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, 3 April 2013

Press clips are produced Monday through Friday. Any omission, comment or suggestion, please contact Martin Royston-Wright Ext 7217
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Admissibility of Hearsay Evidence in the Special Court for Sierra Leone

 Contrary to this it has been argued that given the substantial amount of prejudicial hearsay evidence coming before the Court in the Prosecutor v. Charles Taylor trial, it is difficult for the Judges to remain impartial and this is affecting Charles Taylor’s right to a fair trial. It has been suggested that as a number of witnesses are repeating the same hearsay evidence to the Court this will subconsciously act on the Judges’ perception of the facts. Charles Taylor himself has expressed concern that evidence before the Court is ‘repeated and repeated and repeated until... it begins to sounds like its true.’

D. The value of hearsay

A significant difference between domestic and international criminal courts is the nature of the alleged crimes.

In international criminal courts people are generally tried for crimes that have been committed on a mass scale or in a widespread and systematic manner, over a period of time.

The nature of these crimes makes it difficult for the Prosecution to present a case without the use of hearsay evidence. Stephen Rapp, former Chief Prosecutor in the Prosecutor v. Charles Taylor trial, supports the admissibility of hearsay evidence in the Special Court.

He commented that while direct evidence usually receives more weight, hearsay evidence does add ‘value’ to the trial. He remarked that ‘particularly when combined with other forms of evidence (hearsay) can provide a very accurate picture of events.

Stephen Rapp identified some examples of hearsay evidence, and explained how the admission of such evidence can be used to demonstrate a ‘pattern’ of evidence, contributing to the guilt of the accused.

...it may involve testimony from individuals who have spoken to someone who directly overheard a significant and memorable communication. Other times, it may include information imparted to a witness on a contemporaneous basis-for instance when a witness was standing next to someone who was on the line with the leader and got the relayed message, “attack that village”. There can be
Admissibility of Hearsay Evidence

... IN THE SPECIAL COURT FOR SIERRA LEONE.

The Special Court Rules provide that the Trial Chamber 'shall exercise control over the mode and order of interrogating witnesses and presenting evidence so as to... avoid the wasting of time. The Appeals Chamber in the Fofana Appeal Bail Decision suggested that the reason for the relaxed rules regarding evidence is to 'avoid sterile legal debate over admissibility so the court can concentrate on the pragmatic issue of whether there is a real risk that the defendant will not attend the trial or will harm others.

Similarly, in the ICTY the Tribunal has noted that it does not need to be ‘hindered by technicalities’.

A counter-argument is that the Court wastes a great deal of time considering evidence that is given very little weight. A commonly cited problem with hearsay is that it raises peripheral issues that are not before the Court. The rule against hearsay limits the raising of such misuses, reducing the time wasted by the Court.

V. CONCLUSION

Considering the unique mandate, structure and nature of the cases coming before the Special Court, it is submitted that the judges of the Special Court are capable of evaluating hearsay evidence and using their discretion to exclude evidence that is too prejudicial or unreliable. It is submitted that the Special Court Rules do not need to be amended to limit evidence to direct evidence, as this would have the effect that the Court would not be considering all relevant evidence when making its decisions.
Moses Blah, Former Liberia President Is Dead - Taylor's Veep Had Been Ill, Neglected

Moses Blah, the soft-spoken sidekick to former President Charles Taylor, who replaced Taylor when Taylor left Liberia in 2003 is dead.

Family sources say Blah died early Monday morning at the John F. Kennedy Medical Center after a long illness.

Mourners could be seen assembling at the JFK morgue early Monday to gather confirmation and pay respect to families, friends and loved ones.

Blah, who unsuccessfully lobbied for incentives of a former vice president, was born on April 18, 1947 in Toweh Town, a Gio-speaking hamlet in north-eastern Nimba County, close to the border with the Ivory Coast.

A FrontPageAfrica reporter at the hospital reports that the government which had turned their backs on the ailing former leader had taken over the scene and preventing journalists from taking photographs.

Fluent in German, French and Arabic, Blah completed his secondary education at Tappeta Public school in 1967. Blah also studied in Hamburg, Germany and at a military college in Tajura, Libya, from 1985 to 1989.

Blah was among scores of exile Liberians who formed part of the Taylor-led rebellion which led to the demise of former president Samuel Doe.

When Mr Taylor's National Patriotic Front had succeeded in taking control of the whole of Liberia except Monrovia, Mr Blah served in the Front in several capacities, including inspector general, adjutant general and Mr Taylor's special envoy.

Before he was appointed vice president in July 2000, Mr Blah had been Liberia's ambassador to Libya and Tunisia for three years.

But all was not rosy between Taylor and Blah. The pair were engulfed in a friction over an allegation that the Blah was plotting to overthrow Taylor through the influence of the United States embassy, an allegation which Mr Blah vehemently denied.

The drama occurred when Mr Taylor, while addressing the opening of the ongoing Liberian peace talks in Ghana on 4 June, was indicted by the war crimes court in Sierra Leone. An arrest order was issued and a power vacuum appeared to have been created.

When Taylor returned home, Blah was made to resign and then was placed under house arrest, but was later reinstated. He told me at the time: "Besides not being an ambitious person, I will never betray President Taylor; he is my revolutionary brother. We have come a long way," Blah told the BBC.
Even after Taylor's departure and subsequent trial for war crimes, Blah, despite testifying at the trial remained loyal. "I will never betray President Taylor, he is my revolutionary brother, we have come a long way."

During his short reign after Taylor's demise, Blah was condemned by Liberian rebel groups for his close ties to Taylor; they charged that he would simply continue Taylor's practices. Blah responded by calling the rebels "brothers" and saying "Let bygones be bygones. If there is power, we can share it." He invited the rebels to negotiate in his own house.

Blah was subpoenaed on April 7, 2008 to testify at Taylor's trial before the Special Court for Sierra Leone in The Hague and pledged to "speak the truth". In his testimony on May 14, 2008, revealed that described child soldiers and the relationship between Taylor and former Sierra Leone RUF rebel leader Foday Sankoh.

Blah, a Baptist vice president was married to Nettie and has many children and grandchildren.
Senator Prince Yormie Johnson of Nimba County has been reportedly prevented from viewing the remains of former President Moses Zeh Blah at the JFK Medical Center in Monrovia by family members of the deceased, who accused the Senator of prematurely announcing the death news to the public.

Moses Zeh Blah

The late Moses Blah, whose body has been deposited at the Samuel Stryker Funeral Home, died early Monday, April 1, 2013 at the JFK hospital following a brief illness.

Though there has been no explanation provided on the cause of death, hospital sources told The NewDawn that the late President’s family stopped Johnson from seeing the body because he prematurely broke the news.

“Though, they are from the same County (Nimba), Johnson was not the one to announce Blah’s death to the world because he’s not accountable to the family by tradition,” an elderly woman lamented.

Blah, 65, was Liberia’s 23rd President, who ended the term of former President Charles Taylor after Taylor resigned under pressure and went into exile in Nigeria in 2003.

Although the cause of death is yet to be established, but the late President had been a cardiac patient and repeatedly pleaded for help from the Government of Liberia to seek medication abroad.

He had not been seen in public during most part of his illness until his death eventually in Monrovia on Monday. The late Moses Blah was born 18 April, 1947 in Toweh Town, Nimba County, close to the border with the Ivory Coast.

He joined Charles Taylor to launch his rebel invasion in Liberia in 1989 because of a shared hatred of the late President Samuel Kanyon Doe, who had killed Blah's wife along with hundreds of others in an ethnic-related massacre. He was one of Taylor’s 150 Special Forces Commandos, trained in a Libyan guerrilla camp to depose the Doe regime.

The late President Blah also served Ambassador to Libya and Tunisia during the Taylor regime and subsequently became Vice President in July 2000 after the death of Rev. Enoch Dogolea, another Special Forces Commando of Taylor’s National Patriotic Front of Liberia rebels, who were rumored to have been poisoned.

Blah was known as a quiet and unassuming man, who drove his own jeep around town rather than using a motorcade and driver, and wore flowing African robes instead of the normal olive green military uniform. He was constantly annoyed by the presence of bodyguards following him around.

In June 2003, Taylor had left Liberia to attend peace talks in Ghana, where he remained when his war crimes indictment was unsealed by the Special Court of Sierra Leone.

While Taylor was in Ghana, Blah was allegedly urged by the United States to take power, but he made no such attempt, and after Taylor's return to Liberia, Blah was held under house arrest for 10 days, but was subsequently absolved and reinstated as Vice President.
When Taylor resigned in August 2003, Blah briefly succeeded him as president. He was condemned by two rebel groups for maintaining close ties with Taylor despite being in exile.

But Blah responded by calling the rebels "brothers", telling them "Let bygones be bygones. If there is power, we can share it." He invited the rebels at his house to negotiate.

On 7 April 2008, Blah said that he had been sent a subpoena to testify at Taylor's trial before the Special Court for Sierra Leone in The Hague. He said that he would testify and "speak the truth."

He testified on 14 May 2008, describing child soldiers and the relationship between Taylor and Foday Sankoh. Originally trained as a mechanic, Blah was fluent in German, French and Arabic. He had many children by his wife Nettie, and many grandchildren.
Liberia: Taylor's Lawyer Appeals to Ellen

Former President Charles G. Taylor's lawyer in Liberia, Counselor J. Sayma Syrenius Cephus, has written President Ellen Johnson-Sirleaf, requesting her intervention to speedily address his client's demands for retirement benefits, following apparent unfruitful out-of-court settlement with the Justice Ministry here.

Cllr. Cephus' letter addressed to the Liberian Chief Executive reads: "This letter is an SOS call - the last gasp for hope that is being made on behalf of your fellow citizens and friends- two of the most venerated public officials of our great country."

Cllr. Cephus had earlier sought redress from the Supreme Court of Liberia to compel the Sirleaf Administration to pay Ex-President Taylor and former Interim Vice President John D. Gray retirement benefits.

At a conference in the Chamber Justice with Associate Justice Phillip A. Z. Banks, Cephus said state lawyers acknowledged the legitimacy of Taylor and Gray's retirement benefits, but pleaded that the matter be withdrawn for amicable resolution at the Justice Ministry.

But Cllr. Cephus has complained to President Sirleaf that there is no affirmative action coming from the Justice and Finance Ministries, despite series of communications.

"As it appears now, it would seem that there is some queer or perhaps a deliberate attempt by certain officials either to sport with the rights of my clients by downplaying these legitimate constitutional entitlements or create the false and misleading impressions that their actions are sanctioned by Your Excellency's Office, something which is difficult for me to believe or accept," said the tough-spoken defense lawyer, who earlier worked for Taylor's media empire, the defunct Liberia Communications Network.

According to him, the Deputy Finance Minister for Debt Management and Expenditure Angella Cassell- Bush, claimed that former President Taylor is a "civil servant", therefore, he should channel his plight through the Civil Service Agency (CSA), something he termed as laughable and shameful on the part of the minister.

In a letter dated February 20, 2013 and authorized by Deputy Minister Bush, she however reminded Cllr. Cephus of the Justice Ministry's letter dated January 29, 2013, "rightfully" referring him to the Civil Service Agency, which is the arm of government responsible to handle all matters pertaining to retirement.

But Minister Bush said the CSA was unable to assist the lawyer on grounds that former President Taylor's wife Victoria B. Addison Taylor, had sought judicial remedy.

In another letter dated March 14, 2013 under the signature of Deputy Justice Minister Benedict F. Sannoh, the Justice Ministry acknowledged receipt of Cllr. Cephus' letter and had embarked upon consultations with relevant agencies of government regarding the matter, except that the ministry could not relay government's decision to the counselor by March 15, 2013, as he demanded.

Meanwhile, Cllr. Cephus said the months of January and February have come and gone, and "we are at the doorsteps of the month of April, 2013" but still there is no affirmative action taken by the government lawyers.

Ex-President Taylor resigned and departed Liberia in 2003, when international pressure and various rebel factions' combat compelled him to surrender and subsequently flee to Nigeria amidst an indictment for war crimes by the UN-backed Special Court for Sierra Leone in The Hague where he has been convicted and imprisoned for aiding and abetting RUF rebels in Sierra Leone during his presidency in Liberia.