

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



**PRESS CLIPPINGS**

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

**as at:**

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

Sentence Hearing in Special Court Contempt Case Tomorrow / <i>Independent Observer</i>	Page 3
ICC To Grab More / <i>The Exclusive</i>	Page 4
International Criminal Court Turns Ten / <i>Standard Times</i>	Page 5

### International News

The International Criminal Court is hurting Africa / <i>The Telegraph</i>	Pages 6-7
International Criminal Court Commences Investigation of Boko Haram / <i>World Stage</i>	Pages 8-9
Libya Releases ICC Lawyer, But Will Justice Follow? / <i>Time World</i>	Pages 10-11
Radovan Karadzic Trial: Prosecutors To Appeal Genocide Ruling / <i>Associated Press</i>	Page 12

# Sentence hearing in Special Court contempt case tomorrow

A sentencing hearing in *The Independent Prosecutor v. Eric Koi Senessie* will take place on Wednesday, 4 July 2012 at 11:00 a.m. in Courtroom 1. The media is invited to attend.

The Independent Prosecutor, in a brief filed last week, recommended a sentence of between 5 and 7 years, and a two million leone fine. The Defence brief is due shortly.

Mr. Senessie was convicted on 21 May 2012 on eight of nine counts of contempt of court for interfering with five Special Court prosecution witnesses. Four of the counts on which he was convicted alleged that he had offered a bribe to a witness to recant testimony given in the Taylor trial, and the other four alleged that he had attempted to influence a witness to recant testimony. He was acquitted on one count of attempting to influence a witness.

## ICC To Grab More

The International Criminal Court (ICC) and the Special Court for Sierra Leone (SCSL) are currently gathering information and data on alleged war crimes and crimes against humanity which will be used as back-up evidence for their pending cases against former key players in Sierra Leone's eleven years of civil conflict, The Exclusive can reveal.

According to very reliable sources, the two international courts are gathering information and data on alleged war crimes and crimes against humanity that were committed during the AFRC/RUF-SL era (1997-1998), and any violent political activities that would take place before, during and after the November polls.

The sources revealed that some of the key players under the ICC and SLSC's spotlight would include those who served as administrative officers, middle-ranked field commanders and other parties that aided and abetted during the period under review.

An anonymous ICC's official confided in this press that players in the RUF, AFRC and former militia groups in Sierra Leone will be targeted.

The official informed that the conviction and sentencing of former Liberia President Charles Gangay Taylor in The Hague by the SCSL does not mean an end to the activities of the two international courts in Sierra Leone, were many war crimes and human rights abuses were committed during the period under review, adding that they expect more arrests to be made and new cases to be prosecuted after the conclusion of the ongoing case at The Hague.

It would be recalled that SLSC had convicted and jailed former key players in Sierra Leone's eleven years of civil conflict, including the RUF leader Issa Sesay and Kamajor militia commanders. Most recently, the SLSC sitting in The Hague also slammed 50 years jail term for the former Liberia president and leader of the National Patriotic Front of Liberia (NPFL).

Meanwhile, the SLSC is also preparing a sentence hearing in the case of the independent prosecutor and Eric Koi Senessie. SLSC was set up to try and bring to book all those bearing the greatest responsibilities during the civil conflict in Sierra Leone.

Standard Times  
Wednesday, 4 July 2012

## International Criminal Court turns ten

*On 1st July 2002, the first three staff members of the International Criminal Court (ICC) entered the ICC's building in The Hague, the Netherlands. On that day, the ICC's founding treaty, called the Rome Statute, entered into force.*

*Ten years after that modest beginning, the ICC has turned into a major international institution, securing justice for victims when it cannot be delivered at the national level. 121 States have ratified the Rome Statute, and another 32 countries have signed it, indicating their intention to join the treaty. The ICC is working in seven situation countries, and monitoring developments in seven others on several continents, turning the principles of the Rome Statute into reality.*

*In March this year, the ICC delivered its first judgment in a case concerning the use of child soldiers in the Democratic Republic of Congo. Six cases are in the trial stage and nine others in pre-trial phase.*

*These proceedings are testimony that impunity for genocide, war crimes and crimes against humanity is no longer tolerated by the international community. The victims are a vital part of the ICC's work.*

*Thousands of victims have been given a voice in the arena of international justice, where their rights are upheld and their suffering recognized.*

*The ICC's proceedings have emphasized, on a global scale, that children cannot be used as soldiers during hostilities, that sexual violence as a weapon of war is an unacceptable international crime, and that those in positions of*

*power must safeguard the fundamental human rights of people caught in conflict. Support for international justice is growing around the world every year. Everywhere, people want peace, justice, rule of law and respect for human dignity. The ICC represents the voluntary gathering of nations in a community of values and aspirations for a more secure future for children, women and men around the world.*

*However, rather than rejoice over our accomplishments, it is far more important that we recognize the shortcomings and the obstacles that remain, and redouble our commitment to further strengthen the Rome Statute system in order to move closer to our ultimate goals.*

*If we act wisely, pulling our strength together, we can prevent terrible suffering before it takes place. The ICC is the centerpiece of the evolving system of international criminal justice, but the most important aspect of the fight against impunity takes place in each country, society and community around the globe. Domestic justice systems must be strong enough to be able to act as the primary deterrent worldwide, while the ICC is a "court of last resort", a safety net that ensures accountability when the national jurisdictions are unable for whatever reason to carry out this task. In a spirit of solidarity, the States Parties to the Rome Statute have expressed their commitment to work together to ensure that this principle of complementarity is effective. Another crucial aspect of the ICC is the cooperation of states and the enforcement of the*

## COMMENTARY

*Court's orders.*

*The ICC has no police force of its own. The Court relies entirely on states to execute its arrest warrants, to produce evidence, to facilitate the appearance of witnesses and so on. Unfortunately, several suspects subject to ICC arrest warrants have successfully evaded arrest for many years. Political will and international cooperation is crucial in order to bring these persons to justice.*

*While the ICC is working together to prevent impunity and to ensure accountability, we must remember that international criminal justice is one piece in a bigger framework for protecting human rights, suppressing conflict and working for peace and stabilization. It is vital that other essential elements of conflict prevention and post-conflict recovery are present where needed, alongside international justice mechanisms.*

*Only when accompanied by education, democracy and development, can justice truly help prevent the crime of the future. Let us cherish our spirit of solidarity as we look forward to the ICC's next decade, celebrating its achievements and acknowledging the challenges that remain ahead. We must be united in our resolve to defeat impunity and the lawlessness, brutality and disdain for human dignity that it represents.*

*At this crucial juncture, we must continue the fight against impunity with renewed resolve and increased vigour. We cannot rest until every victim has received justice.*

**Standard Times Team**

The Telegraph  
Tuesday, 3 July 2012

## The International Criminal Court is hurting Africa

By Courtenay Griffiths, QC

Britain's support for the International Criminal Court is wrong and undermines its credibility in African countries, writes Courtenay Griffiths.



*Senior Kenyan figures facing International Criminal Court trial  
Uhuru Muigai Kenyatta and  
William Samoei Ruto Photo: AP*

Imagine the British Government appointed as minister for Africa a man close friends with a mercenary who attempted to overthrow an African President. Imagine this same minister was fully supportive of an international court that, during its nine-year history, had only prosecuted black Africans. Imagine that this court's most high-profile case, against the deputy prime minister of Kenya, had been based solely on evidence from a single witness chosen by associates of his political opponent, the favourite of the British Government.

This is not a Frederick Forsyth novel, but the dangerous reality of Britain's foreign policy towards Kenya. Henry Bellingham, our Minister for Africa, is a close friend of Simon Mann, the mercenary who tried and failed to orchestrate a coup in Equatorial Guinea. Mr Bellingham has publicly supported the work of the International Criminal Court that has so far only tried black Africans, when, from Libya to Syria, there are many more victims who still await justice.

But as I learnt during my time as chief defence counsel to Charles Taylor, the requirement of international justice is not the *raison d'être* of the International Criminal Court at all. Instead, the court acts as a vehicle for its primarily European funders, of which the UK is one of the largest, to exert their power and influence, particularly in Africa.

Some would argue it is reasonable for countries to exercise their power in foreign countries through legal means. If this is the case, it is surely sensible to support both the institutions and legal cases that might realise this goal. However, Britain's support for the ICC, and in particular our country's funding of the Kenya case, is seriously undermining its credibility and influence in Africa.

The case against Uhuru Kenyatta, the deputy prime minister of Kenya, is of serious concern, not only because of the serious lack of evidence against him, but also because of the methods used to obtain this evidence. The ICC did not directly source witnesses for this case, nor has it done so in any other case heard before the court. Instead it outsourced evidence-gathering to local intermediaries. In the Kenya case, these intermediaries happened to be well known associates of Raila Odinga, the current prime minister of Kenya, and Mr Kenyatta's long-term political opponent.

#### Related Articles

This case, which revolves around a single witness sourced by those close to Mr Odinga, should set off alarm bells in the Foreign Office. Instead, the FCO has funded the witness protection scheme for the case and given its full support for the trial to proceed.

Britain does not want Mr Kenyatta to be President of Kenya. It sees its interests as best served through the election of Mr Odinga in the forthcoming contest, a peculiar position given Odinga's former support for East Germany and Cuba (his son is named Fidel Castro Odinga). The Western-educated Kenyatta appears a more obvious choice, had the British not been involved in the incarceration of his father.

Jomo Kenyatta, the first president of Kenya, was imprisoned by the colonial administration on charges of facilitating the Mau Mau rebellion against British rule. He was later released from prison following the discovery that his trial witnesses were from sources loyal to the British government.

Fifty years after Kenyan independence from Britain, history is repeating itself. Uhuru Kenyatta is considered likely to win the presidential election scheduled for 2013, not Britain's man Odinga.

For Britain to maintain its influence in Kenya and therefore in Africa it needs to withdraw its support and funding of the Kenyatta case. The FCO can retreat with its honour still intact, while maintaining its support for international justice by calling for a review of the Kenya case – even for its end – if politically unbiased evidence does not materialise.

Britain should encourage other countries that fund the ICC to pay for the witness protection scheme in its place. The parallels between the Jomo and Uhuru Kenyatta cases of funding politically biased witnesses are all too obvious. And Britain should make its impartiality towards the forthcoming Kenyan election explicit. This means inviting all credible Presidential candidates to the UK for discussions with officials at the FCO, not only Odinga, as has been the case for far too long.

It may be possible for Britain to maintain its support for the ICC, despite the criticism that it is a means to exert power for its funders rather than to deliver international justice. But while Britain continues to undermine Kenya's national sovereignty through intervening in its political sphere this will remain unlikely. There, as with other African countries, it is for their citizens to decide who rules them, not any foreign power. And Britain would do well to remember this; Uhuru in the Swahili language means "freedom". If Kenyatta wins the election this may mean that Kenya finally frees itself 50 years after independence from the influence or obligation to its former colonial master.

*Courtenay Griffiths QC is a leading international expert in criminal law who acted as Chief Counsel to former Liberian President Charles Taylor at the Special Court for Sierra Leone*

## World Stage

Tuesday, 4 July 2012

### **International Criminal Court commences investigation of Boko Haram**

Abuja (WorldStage Newsonline)-- The International Criminal Court (ICC) has instituted a preliminary investigation into the Boko Haram terrorist activities in Nigeria.

This is as President Goodluck Jonathan assured that Nigeria will work with the criminal court to check impunity in the country.

However, ICC Chief Prosecutor, Mrs. Fatou Bensouda who is in Nigeria on the invitation of the Government to discuss cooperation and the Court's work in the country over the past five years, said Nigeria was not under any investigation, as the Government had responsibility for investigating and prosecuting any crimes in the country, and expressed appreciation that this was already being done.



*Boko Haram members arrested by security agents*

Answering questions from State House Correspondents at the end of her meeting with the President, the ICC Chief Prosecutor also said the Court was not targeting Africa, but all cases in the continent, apart from Kenya, were originated by Africans, adding that this was good for the victims of such crimes.

The investigation which is coming on the heels of recent classification of three leaders of Boko Haram by the United States of America may result in the branding of the deadly bombings of innocent citizens as "crime against humanity" by the ICC.

Bensouda noted that the ICC's preliminary examination of development in the middle belt has been on for about five years and with attention shifted to the recent Boko Haram activities in the country.

Speaking further of her mission to Nigeria she disclosed that ICC is already meeting with concerned citizens with the view to taking position on the issue.

"Our intention is to meet with concerned authorities in Nigeria. We are meeting with the Minister of Justice, we are also meeting with various authorities that are concerned with this problem and the discussions will take place at that level.

"Of course these crimes are taking place, but we are happy at the moment that Nigeria is also taking steps to address these crimes. As you know, these crimes may be called terrorist attacks but they could also qualify as crimes against humanity and the ICC is not court of such instance, it is a court of last resort".



She further added that, “As long as Nigerian government is taking steps to address these crimes the ICC will not intervene. And I want to emphasize that ICC is not yet investigating these crimes, Nigeria's situation is just under preliminary examination and if we see, by monitoring these crimes, that the same crimes we are monitoring the Nigerian government is addressing those crimes, there will be no need for ICC's intervention.

“And the intention is not to intervene, but the intention is to ensure that Nigeria that has the primary responsibility of investigating and persecuting, is actually doing that. In which case we only will need to observe that those proceedings are genuine proceedings which this is the next phase but we have not gone to that stage yet.”

She also applauded the country's role and cooperation with the ICC. “First of all let me thank Nigeria for the cooperation that we have been receiving as the International Criminal Court, but also to discuss issues of general cooperation with the authorities, starting with the President and also to brief on the preliminary examinations that have been taking place by the office of the Prosecutor since four to five years now regarding the trouble in the middle belt area and most recently with the Boko Haram”.

President Jonathan in his remark said Nigeria will support the International Criminal Court in its efforts to check impunity.

The President said, “Nigeria does not encourage impunity, and will cooperate with the ICC to check it.”

President Jonathan said, “we are open to you and have nothing to hide”, adding that he had directed the Attorney-General and the Secretary to the Government of the Federation to ‘ensure that the ICC Chief Prosecutor receives all the support and cooperation required to make her visit to Nigeria a fruitful one.’

He drew Mrs. Bensouda's attention to the ICC's involvement in five situations in Africa, with the attendant criticism from the continent, and called on the Chief Prosecutor to use her experience in the Court to resolve potential areas of conflict or disagreement.

The President said while the African Union's Constitutive Instruments do not condone impunity, greater engagement by the ICC with the AU should create the enabling environment for cooperation towards the realization of the Court's laudable objectives.

## Time World

Tuesday, 3 July 2012

### Libya Releases ICC Lawyer, but Will Justice Follow?

Libya released a team of International Criminal Court lawyers detained in the town of Zintan for nearly a month for supposedly conniving with the imprisoned son of Muammar Gaddafi. But questions remain about the ICC mission and the elusive quest for justice in Libya as the country nears elections

By Vivienne Walt

The four members of the International Criminal Court made it home safely to the Hague after 25 days in custody in the western Libyan town of Zintan. Still in jail in that town, however, is a far-higher-profile detainee — Saif al-Islam Gaddafi — who on Tuesday was languishing through his 227th day in captivity, with his case now seemingly in shambles, and with questions still lingering about the ICC's role itself.

The arrest of the four ICC employees was the gravest crisis the international court has experienced since it opened its doors a decade ago; last Sunday, in fact, marked its 10th anniversary. The ICC had dispatched one of its defense attorneys, Melinda Taylor, to Zintan for her second visit, along with three others, to nail down legal representation for the slain leader Muammar Gaddafi's most powerful son, who was cornered in the country's Sahara last November by Zintan's armed brigade, which now runs that town. Taylor was also tasked with helping the ICC decide whether Libya should be permitted to try Saif on its own soil, rather than transfer him for ICC trial in the Dutch capital, under Libya's obligations as a U.N. member state.



*Australian lawyer Melinda Taylor, right, and her Lebanese colleague are released from detention in the Libyan town of Zintan on July 2, 2012. The two were members of the International Criminal Court's legal team who had been detained since early June after visiting the jailed Saif al-Islam Gaddafi*

(PHOTOS: Almost Dawn in Libya: Exclusive Interactive Panorama)

Midway through Taylor's meeting with Saif, Zintani officials broke up the discussion and arrested her, saying she was passing him coded letters that threatened Libya and that she had smuggled in a hidden camera and recording device. One of the letters Taylor gave to Saif had been written by his close aide Mohamed Ismail, according to a TIME interview with Ismail. One day after Taylor's arrest, a Foreign Ministry official told reporters that passing the letters was an "act that is jeopardizing the national security of Libya" and predicted that Taylor would "be with us for a while." In the end, it took a public apology from the ICC last weekend to get Taylor, an Australian, released without charges.

But did the ICC do anything wrong? That remains unclear, since the ICC has not denounced the arrest of its staff, choosing instead to use cautious language in its handling of the crisis. On Monday the ICC's president, South Korean lawyer Song Sang-hyun, said he was "grateful" to Libya for releasing the team, and after the arrests last month, Song said the ICC was "very concerned about the safety of our staff" and asked Libya to "ensure their safety and security and to liberate them."

Indeed, having finally made it home to her husband and young daughter, Taylor, 36, could find herself under scrutiny from her bosses about how her Libyan mission — the most crucial of her career — went wrong. “We are seeking full information about the investigations in Libya in order to conduct our own investigation,” ICC spokesman Fadi el-Abdallah told TIME on Tuesday. “We can ask them exactly what happened.” Taylor did not respond to TIME’s text messages to her cell phone on Tuesday. When TIME asked el-Abdallah whether Taylor would continue to work on Saif’s case, he said, “Nothing is decided.”

Back in Zintan, meanwhile, Saif’s case appears to have reverted to square one. Taylor, who had been the only lawyer Saif had seen during his seven months in captivity, is unlikely to be allowed to return to Libya, judging by official Libyan statements in recent weeks. Even before her visit last month, Taylor had harshly criticized Libya’s handling of Saif, who has not been allowed phone calls or visits since being captured last November and as yet has not officially appointed his own legal counsel. Writing in a statement after her first visit to Saif earlier this year, Taylor said Libya was keeping him “in a legal black hole.” She also criticized the Libyan government for having “performed a dramatic volte-face,” by first informing Saif that he was under investigation for irregularities concerning his fishing business and later telling him and the ICC’s public-defense office that he was under investigation for war crimes.

As Libya is scheduled to hold its first elections in 60 years on Saturday, Saif’s case is unlikely to advance until a new government is elected and installed, probably later this month. Even then, it will require some work to ready a deeply dysfunctional justice system for a trial that would meet international standards. Thousands of Libyans remain detained by various militia groups that have arrested them over the past months on suspicion of being Gaddafi supporters. “Rebuilding the Interior Ministry and the whole justice system, that will be our main concern after the elections,” says Fathi Baja, head of the National Transitional Council’s international-relations committee, on a phone call from Benghazi on Tuesday. “All these people will have to be handed to the legal justice system of Libya, otherwise there will be disorder.”

The top prisoner, of course, is Saif al-Islam Gaddafi, and Baja believes the new Libyan government will ultimately conduct a fair trial — especially given how determined it will be to avoid transferring him to the ICC. “Most people I know agree that he has to have a fair trial,” Baja says. “He has to choose his own lawyers.” The ICC’s defense lawyer Melinda Taylor might not be among them.

Associated Press

Tuesday, 3 July 2012

### **Radovan Karadzic Trial: Prosecutors To Appeal Genocide Ruling**

THE HAGUE, Netherlands -- Prosecutors at the Yugoslav war crimes tribunal are appealing the U.N. court's decision to drop one of the two genocide charges against former Bosnian Serb leader Radovan Karadzic.



*In this Nov. 3, 2009 file photo former Bosnian Serb leader Radovan Karadzic enters the courtroom of the U.N.'s Yugoslav war crimes tribunal in The Hague, Netherlands. Karadzic, 66, asked U.N. judges on Monday, June 11, 2012, to dismiss his war crimes case halfway through the trial. (AP Photo/Michael Kooren/Pool, File)*

Prosecutors filed a request Tuesday for permission to appeal the decision that judges handed down last week, in which they said there was not enough evidence to uphold a charge that a Serb campaign of killings and deportations early in the 1992-95 war amounted to genocide.

The prosecution request says trial judges "made errors of law and fact regarding the charge of genocide which resulted in the acquittal" of Karadzic on one genocide count.

The ruling came at the end of the prosecution's presentation of evidence at Karadzic's trial.

Karadzic is scheduled to begin his defense case in October.