TENTH ANNUAL REPORT

of the President of the
Special Court for Sierra Leone

June 2012 to May 2013

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FOREWORD

Hon. Justice Shireen Avis Fisher, President, Special Court for Sierra Leone

Your Excellencies, Secretary-General Ban Ki-moon and President Dr Ernest Bai Koroma:

It is my honour and pleasure to submit to you the Tenth Annual Report on the operation and activities of the Special Court for Sierra Leone, covering the period 1 June 2012 to 31 May 2013.

In a matter of weeks, your Excellencies, the Special Court for Sierra Leone will announce the final judgment in the case of the ninth and final person prosecuted in the Special Court. The Court will then transition to residual status and close its doors. It will be the first international criminal tribunal to do so.

In this Tenth Annual Report we have much to celebrate. During the reporting year, the Court successfully maintained the schedule presented in the Ninth Annual Report for completing its mandate: the prosecution of persons who bear the greatest responsibility for international crimes committed during the war in Sierra Leone. Also during the past twelve months the Court completed four complex and unanticipated cases in which seven individuals were charged with contempt of Court for violation of orders issued for the protection of witnesses who had appeared before the Special Court in cases already adjudicated. We were able to accomplish these things in spite of the fact that the Special Court was operating on two different continents, archiving ten years worth of documents, dramatically downsizing staff and winding down the physical and operational components of the Court. We are on schedule to complete our judicial mandate by September 30, 2013.

Completing our mandate and accomplishing our mandate are two very different things. We are therefore pleased to advise you that not only are we on schedule to complete our mandate, but, according to an independent survey funded by the European Union and conducted in Sierra Leone and Liberia, 79.16% of all those surveyed believe that the Court has accomplished its mandate. Even more humbling, 91% of those surveyed in Sierra Leone believe that the Special Court has contributed to bringing peace in their country.

The Survey Report rightly attributes these results "to the vision established during the early stages of the Court of it being an institution embedded in and responsive to the expectations and needs of the people of Sierra Leone and Liberia." Your Excellencies, I invite you to celebrate this vision as it arose out of your partnership between the government of Sierra Leone and the United Nations.

Because of your vision, the Special Court for Sierra Leone has achieved many firsts. It is the first hybrid tribunal created to assist a State that desired post-conflict justice, but did not have sufficient capacity to ensure it because of the devastation of war. It

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is the first UN-sponsored tribunal to carry out its work in the territory where serious violations of international humanitarian law have been committed, thereby ensuring that the survivors of conflict are participants in justice, not merely bystanders to it. The Special Court represents the synergy of local commitment, knowledge and talent with international financial and human resources. The Special Court proves that complementarity is a reality, not simply an aspiration.

Our jurisprudential firsts likewise justify recognition. The Special Court was the first to develop jurisprudence on the recruitment and use of child soldiers, jurisprudence that has been used and acknowledged by the ICC in their first trial judgment in the Case of *Lubanga*. The Special Court was the first to recognize forced marriage as a crime against humanity and sexual violence as a form of terrorism, reflecting the actual experiences of women and girls in the war. The Special Court was the first to rule on the effect of national amnesties in international law, on the issues of immunity involving sitting heads of State, and on the crime of attacks on peacekeepers. It has in addition, in this reporting year, significantly contributed to the development of the law of contempt for international criminal tribunals.

We must keep in mind, however, how fragile our accomplishments will be if we fail to keep faith with the people in the region who put their trust in us. Our responsibility to these people will not cease when the Special Court closes its doors. We are grateful that you recognize this and forged the Agreement between the Government of Sierra Leone and the United Nations that continues your partnership, and your vision, through the creation of the Residual Special Court of Sierra Leone.

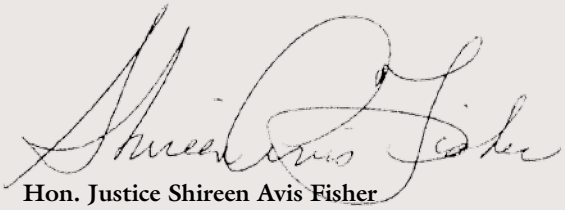
As you well know, Excellencies, residual responsibilities are not an afterthought or burden. They are an essential part of the ongoing struggle against impunity: to insure that witnesses continue to be protected, archives continue to be preserved, and the supervision of persons convicted by the Special Court continue to meet international standards.

The Residual Special Court, like the Special Court, will have to depend on funding from voluntary contributions from the international community. This has proven to be an ongoing and sometimes insurmountable challenge for the Special Court. The cost of maintaining the Residual Special Court will be modest, but it is a cost that is critical to the preservation of the accomplishments of the SCSL and the preservation of the larger personal and financial investment in the SCSL which made those accomplishments possible.

The achievements of the Tenth Reporting Year are worth celebrating. However they would never have been possible without the judges' and staff's commitment to the completion strategy. It is easy to maintain enthusiasm when starting up an institution. It is much more difficult to do so when the goal is to close it down. This is especially true when, as the first International Tribunal to close, we have had to confront new challenges that have threatened to derail our timetables and divert our energies. Nonetheless, our judges and staff have steadfastly and successfully confronted those challenges throughout the last twelve months, and continue to do so. They have my lasting gratitude, as does the Management Committee, whose support and guidance has helped us to navigate these troubled waters.

I wish also to sincerely thank the fifty-one nations who over the years have voluntarily contributed to the Court, as tangible evidence of their commitment to international justice, even in times of austerity. We are especially grateful to the 12 nations which individually contributed to the Court during this reporting year, and to the Member States of the United Nations, whose financial support in this our final year was indispensable to completing our mandate.

Your Excellencies, as the work of the Special Court approaches conclusion, I congratulate you for your vision as well as your dedication, and encourage you to join us in celebrating your joint achievement.



Hon. Justice Shireen Avis Fisher
President of the Special Court for Sierra Leone
The Hague, Netherlands

INTRODUCTION

This is the tenth Annual Report of the Special Court for Sierra Leone (SCSL), prepared pursuant to Article 25 of the Statute of the Special Court which states that:

The President of the Special Court shall submit an annual report on the operation and activities of the Court to the Secretary-General and to the Government of Sierra Leone.

The Report covers the period from 1 June 2012 to 31 May 2013. It examines the major activities of all sections of the Special Court, including Chambers, the Registry, the Office of the Prosecutor, and the Office of the Principal Defender. Drawing upon previous Annual Reports, it also reflects the significant steps taken by the Court during this period to create, define and implement policies that will ensure a lasting legacy for the people of Sierra Leone.

The Report will explain the Court's funding situation and also illustrate the work undertaken in cooperation with the Management Committee during this period in relation to its funding and administrative duties.

Summary of Activities

Charles Taylor Appeal

The Appeals Chamber was seized of appeals from both the Prosecutor and the Defence in the case of *Prosecutor v. Charles Ghankay Taylor* during the reporting period. Notices of Appeal were filed on 19 July 2012, followed by the Grounds of Appeal on 1 October 2012. Responses to the Grounds of Appeal and Replies were filed on 23 and 30 November 2012 respectively. The Prosecutor filed four Grounds of Appeal and the Defence filed forty-five Grounds of Appeal of which four were against sentence. The oral hearings of the appeals were held on 22 and 23 January 2013. An appeal judgment in the case is expected by September 2013.

Contempt Cases

On 21 June 2012 in the case of *Independent Counsel v. Eric Senessie*, a Single Judge of Trial Chamber II, Justice Teresa Doherty, convicted Eric Koi Senessie of contempt of court for interference with Prosecution witnesses, in violation of outstanding Orders of Protection. On 5 July 2012, Justice Doherty sentenced Senessie to 2 years imprisonment. On 10 August 2012, Senessie filed a Motion for Review. On 4 September 2012, the Appeals Chamber issued its decision dismissing the Motion for Review.

On 25 September 2012, a Single Judge of Trial Chamber II, Justice Teresa Doherty, entered four convictions for contempt of court for interference with Prosecution witnesses in violation of outstanding Orders of Protection in the case of *Independent Counsel v. Hassan Papa Bangura, Samuel Kargbo, Brima Bazzy Kamara and Santigie Borbor Kanu*. On 11 October 2012, Justice Doherty sentenced Bangura to an effective term of imprisonment of twelve months, Kanu to an effective term of imprisonment of one year and fifty weeks and Kamara to an effective term of imprisonment of one year and fifty weeks. Kargbo, who had pleaded guilty, was sentenced to a term of imprisonment of eighteen months which was suspended. Kanu and Kamara who are currently serving sentences for convictions for war crimes and crimes against humanity imposed by the SCSL on 22 February 2008, were ordered to serve their sentences for contempt consecutively to their existing sentences. On 21 March 2013, a three-member panel of the Appeals Chamber comprised of Justice Emmanuel Ayoola, Presiding, Justice Renate Winter and Justice Jon Kamanda rejected appeals by Kargbo, Kamara and Kanu and affirmed the sentences imposed on them by Justice Doherty.

On 19 October 2012, Justice Doherty issued the Judgment *In the Matter of Contempt Arising from the Case of Prosecutor v. Charles Taylor*, finding Lead Counsel for Charles Taylor not guilty of knowingly and wilfully interfering with the Special Court's administration of justice by disclosing information relating to proceedings in knowing violation of an order of the Chamber. No appeal was filed.

On 25 January 2013, the Single Judge Justice Doherty, convicted a former SCSL Defence investigator of contempt for interfering with Prosecution witnesses in violation of outstanding Orders of Protection in the case of *Independent Counsel v. Prince Taylor*. On 8 February 2013, Justice Doherty sentenced Prince Taylor to a term of imprisonment of two and a half years. On 14 May 2013, a three-member panel of the Appeals Chamber comprised of Justice Emmanuel Ayoola, Presiding, Justice Renate Winter and Justice Jon Kamanda rejected his appeal on the grounds that it was not properly before the Appeals Chamber. The Appeals Chamber affirmed that the judgment and sentence of the Trial Chamber therefore remained unaltered. On 21 May 2013 however, Prince Taylor re-filed his appeal with an application for the appeal to be filed out of time. The Three-Judge Appeal Chamber allowed the appeal which is now pending.

Legacy Activities

The Special Court's legacy activities continue to be an integral aspect of its operations. All sections of the Court are engaged in archiving the records produced during the Special Court's lifetime, and ensuring responsible access to those records. The Special Court hosted two Legacy Conferences in partnership with the International Center for Transitional Justice, and the Registry has undertaken work on site projects in Freetown, including the Peace Museum and the War Memorial. The legacy of which the Court is most proud, however, is the people who have worked for and with the Court over the past decade, whose skills have enriched and been enriched by their association with the Institution.

The Residual Special Court

Upon closure of the Special Court in the fall of 2013, the Residual Special Court for Sierra Leone (RSCSL) will begin its mandate to continue to fulfill the Special Court's ongoing obligations. The RSCSL is created by an Agreement between the government of Sierra Leone and the United Nations. The primary duties of the RSCSL are to meet ongoing judicial obligations arising after the closure of the Special Court; provide protection to witnesses and victims who have participated in the work of the Special Court; supervise the enforcement of the sentences imposed on persons convicted by the Special Court; and maintain the archives of the Special Court.

In connection with its obligation to support and protect witnesses, the RSCSL will maintain a witness support staff in Sierra Leone which will be accessible to witnesses in the region. The witness support staff will be responsible for responding to threats and alleged violations of orders for witness protection. The Staff will be supported by a specialized unit of the Sierra Leone Police. The unit will be comprised of police personnel with training in witness protection from the Special Court, where they formerly worked as witness protection officers. Witness protection orders will continue to be enforced by the Judges of the RSCSL, who will have the power to sentence to jail persons found guilty of contempt of court for violating protection orders of the SCSL and the RSCSL.

JUDICIAL PROCEEDINGS

Trial Chamber

Justice Teresa Doherty served as the Single Judge presiding over Trial Chamber II during this reporting period. Due to a sharp increase in issues related to the protection of witnesses, the Chamber was faced with four cases involving seven individuals, accused of violating Witness Protection Orders previously issued by the Special Court.

Following the finalisation of the *Prosecutor v. Taylor* trial, Justice Doherty immediately traveled to Freetown, Sierra Leone to adjudicate two of the contempt cases.

Independent Counsel v. Eric Koi Senessie (Case No. SCSL-11-01)

In June 2012, the trial of Eric Senessie opened. On 5 July 2012, the accused, a former member of the Revolutionary United Front ("RUF"), was charged with nine counts of having offered bribes and/or otherwise interfering with five witnesses who had given evidence in the Charles Taylor trial. He pleaded not guilty, all five persons were called and Senessie was found guilty on eight counts of contempt of court. Senessie was subsequently sentenced to a term of imprisonment of two years. In the course of his *allocutus*, before sentence, he made a statement, described by Independent Counsel as "a Perry Mason moment," stating that he was indeed guilty of the offences and had approached each of the five witnesses at the behest and instigation of another person, Prince Taylor. Prince Taylor, a former SCSL investigator for the Taylor defence team, had been named in the original complaints but the Trial Chamber had found there was insufficient evidence at that time for the chamber to have "reason to believe" he had interfered with any witness. As a result of Senessie's statement Independent Counsel made a further report to Justice Doherty.

Independent Counsel v. Hassan Papa Bangura, Samuel Kargbo, Ibrahim Bazzy Kamara, Santigie Borbor Kanu (Case No. SCSL-11-02)

The four Accused were each indicted on two counts of interfering with a witness who had given evidence in the trial of *Prosecutor v. Brima, Kamara and Kanu* (the AFRC trial). Kargbo pleaded guilty and was convicted on the depositions. Each of the other Accused pleaded not guilty to all counts. Kargbo elected to give evidence for the Prosecution.

This trial opened immediately after completion of the evidence in the Senessie matter. Two of the four Accused, Bangura and Kargbo, appeared from Freetown. The Accused, Kamara and Kanu are SCSL convicted persons currently serving their sentences in Mpanga Prison in Rwanda. In order to ensure the rights of all accused the Court conducted the trials in Freetown, linked to Kigali via video teleconference ("VTC"). The trial via video link was made possible as a result of the inter-Tribunal cooperation between the ICTR and the Special Court. Further, as Bangura and Senessie were remanded into custody at the commencement of their trials, the Court re-established the Detention facility and provided the staffing and operational resources required for the proper administration of the facility. The Correctional Services of the Government of Rwanda co-operated fully with the SCSL by conveying Kanu and Kamara to a detention facility at Central Prison, Kigali for the period of the hearing as Mpanga is far from Kigali and did not have facilities for holding trials.

The trial was fraught with procedural and logistical problems. When it opened Kanu and Kamara threatened to boycott the trial because they were "international prisoners" and they objected to their transfer from Mpanga to Kigali prison during the trial, complaining *inter alia*, that they had to share washing facilities. The court ruled that conviction for war crimes and/or crimes against humanity does not confer a special status warranting treatment superior to other convicted persons. There were further numerous objections, including objections: to the jurisdiction of the Court to hear cases of contempt relating to witnesses in the AFRC trial as the AFRC trial had already finished; to the presence of Kargbo in court while the complainant gave evidence; to the indictment; to calling of a witness who had been interviewed by both the defence and prosecution counsel; to the calling of Kamara's former counsel and the Principal Defender. An *Amicus Curiae* brief was requested and filed by Professor William Schabas on the latter issue.

As well as the procedural objections that contributed to the length of the trial stage there were frequent breakdowns in the communications connections between Kigali and Freetown. There is a two hour time difference between Kigali and Freetown and a 'lock down' time by which Kanu and Kamara had to return to detention. This restricted the hearing timetable. However the Court sat each Saturday. All Accused, except the convicted Kargbo, filed Rule 98 notices of acquittal which involved several issues of both law and fact. All three applications were dismissed. Kanu applied to call a handwriting expert prior to opening his case. The application was refused

but was followed by two further motions for review.

The Court then sat in Kigali to hear the evidence of both prosecution and defense witnesses located there, with the intent to balance the rights of the four accused and to enable the Court to observe witnesses first hand.

On 1 October 2012, the remaining three defendants were found guilty of contempt of court. On 11 October 2012, they were sentenced to terms of imprisonment ranging from eighteen months to two years. Ibrahim Bazzy Kamara and Santigie Borbor Kanu were sentenced to prison terms of two years to be served consecutively to their present sentences; Hassan Papa Bangura was sentenced to eighteen months with credit for time served on remand. He was therefore ordered to serve an effective sentence of 12 months' imprisonment. Samuel Kargbo received an eighteen month suspended sentence.

This proceeding generated several 'firsts' for international tribunals. It was the first time an international tribunal held a trial in two locations at the same time, with the Judge, rather than the witnesses and defendants, traveling between the venues to ensure fairness while minimizing costs. In the course of the trial the Court made decisions on several matters of first impression for international criminal law. These decisions included a determination of the applicability of the fraud exception, the privilege between the lawyer and client, and the propriety of the witness exclusion rule to a convicted co-accused.

In the Matter of Contempt arising from the Case of Prosecutor v. Charles Taylor (Case No. SCSL-03-01)

On 19 July 2011, the Trial Chamber, by a majority, found that there was reason to believe that Lead Counsel for Mr. Charles Taylor, Mr. Courtenay Griffiths Q.C., had committed contempt of court by disclosing information in violation of an order of the Chamber. By consent, on the application of the Prosecutor, the matter was postponed to be heard at the end of the Taylor trial.

Justice Doherty was directed to deal with the case and, by consent of the parties at a status conference on 6 July 2013, directed the filing of evidence and submissions and ordered the amendment of the name of the proceedings to *In the Matter of Contempt Arising from the case of Prosecutor v. Charles Taylor.*

Notwithstanding that the directions were made by consent, Mr. Griffiths filed a motion challenging the jurisdiction of the Single Judge to hear the case. The motion was dismissed and rulings on the interpretation of relevant provisions of the Rules of Procedure and Evidence were made.

On 19 October 2012, Justice Doherty issued a judgment finding that the Lead Counsel for Mr. Taylor was not guilty of knowingly and willfully interfering with the administration of justice of the Special Court. No appeal was filed.

Independent Counsel v. Prince Taylor (Case No. SCSL-12-02)

Following the statements of Eric Senessie the Independent Counsel filed a confidential report of his investigations into Prince Taylor. Justice Doherty issued a decision and an Order in Lieu of Indictment charging Prince Taylor with nine counts of contempt of court for allegedly interfering with previous prosecution witnesses and a potential witness who was about to give evidence in contempt proceedings.

On 6 October 2012, an arrest warrant was issued for Prince Taylor and he was subsequently arrested and remanded to the SCSL Detention facility. He was

Hon. Justice Teresa Doherty, Single Trial Judge

promptly arraigned and pleaded not guilty to all counts. On the application of his Defence Counsel the hearing was adjourned to allow him to prepare his case. On 25 January 2013, after a hearing lasting four days, Prince Taylor was found guilty on all counts by Justice Doherty, and on 8 February 2013 sentenced to two-and-a-half years' imprisonment.

During this reporting period, the Trial Chamber issued a number of interlocutory decisions relating to the cases of contempt of court. The following represents a selection of significant written decisions delivered by the Trial Chamber:

Independent Counsel v. Eric Koi Senessie: Decision on the Office of the Prosecutor Application for Leave to Make Amicus Curiae Submissions, 25 June 2012

Justice Doherty granted the Application, considering that submissions on the applicable law and sentencing practices in contempt proceedings will be of assistance to the Court and to the parties, and directed that such submissions shall not include content with respect to the particular circumstances of this or any other case.

Independent Counsel v. Bangura et al.: Interim Decision on Prosecutor's Additional Statement of Anticipated Trial Issues and Request for Subpoena, 18 June 2012 and Decision on Prosecutor's Additional Statement of Anticipated Trial Issues and Request for Subpoena in relation to the Principal Defender, 3 September 2012

On 18 June 2012, Justice Doherty issued a decision granting the application to subpoena Mr. Andrew Daniels, formerly counsel to Kamara. The decision made a comprehensive review of the history of the lawyer/client privilege and

the exceptions to it before ruling that the crime/fraud exception also applied to lawyer/client privilege provided in Rule 97. The decision further requested that *Amicus Curiae*, Professor William Schabas, file an *Amicus* Brief on the application of Rule 97 of the Rules and the crime/fraud exception to the Principal Defender. On 28 June 2012, Professor William Schabas filed his *Amicus Curiae* Brief, concluding that "strong policy reasons exist justifying the recognition of a *sui generis* privilege, analogous but not identical to that of defence counsel, in the case of the Principal Defender." On 29 June 2012, Justice Doherty gave an oral ruling on the application refusing the Independent Prosecutor's application to *subpoena* the Principal Defender and on 3 September 2012, rendered a written reasoned decision.

Independent Counsel v. Bangura et al.: Decision on Urgent Defence Application for Permission to instruct a Handwriting Expert pursuant to Rule 54, 11 September 2012

Independent Counsel v. Bangura et al.: Decision on Defence Request for Correction to Decision on Urgent Defence Application for Permission to instruct a Handwriting Expert pursuant to Rule 54, 11 September 2012

In the Matter of Contempt Arising from the Case of Prosecutor v. Charles Taylor: Decision on Confidential with Confidential Annexes A-E Prosecution Motion for the Trial Chamber to Summarily Deal with Contempt of the Special Court for Sierra Leone and for Urgent Interim Measures, 19 June 2012

In the Matter of Contempt Arising from the Case of Prosecutor v. Charles Taylor: Decision on Urgent and Public with Annex Defence Challenge to Jurisdiction, 17 October 2012

In the Matter of Contempt Arising from the Case of Prosecutor v. Charles Taylor: Judgment, 19 October 2012

Decision on the Confidential Under Seal Submission of Supplemental Confidential Report of Independent Counsel (Independent Counsel v. Prince Taylor), filed on 4 October 2012.

Decision on Urgent and Public with Annex Defence Challenge to Jurisdiction (In the Matter of Contempt arising from the Case of Prosecutor v. Charles Taylor), filed on 17 October 2012.

Decision on Independent Counsel's Motion for Subpoena Duces Tecum and the Subpoena Duces Tecum to First International Bank, LTD Lungi (Independent Counsel v. Prince Taylor), filed on 14 November 2012.

Further Decision on Independent Counsel's Motion for Subpoena Duces Tecum and the Subpoena Duces Tecum (Independent Counsel v. Prince Taylor), filed on 28 November 2012.

Decision on Defence Motion on Behalf of Mr. Prince Taylor for Bail Pursuant to Rule 65 with Public Annexes 1-4 and Confidential Annex 5 (Independent Counsel v. Prince Taylor), filed on 18 December 2012.

Independent Counsel v. Prince Taylor: Decision on Independent Counsel's Second Motion for Subpoena ad Testificandum, 21 December 2012 and Further decision on independent Counsel's Second Motion for Subpoena ad Testificandum, 4 January 2013

Decision on Defence Motion on Behalf of Mr. Prince Taylor for Bail with Bail Bond (Independent Counsel v. Prince Taylor), filed on 28 December 2012.

APPEALS CHAMBER

Prosecutor v. Charles Ghankay Taylor

By written decision published on 30 May 2012, Trial Chamber II unanimously convicted former Liberian President Charles Ghankay Taylor on all eleven counts of the Indictment pursuant to Article 6(1) of the Statute. It found Taylor individually criminally liable for aiding and abetting the commission of crimes charged in all eleven counts, during the Indictment Period in the districts of Bombali, Kailahun, Kenema, Kono, Port Loko and Freetown and the Western Area. It further found Taylor individually criminally liable for planning the commission of crimes, charged in all eleven counts, between December 1998 and February 1999 in the districts of Bombali, Kailahun, Kono, Port Loko and Freetown and the Western Area and that were committed in the attacks on Kono and Makeni in December 1998, and in the invasion of and retreat from Freetown, between December 1998 and February 1999. On 30 May 2012, the Trial Chamber unanimously sentenced Taylor to a single term of imprisonment of 50 years.

The Appeals Chamber was seized of appeals from both the Prosecutor and the Defence during the reporting period. Notices of Appeal were filed on 19 July 2012, followed by the Grounds of Appeal on 1 October 2012. The Prosecutor filed a total of four Grounds of Appeal and the Defence filed forty-five Grounds of Appeal. Responses to the Grounds of Appeal and Replies were filed by the parties on 23 and 30 November 2012 respectively. The oral hearing of the appeals was held on 22 and 23 January 2013 and an appeal judgment in the case is expected by September 2013.

The Appeals Chamber issued a number of decisions in the case during the reporting period, of which the following represents a selection of the more significant:

Prosecutor v. Charles Ghankay Taylor: Decision on Charles Ghankay Taylor's Motion for Partial Voluntary Withdrawal or Disqualification of Appeals Chamber Judges, 13 September 2012

On 19 July 2012, the Defence filed a Motion seeking the partial voluntary withdrawal or disqualification of all Appeals Judges from hearing Grounds 36 and 37 of its Appeal. Alternatively, the Defence invited the Appeals Chamber to refer the request for disqualification to a separate panel of judges. Defence Grounds 36 and 37 allege errors in the Trial Chamber's decision making process relating to the Alternate Judge, and/or related by him in a statement he made on 26 April 2012. Because the Plenary of Judges, which included five of the judicial members of the Appeals Chamber, issued a resolution regarding the behavior of the Alternate Trial Judge on April 26, 2012, the Defence contended that the Appeals Chamber Judges had already pre-judged the credibility of the Alternate Judge. The Prosecution opposed the Motion.

The Appeals Chamber dismissed the Motion. The Judges, considering Article 17(2) of the Statute of the SCSL and Rule 15(A) of the Rules of Procedure and Evidence, each declined to voluntarily withdraw. The majority held that both the plain meaning of Rule 15(B) and the object and purpose of the Rule require the conclusion that the Appeals Chamber is the only body empowered to decide on the request for disqualification under the Statute and the Rules. It further found that no reasonable observer, properly informed would reasonably apprehend bias with respect to the Appeals Chamber's consideration of Defence Grounds 36 and 37, nor that it had prejudged the credibility of the Alternate Judge of the Trial Chamber, since his credibility was not at issue before the Plenary.

Appeal Chamber and Sr. Legal Officers

Appeal hearing

Prosecutor v. Charles Ghankay Taylor: Decision on Charles Ghankay Taylor's Motion for Disqualification of Justice Shireen Avis Fisher from Deciding the Defence Motion to Present Additional Evidence Pursuant to Rule 115, 17 December 2012

On 30 November 2012 the Defence filed a Motion seeking the disqualification of President Fisher from deciding the Rule 115 Motion. filed on the same date. The Defence alleged that the words and conduct of President Fisher, in her role as pre-hearing judge, objectively justified a legitimate reason to fear that Justice Fisher lacked impartiality on the questions of whether the Rule 115 Motion should be granted.

The Appeals Chamber, sitting without President Fisher, dismissed the Motion. It held that Justice Fisher's neutral question about a fact, namely if a request for waiver of immunity had been made, cannot lead to bias as the timing for obtaining a waiver in this case is nothing but a factual prerequisite impacting on scheduling. The Appeals Chamber further concluded' that the Judge's statements, made in the context of the 25 August Status Conference and the 4 October Scheduling Order, do not suggest bias or pre-judgment, particularly as those remarks relate to scheduling issues which are distinct from any issues raised in the Rule 115 Motion

Prosecutor v. Charles Ghankay Taylor: Decision on Defence Motion to Present Additional Evidence Pursuant to Rule 115, 18 January 2013

On 30 November 2012, pursuant to Rule 115, the Defence filed a Motion seeking the admission on appeal of nine additional pieces of evidence not offered before the Trial Chamber. The Prosecution opposed the Rule 115 Motion, but submitted that certain of the evidence proposed by the Defence need not be admitted because the facts may be established by the Prosecution's undertakings. The Defence accepted the Prosecution's undertakings on one piece of evidence. On 18 January 2013, the Appeals Chamber gave notice to the parties pursuant to Rule 109(D) that it would consider the motion as a Chamber, and unanimously dismissed the motion, taking notice as stipulated of the one piece of evidence to which the Parties agreed.

The Chamber held that the Motion failed to meet the requirements of Rule 115 as it did not identify the finding of fact made by the Trial Chamber to which the additional evidence was directed. The Appeals Chamber further held that the Motion failed to establish that the proposed evidence could not have been offered before the Trial Chamber. In regard to the request to call an additional witness, the Defense failed to meet the legal prerequisites for consideration of the motion by the Chamber because it declined to indicate the proposed witness's willingness and availability to testify and it neglected to support the request with a statement of the proposed evidence to be elicited from the witness.

Prosecutor v. Charles Ghankay Taylor: Decision on Prosecution Motion for Leave to File Additional Written Submissions Regarding the ICTY Appeals Judgment in Perisić, 20 March 2013

On 14 March 2013, the Prosecution filed "Prosecution Motion for Leave to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File Additional Written Submissions Regarding the ICTY Appeals Judgment in *Perisić*". The Appeals Chamber denied the Motion. It noted that it was aware of current relevant jurisprudence including the ICTY Appeals Judgment in *Perisić* and considered that additional submissions by the parties was unnecessary.

Prosecutor v. Charles Ghankay Taylor: Order Denying Defence Request for Leave to Amend Notice of Appeal, 11 April 2013

On 3 April 2013, the Defence filed a "Request for Leave to Amend Notice of Appeal" in which it requested leave to amend its Notice of Appeal in light of the ICTY Appeals Judgment in *Perisić*. The Prosecution opposed the Motion. The Appeals Chamber denied the Motion affirming its holding in "Decision on Prosecution Motion for Leave to File Additional Written Submissions Regarding the ICTY Appeals Judgment in *Perisić*" that it was aware of current relevant jurisprudence including the ICTY Appeals Judgment in *Perisić* and considered that additional submissions by the parties was unnecessary.

Contempt Cases

Independent Counsel v. Eric Koi Senessie

On 4 September 2012, the Appeals Chamber dismissed a Motion for Review filed by Eric Koi Senessie. In his Motion for Review, Senessie requested a review of his case in light of new facts discovered which were not known to the Chamber at the time of the proceedings before it. Senessie submitted that these facts were put forward in his *allocutus* of 4 July 2012 and repeated in an affidavit sworn by him on 23 July 2012, annexed to the Motion for Review. These statements contradicted Senessie's sworn testimony given at his trial. Senessie conceded that he was aware of everything contained in these statements at the time he testified, under oath, at the trial proceedings leading to his conviction on 21 June 2012. However, he submitted that had such facts been known to the Chamber before or during the proceedings, they would have proved a decisive factor in determining the Trial Chamber's verdict and/or sentence.

The Appeals Chamber found that Senessie had failed to show that there were any "new facts" discovered which were not known to him at the time of the original proceedings, as required by Article 21(1) of the Statute and Rule 120 of the Rules. Accordingly, the Appeals Chamber concluded that the Motion for Review was unfounded pursuant to Article 21(2) of the Statute and Rule 121 of the Rules.

Independent Counsel v. Bangura, Kargbo, Kanu and Kamara

On 21 March 2013, a three-member panel of the Appeals Chamber comprised of Presiding Justice Emmanuel Ayoola, Justice Renate Winter and Justice Jon Kamanda rejected the appeals of Ibrahim Bazzy Kamara and Santigie Borbor Kanu filed by counsel on their behalf against their convictions and sentences for contempt of Court for interference with Prosecution witnesses in violation of outstanding Orders of Protection. Samuel Kargbo appealed what he alleged was the trial judge's failure to order protective measures for him. Hassan Papa Bangura did not file a proper Notice of Appeal within the extended time granted him by the Appeals Chamber for him to do so.

The Judges dismissed Kamara's appeal as "incompetent" on the grounds that his appeal failed to state "the grounds on which the appeal was made" or "clearly delineate which filing or part of the filing constitutes grounds and which part of the filing constitutes submissions based on those grounds". The Judges also dismissed Kanu's 27 grounds of appeal against conviction and three grounds of appeal against sentence, finding that his grounds of appeal suffered from similar defects to those in Kamara's grounds of appeal. The Judges dismissed Kargbo's appeal on the grounds that it was not an appeal either against conviction or against sentence, and thus did not fall within the appellate jurisdiction of Appeals Chamber.

Independent Counsel v. Prince Taylor

On 14 May 2013, a three-member panel of the Appeals Chamber comprised of Presiding Justice Emmanuel Ayoola, Justice Renate Winter and Justice Jon Kamanda rejected an appeal by Prince Taylor on the grounds that the appeal was filed outside the applicable time limits in the Rules and Practice Direction for Certain Appeals (2004) and was therefore not properly before the Appeals Chamber. The Appeals Chamber held that the Notice of Appeal was filed on 22 February 2013 unaccompanied by the submissions based on the grounds of appeal as required by Rule 108(B) and Article 1.2 of the Practice Direction for Certain Appeals. The Appeals Chamber also held that Prince Taylor had not fulfilled the condition necessary for the Chamber to exercise its discretion as to whether to accept or reject the filing pursuant to Article 12 of the Practice Direction on Dealing with Documents in The Hague (2008). Prince Taylor had also failed to seek an extension of time within which to file his appeal submissions under Rule 116. On 21 May 2013 Prince Taylor re-filed his appeal with an application for the appeal to be filed out of time.

LEGAL SUPPORT SECTION

Following the issuance of the *Sesay et al.* Appeal Judgment in October 2009, the Appeals Chamber Legal Support Section was drastically downsized as a cost-cutting measure. The majority of the legal support staff were placed on special leave without pay, and the Appeals Chamber continued to perform its functions and meet its mandate with only two legal staff members: Senior Legal Officer Rhoda Kargbo-Nuni and Attorney Jennifer Beoku-Betts. In preparation for appeal proceedings in the *Charles Taylor* case, one previous staff member from the *Sesay et al.* team, Senior Legal Officer Kevin Hughes, rejoined the Appeals Chamber, as Special Assistant to the President, and additional staff were recruited to replace staff who had resigned. This dynamic process of downsizing and then rapidly recruiting *ad hoc* staff enabled the continued provision of support to the Appeals Chamber on the most cost-efficient basis.

With the commencement of appeal proceedings in the *Charles Taylor* case, the Appeals Chamber Legal Support Section has provided support and assistance to the Appeals Chamber to enable it to efficiently and effectively meet its mandate. Under the direction of the Justices, the legal staff have successfully:

- Organized the findings of the Trial Judgment and prepared legal memoranda on key findings and conclusions;
- Organized and cross-referenced the Parties' voluminous submissions on appeal, including responses and replies;
- Performed legal research for the Justices on matters of law raised by the Parties, and prepared written memoranda;
- Reviewed and analyzed the Parties' submissions in light of the Trial Judgment's findings and relevant law;
- Assisted the Justices in the preparation of drafts;
- Assisted the Justices' deliberations by managing and organising materials, work-product and the outcomes of deliberations;
- Assisted the Justices in the preparation for the final Judgment;
- Provided legal advice and support to the Office of the President;
- Provided legal advice and support to the Staff Appeals Judge;
- Compiled the jurisprudence of the Special Court into a searchable electronic database, the SCSL Casebook, with the immediate purpose of assisting the Justices in preparation of the judgment and with the long term purpose of providing an accessible record of the Facts found by the Trial Chambers and the Law as interpreted by the Special Court; and
- Prepared and compiled documentation for the Plenary and the Annual Report

The Appeals Chamber Legal Support Section also provided assistance to the Pre-Hearing Judge on pre-appeal matters and motions, to the Appeals Chamber for appeals brought by persons convicted of contempt of Court, and a review proceeding that arose in the reporting year.

OFFICE OF THE PRESIDENT

President Shireen Avis Fisher

On 1 June 2012, Hon. Justice Shireen Avis Fisher was elected President of the Special Court by the Plenary of Judges. The Presidency's term of office is one year.

Judicial Activities

Appellate Proceedings in The Prosecutor v. Charles Ghankay Taylor

Appellate proceedings commenced on 19 July 2012 with the filing of Notices of Appeal by both the Prosecution and the Defence. In total, the Parties submitted 49 Grounds of Appeal against the Trial Judgment, challenging, *inter alia*, the Trial Chamber's assessment of the evidence, the Trial Chamber's findings on Mr. Taylor's criminal liability and the sentence imposed by the Trial Chamber.

By the 7 June 2012 ***Order Designating a Judge Pre-Hearing Pursuant to Rule 116***, President Fisher designated herself the Pre-Hearing Judge for the Charles Taylor appeal. From June 2012 to January 2013, the President actively managed the pre-appeal proceedings to ensure that they were completed expeditiously and in accordance with the rights of the Accused.

The President conducted the first Status Conference on 18 June 2012 and by Order dated 20 June 2012 directed the Parties to file their Notices of Appeal by 19 July 2012. On 7 August 2012 the deadlines and page limitations for the Parties' appellate submissions were set and thereafter the Appeals Chamber, by decision dated 21 August 2012, provided the Parties with an additional twenty-one days for their submissions. The Parties had requested substantial extensions to the time limits provided in the Rules of Procedure and Evidence, with the Defence proposing a total of 254 days following the issuance of the Trial Judgment for the filing of appellate submissions. In light of the established practice of the Special Court, the Parties were provided with a total of 183 days following the issuance of the Trial Judgment for the filing of appellate submissions.

On 25 August 2012, the President conducted the second Status Conference, during which the Parties reached agreed resolutions on pending administrative matters and measures to improve the efficiency of the pre-appeal proceedings. The filing of appellate submissions was completed on schedule, with appeal briefs filed on 1 October 2012, briefs in response filed on 23 November 2012 and replies filed on 30 November 2012. The filing of replies on 30 November 2012 marked the completion of the written submission phase of the pre-appeal proceedings, six months after the publication of the Trial and Sentencing Judgments. By orders and decisions dated 30 November 2012 and 5 December 2012, the President and the Appeals Chamber then scheduled the oral hearing for 22 and 23 January 2013. Following a review of the Parties' appellate submissions, the President further specified 6 issues for the Parties to address in their oral submissions. The oral hearing was conducted on 22 and 23 January 2013, marking the completion of the pre-appeal proceedings.

The President set the deliberation schedule for the Appeals Chamber, indicating proposed dates by which certain milestones would be met. Deliberations on

the 49 Grounds of Appeal began on January 24 and have occurred continuously since that date. The scheduled milestones for the period between January and June have each been met, and the Appeals Chamber is continuing deliberations according to the original schedule.

Contempt of Court

Appeals against convictions or acquittals for contempt of court may be heard, pursuant to Rule 117(A), by a panel of three Judges. This measure ensures that contempt of court cases are heard expeditiously and efficiently. The President is responsible for assigning panels of three Judges in such matters.

On 23 October 2012, the President assigned a panel of three Judges of the Appeals Chamber to hear appeals from the Single Judge's judgement in the case of *Independent Prosecutor v. Bangura, et al.*

On 20 March 2013, the President assigned a panel of three Judges of the Appeals Chamber to hear appeals from the Single Judge's judgment in the case of *Independent Prosecutor v. Prince Taylor.*

Designation for enforcement of sentences

Pursuant to Rule 103(B), the President is responsible for designating the enforcement state for a convicted person to serve his/her sentence.

On 10 May 2013, following the requisite verification through the Registry that conditions of enforcement met international human rights standards, the President designated Sierra Leone as the enforcement state for Messrs. Eric Koi Senessie and Hassan Papa Bangura, who were both convicted of contempt of court and sentenced to prison terms. This marked the first occasion on which a Special Court convicted person was designated to serve his/her sentence in Sierra Leone, subsequent to the conclusion of an Enforcement of Sentences Agreement for Contempt Prisoners between the Special Court and Government of Sierra Leone.

Diplomatic Activities

In July 2012, President Fisher accompanied the Registrar to Washington, D.C. and met with ten members of the US Congress and Senate,and several State Department officials in order to discuss the Special Court's funding crisis and request immediate voluntary contributions for the remainder of 2012. The President provided briefings on the mandate of the Special Court and the need for funding for it and for the Residual Special Court for Sierra Leone. The Registrar provided information on the Court's budget and financial status.

In September 2012, President Fisher, accompanied by Deputy Registrar Fidelma Donlon and Senior Legal Officer Kevin Hughes, visited numerous Embassies in The Hague, including: Norway, South Africa, Nigeria, France, Ireland, Austria, Finland, the United States, Guatemala, Belgium, Sweden, Germany, the United Kingdom, Canada, Denmark and the Netherlands Ministry for Foreign Affairs. President Fisher also met with the Permanent Representative of the African Union to the European Union in Brussels, Belgium. The President discussed the Special Court's funding crisis, as well as the ongoing judicial responsibilities that

Panel with principals

will be transitioned to the Residual Special Court following the Special Court's closure. The President also highlighted the Special Court as a successful model of complementarity that could be used to support the post-conflict justice efforts of other States.

In October 2012, President Fisher briefed the United Nations Security Council on the expected completion of the Special Court's work and its accomplishments during its mandate. She also highlighted the importance of the ongoing judicial responsibilities that will be transitioned to the Residual Special Court, and requested the assistance of Member States to address the Special Court's funding crisis. President Fisher met with Under-Secretary General Michelle Bachelet to thank UN Women for their financial support which, in cooperation with the NGO Gender Justice Initiatives, facilitated the participation of all four Court Principals in the briefing, at no cost to the Special Court budget. While in New York City, the President spoke at events hosted by the International Peace Institute, Friends of Resolution 1325, and NGO Working Group on Women, Peace and Security, and participated in an interview with UN Radio about the Special Court. She also visited numerous Permanent Missions to seek support for the Special Court's work, including: Denmark, Sierra Leone, Guatemala, Chile, Norway, Turkey, the Republic of Korea, Finland, Sweden, Germany, the African Union, the European Union and the Organisation for Islamic Cooperation. The Special Court delegation was composed of the President, the Prosecutor, the Registrar and the Principal Defender. The delegation used the opportunity presented by the Anniversary of Resolution 1325 to point out at a Press Conference held with UN Women and the President of the Security Council that all four principals of the Special Court were women.

During the Eleventh Session of the Assembly of State Parties of the International Criminal Court, held in The Hague, the President participated as a panellist in the 19 November 2012 Plenary Discussion on Complementarity, together with the Attorney General of Guatemala and Mr. David Tolbert, President of the International Center for Transitional Justice.

On 12 December 2012, at the invitation of the Cypriot Presidency of the European Union, President Fisher, accompanied by the Deputy Registrar Fidelma Donlon and Senior Legal Officer Kevin Hughes, briefed Ambassadors and Legal Advisors of EU Member States in The Hague on the topic of "The future of the Special Court for Sierra Leone: the Court's Residual Status, the Handover of its Results, and Lessons Learned for Positive Complementarity." The briefing was followed by an interactive Q&A session. The President provided a briefing on the Residual Special Court for Sierra Leone, including its mandate, the transition to the RSCSL and particular challenges that the RSCSL will confront in implementing its mandate. The Deputy Registrar provided a briefing on the Special Court's capacity building and knowledge-transfer results, including the Special Court's efforts to assist the Government of Sierra Leone to meet its Millennial Development Goals. The Senior Legal Officer provided a briefing on the Special Court's role as a model for complementarity and the lessons learned from national and international partnerships to combat impunity and advance the rule of law.

On 8 April 2012, President Fisher, together with the Presidents of the ICC, ICTY, STL and ICTR, met with H.E. Secretary-General Ban Ki-moon. President Fisher thanked the Secretary-General for his long-standing support and commitment to the Special Court and noted that thanks to that support, the Special Court would soon become the first international criminal tribunal to complete its mandate and close its doors. She further underscored the significant cooperation between the international criminal tribunals, and outlined the need for sustained support to the work of the Residual Special Court as it begins its mandate.

UN Women Executive Director Michelle Bachelet speaks at a joint press conference on the work of the Special Court for Sierra Leone, especially on behalf of women. The Special Court is the first in history whose principals – the president, registrar, prosecutor, and defender – are all women. Pictured with Ms. Bachelet, from left: the Courts principals and Gert Rosenthal, Permanent Representative of Guatemala to the UN and Security Council President and Martin Nesirky, Spokesperson of the Secretary-General.

Photo credit: UN Photo/Mark Garten

Throughout 2012 and 2013, the President met with a number of diplomatic and judicial representatives in The Hague to discuss the Special Court's work, its legacy to international criminal justice and transferable lessons for complementarity, including the Ambassadors of Lithuania, Cyprus, Kenya, Nigeria, Kazakhstan and Guatemala, as well judges from Uganda and Bangladesh.

During the summer and fall of 2012, the President actively promoted awareness of the Residual Special Court for Sierra Leone and the need to support it for continued protection of witnesses both male and female. She participated in conferences and other events focused on gender issues in international law, highlighting the Special Court's commitment to the effective protection of vulnerable women and girls and the full participation of women in post-conflict justice. She worked with stakeholders such as UN Women, the Women's Initiative for Gender Justice and the Working Group on Women, Peace and Security to ensure that the Special Court's achievements were more widely-known and that its lessons learned are available to assist other efforts to protect and empower women.

In May 2013, President Fisher participated in the Roundtable on Reconciliation hosted by the Commonwealth Secretariat. In addition to discussing with participants the Special Court's work and its role in reconciliation in Sierra Leone, the President also took the opportunity to explore potential collaboration and partnership with the Commonwealth Secretariat on a project designed to share the lessons learned by the Special Court regarding witness protection, complementarity, and advancement of human rights with other Commonwealth Members.

Institutional Activities

During the reporting period, the President has coordinated with the Special Court's Principals and the Management Committee on a range of issues related to the Special Court as a whole, in accordance with the President's mandate under Rule 19. In June 2012, the President discussed with the Management Committee the Special Court's funding crisis and, on their advice she undertook fund-raising activities, including missions in Washington, D.C., The Hague and New York, requests for support from non-governmental organisations and targeted communications with important stakeholders. President Fisher also directed the staff of her office to produce information materials to support the Special Court's fundraising, including a colour brochure on the Special Court's achievements and remaining activities that was provided to donors and supporters.

The President further identified a critical need to raise awareness and build support for the Residual Special Court before it assumes its judicial responsibilities. While the Residual Special Court's activities – particularly in the area of witness pro-

President Fisher and other Presidents of International Tribunals meeting with UN Secretary General

tection – will be essential to safeguard the Special Court's achievements, it will have a low-profile and limited capacity to engender support for its mandate. She and other members of her office actively educated stakeholders on the Residual Special Court's mandate and raised issues related to its work in meetings with diplomatic representatives and others. She further consulted with the Management Committee to identify potential solutions to ensure that the Residual Special Court received the requisite funding and did not face the Special Court's fund-raising challenges.

The transition of legal authority and jurisdiction from the Special Court to the Residual Special Court must be successfully planned and managed to ensure that essential functions continue without any gap or break. The President has expressed to the Management Committee the concerns of some Justices of the Appeals Chamber regarding the practical implementation of the transition. She has consulted with the Management Committee and urged them to consider putting in place appropriate transitional arrangements so that judicial responsibilities are smoothly handed-over to the Judges of the Residual Special Court.

Finally, the President has endeavoured to highlight the Special Court's successes and the lessons that it offers to the broader project of international criminal justice. The President has repeatedly underscored to a wide-ranging audience, including States, non-governmental organisations and professional specialists, that the Special Court is a successful model for positive complementarity, and that it proves that States can effectively implement post-conflict justice in the country where the crimes were committed, provided there is cooperation and support between the country and the international community.

Plenary Meeting of Judges

The 19th Plenary Meeting of the Judges was held in The Hague from 31 May 2013 to 4 June 2013. The Judges discussed transition from the Special Court to the Residual Special Court, close out tasks and obligations pertaining to the completion of the Special Court's mandate, legacy activities and progress toward the Special Court completion strategy. Action was taken in support of the need for continued security of the Sierra Leonean Judges and Principals of the Court who make their homes in Freetown after the Special Court closes.

Prosecutor, Brenda Hollis

OFFICE OF THE PROSECUTOR

In the last year the Office of the Prosecutor (OTP) completed one major milestone in the case of Charles Taylor, achieved significant progress towards the closure of the Office, and continued to collaborate with the Registry to conduct essential preparation for the establishment of the Residual Special Court OTP. Prosecutor Hollis continued her policy of engaging with Special Court stakeholders, most notably the people of Sierra Leone as her primary clients, alongside diplomatic representatives and other members of the wider Special Court community.

Prosecutions

Between June 2012 and January 2013, the OTP legal team in The Hague focussed on the Taylor Appeal. Written submissions concluded on 30 November 2012. The Prosecution presented four grounds of appeal, and responded to those grounds of appeal submitted by the Defence. Additionally, the Prosecution responded to a motion to present additional evidence filed by the Defence on 30 November 2012. On 22 and 23 January 2013, the Prosecution participated in Oral Hearings, and responded to questions the Appeals Chamber presented to the parties.

Downsizing of the OTP

The conclusion of the Oral Hearings constituted a milestone for the OTP, pursuant to which three established OTP posts were downsized. The OTP continued to exercise vigilance in its monitoring and review of expenditures in order to further contribute to overall reductions in the Special Court budget, while at the same time ensuring it retained adequate resources to fulfil its remaining obligations. At the end of the reporting period, nine established posts remained within the OTP, eight of them in The Hague, and one in Freetown.

Records and Archives

The OTP made significant progress in preparing both hardcopy and digital records for archiving. Following the conclusion of the Oral Hearings in the Taylor Appeal, the voluminous files associated with the case were made available for archiving, and the process of uploading these files onto TRIM commenced. Additional staff resources were committed to archive management after the Oral Hearings concluded. All remaining administrative and substantive hardcopy files were shipped from Freetown to The Hague, excepting those files required by the Freetown-based OTP Investigators. Additionally, all OTP evidence records were reviewed and the investigative databases were imported onto TRIM.

Preparation for the Residual Special Court

The OTP continued to fully participate in the meetings and activities of the Residual Special Court Transition Working Group Meetings. The OTP also liaised with the Registrar over the review of the preliminary budget of the Residual Special Court, and collaborated with Registry colleagues over the drafting of the archive access policy which will apply to the Residual Special Court. The Prosecutor conducted meetings with the Registrar and the Chief of WVS regarding issues pertaining to the protection and support of witnesses by the Special Court and the Residual Special Court.

Operations in Freetown

OTP operations in Freetown considerably reduced during the reporting period. In June 2012, James C. Johnson, the Chief of Prosecutions and Head of Office in Freetown, separated from his post. On his departure Prosecutor Hollis praised Mr. Johnson's critical and dedicated contribution to the achievements of the Office over nearly a decade of service. By the end of the reporting period, OTP operations in Freetown were administered by one OTP staff member, with the assistance of two secondees from the Sierra Leone Police. Regular supervision and monitoring of progress on assigned tasks was conducted by telephone between Freetown and The Hague and during *ad hoc* visits to Freetown by senior OTP staff.

Witnesses and Victims

OTP's presence in Freetown provided investigative support to colleagues in The Hague, and served as an essential contact point for Prosecution witnesses. The Freetown office continued to be in contact with OTP witnesses and sources, and worked with the Registry's WVS concerning any security or other concerns raised by Prosecution witnesses. The Freetown office also continued to inform Prosecution witnesses and sources about the plans for the closure of the Special Court, and the provisions which will protect and support witnesses and sources once the Residual Special Court commences operations.

Outreach

The reduction in OTP's Freetown-based capacity coincided with a decrease in OTP's engagement with the Special Court outreach programme. Whereas senior members of the OTP participated in 39 outreach events in the previous reporting period, the comparative figure for 2012-13 was 11 outreach events, which took place throughout Sierra Leone and Liberia following the sentencing judgment of Mr. Taylor.

Diplomatic Activities

During two visits to Sierra Leone in June 2012 and February 2013, the Prosecutor maintained an active diplomatic schedule. Diplomatic missions were briefed on the current status of the Special Court, the upcoming creation of the Residual Special Court, and the need to ensure that the Residual Special Court will have the necessary resources in place at or before its inception, in particular those resources required to ensure the security of witnesses and sources.

In October 2012 in New York, Prosecutor Hollis delivered a Statement to the United Nations Security Council. The Prosecutor focussed her remarks on the achievements of the Special Court and those of the OTP in particular, the challenges faced by the OTP, and the responses to meet those challenges. Prosecutor Hollis also highlighted significant challenges the Residual Special Court may face, in particular putting in place a mechanism which can provide the necessary protection and support to witnesses. The Prosecutor, President, Registrar and Principal Defender subsequently met with Michelle Bachelet, Executive Director of UN Women, to thank her for the support that UN Women contributed to the Principals' mission to New York. Whilst in New York, the Prosecutor delivered remarks to the Group of Friends of Women, Peace and Security, comprising of state, United Nations and civil society stakeholders, in which she addressed the work of the Special Court in the context of Security Council Resolution 1325. She also addressed a group of delegates at the International Peace Institute on the subject of empowering women in post-conflict justice initiatives.

In the spring of 2013, Prosecutor Hollis conducted a tour of a number of diplomatic missions in The Hague. Visits were made to the appointed representatives of Australia, Austria, Belgium, Cyprus, Czech Republic, Denmark, France, Germany, Guatemala, Ireland, Italy, Japan, the Netherlands Ministry of Foreign Affairs, Nigeria, Norway, Poland, Romania, South Africa, Switzerland, United Kingdom and the United States of America. The Prosecutor discussed the current work and achievements of the Special Court, and noted that the support of the international community has been vital to accomplishing those achievements. The Prosecutor also highlighted the mandate of the Residual Special Court, in particular, to support and protect witnesses, the need for funding for that Court, and that the Residual Special Court will, at least initially, carry out its functions at an interim seat in The Netherlands, an issue of direct relevance to the diplomatic community in The Netherlands.

External Relations

Prosecutor Hollis or a senior member of the Office delivered lectures or presentations on the work of the OTP and international criminal law in a number of countries. In August 2012 the Prosecutor participated in the 6th International Humanitarian Law Dialogues at the Chautauqua Institution in the USA. Prosecutor Hollis participated as a panelist, and answered questions on the achievements of the OTP over the preceding year, the legal precedents established by the Special Court – for example the jurisprudential contribution of the *Taylor* Trial Chamber in refining the legal definition of sexual slavery - and the challenges ahead for the institution.

A number of the Prosecutor's public engagements in 2012-13 focussed on the challenge of investigating and prosecuting sexual and gender-based crimes. The Prosecutor has provided assistance to the UK's Preventing Sexual Violence Initiative, and ends the reporting year as a member of an expert working group which is preparing the Initiative's "International Protocol on the Investigation and Documentation of Sexual Violence

in Conflict". In September 2012, Prosecutor Hollis participated in a panel discussion at a conference convened by Women's Initiatives for Gender Justice and UN Women in The Hague, in which she spoke to the achievements of the OTP and the challenges faced in prosecuting crimes of sexual violence. Also in The Hague, the Prosecutor delivered a keynote speech at a course organized by the International Criminal Investigators Institute in which she spoke about investigating and prosecuting sexual and gender based crimes. The Prosecutor also discussed sexual and gender based violence when presenting the keynote address to mark International Women's Day at the ICTY in March 2013.

In October 2012, Prosecutor Hollis addressed a conference in Nuremberg (Germany) on the extent to which head of state immunity is, both legally and factually, a thing of the past. In November 2012, the Prosecutor attended the Annual Conference and General Meeting of the International Association of Prosecutors (IAP) in Bangkok, and delivered remarks in which she addressed the connection between war crimes, corruption, financing terrorism and organized crime. The Prosecutor was honoured to receive, on behalf of all past and present OTP staff members, the IAP Special Achievement Award for having attained a number of successful convictions which significantly contributed to the development of international jurisprudence.

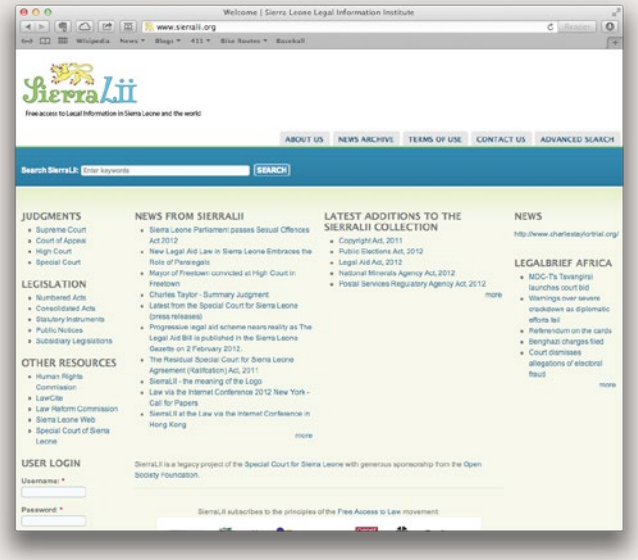
Prosecutor Hollis participated in two Special Court Legacy Conferences organized by the International Centre for Transitional Justice, first in New York in November 2012, and second in Freetown in February 2013. The Prosecutor addressed, amongst other matters, the legacy of the adversarial process, and the Special Court's mandate to prosecute those who bear the greatest responsibility. In November 2012, the Chief of Legal Operations addressed an Interpol conference in Lyon (France) on the subject of access to information in the Residual Special Court.

Legacy Initiatives

The OTP made significant progress in legacy initiatives emphasising free access to law in Sierra Leone, the promotion of best prosecutorial practices, and capacity-building of the Sierra Leone Police.

Sierra Leone Legal Information Institute (Sierra Lii, www.sierralii.org)

The OTP led the Special Court's legacy initiative to establish the Sierra Leone Legal Information Institute (Sierra Lii). The Sierra Lii project commenced in 2009 with generous support from the Open Society Foundations, and provides free online access to Sierra Leone's primary legal materials and related information. Sierra Lii is registered as a company limited by guarantee in Sierra Leone, and is supervised by a Management Committee chaired by the Sierra Leone Judiciary. The OTP continued to collaborate with the Sierra Lii Management Committee, which it will support until the closure of the Special Court.



International Prosecutors' Best Practice Project

Enabled through the generous support of the Government of Canada, the Special Court OTP worked in collaboration with the Offices of the Prosecutor of the International Tribunals for the former Yugoslavia and Rwanda, the Extraordinary Chambers in the Courts of Cambodia and the Special Tribunal for Lebanon to create a Manual which captures the lessons learned and suggested practices from the Offices of the Prosecutors. The Manual was launched at the International Association of Prosecutors' Annual Conference and General Meeting in November 2012. It is intended that the Manual will be a practical tool to assist investigators and prosecutors at the international level as well as relevant national prosecuting authorities.

Police Capacity-Building Programme

The OTP has collaborated with the Sierra Leone Police (SLP) force through offering training to members of the police, employing (on secondment) members of the police, and through providing specific training opportunities to those secondees. Additionally, the OTP has helped support other national institutions through the provision of trainings, lectures and workshops. In May 2013, OTP delivered a two-day training course to 50 SLP officers in Freetown, which focussed on conducting summary trials, preliminary investigations, case management and witness management. This training brings the total number of SLP officers trained by the OTP to over 500.

OFFICE OF THE REGISTRAR

The Registrar is responsible for the servicing of the Chambers, the Office of the Prosecutor and the Office of the Principal Defender. She is also responsible for the administration of the Special Court's financial and staff resources, and is the channel for external communications. During the period of June 2012 to May 2013, these responsibilities entailed support to the Taylor appeal and contempt of court proceedings, monitoring the enforcement of sentences for the Special Court's convicted persons, and preparations for a smooth transition to the RSCSL.

Ms. Binta Mansaray was appointed to the position of Registrar by UN Secretary-General Ban Ki-moon in February 2010. Ms. Mansaray has worked at the Special Court for Sierra Leone since 2003, first as Outreach Coordinator, then as Deputy Registrar from 2007 until the departure of former Registrar Herman von Hebel in 2009.

The Registrar is assisted by the Deputy Registrar, Ms. Fidelma Donlon, who assumed her position in June 2010. Ms. Donlon previously worked for the Court as an independent consultant, authoring two reports on residual issues in 2008 and 2009. The Deputy Registrar also serves as head of the Court's Hague Sub-Office. The Hague Sub-Office was also assisted by Ms. Alison Smith, between March 1 and June 14 2013. As acting Head of the Hague Sub-Office and Senior Legal Adviser to the Registrar, Ms. Smith – in addition to the Head of Sub-Office duties – assisted the Registry with legal and administrative matters relating to the closure of the Court, including reviewing the bilateral and contractual commitments of the Court and preparing various legal documents for the RSCSL.

The Registrar and Deputy Registrar are supported by a legal officer, special assistant, administrative officer and an administrative assistant, who comprise the Immediate Office of the Registrar. In addition, a liaison officer in New York represents the Registrar before the Court's Management Committee and assists with maintaining external relations.

The Registrar's mandate to service the Court's Organs encompasses a variety of areas of responsibility. The Registrar is charged with facilitating the work of the Chamber in trial and appellate proceedings; providing all necessary protection and assistance to the Court's witnesses and the Court Judges and Principals; supervising the detention of accused/convicted persons to ensure international standards are complied with; ensuring that the rights of the accused are upheld. In order to fulfil these obligations to the Chambers, witnesses and accused persons, the Registry is comprised of a Court Management Section; a Witness, Victims & Security Section; and a Defence Office. Together, these Sections constitute the Judicial and Legal Services Division of the Registry.

In two areas of responsibility, significant collaboration between the different Sections of the Legal and Judicial Services Division is required. These two areas are the enforcement of sentences and contempt of court proceedings, and are discussed in separate sections of the report below.

The Administration Secretariat assists the Registrar to manage the financial and staff resources of the Court. It is comprised of the Budget, Finance and Procurement

Registrar Binta Mansaray

Fidelma Donlon, Deputy Registrar




Unit; Personnel and Travel Unit; and the General Services Unit.

The Outreach and Public Affairs Section supports the external communications function of the Registrar by making the Court's proceedings accessible to the people of Sierra Leone, Liberia and observers around the world.

The Registrar's mandate also extends to additional work required for the successful completion of the Special Court's mandate. When the Appeals Chamber delivers the final judgment, the Special Court will transition to the RSCSL and close. Working with the United Nations, Government of Sierra Leone, the Management Committee and other Organs of the SCSL, the Registry is preparing for this transition. Specifically, this includes preparing to set up the RSCSL, monitoring the enforcement of sentences, making arrangements for ongoing post-trial witness protection, archiving the Court's records and the liquidation of the Court's assets and site.

Significant Presentations by The Registry

On 19 – 21 April 2012 the Registrar made a presentation at a Workshop regarding Developments in Criminal Law in Africa at an event hosted by the Max Planck Institute for Foreign and International Criminal Law, Freiburg, Germany. The Registrar's presentation addressed residual issues and the residual mechanism that will be put in place following the closure of the Special Court.

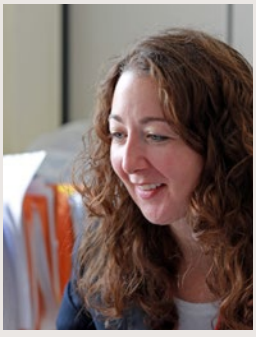
In July 2012, the Deputy Registrar participated in an event marking the 10th anniversary of the International Criminal Court, hosted by the Netherlands Peace and Justice Project in the Peace Palace, The Hague. Her remarks focused on the role of international courts and their contribution to the international legal system.

In February 2013, the Registrar participated in an experience-sharing discussion with the Steering Committee for the Chambers Extraordinaires Africaines, which is conducting the trial against Hissène Habré in Dakar, Senegal. As requested by the Committee, the Registrar's remarks focused on devising and implementing a successful Outreach programme, with particular emphasis on how such a programme could best address victims' needs and the transitional justice and human rights realities of the country, while also ensuring the trial represents a transformative moment for African justice.

The Hague Sub-Office

Pursuant to Security Council Resolution 1688 (2006), the Taylor trial and appellate proceedings have been held at the Court's Hague Sub-Office (HSO) since 2006. The Office is based in the premises of the Special Tribunal for Lebanon (STL), and also relies on the facilities of the International Criminal Court (ICC), including their detention facility, where Mr. Taylor is held.

The Taylor Appeal is serviced by Registry staff in the HSO and Freetown. Although the courtroom and the Justices are in The Hague, the Freetown office plays an essential role in facilitating the








proceedings held before the Chamber, and meeting the administrative needs of the Justices during the deliberation process. The Hague Sub-Office, in coordination with Registry staff in Freetown, deals with administrative issues resulting from Mr. Taylor's detention, enables his participation in the proceedings and facilitates family visits.

Staff from the Court Management Section in both Freetown and The Hague are archiving the Court's records. Since December 2010, the Court's archive has been located in the Dutch National Archives, under the Court's supervision. The Court's archivists work closely with the Dutch National Archive to facilitate access to the archives for Court staff. An information sensitivity, classification, handling and access policy governing management and access to these records following the closure of the Court is being finalised by the SCSL and will be implemented before the transition of the SCSL to its residual mechanism.

In May 2013, the Hague Sub-Office hosted the 19th Plenary Session of Judges of the Special Court.

Support for Chambers

Taylor Appeal

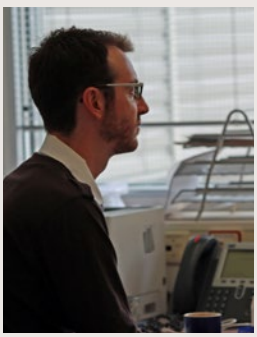
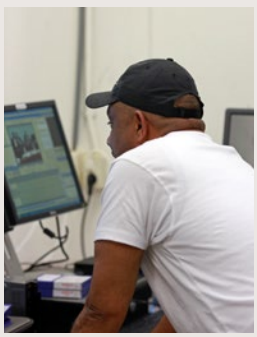
The Registry provided the logistical support for Justices of the Appeals Chamber to move to and settle into The Hague for appeal proceedings in the Charles Taylor appeal. The Registry continues to provide ongoing support to the Chamber throughout its deliberations as well as its work on the contempt appeals.

Contempt of Court Proceedings

Seven individuals were charged with contempt of court in four cases which came before the Special Court in 2012-2013, namely, *Independent Counsel v. Eric Senessie, Independent Counsel v. Bangura et. al.*, *In the Matter of Contempt arising from the Case of Prosecutor v. Charles Taylor* and *Independent Counsel v. Prince Taylor*.

The Registry, in particular the Judicial and Legal Services Division, supported




the proceedings in a number of ways. First, it provided logistical support for the Single Judge who presided over all contempt proceedings in both Freetown, Rwanda and The Hague. The Registry also maintained contact with the two *pro bono* independent counsel, provided by the International Senior Lawyers Project, who were appointed by the Registrar at the Direction of the Trial Chamber to investigate the alleged cases of contempt. Additionally, the Registry, through its Detention unit, supervises the implementation of the sentences for Senessie, Bangura and Prince Taylor at its Detention Centre in Freetown, and of Kamara and Kanu at Mpanga prison in Rwanda. The Witness, Victims and Security Section monitors compliance with suspended sentence conditions for Kargbo.

Establishing a viable video link between Freetown and the ICTR's Kigali office and transferring the convicts from Mpanga Prison to the SCSL's temporary, remote court room in the ICTR's Kigali office posed serious logistical challenges. These were only overcome with the extensive efforts of the Court's Communications and Information Technology Systems staff, in cooperation and coordination with the ICTR, the Government of Rwanda, the United Nations Logistics Base in Brindisi and the United Nations Headquarters in New York.

Witnesses and Victims Support

Pursuant to Article 16 of the Special Court Statute, a Witness and Victims Section was established to provide all necessary support and protection to witnesses appearing for both Prosecution and Defence. Following the conclusion of all witness testimony in the Court's four major cases on 12 November 2010, the majority of witness support and protection staff were downsized and the Unit was merged with the Security Section. The Witness, Victims and Security Section (WVS) is led by the former Chief of Witness and Victims Section.

The Court has seen 557 witnesses testify in its cases. Given the gravity of the alleged crimes, rigorous measures are required to ensure that witnesses are able to testify without fear of reprisal and with the confidence to recount their traumatic experiences. In addition, the WVS dealt with over 150 witnesses who eventually did not testify, but were provided all security and support.

Witnesses required protection and assistance prior to trial, during their testimony and continue to require protection and assistance now that testimony in all cases has concluded. WVS has been responding to the individual needs of all the Court's witnesses, providing protection and relevant support, counseling and other appropriate assistance, including medical assistance, physical and psychological rehabilitation, especially in cases of rape, sexual assault and crimes against children. The provision of psychological support continues in the post-trial phase, especially the programs for child soldiers and victims of gender based violence. These responsibilities will be taken over by the RSCSL.

Since June 2012, WVS has regularly monitored witnesses in Sierra Leone and Liberia to assess the continuing issues confronting them. As the Section downsized significantly following the completion of testimony in the Taylor trial, WVS has increased coordination with local authorities in both countries so that they are able to respond immediately to ensure the safety and well being of witnesses, should the need arise.

WVS has responded to an increased number of concerns from its witnesses. One reason for this increase is the fear among the witnesses that the Court's completion would leave its witnesses unprotected. As discussed later in this report, a critical function of the Residual Special Court for Sierra Leone will be to continue to protect the Court's witnesses. All witnesses are being individually informed of the arrangements that are being put in place, including contacts of those who will continue to be responsible for their security and support. The Court has also initiated targeted outreach activities to inform the public about the Residual Special Court in communities across Sierra Leone and Liberia where witnesses have felt threatened. Further, WVS continues to prepare for the transition of witness responsibilities to the Residual Special Court, including through the ongoing revision of witness threat assessments.

The WVS leads the National Witness Protection Unit legacy project. See the 'Legacy' section of this report for additional information.

Outreach and Public Affairs

Since the Court's inception, the Outreach and Public Affairs Section has been committed to providing the greatest possible transparency about the trials and accessibility to the Special Court. Freetown-based staff work together with eight District Outreach Officers in the provinces, two staff in Liberia and a network of civil society organizations in both countries, to inform the people of Sierra Leone about the progress of the trials, and to engender an informed discussion throughout the two countries and the media on the trials, impunity, and the rule of law. Throughout the Court's existence, the Freetown office has been open to visits by journalists, scholars, researchers and members of the public. The Hague Sub-Office has continued this tradition with, during the past year, visits by judicial scholars, students, and others from three continents.

Following the Taylor judgments in April and May 2012, Outreach activities have concentrated on the Taylor appeal and the contempt trials which were con-

Outreach Coordinator, Patrick Fatoma and Children

ducted at the Special Court. Activities have scaled down to an extent, since there has been less scope for activities by civil society group partners in Sierra Leone. The District Outreach Officers, although thin on the ground, have continued with video screenings, community town hall meetings and radio call-in shows. They have focused on messages concerning the closure of the Special Court this year – a matter of concern to many Sierra Leoneans who see the court as one bulwark of stability - the contempt trials, and the continued protection of witnesses.

In January 2013, the Office coordinated attendance at the Taylor appeal oral arguments in The Hague by 62 journalists, diplomats, jurists, and law students. In Freetown, Outreach and Public Affairs invited the media, government officials and civil society activists to witness the arguments streamed live to the SCSL courthouse.

Between June 2012 and February 2013, three contempt cases concluded in Freetown with judgments and sentencing judgments. In March and May 2013, appeal judgments in all outstanding contempt cases were delivered in The Hague, with video links to Freetown and Rwanda. Outreach and Public Affairs coordinated attendance by the media, civil society and traditional leaders, and issued press releases.

The Section was involved in organizing the launch in Freetown of the survey report on the Special Court's impact and legacy, conducted by No Peace Without Justice and its civil society partners in Sierra Leone and Liberia. The Deputy Registrar and Press and Outreach Officer organized the launch in The Hague, which was joined to Freetown by video link. The Launch on the Hague site was presided over by President Fisher, and attended by members of The Hague and Brussels diplomatic communities. The Section also assisted with the planning of the ICTJ-organized legacy conferences in New York in November 2012 and Freetown in February 2013.

As the Court nears competition of its mandate and closure, staff have been involved in archiving documents and thousands of photographs, and digitizing SCSL videos and other material for eventual access in the public archives.

Personnel

The Personnel Section is responsible for, among other things, determining and advising on benefits and entitlements for staff on the basis of contractual status; administering, reviewing and providing advice on interpretation and application of policies, regulations and rules; reviewing/approving paperwork pertaining to staff members, Individual Contractors

and Consultants including the issuance of personnel actions, appointments, extensions of appointments, notifications on separations, annual leave, sick leave; providing advice and support to managers on human resources related matters and ensuring compliance with laid-down procedures. The Personnel Section also continues to provide referrals and guidance to staff members endeavoring to join the mainstream UN offices/agencies as well as counseling in relation to downsizing.

Between the period June 2012 to April 2013, three (3) Sierra Leonean General Service Level staff were promoted, one (1) of whom was upgraded to the National Professional Level.

During the reporting period, a total of twelve (12) posts were downsized in both Freetown and The Hague. It is estimated that only eighty (80) regular budgeted posts will remain by September 2013 in Freetown and in The Hague.

Interns and Seconded Personnel

The funding for payment of stipends to interns stopped in December 2010; there were, therefore no funded Sierra Leonean interns recruited for the Sub-Office in The Hague during the period June 2012 to April 2013.

During the reporting period, sixteen (16) unfunded international interns worked at the Special Court for Sierra Leone in Freetown and in The Hague. Four of these interns worked in Chambers.

Throughout its life the Court has been assisted by the services of seconded personnel from many countries and agencies. During the reporting period two members of staff were provided on loan from the International Criminal Court and the United Nations Mission in Liberia respectively.

The Court has benefited immensely from the services of interns, seconded personnel and pro-bono lawyers.

Rwanda prison

Downsizing

Total number of posts downsized between the period June 2012 to 31 May 2013

Sections	No. of Posts downsized
Trial Chamber II	4
OTP	4
General Services	1
Registry	1
Defence	2
Total	**12**

Nationalities of Judges and Court Personnel as at 31 May 2013 (Regular budgeted staff in Freetown and The Hague)

Country	No. of Staff
Australia	1
Austria	1
Bosnia and Herzegovina	1
Canada	1
Ghana	2
India	1
Ireland	1
Kenya	2
Netherlands	4
Nigeria	1
Pakistan	2
Phillipines	1
Rwanda	1
Sierra Leone	37
St. Lucia	1
Tanzania	1
Trinidad and Tobago	1
Ukraine	1
United Kingdom	7
United States	9
Zimbabwe	1
Grand Total	**77**

Legal Support Section

The Registrar's Legal Officer and Special Assistant provide advice on all matters relating to the Registrar's mandate, including the detention of accused and convicted persons, defence matters, witness relocation and protection, and personnel issues. The Legal Unit also assists the Registrar with negotiation, drafting and monitoring the implementation of all agreements.

During the reporting period, the Legal Unit worked with all Registry sections and bilateral partners to provide legal advice and assistance to the Registrar on the following issues:

- In 2012-2013, four contempt of court cases involving seven accused were brought before the Special Court. The Legal Unit provided all necessary legal assistance to the Registrar in this regard.
- The Unit continues to liaise with the Judicial and Legal Services Division, including the Witness, Victims and Security Section in relation to witness protection and support.
- The Legal Unit supported the Court's completion and legacy work. It drafted memoranda of understanding for the phased liquidation of the Court's assets and site, and facilitated the Legacy Conference, among other tasks.
- At the completion of the Special Court's mandate, the Court will close and transition to a Residual Special Court. The Unit also assists in the preparations for a smooth transition.
- The Legal Unit continues to monitor all existing legal agreements, including memoranda of understanding and agreements with other tribunals and UN agencies.

Sentence Enforcement Support

Since November 2009, the Court's eight convicted persons have been serving their sentences in Mpanga Prison, Rwanda. By agreement with the Government of Rwanda, the SCSL convicted persons are kept in a dedicated wing of the prison, in accordance with international standards and pursuant to the terms of a Memorandum of Understanding (MoU) between the SCSL and the Rwanda Prisons Authority.

In June 2012, an SCSL Detention Facility in Freetown was opened, following prior refurbishment, to house detainees and convicted persons from the contempt of court trials. A new Chief of Detention was brought in to oversee the running of the facility and ensure it is up to international standards. Additionally, he is engaged in capacity building activities, and thus coordinates and manages the training of Sierra Leone Prisons guards.

In February 2013, the Chief of Detention visited the eight prisoners at Mpanga in Rwanda in order to check on them and to resolve any issues that are outstanding prior to the Court's closure, at which time ensuring the standard of care provided to the SCSL prisoner's will be vested in the RSCSL.

The Completion Strategy

Prior to revising the Completion Strategy, Trial Chamber II published the Taylor trial judgment and the sentencing judgment on 30 May 2012. The delivery of these judgments had implications for subsequent milestones. In light of the volume of the trial judgment and the complexity of the Taylor case, the 18th Plenary of Judges predicted that the appeals judgment would be delivered by 30 September 2013. The Completion Strategy, as revised by the 18th Plenary of Judges, remains in place, and the Court is on track to meet the milestones laid out therein.

Additionally, significant progress has been made with regard to non-judicial milestones, particularly with the preparations for a smooth transition to the Residual Special Court for Sierra Leone (RSCSL). The RSCSL section of this report discusses progress made toward establishing the Court's successor institution. Further, as the Court has accomplished milestones and downsized staff, it has begun the process of handing over the Court's site and liquidating its assets. The 'Legacy' section below discusses the transfer of the Court's site to the Government of Sierra Leone.

The Completion Budget

In light of the revised timeline set out in the Completion Strategy approved by the 18th Plenary of Judges, the Budget for 2013 was created to reflect the completion of the *Taylor* case in September 2013 and transition to the Residual Court by the end of 2013. The total level of resources required for the period from December 2012 to the transition to the RSCSL at the end of 2013, is USD 14 million. This amount is designed to cover both the cost of core funding and transition budgets. Additionally, the amount included the balance of $921,156.00 needed to complete 2012, and an additional $382,944.00 requested for completion of the Contempt of court trials. These two items, in addition to the $11,195,900.00 budget for January - September 2013 and the $1,500,000.00 requested for Transition, brings the total to USD 14 million. The Court requested this amount in subvention from the United Nations, and the subvention was approved in December 2012.

	January - September 2013	Total Budget
Organ		
Judges		
Proposed Staffing	6	6
Cost (Net Salaries)	976,600	976,600
Common Staff Costs	90,000	90,000
Total Costs Chambers	**1,066,600**	**1,066,600**
Chambers		
Proposed Staffing	8	8
Permanent Staffing Cost (Net Salaries)	624,900	624,900
Common Staff Costs	80,300	80,300
Operational Costs	15,000	15,000
Total Costs Chambers	**720,200**	**720,200**
Office of The Prosecutor		
Proposed Staffing	12	12
Cost (Net Salaries)	860,700	860,700
Common Staff Costs	134,400	134,400
Operational Costs	75,000	75,000
Total Costs OTP	**1,070,100**	**1,070,100**
The Defence Office		
Proposed Staffing	2	2
Permanent Staffing Cost (Net Salaries)	112,600	112,600
Common Staff Costs	27,600	27,600
Operational Costs	334,500	334,500
Total Costs Defence	**474,700**	**474,700**
Registry		
Proposed Staffing	60	60
Permanent Staffing Cost (Net Salaries)	3,235,200	3,235,200
Common Staff Costs	736,700	736,700
Temporary Posts & Overtime	489,000	489,000
Operational Costs	2,770,300	2,770,300
Total Costs Registry	**7,231,200**	**7,231,200**
Total Income Tax	**100,000**	**100,000**
Total Proposed Posts	*88*	*88*
Sub-Total Organisation Costs	*10,662,800*	*10,662,800*
5% Contingency	*533,100*	*533,100*
Total Organisation Costs	*11,195,900*	*11,195,900*

Fundraising and Diplomatic Relations

As the Court's funding regime is based on voluntary contributions, it must regularly seek funding from members of the international community. In accordance with the Special Court Agreement, the United Nations Secretary-General, with the assistance of the Court's Management Committee, is responsible for obtaining adequate funding for the operations of the Court.

During the reporting period, the Management Committee worked closely with the Registrar to secure a UN subvention grant for the Court's 2013 budget. The Committee members engaged member states in the UN Security Council and UN General Assembly in order to seek support for the subvention grant. As a result, the UN approved a subvention of USD 14 million for 2013.

The subvention was granted to the Court on the condition that fundraising efforts are intensified. A number of Management Committee members were able to find additional funding from within their own Governments to allow the Court to continue its operations. The Committee also encouraged other countries to contribute to the Court through their bilateral diplomatic meetings.

In support of the Management Committee's fundraising efforts, the Registrar regularly conducted fundraising activities and diplomatic meetings to raise the necessary funds for the Court to complete its mandate. A total of 154 fundraising letters were sent out during 2012 to the Court's donors and other interested countries. The Registrar's fundraising efforts were supported by the Court's President and the Office of the Prosecutor through their own diplomatic meetings.

The Residual Special Court for Sierra Leone (RSCSL) will also be based on voluntary contributions, as discussed in the RSCSL section of this report. As the Court approaches the completion of its mandate, fundraising efforts also discuss the needs of the RSCSL.

The Court has close ties with a number of European nations, not least the Netherlands, which hosts the *Taylor* trial and appeal. Alongside their role as financial supporters of the Court, a number of nations cooperate with the Court on witness relocation and sentence enforcement issues. In July 2012 the Registrar traveled with the President to Washington D.C to meet with various members of Congress regarding the need for funding for the completion of the SCSL and the ongoing need to support the RSCSL. The Registrar and Principal Defender joined the President and the Prosecutor in New York City in October for the briefing of the Security Council on the work of the Court and the meeting with the Management Committee. Funding for all four Court Principals to travel to and stay in New York City for the Briefing was pro-

SCSL Delegation to the United Nations briefing of security council

vided by a Grant from UN Women and Women's Initiative for Gender Justice, so that the trips would have no impact on the Court's budget.

During the reporting period, the Deputy Registrar continued to support the Registrar and exercise her duties from The Hague Sub-Office, working particularly with the Dutch Ministry of Foreign Affairs and the Dutch National Archives to discuss matters related to ongoing cooperation and the RSCSL. The Registrar also traveled to The Hague where she met with Dutch Government officials to discuss the completion of the *Taylor* trial and appeal and cooperation on residual issues.

New York Liaison Office

The New York Liaison Officer assists the Registrar with fundraising activities by working closely with the Management Committee for the Special Court, liaising with representatives of the United Nations Member States on matters pertaining to funding and cooperation with the Court, meeting with officials from the United States Government in Washington, and developing relationships with the NGO community and various foundations in the United States.

The Liaison office supported the Management Committee with the application for a subvention by providing up to date information on the Court's financial and budgetary situation. The Liaison office also provided assistance to Special Court principals during their fundraising and diplomatic meetings in the United States.

Freetown and The Hague

The Registrar and Deputy Registrar conducted periodic briefings with the international community in Freetown and The Hague. In Freetown, the Registrar met with representatives of the British, German, Irish and US Governments, officials from the European Union Delegation and briefed the heads of United Nations agencies during the last twelve months. Parliamentarians from Germany and Finland, and members of the UN General Assembly 5th Committee were received at the Court during their visits to Sierra Leone. In The Hague, the Deputy Registrar and President Fisher visited numerous Embassies, including: Norway, South Africa, Nigeria, France, Ireland, Austria, Finland, the United States, Guatemala, Belgium, Sweden, Germany, the United Kingdom, Canada, Denmark and the Netherlands Ministry for Foreign Affairs. They also met with the Permanent Representative of the African Union to the European Union in Brussels, Belgium.

The Registrar worked with Government of Sierra Leone officials and the United Nations Office of Legal Affairs to provide any assistance required for the transition to the Residual Special Court for Sierra Leone. The Registrar also worked closely with the Attorney-General, Deputy Attorney-General, Solicitor General, Inspector General and Chief Justice regarding the liquidation of SCSL assets and the transfer of its site to the Government of Sierra Leone.

The Registrar and Deputy Registrar have also worked with the Government of The Netherlands, in particular with officials of the Ministry of Foreign Affairs. Coordination with the ICTY is ongoing in relation to the finalization of arrangements for the RSCSL office (which will be located in The Hague) to share an administrative and technical platform with the institution.

OFFICE OF THE PRINCIPAL DEFENDER

The Principal Defender, Claire Carlton Hanciles, heads the Defence Office, which derives its mandate from Rule 45 of the Rules of Procedure and Evidence of the Special Court for Sierra Leone. The Defence Office has the task of ensuring that the rights of suspects, accused persons, and convicted persons are respected.

The year under review, June 2012 to May 2013 saw the Office carry out its respective functions as per the Court's rules and regulations. The Defence Office provided all necessary support to the Charles Taylor Appeals team in The Hague. All detention or legal matters pertaining to Mr. Taylor, the Contempt trials in Freetown and the Prisoners in Rwanda were attended to by the Office.

The Principal Defender provided support to all Counsel in the Contempt cases. Duty Counsel from the Office visited both accused persons and Prisoners in the Freetown SCSL Detention. Periodic visits to The Hague to attend to all Taylor Defence matters continued during this period.

The Principal Defender represented the Office both within and outside the Court.

Principal Defender Claire Carlton-Hanciles

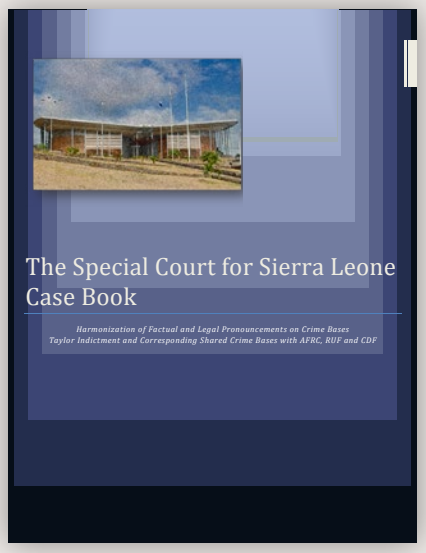
PRINCIPAL LEGACY PROJECTS

As the Special Court focuses on the expeditious completion of its judicial mandate, it is continually mindful of the need to preserve its legacy for the people of Sierra Leone, other international criminal tribunals and the international community as a whole. To maximize the value of investments in the Special Court and support the development of positive complementarity, it is critical, before closure, to prepare and handover the judicial results the Special Court has delivered during its mandate. This handover is necessary to ensure that the knowledge and expertise developed by the Special Court are available to the people of Sierra Leone, other justice institutions, scholars and the international community. The Special Court has engaged in multiple legacy projects in the past year, including: the Case Book project; preservation of Archives; launching an independent Legacy Survey; hosting two Legacy Conferences in partnership with the International Center for Transitional Justice; various site projects including the Peace Museum and War Memorial; and the National Witness Protection Unit.

The SCSL Casebook

The Appeals Chamber is in the final stages of its Case Book Project, which will be completed by 30 September 2013. This project, begun under the Presidency of Hon. Justice Jon Kamanda, will produce a comprehensive SCSL Case Book, bringing together the jurisprudence and factual findings from the Special Court's four trials in one resource with analysis and research tools. The SCSL Case Book will be composed of two primary elements: the Briefing Book, which compiles the factual findings from the Court's cases; and the Case Law Digest, which compiles the jurisprudence of the Special Court. The first stage of the Case Book Project, the Briefing Book, was completed in June 2012. The Briefing Book organises the factual findings of the Trial and Appeals Chamber on the crimes committed during the Sierra Leonean conflict and the individual criminal responsibility of the accused. This tool will allow researchers and the public to more quickly review the Court's findings by location, time period and the types of crimes committed, as well as compare the Court's findings across multiple cases.

The second stage of the Case Book Project, the Case Law Digest, is fully underway and will be completed by 30 September 2013. The Case Law Digest organises the jurisprudence of the Special Court, including all decisions in pre-trial proceedings, trials and appeals. The jurisprudence is organised by case, the relevant legal provision and topic, allowing researchers to quickly find relevant jurisprudence. In addition, the Case Law Digest will include jurisprudential analysis, highlighting the Special Court's additions to the jurisprudence and developments in its case law. This tool will allow lawyers, Judges, researchers and the public to quickly find relevant jurisprudence from the Special Court and analyze the Special Court's jurisprudence as a whole.



In addition to these primary elements, the SCSL Case Book will also include supplementary organisational and research tools to further assist the legal and academic communities, as well as the public, in accessing the Special Court's work.

Gender Justice Made Simple

One of the Special Court's primary contributions to post-conflict justice and international criminal law has been its unique mandate to ensure that its work is gender sensitive. The Special Court has made historic contributions to understanding the impact of armed conflicts on women and girls, reflected in its jurisprudence and its treatment of survivors as participants in post-conflict justice. In furtherance of this focus, the Special Court is producing a guide to inform Sierra Leoneans on legal rights in regard to gender issues and sexual violence. This guide – entitled "Gender Justice Made Simple" – will be modelled on the Special Court's successful "The Special Court Made Simple" and "International Humanitarian Law Made Simple" booklets, presenting key laws, concepts and practices in easy-to-understand terms. The Special Court will then make these materials available to the public, non-governmental organisations and legal actors.

President's Final Report of the Special Court

The Special Court will produce a final report on its work, surveying its activities, challenges and accomplishments during its mandate. This final report will be

modelled on the Court's annual reports and its most recent report to the United Nations Security Council (S/2012/741). The report will aim to describe the judicial activities completed; detail the Court's other achievements in fulfilment of its mandate and identify key achievements and lessons learned that can assist future efforts to achieve post-conflict justice in the territory where the crimes were committed.

Cooperation with Other Tribunals

The Special Court continues to work with its sister tribunals and other international courts to share lessons learned and best practices.

Registrars of SCSL and ICTR

Archives

Pursuant to Article 7.2 of the Residual Special Court Agreement, "in order to preserve and promote the legacy of the Special Court, electronic access to, and printed copies of, the public archives shall be available to the public in Sierra Leone." The Court has produced a public copy of the Court's public judicial and outreach materials, to which it continues to add as progress is made in the Taylor appeal and contempt cases. As such, the records constitute a rich primary source on the nation's conflict. They will be made available to academics, journalists, civil society members and the general public through the Sierra Leone Peace Museum, another of the Court's legacy projects.

President at Conference of international Judges

Legacy Survey

In order to evaluate the Special Court's legacy, the Court contracted No Peace Without Justice, in partnership with 3 Sierra Leonean and 1 Liberian NGO (Coalition for Justice and Accountability, Liberian NGOs Network, Manifesto 99 and the Sierra Leone Institute for International Law), to implement an independent survey of perceptions and understanding of the Special Court in Sierra Leone and Liberia. The survey found that 91% of people in Sierra Leone and 78% of people in Liberia believe that the Special Court has contributed to bringing peace to their country. It demonstrates, in the words of the people of both countries, the positive impact the Court has had, especially for survivors, and the legacy it will leave for justice and the rule of law in Sierra Leone and in Liberia.

Legacy Conferences

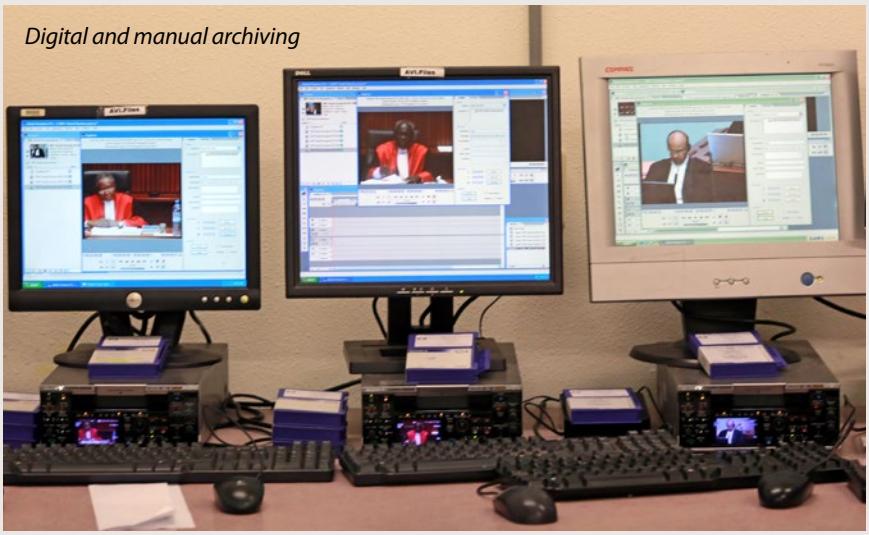
The Court contracted the International Center for Transitional Justice ("ICTJ") to organize two legacy conferences to assess the impact of the Court's work and produce a best practices and lessons learned report. The conferences took place on 7-8 November 2012, in New York, and on 6-7 February in Freetown, and were attended by various current and former SCSL staff, former Judges of the SCSL, high level diplomats, academics, members of civil society and local government.

Site Project

The Government of Sierra Leone allocated land in New England, Freetown for the exclusive use of the Special Court during its operations and provides security for the compound through seconded Sierra Leone Police Officers. As the Court concludes its mandate the site is gradually being transferred back to the Government.

In 2009, the Government wrote to the Special Court expressing its preferences for the future use of the site. These in-

Digital and manual archiving



clude using the courthouse for the Supreme Court of Sierra Leone or a regional court; establishing an international, continental or regional judicial training centre; using the detention facility as a specialized prison for detainees with special needs, such as women and children; and dedicating part of the premises as a memorial to the conflict.

Following the transfer of the Court's convicted persons to Rwanda on 31 October 2009, the *detention facility* was vacant and the Court prepared it for use by national authorities. The Sierra Leone Prison Service took possession of the facility in May 2010 and has subsequently used it for female prisoners and their children born in custody.

In November 2011, the Attorney-General and Chief Justice requested the use of office space for the Sierra Leone Law School. The Court prepared and made available one containerized office block in the former Registry compound, which now provides lecture space for up to 100 students and study/office space.

Digital and manual archiving

Digital and manual archiving

The former WVS building was handed over to the SLP for use by the *National Witness Protection Unit*. The Court, with funding from the European Commission, provided a stand-alone generator and office equipment to assist the Unit. In addition, the building has been isolated from the rest of the Court's compound, so that the Unit can manage its own security.

In keeping with the Government's preferences expressed in the letter sent in 2009, the SCSL has worked with the Government to realize its vision for a memorial. It has been decided that a *Peace Museum* conceived as an independent national institution, will be dedicated to the memory of Sierra Leone's decade-long conflict. It will include a memorial, exhibition and an archive, which will provide information to future generations about the conflict's history and respect the memory of those who suffered during the conflict. The archive will also be an excellent resource for academics, journalists and others researching the conflict, as it will contain the public records of the Special Court, those of the Truth and Reconciliation Commission and other war related materials.

The Museum is being designed by a committee of national stakeholders including Government representatives, national institutions, civil society groups and others. Since the project was initiated in March 2011, this committee has decided on the Museum's management arrangements, run a public competition for the memorial's design and is implementing the winning design, and started archiving the Truth and Reconciliation Commission records in partnership with the Human Rights Commission of Sierra Leone. Additionally, work on the *Peace Bridge*, which will link the Peace Museum and the Memorial Garden, is almost complete, and the design phase of the Peace Museum is underway. Finally, a team has been dispatched to collect exhibits from all around the country, and an exhibit designer has been contracted to design the displays. The Museum will open after Court's closure.

The Court continues to receive requests from various institutions for the use of its site and assets after the completion of its mandate. All requests are sent to the Government of Sierra Leone for its consideration.

Sierra Leone Witness Protection Unit

The Court continues to work closely with the Sierra Leone Police (SLP) to establish a National Witness Protection Unit, a partnership which began between the Police and the Court in 2008.The Unit will provide protection and assistance to witnesses in national cases, such as those involving organized crime, gender based violence and corruption. Following a training course in witness protection skills for 38 Police Officers, organized by the Special Court in 2009, the SLP formally established the Unit within its Criminal Investigations Division in February 2011. In 2012, the Court formally handed over the refurbished former Witness and Victims Section building to the Unit, along with equipment for their operations, in

Legacy Conference

accordance with the Court's liquidation policy and under the terms of a Memorandum of Understanding with the Government of Sierra Leone. Throughout, the Court has worked with these officers and senior SLP leadership to provide witness protection for specific cases in support of the national judiciary. The WVS and SLP have drafted standard operating procedures for the Unit and continue to fundraise for its operating costs.

Legacy Conference

RESIDUAL SPECIAL COURT FOR SIERRA LEONE

Proposed banner for homepage of new SCSL/RSCSL website

The Residual Special Court for Sierra Leone is created by an Agreement between the Government of Sierra Leone and the United Nations. According to that Agreement, the Government of Sierra Leone and the United Nations Secretary-General shall appoint 16 Judges to the RSCSL, who will serve on a roster and perform their duties as and when needed. A Registrar and Prosecutor will likewise be appointed. As the responsibilities of the RSCSL Judges and Prosecutor require them to work part-time, they will be remunerated on a *pro-rata* basis only for time actually devoted to RSCSL business. The Registrar will be appointed on a full time basis. The appointing authorities have indicated that these appointments will be made prior to September 2013. However, the RSCSL will not take on its official responsibilities until the closure of the SCSL.

At the beginning of 2012, the Registrar established the RSCSL Transition Working Group in order to coordinate work relating to the transition to the Residual Special Court and closure of the Special Court. The Working Group includes representatives from Chambers, the Office of the Prosecutor, the Defence Office, and all relevant Registry Sections. The Working Group is charged with reporting on the progress of the organs of the Court and sections of the Registry in order to monitor Progress toward transition to the RSCSL.

Article 6 of the Residual Agreement provides that the RSCSL shall have its principal seat in Sierra Leone. The Agreement also provides that the RSCSL shall carry out its functions from an interim seat in The Netherlands, with a Sub-Office in Sierra Leone for witness protection matters. An agreement for the RSCSL to share office space and an administrative and IT platform with the ICTY in The Hague is being finalized.

The Special Court's archive will become the property of the Residual Special Court at the Court's closure and will be co-located with the RSCSL at its interim seat in The Netherlands, pursuant to Article 7 of the RSCSL Agreement. To this end, the SCSL records and evidence were transferred from Freetown to The Hague in December 2010. The SCSL archive is stored in the Dutch National Archives, who preserve the records on a day-to-day basis. The records are managed by SCSL staff and in the future after the closure of the Court they will be managed by the RSCSL archivist. Special Court staff continue to archive the records of the Hague Sub-Office, records being created in Freetown and liaise with the Dutch National Archive to facilitate access to the records. The RSCSL will also facilitate access to the records for national prosecutorial authorities.

The RSCSL's Freetown office will respond to the needs and concerns of the Special Court's witnesses. Although any witness may contact the RSCSL for support, it is anticipated that of the 557 witnesses who testified, approximately 100 may require ongoing post-trial witness protection or support. The RSCSL staff will work closely with the Sierra Leone Police, in particular the Witness Protection Unit, to ensure that the concerns and needs of witnesses are adequately addressed. Should allegations of interference with witness protection orders arise, they will be referred to the Judges of the RSCSL for further action.

On 31 October 2009, the Special Court's eight convicted people were transferred to Mpanga Prison, Rwanda for sentence enforcement. Detention is managed by the Rwanda Prisons Service in accordance with international standards, under the supervision of the Special Court. The Special Court also facilitates visits by family members. In 2012 all eight prisoners were visited by family members. The visits were partially funded by the Court. The RSCSL will take on responsibility for yearly inspection of detention conditions and facilitating family visits after the Court's closure. Requests for pardon or commutation of sentence or early release on behalf of convicted persons made by States of Enforcement will be referred to the RSCSL. In accordance with Article 24 of the RSCSL Statute and Rules 123 and 124 of the Rules of Procedure and Evidence requests for pardon, commutation of sentence or early release will be determined by the RSCSL President in consultation with the Judges.

The RSCSL Judges, under the leadership of a President elected by them, will determine action to be taken in *ad hoc* judicial proceedings within their competence, as set out in Article 1.1 of the Statute of the RSCSL.

The RSCSL also has the jurisdiction to try the remaining indictee, Johnny Paul Koroma (JPK), who is a fugitive. If apprehended, he could be tried by the RSCSL or in accordance with Article 7 of the RSCSL Statute or the case could be transferred to a competent national jurisdiction for trial.

Funding for the RSCSL

As with the Special Court, the RSCSL will be funded by voluntary contributions from the international community. A preliminary budget for the RSCSL estimates that approximately USD 2 million will be required for its ongoing functions. In the event that *ad hoc* judicial proceedings are initiated, the annual budget will increase.

"Don't Hate"

ANNEX I

Significant Fundraising Activities by the President and Registrar

June 2012

New York

1. Permanent Mission of Australia to the United Nations
2. Permanent Mission of Austria to the United Nations
3. Permanent Mission of Chile to the United Nations
4. Permanent Mission of Cyprus to the United Nations
5. Permanent Mission of Finland to the United Nations
6. Permanent Mission of Germany to the United Nations
7. Permanent Mission of Ireland to the United Nations
8. Permanent Mission of Israel to the United Nations
9. Permanent Mission of Liechtenstein to the United Nations
10. Permanent Mission of Luxembourg to the United Nations
11. Permanent Mission of the Netherlands to the United Nations
12. Permanent Mission of Nigeria to the United Nations
13. Permanent Mission of Norway to the United Nations
14. Permanent Mission of Saudi Arabia to the United Nations
15. Permanent Mission of South Africa to the United Nations
16. Permanent Mission of Spain to the United Nations
17. Permanent Mission of Sweden to the United Nations
18. Permanent Mission of the United Kingdom to the United Nations
19. United States Mission to the United Nations
20. African Union Group of Legal Advisors
21. European Union Group of Legal Advisors

Freetown, Sierra Leone

22. Chief Public Prosecutor of Norway
23. US Embassy to Sierra Leone

July 2012

Washington, DC

24. US Department of State, Ambassador-at-Large for Global Criminal Justice
25. US Department of State, Principal Deputy Assistant Secretary for African Affairs
26. US Department of State, Ambassador-at-Large for Global Women's Issues
27. US Department of State, Director General of the Foreign Service and Director of Human Resources
28. US Senate, Senator Patrick Leahy
29. US Senate, Senator Bernie Sanders
30. US House of Representatives, Representative Peter Welch
31. US House of Representatives, Representative Chris Smith
32. US House of Representatives, Representative James McGovern
33. US House of Representatives, Representative Kay Granger
34. US House of Representatives, Representative Jan Schakowsky
35. US House of Representatives, Representative Nita Lowey
36. US House of Representatives, Representative Ed Royce
37. US House of Representatives, Representative James Clyburn

The Hague, The Netherlands

38. Embassy of the United Kingdom to the Netherlands
39. Embassy of the United States to the Netherlands
40. Embassy of Canada to the Netherlands

September 2012

The Hague

41. Embassy of Austria to the Netherlands
42. Embassy of Canada to the Netherlands
43. Embassy of Belgium to the Netherlands
44. Embassy of Denmark to the Netherlands
45. Embassy of Finland to the Netherlands
46. Embassy of France to the Netherlands
47. Embassy of Germany to the Netherlands
48. Embassy of Guatemala to the Netherlands
49. Embassy of Ireland to the Netherlands
50. Embassy of Nigeria to the Netherlands
51. Ministry of Foreign Affairs to the Netherlands
52. Embassy of Norway to the Netherlands
53. Embassy of South Africa to the Netherlands
54. Embassy of Sweden to the Netherlands
55. Embassy of United Kingdom to the Netherlands
56. Embassy of United States to the Netherlands

October 2012

Brussels

57. Permanent Mission of the African Union to Brussels, Belgium

New York

58. Permanent Mission of Chile to the United Nations
59. Permanent Mission of Denmark to the United Nations
60. Permanent Mission of Finland to the United Nations
61. Permanent Mission of Germany to the United Nations
62. Permanent Mission of Guatemala to the United Nations
63. Permanent Mission of Liberia to the United Nations
64. Permanent Mission of Norway to the United Nations
65. Permanent Mission of Sierra Leone to the United Nations
66. Permanent Mission of South Korea to the United Nations
67. Permanent Mission of Sweden to the United Nations
68. Permanent Mission of Turkey to the United Nations
69. Office of the Permanent Observer of the African Union to the United Nations
70. Delegation of the European Union to the United Nations
71. Office of the Permanent Observer for the Organization of Islamic Cooperation to the United Nations

Freetown

72. Joint Committee on Foreign Affairs and Trade, Ireland

November 2012

The Hague

73. Embassy of Kazakhstan to The Netherlands
74. Embassy of Kenya to The Netherlands

December 2012

The Hague

75. Meeting of EU Ambassador's for a Briefing with the Court, sponsored by the Embassy of Cyprus to The Netherlands

February 2013

The Hague

76. Embassy of Sweden to The Netherlands
77. Embassy of United Kingdom to the Netherlands

April 2013

The Hague

78. Secretary-General of the United Nations
79. Embassy of France to The Netherlands

May 2013

United Kingdom

80. Commonwealth Secretariat

Freetown

81. United States Deputy Assistant Secretary of State for International Organization Affairs

Significant Fundraising and Diplomatic Meetings Held by the Office of the Prosecutor During the Reporting Period

June 2012

1. The United Nations Mission in Liberia.
2. The Office of the Public Prosecutor, Norway.
3. Embassy of the Untied States of America to Sierra Leone.

July 2012

4. Embassy of the Untied States of America to The Netherlands.
5. The Wayamo Foundation, Spain
6. Embassy of Canada to The Netherlands.

August 2012

7. Open Society Justice Initiative.

September 2012

8. Office of Global Criminal Justice, State Department, USA.
9. Ministry of Foreign Affairs, The Netherlands.
10. Open Society Justice Initiative.

October 2012

11. United Nations Security Council
12. United Nations Women
13. United Nations Office of Legal Affairs
14. Permanent Mission of the Republic of Liberia to the United Nations.
15. Embassy of Austria to The Netherlands.
16. Foreign and Commonwealth Office, United Kingdom

November 2012

17. International Criminal Tribunal for the former Yugoslavia.
18. Assembly of States Parties to the International Criminal Court.

December 2012

19. Embassy of the United Kingdom to The Netherlands.
20. Embassy of Sweden to The Netherlands.

February 2013

21. Open Society Foundations
22. American Bar Association
23. American Red Cross
24. Rockefeller Philanthropic Advisers
25. Lawyers for Development
26. Interpol.
27. United Nations Integrated Peacebuilding Office in Sierra Leone.
28. Embassy of Germany to Sierra Leone
29. Embassy of the United States of America to Sierra Leone
30. European Union Delegation to Sierra Leone
31. High Commission of the United Kingdom to Sierra Leone
32. Embassy of Italy to The Netherlands
33. Embassy of South Africa to The Netherlands
34. Embassy of Belgium to the International Organisations of The Hague
35. Embassy of the United Kingdom to The Netherlands
36. Embassy of Ireland to The Netherlands

March 2013

37. Embassy of Japan to The Netherlands
38. Embassy of Austria to The Netherlands
39. Embassy of Australia to The Netherlands
40. Embassy of the Czech Republic to The Netherlands
41. Embassy of Cyprus to The Netherlands
42. Embassy of France to The Netherlands
43. Embassy of Guatemala to The Netherlands
44. Embassy of Nigeria to The Netherlands
45. Embassy of Norway to The Netherlands
46. Embassy of the United Kingdom to The Netherlands
47. Embassy of the United States of America to The Netherlands
48. Embassy of Germany to The Netherlands
49. Ministry of Foreign Affairs to The Netherlands.
50. Embassy of Poland to The Netherlands

April 2013

51. Embassy of Denmark to The Netherlands
52. Embassy of Romania to The Netherlands
53. Embassy of Switzerland to The Netherlands
54. Embassy of Belgium to the International Organisations of The Hague
55. Mayor of The Hague

ANNEX II

SIGNIFICANT PRESENTATIONS ON THE SPECIAL COURT'S JURISPRUDENCE

June 2012

Justice Winter was invited by the International peace Institute, the UN Office of the Special Representative of the Secretary-General for Children in Armed Conflict and the Permanent Mission of the Republic of Germany, to participate in a policy forum with the theme: "Beyond Kony 2012: Protecting Children from the Lord's resistance Army (LRA)" held in New York, USA. Justice Winter gave a presentation on the Special Court's work in establishing protective measures for child witnesses.

The Prosecutor delivered a telephone lecture to students at the Fletcher School, Tufts University (USA). The Prosecutor addressed the challenges of prosecuting Mr. Taylor, the responses to meet those challenges, and the jurisprudential contribution of the case to ending head of state immunity for international crimes.

July 2012

Justice Winter participated in a project on "Legal protection of children in contact as well in conflict with the law" in Dushambe, Tajikistan. The project involved interactions with various stakeholders including Supreme Court Judges, Ministry of Justice officials , Judges, Prosecutors, Police and closed institutions. The focus was on the main problems of juvenile justice or children in armed conflicts and the legal solution as practiced by the Special Court.

Justice Winter was also invited by the Ministerio of Bienestar of Colombia, to participate in the "Symposio internacional, situacion y retros en la protection integral de los derechos deninas, ninos adolescents y familias", held in Bogota, Columbia. She gave an intervention on "Sistemas de responsibilidad penal para adolescents" that included the Special Court practice on handling children in armed conflict, child soldiers and forced marriages.

The Prosecutor lectured students at the University of Utrecht in the Netherlands on the successes, realities and challenges of the Special Court. She also delivered a telephone lecture to students at Tulane University (USA), and addressed the mandate and work of the Special Court, the Court's achievements, and the mandate of the Residual Special Court. In both lectures the Prosecutor recalled the Special Court's jurisprudential contributions with respect to child soldiers, attacks on international peacekeepers, the crime of forced marriage and head of state immunity.

The OTP Senior Appeals Counsel delivered presentations to OTP Legal Advisors at the ICTY, and colleagues at the ICC, in which he reflected on the trial judgment and sentencing of Mr. Taylor, and the jurisprudential advances made in the case.

August 2012

At the invitation of the Rotary Club of Lower Austria, Justice Winter presented a history of the SCSL jurisprudence in a talk entitled: "Sierra Leone and its Special Court" in Stift Geras, Austria.

In The Hague, the Prosecutor delivered a briefing to delegates of the International Peace and Security Institute in which she addressed the successes, jurisprudential contributions, realities and challenges of the Special Court. As described in the OTP report, Prosecutor Hollis also addressed the jurisprudential contributions of the Special Court at the 6th International Humanitarian Law Dialogues at the Chautauqua Institution in the USA.

September 2012

Justice Winter participated in the Conference on "Hybrid perspectives on the Legacies of the Extraordinary Chambers in the Courts of Cambodia (ECCC)" held in Phnom Penh, Cambodia, at the invitation of the Council for Judicial and Legal Reform, (Germany), the ECCC, and two NGOs ADHOC, and CHRAC. She gave a presentation on "The Legacy of the Special Court".

Justice Winter was invited by the Center for Advanced Study-South East Europe, Club Alpbach, to participate in a Conference and workshops on Global Governance in Belgrade, Serbia. She gave a presentation titled: "Establishing law and justice after a civil war: The International and Hybrid Courts, their jurisprudence and their legacy" with particular reference to the experiences of the Special Court.

At the invitation of UNICEF and Penal Reform International (PRI), Justice Winter participated in a Regional Conference, entitled: "Monitoring torture and ill-treatment in the context of juvenile justice" and an International Conference on "Violence against children in juvenile justice systems" in Bishkhek, Kyrgistan. She made presentations at both conferences on the work of the Special Court, particularly on the Special Court's jurisprudence and practice relating to victims/witness protection, in the context of child labour and forced marriages during war and the issue of torture and violence against child soldiers.

Justice Doherty addressed a group of post-graduate students of University of Seattle, USA developments in Interna-

tional Law in the hybrid tribunals. In September 2012 she also attended the United Nations sponsored colloquium on prosecution of crimes against humanity in the international tribunals and spoke on prosecution of crimes of gender based violence. Justice Doherty was a member of the group of Netherlands based judges of the international tribunals who were hosted by Dutch judges of Amsterdam and given presentations on the running of Dutch Courts and the authority's care of trafficked persons in the Netherlands.

As described in the OTP report, the Prosecutor participated in a panel discussion at a conference convened by Women's Initiatives for Gender Justice and UN Women, and delivered a keynote speech at a course organized by the International Criminal Investigators Institute in The Hague. In both engagements, the Prosecutor reflected on the *Taylor* Trial Chamber's refinement of the law with respect to sexual slavery, in which this criminal conduct is characterized as conjugal slavery.

October 2012

At the invitation of the Ombudsman and the Commissioner for Children's Rights of Cyprus, Justice Winter gave the keynote speech at the European Network of Ombudsmen Committee (ENOC) 16th Annual Conference on "Juvenile Delinquency – Child Friendly Justice, Structures and Processes for Prevention and Intervention" held in Nicosia, Cyprus. Participants included the ENOC Chair and Host Commissioner, members of the UN Committee on the Rights of the Child, the Director of International Affairs, Observatory International of Juvenile Justice (OIJJ), members of the EU Commission for Fundamental Rights and the Rights of the Child Unit, members of the Council of Europe, Ombudsmen for Children from Poland, Greece, Serbia and Scotland among others.

At the invitation of the International Institute of Child Rights and the Swiss Competence Center for Human Rights (CSDH), Justice Winter participated in an international seminar on the theme "Child Rights and the Business Sector: Urging States and private companies to meet their obligations", held in Sion, Switzerland. As part of the seminar, Justice Winter moderated the workshop on extra-territorial competencies and the question of state exercise of regulatory and judicial extra territorial jurisdiction using the example of the Special Court's agreements, ratifications and statute.

Justice Doherty gave a keynote address to the annual conference of the Soroptimists International in Belfast entitled "We are not the Spoils of War" on the historical development of the prosecution of gender based crime in conflict with a particular emphasis on the achievements of the Special Court.

As stated in the OTP report, Prosecutor Hollis travelled to New York to deliver a Statement to the United Nations Security Council in which she recalled that the Special Court OTP was the first to charge and prosecute the crimes of enlistment, recruitment and use of child soldiers, attacks on peacekeepers and forced marriage as an other inhumane act. The Prosecutor also addressed the jurisprudential contributions of the Special Court when delivering remarks to the Group of Friends of Women, Peace and Security, and a meeting convened by the International
Peace Institute. Reflecting on the prosecution of Mr. Taylor, Prosecutor Hollis discussed the current jurisprudence with respect to head of state immunity whilst addressing a conference in Nuremberg, Germany. The Prosecutor also addressed existing jurisprudence when speaking at the Annual Conference and General Meeting of the International Association of Prosecutors in Bangkok.

November 2012

At the invitation of the Government of Switzerland and the International Institute of Child Rights, Justice Winter was in Dakar, Senegal to participate in and deliver a lecture at a seminar for judges on child rights and child protection in courts. Justice Winter also conducted workshops with judges on child protection especially in exceptional circumstances like war and transitional situations.

Justice Doherty attended a course on the Rule of Law in Conflict and Post Conflict Situations in Sweden. She spoke on the experiences of legal work in post conflict situations, the law and jurisprudence of the hybrid tribunals and prosecution of crimes against humanity.

As stated in the OTP report, the Prosecutor addressed the impact o fthe Special Court jurisprudence on international norms and procedures at the first Special Court Legacy Conference organized by the International Centre for Transitional Justice in New York.

December 2012

In London, UK, the Prosecutor addressed a conference organized by the London School of Economics on the accomplishments of the Special Court, and its contribution to transitional justice. Delegates were reminded of the Special Court's contribution to the body of international criminal jurisprudence.

February 2013

At the request of the Ministry of Justice of Georgia, Justice Winter was invited by the European Union to Georgia to speak to the Ministry on legal issues and the jurisprudence of the Special Court on Crimes against Humanity.

As stated in the OTP report, Prosecutor Hollis participated in the second Special Court Legacy Conference organized by the International Centre for Transitional Justice in Freetown, Sierra Leone and ad-

dressed the jurisprudential legacy of the Special Court, particularly on the subject of prosecuting those deemed "most responsible" for crimes committed.

Justice Doherty attended the two day International Association of Women Judges launch of their program 'GLOW' for the promotion of women judges in the development of international law. She participated in discussions and acted as a resource person.

March 2013

At the ICTY, the Prosecutor briefed the interns of the ICTY Appeals Chamber on the Taylor trial judgment and sentencing, including the refinement of the law with respect to sexual slavery.

April 2013

Justice Winter participated in a round table discussion on "Violence Against Children in a War Setting – Experiences from the Special Court for Sierra Leone", held in Vienna, Austria.

At the invitation of the Catholic Church of Lower Austria, Justice Winter participated in a discussion on "Violence against children during and after war: Jurisprudence and protection measures" in Vienna, Austria.

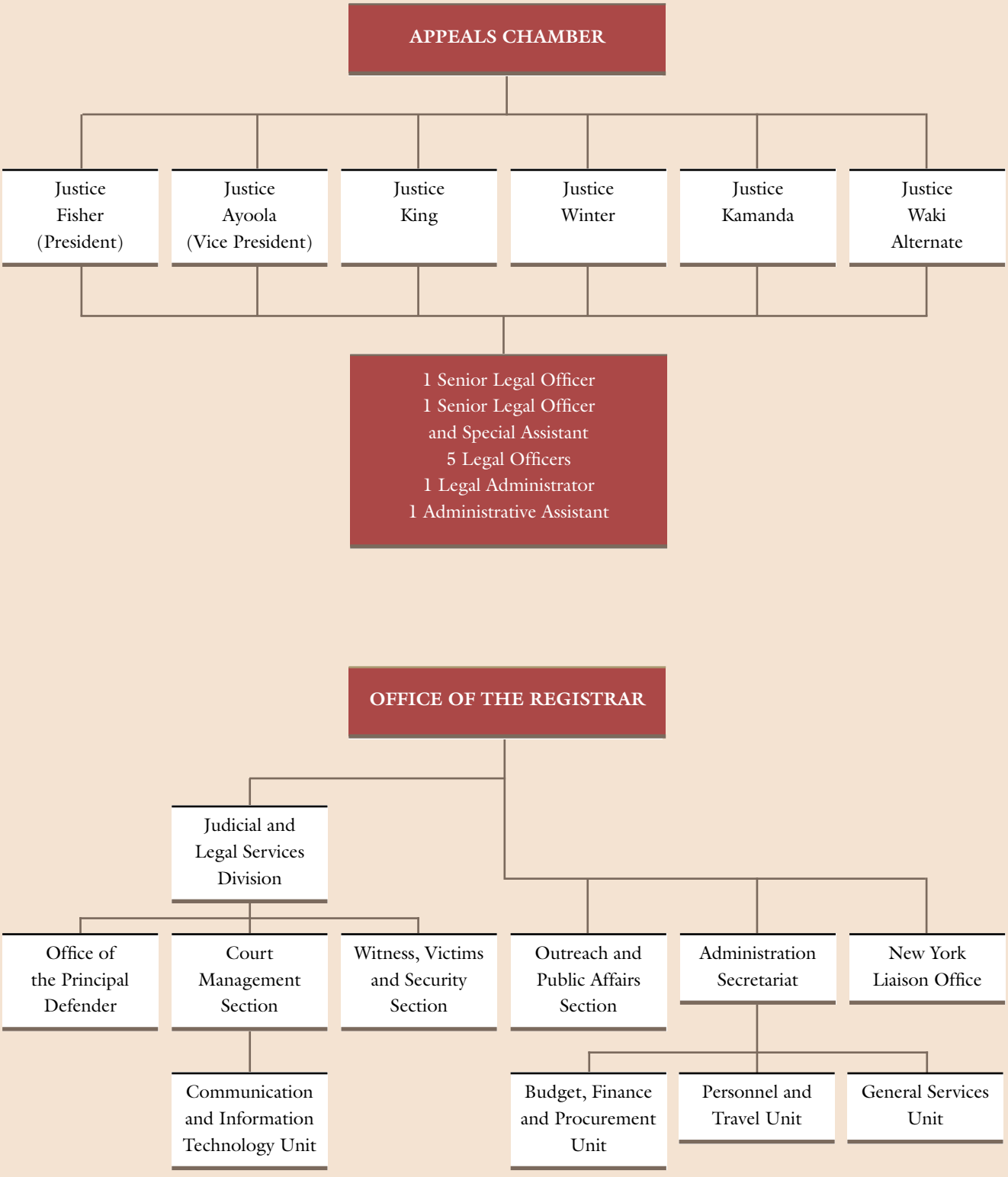
May 2013

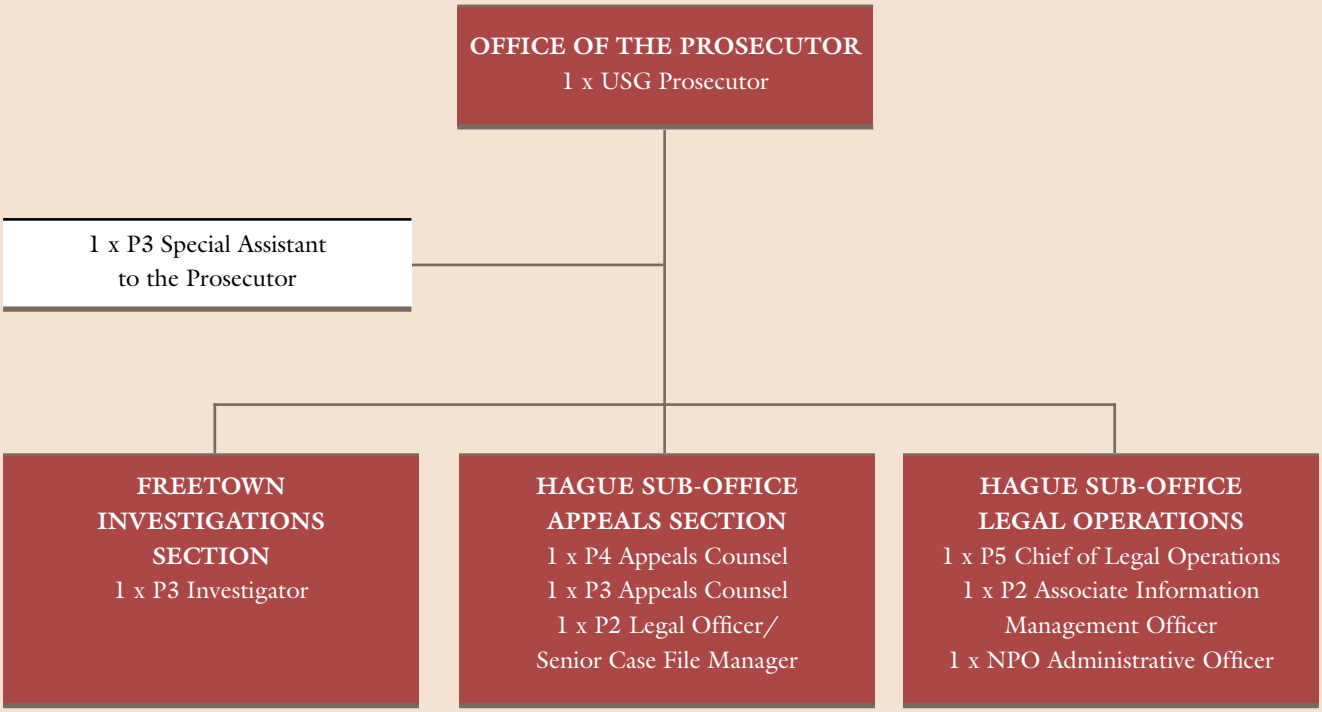
Justice Doherty gave a public lecture at the University of Auckland, New Zealand entitled The Legacy of the Special Court for Sierra Leone: Jurisprudence, Reconciliation and Combating Impunity. She also gave a keynote address to the International and New Zealand Associations of Women Judges Conference of 'Judging Internationally' and the 'Breaking Through'. She will subsequently give the annual Shirley Smith Memorial Lecture in Wellington, New Zealand.

During the reporting period, Justice Doherty contributed to the publications of the book "Sexual Violence as an International Crime: Interdisciplinary Approaches" by writing the chapter "Jurisprudential Developments relating to Sexual Violence: The Legacy of the Special Court for Sierra Leone" The book was published by Intersentia in the Series on Transitional Justice" in autumn 2013."

ANNEX III

Organizational Structure




OFFICE OF THE PROSECUTOR
1 x USG Prosecutor
1 x P3 Special Assistant to the Prosecutor
FREETOWN INVESTIGATIONS SECTION
1 x P3 Investigator
HAGUE SUB-OFFICE APPEALS SECTION
1 x P4 Appeals Counsel
1 x P3 Appeals Counsel
1 x P2 Legal Officer/ Senior Case File Manager
HAGUE SUB-OFFICE LEGAL OPERATIONS
1 x P5 Chief of Legal Operations
1 x P2 Associate Information Management Officer
1 x NPO Administrative Officer

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