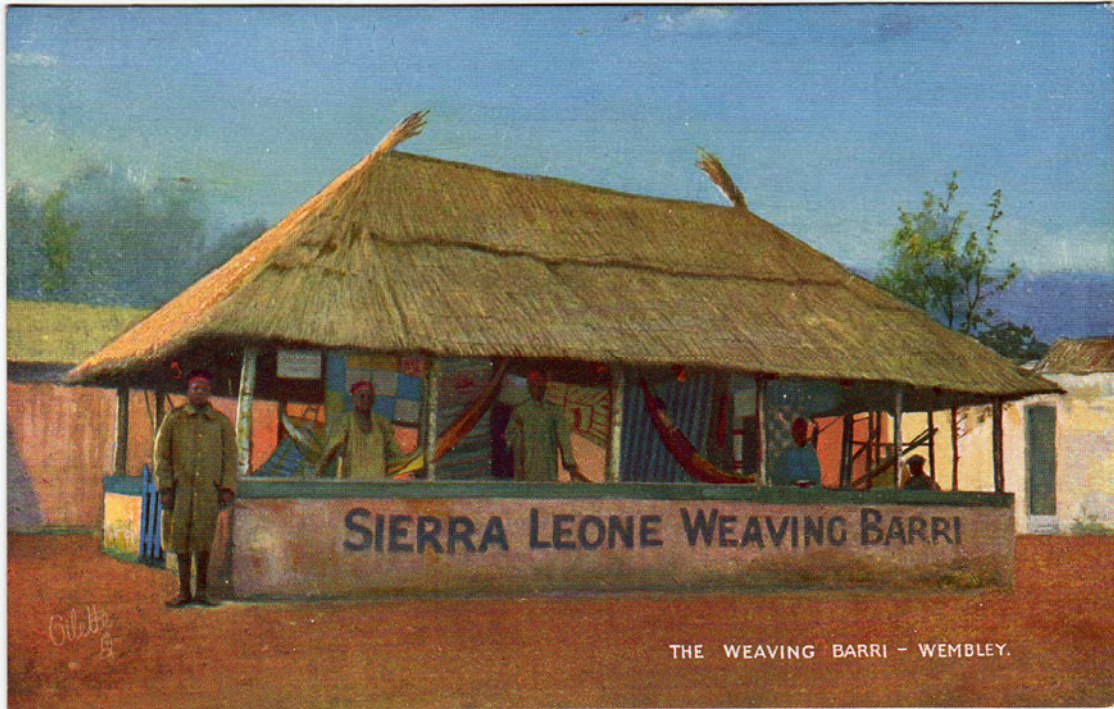


**SPECIAL COURT FOR SIERRA LEONE
OUTREACH AND PUBLIC AFFAIRS OFFICE**



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:

Thursday, 29 July 2010

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

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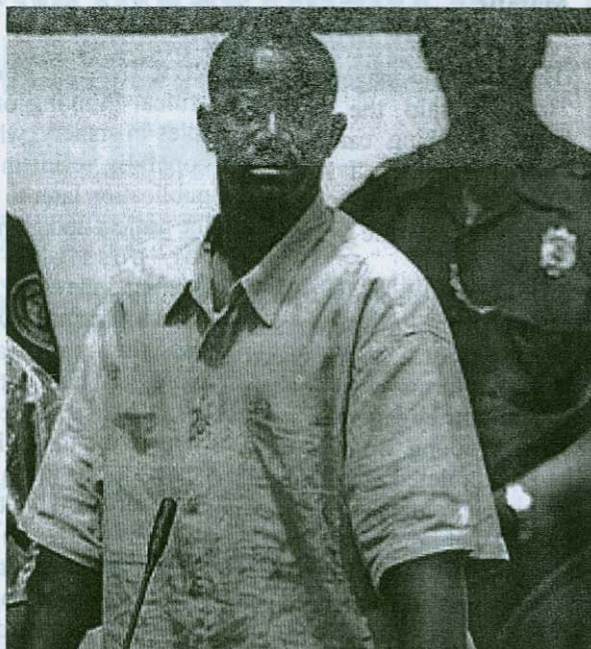
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Former SRSG Says ECOWAS Supported Issa Sesay

Charles Taylor's lawyers yesterday cited a high ranking United Nations official who said that West African leaders supported the replacement of Sierra Leone's top rebel leader in the name of securing peace in the war-torn nation.

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Representative of the UN Secretary General (SRSG) to Sierra Leone, Ambassador Oluyemi Adeneji, read in the Special Court for Sierra Leone today, the Economic Community of West African States (ECOWAS) leaders were fully supportive of Issa Sesay currently on the witness stand for Mr. Taylor taking over the leadership of Sierra Leone's Revolutionary United Front (RUF) when peace negotiations were getting tough.

"ECOWAS was unequivocal in support of Sesay and were prepared to work with Sesay alone," the statement quoted Ambassador Adeneji as saying.

While Ambassador Adeneji noted the support Mr. Sesay received from ECOWAS leaders, he was clear in his statement that he could not remember the circumstances surrounding Mr. Sesay's appointment as leader of the RUF.

"I cannot remember the details of Sesay's appointment as leader of the RUF but I do know that ECOWAS accepted Sesay as leader of the RUF," the Ambassador said.

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The Ambassador added in his statement that "it was agreed that [Foday] Sankoh was no longer a reliable point person for peace and that ECOWAS should identify a reliable commander in the RUF."

"Sankoh remained uncommitted to the peace process...Sankoh made quick promises to the resolution of the crisis but did not keep them," the Ambassador said, citing the abduction of UN peacekeepers by the RUF in May 2000 as an example.

Prosecutors have insisted and witnesses have testified that Mr. Sesay's appointment as interim leader of the RUF was made by Mr. Taylor because the former Liberian President allegedly had control over the Sierra Leonean rebels. Mr. Taylor has denied these assertions, telling the court that the said appointment was made by a group of ECOWAS leaders including former Nigerian President Olusegun Obasanjo, former Togolese President Gnassingbe Eyadema, former Malian President Alpha Oumar Konare and Gambian President Yahya Jammeh. Mr. Sesay in his testimony has corroborated Mr. Taylor's account. The statement read in court today was one which Ambassador Adeneji provided to Mr. Sesay's own lawyers when he was on trial in Freetown for his own role in RUF atrocities during the conflict.

Mr. Taylor's defense lawyer also read a statement that was made to Mr. Sesay's lawyers in Freetown by the former Force Commander of UN peacekeepers in Sierra Leone, General Daniel Opande, who said that ECOWAS leaders were looking for a reliable person in the RUF that they would deal with because Mr. Sankoh was not reliable.

"Sankoh was no longer seen as a reliable leader for peace and they [ECOWAS] began to look among the RUF for another leader," General Opande said.

That search eventually led to the appointment of Mr. Sesay.

Mr. Sesay's testimony continues.

www.charlestaylortrial.org

Adeniji Supported Issa Sesay's RUF Leadership**LOCAL NEWS**

The defence of former Liberia president Charles Taylor yesterday cited a high ranking United Nations official who said that West African leaders supported the replacement of RUF rebel leader, Foday Sankoh in the name of securing peace in Sierra Leone.

Reading from a 2008 statement, Taylor's team sought to further distance the accused from prosecution claims that he controlled Sierra Leonean rebels during their brutal rampage throughout the country's 11-year civil war.

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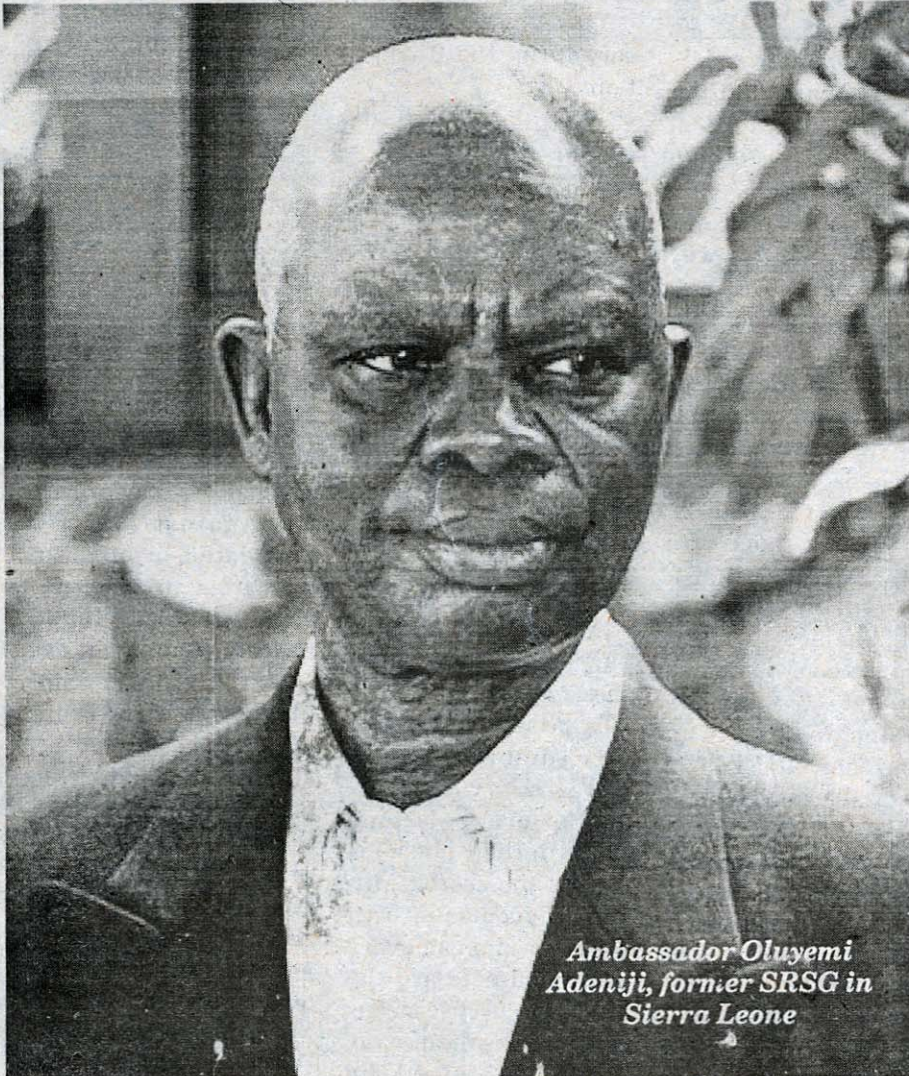
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"Sankoh was no longer seen as a reliable leader for peace and they [ECOWAS] began to look among the RUF for another leader," General Opande said.

That search eventually led to the appointment of Issa Sesay.

The former RUF interim leader's testimony continues today.

Sierra Express Media

Thursday, 29 July 2010

Taylor War Crimes Trial Will Take Star Turn With Model's Testimony

The ongoing Charles Taylor West African war crimes trial in The Hague will take a star turn next week when supermodel Naomi Campbell testifies.

Officials at the Special Court for Sierra Leone say Campbell is due to appear August 5, after she asked for a postponement from a scheduled appearance this week.

Earlier this month, the British supermodel was subpoenaed to testify about claims Charles Taylor gave her a large rough-cut diamond, allegedly linked to Sierra Leone's conflict, at a dinner party in South Africa in 1997.

Earlier this year, Campbell had told American television host Oprah Winfrey she did not want to be involved in the Taylor case. She said she did not want to put her family in danger.

But after the court's subpoena, she said she would testify.

Lawyers for the former Liberian president have called the move a publicity stunt, and say the testimony will be a distraction.

Former chief prosecutor of the Special Court for Sierra Leone David Crane, who indicted Mr. Taylor in 2003, disagrees.

"I think what the prosecutors there are doing, they are just showing everybody the fact that Charles Taylor was very much involved, moving about using diamonds as cash and guns for influence," he said.

Mr. Taylor, who has been on trial since 2008, has denied charges he backed rebels in Sierra Leone in exchange for diamonds. He says he is being blamed for situations he did not control.

American actress Mia Farrow wrote a statement to the court saying Campbell had told her she had been given a large diamond from Charles Taylor after the 1997 dinner in South Africa, which they all attended.

Crane says the incident is revealing. "The fact that Charles Taylor was showing off and using the diamonds that he received from Sierra Leone, giving them allegedly to other people, famous people like Naomi Campbell, just shows the kind of a mindset," Crane says, "an evil-thinking mind of Charles Taylor, and what he was doing with the diamonds from Sierra Leone."

Yale University political anthropologist Mike McGovern, a West Africa expert, says besides the Campbell involvement there has been little awareness in the United States of the Taylor trial.



In a ruling judges of the Special Court for Sierra Leone ordered a subpoena served on British model Naomi Campbell

"Honestly, West Africa tends not to make the news unless there is some kind of horrible event taking place or famine or a visit by some American official," McGovern states.

But Mr. Taylor and his family have a long history with the United States. The former Liberian president was a student in the Boston area in the 1970s. After fleeing Liberia in the 1980s, he was put in jail in Plymouth, Massachusetts, on a warrant for extradition to face embezzlement charges. He allegedly escaped, but during his current trial he said he had received help from a prison guard and U.S. agents, claims that have not been independently confirmed.

His son, who was born in Boston, Emmanuel Chuckie Taylor, is serving a 97-year sentence in Florida, after being convicted of torturing or ordering the torture of dozens of his family's

political opponents in Liberia.

His conviction marked the first time a U.S. law allowing prosecution for overseas torture was used. McGovern says the Charles Taylor trial is also very significant, and deserves attention beyond the Naomi Campbell appearance. "Heads of state who abuse their citizens may now find themselves in the dock later on, in the way that Taylor did," McGovern said. "It is really a precedent setting trial. Presidents from any country in the world might one day find themselves in the same situation."

The Special Court for Sierra Leone was created jointly by the government of Sierra Leone and the United Nations.

It is also the first international criminal tribunal to be funded entirely from voluntary contributions. The trial is taking place in the Hague because of security concerns.

CharlesTaylorTrial.org (The Hague)

Wednesday, 28 July 2010

West Africa: Former SRSG to Sierra Leone Said Ecowas Leaders Supported Issa Sesay's Leadership of the RUF

Ambassador Oluyemi Adeneji

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ISRA

Thursday, 29 July 2010

http://www.isria.com/pages/29_July_2010_22.php

Botswana Stands By International Criminal Court

Botswana has no intention of disregarding its obligations to the International Criminal Court (ICC), says Vice President Lt Gen. Mompoti Merafhe.

Addressing African heads of state at the AU summit yesterday, Lt Gen. Merafhe said "Botswana cannot associate herself with any decision which calls upon her to disregard her obligations to the International Criminal Court." African leaders are divided on the issue of the warrant of arrest issued by the ICC against Sudanese President, Omar Hassan Al Bashir, who is accused of committing atrocities in the Darfur region. Countries that have signed the Lome Convention are obliged to arrest the Sudanese leader when he visits their country and to hand him over to the ICC. Botswana has long stated that she will arrest President Al Bashir should he set foot in the country. Lt Gen. Merafhe said while Botswana respected the call by other African states for parties to balance their obligations, "Botswana intends to comply with its obligations and to cooperate with the ICC."

He noted that there are no contradictions between the legal instruments of the African Union and the Rome Statute that established the ICC. "In our view the obligations to the two bodies are not at all in conflict." He said when Botswana ratified the Rome Statute, she was well aware of her commitment to the African Union. The obligations to the two bodies, he said, were not at all in conflict. "The heads of state and government have made a commitment to fight impunity, and to protect our constituents against various crimes including crimes against humanity," he said. Lt Gen. Merafhe said his explanation of Botswana's position was not directed at any particular case, but was addressing the issues of principle.

The sudden change of heart by some African states on arresting Mr Al Bashir was perhaps best exemplified by Chad which recently, despite having said it would arrest the Sudanese leader, allowed him to officially visit the country without arresting him. Since the AU summit began this week, it has been clear that Mr Al Bashir's arrest warrant was going to be a hot potato. Sources close to the high level meetings say there was even a suggestion that those countries which would be seen to be placing more commitment to the ICC than to the AU agreement on the issue be punished - a proposal vehemently opposed by those countries who believe that the ICC route is the way to go in order to place the continent on a path of credible leadership.

After overnight discussions, sources say, a softer tone was adopted which was then passed to the heads of states for approval. The compromise position calls on AU member states to "balance" their commitment to the AU against any other commitment they may be having to other international conventions. With 30 members, Africa makes up the majority of the ICC members. AU commission chairman, Mr Jean Ping told reporters that some African countries had begun questioning the way the court was implementing the Rome Statute, the ICC law.

Sudan Tribune

Thursday, 29 July 2010

African Union moves aggressively to shield Bashir from prosecution

The heads of states who attended the African Union (AU) summit in Kampala this week decided to take a more radical approach towards the International Criminal Court (ICC) indictment of Sudanese president Omer Hassan Al-Bashir and adopted a final resolution that stresses non-cooperation with the Hague tribunal and also condemned the conduct of its prosecutor.



Over the weekend, delegates from the AU countries reportedly fought a fierce battle that led to removing language that reiterates previous positions on granting immunity to Bashir in Africa and criticizing the ICC prosecutor Luis Moreno-Ocampo.

Bashir was indicted by the International Criminal Court (ICC) for war crimes in Darfur last year. This month the court added genocide to the charges, accusing him of orchestrating murders, rapes, and torture in the troubled western region.

The Sudanese leader himself has skipped this summit in retaliation to Museveni's absence from his inauguration,

according to Sudanese government sources who spoke to Reuters.

Some ICC states including South Africa along with Botswana and Uganda fought for the watered down resolution on ICC, while non-ICC countries such as Libya, Eritrea and Egypt wanted to maintain the hard-line approach.

However, the resolution on the ICC was changed on Tuesday to a more harsher version to the surprise of many observers who followed the summit closely and it remained unclear what happened behind the scenes at the final hours of the summit.

The text said that the summit "reiterates its decision that AU member states shall not cooperate with the ICC in the arrest and surrender of President al-Bashir of the Sudan.

Furthermore, it urged member states to balance their obligations to the ICC and those to the AU.

Last year, South Africa and Botswana publicly dismissed the non-cooperation decision last year at the summit held in Libya and warned that they will arrest Bashir should he sets foot on their territories.

The summit also expressed "concern over the conduct" of the ICC prosecutor and accused him "making egregiously unacceptable, rude and condescending statements on the case of President Omar Hassan al-Bashir of the Sudan and other situations in Africa."

The ambiguous reference to "other situations in Africa" in the AU criticism of Ocampo would likely surprise observers given that out of the five cases handled by the ICC, three were referred by the African states themselves to the court for investigation.

The Kenya investigation which commenced this year was initiated by the ICC prosecutor after the government in Nairobi at its highest levels gave the court a green light to do so yet declining to refer it for political reasons.

In 2003, Ivory coast, a non-ICC member, announced their acceptance to the jurisdiction of the court to investigate crimes committed in the country since the events of 19 September 2002 caused by troops mutiny. No investigation has been opened so far.

The summit also decided "to reject for now the request by ICC to open a liaison office to the AU in Addis Ababa". Earlier this month, Judge Sang-Hyun Song, President of the ICC met with the AU Commission Chairperson Jean Ping who reiterated the body's commitment to end impunity.

But last week, Ping expressed disapproval to the idea of opening the office in Addis Ababa.

"The ICC has no office outside of its headquarters. The issue is why are they only interested in opening an office in Africa, why not in Europe or Asia," Ping told journalists.

On Saturday the AU Commission Chairperson who is a long-time fierce critic of the court, slammed the ICC and said that its prosecutor "does not care" if his actions jeopardize peace in Sudan and reiterated assertions that the Hague tribunal is "bullying" Africa.

NO TRIAL FOR BASHIR OUTSIDE AFRICA

On Tuesday, the AU Chairman, Malawi's President Bingu wa Mutharika speaking to reporters questioned the legality of ICC jurisdiction over the Darfur case.

The UN Security Council (UNSC) issued resolution 1593 under chapter VII in March 2005 referring the situation in Darfur to the ICC. At the time Tanzania and Benin voted in support of the resolution while Algeria abstained.

"Let us look at the position of the ICC," said Mutharika. Do they really have a right to tell us what to do on this continent? It's a question. Do they have a right to try Sudan, who's not a member of ICC? I don't know."

Mutharika stressed that Bashir will not be tried outside the continent under any circumstances.

"As chairman, I would not sweep the issue of El Bashir under the table," Mutharika stated, but underscored that Bashir could not and would not be tried outside the African soil.

"We are not condoning impunity and we are not condoning any crimes that may have been committed by anybody, whether he's a head of state or not, against humanity. But these things need to be proved. So we are asking the United Nations General Assembly to postpone the execution of that arrest warrant for 12 months, during which we will look at the issue and see if the evidence they have corroborates with ours" he said.

Mutharika did not say whether a new commission was to be formed to investigate the charges against Bashir and determine if they merit trial.

The AU final resolution also slammed the "blatant abuse of the principle universal jurisdiction" and called for "immediate termination of all pending indictments". It called on the international community to respect "the immunity of state officials when applying the principle of Universal Jurisdiction".

AFRICAN TRIAL OF BASHIR?

The Panafrican News Agency (PANA) reported that AU leaders deliberated behind closed doors on whether Bashir could stand trial before an African court but said that the proposal was defeated.

A source told PANA that the African leaders advised the Arusha-based African Court of Justice to explore its ability to undertake a war crimes trial or crimes against humanity in Africa.

Some leaders warned their compatriots, who would be indicted in future for rights abuses, including war crimes and genocide, that they would face justice.

"They explored the process of instituting an African trial of President Bashir, but again, we have no mechanism to do that. They had wanted to go the [former Chadian president] Hissene Habre way, but it has taken 10 years to try him (Habre) . This line of discussion was discouraged because it does not deliver justice," the source said.

The AU resolution made no mention of the panel, headed by former south African president Thabo Mbeki, it formed last year to examine among other things the ways of achieving justice in Darfur.

The commission called for a hybrid court with participation of foreign judges to try war crimes suspects and changes to Sudanese laws. It took no position on the ICC warrant except to say that the Hague-based tribunal cannot try all the suspects, effectively supporting its work.

However, since the endorsement of Mbeki's findings by the AU, no progress has been made on the justice track and it is not clear when implementing the hybrid court proposal would commence. Khartoum gave a cool reception to the proposed court with some officials suggesting it is an infringement on the country's sovereignty.

The former Egyptian foreign minister Ahmed Maher who was one of the panel members said in an interview last year that the goal of the commission was to find a way out for the Sudanese president from the ICC charges. There was no official reaction from Mbeki though he has reportedly sent a strong worded letter to the Egyptian foreign ministry objecting to the statements made by Maher.

Darfur rebels at the time said that the statement by Maher reflects the true intention of the panel.

A leading Nigerian activist criticized the AU resolution on Bashir.

"Africans want redress for victims, not protection for alleged abusers," said Oby Nwankwo of Nigeria's Civil Resource Development and Documentation Centre.

"We expect more from our leaders than calls not to cooperate with the arrest of al-Bashir, who is wanted on charges of heinous atrocities in Darfur."

Last May, Amnesty international accused the AU of being complicit in human rights abuses on the continent and must be held accountable for the culture of impunity.

The AU should lead by example, but in certain situations it has become part of the problem," the rights group said in a report titled "Amnesty International Report 2010: The State of the World's Human Rights".

The New York Times

Wednesday, 28 July 2010

Cambodia's Troubled Tribunal

By PETER MAGUIRE

Cambodia's war crimes court, the Extraordinary Chambers in the Courts of Cambodia, or ECCC, deserves credit for convicting Kaing Guek Eav, better known as "Duch," for war crimes and sentencing him to 35 years in prison. But Duch was the legal equivalent of a "tomato can" in boxing — an unskilled opponent used to pad a win-loss record. His conviction was an easy knockout.

Now that that legal mismatch is over, the long delayed main event — the trial of the aging Khmer Rouge political leaders — Ieng Sary, Khieu Samphan, Nuon Chea and Ieng Thirith — can begin.

Unlike Duch, a functionary who admitted he was "responsible for the crimes committed" and expressed "deep regret and heartfelt sorrow," the regime's top leaders will mount aggressive defenses and maintain their innocence until the end.

None of the four defendants were hands-on killers like Duch — they simply issued orders from on high. Thus their cases will require the tribunal to take a much broader view of their legal mandate. Unlike Duch, these defendants were careful to distance themselves from the atrocities.

Their cases will rely heavily on the court's reading of the conspiracy charge because while the accused were architects of Khmer Rouge policy and issued the orders, they did not carry them out.

Their cases were further complicated in December when charges of genocide were added to the indictments. Many scholars have argued that adding genocide, a narrowly defined legal concept, will only increase the burden on the prosecution. Why, they ask, should this war crimes court be turned into a venue for an unresolved debate over academic definitions?

As if the legal difficulties facing the court were not enough, Hun Sen, Cambodia's all-powerful ruler, soured on the ECCC when it tried to open additional investigations and indict more suspects last September. The prime minister said such a move could rekindle civil war.

Ever since Hun Sen forced his way to power after the country's U.N.-sponsored elections in 1993, he has outfoxed generations of U.N. bureaucrats and Western diplomats. He is quick to remind the U.N.'s legal specialists that he calls the shots. "If the court wants to charge more former senior Khmer Rouge cadres, [it] must show the reasons to Prime Minister Hun Sen," he said. "Hun Sen only protects the peace of the nation."

He has stated openly that he hopes the ECCC fails and that his government can try the Khmer Rouge leaders on its own. As long as the ECCC was willing to play by Hun Sen's rules, the court was tolerated. Once it began to act with greater autonomy, the court started to break down along national/international lines. The Cambodian prosecutor, Chea Leang, refused to investigate new cases, and Judge You Bunleng "unsigned" his letter authorizing new investigations. When the court's international co-investigating judge, Marcel Lemonde of France, tried to summon six high-ranking Cambodian government officials to give testimony, they all refused. The Cambodian government took the position that no one was compelled to testify before the ECCC.

Earlier this month, foreign defense lawyers for Nuon Chea accused the Cambodian government of implementing a "concerted policy" to undermine new investigations and called for a U.N. inquiry. They

asserted that “recent developments have confirmed longstanding suspicions that certain members of the Royal Government of Cambodia are interfering with the administration of justice at the ECCC.”

The U.N. secretary general, Ban Ki-moon, has appointed a special expert to examine the allegations of political interference, but, given its past record, the organization is unlikely to press its case.

Although the court has clearly lost the support of the Cambodian government, the trials are scheduled to drag on until 2015. Despite allegations of corruption, massive budget overruns and a conspicuously slow pace, the court’s donors, including the United States, continue to fund it. Originally expected to cost \$20 million a year and to take three years, the court has already spent at least \$70 million and convicted only one suspect.

The biggest problem facing the ECCC is living up to it’s own hype. Claims that such trials lead to healing, closure, truth and reconciliation are speculative at best. How does one measure “healing, closure and reconciliation”?

While most Cambodians would like to see the Khmer Rouge leaders punished, they’ve grown used to seeing common thieves and their government’s political opponents suffer far worse punishment than that meted out to Duch. Bou Meng, a survivor of the Tuol Sleng prison, described Duch’s sentence to reporters as “a slap in the face.”

The U.N. legal experts and their cheerleaders in the human rights industry have lost sight of a basic fact: No matter how procedurally perfect the ECCC is, if it outlives the people it was supposed to try, it cannot be judged a success.

Peter Maguire is the author of “Facing Death in Cambodia” and “Law and War: International Law and American History.” He has taught the law and theory of war at Bard College and Columbia University.