

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE



Featuring Mongolian peacekeepers at the Special Court, as yesterday, May 29 was
International Day of United Nations Peacekeepers

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**

Tuesday, 30 May 2006

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

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Concord Times
Tuesday, 30 May 2006

Appeals Chamber rules...

Taylor's Motion 'inadmissible,' dismissed

Story: Sahr Musa Yamba

The Appeals Chamber at the Special Court for Sierra Leone Monday 29th May ruled the motion filed by Karim Khan, defense counsel of war crimes

indictee and former Liberian President, Charles Ghankay Taylor is "inadmissible." The Motion has been dismissed in its entirety.

States the Appeals Chamber

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Taylor's Motion 'inadmissible,' dismissed

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ruling: "The Motion is inadmissible because it seeks to interject the Trial Chamber, and now the Appeals Chamber, into the administrative and diplomatic functions of the President. Neither the Trial Chamber nor the Appeals Chamber is authorized to take the actions sought by the defense.

"The Procedures for changing the venue of a trial is set out in the Agreement between the United Nations and the government of Sierra Leone on the establishment of a Special Court for Sierra Leone and the Rules of Procedure and Evidence. Without prejudging the appropriate procedure to be followed, it is clear that these procedures necessarily entail the type of preliminary diplomatic steps taken by the President and reported in the press release."

The Appeals Chamber further ruled: "Neither the

Statute nor the Rules authorizes a Chamber to intervene in the administrative and diplomatic functions entrusted to the President. Even the residual inherent power of the Chambers to ensure the fairness of the trial cannot be invoked to support the declaratory and prospective relief sought by the Defense in the instant case since no decision has been taken which affects any fair trial rights."

The Appeals Chamber ruled that at this stage of the proceedings, matters relating to the venue of the Taylor trial are exclusively within the administrative and diplomatic mandate of the President. The Chamber noted that prior to a decision being made, any questions relating to the President's activities concerning the venue of the Taylor trial should be directed to the office of the President and not to the

Trial or Appeals Chamber. Defense Counsel of Taylor, Karim Khan, had filed a Motion with the Trial Chamber II which was later transferred to the Appeals Chamber seeking that no change of venue from the seat of the Special Court be made to the seat in Freetown without affording the defense to be heard. The the right to be heard. The Defense Counsel also requested that the President of the Court withdraw the request to use the ICC facilities in the Netherlands.

The Prosecution opposed this Motion.

Trial Chamber II considered that the Motion raised objections based on lack of jurisdiction pursuant to Rule 72(B)(i) by challenging the President's authority to decide whether to change the venue of the trial and alleged an abuse of process arguing the President discriminated against the accused.

Independent Observer
 Tuesday, 30 May 2006

Special Court Rules Out Kabbah

By Ishmael Bayoh

Outgoing Chief Prosecutor for the Special Court, Desmond de Silva has ruled out the possibility of President Kabbah testifying

before the court as witness for Sam Hinga Norman. Norman has Kabbah's name down as one of his key witnesses, an issue that led to a constitutional

argument before the court with the Attorney-General, Frederick Carew arguing on behalf of the President. De Silva recalled Hinga Norman replied in the nega-

tive when asked during cross examination in his testimony before the court whether Kabbah gave him any incentive for the prosecution of the war and

whether he knew of any atrocity committed by Kabbah. "With this he sees no reason why Kabbah should be brought before the Court," he said.

Agence France Presse

Tuesday, 30 May 2006

War crimes court 'needs money to operate'

Freetown - The United Nations-backed Special Court for Sierra Leone is running short of time and money for it to complete hearing the cases before it, the court's new president said on Monday.

Sierra Leonean Justice George Gelaga King said the court was originally slated to sit for three years but now this would be "impossible".

The court had been originally scheduled to end its work by December this year, but King said it was now likely to work through 2007.

"It is envisaged that the first trial will not be completed before the end of 2006 so any thought of the court ending this year or even 2007 is unrealistic in my estimation," King told reporters.

King said the court's "main challenge" was a lack of funding which was hampering the judicial process.

"The court has been referred to as working under a leaner and meaner budget, which really means what it says," he said.

Unlike other war crimes tribunals for Rwanda and Yugoslavia which are directly funded by UN member states, the Special Court for Sierra Leone operates on voluntary funding from a few countries.

"I don't know whether that helps in the dispensation of justice to say it's proceeding under a leaner and meaner budget but if you want justice to be done you must provide the necessary funds," King said.

By last month the court had received less than half of its \$25-million for this year's budget.

The court has been hearing war crimes allegations against the Civil Defence Forces (CDF), a pro-government militia that propped up the Sierra Leone army during the 10-year conflict that started in 1991.

It has also been handling the trial the leaders of the two rebel groups, the Revolutionary United Front (RUF) and the Armed Forces Revolutionary Council (AFRC), accused of committing some of the worst war atrocities in recent history.

The most prominent suspect to appear before it has been former Liberian president Charles Taylor who has pleaded not guilty. His trial is yet to begin pending a UN Security Council decision on where it will take place.

Citing security concerns the court has requested that Taylor's trial be moved to the Hague.

King stressed that "neither the rules nor the procedures already adopted will be changed for the trial of Charles Taylor".

King, the first Sierra Leonean to head the Court, took up office over the weekend, succeeding Sri Lankan Justice Raja Fernando.

He has been a diplomat in the UN, France, Spain, Portugal and Switzerland, and has been a judge at the Special Court since 2002.

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 29 May 2006

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

International Clips on Liberia

BBC Last Updated: Monday, 29 May 2006, 11:15 GMT 12:15 UK

Liberia's 'Iron Lady' visiting UK

The new president of Liberia, Ellen Johnson-Sirleaf, is visiting the UK as Africa's first elected female leader. Her election win over ex-footballer George Weah in November was intended to mark the end of 14 years of civil war in the West African state. The president is expected to encourage UK firms to invest in Liberia, which has external debts totalling £2bn. Known fondly as the "Iron Lady", she will meet the Queen and International Development Secretary Hilary Benn. During her three-day visit, the new president will also meet the Leader of the Lords, Baroness Amos, and minister for Africa Lord Triesman.

International Clips on West Africa

French military helicopter crash in Ivory Coast kills one

ABIDJAN, May 26, 2006 (AFP) - One French soldier was killed and another seriously injured Friday when their helicopter crashed in the Ivory Coast, the French peacekeeping mission in the West African nation said. He was the 23rd French soldier killed in Ivory Coast since the French peacekeeping mission was deployed there in 2002. Another soldier died in an accident in April. "On Friday around 1:30 pm (1330 GMT) a Gazelle helicopter from the Licorne force on an escort mission crashed in a non-inhabited area for unknown reasons," said a statement from the French peacekeeping force known as Licorne.

Local Media - Newspapers

Public Works Comptroller Suspended for Misappropriating Public Funds

(The News, The Inquirer, The Analyst, Daily Observer, Heritage & National Chronicle)

- Addressing a news conference Saturday, Public Works Minister Willis Knuckles said that the ministry's comptroller, Emmanuel Erskine, Jr., has been suspended for allegedly misappropriating more than US\$100,000 United States dollars.
- At the same time, President Ellen Johnson-Sirleaf directed the ministry to take appropriate action against Erskine in line with the Anti-Corruption Policy (ACP).
- He has been turned over to the Justice Ministry for further investigation.

Peacekeepers Cleaned Up Communities in Observance of International Day of UN Peacekeepers

(Liberian Express & The Informer)

- UN peacekeepers joined by Liberian students today carried out a massive clean up campaign to give Monrovia and other communities across the country a face lift.
- The group cleaned up school buildings and painted side walks and other facilities in observance of the International Day of UN Peacekeepers.

Government Denied Plans to Break Diplomatic Relations with China

(The Analyst & The Informer)

- The Liberian Government has denied media reports that it was under extreme pressure from the United States Government to break diplomatic relations with the People's Republic of China.
- The government said that China is an emerging super power which has a veto power on the Security Council and cannot be ignored in international affairs.

Police Officer Caught for Harassing Civilians

(New Democrat)

- A deactivated police officer, Eric Gbortuo, was arrested and is undergoing investigation for allegedly using a toy gun to harass civilians in the Congo Town community.

TRC Delegation Off To South Africa on Study Tour

(New Democrat)

- A nine-man delegation from Liberia's Truth and Reconciliation Commission (TRC) left Monrovia on a study tour and capacity building program in the Republic of South Africa.

According to the TRC, the tour is also intended to broaden the perspectives of the delegation on issues of transitional justice

Local Media – Radio Veritas *(News monitored yesterday at 18:45 pm)*

UN Envoy Urges Residents of Nimba County to Cooperate with Presidential Commission

- Speaking during his visit to Nimba County over the weekend, the Special Representative of the Secretary-General Alan Doss called on residents of the County to cooperate with the Presidential Commission to resolve the land dispute in Ganta.
- Mr. Doss challenged the people to build on the peace that has been achieved and move forward and not backwards. He added that Nimba was of strategic importance and that progress there meant progress for the entire country.

(Also reported on ELBS Radio and Star Radio)

UNMIL Celebrates International Day of UN Peacekeepers Today

(Also reported on ELBS Radio and Star Radio)

Former Ruling Party Discredits Ruling Unity Party

- Former ruling National Patriotic Party Chairman Cyril Allen said that the government of President Ellen Johnson-Sirleaf performed poorly in the past four months, attributing such a performance to the lack of unity among the three Branches of Government.
- Mr. Allen told journalists at a news conference over the weekend that government officials should understand and appreciate one another in order to produce positive results.

(Also reported on ELBS Radio and Star Radio)

Former Rebel Leader Says War Crimes Court Will Undermine Reconciliation

- Addressing a news conference over the weekend, the leader of the defunct rebel Liberians United for Reconciliation and Democracy, Sekou Damate Conneh said that setting up a War Crimes Court for Liberia would undermine the reconciliation processes.
- Mr. Conneh said that those calling for such a court were against peace, adding that the funds required to setup the court should be used to build schools and hospitals.

(Also reported on ELBS Radio and Star Radio)

Training for Court Administrators Opens Today

- A training program for magistrates and justices of the peace will today open at the Temple of Justice with the Deputy Special Representative of the Secretary General for Rule of Law and Operations Luiz Carlos da Costa, Chief Justice Johnny Lewis and Acting Justice Minister Cianeh Clinton-Johnson addressing the opening session.
- An UNMIL source said that the training would examine the statutory and administrative functions of magistrates and justices of the peace.

(Also reported on ELBS Radio and Star Radio)

New Corrections Officers Complete Training

- Addressing the newly trained correction officers, UNMIL Correction Advisory Unit Head Marjo Callaghan called on the officers to carry out their functions in a manner, which respects and protects the human rights of prisoners.
- Ms. Callaghan said human rights standards provide invaluable guidance for performance of the duties of correction officers.
- Solicitor General Tiawon Gongloe said that human rights should be accorded to those who find their liberties restrained in a confined location.

(Also reported on ELBS Radio and Star Radio)

STAR RADIO *(News culled from website today at 09:00 am)*

Lack of Electricity Impedes Work at National Legislature

- Grand Kru County Senator Blamo Nelson said that the lack of electricity and other services at the National Legislature continues to hinder the work of the Lawmakers.
- In a press interview yesterday, Senator Nelson said that the members of Legislature hold their meetings in the darkness and conduct hearings under intense pressure. He added that the legislative debate of the forthcoming national budget could be hampered by the lack of electricity.

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. Jeddi Armah at armahji@un.org.

Cafebabel.com

<http://www.cafebabel.com/en/article.asp?T=T&Id=6988>

Monday, 29 May 2006

The International Criminal Court: the difficult birth of international justice

The ICC, a true fruit of hard labour, will hold its first trial on June 27 against the Congolese warlord, Thomas Lubanga. It is seen a key step in determining the ICC's legitimacy



The ICC in The Hague (Maggie Gardner)

On March 20, having just arrived from Kinshasa, Thomas Lubanga was the first person to sit in the ICC's dock. The prosecutor, Luis Moreno Ocampo, accused him of "having turned Congolese children into war machines." In his defence, Lubanga claimed that he was a professional politician. The conflict in DR Congo has killed 60,000 people and left 600,000 displaced. It affected six states throughout the Great Lakes region. The opening statements were convoluted, but the Canadian President of the ICC, Philippe Kirsch, is confident. "The Court will expedite proceedings, whilst respecting the rules." Trials are intended to last 18 months.

A lengthy hibernation

50 years have passed since the United Nations resolution of December 9, 1948, which anticipated the creation of an "international criminal court," and its implementation through the adoption of the Rome Statute in July 1998. Today, the ICC is findings it

difficult to establish its legitimacy, having been criticized for its universalist ambitions and lack of resources. It is said that a trial in The Hague, trying crimes that took place thousands of miles away, will not make up for the suffering inflicted on the people involved. Nevertheless, it is for this very reason that the Special Court for Sierra Leone wants to move the trial of the former Liberian president, Charles Taylor, to the ICC. It seems that justice is calmer when there is distance involved.

Underlying the need for international justice is the idea that no-one is above the law when it comes to the most serious crimes affecting the international community. Since the Nuremburg trials, it is the individual who is put on trial and not the state, which brings the myth of “collective responsibility” crashing down. “This means,” says Antonio Cassese, professor of international law at the University of Florence, “that we can avoid putting the good people on one side of the fence and the bad ones on the other. In the former Yugoslavia, Serbs, Croats and Muslims all committed crimes. Individual responsibility and punishment allow us to overcome the hatred between the different groups.”

Issues of jurisdiction

Despite the enormous steps taken by the military tribunals in Nuremburg and Tokyo in 1945-6, it was not until the Cold War ended that discussions began again. The ICC has thus been able to draw on the experiences of ad hoc tribunals established to try crimes committed in the former Yugoslavia and Rwanda, seen as testing grounds for international justice. However, the permanent nature of the Court, created through consensus, has caused distrust, meaning that it has a more limited remit than that of its predecessors. It cannot try crimes committed before August 1, 2002, the date its statute entered into force, and it must play second fiddle to national jurisdictions, whereas the ad hoc tribunals benefit from the principle of primacy in the legal hierarchy.

The ICC's remit allows it to try the most serious violations of international law: crimes against humanity, genocide and war crimes. However, there are grey areas regarding the wording of its jurisdiction. The definition of genocide – the intentional destruction of a group because of nationality, race or religion – excludes ideological or political persecution. However, the door remains open because its statute will be revised in 2009, which could allow its jurisdiction to be extended to treaty crimes: terrorism, drug

trafficking and international organised crime.

Optimism?

The ICC has had more success than people expected, particularly with the small countries that fell head over heels to ratify the Statute: Sierra Leone, Colombia, Macedonia and Burundi. Today, the ICC has 100 member states, encompassing almost half of the world's population. However, the absentees – the USA, Russia, China, Israel and India – are notable. The ICC only has jurisdiction over crimes committed on the territory of its members, or by its subjects, meaning that it is geographically very limited. Nevertheless, there is still hope, since the United Nations Security Council can refer it cases that are outside its remit. In March 2005, faced with pressure from the US, itself not a member, the ICC received the brief for the difficult Darfur case, since Sudan is not member of the Court.

The ICC suffers from being a form of justice without a police force or enforcers, relying on the goodwill of its member states to be able to investigate. In the two investigations carried out in DR Congo and Uganda, the Court's cooperation with local authorities was criticised as being contrary to the impartiality of the enquiry. According to Antoine Garapon, the Secretary General of the Higher Institute for Justice Studies, the ICC will have to "invent a synthetic product: room to manoeuvre between the application of criminal justice and considerations of international politics, because the two cannot be separated."

The success of the ICC will be measured not only in the light of the trials it holds, but by its obstinate refusal to grant impunity. This means that it have to act as a deterrent before any legal proceedings, encouraging states to respect international law within their territory before trying to enforce it in The Hague.

The UN Observes International Day of United Nations Peacekeepers in Liberia

Monrovia, Liberia –During a solemn ceremony held at the United Nations Mission in Liberia headquarters in Monrovia to observe the International Day of United Nations Peacekeepers, the Vice President of Liberia, H.E. Joseph Boakai and the Special Representative of the Secretary-General, Mr. Alan Doss, laid wreaths to honour the memory of those who have lost their lives in the cause of peace.

“The days of lightly armed peacekeepers conducting foot patrols along ceasefire lines between sovereign states are long over. UN peacekeeping operations are now increasingly complex and multi-dimensional, going beyond monitoring a ceasefire to actually bringing failed States back to life, often after decades of conflict,”

said United Nations Secretary-General Kofi Annan, in his remarks read out by SRSR Doss. “The demand for UN peacekeeping reflects growing confidence in the Organization’s ability to calm tensions and restore stability. This, in turn, is being matched by support from Member States. One hundred and eight countries now contribute uniformed personnel,” he added.

With 15,000 troops and over 1,000 UN Police officers, UNMIL is the second largest peacekeeping mission in the world today. To demonstrate UNMIL’s support towards the recovery and development of Liberia, peacekeepers deployed throughout the country took part in a number of activities to mark peacekeepers’ day including free medical camps for local communities, cleaning up and painting of school buildings, side



Vice-President Boakai laying a wreath to honour the memory of those who lost their lives in the cause of peace

walks, community centres, health centres and local markets, and rehabilitation of roads and bridges. Recognizing the powerful role sports can play in building peace, friendly football matches were played between peacekeepers and community members.



Special Representative Doss joining the clean-up campaign in Monrovia

Wielding the broom himself at the G.W Gibson High School in Monrovia, SRSR Doss encouraged Liberians to play an active role in the recovery and development of their country. “Liberians have a collective and individual responsibility to keep their city clean and contribute towards the development of the country in every way possible,” he said.

In December 2002, the UN General Assembly decided to designate 29 May as the International Day of United Nations Peacekeepers to be observed annually to pay tribute to all the men and women who have served and continue to serve in United Nations peacekeeping operations and to honour the memory of those who have lost their lives in the cause of peace.