Seventh Annual Report

of the President of the Special Court for Sierra Leone

June 2009 to May 2010

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7th

June 2009 to May 2010

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FOREWORD

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

I am honoured and delighted to present the Seventh Annual Report on the operations of the Special Court for Sierra Leone, covering the period 1st June 2009 to 31st May 2010.

During the eighth year of its operations, the Court made significant progress towards fulfilling its mandate of bringing to justice, those who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since 30 November 1996.

The Court completed the appeal proceedings in the third of its four cases and by that achievement; it fulfilled its judicial mandate for trials conducted in Sierra Leone.

On 26 October 2009, the Appeals Chamber delivered its Judgment in the trial of the *Prosecutor v Sesay, Kallon and Gbao* (RUF case). The Appeals Chamber revised the sentences imposed by the Trial Chamber on some of the Counts, but upheld the total terms of imprisonment imposed on each of the accused which were 52 years of imprisonment for Issa Sesay, 40 years of imprisonment for Morris Kallon and 25 years of imprisonment for Augustine Gbao.

Following the delivery of the RUF Appeals Judgment on 26 October 2009, the accused persons in the RUF, CDF and AFRC cases were transferred out of Sierra Leone to serve their sentences in Mpanga Prison in Kigali, Rwanda.

The erstwhile President, Justice Renate Winter and myself express our gratitude to Mr Michael von der Schulenburg, the Executive Representative of the Secretary-General of the United Nations Integrated Peace-building Office in Sierra Leone (UNIPSIL), for the assistance in effecting a successful transfer.

It is perhaps fitting to mention that the case against the RUF indictees was completed during the tenure of my predecessor Hon. Justice Renate Winter, to whom I now pay homage for her commitment and resilience in the performance of her duties. Hon. Justice Renate Winter served admirably as President of the Court from 1 June 2009 to 31 October 2009.

Hon. Justice Jon Moadeh Kamanda, President, Special Court for Sierra Leone

During the period of Hon. Justice Renate Winter's tenure, the Appeals Chamber finalised the Appeals Judgment in the RUF case, which consisted of more than 100 Grounds of Appeal. Between June 2009 and August 2009, the Appeals Chamber dealt with several motions filed by the Defence and the Prosecution in relation to the RUF appeals. Oral hearings in the RUF Appeals took place on 2 September 2009 and lasted three days.

In July 2009, a commission of inquiry was established by the Government of Sierra Leone, to investigate incidents of political violence that occurred in Freetown on 14 March 2009. Due to the politically sensitive nature of the incident and the social stigma associated with sexual violence crimes, the Court in response to a request by UNIFEM-Sierra Leone, provided victim and witness support and also housed the victims in its safe houses. All nominal expenses associated with this activity were borne by UNIFEM.

A two-day juvenile justice training programme was organised by the Hon. Umu Hawa Tejan-Jalloh, Chief Justice of Sierra Leone, Ms. Julia Sarkodie-Mensah, Consultant Master and Registrar, and the Hon. Justice Renate Winter, from 16-17 October 2009. Thirty-five national judicial officers received training on juvenile justice.

On 27 October 2009, at a meeting of the Justices of the Appeals Chamber, Hon. Justice Renate Winter

announced her resignation from the post of President. I commend her for her leadership during a critical period for the Court. Pursuant to the Court's Rules of Procedure and Evidence, I was elected President thereafter to complete her term.

Since the Presidency on 1 November 2009, I have with the support of my colleague Judges, worked to ensure that the operations and activities of the Court are carried out efficiently so that the target dates for the conclusion of all proceedings are met. In so doing, I inter alia, ordered on 12 November 2009 that the Judges of the Appeals Chamber exercise their functions away from Sierra Leone, which is the seat of the Special Court pursuant to Article 10 of the Agreement between the United Nations and the Government of Sierra Leone. This order, which I made pursuant to Rule 108, revoked an earlier Order which declared that the Appeals Chamber should relocate to The Hague from 1 November 2009 in readiness for appeal proceedings in the Charles Taylor trial.

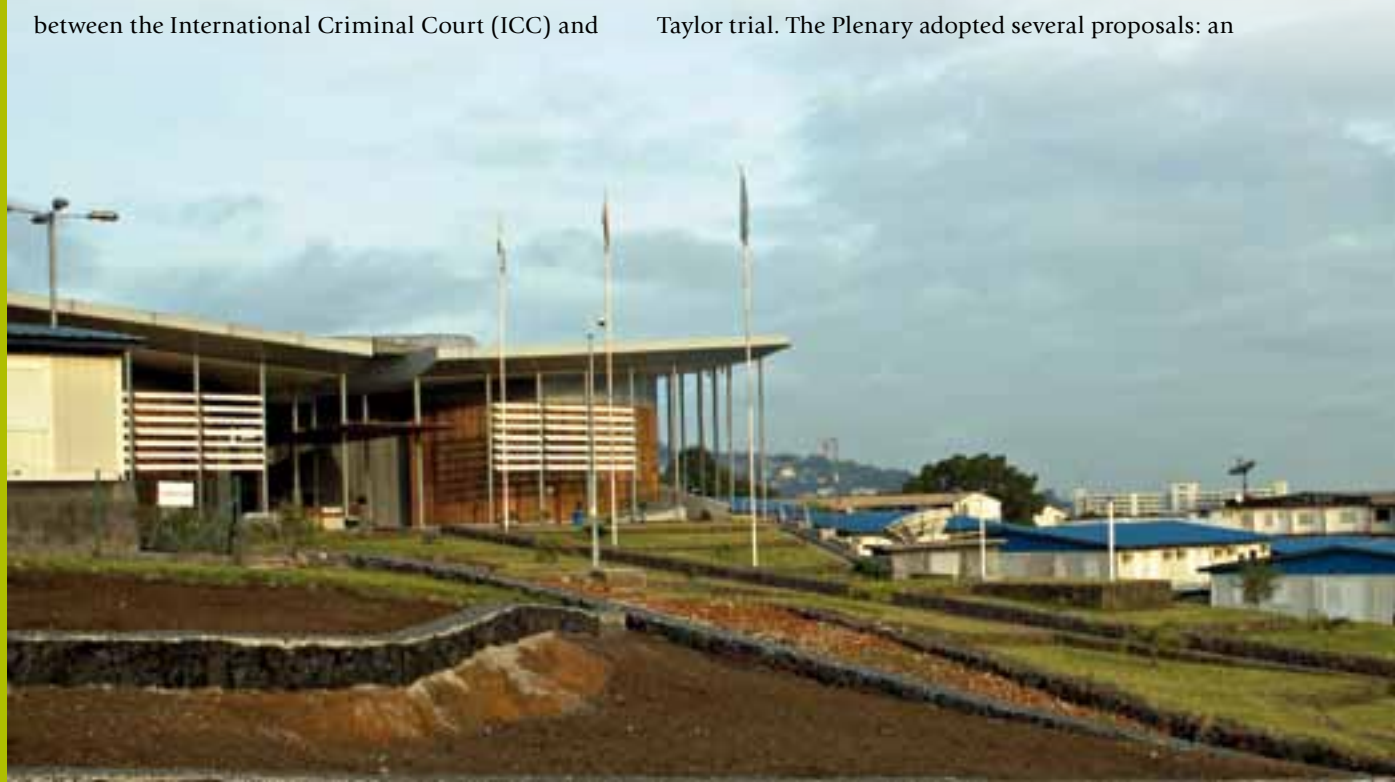
Significant progress has been made in the Charles Taylor trial, which is still ongoing in The Hague. On 13 July 2009, the Defence opened its case, with Charles Taylor giving evidence in his own defence from 14 July 2009 to 5 February 2010. In the period under review eleven witnesses had testified for the Defence.

Pursuant to a Memorandum of Understanding between the International Criminal Court (ICC) and the Special Court, the ICC made available the use of its premises and courtroom, and provided other support to the Special Court for the conduct of the Charles Taylor trial from 22 September 2006 to 13 May 2010. As the caseload of the ICC increased, the court sitting times of the Special Court accordingly diminished. It became evident that an alternative arrangement had to be made so that the Charles Taylor trial timeline would not be unduly lengthened. Pursuant to an agreement between the Special Court and the Special Tribunal for Lebanon (STL), the Special Court, on 17 May 2010 commenced the use of the STL courtroom for the conduct of the Charles Taylor trial.

The high level of cooperation between the Special Court and its sister tribunals is commendable. I therefore take this opportunity to express my gratitude to the President and other officials of the ICC and the Government of the Netherlands for their cooperation and assistance in the provision of amenities to expedite the current trial in The Hague.

I also thank the President, the Registrar and other officials of the STL for the cooperation given to the Special Court through the provision of the STL courtroom and facilities.

The 14th Plenary Meeting of Judges was held from 26 May 2010 to 28 May 2010 in The Hague. This was in order to prevent any major disruption to the Charles Taylor trial. The Plenary adopted several proposals: an



amendment to Rule 81 of the Rules of Procedure and Evidence and a Resolution of Appreciation to the ICC and the United States Ambassador-at-Large for War Crimes Issues, Stephen Rapp for his continuous support of the Court's activities.

Following the completion of trials in Sierra Leone and the transfer of all accused persons to serve their sentences in Rwanda, the Court, as part of its legacy activities handed over the detention facility to the Government of Sierra Leone, to be dedicated for the use of women prisoners and their children and also, for children in conflict with the law. The transfer of the detention facility to the Government of Sierra Leone took place on 16 November 2009. The detention facility is currently housing inmates under the auspices of the Sierra Leone Prison Department.

The United Nations Assistant Secretary-General for Legal Affairs, Peter Taksoe- Jensen visited the Court in March 2010. We identified the tasks that the residual mechanism would perform upon the closure of the Court and addressed the need for the establishment of a cost efficient mechanism that will contain the archives of the Court. Issues relating to the future use of the Court site were also discussed.

The United States Ambassador-at-Large for War Crimes Issues , Stephen Rapp, who until his appointment to that post was the Prosecutor at the Special Court, also paid an official visit to the Court in April 2010. Ambassador Rapp and I also addressed issues pertaining to the establishment of a residual mechanism and the progress that has been made thus far. I thank both Mr Taksoe-Jensen and Ambassador Rapp for their cooperation and support for the work of the Court and express my sincere hope that this support will be sustained during the life of the Court.

The Outreach and Public Affairs Section continues to bring the activities and accomplishments of the Court to towns, villages, schools, colleges and institutions in Sierra Leone, by using the media and organizing regular visits to its custom built Courthouse. By virtue of such relentless efforts, people have come to realize that the Special Court remains committed to ensuring that persons who commit heinous crimes are tried in accordance with its mandate; and that the rule of law in Sierra Leone is preserved and maintained in all circumstances.

The alarming rate of staff attrition has presented several encumbrances to the expeditious strategy employed by the Court for the completion of its judicial activities. Staff members are experiencing regularly increasing workloads and corresponding higher levels of stress, due to the Court's diminished work force. There is therefore an urgent need to implement effective personnel retention measures in order to avoid undue slippages in trial schedules.

Two significant appointments were made by the UN Secretary-General Ban Ki-moon in February 2010: Binta Mansaray was appointed Registrar of the Court and Brenda Hollis was appointed Prosecutor of the Court. I congratulate both the Registrar and the Prosecutor on their respective appointments and hope that they will continue to enjoy a favourable working relationship with the Judges and staff.

Finally, I would like to express my appreciation to my fellow Judges and the staff of the Court for their consistent hard work and demonstrated commitment to ensure that the Court will realise a successful conclusion of its mandate.

Hon. Justice Jon Moadeh Kamanda

President of the Special Court for Sierra Leone
Freetown, Sierra Leone

Mongolian Contigent of UNMIL (MONBAT)

INTRODUCTION

This is the seventh Annual Report of the Special Court for Sierra Leone, 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 1st June 2009 to 31st May 2010, and spans the terms of office of two Presidents of the Special Court, namely Hon. Justice Renate Winter, whose second consecutive term of office ended before its expiration with her resignation on 31st October 2009, and Hon. Justice Jon Moadeh Kamanda, who was elected to succeed her for the remainder of the term on 1st November 2009. The Report examines the major activities of all Sections of the Special Court, including Chambers, the Registry (including the Office of the Principal Defender) and the Office of the Prosecutor. It also reflects the significant steps taken by the Court during this period in respect of creating, defining and implementing policies to ensure a sustainable legacy. 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

In the case of *Prosecutor v. Issa Hassan Sesay, Morris Kallon and Augustine Gbao* (the Revolutionary United Front or RUF case), the Appeals Chamber heard the oral arguments of the Parties on 2, 3 and 4 September 2009. The Appeals Chamber delivered its Judgment in the RUF case on 26 October 2009. The Appeals Chamber reversed the verdict of guilty on some of the Counts with respect to the Accused, but upheld the majority of the convictions for individual criminal responsibility pursuant to Articles 6(1) and 6(3) of the Statute for war crimes, crimes against humanity and other serious violations of international humanitarian law, including for forced marriages and for attacks against peacekeepers. The Appeals Chamber also affirmed that the accused participated in a joint criminal enterprise (JCE) with the Armed Forces Revolutionary Council (AFRC).

The Appeals Chamber revised the sentences imposed by the Trial Chamber on some of the Counts but upheld the total terms of imprisonment imposed on each of the Accused which were fifty-two (52) years of imprisonment for Sesay, forty (40) years of imprisonment for Kallon and twenty-five (25) years of imprisonment for Gbao.

Due to the fact that the Government of Sierra Leone had indicated both its inability and unwillingness to take custody of the convicted persons citing the need for sustenance of peace and the weakness of institutional arrangements in Sierra Leone, it was agreed with the Government of Rwanda, that the eight (8) convicted persons held in the detention facilities of the Special Court would serve their sentences in Mpanga Prison, Nyanza (south of Kigali), Rwanda. Discussions were held in this regard in Freetown by senior officials of the Special Court with representatives of the International Committee of the Red Cross (ICRC), the prisoners and their legal representatives. The ICRC was consulted and issued recommendations on various aspects relating to the sentence enforcement agreement signed between the Special Court and the Government of Rwanda on 18 March 2009. The sentence enforcement agreement stresses the fact that the Government of Rwanda is bound by the duration of the sentences pronounced by the Special Court, and it was amended on 16 September 2009 to exclude the applicability of the provisions on isolation contained in Rwandan legislation for prisoners convicted of crimes against humanity.

With the cooperation of the Executive Representative of the Secretary-General of the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), Mr. Michael von der Schulenburg and the United Nations Mission in The Democratic Republic of Congo (MONUC) , a military air transport plane and helicopter were put at the disposal of the Special Court for the purpose of transferring the prisoners and attendant security personnel from the detention facility in Freetown to the international airport in Lungi, Sierra Leone, and onwards to Kigali, Rwanda.

The prisoners, former *RUF* Interim Leader Issa Hassan Sesay, former *RUF* commander Morris Kallon and former *RUF* Chief of Security Augustine Gbao; former leaders of the *AFRC*, Alex Tamba Brima, Ibrahim Bazzy Kamara and Santigie Borbor Kanu; and former leaders of the Civil Defence Forces (*CDF*), Moinina Fofana and Allieu Kondewa were transferred to Rwanda on 31 October 2009 to serve their sentences. The transfer was effected without any incidents. This brought all judicial activities in Freetown to an end.

The Special Court however continues to pursue sentence enforcement agreements with countries both in Europe and Africa. The Special Court is grateful to the Republic of Rwanda for its assistance in staffing and maintaining the prison facility. The Special Court continues to raise the necessary funds in order to maintain minimum international standards and to pay for the eight prisoners' daily upkeep and maintenance for the full duration of all sentences, which, at the time of writing, amounts to 249 years combined[1], and for which funding will be required in the amount of 5.4 million USD.

The Special Court's fourth and final trial is that of *Prosecutor v. Charles Taylor,* taking place in The Hague. The Defence opened its case on 13 July 2009 and called the accused Charles Ghankay Taylor as its first witness on 14 July. As at 31 May 2010 the Defence had called 11 witnesses, in addition to Charles Taylor. The *Taylor* Defence currently projects that it will close its case in August 2010, following which the Prosecution may present a rebuttal case. The parties will then submit written briefs and present closing arguments pursuant to Rule 86 of the Rules of Procedure and Evidence.

The trial was transferred from Courtroom 2 of the International Criminal Court (ICC) to the courtroom of the Special Tribunal for Lebanon (STL) on 17 May 2010. The Special Court is grateful to both the ICC and the STL for their continued assistance in terms of the provision of courtroom and other facilities, a sentiment which was conveyed by President Kamanda to both the ICC and the STL Presidents during a working visit to The Hague in February 2010.

The Special Court continued to engage in extensive Legacy activities, which focused during the reporting period on the following projects: the Site Project (the project to assist the Government of Sierra Leone to develop the site of the Special Court after it reverts to the Government upon completion of the Court's mandate), the Witness Evaluation and Legacy Project, Communicating Justice (an Outreach Project in cooperation with BBC World Service Trust), the Archiving Project and capacity-building for legal associates and interns.

Ten residual functions of the Court were identified by the 'DONLON' Report released in December 2008, which the Special Court must make arrangements to fulfil. Primary among these are the responsibility to protect witnesses, to maintain the archives and to enforce the sentences of its convicts. The parties to the Agreement which created the Court, namely the United Nations and the Government of Sierra Leone, have initiated discussions on the structure and location of a residual mechanism that would take on the Court's obligations upon its closure. The role of the Special Court in these discussions has been to provide advice based on its experiences and practices, and to make any necessary arrangements to ensure a smooth transition to the residual mechanism. During the reporting period, President Kamanda met with the United Nations Assistant Under-Secretary General for

1 249 years is the combined total of number of years remaining to be served, rounded up to full years.

Legal Affairs, Mr. Peter Taksoe-Jensen, and the United States Ambassador at Large for War Crimes Issues, Mr. Stephen Rapp in Freetown to discuss issues under consideration by the parties in relation to the establishment of the residual mechanism.

The Special Court's Outreach and Public Affairs section also continued to publicize the activities and accomplishments of the Special Court in towns and villages across Sierra Leone, and to the people of the sub-region generally, but increasingly so in Liberia. During the reporting period, Outreach Officers conducted regular video screenings in the Western Area of Sierra Leone including Freetown and the surrounding communities, in the provinces and in Liberia.

In February 2010, the Secretary-General appointed Ms Binta Mansaray as Registrar of the Special Court. Ms Mansaray had served as Deputy Registrar since July 2007 and as Acting Registrar since June 2009. The Secretary-General also appointed Ms. Brenda Hollis as Prosecutor in February 2010. At the time of her appointment, Ms Hollis was the Principal Trial Attorney leading the prosecution team in the trial of former Liberian President, Charles Taylor.

Due to the continuing difficulties the Court faces to secure funding , the Office of the President, the Office of the Prosecutor and the Office of the Registrar worked closely together to honour all invitations to speak before institutions, entities, media and governments in order to disseminate information about the work of the Special Court and to keep the interest of the donor community focused on its activities.

In this regard on 16 July 2009, then President Renate Winter addressed the United Nations Security Council together with the former Prosecutor, Stephen Rapp. The thrust of the message to the Security Council was the Court's method of financing, with an appeal for consideration by the Security Council to grant earmarked Member States contributions for the further functioning of the Court until the end of the *Prosecutor v. Taylor* trial and if applicable appeal proceedings. Upon his assumption of office as President of the Special Court, Hon. Justice Jon M. Kamanda also paid courtesy calls to representatives in diplomatic missions of the major donor states to the Special Court based in Freetown, to thank them for their continued support and also to discuss residual issues and legacy projects.

Trial Chamber II Justices from left to right - Justice Sow (alternate Judge), Justice Sebutinde, Justice Doherty, Justice Lussick

JUDICIAL PROCEEDINGS

TRIAL CHAMBER II

THE PROSECUTOR
V. CHARLES GHANKAY TAYLOR

Justice Richard Lussick served as the Presiding Judge of Trial Chamber II from 18 January 2009 to 17 January 2010. Justice Julia Sebutinde succeeded Justice Lussick as Presiding Judge of the Trial Chamber on 18 January 2010.

The trial proceedings against the former President of the Republic of Liberia, Charles Ghankay Taylor, commenced on 4 June 2007 with the opening statement of the Prosecution. Due to a change in Defence counsel, the presentation of the Prosecution evidence, however, could not begin until 8 January 2008. The Prosecution evidence closed on 27 February 2009. The Prosecution called a total of 91 witnesses. Following the Prosecution case, the Accused filed a motion for judgment of acquittal pursuant to Rule 98 of the Rules of Procedure and Evidence, which the Trial Chamber dismissed on 4 May 2009, ruling that there was evidence capable of sustaining a conviction on all eleven counts of the Indictment.

The Trial Chamber held a Pre-Defence Conference on 8 June 2009, in order to ensure that the Defence had complied with its obligations pursuant to Rule 73*ter* of the Rules of Procedure and Evidence. At this conference, the Defence estimated that the testimony of the Accused would last, in total, between 6 to 8 weeks. The Trial Chamber initially ordered that the Defence case should start on 29 June 2009, but granted a Defence request to postpone the start of the case, as it was unable to adequately take instructions from the Accused. The Defence, therefore, commenced the presentation of its case on 13 July 2009, with an opening statement and continued on 14 July 2009 with the testimony of the Accused, who appeared as a witness in his own defence. The Accused testified until 18 February 2010, a total of 7 months. The Defence has since called 11 witnesses and has indicated that it estimates that its case will close by the end of August 2010.

During the reporting period, the Trial Chamber conducted the proceedings without any major delays. The Accused regularly attended the proceedings although on some occasions waived his right to be present. During the reporting period, the Trial Chamber rendered 29 written decisions and orders, bringing the total number of interlocutory decisions since the assignment of the proceedings to Trial Chamber II in March 2006 to 187. The Trial Chamber also rendered numerous Oral Decisions during the reporting period. The following represent a selection of the most significant written Decisions and Orders handed down by the Trial Chamber during the reporting period:

a) Decision on Urgent Defence Motion for Adjournment of Trial Start-Date Due to Inability to Take Instructions from the Accused, 18 June 2009:
The Defence requested an adjournment of the trial start-date of its case, which was scheduled for the 29 June 2009, because of its inability to take detailed instructions from the Accused as a result of the detection of *legionellosis* bacteria at the Detention Centre. The Trial Chamber granted the Defence request in part and ordered that the Defence should commence its case on Monday 13 July 2009.

b) Decision on Prosecution Motion for an Order Prohibiting Contact between the Accused and Defence Witnesses or Alternative Relief, 14 August 2009:
The Trial Chamber dismissed in its entirety the Prosecution Motion for an order prohibiting direct contact between the Accused and Defence witnesses. The Trial Chamber found that issues relating to detention were matters for administrative, rather than judicial decision, and that the Trial Chamber may review the legality or reasonableness of administrative decisions

only where such decisions impact adversely upon the fair-trial rights of the Accused or the integrity of the proceedings. The Trial Chamber was of the view that in this case, the Prosecution had not provided sufficient evidence to support its claims that the Accused had in fact communicated with any potential witness or attempted to influence any witnesses, and therefore had not established that there was any threat to the integrity of the proceedings.

c) Decision on Prosecution Motion for an Order Restricting Contact Between the Accused and Defence Counsel during Cross-Examination, 20 November 2009:
The Trial Chamber dismissed a Prosecution Motion for an order restricting the Accused's access to Defence Counsel for the duration of his cross-examination. The Trial Chamber noted that there was no suggestion that Defence Counsel had acted unethically or inappropriately in their communications with the Accused during the course of his examination-in-chief and that if there was any suspicion of such conduct, the Prosecution could test the credibility of the Accused on this basis during cross-examination.

d) Decision on Prosecution Motion in Relation to the Applicable Legal Standards Governing the Use and Admission of Documents by the Prosecution During Cross-Examination, 30 November 2009 ("Decision on Documents"):
The Prosecution requested that the Trial Chamber issues guidelines and/or an order permitting it to use "fresh evidence" during cross examination to challenge the evidence of a witness and permitting that evidence to be tendered and exhibited for the purpose of challenging the credibility and/or in certain circumstances for the purpose of demonstrating the guilt of the Accused. The Defence opposed the Motion on the basis that it infringed upon the fair trial rights of the Accused as guaranteed by Article 17 of the Statute. The Trial Chamber granted the Prosecution Motion and the Defence Response in part and directed that the Prosecution could use documents containing fresh evidence in order to impeach the credibility of the Accused, but that "fresh evidence" probative of the guilt of the Accused was subject to disclosure and its use would not be permitted during cross-examination unless it was in the interests of justice and did not violate the fair trial rights of the Accused. The Trial Chamber further held that fresh evidence "probative of guilt" would not be admitted into evidence unless the Prosecution could establish "exceptional circumstances".

e) Decision on Urgent Applications for Leave to Appeal Oral Decisions of 18, 21, 25 and 26 January 2010 on Use of Documents in Cross-Examination, 9 February 2010:
The Trial Chamber denied three Prosecution applications for leave to appeal oral Trial Chamber rulings disallowing the use of documents by the Prosecution during the cross-examination of the Accused on the basis that such documents contained information that was probative of guilt and that the two-prong test set on in its Decision on Documents had not been met. The Trial Chamber held that the Prosecution had not demonstrated exceptional circumstances and irreparable prejudice.

f) Decision on Public with Annex A and B and Confidential Annex C Urgent Prosecution Request for an Order to Direct the Registry to Disclose Non-Privileged Information, 22 January 2010:
The Trial Chamber dismissed a Prosecution Motion for an order to direct the Registry to disclose non-privileged information relating to certain communications made by the Accused from the Detention Centre. The Chamber was satisfied that since its "Confidential Decision on Prosecution Motion for an Order Prohibiting Contact between the Accused and Defence Witnesses or Alternative Relief", where the Trial Chamber had denied a similar request, the Prosecution had failed to provide any further evidence that there has been any interference with the trial proceedings. It had therefore not demonstrated that there was any threat to the integrity of the proceedings justifying a review of the Acting Registrar's decision by the Trial Chamber.

g) Decision on Public with Annexes A and B Defence Motion for Admission into evidence of 301 Docu-

ments and photographs Marked for Identification During the evidence-in-chief of the accused and on Prosecution List of Documents Marked for Identification During the Testimony of Charles Taylor Sought to be Admitted into Evidence, 19 March 2010:
Following the testimony of the Accused as a witness in his own defence, the Trial Chamber admitted into evidence 475 documents or parts thereof tendered by the Defence and 124 documents or parts thereof tendered by the Prosecution, which had been used during his testimony in-chief or cross-examination. Due the voluminous amount of documents, the Trial Chamber for reasons of expeditiousness opted for a written admission procedure of the documents.

h) Decision on Prosecution Request for Orders in Relation to the Scheduling of the Remainder of the Case, 29 March 2010
The Prosecution requested that the Trial Chamber order the Defence to conclude its case by 1 June 2010 on the grounds, *inter alia*, that the Defence case was longer than the Prosecution presentation of evidence and could not be considered proportionate. The Trial Chamber, cognisant of its inherent power to control proceedings and its discretion pursuant to Rules 73(C) and 73(D) to order the Defence to shorten the estimated length of the examination-in-chief of some witnesses and to reduce the number of witnesses if it were to consider that an excessive number of witnesses were being called to prove the same facts, dismissed the Motion noting the Defence commitmentto revise its witness list downwards and the right of the Accused to fully contest the indictment against him.

i) Decision on Defence Motion for Leave to Vary Version IV of the Defence Rule 73*ter* Witness List and Summaries
The Defence requested leave to vary Version IV of its Rule 73*ter* Witness List and Summaries in order to drop 86 witnesses from Annex A, add four witnesses from Annex B and reinstate one witness from Annex C. The Trial Chamber, having found that the Defence had met the requirements of Rule 73*ter*(E), granted the Motion and denied the Prosecution request for re-filing of the witness summaries on the basis that it was premature and without foundation. The Trial Chamber further ordered that the Defence shall identify which witnesses are on the Defence "core" and "back-up" witness list. The Defence subsequently filed a revised witness list with 35 "core" witnesses, of which 11 have already testified since the start of the Defence case.

APPEALS CHAMBER

INTERLOCUTORY APPEALS
IN PROSECUTOR V. TAYLOR

a) Decision on Defence Notice of Appeal and Submissions Regarding the 4 May 2009 Oral Decision Requiring the Defence to Commence its Case on 29 June 2009
On 23 June 2009, the Appeals Chamber issued a decision on the *Taylor* Defence appeal against Trial Chamber II's oral decision requiring the Defence to commence its case on 29 June 2009. The Defence contested the Trial Chamber's decision on the basis that the time allocated to it to prepare its case was inadequate and infringed the right of the Accused to a fair trial under Article 17(4)(b) of the Statute. The Defence requested the Appeals Chamber to overturn the oral decision of the Trial Chamber. The Prosecution opposed the appeal and submitted that the arguments raised by the Defence were without merit and should be dismissed. As the Trial Chamber has a discretionary decision to scheduling trial, the question on appeal was therefore, whether the Trial Chamber erred in the exercise of its discretion by erroneously concluding that the Defence would have adequate time for the preparation of its case within the meaning of Article 17(4)(b) of the Statute. The Appeals Chamber dismissed the appeal and held that the Defence had not shown that the Trial Chamber's decision infringed the fair trial right

The Appeals Chamber Justices from left to right – Justice Ayoola, Justice Fisher, Justice Kamanda, Justice Winter, Justice King.

of the Accused. The Appeals Chamber ruled that the Trial Chamber correctly exercised its discretion and expressly considered all the relevant factors when it set the start date of the Defence case for 29 June 2009.

APPELLATE PROCEEDINGS IN PROSECUTOR V. SESAY, KALLON AND GBAO: (JUNE 2009 – OCTOBER 2009)

Following Trial Chamber I's Trial and Sentencing Judgments in the RUF case, the Prosecution, the Kallon Defence and the Gbao Defence, filed their respective appeal briefs on 1 June 2009. The Sesay Defence filed its appeal brief on 2 June 2009. On 24 June 2009, the Parties filed their response briefs and on 29 June 2009, the reply briefs were filed.

On 16 June 2009, the Appeals Chamber rendered a decision on a motion from the Sesay Defence requesting that the Appeals Chamber order the Prosecution to disclose Rule 68 Material. The Appeals Chamber dismissed the Motion in its entirety for lack of specificity and failure of the Sesay Defence to establish any grounds on which the remedy sought could be granted.

On 19 June 2009, the Sesay Defence filed a motion requesting leave to file additional pages to the ten-page limit in respect of a prospective motion to introduce additional evidence from *Prosecutor v. Taylor* for consideration on appeal pursuant to Rule 115. On 22 June 2009, the Pre-Hearing Judge granted the motion in part and ordered that the Sesay Defence file a motion pursuant to Rule 115 not exceeding twenty pages.

On 26 June 2009, the Prosecution filed a motion requesting leave to file an additional ten pages in its response to the prospective motion to be filed by the Sesay Defence pursuant to Rule 115. On 30 June 2009, the Pre-Hearing Judge granted the motion and ordered that the Prosecution file a response to the Sesay Rule 115 Motion not exceeding twenty pages.

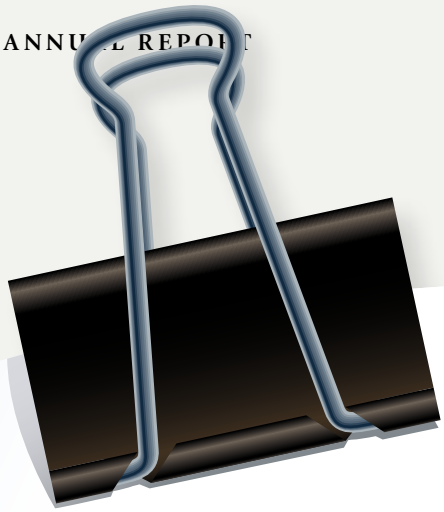
On 29 June 2009, the Sesay Defence filed the motion to the Appeals Chamber to admit additional evidence from *Prosecutor v. Taylor* for consideration on appeal pursuant to Rule 115. On 6 July 2009, the Appeals Chamber dismissed the Motion holding that the Motion was not properly filed in accordance with Rule 115(A) which requires that an application to present additional evidence before the Appeals Chamber be made by motion to the Pre-Hearing Judge. The Appeals Chamber however granted the Sesay Defence an extension of time and liberty to file the said Motion before the Pre-Hearing Judge within one day from the Ruling.

Following the Appeals Chamber decision, the Sesay Defence on 7 July 2009 filed the Motion to admit additional evidence from *Prosecutor v Taylor* for consideration on appeal to the Pre-Hearing Judge. The Pre-Hearing Judge found that the proposed evidence would not have affected the verdict had it been admitted at trial; that its non-admission on appeal would not amount to a miscarriage of justice and dismissed the Motion.

On 29 June 2009, the Gbao Defence filed a Motion pursuant to Rule 115 for new evidence from *Prosecutor v. Taylor* to be admitted on appeal for the purpose of challenging the credibility of Witness TF1-314. The Prosecution opposed the Motion arguing that the Gbao Defence had failed to demonstrate that the proposed evidence was unavailable at trial. The Prosecution argued further that in any case, the proposed evidence could not have been a decisive factor in reaching the decision at trial. The Pre-Hearing Judge was not satisfied that non-admission of the proposed evidence would amount to a miscarriage of justice and dismissed the motion.

An Order designating the record on appeal was filed on 19 August 2009.

On 31 August 2009, the Sesay Defence filed a Motion requesting the Pre-Hearing Judge to present Exhibit MFI-134 from *Prosecutor v Taylor*, to the Appeals Chamber for consideration in Sesay's appeal. The Prosecution contested the Motion. The Appeals Chamber dismissed the Motion holding that the Sesay Defence had not shown (i) that the proposed evidence was unavailable at trial; and (ii) that the Trial Chamber would have reached a different finding if it had considered



RADIO FRANCE INTERNATIONAL

Monday, 26 October 2009

STRINGENT PRISON TERMS UPHELD IN REBEL TRIALS

The UN-backed Special Court for Sierra Leone upheld stiff prison terms of up to 52 years on Monday for three former rebel leaders who played key roles during Sierra Leone's civil war. The three men - Issa Hassan Sesay, Morris Kallon and Augustine Gbao - were all leaders of the Revolutionary United Front (RUF) and had appealed their ruling.

Sesay, 39, was handed down the longest sentence and will be imprisoned for 52 years. He was convicted of a number of atrocities, including leading armed attacks throughout the country, targeting civilians, aid workers, and peacekeepers. He was charged with murder, rape and robbery and was known for conscripting children into the RUF.

Morris Kallon and Augustine Gbao were handed down 40- and 25-year sentences, respectively.

Some 120,000 people were killed and thousands had limbs chopped off during the brutal civil war. The conflict also gave rise to illegal trade in diamonds and timber.

The trial took place in Freetown, the Sierra Leone capital, and will be the last trial of its kind in the country. The final war crimes trial, of former Liberian leader Charles Taylor, will be held in The Hague and not in Freetown, for security reasons.

The court will close after taking care of final details, such as the transfer of convicts to serve their sentences in other countries.

Out of the 13 people originally indicted by the court, all were arrested except for Johnny Paul Koroma, a leader of the Armed Forces Revolutionary Council, who is presumed dead. In addition, there are three who have died while in custody.

the proposed evidence in the context of the totality of the evidence given at trial. Consequently, the Appeals Chamber ruled that it was not satisfied that the proposed evidence would have had an impact on the verdict or sentence, and therefore, that its exclusion on appeal would lead to a miscarriage of justice.

On 3 August 2009, the Scheduling Order for the Appeal Hearing was filed, and on 2, 3 and 4 September 2009 respectively, the Appeals Chamber heard the oral arguments of the Parties. On 12 October 2009, the Scheduling Order for Delivery of the RUF Appeal Judgment was filed and on 26 October 2009, the Appeals Chamber delivered its Judgment in the case.

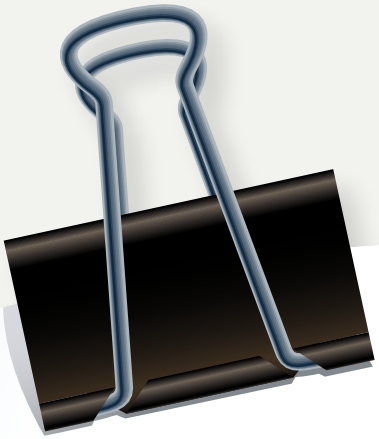
Following the Appeals Chamber Judgment on 26 October 2009, the Sesay Defence filed a Motion requesting the Appeals Chamber to judicially review the Registrar's decision in relation to enforcement of sentences and to grant a temporary stay of Sesay's transfer to the enforcement State for a period of one month. On 30 October 2009, the Appeals Chamber issued its decision on the Motion and dismissed it on the grounds that it was not properly filed in accordance with Rule 19(C) which requires that the Motion be directed to the President of the Court and not to the Appeals Chamber.

THE RUF APPEAL JUDGMENT

The Appeal Judgment against Issa Hassan Sesay, Morris Kallon and Augustine Gbao was delivered on 26 October 2009. The Appeals Chamber upheld the majority of the accused's convictions for individual criminal responsibility pursuant to Articles 6(1) and 6(3) of the Statute, including through participation in a joint criminal enterprise with the *AFRC* for war crimes, crimes against humanity and other serious violations of international humanitarian law.

The handing down of the RUF Appeal Judgment, in Freetown

In the case of the accused Sesay, the Appeals Chamber reversed the verdict of guilty under Article 6(1) of the Statute for planning enslavement in the form of forced mining between December 1998 and January 2000 in parts of Kono District; the verdict of guilty under Article 6(3) of the Statute for enslavement in the Yengema training base, Kono District between December 1998 and 30 January 2000; the verdict of guilty pursuant to Article 6(1) of the Statute for the killing of a Limba man in Tongo Field, Kenema District and the verdict



RADIO NETHERLANDS WORLDWIDE

Monday, 26 October 2009

STIFF SENTENCES UPHELD FOR SIERRA LEONE REBELS

The United Nations-backed Sierra Leone tribunal has upheld sentences of up to 52 years in prison for three former rebel leaders in its last case in Freetown.

Although the court accepted grounds for appeal by the defendants, the five-judge panel confirmed the sentences of 52, 40 and 25 years for Issa Sesay, Morris Kallon and Augustine Gbao respectively.

The three men were convicted of war crimes and crimes against humanity for overseeing a spree of rapes and killings, as well as recruiting child soldiers, during the country's civil war which ended in 2002 after a decade of bloodshed.

The ruling against the Revolutionary United Front (RUF) leaders is the last judgement the court will hand down in Freetown, as its only remaining case - the trial of former Liberian president Charles Taylor - has been moved to The Hague for security reasons.

The Special Court for Sierra Leone was established by the UN in 2002 to try those who bear "the greatest responsibility" for the atrocities of the civil war. The court is now expected to close its doors eight years after the end of the civil war. The conflict left some 120,000 people dead and tens of thousands mutilated.

of guilty pursuant to Article 6(1) of the Statute for murder, a crime against humanity under Count 4 for specified acts or which Sesay was also found guilty for extermination, a crime against humanity under Count 3. The Appeals Chamber also held that the Trial Chamber impermissibly counted the specific intent for acts of terrorism and collective punishments as aggravating factors for the underlying offences.

With respect to the accused Kallon, the Appeals Chamber reversed the verdict of guilty pursuant to Article 6(1) of the Statute for instigating murder in Wendedu in Kono District; the verdict of guilty pursuant to Article 6(3) of the Statute for enslavement in Kono District from the end of August 1998 to December 1998; the verdict of guilty pursuant to Article 6(1) of the Statute for murder, a crime against humanity under Count 4 for specified acts for which Kallon was also found guilty for extermination, a crime against humanity under Count 3 and the verdict of guilty pursuant to Article 6(1) of the Statute for the killing of a Limba man in Tongo Field, Kenema District. The Appeals Chamber also held that the Trial Chamber impermissibly counted the specific intent for acts of terrorism and collective punishments as aggravating factors for the underlying offences.

With respect to the accused Gbao, the Appeals Chamber held that the Trial Chamber violated Gbao's right to a fair trial by finding that he significantly contributed to the JCE through his role as an ideology expert and instructor. The Appeals Chamber found that the Indictment did not plead Gbao's contribution to the JCE as an "ideologist" of the *RUF*. Therefore, Gbao was not put on notice of the allegation that he participated in the JCE in that capacity – a fact found by the Trial Chamber to be *necessary* to the determination of Gbao's participation in the JCE. As a result, the Appeals Chamber disallowed the Trial Chamber's findings of Gbao's significant contribution to the JCE through his role as an ideology expert and instructor. However, the majority of the Appeals Chamber found that he was a member of the JCE through his significant contributions to the JCE in other ways including his supervisory role over the Internal Defence Unit (IDU), the Military Police (MP), the Intelligence Office (IO) and the G5 of the RUF.

The Appeals Chamber also reversed Gbao's verdict of guilty pursuant to Article 6(1) of the Statute for the killing of a Limba man in Tongo Field; the verdict of guilty pursuant to Article 6(1) of the Statute for collective punishments in Kailahun District; the verdict of guilty pursuant to Article 6(1) of the Statute, in relation to an attack against a UNAMSIL peacekeeper; and the verdict of guilty pursuant to Article 6(1) of the Statute for murder, a crime against humanity under Count 4 for specified acts for which Gbao was also found guilty for extermination, a crime against humanity under Count 3.

Regarding the Prosecution's grounds of appeal, the Appeals Chamber allowed in part, the Prosecution's ground which challenged the acquittal of all three accused on Count 18 (taking of hostages). The Appeals Chamber agreed with the Prosecution that the communication of a threat to a third party was not a requirement of the offence of taking of hostages and held further that the requisite *mens rea* may arise at a period subsequent to the initial seizure or detention. The Appeals Chamber held that even though some RUF fighters other than the three accused committed the offence of taking of hostages, the Prosecution had failed to establish that any of the three accused was liable for the offence.

The majority of the Appeals Chamber dismissed the Prosecution's grounds which challenged the Trial Chamber's finding that the JCE between the *RUF* and the *AFRC* ended in April 1998, and Gbao's acquittal on Count 12 (conscription and use of child soldiers) respectively.

The Appeals Chamber revised the sentences imposed by the Trial Chamber on some of the Counts, but upheld the total terms of imprisonment imposed on each of the Accused which were fifty-two (52) years of imprisonment for the accused Sesay, forty (40) years of imprisonment for the accused Kallon and twenty-five (25) years of imprisonment for the accused Gbao.

An aerial view of the courthouse

OTHER CHAMBERS' ACTIVITIES

14TH PLENARY MEETING OF JUDGES

The 14th Plenary Meeting of the Judges was held from 26 to 28 May 2010 in The Hague in order to minimize disruption to proceedings in the *Prosecutor v. Taylor trial*. The Judges discussed amendments to the Rules of Procedure and Evidence, residual issues, updated projections for the completion strategy and adopted this Annual Report.

UNITED NATIONS INTERREGIONAL CRIME AND JUSTICE RESEARCH INSTITUTE (UNICRI) REGIONAL CONFERENCE

In June 2009, Hon. Justice Jon M Kamanda and Hon. Justice Shireen Avis Fisher attended the UNICRI-ICTY Regional Conference in Sarajevo, with the theme: "Promoting the Legacy of International Tribunals". Hon. Justice Jon M. Kamanda delivered a speech on the applicability of the developed practices of the International Criminal Tribunal for the Former Yugoslavia (ICTY) to the SCSL.

MEETING WITH DOMAC PROJECT

In September 2009, the Judges of the Appeals Chamber met Dr. Alejandro Chehtman, Research Associate for the DOMAC Project, Centre for International Courts and Tribunals, Faculty of Laws, University College London. The DOMAC project is a research programme which focuses on the interaction between national and international courts involved in prosecuting individuals in mass atrocity situations. The possibility for using judgments and procedures of the SCSL in a national context was discussed.

VISIT FROM WAR CRIMES DIVISION OF UGANDAN JUDICIARY

Also in September 2009, the President and the Judges of the Appeals Chamber received a visiting delegation from the newly established War Crimes Division of the Ugandan Judiciary who visited the Special Court in order to discuss best practices of the Special Court.

VISIT BY UN LEGAL COUNSEL

On 26 January 2010, Under Secretary-General Patricia O'Brien, the Legal Counsel of the United Nations, paid an official visit to the Judges of Trial Chamber II of the Special Court for Sierra Leone at the premises of the International Criminal Court. They exchanged views and options to expedite a transfer of the court proceed-

ings from the premises of the ICC to that of the STL, in order to increase courtroom hours, as the court had to share the court room with other ICC trials. She confirmed the support of the United Nations Secretariat to the Special Court and emphasised the Court's crucial role in the field of international justice and its contribution to the development of international criminal law. Ms. O'Brien's visit to the Special Court was part of a three-day working tour of international legal organisations based in The Hague.

MEETING WITH ICTR PROSECUTOR

In February 2010, Hon. Justice George Gelaga King met with the Prosecutor of the International Criminal Tribunal for Rwanda, Hassan Bubacar Jallow, during the latter's visit to the Court. The two discussed issues mutual to both tribunals such as residual and legacy issues.

LAUNCHING OF REPORT ON WORK OF THE SCSL BY THE ICTJ

President Winter attended the launch of a report in New York on the work of the Special Court produced by the International Centre for Transitional Justice.

EXPERT GROUP MEETING ON RESIDUAL ISSUES

President Kamanda attended the Expert Group meeting on the theme "Closing the International and Hybrid Criminal Tribunals: Mechanisms to Address Residual Issues" held at the Permanent Mission of Canada to the United Nations in New York from 2 to 4 February 2010. The meeting was hosted by the International Centre for Transitional Justice (ICTJ), in collaboration with the University of Western Ontario faculty of law and the Permanent Mission of Canada to the United Nations. The meeting convened over 70 participants to discuss challenges common to the ad hoc criminal tribunals as they come to a close.

OWEN JESSUP INTERNATIONAL MOOT COMPETITION

In February 2010, Justice Teresa Doherty acted as Presiding Judge in the Dutch Final Rounds of the Owen Jessup Moot Court Competition held in The Hague.

MEETINGS WITH UNITED NATIONS ASSISTANT SECRETARY-GENERAL FOR LEGAL AFFAIRS AND U.S. AMBASSADOR AT LARGE FOR WAR CRIMES ISSUES

In March and April 2010 respectively, President Kamanda met with the United Nations Assistant Secretary-General for Legal Affairs, Mr. Peter Taksoe-Jensen and the United States Ambassador at Large for War Crimes Issues, Mr. Stephen Rapp in Freetown to discuss issues related to the establishment of the Special Court's residual mechanism.

MEETING WITH THE UNITED NATIONS SECRETARY-GENERAL

In April 2010 Justice Richard Lussick, in his function as presiding judge of Trial Chamber II, took part in a working breakfast hosted by H.E. Mr. Ban Ki-moon, the Secretary-General of the United Nations, at the premises of the International Court of Justice. The Secretary-General extended his sincere appreciation to Justice Lussick for the noticeable contribution of the Special Court for Sierra Leone in promoting and developing international criminal justice. The working breakfast was also attended by the principals of other international courts established in The Hague and senior officials of the United Nations, which included the President of International Criminal Tribunal for the former Yugoslavia Judge Patrick Robinson; the President of International Criminal Court Judge Sang-Hyun Song, former President of the International Court of Justice Judge Shi Jiuyong, the Registrar of the International Court of Justice Mr. Philippe Marie A. J. Couvreur, the Chef de Cabinet of the United Nations Mr. Vijay Nambiar, and Under-Secretary-General for Peacekeeping Operations Mr. Alain Le Roy.

Former Prosecutor, Stephen Rapp at a press conference in Freetown

OFFICE OF THE PROSECUTOR

Prosecutor, Brenda Hollis

The last year has seen several major changes and accomplishments within the Office of the Prosecutor (OTP).

In September 2009 the Prosecutor, Mr. Stephen Rapp, left the post to become the United States Ambassador-at-Large for War Crimes Issues. Mr. Joseph Kamara, the first Sierra Leonean to become Deputy Prosecutor, was appointed Acting Prosecutor upon Mr. Rapp's departure. In February 2010, the Secretary-General appointed the Special Court's first female Prosecutor, Ms. Brenda J. Hollis.

At the time of her appointment, Ms. Hollis was the Principal Trial Attorney leading the team prosecuting former Liberian President Charles Taylor. Ms. Hollis began her career as an International Prosecutor with the International Criminal Tribunal for Yugoslavia (ICTY) where she served as lead counsel on a number of historic prosecutions. As an Expert Legal Consultant on International Law and Criminal Procedure, she worked with Courts in Indonesia, Iraq and Cambodia. In 2002 and 2003, she was one of the principal drafters of the Indictments against the former leaders of the RUF and AFRC and the Indictment against Charles Taylor.

With the Appeals Judgment in the case against the former leaders of the Revolutionary United Front, the OTP saw an end to the trial proceedings in Freetown, but more significantly, the Appeals Chamber upheld two new precedents in International Humanitarian Law. The convictions of all three Accused were upheld for the crimes of 'forced marriage' and 'attacks on peacekeepers.' As stated by the then Acting Prosecutor, Mr. Joseph Kamara, "This judgment sends a signal that such tactics of warfare will not go unpunished. It may act as a deterrent against those who would use this strategy to further their own aims at the expense of the innocent."

Although the trial proceedings in Freetown may be completed, the work of the OTP in Freetown has only marginally diminished due to the ongoing investigative and administrative support being provided to The Hague-based trial team prosecuting Mr. Taylor. During the year, the Investigations Section conducted nearly 25 missions, both within and outside of Sierra Leone, concentrating on issues related to the Defence case, such as investigating the credibility and accuracy of the Defence witnesses and following leads for potential rebuttal evidence. Furthermore, the Freetown office has begun the huge task of identifying, cataloguing and archiving Prosecution records.

Despite this workload, the OTP has continued with staff reductions as milestones were reached. Since the last Annual Report, OTP has reduced its staff size to 17 established posts, thus making a significant contribution to the overall reduction of the Special Court budget.

In The Hague, the Prosecution trial team continued to meet the challenges of the Defence case, testing the evidence of the Accused and other Defence witnesses through cross-examination and beginning preparations for the final trial brief and final arguments.

The former Prosecutor, Mr. Rapp, Acting Prosecutor, Mr. Kamara and newly appointed Prosecutor, Ms. Hollis maintained active schedules in the diplomatic arena promoting the work of the Special Court, seeking funds for Special Court operations and continuing to explore a possible Rule 11*bis* transfer of the case against the last indictee still at large, Johnny Paul Koroma, should the need arise. Meetings were held with representatives from Africa, Europe and North America. In addition, meetings or presentations were held with a wide array of non-governmental organizations and academic groups. The Acting Prosecutor also attended the Prosecutors' Colloquium hosted by the International Criminal Tribunal for Rwanda.

The Office of the Prosecutor continued to be actively engaged in the Outreach and Legacy programs of the Special Court, as discussed later in this Report.

Deputy Prosecutor Joseph Kamara at the RUF Appeal proceedings in Freetown

OFFICE OF THE REGISTRAR

Registrar, Binta Mansaray: first Sierra Leonean Registrar of the Special Court.

The Registry is responsible for the administration of the Court and providing support services to the other Organs. In this final phase of the Court's operations, the Registry is also working to ensure all closure and residual issues are resolved as efficiently as possible after the completion of the *Taylor* trial.

The Registrar of the Court is Binta Mansaray, who was appointed in February 2010 by the Secretary-General of the United Nations, Ban Ki Moon. Ms. Mansaray has served the Court since 2003, first as Outreach coordinator, then as Deputy Registrar from July 2007 until the departure of former Registrar Herman von Hebel in June 2009. The post of Deputy Registrar remained vacant during the reporting period. A replacement Deputy Registrar was selected in April 2010 and will take office in June 2010.

The Registrar is assisted by a legal advisor, one special assistant and two administrative assistants. Further, the head of The Hague sub-office and two liaison officers in New York support the Registrar in running the *Taylor* trial and maintaining external relations.

The Registrar is the head of the Judicial and Legal Services Division, which comprises all sections responsible for judicial support to the Court, including Court Management, Witness and Victims Section, Chambers and the Office of the Principal Defender. The Registrar was also the head of the Administrative Services Section, General Services Section and Outreach and Public Affairs.

Beyond managing the other sections of the Court, the Office of the Registrar has four major areas of work: the Completion Strategy, legacy work, residual issues, and funding and diplomatic efforts. Key activities within or supported by the Registry are described in subsequent sections of this report.

SERVICING OF THE JUDICIAL PROCEEDINGS

THE HAGUE SUB-OFFICE

The Hague Sub-Office (HSO) of the Special Court continues to provide support to the proceedings in the *Taylor* trial conducted by Trial Chamber II. Under the terms of a memorandum of understanding (MoU) between the Special Court and the ICC, the Court used the ICC's courtroom 2 for the *Taylor* trial, the ICC's detention facilities to house Mr. Taylor and other ICC facilities.

The HSO assisted with administrative matters concerning the supervision of Mr. Taylor's detention, including facilitating his detention and family visits. Following the closure of the Freetown detention facility in December 2009, the Hague-based Security Coordinator is now the Acting Chief of Detention. The HSO also worked with Dutch authorities, the Witness and Victims Section of the Court and the parties to ensure the timely and efficient movement of witnesses to and from The Hague, and provision of support for witnesses who testified in the *Taylor* trial.

The *Taylor* trial received significant public attention and the HSO engaged in numerous activities to spread

awareness of the Taylor trial and to facilitate public access to the proceedings (including journalists, NGOs, diplomatic missions and academics). Over the course of the year, HSO received and organized numerous Outreach programmes for civil-society visitors from Sierra Leone and Liberia to The Hague, including extensive court viewings and briefings.

Under the terms of an MoU concluded on 10 December 2009 between the Special Court and the Special Tribunal for Lebanon (STL), the HSO moved into vacant office space in the STL's headquarters in Leidschendam, The Netherlands. The move was completed on 12 December 2009 and no downtime resulted for the trial. This move significantly reduced the Court's costs for rent and security staffing. On 15 April 2010, the Special Court and the STL concluded a Supplementary MoU that provides for the Court to use the recently-constructed STL courtroom. Use of the STL Courtroom began on 17 May 2010 and resulted in increased courtroom hours as the *Taylor* trial will no longer have to share courtroom time with other ICC trials.

In late May 2010, the HSO hosted the 14th Plenary Session of the Judges of the Special Court.

LEGAL OFFICE

The Legal Office continued to provide support to the Acting Registrar in legal matters pertaining to the judicial and administrative functions of the Court. Generally, the Legal Office provides strategic advice on matters pertaining to the detention of accused or convicted persons, defence matters, witness issues including protection and relocation, international agreements concluded on behalf of the Special Court and any other contractual obligation of the Court, as well as any personnel related matters.

Concerning enforcement of sentences, the Legal Office intensified the Court's negotiations with foreign states to enter into additional bilateral agreements on enforcement of sentences. A sentencing enforcement agreement was signed between the Special Court and the Government of Finland on 29 June 2009. Further efforts are being deployed to conclude other agreements with European and West African countries as well as to secure funding to facilitate enforcement on the African continent. In August and October 2009, the President of the Special Court designated Rwanda – which had entered into a sentence enforcement agreement with the Court in March 2009 – as the place where convicted prisoners would serve their sentences. On 31 October 2009, the Registrar completed the transfer of the eight convicted prisoners to Rwanda.

The Legal Office is also working on additional bilateral agreements with third states for the relocation of protected witnesses.

Concerning the trial of Charles Taylor, the Legal Office continues to liaise with the HSO and the ICC to address matters pertaining to the hearing of the defence case, as well as with regards to conditions of detention of the Accused. The Legal Office also liaised with the STL on matters pertaining to the move of the SCSL Sub-Office to the STL premises that was completed in December 2009, as well as the move from the ICC Courtroom to the STL courtroom in May 2010. This move allowed the SCSL Judges to conduct the remainder of the *Taylor* trial without having to share courtroom time with the ICC's ongoing proceedings.

The Legal Office continues to assist members of the Sierra Leonean and Liberian civil society and journalists in obtaining visas for travel to The Hague to attend and report on the proceedings.

Finally, the Legal Office is working closely with all sections of the Court on identifying all residual issues and addressing practical questions that arise as the parties to the Agreement setting up the Court continue to negotiate the establishment of a Residual Mechanism that will survive the Court upon completion of all its judicial activities.

OFFICE OF THE PRINCIPAL DEFENDER (DEFENCE OFFICE)

The Defence Office was charged with the mandate of ensuring the continuous protection of the rights of suspects, accused persons and convicts before the Special Court pursuant to Article 17 of the Statute and Rule 45 of the Rules of Procedure and Evidence of the Special Court. In its bid to effectively, efficiently and successfully discharge this mandate, the Office carried out various responsibilities during the period under review.

In the exercise of its mandate, the Defence Office facilitated the payment of Defence lawyers' fees for the RUF Appeals in 2009. The Office also provided logistical support to RUF Defence Counsels during the Appeals hearings and judgment.

Following the transfer of prisoners from Freetown, the Defence Office assumed the additional responsibility of acting as the primary contact for all convicts who were ordered to serve their respective jail terms in Rwanda. Relatives of these convicts and the general public access this Office as well as that of the Office of the Registrar on all issues relevant to the Special Court. In this regard the Office also provides information regarding the service of sentence by the Prisoners at the Mpanga Prison in Kigali, Rwanda. The Principal Defender visited the convicts in Kigali and continues to guarantee the maintenance of the rights of all convicts under the Memorandum of Understanding signed by the SCSL and the Government of Rwanda. These rights include but are not limited to visitation, food, medical facility, telephone access to call relatives, exercise, recreation, education etc. The Principal Defender continues to keep in constant touch with the convicts and the Rwandan Correctional Facilities Officials.

Principal Defender Claire Carlton-Hanciles addresses a community town hall meeting at Talia Yawbeko, the former Kamajor "Base Zero."

The Defence Office facilitated all requests from the *Taylor* Defence Team under the Court's Legal Aid Scheme. The Office has also been in close touch with the accused – Mr. Charles Taylor – and addressed issues regarding his detention in order to make sure that his rights as a detained person before the Court continue to be respected. Moreover, the Defence Office funded all *Taylor* Team Defence investigations and honoured all bills submitted by Counsel.

WITNESSES AND VICTIMS' SUPPORT

The Court's trials have relied heavily on witness testimonies for evidence. As in any international tribunal, where former political and military leaders are among the accused, rigorous measures are required to ensure that witnesses are able to testify without fear of intimidation. This is even more important in the context of Sierra Leone's civil war, where victims and perpetrators often lived in the same communities. Further, the Court's witnesses are often recounting extremely traumatic events and the Court has a duty to support their courage in testifying.

The Witness and Victims Section (WVS) is the part of the Registry charged with securing the protection and welfare of all witnesses appearing before the Court. WVS constantly evaluates the threat faced by the Court's witnesses and provides the appropriate protection. A variety of protective measures are available before, during and after trial, which allows WVS to respond to the individual threat faced by a particular witness. The section also ensures that witnesses receive relevant support, counselling and other appropriate assistance, including medical assistance, physical and psychological rehabilitation, especially in cases of rape, sexual assault and crimes against children.

Since the inception of the Court, WVS has facilitated the appearance of 545 witnesses before the Court. The last twelve months saw the end of the Prosecution case-in-chief, with the appearance of the last Prosecution witnesses in January 2009, and the preparation for the appearance of 40 to 50 Defence witnesses in The Hague. To date, 11 witnesses in addition to the Accused, have testified in the trial of Charles Taylor. The location of the trial in The Hague has presented a number of challenges, including the transportation of witnesses that have never travelled abroad before, arranging the timing of passports and visa applications and travel to meet the changing needs of the Defence team, complying with health conditions for travel, the need to separate or isolate some witnesses and the need to minimise the stress of being held in a safe house in a foreign country.

The conclusion of the Defence case is projected for August 2010 and this will reduce the workload of the section to monitoring protected witnesses. The section will downsize staff at the close of the case in line with the diminished activities.

The Court's obligation to its witnesses does not end with the final judgment of the Court. If the Court fails to respond adequately to ongoing threats against witnesses, the Court would put its witnesses and the credibility of the international criminal justice system at risk. The WVS is contributing to the debate on residual issues and advising the relevant decision makers on future witness protection needs.

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

PERSONNEL

Personnel Section continues to hold training workshops for newly-recruited staff members and those who wish to refresh their knowledge, specifically in CV Writing and Interviewing Skills.

Between the period June 2009 to April 2010, five (5) Sierra Leonean General Service Level staff were promoted, three (3) of whom were upgraded to the National Professional Level. In February 2010, two active staff members of the Court were appointed – one as the Registrar, the other as the Prosecutor – by the Secretary-General.

During the reporting period, a total of seventy-three (73) posts were downsized in both Freetown and The Hague. It is estimated that a total number of one hundred and twenty-five (125) regular budgeted posts will be downsized between May 2010 to December 2010, in both Freetown and The Hague.

During the period July 2009 to April 2010, six (6) funded Sierra Leonean interns were recruited for the Sub-Office in The Hague to perform duties within Court Management, Chambers and Outreach Sections. Five (5) funded National Professional Interns were recruited for professional services in Defence, OTP and Office of the Registry in Freetown. Twenty-one (21) funded Sierra Leonean interns were also recruited to perform administrative tasks within the Registry. In addition, twenty-six (26) unfunded international interns worked at the Special Court for Sierra Leone in both Freetown and The Hague, making a total number of fifty-eight (58) interns.

Total number of posts downsized between the period April 2009 to April 2010

Sections	No. of Posts downsized
Security	19
WVS	3
Court Management	2
Outreach & Public Affairs	2
OTP	1
Administration	1
General Services	14
Detention	15
Personnel	3
Finance	2
CITS	4
Office of the Registrar	3
Defence	3
Chambers	1
Total	**73**

Nationalities of Judges and Court Personnel as at 30 April 2010 (Regular budgeted staff in Freetown and The Hague)

Sections	No. of Staff
Australia	2
Austria	1
Canada	3
France	2
Gambia	2
Germany	1
Ghana	3
India	2
Ireland	2
Italy	1

Nationalities of Judges and Court Personnel as at 30 April 2010 (Regular budgeted staff in Freetown and The Hague)

Sections	No. of Staff
Kenya	2
Lebanon	1
Macedonia	1
Netherlands	5
Nigeria	3
Pakistan	3
Phillipines	1
Rwanda	1
Samoa	1
Senegal	1
Sierra Leone	124
St. Lucia	1
Sweden	1
Tanzania	3
Trinidad and Tobago	2
Uganda	2
Ukraine	1
United Kingdom	8
United States	13
Uzbekistan	1
Zimbabwe	2
Trinidad and Tobago	3
Uganda	2
Ukraine	2
United Kingdom	16
United States	16
Zimbabwe	2
Grand Total	**196**

COURT MANAGEMENT SECTION

The Court Management Section (CMS) comprises the Court Support, Court Records, Language, Stenography, Library and Archiving Units.

Part of the Court Support Unit is based in the Hague Sub-Office and ensures the readiness of the Court-room for the *Taylor* hearings in liaison with other sections, in particular Trial Chamber II. The Unit is also responsible for processing filings and serving all the documentation filed before the Trial and Appeals Chambers.

The HSO also has a small team of interpreters who provide translation of the *Taylor* trial into Krio. They are assisted by contracted interpreters for other languages such as Liberian English and Gio when required. The sub-office also contains a small team of Court Reporters/Stenographers.

Since the completion of the AFRC, CDF, and RUF cases, the Archiving Unit has been working to transform the Court's judicial, financial and administrative records into a permanent archive.

CMS runs both the Archive Development and Professional development Programme, two of the Court's legacy projects. More details can be found in the "Legacy" section of this report.

COMPLETION STRATEGY AND COMPLETION BUDGET

THE COMPLETION STRATEGY

The Court's Completion Strategy outlines the remaining judicial milestones in the fulfilment of the Court's mandate. The last twelve months have seen the completion of the RUF appeal on 26 October 2009 and with it, the conclusion of judicial activities in Freetown.

The Registry has continued to work to ensure that, with the completion of each milestone, it is able to respond with necessary operational changes. On 31 October 2009, 5 days after the delivery of the final judgment in Freetown, the President of the Court ordered the transfer of the convicts to Rwanda for the enforcement of their sentences. Months of preparatory work and the cooperation of the Rwandan authorities allowed for a swift and efficient transfer.

The Court operates a policy of phased downsizing to ensure that, as each milestone is reached, the Court's staffing complement is adjusted to reflect the new workload. In line with this policy, the detention facility was closed and its staff downsized before the close of 2009 (See site project section for further information).

The Court's only remaining trial is that of former Liberian President Charles Taylor. On 13 July 2009 the Defence opened its case, calling Taylor to the stand the following day.

Milestones set for the reporting period had to be reviewed in December 2009, to take into account the length of Charles Taylor's testimony, the complexity of the case and the volume of evidence admitted in the trial record. Further, the *Taylor* trial lost a significant amount of court time, due to the fact that the Courtroom had to be shared with other ICC proceedings since February 2010. This was remedied by moving the Taylor trial to the STL Courtroom starting May 17 2010, and by the 30 minutes daily extension of sitting time decided by Trial Chamber II, which provides a full extra court day per month.

The Completion Strategy estimates that the Defence case will conclude in August 2010 and may be followed by a rebuttal case by the Prosecution. The Judgment on Merits is expected in June 2011, with the Sentencing Judgment, if applicable, four to six weeks later. An Appeal Judgment, if applicable, will also be rendered six months later.

The milestones have been calculated in consultation with the President of the Court, the Judges, the Office of the Prosecutor and the Office of the Principal Defender. It draws on the Court's Rules of Procedure and Evidence and the experience of prior trials. However proceedings may be delayed as a result of the actions of the Parties, which the Registry has no power to influence. The current milestones only represent the best estimate, rather than a definitive set of deadlines.

The Registry is working to ensure a smooth transition to the residual mechanism and to close the Court as soon as possible after the completion of the *Taylor* case.

THE COMPLETION BUDGET

On 1 April 2010, the Management Committee approved the sixth revised completion budget to the Management Committee covering the period January 2010 to June 2011. The budget includes only the bare minimum necessary to complete the Court's judicial activities and transition to a residual mechanism in a timely fashion. This budget aggressively applies the Court's policy of phased downsizing, ensuring that posts are removed as soon as milestones are completed, while ensuring that the Court maintains the minimum diversity of professional skills required to fulfil its mandate.

Budgets for the enforcement of sentences and legacy projects are managed and fundraised for separately.

The present Completion Budget amounts to $26.1 million for the completion of the Court's activities in accordance with the Completion Strategy. The requirement for 2010 is $20.5 million, less than the $28.4 million required for 2009. The 6 months of operations in 2011 will cost $5.6 million, far less than half the 2010 figure due to phased downsizing. These figures cover Freetown, The Hague and New York offices.

A number of measures have been taken to minimise the costs incurred by the Court. For example, the move of The Hague Sub-Office to the premises of the Special Tribunal for Lebanon contributed to significant budget reductions. With the transfer of convicted persons to Rwanda, the Court closed the detention facility in Freetown and downsized the Detention Section, resulting in additional budget reviews. Another example is the downsizing of staff in the Special Court clinic, as an agreement with the UN Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), entered into in January 2010, allowed Special Court staff to receive medical services from the joint UN clinic.

As of 30 April 2010, the Court has received pledges of almost $15 million from a diverse group of regular and occasional donors. Despite these greatly appreciated contributions, the Court faces a funding gap of $11.1 million to close the Court.

In the twelve-month period covered by this report, the achievement of milestones have allowed the Court to reduce the number of staff posts from 236 in Freetown and 95 in The Hague by approximately 40%.

An update to the budget is due on 30 June 2010.

BUDGET SUMMARY TABLE

Cost in Freetown and The Hague Jan 2010 - June 2011

	Freetown	The Hague	Total
2010	7,521,200	12,968,000	20,489,200
2011	2,476,000	3,172,500	5,648,500

Cost for each section of the Special Court in both The Hague and Freetown from January 2010 - June 2011

	Approved Budget	January 2010 to June 2011	
	Jan-Dec 2009	2010	2011
Organ			
Judges			
Proposed Staffing	**12**	9	6
Permanent Staffing Cost (Net Salaries)	**2,042,400**	1,942,700	756,300
Common Staff Costs	**168, 750**	162,000	75,000
Operational Costs	**171,000**	37,600	7,500
Total Costs Judges	**2,382,150**	**2,142,300**	**838,800**
Chambers			
Proposed Staffing	**21**	16	8
Permanent Staffing Cost (Net Salaries)	**1,584,700**	1,188,600	378,000
Common Staff Costs	**235,300**	154,900	43,400
Total Costs Chambers	**1,820,000**	**1,343,500**	**421,400**
Office of The Prosecutor			
Proposed Staffing	**32**	21	12
Permanent Staffing Cost (Net Salaries)	**2,332,150**	**1,791,900**	**538,700**
Common Staff Costs	**320,350**	**197,000**	**67,600**
Operational Costs	**481,450**	**372,100**	**75,800**
Total Costs OTP	**3,133,950**	**2,361,000**	**682,100**

Cost for each section of the Special Court in both The Hague and Freetown from January 2010 - June 2011

	Approved Budget	January 2010 to June 2011	
	Jan-Dec 2009	2010	2011
The Defence Office			
Proposed Staffing	**2**	1	1
Permanent Staffing Cost (Net Salaries)	**116,100**	117,200	58,600
Common Staff Costs	**19,350**	10,300	6,100
Operational Costs	**1,392,100**	1,530,300	-
Total Costs Defence	**1,527,550**	**1,657,800**	**64,700**
Registry			
Proposed Staffing	**264**	192	51
Permanent Staffing Cost (Net Salaries)	**10,797,250**	6,261,000	1,719,700
Common Staff Costs	**1,382,200**	753,000	196,000
Temporary Posts & Overtime	**1,255,800**	747,400	79,900
Operational Costs	**5,575,500**	4,183,400	1,346,400
Total Costs Registry	**19,010,750**	**11,944,800**	**3,342,000**
Income Tax Liability	**510,750**		
	510,750		
10% Vacancy Rate		1,039,800	299,500
Total Vacancy Rate	**-**	**1,039,800**	**299,500**
Total Proposed Posts	**331**	**239**	**78**
Total Organisation Costs	**28,385,150**	**20,489,200**	**5,648,500**

FUNDING AND DIPLOMATIC RELATIONS

As the Court is funded by voluntary contributions, it must periodically seek funding from members of the international community. In accordance with Articles 6 and 7 of the Agreement Between the United Nations and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone dated 16 January 2002, it is the responsibility of the United Nations Secretary-General, with the assistance of the Court's Management Committee, to obtain adequate funding for the operations of the Court. In that context, the Registrar, occasionally supported by the Office of the Prosecutor, regularly conducted fundraising activities and diplomatic functions to raise the necessary funds.

The following visits were made outside Sierra Leone during the last twelve months.

EUROPE

The Court has close ties with a number of European nations, not least the Netherlands which hosts the *Taylor* trial. Alongside their role as financial supporters of the Court, a number of nations cooperate with the Court on witness relocation and sentence enforcement issues. The European Commission is also a major supporter of the Court, providing funding for both core and legacy budgets.

During the reporting period, the Registrar travelled to Brussels in June and November 2009 to meet with officials from the European Commission (EC) and European Union Member States. She met EC officials responsible for the European Development Fund and European Instrument for Democracy and Human Rights, which have funded the Court's legacy projects and the Instrument for Stability, which has provided core funding in the past.

The Registrar was able to meet with offcials from the Permanent Representations to the EU from Finland, Germany, Luxembourg, the Netherlands, Norway, Spain and the UK and the Ambassador of Sierra Leone to Brussels. She also updated the European Council Working Group on Africa (COAFR) on the work of the Court at the invitation of the Swedish Presidency of the European Union.

The Registrars' Colloquium was held in Venice, Italy in July 2009. At the 'Round Table on the Administration of Justice', the Registrar joined the Registrars of the international criminal tribunals to discuss issues of mutual interest and share best practices.

In November 2009 the Registrar travelled to The Hague and as part of her trip she met with representatives of Belgium, Denmark, Italy, Luxembourg, the Netherlands, Norway, Spain and Sweden. She also travelled to London to meet with officials of the Foreign and Commonwealth Office.

NORTH AMERICA

At the end of 2009, the Registrar travelled to Ottawa and Washington DC to meet with senior government officials. The Registrar updated officials of the United States Department of State, the Department of Justice and the National Security Council on the work of the Court, before meeting with a number of members of Congress and staff on the House Committee on Foreign Affairs. When in Canada, she discussed the Court's work with staff from the Department of Foreign Affairs and International Trade.

UNITED NATIONS

While in the US in 2009, the Registrar travelled to the UN to brief the Court's Management Committee, staff from the UN Office of Legal Affairs and Department of Political Affairs and officials of the Permanent Representations to the UN from 40 countries. She also met with a delegation of ambassadors to the UN in Freetown, in their function as members of the UN Peacebuilding Commission.

NEW YORK SUB-OFFICE

The New York Liaison Officer continued to work closely with Management Committee for the Special Court, liaised with the United Nations Member States on matters pertaining to funding and cooperation with the Court, met with officials from the United States Government in Washington, and developed relationships with the NGO community and various foundations in the United States.

FUNDRAISING CHALLENGES

In spite of significant budgetary reductions by the Court, the Court continues to experience serious difficulties in securing adequate funding to complete its mandate. This is due to the funding mechanism, which relies solely on the voluntary contributions of the international community.

The Detention Area of the SCSL

A Sierra Leonean man look at a poster produced by the Outreach Section

OUTREACH AND PUBLIC AFFAIRS

The Outreach and Public Affairs Section, both in Freetown and in The Hague, works to communicate the work of the Court to the international community and, as called for in UN Security Council Resolution 1688, to the people of the region, especially Sierra Leone and Liberia, to keep them informed about the *Taylor* trial.

This eighth year of the operations of the Special Court for Sierra Leone was significant for the Outreach and Public Affairs Section because of the conclusion of the cases tried in Sierra Leone with judgment and sentencing in the last case in Freetown – that of RUF.

July 2009 saw the beginning of the *Taylor* Defence case in The Hague, accompanied by worldwide press coverage. The Court's "Grassroots Awareness Campaign," which provides information to rural communities through public meetings, video screenings and poster campaigns, has continued to prove very successful. In the past year, the Section laid substantial emphasis on the Defence presentation in the *Taylor* case, stressing the importance of fair trial rights of the Accused.

Outreach and Public Affairs worked directly, and in cooperation with Civil Society Partners in Sierra Leone and Liberia for widespread dissemination of information on the *Taylor* Defence case. In Sierra Leone, the number of locally-based Civil Society Groups working with the Court grew from 54 to 67, as demonstrated by their attendance at the Court's monthly Special Court Interactive Forum (SCIF) briefings. The participation and involvement of their members has been important in keeping a high profile for the Special Court in Sierra Leone, and for clarifying concerns about the work of the Court – most recently, over the transfer of the convicted persons to serve their sentences in Rwanda.

In Liberia, the Section works with a coalition of 20 civil society groups comprising the Outreach Secretariat of Liberia. These groups work to provide information on the Special Court to people all over Liberia.

VIDEO SCREENING OF SUMMARIES OF TRIAL PROCEEDINGS:

Since the *Taylor* trial is conducted in The Hague, the screening of video summaries brings the trial closer to the people of Sierra Leone and Liberia. With funds provided by the EC, the Section produces video summaries of the trial which are shown on television, and screened at community gatherings in Sierra Leone and Liberia.

Videos of the *Taylor* trial are screened before all community Outreach programmes in Sierra Leone and Liberia. These shows attract passers-by and other community members to view the trials, ensuring that justice is not only done but also seen to be done. Outreach interns regularly do video screening in the Western Area of Sierra Leone, which includes Freetown. In 2009, 535 video screenings were conducted in the provinces, 225 in Freetown and the surrounding communities, and 329 in Liberia.

PUBLIC LECTURES

The Court, through Outreach and Public Affairs, conducts lectures on topics such as human rights, international humanitarian law, impunity and the rule of law. In Sierra Leone and Liberia, this is applied in the context of the Court's legacy. Outreach officers and Court principals participated in a series of public lectures in Sierra Leone, Liberia and The Hague.

In the past year, District Outreach Officers conducted 56 public lectures, while Court principals participated in five lectures in Sierra Leone and Liberia. Public lecture themes covered a variety of issues, including the Sierra Leone Gender Acts, communicating the various legacies of the Special Court to local communities, and an explanation of international humanitarian law.

LEGACY SPECIFIC ACTIVITIES: SEMINARS AND ACCOUNTABILITY NOW CLUBS (ANCS) IN TERTIARY INSTITUTIONS

Outreach provided support for various legacy-related events designed by OTP. Among these were country-wide training for Sierra Leone Police prosecutors in Bo, Makeni and Freetown.

In the continuing efforts at involving university students in justice promotion issues through ANCs, Outreach and Public Affairs provided training in management, transparency and accountability. The trainings include information on human rights, the rule of law, and the Special Court. The clubs exist at seven universities in Liberia and fourteen in Sierra Leone, with 45 students involved per year at each institution. With the help of the Section, the students are taking steps to ensure that the clubs remain and follow their mandates even after the Court closes.

SPECIAL EVENTS AND COURT TOURS

Large town hall meetings were organized for the Registrar, Prosecutor and Deputy Prosecutor, in the Provinces. The Defence office also participated in outreach events in Freetown, the provinces, and Liberia. Outreach and Public Affairs participated in community conflict resolution activities when a crisis developed between youth groups, and Sierra Leone Police in Lungi. The training and discussion programme saw the attendance of traditional authorities, Youth, the Police, and the military.

The Section continued its engagement with disabled persons. The Section also continued to hold collaborative meetings with the ANCs on the one side and Sierra Leone's Anti-Corruption Commission.

Seventeen court tours were organized for 850 School pupils and 90 disabled persons in Freetown. International and Diplomatic court visitors included: 15 principals of the Ugandan War Crimes Office; members of staff of UNDP; members of the Catholic Bishops Conference of Sierra Leone and Germany; 35 diplomats from the British High Commission and the International Military Assistance and Training Team (IMATT), 5 representatives from the African Youth Unite for Change, and 3 diplomats from the Nigerian High Commission.

PUBLICATION OF INFORMATIONAL AND HUMAN RIGHTS MATERIALS

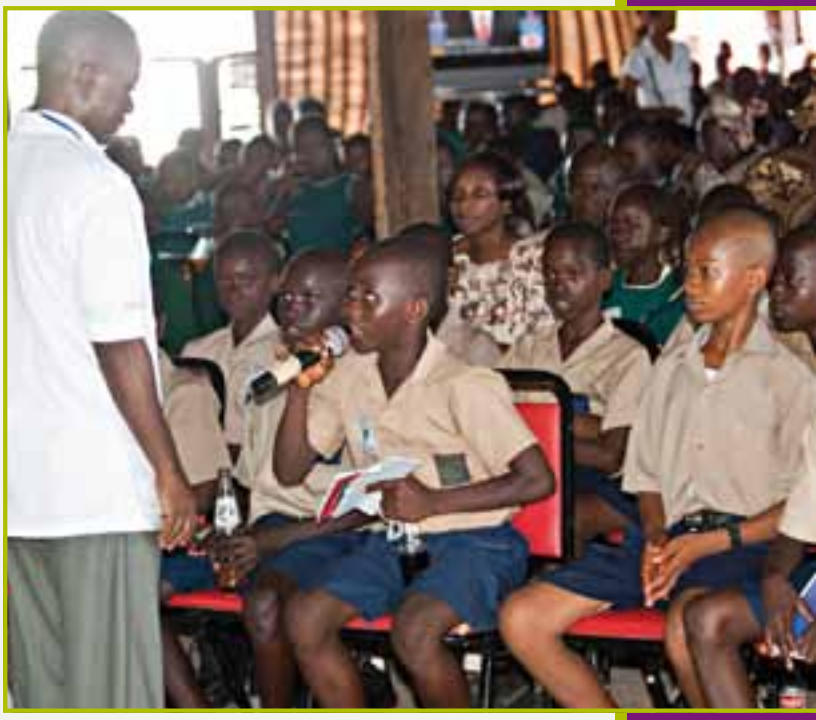
In addition to 20,000 copies of The Special Court, and International Humanitarian Law Made Simple booklets, Outreach and Public Affairs printed 84 three-volume copies of the 1991 Constitution of Sierra Leone in Braille for the visually impaired. The Braille publications were distributed to five schools for the blind in Freetown, Makeni, Kabala, Bo and Koidu. Braille Copies of International Humanitarian Law Made Simple were distributed in Liberia as well. Outreach officers in Sierra Leone and Liberia distributed 12,000 copies of the Special Court booklets to various target groups.

CIVIL SOCIETY VISITS TO THE HAGUE

Outreach and Public affairs continued to facilitate the travel of civil society representatives to monitor the *Taylor* trial in The Hague. Sixty-one civil society members from Sierra Leone and five from Liberia, four Paramount chiefs, and six Parliamentarians from Sierra Leone travelled to The Hague at various times for this purpose. Their reports, and their subsequent communications with their constituencies, reflected their positive perceptions of the Court's transparency, impartiality and independence.

SCHOOL VISITS AND OTHER PROGRAMMES

School children are an integral part of our outreach targets, and 170 school visits were undertaken in the reporting year. Each school visit is accompanied by distribution of information materials about the Court. Children and teachers found the question and answer sessions very educative. A very important format regularly used has been to use existing community events, such as the Day of the African Child, International Human Rights Day, International Women's Day, and World Justice Day, for Outreach events. Partner organizations and Outreach and Public Affairs participated in these events across Sierra Leone. Specifically, Outreach and Public Affairs brought together some 100 school children on June 16th to commemorate the Day of the African Child. The theme for the commemoration was "Children have a right to know". The President of the Court, the Deputy Registrar, and the Deputy Prosecutor were guests of honour.



Outreach Coordinator Patrick Fatoma fields questions from school children at Day of the African Child celebration.

Sierra Leone Security personnel trained as part of the Special Court's legacy programme

LEGACY

The Security Council Resolution requesting the creation of the Special Court recognises the state of impunity in Sierra Leone at the close of the civil war and the need to strengthen the judicial system. Although the Court is not a 'development' institution, it has drawn together world class staff in a variety of fields and has sought out opportunities to transfer their skills to the national judicial system where appropriate.

Of course, the skills of its staff are not the only valuable asset at the Court and preparations are being made for liquidation and the transfer of the site.

The following section sets out the major legacy activities of the last twelve months, including the National Witness Protection Unit project, the Peace Museum project and the Archiving Development Program. The Office of the Prosecutor and Chambers also conduct their own legacy activities and these are included below.

PRINCIPAL LEGACY INITIATIVES OF THE REGISTRY SECTIONS

The Witness and Victims' Section has continued to work in collaboration with the Sierra Leone Police to create a national Witness Protection and Assistance Unit. Following a previous project to assess the feasibility of creating such a unit, the Court visited a number of stakeholders in Government to present the proposal. The project would create a team of witness protection and support officers that would assist in a range of cases from domestic violence to organised crime. Since receiving the Government's support, a one month course trained 38 Police Officers in witness protection in November 2009. These officers are already using their skills and the Police are seeking formal Government approval for the formation of the unit. Funds for this project have been generously provided by the European Commission.

The Archive Development Programme is organising and preparing the Court's records for permanent storage as an archive. Since hiring an external consultant to advise on the process, the Court has identified the permanent and long-term temporary records that cannot be destroyed and has begun the process of cataloguing and classifying them. When complete, the archives will make accessible the Court's jurisprudence and adjudicated facts, thereby contributing to the evolution of international justice and the historical understanding of the conflict and the institutions that followed it. This project is also supported by the European Commission.

The Court makes use of recent graduates and legal associates to support its work for a maximum of six months each. This project gives its participants the opportunity to work with and learn from the Court's staff in a wide range of fields. In particular, the legal associates are involved in the research and drafting of motions, decisions and judgments and can learn from the guidance of their supervisors. Often former participants return to the national judicial system and are able to apply their experience of the international criminal system. The European Commission funded this and previous years' internships.

The Court employs international experts in a variety of fields, from investigators to interpreters and detention staff to archivists. The Court has worked with national institutions to enhance the skills of their staff where possible, working with senior staff to develop training sessions relevant to their needs. During the last twelve months, the European Commission has funded training by Court staff and contractors for national archival staff in records management and for national court interpreters in interpreting in a courtroom environment.

SITE PROJECT

Since the Government expressed its preferences for the future use of the site in April 2009 a number of developments have been made. The preferences included using the Courthouse as the seat of a regional court or the Supreme Court of Sierra Leone, establishing an international/regional/national judicial training centre, a museum and a specialised prison.

The Court is in the process of applying for a $165,700 grant from the Peacebuilding Fund to establish a Peace Museum on the Court's site that, alongside a memorial and exhibition, would house a public copy of the Court's archives. This twelve month project is expected to begin in the coming months, allowing the museum to be handed over to national authorities at the Court's closure.

PROSECUTION LEGACY ACTIVITIES

During the period covered by this Annual Report, the Office of the Prosecutor continued to actively engage in its legacy initiatives which emphasise the rule of law. The Deputy Prosecutor has the lead responsibility for the establishment and implementation of the Legacy Programme of the Office.

Training of Police Prosecutors
Throughout the life of the Court, the OTP had enjoyed a mutually beneficial relationship with the Sierra Leone Police. The OTP has relied on the local knowledge and continuous operational support provided by police officers seconded from the Sierra Leone Police. Conversely, the seconded officers also gained exposure to and developed their skills in investigating and prosecuting international crimes.

It was therefore a natural progression for the OTP to initiate a training programme for local police prosecutors as one of its major legacy initiatives. The purpose of this legacy project is to introduce participants to the basics of prosecutorial skills, strategy and ethics, covering topics on the objectives of prosecution, witness and victim's management, case management, Police liaison with Prosecutions Department, analysis of the Rules as to Information and Indictment, and the ethics of prosecuting. Over 200 police prosecutors have benefited from the programme. The training was funded by the European Commission with support from the Registry.

Archival and Records Management Training
The OTP, through its Archivist, supported and assisted Archival and Records Management training spanning a period of two months, with participants from different sectors of the Sierra Leone Government.

Sierra Leone Legal Information Institute
In February, 2009, with generous support from Freehills, an international law firm based in Australia, the OTP was able to accept the invitation from the Asian Legal Information Institute ("AsianLII") to make a presentation on the legacy of International Courts and Tribunals at their bi-annual conference held at the University of New South Wales in Sydney Australia.

The AsianLII is a member of the worldwide Free Access to Law Movement which advocates the free access to a country's primary legal material for its citizens. As a result of this speaking engagement, the Special Court for Sierra Leone adapted the AsianLII model and sought partnerships with potential stakeholders in Sierra Leone. With generous seed funding from the Open Society Institute, the Special Court for Sierra Leone is now working with the Sierra Leone Judiciary and the Sierra Leone Bar Association to establish the Sierra Leone Legal Information Institute which would provide the opportunity for Sierra Leone to take its place in the worldwide community of "LII's" and enable it to provide its citizens with free access to legislation and major judgments of the Supreme Court.

This will promote transparency in the legal systems of the country and strengthen the rule of law.

Training Workshop on International Humanitarian Law

In November 2009, the OTP conducted a workshop on International Humanitarian Law targeting academic circles and geared towards establishing a sound teaching and research tradition in the field of International Humanitarian Law. Ultimately the students, as the next generation of leaders, will be the beneficiaries of this training.

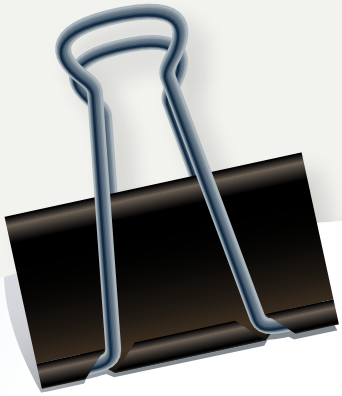
CHAMBERS LEGACY ACTIVITIES

Site project meeting

Former President of the Court, Justice Renate Winter organised a conference in October 2009 to discuss the possibility of using the site of the Special Court, on closure, as a West African judicial training institute. The meeting was made possible through the financial support of the Brandeis University and the West African Research Association. Its goal was to achieve consensus among the various meeting participants on the issues involving the administration, structure, and curriculum of the proposed West African judicial training institute and to produce a proposal, includ-

Registrar Binta Mansaray, handing over the keys to the Special Court detention facility to Sierra Leone's Attorney-General, Serry Kamal

ing procedures for implementation to be shown to entities in the sub-region (including judges, ministries of justice, and the Government of Sierra Leone). The Site Project meeting took place at the Old Courthouse of the Special Court, in Freetown, on 8 and 9 October 2009. In attendance at the meeting were Hon. Abdul Serry-Kamal, Attorney-General and Minister of Justice of the Republic of Sierra Leone, Hon. Justice Umu Hawa Tejan-Jalloh, Chief Justice of the Republic of



AGENCE FRANCE PRESSE

Monday, 26 November 2009

SIERRA LEONE TRIBUNAL HANDS OVER PRISON

FREETOWN — As a first step towards winding up its presence in Sierra Leone, the UN backed Special Court on Sierra Leone on Monday turned over its jail to the government, which will make it a women's prison.

Last month the court handed down its final verdict in Freetown and the eight former rebels so far convicted have been transferred to serve their sentence in Rwanda, under a bilateral deal.

With the tribunal's only remaining trial, the case against Liberian former president Charles Taylor, taking place in the Netherlands for security reasons, the court is preparing to close its doors in Sierra Leone.

The court's former detention unit will be turned into a women's prison, Sierra Leone's Attorney-general Serry Kamal said at a special hand-over ceremony Monday.

Sierra Leone, and Ms. Julia Sarkodie-Mensah, Consultant Master and Registrar of the High Court of Sierra Leone.

The conference suggested that the centre provides 2-3 day courses targeted at West African Judges and focusing on recent developments relevant across the region, as a form of continuing professional development. This would strengthen the rule of law and facilitate a common legal culture in West Africa. A proposal, borne out of these conclusions, was submitted to the Government for its consideration.

Transfer of the detention facility to the Government of Sierra Leone

Another important legacy activity came about due to an initiative of the Chief Justice and H.E. Mrs. Sia Nyama Koroma, First Lady of the Republic of Sierra Leone, to use the detention facility of the Special Court, after the transfer of prisoners, as a devoted facility for women prisoners and their children, as well as for children in conflict with the law. A number of meetings were held in this regard, including with Mr. Mahinbo Mdoe, the newly appointed head of UNICEF in Sierra Leone and the Chief Justice of the Republic of Sierra Leone, Hon. Justice Umu Hawa Tejan-Jalloh. Following the conclusion of a Memorandum of Understanding with the Sierra Leone Prison Service, the Government took physical possession of the Detention Facility, which was formally handed over on 16 November 2009. The Prison Service started operations on the transferred portion of the site on 19 May 2010.

Commission of Inquiry into allegations of rape and sexual abuse

In July 2009, a commission of inquiry was established to investigate incidents of political violence that occurred in Freetown on 16 March 2009. As there were strong disagreements over the accuracy of the allegations, the Government established a Commission of Inquiry charged with investigating allegations of rape and sexual abuse. The Commission of Inquiry was chaired by former Special Court Justice John Bankole Thompson and began its work on 28 July 2009. Due to the politically sensitive nature of the incident and the social stigma associated with sexual violence crimes, UNIFEM identified a need to house victims in safe houses for the duration of the investigation. As the Special Court was the only organisation in Sierra Leone with the capability of providing victims and witnesses' protection services, a request from UNIFEM-Sierra Leone for the Special Court's assistance in the provision of victims and witnesses' protection services was received. The positive decision to provide the requested assistance was made after consideration of the importance of maintaining the Special Court's independence from local political issues and of the fact that the request for assistance was in-line with the Court's mandate to assist local justice sector actors to develop the skills and capacity they will need to conduct victims and witnesses' protection services when the Special Court is no longer operating. The Witness and Victim's Section of the Court gave its full support for the duration of the Commission's investigation which lasted some six weeks. The nominal expenses incurred by the Special Court for the provision of this assistance were borne by UNIFEM.

Juvenile justice training program

From 16 to 17 October 2009, a juvenile justice training programme was organized in the Courthouse by the Hon. Justice Umu Hawa Tejan-Jalloh, Chief Justice of the Republic of Sierra Leone, Ms. Julia Sarkodie-Mensah, Consultant Master & Registrar of the High Court of Sierra Leone, and former President of the Special Court, Justice Winter. Thirty-five national judicial officers attended and were trained in juvenile justice matters.

Training for War-Affected Women

The THIRD Legacy project designed to provide tailoring skills for war victims started in September 2009. Four ladies and one young man received skills training from September 2009 to March 2010. The project was initiated by former President Winter and is sustained by contributions from several Austrian women's associations and staff members of the Special Court.

The courthouse

RESIDUAL ISSUES

Even with the end of the Court's trials, its obligations do not cease. Ten residual functions were identified by a December 2008 report which the Court must make arrangements to fulfil. Primary among these are the responsibility to protect witnesses, to maintain the archives and to enforce the sentences of its convicts.

The parties to the Agreement which created the Court, the United Nations and the Government of Sierra Leone, have initiated discussions on the structure and location of a residual mechanism that would take on the Court's obligations at its closure. The role of the Court in these discussions is to provide advice based on the Court's experience and practices, and to make any necessary logistical arrangements to ensure the smooth transition to the residual mechanism.

The residual mechanism will bear ultimate responsibility for the preservation and maintenance of the archives to ensure their inviolability, and facilitate access for any further judicial proceedings and the public. Through the European Commission funded Archive Development Programme, the Court is organising, cataloguing and classifying its records so that it can handover an archive that meets international standards. The residual mechanism will also have to manage requests for access from national prosecution authorities who may need evidence and information for other cases.

The threat faced by the Court's witnesses will not disappear with the closure of the Court. Therefore the residual mechanism must continue to provide protection where relevant and regularly reassess threat levels. This residual function ties in with the Court's legacy work. If a national witness protection unit is established and proven to be effective, its staff will be able to assist the residual mechanism in managing SCSL witness issues. However, it will take time before the national unit builds the experience to be able to handle this responsibility and so the residual mechanism will have to undertake all witness duties for the foreseeable future.

Although convicted persons have been transferred to Rwanda, the responsibility to ensure that the conditions of their imprisonment meet international standards remains with the Court and must be passed on to the residual mechanism. Further, the mechanism must track time served, the date of release, early release, pardon or commutation.

There are additionally six 'ad hoc' functions that would be triggered by specific circumstances. These include the trial of Johnny Paul Koroma (should he be apprehended and if the case is not transferred to a national jurisdiction prior to closure), review of convictions and acquittals, contempt of court proceedings, defence counsel and legal aid issues in the event of additional proceedings, assistance with claims that may be made by war victims for compensation in Sierra Leonean Courts and the prevention of double jeopardy. Some of these functions involve significant resources and staffing, for example in the event that contempt of court proceedings are initiated. The residual mechanism should be flexible enough to maintain a small core of staff that can expand the institution in response to the initiation of such proceedings.

ANNEX I

SIGNIFICANT FUNDRAISING AND DIPLOMATIC MEETINGS HELD DURING THE REPORTING PERIOD

Australia
Permanent Mission of Australia to the United Nations (New York)

Austria
Federal Ministry for European and International Affairs
Permanent Mission of Austria to the United Nations (New York)

Belgium
Ministry of Foreign Affairs
Permanent Mission of Belgium to the United Nations (New York)

Bosnia Herzegovina
Permanent Mission of Bosnia and Herzegovina to the United Nations (New York)

Brazil
Permanent Mission of Brazil to the United Nations (New York)

Brunei Darussalam
Permanent Mission of Brunei Darussalam to the United Nations (New York)

Canada
Department of Foreign Affairs and International Trade
Embassy of Canada to Côte d'Ivoire
Permanent Mission of Canada to the United Nations (New York)

Chile
Permanent Mission of Chile to the United Nations (New York)

China
Embassy of the People's Republic of China to Sierra Leone

Costa Rica
Permanent Mission of Costa Rica to the United Nations (New York)

Croatia
Permanent Mission of the Republic of Croatia to the United Nations (New York)

Czech Republic
Permanent Mission of the Czech Republic to the United Nations (New York)

Denmark
Ministry of Foreign Affairs
Permanent Mission of Denmark to the United Nations (New York)

Finland
Permanent Mission of Finland to the United Nations (New York)
Permanent Representation of Finland to the EU

France
Permanent Mission of France to the United Nations (New York)

Germany
Embassy of the Federal Republic of Germany to Sierra Leone
Ministry of Foreign Affairs
Permanent Mission of Germany to the United Nations (New York)
Permanent Representation of Germany to the EU

Ghana
Permanent Mission of Ghana to the United Nations (New York)

Guinea
Permanent Mission of the Republic of Guinea to the United Nations (New York)

Ireland
Ministry of Foreign Affairs
Permanent Mission of Ireland to the United Nations (New York)

Italy
Permanent Mission of Italy to the United Nations (New York)
Embassy of Italy to The Netherlands

Japan
Permanent Mission of Japan to the United Nations (New York)

Liberia
Embassy of the Republic of Liberia to Sierra Leone
Permanent Mission of the Republic of Liberia to the United Nations (New York)

Liechtenstein
Permanent Mission of the Principality of Liechtenstein to the United Nations

Luxembourg
Embassy of Luxembourg to The Netherlands
Permanent Mission of Luxembourg to the United Nations
Permanent Representation of Luxembourg to the EU

Mexico
Permanent Mission of Mexico to the United Nations (New York)

The Netherlands
Ministry of Foreign Affairs
Permanent Mission of the Kingdom of the Netherlands to the United Nations (New York)
Permanent Representation of the Netherlands to the EU

New Zealand
Permanent Mission of New Zealand to the United Nations (New York)

Nigeria
Nigerian High Commission in Sierra Leone
Permanent Mission of Nigeria to the United Nations (New York)

Norway
Embassy of Norway to Côte d'Ivoire
Embassy of Norway to The Netherlands
Mission of Norway to the EU
Permanent Mission of Norway to the United Nations (New York)

Saudi Arabia
Permanent Mission of Saudi Arabia to the United Nations (New York)

Sierra Leone
Permanent Mission of Sierra Leone to the United Nations (New York)
Embassy of Sierra Leone in Brussels
Embassy of Sierra Leone in Washington, D.C.
Government of Sierra Leone

Slovenia
Permanent Mission of the Republic of Slovenia to the United Nations (New York)

South Africa
Permanent Mission of the Republic of South Africa to the United Nations (New York)

Spain
Ministry of Foreign Affairs
Permanent Mission of Spain to the United Nations (New York)
Permanent Representation of Spain to the EU

Sweden
Ministry of Foreign Affairs
Permanent Mission of Sweden to the United Nations (New York)
Permanent Representation of Sweden to the EU

Switzerland
Permanent Mission of Switzerland to the United Nations (New York)

Turkey
Permanent Mission of Turkey to the United Nations (New York)

Uganda
Permanent Mission of the Republic of Uganda to the United Nations (New York)

United Arab Emirates
Permanent Mission of the United Arab Emirates to the United Nations (New York)

United Kingdom
Foreign & Commonwealth Office
Permanent Mission of the United Kingdom to the United Nations (New York)
British High Commission in Sierra Leone
Permanent Representation of the UK to the EU

United States
Embassy of the United States to Sierra Leone
US Department of State
United States Mission to the United Nations (New York)
United States Embassy in Sierra Leone
The House of Representatives
The Senate

African Union
Office of the Permanent Observer of the African Union to the United Nations

European Union
Delegation of the European Union to Sierra Leone
European Commission Directorate-General Europe Aid Cooperation Office (DG AIDCO), including staff working on the European Development Fund and European Instrument for Democracy and Human Rights
European Council Working Group on Africa (COAFR Working Group)
European Council Working Group on International Law (COJUR Working Group)
European Parliament
European Parliament Development Committee on the ICC

United Nations
Office of Legal Affairs
Department of Political Affairs
Peacebuilding Commission

Other International Institutions
International Criminal Court
International Criminal Tribunal for Rwanda
Open Society Justice Initiative
Special Tribunal for Lebanon

ANNEX II

SIGNIFICANT PRESENTATIONS ON THE SPECIAL COURT'S JURISPRUDENCE[1]

Lecture on Developments in International Law
In May 2009, Justice Teresa Doherty gave a lecture to post-graduate students of Utrecht University, Netherlands, on Developments in International Law with specific focus on the Special Court.

Public Discussion on War Criminals and Child Soldiers
In June 2009, Justice Renate Winter was invited to take part in a public discussion forum on "War Criminals and Child Soldiers" in Vienna, at which she described the legal process in an international tribunal to bring war criminals to trial. She used the jurisprudence of the SCSL to show, how basic problems such as amnesty or competence issues have to be dealt with first before trial can start in earnest. She also made a presentation on the "sewing girls" Project, a legacy project of the SCSL, by which former bush wives who had been ostracized from their communities could learn a skill to give them the independent means of earning a living.

Conference on Fighting Impunity and Promoting International Justice
In June 2009, Justice Renate Winter was invited to give an opening speech at the World Conference on "Fighting Impunity and Promoting International Justice" held at the International Court of Justice and organized by the International Institute of Higher Studies in Criminal Sciences in conjunction with the European Commission, and the International Human Rights Law Institute of Chicago. In her speech, Justice Winter addressed the jurisprudence of the SCSL concerning "immunity" as dealt with in the *Taylor* case. The Conference highlighted the need for enhancing post-conflict justice mechanisms with a view towards reducing impunity and enhancing compliance with international law.

Seminar on "Protection of the Child in International Law"
Justice Renate Winter was invited to The Hague Academy of International Law for the 5th session Seminar for Advanced Studies in Public and Private International Law on the "Protection of the Child in International Law" held at The Hague from 14-20 June 2009. As President of the SCSL, Justice Winter conducted the course on "A Case of Child Protection II: Children & Armed Conflicts". The course discussed international instruments established to protect children from conscription, enlistment and use in armed conflict, initial criminal proceedings that apply these prohibitions, and analyzed why, despite the existing legal apparatus, recruitment and use of child soldiers still persists. Particular emphasis was placed on the SCSL as the first international court to adjudicate these crimes. The seminar also examined the fact that despite forced marriage having been charged and affirmed as an international crime before the SCSL, little attention was being paid to examining its viability as a distinct category of crime in international law. SCSL cases were used as studies for the course.

Course on Implementation of Security Sector Reform: Rule of Law in Conflict and Post Conflict Situations
In June 2009, Justice Teresa Doherty, attended a Course on Implementation of Security Sector Reform: Rule of Law in Conflict and Post Conflict Situations, at Schilling, Austria. She poke on the experiences of Sierra Leone (including the Special Court), Bougainville and the breakdown in the rule of law that can follow natural disasters.

Justice Renate Winter was also invited to the Austrian Center for Peace and Conflict Resolution, Castle Schhlaining in Stadtschlaining, Burgenland, to give the opening speech at the Course on Security Sec-

1 All presentations were done at the expense of the organizers and time spent by the Judges and Principals at these events did not delay judicial proceedings.

tor Reform which took place from 6 to 14 June 2009. In her address, Justice Winter stressed the impact of international jurisprudence and international/hybrid courts on the security of a post-conflict country and the positive and negative aspects of transitional justice.

Meeting of Austrian Society of International Law
Justice Renate Winter was invited, in her capacity as President of the Court, to the Annual Meeting of the Austrian Society of International Law 2009, held at Rechtenthal Castle, Tramin, Italy. The Society has been conducting annual conferences since the last 30 years and is one of the most important fora of international law in the German-speaking area. The 2009 Conference focused on international criminal law and international criminal courts and Justice Winter gave a lecture titled: "Current Institutional Challenges in the Special Court for Sierra Leone".

Conferences and Colloquium on sexual violence
In June 2009, Justice Teresa Doherty made a presentation at the Washington College of Law and Jewish Congress on "Gender and Justice: an International Inquiry" and spoke on developments in the prosecution of crimes of sexual violence, in particular Special Court jurisprudential developments.

She was also a keynote speaker with Hon. Justice Richard Goldstone at an "Interdisciplinary Colloquium on Sexual Violence as an International Crime: Interdisciplinary Approaches to Evidence," organized by the Centre on Law and Globalization in The Hague. Justice Doherty spoke on the recent history of developments in the prosecution of crimes of sexual violence.

Justice Doherty also participated in a United Nations Symposium on action Against Sexual Violence, representing then President Justice Renate Winter. She was a member of the justice group and participated in the drafting of the resolutions that were subsequently presented to the United Nations Security Council. Justice Doherty also spoke on the achievements of the Special Court particularly those relating to crimes of sexual violence.

Lecture on exploitation of child soldiers – Day of the African Child
Back in Freetown, Justice Renate Winter attended the commemoration of the Day of the African Child and made a statement on the theme "Stop the exploitation of Children and Work Together for Child Survival", again highlighting the jurisprudence of the SCSL concerning the exploitation of child soldiers, female and male, during the armed conflict in the country.

Lecture on the Special Court
In July 2009, Justice Teresa Doherty spoke on the Special Court to members of Lincolns Inn, London, who visited the Hague-based tribunals, at the British Embassy, The Hague.

Lecture on the crime of "Attacks on Peacekeepers"
In July 2009, Trial Attorney Mohamed Bangura presented a lecture at the Grotius Centre for International Legal Studies, Leiden University, Campus The Hague, hosted by the Coalition for the International Criminal Court and the T.M.C. Asser Institute on "Prosecuting the Crime of Attacks on Peacekeepers: A Practitioner's Challenge".

Participation in UNICEF Child Protection Project
In July 2009, following her visit to New York to address the UN Security Council, Justice Renate Winter went to Tashkent where she participated at a series of events within the Child Protection Project of the UNICEF Office in Uzbekistan. Justice Winter was the resource person on the subjects of early marriage (explaining according to recent jurisprudence of the SCSL, the difference between forced marriage and arranged marriage).

Justice Renate Winter also attended the European Forum in Alpbach, Austria where she gave the opening address entitled: "The Luxury of Trusting Justice" using the SCSL decisions on "amnesty" and "immunity" as examples.

Colloquium on the Law and the Child
In September 2009, Justice Renate Winter participated in the UNICEF and the Commonwealth Magistrates and Judges' Association Colloquium on the Law and the Child 15th Triennial Conference in Turks and Caicos. Justice Winter was the keynote speaker at the conference

on the topic "Children in Armed Conflict and the Effect of Violence on Children". Reference was made to the decisions and judgments of the SCSL in regard to child soldiers and the importance of combating impunity of warlords. The fact that these decisions paved the way for the ICC's first trial (Lubanga) was also stressed.

Lecture on the role of the Special Court
In October 2009, Justice Teresa Doherty spoke on the Role of the Special Court at a European Union Rapid Response Course on Rule of Law in Conflict Situations in Berlin

Lecture at York University, Toronto, Canada
In November 2009, then Acting Prosecutor Joseph F. Kamara presented a lecture at York University in Toronto, Canada on "The Pursuit of Justice in the Mano River Basis: The Special Court for Sierra Leone - a Case Study"

Avon Global center for Women and Justice Conference
In March 2010, Deputy Prosecutor Joseph F. Kamara, attended a conference in Washington DC hosted by the Avon Global Center for Women and Justice, where he presented a paper on "Gender Based Violence: National Initiatives and Training Innovations in post-conflict Sierra Leone."

Cornell/Avon Center Conference on Justice in Post-Conflict Areas.
Justice Shireen Avis Fisher attended the "Cornell/Avon Center Conference on Justice in Post-Conflict Areas". She met with several dignitaries who were interested in the work of the Special Court and presented on a panel at the Conference on the topic "International Courts: The Judicial Experience".

Harvard Conference on Conflict and Development
From 16 to 18 April 2010, Justice George Gelaga King participated in the Harvard African Law and Development Conference held at Harvard University in Boston, Massachusetts. The conference was organized by the Harvard African Law association and Justice King spoke on the topic "The Role of Law in Conflict and Development in Sierra Leone". Justice King's presentation discussed among things the role of the jurisprudence of the Special Court (e.g. on child soldiers and sexual crimes) in facilitating post-conflict development in Sierra Leone.

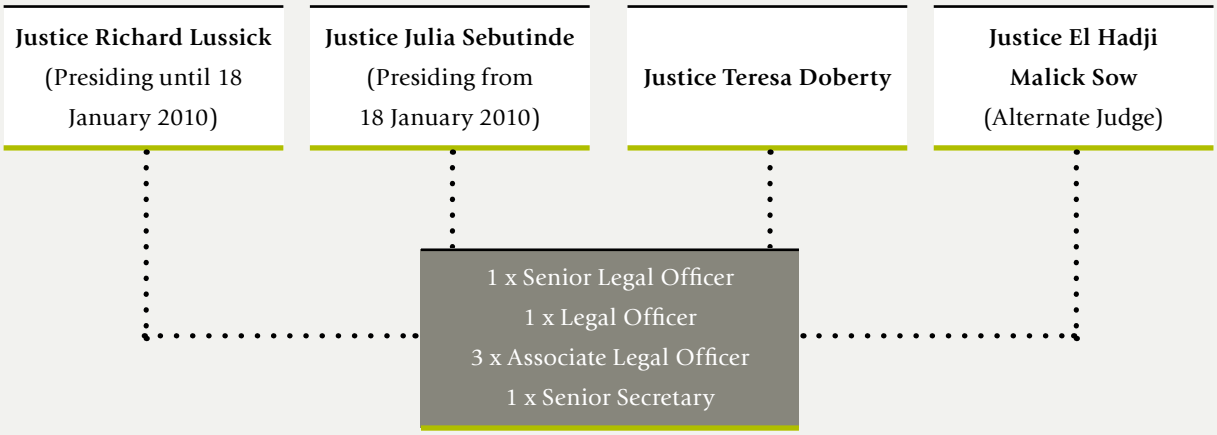
International Association of Youth and Family Court Judges and Magistrates' Congress
Justice Renate Winter attended the 18th International Congress of the International Association of Youth and Family Court Judges and Magistrates from 21 to 24 April 2010 in Hammamet, Tunisia. The Congress theme was "United in diversity" and topics such as child protection and juvenile justice in Civil, Common and Islamic law were discussed. Justice Winter chaired the Congress and presented on the topic of Child Soldiers.

Keynote address by Justice Julia Sebutinde at the 8th ICC Seminar of Counsel
In May 2010, Justice Julia Sebutinde gave the keynote address at the 8th Seminar of Counsel of the International Criminal Court held in The Hague, in which she shared the experiences of and lessons learnt by the Special Court in relation to the rights of victims and accused persons. The presentation was entitled "International Criminal Justice – Balancing Competing Interests: Challenges Facing Defence Counsel and Counsel for Victims".

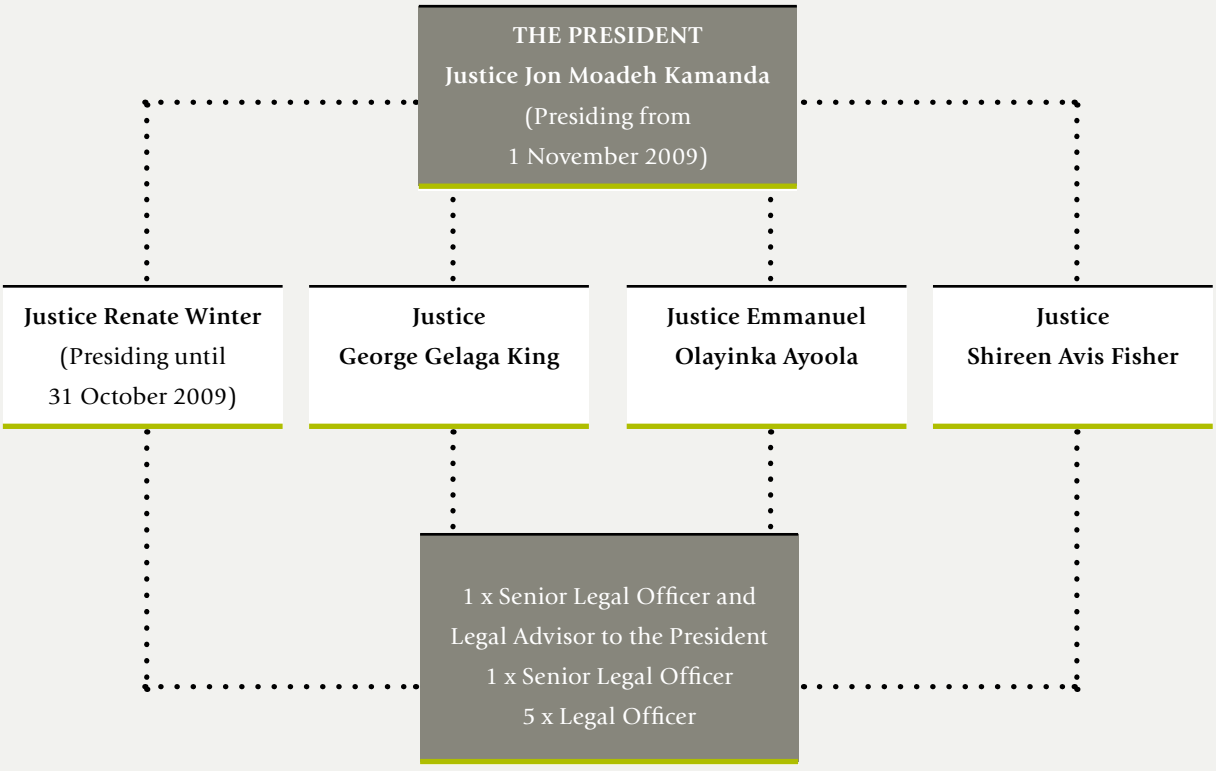
Discussion of Developments in Juvenile Justice and Child Protection in South America
In May 2010, Judges from the Mercosur region in Latin and South America met in Brazil to discuss new developments on juvenile justice and child protection in the region. Justice Renate Winter was invited to give an opening address in her capacity as President of the International Association of Youth and Family Court Judges and Magistrates. She also conducted four workshops, dealing among other issues with children in conflict with the law, where SCSL judgments on child soldiers and their impact on international penal law were discussed (several countries in the region have to deal with the problem of child soldiers). Further discussions were held on sexual rights and duties of children and the SCSL jurisprudence on forced marriages was discussed. The distinction between forced marriages and arranged marriages as defined in the SCSL decisions was one of the main focuses of the workshop.

ANNEX III

TRIAL CHAMBER II

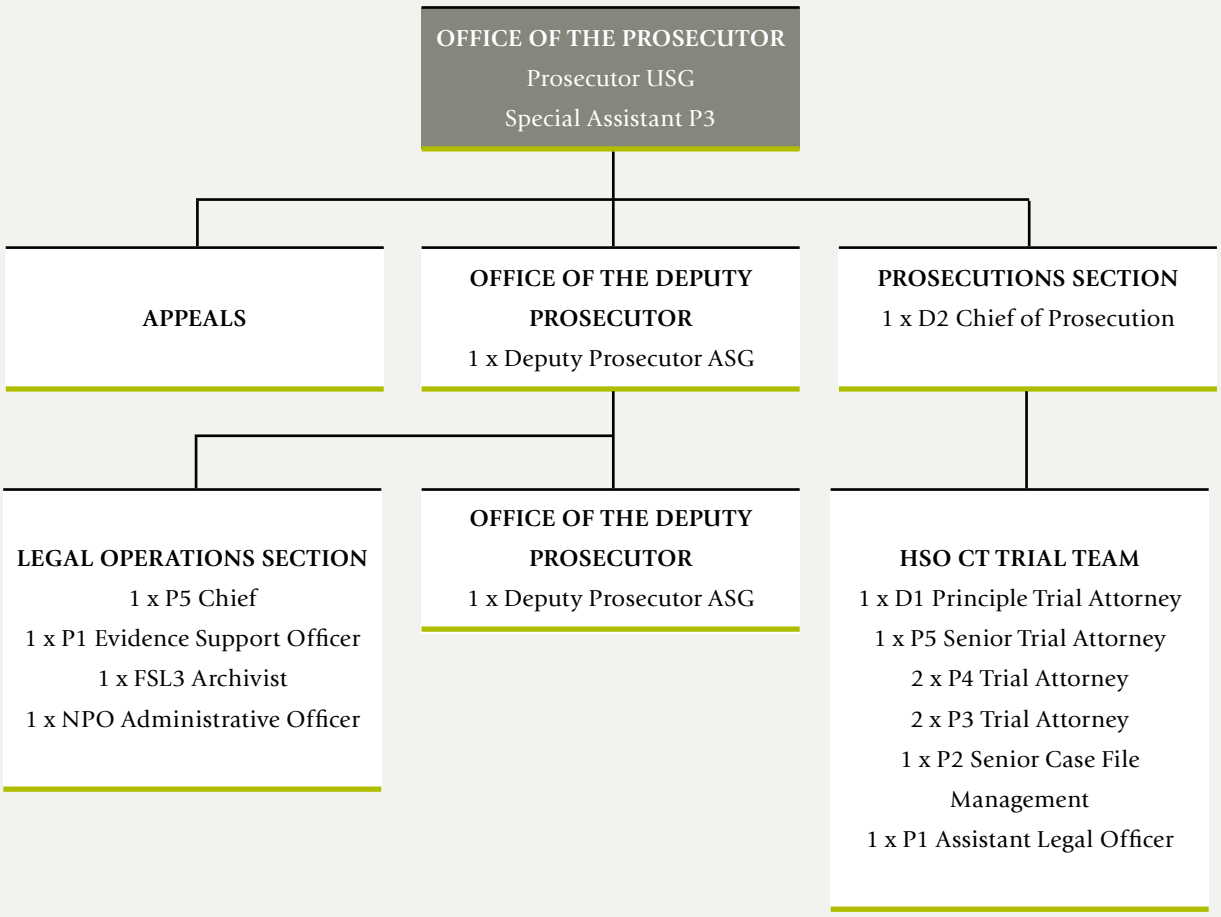


THE APPEALS CHAMBER[1]

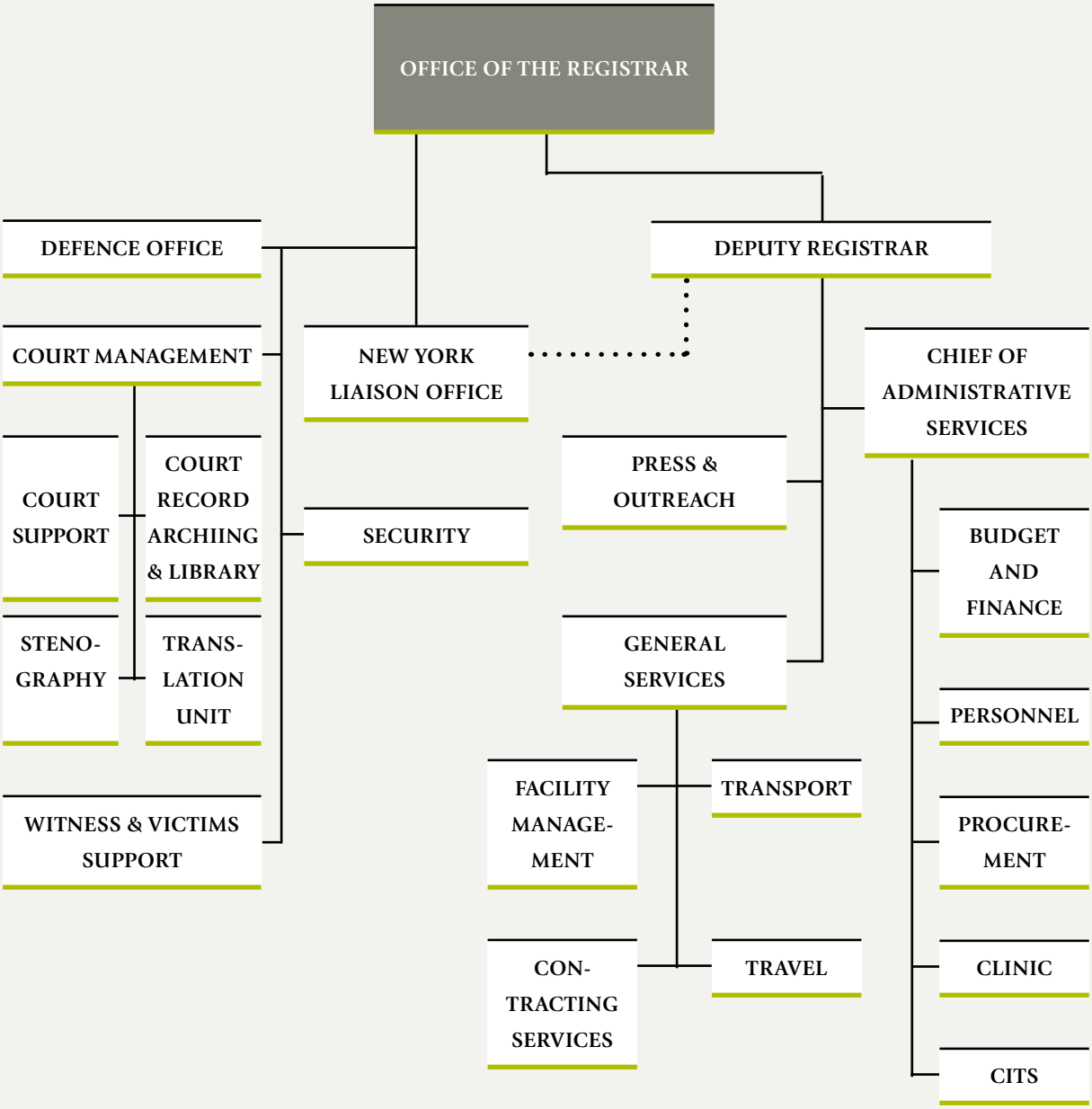


1 One Senior Legal Officer and four Legal Officers have been on Special Leave Without Pay since February of the reporting period. One Legal Officer was on Maternity Leave since April of the reporting period. The Senior Secretary post was downsized in April 2010.

THE OFFICE OF THE PROSECUTER



THE REGISTRY



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