

Special Court for Sierra Leone
Press and Public Affairs Office

PRESS RELEASE

Freetown, Sierra Leone, 1 May 2003

Court Rebuttal of Allegations of Mistreatment by Mr Edo Okanya

The Special Court for Sierra Leone is aware of allegations of mistreatment that have been made by a Nigerian lawyer, Mr. Okanya, against officials of the Special Court. The Special Court fully denies those allegations.

In respect of the incident complained of on 25 April 2003, Mr. Okanya was never manhandled by Special Court Staff. Mr. Okanya was asked to leave a restricted area, which was open only to those persons holding boarding passes for travel on the helicopter to Bonthe and who had signed waivers for travel. Mr. Okanya did not hold a boarding pass and had not signed a waiver. He was, therefore, unlawfully in a restricted area.

Mr. Okanya did not possess a boarding pass because he had not been cleared for the flight. There were a limited number of seats on the helicopter, which were reserved for Court staff, prosecutors and attorneys and family members of Mr. Gbao. Mr. Okanya, despite his assertions, was never assigned as Mr. Gbao's legal representative. Accordingly he was not granted a seat on the flight to Bonthe.

The task of the Defence Office of the Special Court is very clear. If an Accused or Suspect declares that they cannot afford to contract a lawyer and makes a request for the assignment of legal assistance, then the Defence Office assigns the Accused or Suspect a lawyer from a list of persons who meet the relevant requirements and also, importantly for this case, do not have a conflict of interest. The Court pays for this representation.

Mr. Okanya did not submit the required documents to be placed on the list of potential defence lawyers until 24 April 2003, at which point the Defence Office had already provisionally assigned Professor O'Shea and Thanky Novi Taube (TNT) solicitors to Mr. Gbao. Mr Gbao chose Professor O'Shea and TNT.

Even if Mr. Okanya had submitted the required documents earlier, however, he would not necessarily have been assigned. First, it is the obligation of the Defence Office to choose, from among the lawyers around the world who have expressed an interest in being assigned, those with the highest qualifications and experience in international criminal law. Second, the Defence Office will not assign someone with an actual or potential conflict of interest. Mr. Okanya stated on application that he had represented Mr. Sankoh in the High Court of Sierra Leone. As Mr. Sankoh is another defendant in these proceedings, that represented a potential conflict of interest which automatically barred his assignment, even if he possessed the necessary breadth of experience in international criminal law.

Finally, it is worth reiterating that Mr. Gbao requested Prof. O'Shea and TNT and has signed a Power of Attorney to Prof. O'Shea and TNT. Mr. Gbao has stated that he is happy with the assignment and has not requested that Mr. Okanya be assigned to him. At no point during his Initial Appearance on 25

April 2003, which was open to the public and attended by representatives of the media, did Mr. Gbao request Mr. Okanya's presence nor express dissatisfaction with the Defence team representing him.

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