

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



PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Press and Public Affairs Office

as at:

Wednesday, 3 October 2007

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Premier News

Wednesday, 3 October 2007

Special Court Review

Cont. From last edition

On 30 October 2006, Antonio Cassese was appointed an Independent Expert on the Special Court by the United Nations Office Legal Affairs to conduct an assessment of the Court's operations

The Judges convened in Freetown for the 7th, 8th and 9th Plenary Meetings in May 2006, November 2006 and May 2007 respectively adopting many significant amendments to the Rules of Procedure and Evidence, many of them aimed at making the proceedings even more efficient. Notable amendments at the 7th Plenary include the amendment to Rule 98, which provides for the oral rendering of decisions on judgments of acquittal, and Rule 115, which specifies in greater detail the criteria of admissibility of additional evidence before the Appeals Chamber. Among others, the 8th Plenary saw the amendment of Rule 18(B), requiring the President of the Special



Rapp:prosecutor

Court to work and reside in Freetown on a full-time basis.

On 11 May 2007, Justice El Hadji Malick Sow of Senegal was sworn in as the first alternate Judge of the Special Court.

In July 2006, the Special Court had the great honour of welcoming the then Secretary-General of the United Nations, H.E. Kofi Annan, to the Court for a visit.

The Special Court also welcomed a new Prosecutor as Mr. Stephen Kapp replaced Mr. Desmond de Silva in December 2006. Following the departure of the Registrar, Mr. Lovemore Munlo, in March 2007, Mr. Herman von Hebel was appointed Acting Registrar.

Court officials conducted extensive diplomatic and fundraising initiatives abroad during the reporting period. Throughout 2006 and 2007, senior officials travelled to Washington D.C. to meet with representatives of the U.S. Department of State and Congress. The President also met with Canadian Government officials in March 2007 and Dutch Government representatives in September 2006 and April 2007. Several trips were also made by Court officials to raise the profile of the Court's legacy projects.

On 15 September 2006, the Registrar concluded an agreement with the Government of Senegal on the

temporary stay and medical treatment of suspects and accused before the Special Court on the territory of Senegal in February 2007, detainees Samuel Hinga Norman and Issa Hassan Sesay successfully underwent surgical procedures in Dakar.

Unfortunately, the accused Norman died suddenly on 22 February 2007. An autopsy report indicated that the accused Norman died of natural causes. An inquiry into the accused Norman's death was ordered by the President of the Special Court on 23 February 2007, and is ongoing. The accused Sesay has since recovered and has been returned to the Special Court's Detention Facility in Freetown.

The Deputy Registrar prepared a Completion Strategy for the Court, with the input of the Judges and various parties, which was submitted to the Management Committee in July 2006 for consideration.

An Updated Completion Strategy was completed and submitted to the Management Committee for review in December 2006. The appeals stage in all three cases being heard in Freetown is estimated to be completed by the end of 2008, and the conclusion of the appellate stage of the Taylor case is projected for the end of 2009.

Pursuant to a recommendation of the Independent Expert, the Registry submitted a Completion Budget to the Management Committee in April 2007. The Completion Budget is approximately \$89 million from January 2007 to December 2009 (\$36 million for 2007; \$33 million for 2008 and \$20 million for 2009). Staffing costs comprise approximately 69% of the Budget. The completion process begins in 2007 and the reduction of staff members will be a gradual process. A substantial number of staff reductions will be made in 2008 and 2009. As the Budget is an ongoing process, the Registry will take measures to reduce costs whenever possible.

Several legacy projects aimed at strengthening the rule of law, human rights and accountability in Sierra Leone



Moinina Fofanah

are actively underway. On 23 November 2006, the Judges of the Court adopted a Resolution noting the importance of the issue of legacy, in particular, the future use of the Court site and archiving. Several projects have been conceived which promote the work of the Court and its broader objectives in the region as well as projects which yield concrete benefits to the national



Allieu Kondewa
judicial system.

During the period under review the Outreach Section continued to play a crucial role in promoting understanding of the Court's activities throughout Sierra Leone.

The Outreach Coordinator also shared the experiences of the Special Court with other interested tribunals in Cambodia, Belgrade and The Hague. Senior level officials travelled to Monrovia to meet with officials of the Liberian Government and civil society as well as conduct a number of outreach activities.

The Court gratefully acknowledges funding from the European Commission, which has strengthened the efforts of the Outreach Unit as well as the Legacy Programme of the Court.

The Special Court is also grateful for the continued assistance of the ICTY, ICTR and the ICC. The Court would also like to thank the Sierra Leone Police (SLP), the United Nations Mission in Liberia (UNMIL) and the Mongolian contingent of UNMIL (MONBAT) for their continued support in providing a secure environment in which to conduct its operations.

New Vision
Wednesday, 3 October 2007

Ernest Urged To Prioritise TRC Recommendations



By Amara A. Samura

The Sierra Leone Court Monitoring Programme has urged President Ernest Bai Koroma to treat the recommendations of the Truth and Reconciliation Commission (TRC) as a matter of priority.

According to the Programme Director, Mohamed Suma, the

outgoing Sierra Leone Peoples Party Government of President Alhaji Dr. Ahmad Tejan Kabbah has never treated the TRC recommendation as a priority, adding that the political commitment to the process was lacking.

He spoke about the setting up of a Task force on the victims' Reparation

programme early this year. In December 11, 2006 he said the Victims' fund was established and a one hundred thousands United State Dollars (US\$ 100,000) was said to have been put in one of the commercial banks; but that nothing had since been done.

Contd. page 10

Ernest Urged To Prioritize TRC Recommendation

Mr. Suma quoted section 27, subsections of the 1991 National Constitution which deals with discrimination against women.

He disclosed that for over a year now the Magistrate court in Moyamba does not have a prosecutor, due to illness. Because of this he said lots of people are

languishing at the Moyamba prisons.

Mr. Suma emphasized that the causes of the eleven years conflict are all stated in the TRC Report, adding that the Act which created the Commission has the obligation to ensure that government implements the recommendations contained in the Report.

APC exonerates Burkina Faso

A pronouncement reportedly made by the APC presidential spokesman purporting that the West African country of Burkina Faso played no part in aiding the former RUF fighters in Sierra Leone has been received with shock and disbelief from a reasonable number of people. The rebel war that started in March 1991 in a small border village of Bomaru in the Kailahun district was propelled by rebel recruits from Burkina Faso. For the spokesman to exonerate that country when victims have barely managed to heal their wounds is rather unfortunate and disheartening.

President urged to give priority to TRC recommendations.

Some civil and independent organizations in the country have reportedly called on the president to give priority to the recommendations contained in the TRC report. According to them, many underling causes of conflict still persist so the TRC recommendations like the protection of human rights, establishment of the rule of law, security services and the promotion of good governance must be implemented in order to consolidate the hard earned peace for Sierr Leonean.

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 2 October 2007

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

International Clips on Liberia

As People's Republic of China Observes 58th Anniversary, President Sirleaf Lauds Sino-Liberian Ties

Oct 02, 2007 (Liberia Government/All Africa Global Media via COMTEX) -- President Ellen Johnson Sirleaf says Liberia remains steadfast on the 'One China Policy' and will resist any person or group trying to undermine that policy. The President, an Executive Mansion release says, spoke on Saturday during an official program marking the 58th Anniversary of the Founding of the People's Republic of China at the Samuel Kanyon Doe Stadium.

International Clips on West Africa

2 Country Navy Warships Arrive Freetown

Kingley Omonobi

Abuja, Oct 02, 2007 (Vanguard/All Africa Global Media via COMTEX) -- The two Nigerian Navy warships that took part in the Brazilian bi-centenary celebrations, NNS Aradu and NNS Nwanba, arrived the Sierra Leone capital, Freetown last weekend and boosted the 47th independence celebrations by inviting officials of the Nigerian High Commission, Sierra Leoneans and Nigerians resident in Freetown onboard for series of activities.

Court delays sentencing ex pro-government militias on war crimes

FREETOWN, Oct 2, 2007 (AFP) - An UN-backed war crimes tribunal will next week hand down sentences on Allieu Kondewa and Moinina Fofana, two leaders of a former pro-government militia group next week, the court said on Tuesday. The two ex-leaders of the Civil Defense Forces (CDF), a paramilitary force which recruited traditional Kamajor hunters to fight rebel forces during the 1991-2001 conflict, have been convicted of war crimes. Their sentencing was originally set for October 1, and then shifted to October 9 to accommodate "prior commitments of international defense counsel," according to a court document.

Local Media – Newspaper

German Chancellor Arrives Sunday

(The Inquirer, The News, The Informer and Daily Observer)

- German Chancellor, Angela Merkel is due to pay a one-day visit to Liberia on Sunday. Briefing reporters on Monday, Presidential Press Secretary, Cyrus Badio said Chancellor Merkel is expected to travel along with a Parliamentarian delegation to meet their Liberian counterparts.
- He said while in the country, the German Chancellor will hold bilateral discussions with President Johnson Sirleaf that will dwell on issues to improve cooperation between the two countries.

- Mrs. Merkel would meet with the Special Representative of the Secretary-General, Mr. Allan Doss and senior officials of UNMIL.
- She is expected to inspect projects being implemented by her government in the country. The visit of the German Chancellor is the first by a German leader and also the first by a western leader to visit Liberia since the election of President Ellen Johnson Sirleaf.

President Sirleaf Orders Probe into US\$7,800 Scandal

(The News and Heritage)

- President Ellen Johnson Sirleaf has ordered a full scale investigation into the alleged misappropriation of US\$7,800 intended for the development of Fuamah District in Bong County. *The News* reported that President Sirleaf instructed the Ministry of Internal Affairs to investigate allegations that Bong County Superintendent, Rennie Jackson used her name to take delivery of the US\$7,800 development fund.
- Addressing journalists, Presidential Press Secretary, Cyrus Badio rejected claims that the Liberian leader authorized the handover of the funds in question and said the President had no knowledge of money being collected from scrap dealers in Bong Mines for use as district development fund.

Bank Employees Sentenced for Theft

(The Inquirer and National Chronicle)

- Three persons including former ECO-Bank employees have been sentenced to five years imprisonment after being found guilty of squandering Three Hundred and Seven Thousand United States Dollars (US\$ 307.000) from ECO-Bank Liberia.
- Judge Boimah Kontoe of Criminal Court "C" on Monday ruled that the defendants, Ernest Cholopray, Julius Thomas and Henry Saah are guilty for theft of property and are ordered to repay the US\$ 307.000 to the private prosecutor.
- Court records show that during the period between May and July 2005 at the ECO Bank where co-defendant, Ernest Cholopray served as IT Head of the bank, organized and facilitated the crime by illegally entering the database and tampered with four customers account.
- Following the Judge's ruling the defense counsel accepted and gave notice that they would announce an appeal to the Supreme Court during its March term of Court.

Senate and Auditor General Morlu to Appear Before Supreme Court Today

(New Democrat)

- The New Democrat reports that the Supreme Court of Liberia is expected to hear legal arguments today in the Writ of Injunction filed on September 21 by Auditor General, John Morlu against the Liberian Senate. Mr. Morlu and his legal counsels are resisting a Senate's order to pay a fine of LD\$499.99. The Senate held Mr. Morlu in contempt on September 18 and imposed a fine for statements he made alleging that the Senate's action against him, ordering him to reinstate downsized employees of the auditing commission amounted to "witch hunt".

Passport Scandal Unearthed at Foreign Ministry

(Heritage)

- A passport scandal involving some employees of the Ministry of Foreign Affairs has been uncovered by the United States Embassy in Monrovia. According to a police charge sheet, the Director of Passport, Madam Mary Broh recently received a communication from the US Embassy requesting clarification about the signatures on two Liberian passports. The passports were issued to one Comfort Baker and Emmanuel Sesay and were bearing the signatures of Director Broh and her predecessor Yvonne Stewart Barh respectively.

Local Media – Radio Veritas *(News monitored today at 9:45 am)*

Criminal Court Sentences three former ECOBANK Staff

(Also reported on Truth FM, Sky FM and ELBS Radio)

Contact Group Predicts Chaos without Genuine Reconciliation in Liberia

- Addressing a church leadership forum in Monrovia yesterday, the head of the International Contact Group on Liberia (ICGL) Ghanaian Ambassador Francis Adu Amanforh said that peace in Liberia is fragile and warned the Country could return to civil conflict in the absence of genuine reconciliation and tolerance.

(Also reported on Truth FM, Sky FM and ELBS Radio)

Liberia and China Discuss Establishing Economic Free zone in Liberia

- According to Grand Bassa County Superintendent Julia Duncan-Cassell, the Liberian and Chinese governments are holding discussions to establish an economic free zone in Liberia which she believes would bring huge development to Liberia and improve the economy of the Country.

(Also reported on Truth FM, Sky FM and ELBS Radio)

Police Set to Inspect Vehicles for License Plates

- Speaking to journalists, the Acting Minister of Transport Mohammed Sheriff announced that vehicle license plates were ready and that the Ministry and the Liberian National Police will commence an inspection of vehicles plying the streets.

(Also reported on Truth FM, Sky FM and ELBS Radio)

Complete versions of the UNMIL International Press Clips, UNMIL Daily Liberian Radio Summary and UNMIL Liberian Newspapers Summary are posted each day on the UNMIL Bulletin Board. If you are unable to access the UNMIL Bulletin Board or would like further information on the content of the summaries, please contact Mr. Weah Karpeh at karpeh@un.org.

UN Integrated Regional Information Networks

Monday, 1 October 2007

Salimatu Thoronka, "I Have Given Birth to Four Children Since Losing My Legs"

Salimatu Thoronka had both her legs cut off by rebels in 1999 when she was 19 years old. She is now training to become a seamstress in Makeni in a programme for handicapped women, supported by the Don Carlo Gnocchi Foundation. This is her story.

"My father died because of me. In 1999 the rebels advanced to Makeni so he fled with me and my brother to the safety of Freetown. But the rebels quickly advanced to Freetown also, so my father decided we would be safer back in Makeni.

"We were stopped at a rebel checkpoint in the centre of Freetown at Liverpool Street. The rebels interrogated him for a while then said he could go but that he should leave me behind.

"He refused and so they shot him dead.

"My brother ran and I was left standing there alone. One rebel said I should be killed also because I might try to run also. But another one said he had a better solution and so he took a machete and chopped off my legs.

"I don't really know what happened next as I was unconscious. All I remember is being in the house of a stranger with my brother next to me. They then took me to a hospital.

"I had several operations and was eventually given artificial limbs.

"Nowadays it doesn't hurt when I walk but if I try to go far I feel like I will fall down. I was not well for a long time and I still don't feel great. Some days I wake up and feel normal again but then I try to get up and remember that I have no legs.

"I have not seen the rebels who did this to me. I don't care if they are punished or not. God will decide what will happen to them.

"But what happened to me though after I lost my legs was not very fair. I went back to Makeni voluntarily while other people who had been amputated in Freetown stayed there until they got assistance.

"When I went to ask for assistance I was told it is too late.

"But in 2006 I was offered free training here to become a professional seamstress. Once the training is over I will get a starter kit which will include a sewing machine.

"Then I will be able to become a breadwinner and support my family. I have given birth to four children since losing my legs. I currently live with them at my mother's place."

[This report does not necessarily reflect the views of the United Nations]

Jurist

Tuesday, 2 October 2007

A Day at Chautauqua: Justice for a Better World

JURIST Contributing Editor David Crane of Syracuse University College of Law, former Chief Prosecutor for the UN Special Court for Sierra Leone, says that the recent meeting at Chautauqua of nine of the twelve living international prosecutors, spanning the Nuremberg Trials to the International Criminal Court, produced a landmark call for governments to back the international criminal courts with the political will and support necessary for them to uphold the rule of law....



The delightful weather and the pristine setting belied the importance of the moment. At the century-old Chautauqua Institution in upstate New York, nine of the 12 living international prosecutors, from Nuremberg to the International Criminal Court, met several weeks ago to celebrate the 100th anniversary of the Hague Rules of 1907, the cornerstone to the laws of armed conflict that ensure that the law is followed, even in combat.

The first annual International Humanitarian Law Dialogs considered the impact of those rules of war in this age of international terror, as well as discuss their relevance in the 21st century. At the end of this historic day, the prosecutors publicly signed the First Chautauqua Declaration [PP slides], calling upon the international community to stop dithering over the relevance and significance of enforcing the mandate of various international tribunals, courts, and chambers and to acknowledge that they must conform their conduct to the law. The prosecutors demanded that those indicted by these internationally created justice mechanisms be handed over for a fair trial. State responsibility remains one of the keys to success for modern international criminal law.

These prosecutors - myself from the Special Court for Sierra Leone; Whitney Harris and Henry King of the International Military Tribunal at Nuremberg; Sir Desmond DeSilva and Stephen Rapp also of the Special Court for Sierra Leone; Hassan Jallow of the International Criminal Tribunal for Rwanda; David Tolbert of the International Criminal Tribunal for Yugoslavia; Luis Moreno-Ocampo of the International Criminal Court; and Robert Petit of the Extraordinary Chambers in the Courts of Cambodia - called for the handing over of Radovan Karadic, Ratko Miladic, Joseph Kony, Ahmad Harun, and Felician Kabuga; and all others sought by the tribunals, so that justice can be had for the victims of the many atrocities committed throughout the world totalling the destruction of over 12 million human beings in the past 60 years.

That day, August 29, 2007, was significant, historic, and moving as the prosecutors openly discussed the challenges that we met daily in facing down the beast of impunity. Whitney Harris, 95 years old, invoked the spirit of Justice Robert H. Jackson, the American Chief of Counsel at Nuremberg, as did his colleague Henry King who also pounded the table calling for a renewal of the spirit of the Nuremberg Principles. Sir Desmond DeSilva eloquently stated: "Let the word go out to warlords and leaders all over the world. However powerful, however mighty, however feared you may be the law is above you. The law will bring you down." I stated simply that the law is fair, that no one is above the law, and the rule of law is more powerful than the rule of the gun.

In a time of fear, uncertainty, and even ill-will, this new cold war, is an ideological struggle that will most likely last for decades. It will be the rule of law that will allow civilized peoples around the world to triumph over tyranny, as the forces of freedom did in the insane struggle with the former Soviet Union

and world communism.

It must be stressed that those who struggle against this new type of fascism hold the ultimate ace of spades in this strange poker game that mankind finds itself dealt into - that ace is freedom. Yet freedom can only flourish under the rule of law. If we give up the rule of law, we will let go of that all important card, which if dealt away may never be returned.

All peoples want to be free from fear, free from want, free to express themselves, and free to worship as they feel appropriate. These four freedoms invoked by President Franklin D. Roosevelt beat the Soviets in the last Cold War. This universal desire for freedom under law can also face down the Islamo-fascists in this current struggle. International terrorists cannot defeat this desire for freedom and they know it, just as the Soviets realized in the mid to late 1980s.

The Chautauqua Declaration called upon the world to remember the stirring words of Justice Robert Jackson: "We are able to do away with domestic tyranny and violence and aggression by those in power against the rights of their own people only when we make all men answerable to the law." These stirring words are as relevant and important today as they were over 60 years ago. The prosecutors and the tribunals they work in are only as effective as the political will and support the world community gives to them. In law, half measures only soften the important input that truth and justice can achieve in bringing a sustainable piece in a post conflict setting.

The 20th century - the world's bloodiest century, where over 115 million human beings died at the hands of their own governments - cannot be repeated in this new century. Mankind is better than this because of the rule of law and the slow, but steady advancement of international criminal law as it faces down atrocity, aggression, and inhumanity.

As Henry King of Nuremberg forcefully stated: "What is needed now is a revival of the spirit of Nuremberg. A better more peaceful world based on justice is within our grasp. So, let idealism and vision be the order of the day. We can indeed achieve a better world, if we will it to be our future."

David M. Crane is a professor at Syracuse University College of Law, and former founding Chief Prosecutor for the UN Special Court for Sierra Leone (2002-2005).

Black Star News

Tuesday, 2 October 2007

<http://blackstarnews.com/?c=125&a=3766>

How ICC Can Break Juba Deadlock

By Justin Ocitti

International: Op-Ed

Members of Parliament in Uganda from Acholi are reported to have recently completed documenting all the war crimes and crimes against humanity committed by the Lord's Resistance Army (LRA) and Uganda People's Defence Forces (UPDF), the national army in the two decade conflict in Northern Uganda.

The dossier will apparently be "good for reconciliation purposes", according to Reagen Okumu, Aswa MP. It is also pretty clear that the MPs embarked on this exercise in the full knowledge that the matter of the alleged atrocities has well moved to an arena whose dynamics is going to be a determining factor in the on-going Juba peace talks.



It could actually help break the deadlock at the Juba Peace Talks to end Uganda's war.

This dossier can be of use to advance the peace process by bringing government to account through the ICC by invoking the Continuing Violation Doctrine.

In December 2003, the government of Uganda referred to the International Criminal Court the situation concerning the Lord's Resistance Army acts of atrocities committed in Northern Uganda. On July 8, 2005, the Chief Prosecutor of ICC, Luis Moreno-Ocampo, after concluding his investigations, issued arrest warrants for the Lord's Resistance Army leader Joseph Kony, his deputy Vincent Otti, and LRA commanders Raska Lukwiya, Okot Odiambo, and Dominic Ongwen. On October 13, 2005, Pre-Trial Chamber II decided to unseal the warrants. Of these commanders, Raska Lukwiya was reportedly killed in August 2006.

As of now, action on the warrants appear to be on hold until the results of the Juba peace talks between the Uganda government and the Lord's Resistance Army are known. However, the LRA has said it will not agree to a final settlement unless ICC chief prosecutor Moreno-Ocampo withdraws these indictments. The government's position at present is a promise not to turn the LRA commanders over to the ICC if they sign a peace deal.

Moreno-Ocampo for his part has consistently said that the arrest warrants against Kony, Otti and others must be executed. His views were echoed on August 20 by Uganda Judge Sebutinde, who is sitting in the case of former Liberian leader Charles Taylor. Her view is that for the war crimes and crimes against humanity, the LRA top commanders must appear before an impartial and independent tribunal.

If the government itself were to have a case to answer for some of the atrocities in Northern Uganda by the National Resistance Army (NRA) and its successor, UPDF, prior to 2002 it is possible that the three-way deadlock scenario could be resolved. In accordance with the limits on the ICC's jurisdiction, the

Court's arrest warrants focus on events from 2002 onwards. If the MPs' dossier contains provable allegations of atrocities committed by NRA/UPDF prior to ICC limitation period, which the government failed to act on, then it is possible to commence a case under Continuing Violation Doctrine. Though not explicitly mentioned in the Rome Statute, the "Continuing Violation Doctrine" does exist in international law upon which ICC is predicated.

Furthermore, when the ICC Chief Prosecutor started the investigation of the LRA he confirmed that the ICC would continue collecting information on all relevant parties, reserving the right to prosecute others in the future. The Continuing Violation theory is applicable in relation to the Northern Uganda conflict where the Ugandan State failed to investigate or prosecute those who committed human rights violation before Rome Statute but where the effects of these violations continue after 2002 especially the many atrocities committed by UPDF around Internally Displaced People's camps (IDPs) right up to the commencement of the Juba talks.

For the core idea of the continuing violation theory to take effect in respect of atrocities committed by the government it is imperative first to establish that any violation exists during the statutory period. Two other criteria must subsequently be fulfilled; that the act which occurred within the limitation period relates to those after it. This should be determined by examining the totality of the circumstances.

The other criteria that must be satisfied is whether the violations either were part of a series of related acts or was caused by an operational system in effect both during and after the limitations period.

The ICC operates on a system of complementarity, in that the Court is intended to complement national efforts rather than displace them. A way would be found where both the LRA indictments and any case the Uganda government has before ICC would then revert to Uganda national justice systems for determination.

This would allow the Juba peace process parties to proceed to a final resolution without any further hitch.

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Special Court Supplement
United Nations Radio Interview with Prosecutor Stephen Rapp – Transcript
Friday, 28 September 2007

Coming up in this edition of Tea Break, Special Court Prosecutor Stephen Rapp takes the Court to the people, talking to them in Freetown and the provinces. What's the main focus of the visits? You will have the chance to get if firsthand from Mr. Rapp himself, my studio guest here this morning.

The Chief Prosecutor of the Special Court for Sierra Leone, Mr. Stephen Rapp, has been working out of the Court greatly this week. He has been going countrywide. The purpose of the visit is partly about the sentences issued out by the Court and convicted persons and what is to come in future matters. Mr. Rapp is joining us on Tea Break this morning. Welcome to Tea Break sir.

RAPP: Good to be here [indistinct].

Okay, we would like you to tell us more. Firstly, well, I just spoke to the people about what took you to them – but you know better. What took you to the people?

RAPP: Well the Court is continuing its work. We had of course the judgment in the AFRC case, three individuals convicted, sentencing proceedings then with them receiving long sentences; two individuals convicted in the CDF case – that happened at the beginning of August. Sentencing arguments were held last week and next Monday we'll have sentences issued by the Judges. Appeals are going forward, the RUF case against three accused is back in Court next Thursday, and of course the Taylor trial, which we began in June with an opening statement by myself and my colleague Mohamed Bangura of Sierra Leone, began in June, has been interrupted because of the need to replace Taylor's lawyers, but is very much in preparation and ready to go at the first of the year. So these are the kind of things we wanted to talk about, but we also wanted to respond to the people's questions and concerns. One of the things about the Special Court that has been very good compared to a lot of these international institutions is how close it's been to the people. The Outreach programme that the Court has, with District Outreach Officers, Sierra Leoneans, out in each of the districts conducting literally thousands of meetings, but also the Court principals like myself going out and answering questions in town hall meetings, in schools, in small groups and large. It's very important because this Court is a court of Sierra Leone, for the people of Sierra Leone. We can't forget that. We have to be constantly answering questions and responding to people's concerns about how we're doing our work.

Thus far, do you think there are areas of the Court that are not properly understood by the people?

RAPP: Well, there's always confusion about the proceedings and of course these proceedings can be frustrating and they take longer than national trials. They involve crimes that didn't get over and done with in one minute or ten minutes or an hour like many crimes that are prosecuted in local or national courts. They deal with events that unfolded over the course of 11 years and involve more than one accused in the dock at the same time, and with the accused having the ability to fight the charges, at every instance to challenge the witnesses that come forward, cross-examine them intensely, trying to prove that they're not telling the truth, and then bring their own witnesses and not just from Sierra Leone but from beyond its borders. So it's how long things take. But we want to explain why that is, and we also want to talk about the importance of the result.

Were there questions asked that gave away the fact that more work is to be done for better understanding of the work of the Court?

RAPP: Well, yes, I mean certainly there were questions that are always brought up about what's going to happen in certain cases, what's the situation in terms of sentences, where people are going to serve their sentence, what kind of rights they have to appeal, how long the Taylor case is going to take – a lot of issues that people are very interested in. I should note, however, that there is a great deal of knowledge about the Court out there. Compared

to where I was beforehand – I worked for six years at the Rwanda tribunal where the court was in Tanzania, about 800 kilometers from the scene of the crime. We would periodically go to Rwanda and answer questions to the public. Because of the distance there people didn't have a great knowledge of the court because of the fact there wasn't as much outreach, because of the fact the court was not like this one, really a partnership between the people of the country and the international community with more than half the employees coming from Sierra Leone. Because of that, people weren't aware of it in Rwanda. Here, however, I find people quite aware of the cases. They know what kind of evidence has been presented. They know the names of the accused. They'll even talk about our famous mandate which was given to us in the agreement between Sierra Leone and the UN, which is that we're to prosecute those bearing the greatest responsibility, not just every killer and not even mid-level people. [A man] killed hundreds of individuals, but our job is limited to going after the so-called "big men". So people are quite aware of that, but they're also very interested in how we made our decisions and how we're going to complete our work.

Where are you now concerning the work of the Court? Where are you?

RAPP: Well, in terms of our work, the trials have involved, and the accusations have involved, individuals from three groups that were involved in the greatest crimes during the war. In saying that, were also confirmed by the Truth and Reconciliation Commission here in Sierra Leone that found after all of its hearings that the greatest number of atrocities were committed by the forces of the RUF, the second greatest number by the AFRC and the third by the CDF. And we have been prosecuting the living leaders of those organizations – at least the criminal aspects of the activities of those organizations – the ones that led that. And that's an ongoing process. But we've concluded the trials in the AFRC and CDF cases. Decisions have been made about guilt or innocence of the accused. Each of the people that we had charged has been convicted. No one's been acquitted, though they haven't been found guilty of every charge that was laid against them. And sentences have been given in the AFRC case but we're waiting for sentences in the CDF cases which will come next Monday, three days from now. And of course there's a right of appeal. Each of those judgments are subject to a right of appeal, not just by the accused themselves but also on legal issues by the Prosecutor. There are appeals lodged from both directions in the AFRC case. I'm sure there will be in the CDF case. There's a five-judge Appeals Chamber with three Judges appointed by the UN, two by the President of Sierra Leone, that will begin hearing arguments in the next few days. In fact, submissions in writing have been filed to a large extent in the AFRC case and they'll be soon filed in the CDF case. Meanwhile, of course, we've got the RUF case. We've finished presenting our Prosecution evidence. We're now hearing Defence evidence that began in May. It will continue again next week on through the rest of the year and into the early part of next year, and that'll be followed by a judgment. But meanwhile, we have the Charles Taylor case. As people that have followed the case know, it's our position from the Prosecution side that Charles Taylor was the effective leader of the RUF, that he led the invasion of Sierra Leone in March of 1991; that in fact his Liberian fighters in the NPFL initially outnumbered the RUF in that brutal attack, and that the way the RUF conducted itself and what it was doing was largely motivated by him, the campaign of [interruption by 2-way radio interference], not of [interruption by 2-way radio interference], enslaving them, that that was very much part of the kind of campaign of terror that he believed was effective [interruption by 2-way radio interference] He benefited by gaining the resources, essentially stealing the resources, the diamond resources and other mineral resources in this country, and particularly in the '98 [interruption by 2-way radio interference] the effort to bring the junta back to take and hold Kono and to bring the forces back to Freetown with all the atrocities that were committed in January of 1999. That's the evidence that we're prepared to present. We've got 150 witnesses ready to go, and we're looking forward to the 7th of January when we'll actually begin to see witnesses in the dock in The Hague. Of course the fact that that's in The Hague is one of our big challenges because we've been very proud of the fact that this Court, unlike the court for Yugoslavia or Rwanda, has had its trials in-country at or near the scene where the crimes were committed, close to the people who were victimized by the crimes. For reasons of security in the region, at the request of leaders in the region who felt that the trial of Taylor could destabilise...

With all of this, Mr. Rapp, are you saying that Foday Sankoh was Charles Taylor's employee?

RAPP: I'm saying that they were very much a partnership; that Taylor was the first among equals, that it was Taylor's leadership of Sankoh and support of Sankoh that made it possible for the RUF to invade the country and that he was – let's remember, very much in direction of these things and of lesser individuals during all the times

that Sankoh was in jail, which he was for a great deal of the civil war.

Were you saying all this to the] people around?

RAPP: Saying all this to...

The people you've been visiting.

RAPP: Oh yes, I mean you know, we answer the questions. I'm going on here at some length, but everywhere we go people ask about these cases. We tell them what our theories are, what our evidence has shown, and people are very interested in it.

Did anyone challenge your facts, especially the facts saying Charles Taylor actually championed the invasion of Sierra Leone rather than Foday Sankoh, which was the first voice people heard on the 23rd March?

RAPP: No, they have not challenged those particular facts, and I want to make absolutely clear here that Sankoh was the Sierra Leone leader of the RUF but that his success and the success of this movement very much depended on Charles Taylor. This was a plan that they developed together back in 1989 in terms of invading countries and first going to Liberia and then going to Sierra Leone. We only have to look at the fact that later during the course of the conflict in Liberia the RUF was used by Taylor to fight the rebels in Liberia and to fight them even in Guinea, so they were very much a force that he could control.

How were you able to dig up all these facts?

RAPP: Well, it's a matter of working with witnesses. We've been, the Office of the Prosecutor in cooperation with the Sierra Leone Police, have been investigating these cases since the beginning of the Court in 2002, have been talking to individual witnesses here in Sierra Leone, also in Liberia and other countries of the region, searching out documentary evidence from government and international organizations, and preparing ourselves to present witnesses in the dock. Of course we want always to bear in mind: Prosecutors make the accusation [interruption by 2-way radio interference], it's what's so important in this process. They have their opportunity to challenge that evidence, present evidence on their own, so that the truth can be determined.

Okay, thank you very much Chief Prosecutor of Special Court Mr. Stephen Rapp, and continue to stay with us. Remember, if you want to send your messages...

[gap in tape]

RAPP: ...respond to them as quickly as possible. First of all, in terms of new indictments, the Court was only to be a short-term institution and only to go after those at the highest level. And at the present we're not planning further indictments. We still have one individual that's not been arrested. He may be dead, but we're continuing day and night our search for Johnny Paul Koroma. Obviously if he's found we will be trying him. At least we won't be leaving Sierra Leone unless we've made arrangements to make sure he is tried unless we can confirm his death.

In regard to the Norman and President Kabbah story, keep in mind that what we have in the Taylor case is a very active role of Taylor in the field over the course of 11 years, knowledge of every operation and really being the author of the kind of war of terror that was fought by the RUF and the NPFL. In the case of Kabbah, we're dealing with him having established the CDF, the CDF forces, certain of them, in January and February of '98, committing some horrendous crimes at the time Kabbah was in Guinea. Chief Norman himself said that Kabbah was not aware of these things and he was not reporting to Kabbah about them. We wouldn't have had adequate evidence, the same kind of evidence, that we have against Taylor, to proceed in that situation.

In terms of the whole situation here in Sierra Leone and the faith and confidence that people have in the system, we're very much interested in the restoration of the rule of law and we think we played a role in that. If these individuals were out today free; if the leaders of the RUF and of the AFRC, etc. were on the streets – certainly

during these periods of time of elections, etc. if there was a clear understanding you could do violence and weren't going to be in trouble, we think it would have been much more difficult to have the peaceful transition that we've had in this country. We're so very pleased to be here at a time when we've gone through the second peaceful election and now a transition of power from one party to another, and we hope that part of the legacy of the Court will be a stronger rule of law in this country, and we're ready to work with national institutions certainly to pass along our evidence so that other individuals that are mid-level or lower level individuals involved in the war can be prosecuted, and that certainly there's a strengthening of the judicial and prosecution systems so that people that commit other crimes will also face justice.

There was a question number three about those witnesses, yes, yes.

RAPP: Definitely, both in the case of Prosecution and Defence witnesses, people who testify can face great risk and we try to protect them by having most individuals testify anonymously so people don't know their names – at least the people back in the villages and the streets, but the accused have to know the names of the people who testify against them, and people do face retribution and threats and can face death for themselves and their families, and that does require that in some cases people be relocated into safety, not made rich or anything like that...

How can you tell that, you know, some of them are not just building up stories based on the entertainment value of being a witness?

RAPP: Well, obviously we have very effective attorneys from Sierra Leone and from around the world that are adept in catching people out in their lies, and certainly to the extent the witness is relocated or receives some assistance that they could move their families or something like that, that information is presented in Court. They're confronted and asked the question, 'could it be that you've just made up this story in order to get these benefits, etc.?' So they are effectively confronted, and of course witnesses have to corroborate each other where the one witness will be able to prove a case, and so through judicial process it's possible to evaluate the truth or the falseness. But it's certainly been our feeling here about the proceedings that we've had is witnesses are coming forth, sometimes in great risk to themselves, and telling the truth. In that I think we're greatly benefited by the fact that 60 percent of the staff is Sierra Leonean. We've got people from every part of the country, from every ethnic and language group, and they can certainly assist us in checking out stories and separating those who tell the truth from those who tell falsehoods.

Okay, thank you very much Mr. Stephen Rapp. He is Chief Prosecutor of the Special Court. Continue to stay with us. It's Tea Break on UN Radio on FM 103.