

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



An aerial view of Lumley Beach

**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:**

Thursday, 6 December 2012

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

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# Interview with Joseph Kamara Former Acting Prosecutor for the Special Court for Sierra Leone

FROM THE  
EDITOR'S DESK

(PART 2)

BY ISSA B. M. KAMARA

As the trial of Charles Taylor has ended at the Hague I feel that this is the most opportune time to reflect on what went on during the initial stages of the Special Court proceedings and also to bring to you something close to the minds of many Sierra Leoneans who went through the brutal rebel war/junta brutality and their resultant disastrous consequences. Like I have always done, one should learn from at least from the past and reject any form of brutality, instability and chaos, because at the end those who bare the greatest responsibilities will face Special Court or the ICC. Sierra Leone is bigger than any political Party or any single individual. Read the continuation of that interview below.

[Interview with Joseph Kamara Former Acting Prosecutor For the Special Court for Sierra Leone](#)

[By Angela Stavrianou, The Hague](#)

*CARL: What is the proposed use of the Special Court facilities in Freetown following the trial?*

Kamara: Discussions are ongoing between the Court, the Government, and also the international community, but no final decisions have yet been reached. One aspect of the Court that has already been determined is the former prison facility for the indictees who have now all been transferred to Rwanda.

That facility has been transferred over to the Government for their own use as a prison facility for women and possibly for younger offenders. As for the rest of the Court, one of the possibilities is to use it as a judicial training facility, possibly for the ECOWAS countries.

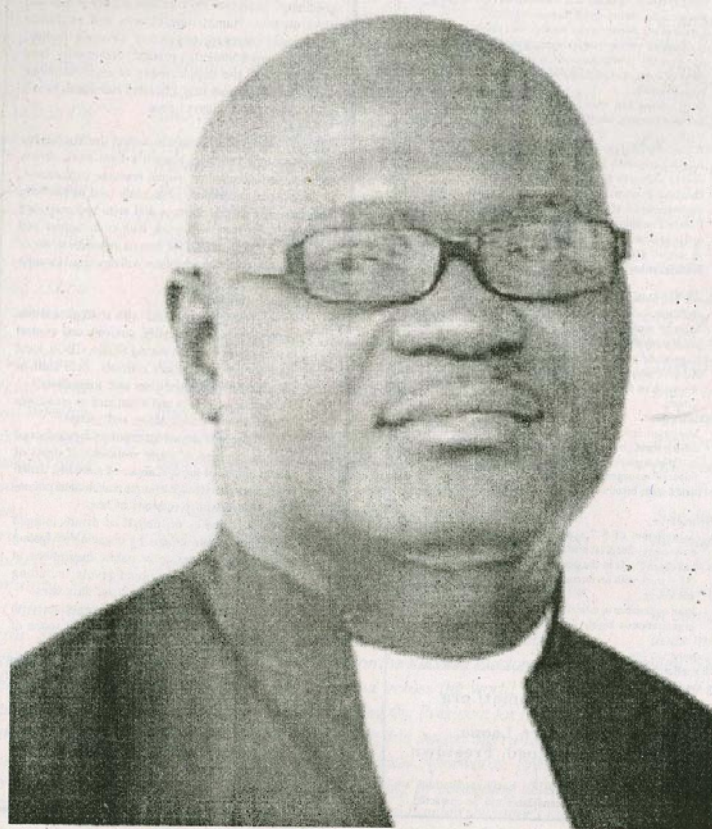
There is also a planned museum and/or memorial of some kind on the Court premises that will be open to the public. This will focus on the civil war and to a smaller extent on the history of the work of the Court and the cases.

*CARL: Who are you expecting the Defence to call in support of their case?*

Kamara: Although they have filed summaries for some 260 witnesses and loudly proclaimed their preference for a public trial during the Prosecution case in chief, the Defence successfully applied to keep the names of those witnesses hidden from the Prosecution until 21 days before each witness testifies. So, to date, the Prosecution is only aware of the names of few Defence witnesses in addition to the Accused. We hope that however many witnesses they are allowed to call, the Defence proceed with their case in an efficient and responsible manner, as the Prosecution, sought to do during its case.

*CARL: In such a high profile case, what is the effect of prejudice on the trial?*

Kamara: The Defence likes to say that the public mind has been so "prejudiced" against Mr. Taylor by the Western media that he cannot get a fair trial. This is another ploy to distract from the case against their client. Once again, it is a distortion of the truth. It is also insulting to the



*ACC Boss, Joseph Kamara*

professional and independent judges who are hearing the case. This is a trial before professional judges, chosen for their high moral character, impartiality and

integrity. For that reasons, prejudice should not be a factor. But remember, when you are speaking of prejudice, you must look at the

potential impact of prejudice against the Accused, the Prosecution and the Court itself. Public statements such as Mr. Griffiths has been prone to make, evoking emotive language to deflect from the evidence and the legitimacy of the trial, is prejudicial not just to the Prosecution but is also brings the administration of justice by the Court into disrepute.

Demanding accountability and for an indicted person to stand trial is not prejudice. The fact that in 2006 a coalition of dozens of African NGOs called for Taylor to be handed over to stand trial is not indicative of prejudice, but of the belief that impunity is wrong and accused persons should be brought to trial.

The Prosecution's position is very simple. Charles Ghankay Taylor is before this Court because of his choices and his conduct.

Let me conclude by emphasizing this point: the trial of Charles Taylor could not be more fair, open and transparent. And no amount of misinformation from the Defence outside the courtroom can distract from the evidence presented in Court against Mr. Taylor.

We will continue to challenge Mr. Taylor and the other Defence witnesses with the full weight of our evidence. And we call upon his lawyers to focus on the case as well, and refrain from spouting further poisonous dialogue in the public realm. The real victims deserve better.



*Charles Taylor*

## Newstime Africa

Wednesday, 5 December 2012

### **Special Court for Sierra Leone runs out of funds**

Written by Dennis Kabatto

The Special Court of Sierra Leone (SCSL) will run out of money in December and that it will not be possible to secure the necessary voluntary contributions to enable it to complete its work, this according to UN Secretary-General Ban Ki moon.



*Special Court for Sierra Leone*

The Secretary-General warns of far-reaching repercussions if the Court fails to secure funding in a letter dated November 8, 2012 to the President of the Security Council "the possibility of the Special Court running out of funds and, consequently, being unable to complete the appeal in the case of Mr. Taylor is a very serious concern."

In addition, Mr. Ban also said "a collapse of this appeal due to lack of funding would raise very substantial issues for the international community. As I have said before, the legacy of the Special Court and the progress that has been made towards ensuring accountability and restoring peace and security in Sierra Leone and the region would be at risk."

During her address to the Security Council on October 9, 2012 Justice Shireen Avis Fisher, President of the SCSL called for increased funds and support from the international community to establish a Residual Special Court. "The Residual Special Court will face particular challenges in obtaining voluntary Contributions to fund its operations. The support of the Security Council will be essential to ensure that it can carry out its important responsibilities," she said.

"War harms women in multiple ways. From mass rapes to mass displacements, women are on the frontlines of conflict and they are demanding justice. This includes effective prosecutions of war crimes and adequate redress for women," said Michelle Bachelet, the Executive Director of the UN Entity for Gender Equality and the Empowerment of Women (UN Women).

Bachelet also pleaded for continued funding saying the "Special Court for Sierra Leone has served justice and contributed to peace consolidation and reconciliation within a country destroyed by a devastating civil war. It is now essential that the Court be given the means to complete its mandate and to document and share lessons learned in strengthening women's access to justice," she said.

The Court also faces other challenges including insufficient staff, establishing communication with hundreds of witnesses in a safe environment, and developing indictments when there have been a multiple of crimes across a wide geographical area, said SCSL Prosecutor, Brenda Hollis.

According to Mr. Ban, there is a shortfall of about \$14 million for the period until the closure of the SCSL. And, the estimated annual budget for the continuous activities of the Residual Special Court amounts to \$2 million.

"The President of the Security Council replied to the Secretary-General on 28 November 2012. The Secretary-General has submitted a request to the General Assembly for the grant of a subvention to the Special Court for Sierra Leone. As the request is being considered by the General Assembly, the Secretary-General is not in a position to state what would happen if the request were not granted and there were insufficient voluntary funds," said Jerome Bernard, UN Spokesperson for the Secretary-General responding to an email inquiry if whether the Security Council President has responded to Secretary-General Ban's letter and what other options available if the Security Council fails to fund the Special Court and if voluntary contributions are insufficient for the Court to continue its mandate?

The SCSL was established as an independent judicial tribunal set up jointly by an agreement between the Government of Sierra Leone and the UN. It is mandated to prosecute those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the country since 30 November 1996 and during the Sierra Leone Civil War.

The SCSL is the first international criminal tribunal to be funded entirely from voluntary contributions from governments. The Court has offices in Freetown, Sierra Leone, The Hague and in New York

## CharlesTaylorTrial.org (The Hague)

Wednesday, 5 December 2012

### **Liberia: Appeals Hearing in Taylor Case Postponed**

By Taegin Stevenson

Today, judges at the Special Court for Sierra Leone postponed the appeals hearing in the case of former Liberian president Charles Taylor.

The hearing was originally scheduled to take place tomorrow and Friday of this week. The Appeals Chamber has now set a date of January 22, 2013 for the hearing to commence.

On April 26, 2012 the trial chamber convicted Taylor of aiding and abetting the commission of serious crimes including rape, murder, and destruction of civilian property by Revolutionary United Front and Armed Forces Revolutionary Council forces in Sierra Leone from November 30, 1996 to January 18, 2002. The judges also found that Taylor helped to plan attacks on three towns, including the diamond rich town of Kono and the country's capital Freetown, in late 1998 to early 1999.

On May 30, 2012, the judges sentenced Taylor to a jail term of 50 years for his role in the Sierra Leonean conflict.

Both prosecution and defense teams have appealed the judgment on several grounds, which they will present in court during the January hearing.

In those appeals, filed in July, prosecutors raised four issues, including the judge's failure to find Taylor liable for ordering and instigating the commission of crimes and the 50 year jail sentence.

Among the 45 grounds of appeal that the defense raised are the findings of the judges that Taylor was involved in planning attacks on Kono, Makeni, and Freetown in late 1998 to early 1999 and that there were irregularities in the trial proceedings based on the statement made by the Alternate Judge El-Hadj Malick Sow, who alleged that there had been no deliberations among the judges.

**UN war tribunals making progress but still face challenges, officials tell Security Council**

*Judge Theodor Meron. UN Photo/Sophia Paris*

The United Nations war crimes tribunals set up in the wake of the Balkan conflicts of the 1990s and the 1994 genocide in Rwanda are making progress in completing their work, but still face a myriad of challenges that will require support from the international community, their officials told the Security Council today.

The President of the International Criminal Tribunal for the former Yugoslavia (ICTY), Theodor Meron, [said](#) that while the tribunal is making “excellent progress,” there have been some delays in various cases. “The tribunal continues to face a myriad of challenges in meeting the estimated completion dates for some of its cases,” he said.

The ICTY is tasked by the Council with trying those responsible for the worst war crimes and other breaches of international humanitarian law committed during the various conflicts in the former Yugoslavia in the 1990s. Since its inception 19 years ago, the tribunal has indicted 161 persons.

“The tribunal is situated far from where the crimes took place in the former Yugoslavia. The geographical scope of the indictment and the number of charges alleged can surpass the most complex of national proceedings and the number of crime sites, and crimes alleged, are often of unparalleled scale,” Mr. Meron said, adding that other challenges include departure of staff, witnesses refusing to testify and States being slow in cooperating with requests.



However, he stressed that in spite of delays, the tribunal's main work beginning next year will focus on appeals and should be mostly finished by 31 December 2014. Addressing everything from crimes of sexual violence to international criminal procedures, the tribunal has "transformed the face of international justice forever, all the while paying full respect to the rights of the accused and the principle of legality," Mr. Meron said.

"The tribunal has been instrumental in bringing a new era of accountability and a new commitment to justice within the international community at large."

In his capacity as President of the International Residual Mechanism for Criminal Tribunals (IRMCT), Mr. Meron said the Arusha-based Mechanism, which was established in July this year, is fully functioning and that preparations are underway for the launch of its branch in The Hague.

The Council set up the Mechanism in December 2010 and mandated it to take over and finish the remaining tasks of the ICTR and the ICTY once their mandates expire. The Council has urged the two tribunals to conclude their work by the end of 2014.

The ICTR branch of the Residual Mechanism began its functions on 1 July, while the branch for the ICTY will start on 1 July 2013.

"I urge Council members to reflect on the achievements of the ICTY and the potential of the Mechanism – to build up on the achievements of its predecessors by creating a model institution that represents the international community's strong commitment in its fight against impunity."

ICTR President Vagn Joensen said the transition from the ICTR to the Arusha branch of the Mechanism has been effective and has allowed the tribunal to increasingly focus on downsizing its activities and prepare for closure. Over the next months, the main challenge for the ICTR would be the continued transition of the remaining functions to the Mechanism, he said.

Based in the northern Tanzanian town of Arusha, the ICTR was set up after the Rwandan genocide, when at least 800,000 ethnic Tutsis and politically moderate Hutus were killed during three months of bloodletting that followed the deaths of then Rwandan president Juvenal Habyarimana and his Burundian counterpart Cyprien Ntaryamira when their plane was brought down over the Rwandan capital, Kigali, on 6 April 1994.

Mr. Joensen added that he expected all the appeals to be completed by the ICTR no later than 31 December 2014.

# The Daily Star

Thursday, 6 December 2012

## Making the Special Tribunal work

By Michael Young

Last week, Sir David Baragwanath, the president of the Special Tribunal for Lebanon, visited Beirut, perhaps to remind the Lebanese that the institution he leads means business. I spoke to Baragwanath, who well understands the stakes in a tribunal that has progressed very slowly in recent years. Its credibility has suffered from a perception, on the critics' side, that its work is politicized; and on the supporters' side, that the United Nations investigation didn't go far enough, accumulating woefully few facts for a broad indictment.

Baragwanath is a fine front man for the tribunal. A New Zealander with impeccable legal credentials, he succeeded the Italian Antonio Cassese in October 2011. Where Cassese was seen as a man who sometimes was willing to say too much, Baragwanath is careful not to fall into that habit, for fear of discrediting the tribunal's work. He is blunt, however, even if that bluntness is often off the record.

As Baragwanath sees it, he has three jobs: He's a member of the Appeals Chamber, which must deal with the sensitive matter of an unfamiliar legal jurisdiction while maintaining the integrity of the tribunal. This he must do by balancing dual requirements: to be fair and expeditious. "Every day that passes," remarks Baragwanath, "is one in which the victims do not have their concerns addressed."

The president must also wear a diplomatic hat, and is responsible for dealing with foreign countries, including Lebanon, to support the tribunal's work. And third, Baragwanath has a general duty to ensure that the tribunal's many branches function properly.

One thing that Baragwanath appears to have understood better than most is that the tribunal was established to serve a purpose beyond uncovering who killed Rafik Hariri and other victims of assassination. This makes for openness that is in refreshing contrast to the first years of the tribunal, when the prosecution seemed utterly unprepared for a public role that it had no choice but to play. Baragwanath will not allow everything he says to be published, but he will speak his mind enough for a listener to understand that he or she is not in the presence of a taciturn judge, indifferent to how the assassinations in Lebanon affected the society as a whole.

When the U.N. investigation was set up in 2005, the implicit assumption was that the Lebanese legal system did not have the means and autonomy to uncover the truth about the crime. Beyond that, the investigation was seen as a means of bolstering the Lebanese judiciary, to make it much more difficult in the future for such crimes to be repeated. The first commissioner of the U.N.'s independent investigative commission, Detlev Mehlis, was conscious of the need to be as transparent as possible with the Lebanese public, which contributed to his work as potential witnesses and therefore needed to feel secure in the effectiveness of the process.

When Mehlis left, the Lebanese were left with Serge Brammertz, who from a public-relations perspective was a disaster. It would be nice to say that Brammertz saw his public role as secondary to that as an investigator, yet he advanced very little in his investigation, even as he largely ignored the Lebanese. Not once did he address them directly. Brammertz seemed isolated, a careerist apparently uninterested in the implications of the crimes he was examining for Lebanese society.

Baragwanath is different and his visits to Lebanon are, partly, efforts to show that he cares. "The Lebanese people have unfinished business [with the legacy of assassinations]," he says, and the tribunal

has embarked upon a number of initiatives in order to make itself known to the public and to the legal profession. Baragwanath has lectured to Lebanese lawyers' associations and regularly meets senior judicial figures. As divisive as it may be politically, the tribunal is recognized as a legitimate body by the judiciary, as well as by the government, when that was not the case in 2009.

But one thing the tribunal will have to confront, and that Baragwanath will not discuss this on the record, is that there is a deep disconnect between the assassination of Hariri, which was always seen as a vast conspiracy, and the fact that only four individuals, most acting at the operational level, have been accused by the prosecution. What is needed for an accusation, of course, is evidence, and if the prosecutor cannot cast his net widely enough, then the inevitable conclusion is that the evidence is lacking. This tells us more about the quality of the investigation than about the tribunal or its president.

This disconnect cannot be the least of Baragwanath's preoccupations, however, for it will influence the court's reputation. During the proceedings, implicit questions will arise without answers. While the president's responsibility is not to answer the questions, he cannot be eager to preside over an institution seen as wanting by the victims.

In that light, Baragwanath speaks highly of the prosecutor Norman Farrell, as he does of the head of the defense team, Francois Roux. Overall, he seems happy with his court. But again, for many Lebanese much will depend on the strength of the prosecution. For while those participating in the tribunal, Baragwanath among them, believe that the measure of success will be, in large part, whether "the verdict is impeccable," based on the available evidence, as he puts it, what will interest the Lebanese is whether an indictment is persuasive and can stand.

For them that will be the true benchmark of success, not whether the tribunal functions in an efficient way. Sir David Baragwanath, to his credit, would seem to have that angle covered.

*Michael Young is opinion editor of THE DAILY STAR. He tweets @BeirutCalling.*