SPECIAL COURT FOR SIERRA LEONE PRESS AND PUBLIC AFFAIRS OFFICE



"Draw-Chain" fishermen on Lumley Beach.

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

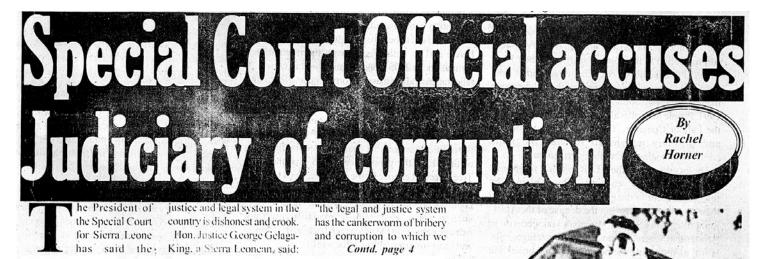
as at: Wednesday, 5 December 2007

Press clips are produced Monday through Friday. Any omission, comment or suggestion, please contact Martin Royston-Wright Ext 7217

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Concord Times Wednesday, 5 December 2007



Special Court Official accuses Judiciary of corruption

From page 1 cannot shut our eyes. "The sad and painful thing is that some officials in the judiciary are said to be corrupt," he said.

King made these statements during a keynote address on the theme 'The problems facing the legal and justice system in Sierra Leone - the way forward' at the Sierra Leone Bar Association National Consultative conference yesterday at the British Council.

"There is scarcely a member of your bar association who is not aware of this unworthy, disgraceful and shameful practice and who is not concerned about it," he said.

King said a few weeks ago two members of the bar association complained to him that a magistrate had demanded bribes and when they rebuffed him, the magistrate u n a s h a m e d l y approached their clients directly.

He said the profession should be honorable, not merely in name, but in practice.

"Unless there is a determined and unrelenting effort to reform the judiciary, to remove all corrupt and disrupting influences, the way forward must necessary be bleak," he said.

King also said the salaries paid by DfID and the Commonwealth Secretariat to a handful of judges are more than ten times what is paid by the government to the rest of the judges.

"I submit that such disparity in salaries is

unacceptable and unconscionable and leads to dissatisfaction and resentment, which in turn reflects on the quantity and quality of the output of the disaffected and disadvantaged judges," King noted.

J.B Jenkins-Johnston, a Freetown lawyer, said delays in hearings and in determining court cases can be attributed to the repeated requests for adjournments by lawyers and their lack of preparation before they come to court.

"The ancillary staff [court registrars, bailiffs and filing room staff] lacks motivation and no one seems to recognize they are the ones who are in a position to make the wheels of justice turn faster or slower." he said, Chief of Human Rights

& Rule of Law for UNIOSIL Benedict F. Sannoh said one major threat facing the justice system is the slow pace in which cases are processed and adjudicated. He said this had a negative impact on the consolidation of peace in the country. "The lack of capacity of the police translates into delay and denial of due process of law," he said. He also called on lawyers to try to be more available in the rural areas.

Amara Kamara, a Freetown trader who bribed officials to get out of a local court, confirmed that the justice system is fraudulent. "When I had a case in court I had to pay the lawyer, magistrate, prosecutors so that my case will not be delayed." he said. Awoko Wednesday, 5 December 2007

Supreme Court will soon become constitutionally moribund

By Ishmael Bayoh The president of the Special Court for Sierra Leone, Hon Justice George Gelaga King, has said lack of highly competent and 'credentialized' judges to sit in the Supreme Court will soon make it constitutionally moribund and defunct.

Justice King made this observation yesterday at the British Council when he served as the keynote speaker at the Sierra Leone Bar Association's national consultative conference.

Highlighting the numerous problems the judiciary is facing, Justice King referred to the recruitment of judges as top most priority to sit in the Supreme Court, the Court of Appeal and the High Court.

He said the compelling rationale behind that was that the constitution provided that the Supreme Court should consist of not less than five permanent justices, including the chief justice.

"At the present time there are only two permanent

justices in that court, unless this desperate situation is assuaged with great expedition, the Supreme Court will soon become constitutionally moribund and defunct as there are two retired justices reappointed to the Supreme Court on yearly contract and one justice paid by the Commonwealth who is on a longer short term contract," he noted.

In the case of the Court of Appeal, he said the "constitution provides for the court to consist of not less than seven permanent justices. Currently there are only three such permanent justices, two on short term contracts and one retired judge who is reappointed on a yearly basis."

Apart from the three permanent justices, he

continued, the other three who were currently officiating in the Court of Appeal and the three short-term contract justices in the Supreme Court did so under a stopgap measure.

He said the stopgap justices hardly likely reach judgment stage within a year allotted to them under short term contracts. "As more and more fresh cases are added to the lists of these justices, so the yearly contracts of the justices will have to be renewed if those fresh cases are to be concluded-an obvious case of a vicious cycle"

The situation at the High Court, he said, had

improved with the comparative recent appointment of seven permanent judges and one short term judge even though there were vacancies for at least two more judges. "The constitution provides that there shall be not less than nine judges of the High Court to be appointed to the three courts. Anything short of the stipulated number infringes. if not violates, the constitution," he stated. Justice King mentioned the problem of bribery and corruption as cankerworms facing the judiciary. He said, "the sad and painful thing is that some officials in the judiciary are said to be corrupt. There is scarcely a member of the judiciary who is not aware of this unworthy, disgraceful and shameful practice."

Exposes

Judicial

Corruption

Special Court Judge By Isatu Gbla

At a one day Consultative Forum for stakeholders in the Justice Sector held yesterday on the theme: **PROBLEMS FACING THE LEGAL AND JUSTICE SYSTEM IN SIERRA LEONE** which was organized by the Sierra Leore Bar Association in Collaboration with UNIOSII, Honorable Justice George Gelaga-King, President of the Special Court for Sierra Leone in his address noted that the problem facing the Legal and Justice System in Sierra Leone is bribery and corruption to which they cannot shut their eyes.

The sad and painful thing, he went on, is that some in the judiciary are said to be corrupt and "there is scarcely a member of your Bar Association who is not aware of this unworthy, disgraceful and shameful practices and who is not concerned about it, "he blasted.

He recalled how a few weeks ago two members of the Bar Association complained to him that a Magistrate had demanded bribes from them and that when they rebuffed him the Magistrate unashamed approaches their clients directly.

But he was pleased to report that there has been some improvement in the judiciary. "Judges now have access to computers and printer. The duty and obligation of

Chief Justice Ade Renner-Thomas

lawyers and the Bar Association is to do in all their power to make sure that the atmosphere for dispensing justice always remains uncontaminated and free from bribery and corruption". Executive Representative of the UN Secretary General, Banand Mor Kan in his statement hope that the Bar

Turn to page 2

Judicial Corruption Exposed

Association embark on appropriate activities to give meaningful content to the rule of law, protect the constitution, be the first line of defence whenever the rights and fundamental freedoms of ordinary Sierra Leoneans are transgressed and speak up either individually or collectively against the evils that undermine the process of Consolidation of Peace.

Standard Times Wednesday, 5 December 2007

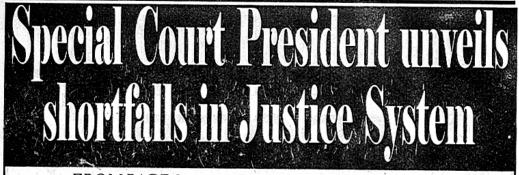


Justice King

Justice King made the statement

Association, following a consul-

CONTINUED PAGE 15



FROM PAGE 1

tor on the theme: "The Problems facing the Legal and Justice System in Sierra Leone, and the way forward", organized by the Bar Association, in collaboration with UNIOSIL's Human Rights and Rule of Law Section.

Justice King further revealed that the remuneration of judges is inadequate and that handful of them is being paid by DFID. Such disparity, he observed, is unacceptable in Sierra Leone. He urged for immediate measures to be taken to improve the salaries of judges. The Sierra Leone Bar Association, according to Justice King, has a role to play by ensuring the welfare of judges. Even though the situation at the High Court is improving, the learned judge said there is enough room for appointments.

Dilated on the snail pace in the dispensation of justice, he affirmed that, the Constitution of Sierra Leone clearly stipulates that the court shall deliver judgment in writing not later than three months, and particularly called on the Chief Justice to take appropriate actions to remedy the situation, in order to dispense justice in an open and fair manner.

He also expressed his disappointment over the issue of bribery and corruption, which he said have undermined the justice system in Sierra Leone and called for the creation of another court to be built in the country, preferably in Freetown, and for judges to have more access to computer training.

Standard Times Online

Wednesday, 5 December 2007

Shortcomings In Sierra Leone's Legal System

We are very sad to have learnt from a close source to the judiciary of Sierra Leone that, the failure on the part of this institution to deliver qualitative justice is based on what they referred to as lapses within the judicial system. These lapses have seriously undermined the dispensation of justice within the jurisdiction of Sierra Leone and hence the fundamental rights of the citizens.

Even though the issues raised are not in any way new to Sierra Leoneans but they were coherently reported to show the level of problems that are overshadowing the judiciary. Indeed, they are very serious and every effort must be exerted by the governing authorities to improve on the status quo. Being that the lapses might not be known by all Sierra Leoneans, an attempt would now be made to assess these lapses and provide requisite recommendations to address them urgently. In the first place, most of our judges and magistrates that have been appointed to dispense justice without fear or favour are not being paid from the consolidated fund. Instead, they are being paid mainly from funds secured from International Non-governmental or revenues generated domestically. The failure on the part of the previous government to ensure that the salaries of some of the judges and magistrate of our judiciary come from the consolidated fund unprecedented exposed them to the perpetuation of all kinds of unethical activities for their survival and livelihood. This is too bad, but it is the reality and it continues to date. Thus, we are expecting the newly elected government to make provisions for the immediate payments of all judges and magistrates from the consolidated revenue fund.

It would surprise Sierra Leoneans and the wider community of the world that some of our judges were appointed on contractual basis. This presupposes that they do not enjoy any security of tenure. Similarly, most of the newly appointed magistrates were recruited on contractual basis and it is presumed that their services can be terminated at any time if they refused to dance to the tune of their employers.

They equally do not enjoy any form of security of tenure, based on their contractual employment and the minds of most of the judges and magistrates have been conditioned towards maximizing their economic welfare. Subsequently, their priority is directed towards enriching themselves rather than dispensing the much needed justice in the country and its people need. This could perhaps be amongst the numerous reasons why most judges and magistrates are refusing to grant bail because they know that the desperate relatives who may not want to see their loved ones incarcerated would do anything to rescue them, especially making financial offers which is the most common. We can understand that our economic condition in this country is deplorable, but that does not mean the government should not employ judges and magistrates begin to enjoy some form of job security. But until this is implemented, we are doubtful whether payment for bail conditions would be discontinued in this country.

Additionally, the existence of justices of the peace has added salt to the already situation in the judiciary system in Sierra Leone. Sierra Leoneans are presently finding it very difficult to come to terms with the reality of the justices of the peace presiding in the lower bench as stipendiary magistrates. Most if not all of these individuals that have been appointed as justices of the peace have not in any way acquired legal education, nor have they undergone any form of legal training. It is merely their association and operations with individuals within the judiciary and the Bar Association that have given them the sense of belonging to the judiciary. Their presence and continued performance of very challenging judicial task have been responsible for the alarming increases in the number of remanded and convicted prisoners at the Pademba Road Maximum Prisons. The perpetually unprofessional verdicts they have been given

continue to undermine the fundamental human rights of Sierra Leoneans and other nationals resident in the country. Chief Justice Ade Renner Thomas must immediately work on an exit strategy for these mediocre justices of the peace, if sanity must return to our legal system.

Unlike the other judicial systems of the world in general and the African sub-region in particular, where the unabated institution of law reforms has helped modeled their justice system, ours has experienced little or no reform at all. We appreciate the contributions of the Justice Sector Development Project (JSDP) and the United Nations Development Programme (UNDP) in their drive towards promoting the judiciary of Sierra Leone. However much do not seem to have been done in this country.

Candidly, at a time like this when our judiciary ought to have grown to an impressive height, by institutionalizing computerized programmes to enhance the easy execution of justice, we still seem to be operating in the 19th century when the cybernetic world was still imaginary. At a time like this, we were expecting to see judges, magistrates and court clerks using lap tops and other computerized equipments in dispensing justice. But sadly, the issue of case files is still very prominent in our judiciary. This could be the reason why case files go missing or hidden because they are not handy. Our new government and the international non-governmental organization must endeavour to work in this direction.

If we are to be sincere with our consciences, we will also highlight the unbearable delays in the dispensation of justice in this country as a major short coming of our judicial system.

At present, there is unprecedented number of backlog cases in court. Some of these cases have been in court for more than five years with an ongoing adjournment. This practice has clearly violated the principle of the rule of law which states that justice delayed is justice denied. Besides, it has also contravened the sacred provisions of the 1991 Constitution of Sierra Leone, which expressly stated that all court proceedings must not exceed a period of three months. As a matter of urgency the newly elected President, Ernest Bai Koroma, in collaboration with the Chief Justice must ensure to institute realistic strategies that would mitigate the delays in our judiciary.

Even though they are not part of the judiciary, barristers and solicitors of Sierra Leone have contributed in no small way towards the alarming problems being experienced in the judiciary. The fact that most lawyers take too many briefs and payments from clients, for which they know they cannot cope with. For the purpose of ethics, barristers must ensure that they take the number of briefs they would be able to address in a bid to contribute to the effectiveness and efficiency of the judiciary.

BBC Online

Wednesday, 5 December 2007

World court to open Darfur cases

By Laura Trevelyan BBC News, New York

The International Criminal Court's chief prosecutor is to announce two new cases in Sudan over attacks on humanitarian workers and peacekeepers.

Luis Moreno-Ocampo will also tell the UN of Sudan's continuing failure to arrest two men accused of war crimes.

In February Mr Moreno-Ocampo issued arrest warrants for Ahmed Haroun, a Sudanese government minister, and Ali Kushayb, a Janjaweed militia leader.



Mr Moreno-Ocampo has issued two arrest warrants over Darfur

Both men were accused of war crimes and crimes against humanity in Darfur.

The Sudanese government does not recognise the International Criminal Court and has not arrested the pair.

Khartoum subsequently made Mr Haroun responsible for investigating humanitarian abuses in Darfur.

Peacekeeping

Human rights groups say the UN Security Council has not put as much pressure on the Sudanese as it might because it is also trying to get peacekeepers deployed to Darfur and wants to make progress there.

Mr Moreno-Ocampo will also tell the UN Security Council on Wednesday of his plans to open two new cases in Darfur over attacks on humanitarian workers and peacekeepers.

Ten African Union peacekeepers were killed in the Darfur town of Haskanita in September by rebels.

Aid workers are increasingly becoming targets as the rebel groups who have been fighting the Sudanese government splinter.

Voice of America Tuesday, 4 December 2007

Sierra Leone Moves to Polish Diamonds at Home

By Naomi Schwarz Dakar

Diamonds from Sierra Leone have fueled the country's gruesome civil war and enriched warlords. Now, the government and activists are trying to make sure the profits from Sierra Leone's post-conflict diamonds help the people who need it most. Naomi Schwarz has this report from VOA's regional bureau in Dakar.



A valuer counts diamonds at the government diamond export office in Freetown, Sierra Leone (file photo)

Sierra Leone is famous for high quality and very large diamonds, including one of nearly 1,000 carats. More than 65 million carats are known to have been exported from Sierra Leone since international mining began there in the 1930s. Many millions more carats are believed to have been smuggled out of the country.

Yet the vast majority of Sierra Leoneans live in extreme poverty.

In a bid to make sure more Sierra Leoneans benefit from the diamond industry, new president Ernest Bai Koroma is pushing to create laws that will ensure more of the precious stones are polished in country.

Sierra Leonean activist Abu Brima, president of the Network Movement for Justice and Development, says these laws have been a long time coming.

"It is not only a good idea, it is the most expedient thing to do," he said. "But for diamonds, in this country, it has only been just a country producing and exporting. I think it is about time that we start to add value so that people can benefit more from it."

The president has said building polishing factories in Sierra Leone will also create jobs. Unemployment estimates in Sierra Leone top 70 percent.

But Brima says polishing factories are only one small part of the many problems that remain in Sierra Leone's mineral industry.

"All the issues around production, all the issues around environmental damage and destruction, land recovery, compensation to local communities, the protection of local communities against abuse and violations by mining companies, the remuneration that is generated, the conditions of workers in the mining industry, actually formalizing the artisans that mostly mining, these are all issues to address," he said.

Polishing stones in-country is a strategy that has helped some southern African countries benefit more from their mineral riches. But Annie Dunnebacke, of international development watchdog Global Witness says implementing the strategy in Sierra Leone will not be a simple matter.

"Those countries that I mentioned, Namibia, Botswana, South Africa, have a very different diamond landscape," said Dunnebacke. "Most of the mining is Kimberlite mining, as opposed to alluvial mining. And so many of the problems faced by governments who have a lot of artisanal alluvial mining are not necessarily faced in those countries."

Alluvial mining can be accomplished with relatively low-tech materials to sift the stones from mud and sand.

Kimberlite mining requires heavy equipment to extract stones embedded in volcanic pipes.

The technique is named for the South African town of Kimberley where the first such volcanic diamond deposit was discovered in the late 1800s. The town also gave the name to the so-called Kimberley Process, a certification plan that aims to track where a diamond was extracted, in an effort to end diamond smuggling.

Alluvial mining has led to a diamond industry that is far more fragmented in Sierra Leone than in southern Africa, and consequently one that is harder to keep track of.

Dunnebacke says diamond smuggling remains a huge problem across West Africa.

"There still is, on a yearly basis, hundreds of millions of dollars worth of diamonds smuggled out of Sierra Leone," she said. "So there is clearly an illicit trade not only in Sierra Leone, but also in the region, which of course includes Ivory Coast where conflict diamonds are still being mined and are still being exported."

And Dunnebacke says the fragmented nature of the diamond industry in Sierra Leone means it will be harder to make in-country polishing economically viable. She says the government will have to find international manufacturers to build the factories and convince individual diamond dealers to sell to Sierra Leonean factories instead of exporting them directly.

President Koroma has also pledged to tackle corruption in the government and mineral industry. His mining minister has said he will review every mining contract to try to cut out cheating and corruption.

The Monitor (Kampala)

Wednesday, 5 December 2007

Uganda: Lawyer Named ICC Judge

Frank Nyakairu Kampala

THE Sixth Session of the Assembly of States Parties at the UN Headquarters in New York, has elected three judges including a Ugandan to fill judicial posts at the International Criminal Court.

The ASP on Friday elected Fumaiko Saiga (Japan) with 82 votes, Bruno Cotte (France) with 79 votes to fill ICC judicial posts. In a fourth round of voting on Monday, they elected Daniel David Ntanda Nsereko (Uganda) with 74 votes to the ICC bench, according to a media statement released on Monday.

Justice Nsereko becomes the second Ugandan to hold such a judicial position at The Hague after Justice Julia Sebutinde who is the presiding judge at the International Criminal Tribunal for Sierra Leone.

Mr Nsereko's election was followed on Tuesday by a call from the UN Secretary General Ban Ki Moon for the arrest of indicted war criminals like LRA leader Joseph Kony.

Justice Nsereko is an advocate in the High Court of Uganda and professor of law at the University of Botswana in Gabarone. He is on the ICC's list of counsel who are eligible to represent accused persons and victims.

He has provided expert legal opinions to the International Criminal Tribunal for Rwanda and to the ICC's Office of the Chief Prosecutor. He also participated in the negotiation process of the Rome Statute from 1995 to 2002.

His election came as UN Secretary Generel Ban Ki-moon called on the international community to maintain funding and public advocacy for the ICC, stressing that the long-term success of the court depends on greater co-operation from states.

The ICC has issued nine arrest warrants, five of which are against Ugandan rebels.

The other two are in Sudan while others are in DR Congo.

However, the Secretary-General stressed that the Court's ongoing success, and even ability to function, will rely closely on the support of States Parties and from the United Nations, international organisations, nongovernmental organisations and civil society groups.

He called for cooperation that results in financial support and political backing, and which flows from expressions of support in public for both the Court and for its Trust Fund for Victims.



United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 4 December 2007

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

International Clips on Liberia

UN Helps Launch Nationwide Anti-Rape Campaign

Dec 04, 2007 (UN News Service/All Africa Global Media via COMTEX) -- The United Nations has teamed up with the Government of Liberia to launch a nationwide campaign to prevent and punish the crime of rape, one of the most serious challenges the West African nation is grappling with as it emerges from years of conflict. "Rape is the most frequently committed serious crime in Liberia so we must find more effective ways to stop these crimes before more women and girls are hurt and abused," said Alan Doss, outgoing Special Representative of the Secretary-General and head of the UN Mission in Liberia (UNMIL). The campaign, called "Stop rape - it could be your mother, your daughter, your sister, your niece," will be taken around the country over the next six months. It was launched following a call by President Ellen Johnson Sirleaf and Mr. Doss for stepped-up efforts to tackle the crime.

International Clips on West Africa

Ernest Koroma Guest of the British Monarch

Ibrahim Seibure

Freetown, Dec 03, 2007 (Concord Times/All Africa Global Media via COMTEX) -- President Ernest Bai Koroma was guest of Queen Elizabeth II and her son Prince Charles at the just concluded Commonwealth Heads of Government Meeting (CHOGM) Kampala, Uganda. President Koroma, according to the Minister of Foreign Affairs and International Cooperation, Zainab Hawa Bangura was invited by the Queen together with eleven other heads of government to a lunch.

Japanese Gov't Donates Us\$2m to Salone

Ben Samuel Turay

Freetown, Dec 03, 2007 (Concord Times/All Africa Global Media via COMTEX) -- The Government of Japan has approved funding for year 2008 in the area of children and material health worth US\$2million for UNICEF in Sierra Leone. The project which UNICEF's Country Representative, Geert Cappeleare said is titled "Infectious Diseases Prevention" is the fourth time Japan is contributing to the development of **Sierra Leone**.

Ivory Coast to fix election date soon: Gbagbo

ABIDJAN, Dec 3, 2007 (AFP) - **Ivory Coast** is to announce a date for presidential election, due within the first half of next year, in "a month or two," President Laurent Gbagbo said on Monday.

Local Media – Newspaper

Court due to Screen Coup Plot's Video Today (*The News*) • State prosecutors in the ongoing treason trial involving Charles Julu, Andrew Dorbor and the Republic of Liberia are expected to screen the video recording of a planned coup to overthrow the government of President Ellen Johnson-Sirleaf.

Gbarpolu Senatorial By-election Today

(The News and Daily Observer)

• More than 22,000 registered voters will today go to the polls in Gbarpolu County to elect a senatorial candidate of their choice. Nine candidates are contesting to fill the vacant seat in the county. The seat became vacant following the death of the County's Senior Senator Samuel Tormetie, in September this year.

Southeastern Counties Get Community College

(The News)

• Correspondents said that the Liberian Government in collaboration with citizens of Grand Gedeh County has established a community college in the Zwedru, Grand Gedeh County, as part of efforts to decentralize higher institution of learning in the country. It is believed that the would address the educational needs of high school graduates from Southeastern counties, particularly Sinoe, River Gee and Grand Gedeh.

UNMIL Supports Independent Probe into Bribery Allegation

(National Chronicle)

• [sic:] the United Nations Mission in Liberia (UNMIL) which forms part of the International Contact Group on Liberia has thrown its weight to an international call for an independent probe into the alleged bribery at the House of Representatives nearly a year ago.

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

Court Hinders in Serving Trial Assignment of Economic Sabotage Case

• Sources said that court officers were hindered on two occasions to serve a court trial assignment on former National Transitional Government of Liberia Chairman Charles Gyude Bryant, leading to the inability of the Court to hear the economic sabotage case involving Mr. Bryant yesterday.

(Also reported on ELBS, Star Radio, SKY Radio and Truth FM)

State Witness Testifies in Treason Trial

 Court reporters said that a State witness in the treason trial of Armed Forces of Liberia Retired Gen. Charles Julu and others, Mr. Jacob Karana, a Lebanese national yesterday denied knowledge of any plan by Julu to topple the Government of Liberia, but said that Julu asked him to give another Retired Colonel Andrew Dorbor US\$50 for him to travel to Ganta and US\$20 for hotel bill. He informed the Court that Julu and Dorbor never mentioned to him any plot to overthrow the Government.

(Also reported on ELBS, Star Radio, SKY Radio and Truth FM)

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.