

Press Release issued by the Plenary Meeting of the Special Court

Justice Geoffrey Robertson disqualified from the Appeals Chamber in RUF cases

To correct inaccuracies in a press release issued by the Press and Public Affairs Office of the Special Court on 13 March, 2004. Justice George Gelaga King did not make a statement. He delivered a Decision on behalf of the Appeals Chamber. He did not agree with Justice Robertson's interpretation of Rule 15(B). On the contrary, in his Decision he stated that "any RUF indictee who may be affected one way or the other by the decision, is entitled to bring a motion under Rule 15(A) and Rule 15(B) if he has credible evidence that a member of that panel may be biased or prejudiced, even if that applicant is not a party to the motion for which the ruling is pending", and that therefore the motion was properly before the Appeals Chamber.

The Appeals Chamber of the Special Court on 13th March, 2004 ruled on a Defence motion which sought the disqualification of Justice Geoffrey Robertson from the Special Court on grounds that the Judge "has expressed the clearest bias against both the Revolutionary United Front (RUF) and the Armed Forces Revolutionary United Front (AFRC) and thereby has displayed lack of impartiality to the accused indicted as member of these groups and their respective defences".

The motion was filed on 27th February, 2004 by counsel acting for ex-RUF member, Issa Hassan Sesay, and was subsequently joined in by counsel for Morris Kallon and Augustine Gbao.

In delivering the Decision, Justice King said that he had referred to the relevant passages in Justice Robertson's book, and that those passages speak graphically for themselves, and that he did not need to elaborate upon them.

Justice Robertson remains a Judge of the Appeals Chamber.

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