

**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.
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Society

BY MICHAEL FLESHMAN

The world took a giant step towards eliminating impunity for human rights abuses on 9 November when the International Criminal Court (ICC) opened its first official hearing, in a case against a Congolese militia leader. Unlike temporary and specially created tribunals like the International Criminal Tribunal for Rwanda, the ICC is the world's first permanent international criminal court, with the authority to try and convict individuals for serious human rights violations wherever they occur. Africa is expected to feature prominently on the new court's docket, with investigations also under way into alleged abuses by members of the rebel Lord's Resistance Army in Uganda and combatants in the Darfur region of west-central Sudan.

Africa's own efforts to hold senior government officials and rebel leaders accountable for torture, murder, rape and other serious crimes against humanity also marked new milestones in 2006. In March, Nigerian authorities arrested former Liberian President Charles Taylor and transferred him to the authority of a special court in Sierra Leone. He has been charged with offences stemming from war crimes committed there by rebels said to have been equipped, supported and controlled by him during the country's civil war. The charges range from terrorism, rape and murder to mutilation and the use of child soldiers. It was the first time a former African head of state have been arrested and charged with human rights abuses committed while in office.

Four months later, Senegal announced plans to try former Chadian President Hissene Habre for the torture and murder of suspected political opponents during his eight years in power. Mr. Habre was overthrown in 1990 and fled into exile in Senegal, where until now he has successfully evaded prosecution. In November Senegalese President Abdoulaye Wade announced the formation of a commission to prepare for the trial, which will require changes in some domestic laws, as well as international technical assistance and financing.

'A powerful message'

These moves have been hailed as the beginning of a new era of accountability for abusive political leaders in Africa and an important blow against impunity for official misconduct around the world.

The UN Secretary-General, then Kofi Annan declared that "the capture and trial of Mr. Taylor will send a powerful message to the region and beyond that impunity will not be allowed to stand and that the rule of law must prevail." Mr. Reed Brody of the non-governmental group Human Rights Watch, who is also an attorney for some of Mr. Habre's alleged victims, welcomed

Africa ending impunity for rights abuses

Former Presidents of Liberia and Chad face trial

the Senegalese announcement as "important step in the right direction."

But political and legal obstacles to the prosecution of government leaders for serious human rights violations remain formidable. Governments are often loath to take up cases outside their borders, particularly when the accused are heads of state that traditionally enjoy immunity from prosecution for acts committed in office. In some instances, guarantees of immunity are demanded by combatants in exchange for laying down their arms. In others, differences between national and international legal systems and the absence of competent institutions can pose vexing questions of jurisdiction and procedure.

In Mr. Habre's case, the long effort to bring him to trial began within months of his overthrow and flight to Senegal in 1990, with the creation of the Association des victimes des crimes et de la repression politiques au Tchad (AVCRP), a group of nearly 800 victims of human rights abuses.

In 1992 a Chadian government commission of inquiry found that Mr. Habre was responsible for the death of 40,000 or more people and for the widespread use of torture.

In January 2006 the African Union (AU) established a committee of seven eminent African jurists to review the case of former Chadian President Hissene Habre

Although the commission recommended that Mr. Habre be charged and tried in a Chadian court, the government declined to take up the case amid fears of violence from Mr. Habre's supporters and concerns about meeting international standards for a fair trial.

In 2000 the AVCRP went to court in Senegal, accusing the former president of responsibility for crimes against humanity. Although the judge ruled in AVCRP's favour, the indictment was later dismissed by Senegal's highest appeals court. It ruled that Mr. Habre could not be charged in Senegal for crimes said to have been committed in another country. Three of Mr. Habre's alleged victims then went to court in Belgium, where it was possible to try him under legislation permitting Belgian courts to try individuals for heinous human rights offences wherever they are committed. It was not until September 2005, however, that Belgium issued an international arrest warrant for Mr. Habre and requested his extradition from Senegal.

Persuading Senegal that it has the legal obligations and moral responsibility to try Mr. Habre was difficult, acknowledged Mr. Richard

Dicker director of the international justice programme for Human Rights Watch. But the problem is not limited to Africa. "National courts around the world are reluctant to try former heads of state for crimes not committed on their territory," he told African Renewal. With the Senegalese announcement, however, "we finally have the prospect for an African domestic court to put on trial a former head to state accused of the most serious crimes that can be committed under international law. If that happens, it will be significant breakthrough. The implications are every exciting.

No sanctuary

Mr. Charles Taylor's case too was marked by difficult political choice between justice, stability, national sovereignty and international jurisdiction, and even potential venues for the trials itself.

Mr. Taylor was elected Liberia's president in 1997 after a bloody civil conflict.

Fighting resumed in 1999. In August 2003, with rebels closing in on the Liberian capital, Monrovia, Mr. Taylor accepted an offer of safe haven from Nigerian President Olusegun Obasanjo as part of a peace agreement. The arrangement allowed Mr. Taylor to evade pros-

disaffected, could destabilize fragile peace and reconstruction efforts in the war-ravaged region. There were also concerns that his handover could prolong other conflicts by persuading combatants they could not rely on promises of amnesty or asylum. Despite the Sierra Leone warrant, Ghanaian authorities had declined to arrest Mr. Taylor in Accra in 2003, since he was there to attend crucial peace talks.

In the face of heavy political pressure from Washington—the US Congress once offered a \$2 m reward for Mr. Taylor's arrest. Nigerian President Olusegun Obasanjo defended the sanctuary offer as a diplomatic necessity and refused to expel him in the absence of a formal request from a democratically elected Liberia government.

Even his transfer to Freetown into the custody of the Special Court for Sierra Leone proved only a temporary leg of Mr. Taylor's winding journey towards justice.

Within days of his arrival, the Special Court requested that the trial be moved to ICC facilities in The Hague to allay security concerns among the region's governments. Although Mr. Taylor is being tried by the Special Court, it took three

months to work through the diplomatic and legal details of the transfer, including a Security Council resolution authorizing the shift and an agreement by the UK to imprison Mr. Taylor if he is convicted.

Human Rights Watch's Mr. Dicker acknowledged that there can sometimes be a tension, "but not an opposition," between the need for criminal accountability and the political imperatives of peacemaking. "But it's a serious misstep to trade away justice in the hope of reaching a peace settlement.

For peace to be durable there must be justice for the most serious offences."

In January 2006 the African Union (AU) established a committee of seven eminent African jurists to review the case of former Chadian President Hissene Habre. In its report, the panel declared that "there is urgency in sending strong signals throughout Africa that impunity is no longer an option."

It found that:

"Political office offers no immunity from prosecution for human rights abuses.

"Trials must proceed in accord with international fair trial standards.



"African leaders should be tried in Africa courts whenever possible or on African territory by ad-hoc tribunals, including those convened by the AU Assembly. All African signatories to the UN Convention against Torture have jurisdiction in cases of serious human rights abuses. Countries that have not adopted the convention must do so.

"The AU judicial organ, the African Court, should be granted jurisdiction to hear criminal cases and provided a "rapid response mechanism" for timely action against impunity.

MULTIPLE JURISDICTIONS

A mix of national and international tribunals has emerged to overcome the political and jurisdictional obstacles hampering prosecution of human rights violators. They include:

National courts—Mandated under national law to try domestic and international human rights abusers in accordance with international treaty obligations and evolving legal doctrines of universal jurisdiction".

Hybrid courts—Created by agreement between the UN and a host country. These are composed of both national and international judges, attorneys and staff and permit national justice systems, with assistance from the international community, to try cases of serious abuses occurring within their borders. The Special Court for Sierra Leone is the first hybrid.

Ad-hoc international tribunals—Temporary courts established by the Security Council. Staffed by international jurists and other personnel, these are empaneled when national courts are unable or unwilling to try suspects charged with war crimes and other serious offences committed during specific conflicts. The International Criminal Tribunal for Rwanda is one.

International Criminal Court—Established by treaty, the ICC is the world's first permanent tribunal mandated to try individuals charged with gross human rights violations in countries recognizing ICC jurisdiction or caused by citizens of those states. The Security Council or the ICC prosecutor. As of 1 November 2006, 103 countries were party to the ICC to the ICC statute, including 28 in Africa.

Concord Times
Thursday, 3 July 2008

Human Right Commission promotes democracy, peace

justice, including the conditions of prisons and places of detention which are still to be addressed. She puts the gains of the past few years at risk.

The need for adequate protection of the rights of women and children cannot be overstated. Sierra Leone is engaged in human rights and democratic values as a signatory of a number of international and regional treaties. Along with current efforts led by the Ministry of Foreign Affairs in collaboration with other stakeholders to fulfill the reporting obligations, these efforts are commendable and should be sustained.

The Human Rights Commission is hopeful that the government of Sierra Leone will ratify the UN Convention on persons with disabilities without delay, which will guide the establishment of national mechanisms for the protection of the right of persons with disabilities.

After the presentation of the HRCSL's report, President Koroma said the government of Sierra Leone attaches great importance to the Human Rights Commission and assured the Commission that the government would do whatever it takes to guarantee their success.

President Koroma stated that HRCSL has been working hard and that he and his government is quite impressed with the Human Rights Commission's performance "We believe and we will do something that can sustain the success story

that the Commissioner has started," he said.

The President also appealed to the people of the country to maintain the good record that the country had earned for itself with the success of the recent parliamentary and presidential elections. "I would not encourage anybody of any political party, including our political party, to embark on violence," he said.

A concerned citizen, Mr. Alpha Sam, said the annual report shows that the commission is working in the interest of the country. "These are the kind of information people need to hear everyday," he said adding that the government needs to monitor the activities of institutions operating in the country. "We need human rights as we are practicing democracy. I believe that all human beings are equal," Mr. Sam said.

Maraima Seray Sesay, another Freetown resident, said she has not been beaten by her husband lately as it has been in days past. "He has changed and I hope it is because of the human rights we have in the country," Sesay said.

Many communities across Sierra Leone have, as a matter of tradition, not allowed females to take part in any form of leadership but today they are promoting and electing female candidates. "We are really happy to (have) the human right to teach our people. This commission needs to go to our people in the villages," she said.

United Nations  **Nations Unies**

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Complete Media Summaries
2 July 2008

[The media summaries and press clips do not necessarily represent the views of UNMIL.]

Newspaper Summary

World's largest Steel Company Reports Progress in Post-war Liberia

(The Informer, Public Agenda, The News, Heritage, The Analyst, The Inquirer)

- The world's largest steel company, Arcelor Mittal, has reported steady progress following the launch of more than a billion dollars mining venture in Liberia.
- The company announced that it has provided jobs for at least 1,700 Liberians and used up more than US\$160 million of its US\$1.5 billion investment in the country. The disclosure was in apparent response to President Ellen Johnson Sirleaf's plea for Arcelor Mittal to increase the employment of Liberians in significant positions as the company begins work on its investment in Liberia.
- It can be recalled that the Mittal Steel last year launched its investment in Liberia to coincide with the country's 160th Independence anniversary. Under the agreement, Mittal is expected to create at least 3,000 new full-time and generate up to 20,000 more temporary jobs.

Lower House Passes New Defense Law

(The News and The Informer)

- The House of Representatives has passed into law the Defense Act, placing the responsibilities of the army under the authority of the Chief of Staff. The media portrayed the development as a 'blow' to the Executive that sought for that role to be carried out by the Minister of Defense.
- The original draft Defense Act submitted by the Executive devolved the duties of the army to the Minister of Defense. But the House Security and Defense Committee described the action as a usurpation of the roles of the Chief of Staff who traditionally heads the army.
- When concurred by the Senate, the new Defense Act would replace the National Defense Act of 1956.

Urey Sues for US\$4.5M Libel following Blah's Testimonies in Taylor's Trial

(Daily Observer, New Democrat, The Inquirer, The News)

- Legal arguments in the US\$4.5 million libel suit filed by former Commissioner of the Bureau of Maritime Affairs (BMA), Benoni Urey, against ex-president Moses Z. Blah were on Tuesday entertained by the assigned Judge of the Civil Law Court at the Temple of Justice in Monrovia, Korboi K. Nuta.
- Urey had complained to the court that the former president gave false testimony against him (Urey) when he testified in the war crimes trial of detained former President Charles Taylor in The Hague.
- The Plaintiff is requesting US\$2.5 million in special damages and US\$2 million as general damages to his character.
- Urey alleged in his complaint that Blah claimed during his testimonies in The Hague, he Urey collected Maritime funds four years in advance and delivered it to Mr. Taylor on the eve of his (Taylor's) departure into exile in 2003.
- The Inquirer newspaper quotes Mr. Urey as claiming that the false information provided by the former President has caused him to suffer both physical and psychological damages

ranging from enormous and unbearable financial losses representing contracts, agreements, negotiations and investment with local and international firms.

- Taylor is being prosecuted for war crimes he supposedly committed in neighboring Sierra Leone.

Anti-Rape Campaign Pulls Record Crowd

(The Analyst The Informer)

- The 'Stop Rape' Concert jointly organized by the United Nations Mission in Liberia and the Government ended successfully in Monrovia, pulling thousands of Liberians from all walks of life. An estimated 20,000 Liberians thronged the country's main sports stadium to participate in a weekend concert.
- Vice President, Joseph N. Boakai, voiced concern over incidents of rape, which is currently the most frequently reported serious crime in the country. UNMIL's Deputy Special Representative of the Secretary-General for Rule of Law, Ms. Henrietta Mensa-Bonsu, called on all Liberians to play their part to prevent, stop and report rape. "Rape is a terrible crime. Real men don't rape," she stressed.
- Incidents of rape are increasingly high across the country with continuing public recommendation for the establishment of a fast track court to prosecute rape cases. UNMIL has been in the vanguard of a vigorous nation-wide campaign, informing the population on the danger of rape in Liberia. The mission's effort appears to be paying off. Saturday's turnout at the 'stop rape' concert speaks to the level of enthusiasm among the public regarding the act.

Radio Summary

Star Radio *(News culled today from website at 9:30 am)*

House Passes Defense Act

(Also reported on Truth F.M. and ELBC)

Budget Hearings Begin Today at Capitol

- The Joint Legislative Budget Working Group today began live broadcast of public hearings into the Draft 2008/2009 Fiscal Budget, which is over US\$276m.
- In an interview, the Chairman of the Legislative budget group on appropriations and expenditure, Senator Blamo Nelson said the ministers of Public Works, Agriculture, Education and Health would appear before the committee to rationalize their respective budgets.
- The Grand Kru Senator said the committee would further ascertain the spending of the outgoing fiscal year in the respective counties.
- Meanwhile, the opposition New Deal Movement said the draft national budget lacks a sustained national program for the revival of the health, agriculture, trade and security sectors among others.

(Also reported on Truth F.M. and ELBC)

Mittal Steel to Make First Shipment in July 2009

- The world's steel giant, Arcelor Mittal has announced the official timetable for the shipment of iron ore from Liberia.
- The Chief Executive Officer of Arcelor Mittal, Mr. Joseph Mathews said the company would begin the shipment of ore from the port of Buchanan in July 2009.
- According to Mr. Mathews, a Brazilian company, Geosol has conducted drilling operations at Mount Tokadeh to establish the quality of ore there.
- He said of the fourteen shipments tested, it was discovered that the ore at Mount Nimba has a grade of forty-eight percent far below LAMCO's sixty-eight percent but the ore would be treated and brought to the required grade before being shipped out of the country.

Former NIC Head Formally Charged

- Police have formally charged former National Investment Commission Chairman Roosevelt Quiah for forgery.

- The police said Lands Mines and Energy Minister, Eugene Shannon reported the forgery case in May this year.
- In a complaint, Dr. Shannon alleged Mr. Quiah falsified his signature, along with the stamp and seal of the Ministry to dupe the Capricorn Iron Ore Limited based in South Africa.
- Mr. Quiah was brought in from Ghana, detained, sent to court Monday but was released for lack of evidence.
- He was later re-arrested but was released on bail.

Local University Dismisses Two Professors

- The Cuttington University in Suakoko, Bong County has dismissed two professors from for allegedly compromising the academic ethics of the university.
- Correspondents said the university administration did not however disclose the names of the professors.
- The dismissal followed a statement by the University's President, Dr. Henrique Tokpa at the 47th graduation convocation on Sunday that some instructors were engage in academic malpractices.
- He said 16 students from the under-graduate school and 17 students of the masters program were denied graduation for violating the university's handbook.

BBC

Wednesday, 2 July 2008

ICC orders Congo warlord release

The International Criminal Court has ordered the release of the first-ever war crimes suspect to face trial before it, Congolese warlord Thomas Lubanga.

The judges said Mr Lubanga could not be guaranteed a fair trial as prosecutors had withheld evidence from the defence.

A prosecution appeal over his release will be heard next week.

Mr Lubanga, who has been in custody for two years, denies charges of recruiting child soldiers during the Democratic Republic of Congo's conflict.

Four million people are estimated to have died during the conflict in the DR Congo.

Mr Lubanga led the Union of Congolese Patriots (UPC) militia in the north-eastern Ituri district, where fighting continued long after a 2002 peace deal.

In a statement released early last year, the prosecution argued that children had been snatched as they walked to school and forced to fight for Mr Lubanga's ethnic Hema militia against their Lendu rivals.

But his lawyers said he was trying to end the conflict and is being punished by the international community for refusing to give mining concessions to foreign firms in areas he controlled.

The ICC, based in The Hague, was set up in 2002 as the world's first permanent war crimes court.

It was designed to end the need for various ad hoc war crimes courts - including the chambers created to deal with war crimes committed in the former Yugoslavia and the genocide in Rwanda.



Mr Lubanga has been in custody for two years