

SPECIAL COURT FOR SIERRA LEONE OUTREACH AND PUBLIC AFFAIRS OFFICE



The handing over of the Special Court flag at State House

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:

Wednesday, 4 December 2013

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
Outreach and Public Affairs

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Special Court for Sierra Leone Outreach and Public Affairs Office

PRESS RELEASE

Freetown, Sierra Leone, 3 December 2013

Government of Sierra Leone Hosts Formal Closing Ceremony for the Special Court

The Government of Sierra Leone and the United Nations – the two parties which created the Special



Court eleven years ago – formally closed the Special Court at a ceremony late Monday held at State House in Freetown and hosted by the President of Sierra Leone, H.E. Ernest Bai Koroma.

In a symbolic handover, uniformed Special Court security officers formally handed over the Special Court's flag to a contingent of the Sierra Leone Police in the presence of President Ernest Bai Koroma, and

Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, who represented the Secretary-General of the United Nations.

Mr. de Serpa Soares hailed the closing of the Special Court as “very much a landmark, not only for the Special Court, but also for international criminal justice in general.”

“The Special Court is the first of the United Nations and United Nations-assisted tribunals to complete its mandate and to fully hand over its rights and responsibilities to its successor residual institution,” he said.

Mr. de Serpa Soares noted the Court's jurisprudence, especially with regard to its first-ever convictions for the use of child soldiers, and of forced marriage as a crime against humanity. He also pointed to the Court's contributions to international jurisprudence on aiding and abetting international crimes. “On all of these levels, I very much believe that the work of the Special Court has the



strength to last and will readily stand the test of time,” he said.

Mr. de Serpa Soares said that the Special Court’s legacy would benefit both national courts in the region and around the world in dealing with these issues. “It is no understatement to say that the body of international criminal law as a whole is substantially richer for the deep vein of jurisprudence in all these areas that the Court had rendered,” he said.

Mr. de Serpa Soares paid tribute to the witnesses who, he said, stepped forward and allowed the Court “to inscribe their experiences in the history of this country.”

“In the most fundamental sense, this Court is their court,” he said. “Its success validates their accounting of the most horrendous crimes known to humanity. I salute their courage and their conviction in speaking out, in order that justice could be done.”

President Koroma said that the closing ceremony “reiterates our commitment to fight impunity, and it also underscores our respect for the promotion of the rule of law and preservation of pace and stability.”

The President recalled the “horrific brutality against innocent civilians” during Sierra Leone’s civil war in the 1990s which brought about the creation of the Special Court, but also of the “moments of resilience, of bravery, and of faith by the overwhelming majority of Sierra Leoneans.”

“The narrative of the Special Court is thus not only a story about horrific crimes, it is also, and more importantly, a narrative of the better values of hope, justice, resilience, peace, and the supremacy of law,” he said.

President Koroma noted the Special Court had made “unprecedented contributions to gender justice” and laid the foundation in international criminal jurisprudence in the prosecution for acts of forced marriage, sexual violence, sexual slavery, the recruitment and use of child soldiers, and attacks against UN peacekeepers.

The President hailed all of those who “in diverse ways made significant contributions to the success of this historic institution.”

“It is the combined efforts of this network of stakeholders that will make the Court go down in history not only as the first modern tribunal to achieve its mandate, but also for its transition to a residual court that will address the legal obligations of the Special Court.

#END



Special Court for Sierra Leone
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PRESS RELEASE

Freetown, Sierra Leone, 3 December 2013

Justice Philip Waki Elected President of the Residual Special Court for Sierra Leone

The Judges of the Residual Special Court for Sierra Leone (RSCSL) have elected Justice Philip Nyamu Waki of Kenya as President of the Residual Special Court. The Judges also elected Justice Jon Kamanda of Sierra Leone as Vice President of the Court.

Justice Waki joined the Special Court in 2012 as an Alternate Appeals Judge for the Taylor appeal. Before joining the Special Court, Justice Waki served as a judge of the Kenya Court of Appeal in 2003, after having been a Judge of the High Court of Kenya for nine years. Prior to 1995, he was in private law practice in Kenya since he was called to the Bar in 1975. Justice Waki has worked actively for reform within the Kenyan judiciary. In 2008 he was named Chairman of the Commission of Inquiry into the Post-Election Violence in Kenya, also called the "Waki Commission," to look into the political violence committed during Kenya's 2007 elections. In 2008 the International Commission of Jurists (Kenya) conferred the "Jurist of the Year Award" upon Justice Waki. He has served as Vice President of the East African Judges and Magistrates Association, and in 2012 was appointed by the Director of UNEP as a member of the International Advisory Council on Environmental Justice.



Justice Jon Kamanda served as an Appeals Judge of the Special Court for Sierra Leone from 2007 to 2013. He was educated in Sierra Leone and in the UK. He trained as a Barrister at the Inns of Court School of Law in London, and was called to the Bar at the Middle Temple in 1975. From 1976-80 he worked as State Prosecutor in the Government Law Office, rising to the rank of Senior State Counsel. In 1980 he entered private practice in criminal law. Justice Kamanda has served as an Appeals Court Justice in the Sierra Leone judiciary since 2004, and is the Presiding Judge in criminal appeals. He has also served as a High Court Judge in the Civil Division. In 1982 he was elected to Parliament, and he has served as Deputy Minister of Mineral Resources and Minister of Health, and also as Managing Director of the National Diamond Mining Company (NDMC). Justice Kamanda previously served three terms as President of the Special Court for Sierra Leone.



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Premier News

Wednesday, 4 December 2013

Residual Special Court for Sierra Leone President Elected

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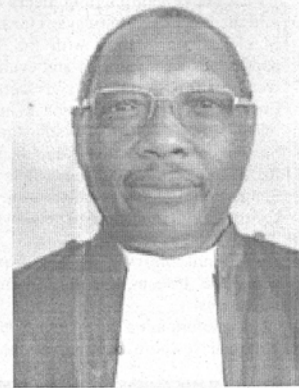
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called to the Bar in 1975. Justice Waki has worked actively for reform within the Kenyan judiciary. In 2008 he was named Chairman of the Commission of Inquiry into the Post-Election Violence in Kenya, also called the "Waki Commission," to look into the political violence committed during Kenya's 2007 elections. In 2008 the International

contd on pg 6



Justice Waki



Justice Jon Kamanda

For di People

Wednesday, 4 December 2013

Special Court Closes Down

THE ACTIVITIES of the Special Criminal Court in Sierra Leone have been formerly closed down by His Excellency President Dr. Ernest Bai Koroma.

By State House Communications Unit

The court which started operations in 2002 indicted

and sentenced those who carried out the greatest responsibilities in the eleven years civil in Sierra Leone, including the former Liberian president, Charles Taylor. At the special ceremony at State House, attended by the United Nations, ministers, diplomats, parliamentarians, national and international legal experts, the Head of State stated that the country was making history in international Humanitarian Law and celebrating the contribution of the Special Court to the rule of law throughout the world. As a trail blazer

and pace setter in international justice, he observed, the Special Court succeeded in establishing peace and security in the sub-region and beyond.

Describing the partnership with the United Nations as achieving peace, justice and prosperity, he paid glowing tributes to the UN system, the Judges, Registrar, Lawyers, staff, as well as the Sierra Leone judiciary.

Meanwhile, a Residual court has been established to sustain the legacies and other ac-

tivities of the closed Special Court.

At the same time, President Koroma also received the symbolic golden key for the closing of the Special Court for Sierra Leone and warmly congratulated and received the sixteen standby judges of the residual court, for Sierra Leone and Hague, in the Netherlands.

A Sierra Leonean judge and current president of the Special Court, Justice Gelaga King,

narrated the history, nature, challenges and successes of the Special Court, which have all made positive contributions to International Humanitarian Law.

The State House ceremony chaired by the Minister of Information and Communications, Hon. Alhaji Alpha Khanu was also addressed by the traditional ruler and parliamentarian from the Moyamba district, Paramount Chief Kavura. The ceremony was also preceded by a special parade a contingent of the Sierra Leone Police and security personnel of the Special Court.

LOCAL NEWS

Kenya Judge heads Residual Special Court for Sierra Leone

Judges of the Residual Special Court for Sierra Leone (RSCSL) have elected Justice Philip Nyamu Waki of Kenya as President of the Court, with Justice Jon Kamanda of Sierra Leone elected as Vice President.

Justice Waki joined the Special Court in 2012 as an Alternate Appeals Judge for the Taylor appeal. Before joining the Court, Justice Waki served as a judge of the Kenya Court of Appeal in 2003, after having been a Judge of the High Court of Kenya for nine years. Prior to 1995, he was in private law practice in Kenya since he was called to the Bar in 1975. Justice Waki has worked actively for reform within the Kenyan judiciary.

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Post-Election Violence in Kenya, also called the "Waki Commission", to look into the political violence committed during Kenya's 2007 elections. In 2008 the International Commission of Jurists (Kenya) conferred the "Jurist of the Year Award" upon Justice Waki. He has served as Vice President of the East African Judges and Magistrates Association, and in 2012 was appointed by the Director of UNEP as a member of the International Advisory Council on Environmental Justice.

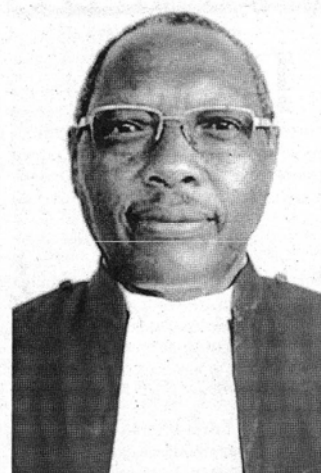
Justice Jon Kamanda served as an Appeals Judge of the Special Court for Sierra Leone from 2007 to 2013. He was educated in Sierra Leone and in the UK. He trained as a Barrister at the Inns of Court School of Law in London, and was called to the Bar at the Middle Temple in 1975. From 1976-80 he worked as State

Prosecutor in the Government Law Office, rising to the rank of Senior State Counsel. In 1980 he entered private practice in criminal law.

Justice Kamanda has served as an Appeals Court Justice in the Sierra Leone judiciary since 2004, and is the Presiding Judge in criminal appeals. He has also served as a High Court Judge in the Civil Division. In 1982 he was elected to Parliament, and he has served as Deputy Minister of Mineral Resources and Minister of Health, and also as Managing Director of the National Diamond Mining Company (NDMC).

Justice Kamanda previously served three terms as President of the Special Court for Sierra Leone.

Credit: Outreach and Public Affairs Office, Special Court for Sierra Leone



Justice Philip Nyamu Waki

Sixteen Judges Sworn-in for Residual Special Court for Sierra Leone

Sixteen distinguished jurists today were sworn-in as Judges of the Residual Special Court for Sierra Leone, the institution which will succeed the Special Court which closes this month. Each Judge in turn subscribed to the solemn declaration to "without fear or favour, affection or ill-will, serve as a Judge of the Residual Special Court for Sierra Leone honestly, faithfully, impartially and conscientiously." Their declarations were witnessed by Attorney-General and Minister of Justice Franklyn Bai Kargbo on behalf of the President of the Republic of Sierra Leone, and by UN Under-Secretary-General for Legal Affairs Miguel de Serpa Soares on behalf of the Secretary-General of the United Nations.

Ten of the Judges were appointed by the Secretary-General of the United Nations and six by the Government of Sierra Leone. The Judges will not serve full time. They will be on a roster, and may be called upon to exercise judicial functions in an ad hoc capacity on matters arising from the ongoing legal obligations of the Special Court for Sierra Leone. These could include the review of applications by convicts for early release of SCSL prisoners or judicial review of their convictions. The Judges may also be called upon to



preside over any contempt of court proceedings.

Mr. de Serpa Soares hailed the achievements of the Special Court in Outreach and its contributions to international jurisprudence. "You can be very proud of what we have achieved together for the people of this country," he said. "You stood by the people of Sierra Leone in their most desperate hour of need."

But, Mr. de Serpa Soares told the Judges, the work is not finished.

"You – the men and women Residual Judges of the Special Court have a particular responsibility to carry on the functions of the Special Court and, by doing so, to preserve its legacy," he said.

The RSCSL Judges include Justice George Gelaga King of Sierra Leone, Justice Rosolu John Bankole Thompson of Sierra Leone, Justice Richard Brunt Lussick of Samoa, Justice Pierre G. Boutet of Canada, Justice Jon Moadah Kamanda of Sierra Leone, Justice

Renate Winter of Austria, Justice Teresa Anne Doherty of Northern Ireland, Justice Shireen Avis Fisher of the United States of America, Justice Philip Nyamu Waki of Kenya, Justice Elizabeth Ibanda Nahamya of Uganda, Justice Vivian Margaret Solomon of Sierra Leone, Justice Abdulai Hamid Charm of Sierra Leone, Justice Oagile Bethuel Key Dingake of Botswana, Justice Andrew John Hatton of the United Kingdom, Justice Emmanuel Ekundayo Roberts of Sierra Leone, and Justice Isaac Lenaola of Kenya.

New Storm

Wednesday, 4 December 2013

Special Court Hands Over Courthouse and Complex to the Government of Sierra Leone

The Special Court today formally handed over the Court's landmark courthouse and the surrounding court complex to the Government of Sierra Leone, as it takes the final steps towards closure of the institution.

In a colourful ceremony in front of the courthouse, Registrar Binta Mansaray handed an over-sized ceremonial key to Sierra Leone's Attorney-General and Minister of Justice Franklyn Bai Kargbo.

The courthouse saw the trials of leaders of the Civil Defence Forces, the Revolutionary United Front, and the Armed Forces Revolutionary Council, as well as the initial appearance of former Liberian President Charles Taylor. These trials saw first-ever convictions for attacks against UN peacekeepers, forced marriage as a crime against humanity, and for the use of child soldiers.



The building will now house the Supreme Court of Sierra Leone.

"We will be the first international court – the very first – in more than half a century to complete our mandate successfully and to close," Ms. Mansaray said. "We now hand over to the Residual Special Court in the knowledge that we have accomplished what has been asked of us."

Attorney-General Kargbo hailed the Court's mandate which, he said, had been envisaged as a way to bring an end to impunity, to break the cycle of violence which took place during Sierra Leone's civil war and, he said, to give the people of Sierra Leone an opportunity to show the world that Sierra Leoneans prefer peace, development, rule of law, justice and accountability instead of war.

The undesirability of impunity and crimes against civilians under international humanitarian law is now firmly entrenched in the psyche of every Sierra Leonean," Mr. Kargbo said. "The country continues to rebuild and make progress with its development in a free, fair and peaceful atmosphere."

Mr. Giles Norman, the Chair of the Special Court's Management Committee and the Committee's representative for Canada, recalled that the Court's agreement called for the return of the 11.5-acre site and buildings to Government after the court had completed its work. This significant day has come upon us all," he said.

This complex is an internationally recognised monument for international criminal justice, and it is my pleasure to be here on

this significant day to witness its handover to the Government of Sierra Leone," Mr. Norman said. "It is our hope that this Courthouse will be used as a tool to enhance access to justice for the people of Sierra Leone. It is our hope that the legacy of what this Courthouse has achieved is remembered forever."

Sierra Leone's Chief Justice, Umu Hawa Tejan-Jalloh expressed appreciation for the handing over of the courthouse. "We are grateful for this wonderful legacy," she said. "The judiciary of Sierra Leone will ensure that these courtrooms are well maintained and put to good use, to dispense justice and enhance the rule of law and our own jurisprudence."

The Attorney-General and Minister of Justice unveiled the new inscription on the side of the courthouse: "The Special Court for Sierra Leone, upon the successful completion of its mandate, officially handed the courthouse over to the Government and People of Sierra Leone. Presented to the Chief Justice on 2 December 2013 by SCSL Registrar Madam Binta Mansaray."

The formal ceremony was followed by a "soft opening" of the Sierra Leone Peace Museum, located within the court complex.

#END

The Special Court is an independent tribunal established jointly by the United Nations and the Government of Sierra Leone. It is mandated to bring to justice those who bear the greatest responsibility for atrocities committed in Sierra Leone after 30 November 1996.

Durham Times
Monday, 2 December 2013

War criminal Charles Taylor held in Durham's Frankland Prison

AN African warlord convicted of plotting some of the most brutal crimes in human history is being held in a high-security prison in the North-East, The Northern Echo can reveal.

Charles Taylor, who was sentenced to 50 years for war crimes and crimes against humanity, was moved from the Hague, where he had been since the start of his trial in 2007, to HMP Frankland, on the outskirts of Durham City.

And last night it emerged that his wife has complained that the former Liberian president is being housed with "common British prisoners", adding: "You cannot treat a former head of state that way."

Frankland houses 800 of the most dangerous offenders in the prison system, counting among its inmates, murderers, terrorists and paedophiles.

One source said Taylor is "keeping his head down" with many other prisoners not knowing who he was, while an expert on the prison system said Taylor was unlikely to be targeted and would be regarded as a "celebrity".

The 65-year-old former president lost his appeal in September over a catalogue of gruesome crimes committed by the Sierra Leonean rebels he aided and abetted during that country's bloody civil war.



The conflict claimed 120,000 lives and featured mutilations, drugged child soldiers and sex slaves.

In 2006 the British government agreed to jail Taylor in the United Kingdom in the event that he was convicted by the Special Court for Sierra Leone (SCSL) at his trial.

The verdict in 2012 ruled that he was guilty of all 11 counts of "aiding and abetting" war crimes and crimes against humanity.

Judges ruled that during his presidency from 1997 and 2003 and in exchange for "blood diamonds" mined by slave labour, Taylor provided the rebels with arms and ammunition.

Presiding Judge Richard Lussick said in his sentencing statement: "The accused has been found responsible for aiding and abetting as well as planning some of the most heinous and brutal crimes recorded in human history."

Taylor's family have alleged he is being ill-treated at Frankland prison. But these claims have been dismissed as "nonsense" by the Ministry of Justice.

His wife Victoria Addison Taylor - who had a child with him while at the Hague - revealed Taylor's whereabouts after leaving the Hague.

Speaking to a French news agency, she said: "He is being incarcerated in Frankland prison.

"They took him to this prison where high (risk) criminals, terrorists and other common British criminals are kept and he is being classified as a high risk prisoner...he is going through humiliation and you cannot treat a former head of state that way."

Former prisoner and Guardian prison correspondent Eric Allison said: "HMP Frankland is probably about the most security conscious prison in the country.

"He will be in a single cell and will have a fair bit of association with other prisoners.

"Whereas in a normal prison Category A prisoners are kept in a separate unit, at Frankland they are kept with the main population.

"He won't be on a special wing, unless he misbehaves and then he will be down the in segregation.

"He will be on what they call normal location and will wear yellow patches to signify he is an escape risk, or Category A .

"Apart from that he will be given the opportunity to work in a workshop if he wants to."

Mr Allison added: "I don't think he will be a target for anybody – he's not a sex offender. I think he will be treated as a bit of a celebrity."

A spokesman for the Ministry of Justice said it would not confirm the locations or individual prisoners but added any allegations of ill-treatment were "total nonsense".

The Star (Kenya)

Saturday, 30 November 2013

President Uhuru's ICC Trials Can Now Begin

By Samwel Omwenga

A spirited campaign to defer the ICC cases has for the second time yielded no results. Consequently, it now appears President Uhuru Kenyatta would have to settle for a video link trial in the likely event that the ICC approves it, as opposed to having the President physically present at the Hague.

This is welcome relief for all sides especially because it would allow the trial to take place without humiliating the president. Uhuru would otherwise be the first sitting president to be physically hauled into an ICC courtroom to face charges of crimes against humanity.

Uhuru would have undoubtedly preferred that the cases be deferred or terminated altogether but everything considered, going forward with a trial under these circumstances is desirable for several other reasons.

To begin with, a major advantage of having Uhuru excused from physical presence at the ICC, viewed objectively, is because it reduces the chances of having the President arrested.

Truth is, the president could be arrested and taken into custody at any time during the trial if circumstances so warrant; all it would take is for the right circumstances to prevail and the Prosecutor would have this done.

The key point here is the 'right circumstances' and these need not have anything to do with the trial itself. As it is now, a warrant of arrest against any ICC suspect is practically useless unless the suspect's country, or a country that the suspect visits is willing to arrest and hand over them to the ICC.

If the suspect is already in the Hague when or after a warrant is issued, he or she can simply be put in custody regardless of status in their country, including being president.

Arresting a leader of a country may be an extraordinary event in itself, but it's not entirely impossible especially where the political interests of those capable of making the arrest demand it.

Physical absence from the Hague is therefore wise and advisable for any suspect and that is why a video link trial is a relief for Uhuru. It removes the risk of being held at the Hague, giving him time to focus on the trial itself, besides governing.

A question can be asked, what then would happen if Uhuru was tried, found guilty and sentenced? Would he surrender himself to the ICC to serve the sentence?

We can all hope that this won't happen at all. I am referring to surrendering, not conviction which even though possible, is unlikely to happen. Given the nature of the case and the proof necessary to secure a conviction under international law, the decision would still be overturned after an appeal. That is the second main reason why it would be beneficial for Uhuru to be tried via video link rather than being physically present at the ICC.

The other equally important reason is that a video link trial would enable President Kenyatta to govern the country well. The uncertainty and disruption of having to travel to the Hague and staying there for days while his deputy leads the country would be eliminated. No leader would want such inconveniences and Uhuru is no different.

Put another way, in coalition governments like ours (although informally), the partner with the bigger share of the loaf hardly leaves the country. He or she however does a lot of mischief when his or her co-partner is constantly out of the country.

No one knows this better than former Prime Minister Raila Odinga, so one can imagine Ruto doing the same thing to Uhuru since it is alleged Uhuru is already doing this to him.

As I have always maintained, those closely watching Ruto know he is confident that he will walk away from the ICC a free man, when all is said and done.

For Ruto, whether he appears in person or not doesn't matter and so far, his trial has progressed in a very predictable manner. It is likely he would be acquitted since there have been no smoking guns or any smoke at all.

If Ruto is acquitted, it then follows that Uhuru would too be acquitted, for reasons we need not delve into. While this is the outcome that would not throw this country into a mess, it is not guaranteed. It's possible for Ruto to be convicted as Uhuru walks free.

Indeed, in light of the proposed amendments to the Rome Statute that would make it possible for ICC suspects to potentially be tried via video link, only Uhuru stands a chance.

There are those who are saying that Uhuru should nonetheless reject this compromise. However, that will be a huge mistake because in both local and international politics, overplaying one's hand is always politically costly.

All the efforts in the second round of deferral efforts have, in the end, not yielded the desired results. The president can however live and work with the results knowing in all cases where give and take is necessary, nobody gets everything they want.

Most importantly, we have avoided a likely bullet headed our direction had the president not been accommodated. So, let's hope the trials quietly conclude as we close this dark chapter in our history and open a new one full of promises, peace and prosperity.

Capital FM (Kenya)

Friday, 29 November 2013

Kenya Won Big At the Hague, Beams Amina

By Jemimah Wangui

Nairobi — Foreign Affairs Cabinet Secretary Amina Mohammed has given the Kenyan delegation to the Assembly of States Parties (ASP) at The Hague a proud pat on the back saying it achieved the goals it had set out to do.

Mohammed said through a statement that the team had scored 100 percent and that Kenya had achieved fundamental changes over how the International Criminal Court (ICC) functions.

Among the items that Kenya managed to change is the rule requiring all accused persons to be physically present at the Court.

Mohammed said that the changes take note of the constitutional duties of both President Uhuru Kenyatta and his Deputy William Ruto providing them with the option of attending their trial through a video link.

"The ICC has always argued that our President and Deputy President were merely accused persons before the court and must be treated as such. Not any more," she said.

"The new rule acknowledges that the President and Deputy President are duly elected by the Kenyan people and have a mandate to govern, even while meeting their obligations before the Court."

She added that the Court would not admit untested evidence during the trials of both Kenyatta and Ruto because it may undermine their defence.

Mohammed explained that the ICC Prosecutor had brought in the changes but that the Kenyan delegation had made sure that such evidence would not be brought in during the trial.

"Our view is that this new rule is fraught with difficulties and is a dangerous move that will hurt the rule of law.

When a court can admit evidence without cross-examination, then, effectively, the rights of an accused person can be prejudiced. A prosecutor may also present evidence that is fraudulent," she said.

"This is a significant advance for us because the question of ICC intermediaries and agents coaching witnesses is still very much in the public domain."

She at the same time revealed plans to introduce more amendments to the Rome Statute, which would see Heads of State and Government enjoy immunity.

Mohammed explained that Kenya had already given notice of a special Assembly of States Parties, which would discuss this amendment.

This meeting is expected to be held in the first quarter of next year.

Mohammed also gave special thanks to Namibia, Uganda, Tanzania, Botswana, Ghana, Nigeria, Sierra Leone and South Africa for the role that they played at the ASP.