

**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:**

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

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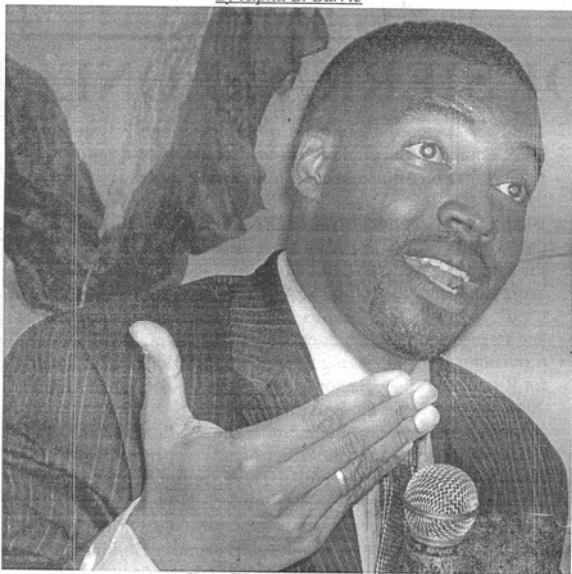
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## Charlse Taylor Received Free and Fair Trial

**A** Sierra Leonean Lawyer who worked in the Charles Taylor defense team, Chernor Jalloh, has said, while delivering a public lecture at the Fatima Campus at the University of Makeni recently, that the former President of Liberia received a free and fair trial in the Sierra Leone Special Court.

By Alpha B. Barrie



Charles Chernor Jalloh delivering his lectures.

He said that since his arrest, Charles Taylor had always challenged the fairness of the judicial process and that Mr. Taylor had described the whole process as political.

The Legal Luminary said International Criminal trials of such nature generate both law as well as politics. He explained that with respect to the law, because Mr. Taylor had already challenged the jurisdiction of the Special Court to prosecute him, the matter of his status as a sitting head of state was no longer an issue when the trial started. He pointed out that the argument that the entirety of the trial was purely political was made by Mr. Taylor all the way to the appeal's chamber where the judges disagreed with Mr. Taylor's attorneys.

"With respect to politics, International Criminal trials tend to have politics interwoven in their fabric but the presence of politics does not become a point of contestation of the substantive outcome of the trial so long as the judgement that is given by the tribunal is fair and in-line with requirements of the status of each of those tribunals which guarantees certain fair trial rights to the defendant both under International Treaty Law as well as Customary International Law," he stated.

He said that the former President was convicted both in the aiding and abetting grounds as well as the planning grounds. He further added that anybody who aids another whether before, during or after a crime has been committed will be found guilty of aiding and abetting.

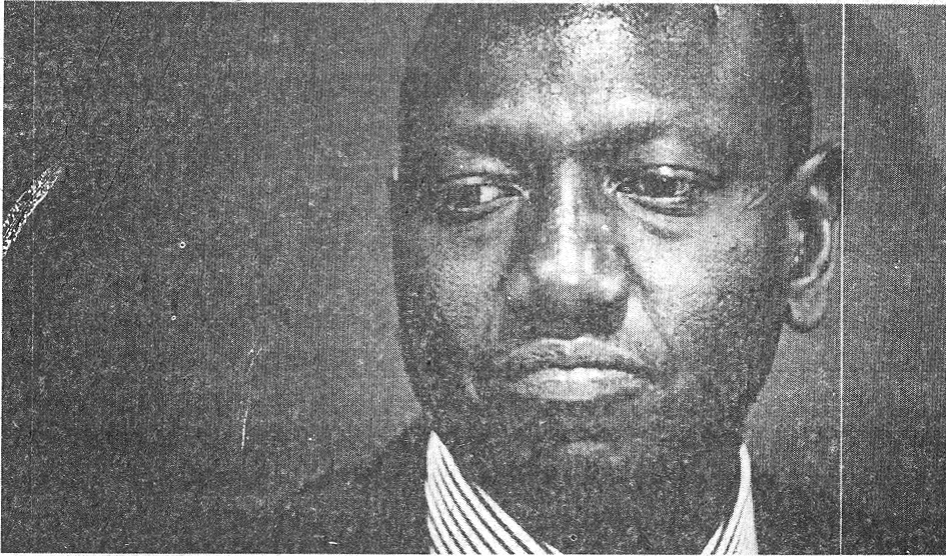
He stated that the Liberian President had knowledge that the RUF was engaged in brutal conflict using the arms he had supplied them, adding that there was sufficient evidence, including radio conversations in which Taylor was advising the Rebels, adding that Mr. Taylor was deceiving his colleague ECOWAS heads of states by playing a mediating role during the day and doing the contrary at night.

He stressed that the outcome of the trial will serve as a deterrent to other leaders, saying that the sentencing will inhibit people in the country who nurture similar motives of igniting violence.

He also said that the former Liberian president had claimed that he had no responsibility for what happened in Sierra Leone, arguing that his prosecution was purely politically driven by the United States and other Western Countries opposed to his policies. He pointed out that only when states fail to take action against crimes committed in their countries will the international criminal court come in.

The Vice Chancellor of UNIMAK, Joseph A. Turay, said that since the end of the War, the diocese of Makeni has been pondering the causes of the war and how to address the problems. He said that all Sierra Leoneans should work toward avoiding another war in the country, stressing that those who can't remember history will always repeat the mistakes of the past.

## **Kenya's William Ruto loses ICC trial attendance ruling**



***The BBC's Anna Holligan says there had been jokes in court that people could see Mr Ruto's "airline ticket in his pocket"***

The International Criminal Court has told Kenya's Deputy President William Ruto he must attend most of his trial on charges of crimes against humanity.

Prosecutors had appealed against an earlier decision which would have let him spend most of his time in Kenya. While he must appear at most of his trial, the court ruled he can be excused on a "case by case" basis. Mr Ruto's lawyers argued he was needed in Kenya after the attack by Islamist militants on the Westgate centre. He denies responsibility for post-election violence in 2007 and 2008. An estimated 1,200 people were killed in the ethnic bloodshed and about 600,000 fled their homes. His lawyers argued that justice could be met in his absence. At least 67 people were killed when militants believed to be from the Somali al-Shabab group stormed the shopping centre last month.

### **Tensions**

In their ruling on Friday, judges were critical of the initial decision to give the deputy president a "blanket excusal" before the trial had even commenced.

## The New Dawn (Liberia)

Monday, 28 October 2013

### Yeaten For 2014?

Franklin Doloquee

General Benjamin Yeaten with the code-name '50', disappeared in oblivion from the battlefield since 2003 after his Commander-In-Chief, ex-President Charles Taylor resigned the presidency and went into exile amidst a combined attack from LURD rebels and MODEL forces, which eventually ended Taylor's 13 years terror in Liberia and the subregion.



He was Director of the elite presidential force, Special Security Service (SSS) now Executive Protective Service and Taylor's most trusted and feared general, who executed any and all orders effectively.

But since Taylor left power and went to exile before landing at the Special Court of Sierra Leone, Yeaten has lived in obscurity with

rumors that he might be in Togo, which has not been independently confirmed.

The Liberian Government had declared Yeaten a wanted person and subsequently issued an indictment, ordering his arrest whenever he comes to Liberia.

Notwithstanding, report reaching The New Dawn from Nimba County says a group of youths are gearing up to petition Benjamin Yeaten to contest in the 2014 Special Senatorial Election.

Several young people of Nimba have announced a petitioning ceremony for the man they described as a 'son and liberator.'

According to them, their decision is based on the bravery and leadership ability of the ex-general, whom they noted dedicated his entire life not only to protecting Nimba, but the entire country.

The head for the Friends of General 50, Anthony Mianor, told The New Dawn Nimba Correspondent that they are prepared to petition Yeaten for the Senate, stressing that when elected, he will represent the interest of the Nimba people. Several young people told this paper that the youths of Nimba have always played a very crucial role in the election of legislative candidates from the county.

Already, this paper is receiving reports that over 12 persons, including ex-Superintendent Madam Edith Gongole-Weh, Teko Yorlay and former Education Minister, Dr. Joseph Kortoe, have expressed interest in contesting for the senate.

The NewDawn Nimba County Correspondent says the youths noted that incumbent Senior Senator Prince Y. Johnson and other prominent sons of the county have been spreading campaign messages in Nimba, calling on the electorate to vote them to the senate because they liberated the county, which may have been one of the key reasons behind the young people's decision to petition Yeaten.

However, this paper has also gathered that the plan to petition Yeaten has been greeted with mixed reactions with some Nimbaians said to be condemning such pronouncement.

According to them, Gen. Benjamin Yeaten was responsible for the deaths of most family members in the country, notably among them the late Samuel Dokie and his wife.

“You see, the so-called youths of Nimba County are not ready for life; even the born and the un-born are in search of General 50”, a resident of Ganta said.

The Wall Street Journal  
Monday, 28 October 2013

## Q&A: On Future of Khmer Rouge Tribunal

Michael Karnavas, an American defense lawyer, has spent more than a third of his 30-year career in international criminal justice, representing defendants in war crimes tribunals at The Hague and in Cambodia.



*Defense counsel Michael Karnavas during the trial hearing of Case 002 in Cambodia on Jul. 18, 2012.*

In the Khmer Rouge tribunal's flagship case, Case 002, Mr. Karnavas represented Ieng Sary, once the regime's foreign minister, who died this March at the age of 87. Ieng Sary's death left the tribunal with just two defendants in Case 002—Nuon Chea, 87, the Khmer Rouge's former chief ideologue and deputy to leader Pol Pot; and 82-year-old Khieu Samphan, the regime's former head of state.

Messrs. Nuon Chea and Khieu Samphan have been charged with committing crimes against humanity, genocide and war crimes—allegations they deny. To make the proceedings more manageable, the tribunal decided to split their trial into several “mini trials,” the first of which has entered closing arguments and involves charges related mainly to the mass evictions that took place after the Khmer Rouge took power in 1975.

The tribunal hopes to start a second mini-trial—which would include genocide charges—against the two men once closing arguments for the first trial end this month.

Under Cases 003 and 004, prosecutors have investigated five more suspects for alleged crimes against humanity and war crimes (one, a former air force chief, died in June). But the tribunal hasn't decided whether to indict them. Mr. Karnavas is representing a suspect in Case 003, who has neither been named by the tribunal nor charged with any wrongdoing. (\*The court has not identified the other suspects.)

Mr. Karnavas got his start in international criminal law at the International Criminal Tribunal for the former Yugoslavia—a United Nations-backed court set up to prosecute war crimes committed during the Yugoslav Wars in the 1990s.

He previously represented Col. Vidoje Blagojević, a former Bosnian Serb army commander who was found guilty of crimes against humanity related to the 1995 Srebrenica massacre, a conviction for which he was sentenced to 15 years in prison. He also continues to represent a defendant there, Jadranko Prlić, a former Croatian politician, who is appealing war-crimes convictions that have drawn a 25-year jail sentence.

Mr. Karnavas discussed his views on the Khmer Rouge tribunal with The Wall Street Journal over email. The following are edited excerpts:

**WSJ: Trial monitors and victims groups have accused the Cambodian government of interfering with the tribunal’s proceedings through public comments – by Prime Minister Hun Sen and other officials – that indicate their resistance toward further prosecutions. Do you agree with these criticisms?**

**Mr. Karnavas:** I never saw or felt any real government interference in [the Khmer Rouge tribunal’s first two cases]. The government or some members of it may not have fully cooperated with the [tribunal], but I saw no attempts by the government—directly or indirectly—to influence the outcomes.

In retrospect, one can see how these two cases could have been more efficiently investigated and tried. There have been lots of errors and missed opportunities, but this is all part of the process. Certain procedures were unnecessarily adopted and have caused delays. For instance, many of the evidential documentary issues could have been dealt with prior to trial. Overall, however, the trial went as expected and more or less as trials of this nature generally go.

As for Cases 003 and 004 [involving five unnamed suspects who haven’t been charged, one of whom has died], the government has been overly intrusive by making public statements that display a lack of understanding or tolerance for the independence of the tribunal. Considering that the national prosecutors and judges are either members of, affiliated with, or beholden to the government and the ruling Cambodian People’s Party, shadow influence is to be suspected.

That said, all international tribunals are subject to political influence and politics—this is widely accepted. It would be unwise to conclude that the government is or should be solely responsible for the slow progress or even the death of Cases 003 and 004.

*Note: The Cambodian government has denied accusations that it has interfered with the tribunal’s proceedings. “The Royal Government has never interfered in any judicial process including the [Khmer Rouge tribunal] and we will never do so,” government spokesman Ek Tha said in an e-mail response to queries from the Journal. “Cambodia’s government respects the rule of law and due process. We have no intention to take shortcuts [to justice].”*

*David Scheffer, a U.N. adviser to the tribunal, told the Journal that, “any delays since October 2012 have had to do with getting the required international staff hired and at work, a process that always takes time, and are not because of any action or inaction on the part of the government.” He also said that, “there have been no public statements by senior government officials on investigations in Cases 003 and 004 for more than a year, and the confidential work required for professional investigations is proceeding.”*

**WSJ: Funding shortfalls have been a recurrent problem for the tribunal’s domestic division. Do you think fiscal problems could cripple the court, or are they manageable?**

**Mr. Karnavas:** Funding is always a problem for all the international tribunals—international criminal justice is expensive.

Considering what is involved in setting up a tribunal—drafting up the charging documents, investigating the cases, going through the pre-trial challenges and then trying the cases—I would say that the [Khmer Rouge tribunal] is relatively efficient.



**WSJ: When can we expect to see Cases 003 and 004 go to trial, if the tribunal decides to prosecute the suspects?**

**Mr. Karnavas:** No one can actually say whether Cases 003 and 004 will actually go to trial; there are too many variables. All I can say is that the defense lawyers involved in Cases 003 and 004 have not been as welcomed by the tribunal as the lawyers in Case 001 and 002 were.

Mr. Ang Udom [a Cambodian defense counsel] and I have been struggling for over a year to be assigned to represent our client in Case 003. We have yet to have full access to the case file. In this system [modeled on the French legal system], it is at this point of the proceedings that the defense is most active and instrumental. There is no equality of arms [a legal principle that defense and the prosecution must have procedural equality in a trial] when you consider that the prosecution and civil parties have access to the case file while the defense does not.

*Note: The tribunal ruled in July against a request from defense lawyers to access case files related to an unnamed suspect under investigation by the court. In its decision, the tribunal said it believed that the suspect, who hasn't been charged, has sufficient protection of his rights, given that he is "currently represented by counsel, is sufficiently informed of the allegations against him, and is aware of his right to remain silent."*

**WSJ: Why did you go into international criminal law as a defense counsel?**

**Mr. Karnavas:** I always had an interest in international affairs, which is what I majored in as an undergraduate. After law school, I gravitated to criminal defense, initially to get trial experience, and there it seemed as if I had found my calling. When international tribunals started forming, it was only natural that I should get involved.

The cases are really challenging and often historic. I truly believe in the vital role good defense lawyers play in ensuring integrity and fairness. Most accused are presumed guilty and, in the court of public opinion, they have already been convicted. I am not naïve enough to assume that the judges have not also formed negative opinions before even hearing any evidence. This being reality, I see my function as indispensable.