntaganda during his initial appearance before the International Criminal Court in March 2013. Photo: ICC-CPI

A confirmation of charges hearing is held to determine whether there is sufficient evidence to establish substantial grounds to believe that the person committed each of the crimes charged, according to a news release issued by the Court, which is based in The Hague.

If the charges are confirmed, the Court's pre-trial chamber commits the case for trial before a trial chamber, which will conduct the subsequent phase of the proceedings, namely the trial.

Mr. Ntaganda surrendered himself voluntarily to the ICC's custody on 22 March, after turning himself in to the United States Embassy in Rwanda on 18 March.

The ICC is an independent, permanent court that investigates and prosecutes persons accused of the most serious crimes of international concern, namely genocide, crimes against humanity and war crimes if national authorities with jurisdiction are unwilling or unable to do so genuinely.

DRC is one of seven situations currently under investigation by the ICC. The others are northern Uganda, the Darfur region of Sudan, the Central African Republic (CAR), Kenya, and Côte d'Ivoire.

Global Research

Tuesday, 26 March 2013

Imperial “Justice”: Newly-Elected Kenyan President Forced to Stand Trial at the ICC

Kenyatta requests charges be dropped in The Hague

By Abayomi Azikiwe

Known on the continent as the “African Criminal Court” due to its exclusive indictments, prosecution and persecution of regional leaders, the International Criminal Court (ICC) has refused to drop charges against President Uhuru Kenyatta. Kenyatta was elected by over 50 percent of the people in his country during internationally-supervised polls in early March.

Despite threats from the United States and Britain toward the Kenyan people, the electorate defied the two leading world imperialist countries by placing Kenyatta in office. Kenyatta, 51, is the son of Kenya’s first president and nationalist leader, Jomo Kenyatta, who was a staunch ally of Washington and London during the 1960s and 1970s.

Nonetheless, in the modern period, the imperialist states are bent on total control of political developments in Africa. The U.S. State Department’s top African envoy, Johnnie Carson, has warned the Kenyan electorate that if Kenyatta won the race against former Prime Minister Raila Odinga, that there would be a price to pay.

A similar tone was set by Britain when the Foreign Office said that if Kenyatta won London would maintain relations at a distance. Although both Britain and the U.S. will not subject their political leaders to international scrutiny, they have consistently utilized the ICC and other special courts in the Netherlands to hound African leaders and the former President of Yugoslavia Slobodan Milosevic who refuse to accept dominance by the West.

The pledge to go ahead with a trial by ICC chief prosecutor Fatou Bensouda came as a surprise to many since Kenyatta’s co-defendant Francis Muthaura had all charges dropped against him resulting from the failure of the principal witness to provide testimony. The two had been accused of financing criminal gangs to attack political opponents in the aftermath of disputed elections during 2007-2008.

Kenyatta and Muthaura both have denied the charges. Kenyatta says that he is willing to defend himself before the ICC.

Bensouda told the press that the situation involving the charges against Kenyatta related to witnesses having been intimidated. She said that “Kenya is the most challenging situation we have ever had to deal with.” (AFP, March 21)

Kenyatta’s lawyer, Steven Kay, stressed that the charges against his client should be dropped since the main witness is refusing to testify. Kay says that based on these developments the case should go back to pre-trial phase to determine whether there is even enough evidence to continue.

“To a certain extent we have lost faith in the decision-making as we warned the pre-trial chamber of the quality of the evidence and we were ignored,” Kay said. Later on March 24, the charges against Kenyatta were revised in an effort to provide a legal rationale for continuing with the prosecution of the president.

ICC Continues Tradition

Other leaders under attack by the ICC include Republic of Sudan President Omar Hassan al-Bashir who has refused to acknowledge or recognize the charges filed under the previous prosecutor. President Bashir says that the charges are designed to destabilize his government and country which is not even a party to the Rome Statute which served as the basis for the creation of the ICC.

Also ousted President Laurent Gbagbo of Ivory Coast is currently facing charges before the ICC as well. Gbagbo was overthrown by France in 2011 because he refused to allow the imperialist states and their allies to determine who should be allowed to hold office in the West African country.

Gbagbo has rejected the charges against him and says that he has always been committed to a democratic process of governance. Ivory Coast, a former French colony, is the largest producer of cocoa in the world.

At present his political party is refusing to participate in the elections scheduled to be held in Ivory Coast where Alassane Ouattara, who was backed by the West, assumed power after French military action led to the overthrow and capture of Gbagbo and his forced exile to the Netherlands.

A Special Tribunal on Sierra Leone prosecuted former Republic of Liberia President Charles Taylor and convicted him in 2012 for involvement in a war in a neighboring country. The special tribunal on Sierra Leone attempted to make a case that blamed Taylor for the proliferation of illegal diamond trading internationally, something that has been in existence for centuries and controlled by various imperialist states.

When the U.S. and NATO waged its war to overthrow Col. Muammar Gaddafi and the Jamahiriya in 2011, the ICC indicted Gaddafi and his son Seif al-Islam. Gaddafi was brutally assassinated at the aegis of the White House on October 20, 2011 and Seif was later captured by western-backed militias who still hold him inside Libya.

Although the ICC says that Seif cannot get a fair trial under the existing regime now running Libya, the same body has not filed charges against the General National Congress which is violating the rights of thousands of Libyans and foreign nationals being held illegally inside the country. A delegation sent to Libya in 2012 to investigate the status of Seif al-Islam was held for several weeks by the same militia forces that have illegally detained Gaddafi's son.

Nonetheless, no charges were filed in relationship to this situation and many others now plaguing post-Gaddafi Libya. Earlier in March, a relative of Gaddafi was kidnapped in Egypt and threatened with deportation to Libya without any response from the state department.

The stage was set for the convening of such tribunals and courts in the Netherlands with the coup against former Yugoslavian President Milosevic in 2000. After the overthrow of the leader of the socialist government, which had been largely dismembered by wars supported by the U.S. and other imperialist states, he was kidnapped and held in detention in the Netherlands until his death in 2006.

Most of the cases against leaders in The Hague have been done in a way which advances the interests of imperialism. Yet these same western states are never held accountable for the horrendous war crimes carried out in Afghanistan, Panama, Grenada, Iraq, Iran, Yemen, Libya, Somalia, Zimbabwe and Colombia where millions have died over the last three decades.

Abayomi Azikiwe is Editor of the Pan-African News Wire

The New Times (Rwanda)

Monday, 25 March 2013

Rwanda: Why Erlinder Lawsuit Was Thrown Out By U.S. Supreme Court

A CABINET meeting chaired by Prime Minister Pierre Damien Habumuremyi, on Thursday, heard that the USA Supreme Court rejected, as baseless, controversial American attorney Prof. Peter Erlinder's lawsuit alleging that President Paul Kagame was responsible for the downing of former president Juvenal Habyarimana's plane.

The USA court's judgment came on Tuesday, the same day, coincidentally, that lawyers for seven senior Rwandan officials indicted by former French terror judge Jean-Louis Bruguière called for the indictments to be quashed following new developments in the case.

Justice Minister and Attorney General, Tharcisse Karugarama, on Friday told Sunday Times that while taking into account Erlinder's case, it was important to bear in mind the fact that in the past, the Tanzania-based International Criminal Tribunal for Rwanda (ICTR) struck him off the list of the tribunal's counsels because of "his antics."

On April 21, 2011, the Appeals Chamber of the International Criminal Tribunal for Rwanda (ICTR) banned Erlinder from appearing before the tribunal as a lead counsel of Genocide suspect, Maj. Aloys Ntabakuze, over misconduct and disregarding the tribunal's orders.

Despite several summons to appear, at the time, he remained elusive and considering, among other things, that his conduct amounted to a failure to act diligently and in good faith and did not demonstrate the highest standards of professional conduct, the court moved to ban him.

"They [ICTR] struck him off because they saw there was something fundamentally wrong with him. This guy is a Genocide denier. When he came to Rwanda, he was arrested and charged for those charges," Karugarama said.

On May 28, 2010, Erlinder - then a defense counsel for a genocide suspect, Victoire Ingabire, was arrested in Kigali but was later granted bail on medical and humanitarian grounds. His client, leader of the unregistered party FDU-Inkingi political party, was last October sentenced by the High Court to eight years in jail after finding her guilty of terrorism charges, endangering state security and denying the 1994 Genocide against the Tutsi.

Prosecutors later appealed challenging the 'lenient' sentence handed to Ingabire as they had previously called for a sentence of 35 years.

According to Karugarama, while in Kigali in 2010, Erlinder appealed and duly obtained bail on compassionate and humanitarian grounds since "he said it was not his fault. He said he was insane."

"At the time, the high court initially refused, because when you allege that you are mad, you must prove it. They asked him to prove that he was mentally compromised. So, through the US embassy, they sent for his medical history from the US, showing that he had been attending a psychiatric hospital."

"He was able to prove to the court that he had mental impairment. On those grounds, medical and compassionate or humanitarian, he was granted bail," said Karugarama.

However, surprisingly, when back in the USA, Erlinder filed a case against President Kagame in the state court of Ohio, alleging that the President shot down Habyarimana's plane, and that he wanted compensation for Habyarimana's wife along with the wife of former Burundi President Cyprien Ntaryamira.

"We don't know if that was part of the briefing he got from those women, or if it is part of his mental impairment. We don't know what is pushing him," Karugarama said.

Erlinder's initial lawsuit was thrown out by the state court of Ohio. So were subsequent appeals and several other different lawsuits in other American cities.

War of courts:

Even though the minister could not make out what is really driving Erlinder and Rwanda's other detractors, he said that, in actual fact, such kinds of litigations or "what we call the war of courts or lawfare," is a method used by these guys to keep Rwanda permanently on the defensive, to keep its leadership constantly in courts of law so that they don't have time to plan national development," Karugarama explained.

"It was started by judge Bruguière in France. And all genocide deniers, or genocide fugitives, have been building on this theory. Now the rug has been pulled from under their feet. The decision in the French court of appeal decisively renders their argument hollow."

On Tuesday, Léon Lef Forster and Bernard Maingain - lawyers for Rwandan officials indicted by Bruguière - maintained that a recent decision by the Paris Court of Appeal, which threw out a petition by Habyarimana's widow, Agathe Kanziga, challenging the results by ballistic experts commissioned by Bruguière's successors [Judges Marc Trévidic and Nathalie Poux] showed the void in the cases.

Among others, in 2009, journalist Christophe Boltanski, charged that Bruguière built his case under the shadow of the French secret service, DST, with which he had a cozy relationship spanning over decades.

The 2008 Mucyo report by an independent Commission established the role of France in the 1994 Rwandan Genocide. The Mutsinzi report, a follow up Committee of Experts Investigation of the April 6, 1994 Crash of President Habyarimana's Dassault Falcon-50 Aircraft, also laid bare a number of facts in regard to the shooting down of the plane.

UK defense experts support these findings and, in addition, very recently, the French Court of Appeal dismissed an appeal filed against Trevidic's ruling on grounds that the ballistic experts conducted an authentic investigation.

Last year, a team of French experts appointed by French Judges Marc Trévidic and Nathalie Poux, released fresh investigations into the 1994 downing of the plane and confirmed that the missile was fired from Kanombe military barracks, where elements of the former presidential guard, the para-commando battalion, and most importantly, the Anti-Aircraft Battalion (LAA), were based.

In May 2011, Prosecutor General, Martin Ngoga, told a news conference that Erlinder will someday have his day in court to answer charges related to Genocide denial and revisionism, when the appropriate time comes. Ngoga emphasized that nothing will deter Prosecution from pursuing Erlinder who had earlier been released on bail - in Kigali - and remains on bail as Prosecutors continue investigations to strengthen their case against him.

Karugarama said: "When the prosecution is ready, they will demand for his extradition to come and continue with the trial. But you see when a guy comes and says he is sick and is mentally impaired, and all that, people tend to go slow because - he will be wasting everybody's time."

"He admitted those things on camera. This is not secret. There is audio and visual and we retained a copy of the file," the minister concluded, reiterating that legal options will be examined at an appropriate time.