

SPECIAL COURT FOR SIERRA LEONE
PRESS AND PUBLIC AFFAIRS OFFICE

PRESS CLIPPINGS

Enclosed are clippings of the latest local and international press on the Special Court and related issues obtained by the Press and Public Affairs Office as of:

Tuesday, February 01, 2005

The press clips are produced Monday to Friday.
If you are aware of omissions or have any comments or suggestions please contact
Ibrahim Tommy
Ext 7248
MOBILE: 232 76 645 914

Special Court witness prays for RUF, AFRC

By Abdul Karim Koroma

Special Court witness Tf1-015, who described himself as a pastor Monday said he was offering regular prayers for the RUF/AFRC rebels.

He revealed this whilst being cross-examined by Wayne Jordash defence counsel for General Issa Sesay.

"When the rebels were holding their meetings I usually pray for them," he said and denied meeting with erstwhile leader of

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Concord Times

Tuesday February 1, 2005

Special Court

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AFRC Johnny Paul Koroma.

He explained that some of the rebels who were coming for prayers to him were grumbling about leadership.

The witness narrated how he was abducted in Tombo and later taken to Kambia and Kono where he met with General Sesay.

"I was fearing the rebels at that time," he said and added that Tombo was first occupied by Kamajohs. He recalled that the rebels dislodged ECOMOG from Kono in December 1998.

Carew urges Gov't to ratify UN conventions



Kabbah - more to be done

By Joseph Kamanda

Attorney General and Minister of Justice, Fredric Carew, Monday called for the ratification and domestication of Conventions and Protocols signed by the government.

He made this statement at the a two days workshop organized by the Office of National Security (ONS) on the ratification and implementation of the Universal Instruments against Terrorism and the UN Conventions against Organized Crime, at State House.

"It is desirable that the Conventions and Protocols which would affect us as a nation be ratified and domesticated since most crimes under these Conventions and Protocols are offences not known to our Criminal Law in the country", Carew states.

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Carew urges Gov't

From page 1

He stated that one of the indicators of the state's inability to prosecute, is the absence of adequate domestic laws.

"We are expected to be responsive and be proactive to the challenges posed by this and also the challenges that affect us" he said.

Carew pointed out that it is a constitutional requirement for this country to ratify most of these Conventions, Treaties and Protocols.

"Unless we reflect these Conventions in our domestic law they would not form part

of our laws and we would not have a regime under our domestic law for the prosecution of these offences" he states.

He however pledged his support in ensuring that these Conventions are ratified and implemented.

Abdulia Mustpha Director General, Central Intelligent Security Unit (CISU) said, his unit has been in constant touch with the United Nations Office on Drugs and Crime (UNODC) office in Vienna.

Concord Times

Tuesday February 1, 2005

At Special Court Witness Offered Prayer For AFRC/RUF Junta Rebels

By Joseph Turay

Answering to questions put to him by Wayne Jordan, defence counsel for RUF's 1st accused

Issa Sesay, witness TF1015 stated that he used to offer prayers for both the AFRC/RUF junta rebels

who abducted him in 1998 and was with them until he surrendered for disarmament. Witness during cross-exami-

nation yesterday explained that during his stay with the junta forces in Koidu, Kono, they

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Witness Offered Prayer For AFRC/RUF Junta Rebels

From front page

held several meetings in which he was the pastor who offered prayers throughout and that most times the rebels, especially the junior boys, visited his house and he would offer prayer for them.

Witness disclosed that most times the junta boys expressed to him dissatisfaction about leadership in the rebel movement.

Asked whether he ever saw Johnny Paul Koroma in Kono, witness said he had never seen Johnny Paul Koroma in Kono. He however said that he often heard the troops say Johnny Paul was their boss.

During cross-examination by the deputy Prosecutor, Muhammed A. Iscandri, the witness revealed that the son of the ruling SLPP Chairman, Dr. Sama

Banya, Captain S. Banya threatened to kill him by pointing the muzzle of his pistol between his two legs.

Witness further revealed that during this time, Capt. Banya who had ordered his rebels to bring him a piece of board shoved it into his mouth and used his pistol to hit him in teeth which left his mouth with no teeth. At this stage the witness opened his mouth wide to show the judges.

The Exclusive
Tuesday, February 1, 2005

January 27, 2005 Thursday

LENGTH: 302 words

HEADLINE: Sierra Leone;
\$50m to Improve Judicial System

BYLINE: Standard Times

In a bid to improve the judicial system of Sierra Leone which has been in shambles for over 30 years, the British Department for International Development (DFID) is boosting its operations with a staggering sum of US \$50m.

This disclosure was recently made by the Registrar of Special Court for Sierra Leone, Mr. Robin Vincent at a two-day conference at the presidential lodge of the national stadium in Freetown.

Mr. Robin Vincent revealed that as a way of promoting justice in the country, DFID has made provision for the improvement of the judicial system with funding spread up to 2010 to be utilized in collaboration with the British Council.

Speaking on the role of NGO's, Mr. Vincent said that most of the NGO's operating in Sierra Leone are either working in isolation or duplicating their functions during implementation, and questioned the successful operations of these NGO's in their various areas.

Mr. Robin Vincent also opined that UNAMSIL may stay beyond June 2005.

A defence counsel at the Special Court, who spoke on the topic "The Rule of Law and the Sustenance of Peace," said that nobody wants anarchy, as it could lead to confusion and unnecessary deaths.

On the same topic one prosecution counsel from the Special Court revealed that corruption has a strong link with low salary earning and being over paid.

He made mention of a judge been paid less than \$100 (Le300, 00) to judge a case involving millions of leones to be corrupt, and emphasized the need to evolve a system in which a judge cannot be bribed. Speaking on the 'Rights of the accused person,' he said when a person is under arrest is the most vulnerable time of the person's life.

After arrest, he said that person had right to bail, which he pointed out however is not an absolute right. for Sierra Leone, Mr. Robin Vincent at a two-day conference at the presidential lodge of the national stadium in Freetown.

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UN rules out genocide in Darfur

A UN report has said Sudan's government and its militia systematically abused civilians in Darfur - but it stopped short of calling the violence genocide.

It said those responsible should be prosecuted by the International Criminal Court (ICC) in The Hague.

Where genocide is found to have taken place, signatories to a UN convention are legally obliged to act to end it.

The report also said rebel forces in Sudan's western region had committed serious human rights violations.

More than 70,000 people have been killed and two million more forced to flee their homes in Darfur since February 2003.

Khartoum denies arming the pro-Arab Janjaweed militias and blames Darfur's rebel groups for starting the conflict.

'Genocidal intent'

The report was initiated in October by the UN Security Council which had asked Secretary General Kofi Annan to set up a commission to investigate alleged human rights violations in Darfur.



"The commission found that [Sudan's] government forces and militias conducted indiscriminate attacks," the report by the five-member commission said.

It said those included "killing of civilians, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement, throughout Darfur".

The commission concluded that the Sudanese government "has not pursued a policy of genocide", but added that the crimes against humanity and war crimes committed in Darfur might be no less serious.

It said some individuals - including government officials - may have committed "acts with genocidal intent". However, it did not name names.

Genocide is defined as intent to destroy a group on national, ethnical, racial or religious grounds.

The commission also found evidence that rebel forces were responsible for serious human rights violations "which may amount to war crimes".

The commission recommended the situation in Darfur should be referred to the ICC, founded to try cases of genocide and war crimes.

However, the US, which has already said genocide took place in Darfur, would rather see a separate

tribunal set up, reports the BBC's Susannah Price at the UN headquarters in New York.

Parts of the report were leaked in advance by the Sudanese government.

Story from BBC NEWS:

<http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/4224757.stm>

Published: 2005/02/01 02:48:25 GMT

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Rwandan denies genocide charges

Defence lawyers for the first woman to be charged with genocide at the international tribunal for Rwanda have begun presenting their case.

The ex-minister for women and the family, Pauline Nyiramasuhuko, is standing trial with her son.

They are accused of organising the murder of Tutsis in Butare in the south-west, during the 1994 genocide.

The charges against them include inciting troops and militia to rape hundreds of women.

They deny the charges.

The long-delayed trial began in June 2001. She was first arrested in Kenya eight years ago.

Ms Nyiramasuhuko's defence lawyer told the court that the accusations were part of a smear campaign.

Almost 60 people are held in Arusha, suspected of masterminding and orchestrating the killings of an estimated 800,000 Tutsis and moderate Hutus.

The Rwandan government has accused the tribunal of being slow and inefficient.

Story from BBC NEWS:
<http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/4223035.stm>

Published: 2005/01/31 14:02:23 GMT

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U.S. Floats Plan for Its Own Tribunal to Address Sudan Violence

Friday, January 28th, 2005

By JESS BRAVIN, Staff Reporter of THE WALL STREET JOURNAL

New-York, Jan 28, 2005 (WSJ) - The Bush administration is fashioning a plan to set up an ad hoc tribunal in Tanzania to address alleged genocide in Sudan's Darfur region, sidestepping the International Criminal Court whose supporters hold a majority of votes on the United Nations Security Council.

The proposal, floated with diplomats in New York and lawmakers in Washington, would meet the administration's twin goals of confronting atrocities in Sudan and shunning the ICC, an independent tribunal with 97 members including European Union countries, Australia and Canada. The proposed tribunal would be organized under the auspices of the African Union, rather than the U.N., but would share some facilities with the U.N.'s war-crimes tribunal for Rwanda, which holds proceedings in Arusha, Tanzania, people familiar with the proposal said.

The plan received a chilly reception at the U.N., and U.S. officials recognize that even if the Security Council can be persuaded to go along, the new court will get little financial assistance from other nations. A congressional aide said the U.S. expects to pick up the proposed tribunal's funding, which could be included in \$80 billion supplemental appropriation the administration is seeking for the Iraq and Afghanistan wars. Congressional and administration officials wouldn't put a price tag on the plan, but the annual budgets of current ad hoc tribunals range from \$20 million for the Special Court for Sierra Leone to more than \$100 million each for the Rwanda and former Yugoslavia tribunals.

The ICC's advocates consider the three-year-old tribunal a major advance in human rights, but big military powers including the U.S., China and Russia haven't joined the court. The Bush administration argues the ICC could someday launch political prosecutions of Americans for their actions abroad. No Americans are implicated in the Darfur atrocities, but the U.S. wants to deny the ICC the legitimacy it could gain from a Security Council referral.

But a Security Council diplomat said ICC members want the Hague tribunal involved "on point of principle as well as practical terms." Since the aim of the ICC was to create a permanent court of last resort for crimes against humanity, "you're not going to persuade people to pay twice" solely because of American hostility to the ICC.

A State Department spokesman declined to comment on the plan, other than to say that discussions with other nations were continuing. But a U.S. official familiar with the matter said that "what looks good about it is you have an African role in this." The official said the tribunal's shape still was being debated within the administration, but "we believe the AU [African Union] should have a fundamental role." The association of African governments, founded in 2002, is holding a summit in Nigeria this weekend, with U.N. Secretary-General Kofi Annan set to attend.

Yesterday, a U.N. commission of inquiry established by the Security Council delivered its report on Darfur to Mr. Annan. The report, slated for public release next week, is expected to recommend that the council refer atrocities in Darfur to the ICC. Although the court has power to launch investigations within countries that have ratified its treaty, it can take action in nonmember countries, such as Sudan, only at the Security Council's direction.

On Monday, Mr. Annan said that the ICC was "the most logical place" to try suspects in the Darfur atrocities. Yesterday, Juan Méndez, Mr. Annan's special adviser for the prevention of genocide, said the proposed African Union tribunal was impractical. "It would not only undermine the ICC badly, but I also think it would take forever" for the African Union to establish a functioning court. "You have to think of prosecutors, investigators, everything. At least at the ICC there are professionals" ready to launch cases, he said.

The ICC currently has investigations under way in Uganda and Congo at the request of their governments and recently

was asked by the Central African Republic to launch a case there. The court's chief prosecutor, Luis Moreno-Ocampo, said he expects to begin proceedings in the Uganda and Congo cases within a year.



Rwanda and UN Court Vow to End Witness Deadlock

Hirondelle News Agency (Lausanne)

NEWS

January 31, 2005

Posted to the web January 31, 2005

Kigali

Rwanda and the International Criminal Tribunal for Rwanda (ICTR) have agreed to speed up the resolution of a stand-off involving the murder last year of a witness who had recently returned from testifying at the court, officials told Hirondelle News Agency on Monday.

"We have set up a small committee to quickly look into the matter with a view of quickly clearing this issue", Rwanda's permanent envoy to the ICTR, Aloys Mutabingwa said.

"We tackled the issue of witness protection in relation with the witness (Nyemazi, murdered last year) and also generally on how to better protect them", the spokesperson of the ICTR, Roland Amoussouga told Hirondelle News Agency.

Bosco Nyemazi, a confessed genocide killer was murdered in his village of Kaduha (South Rwanda) on October 12th, 2004. He was a prosecution witness in the genocide trial of former military officer Aloys Simba.

The Rwandan police wanted to interrogate two ICTR staff members that visited Nyemazi the day he was killed. But the ICTR refused to release the two members of an investigation team. The stand-off that ensued threatened vital cooperation between the court and Rwanda.

The Registrar of the ICTR, Adama Dieng, headed the delegation from the court that arrived in Kigali on Friday to discuss a solution with the Rwandan government. He met the Rwandan ministers of Justice and Foreign Affairs among several other senior Rwandan officials.

The two sides also discussed several other cooperation issues including improvement of communication between the court and Rwanda, enforcement of ICTR sentences in Rwanda and defence counsels' travel to Rwanda.

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ICTR Medical Support Programme Targets 2,300 Witnesses

Hirondelle News Agency (Lausanne)

NEWS

January 28, 2005

Posted to the web January 31, 2005

Arusha

Often when rape victims testify before the International Criminal Tribunal for Rwanda (ICTR), they give horrific details of the various forms of sexual violence they suffered during the 1994 genocide in Rwanda.

Many of these witnesses break down while on the witness stand.

One such case was on March 31, 2004 when a prosecution witness detailing how she was raped during the genocide broke down in court while testifying against her alleged assailant, Mika Muhimana, the former Councillor of Gishyita (Kibuye Province, Western Rwanda).

"The first time Mika sent for me, I found him in his office. He immediately roughly tore off my clothes and raped me on the rough cement floor", said witness "AX", so-called to conceal her identity. She revealed that the accused raped her on several occasions.

"I felt so humiliated. I had lost my family, now I was losing my dignity. It was as if I was being killed twice", tearfully stated the witness as she recalled her ordeal.

The case against the former councillor has stood out because it dwells mostly on the widespread sexual violence allegedly perpetrated by the accused against Tutsi women.

According to Elsie Effange-Mbella, the Gender Advisor of the ICTR, during the prosecution case against Muhimana, most of the witnesses who came to testify were women who required permanent monitoring and support even while on the witness stand.

A psychologist who is part of the medical team in the UNICTR clinic in Kigali accompanied the witnesses who were also counselled in Rwanda by the medical personnel before they travelled to Arusha.

More than 2,000 beneficiaries

Apart from counselling and psychological support, medical services are also offered to the witnesses for the prosecution and the defence at the ICTR clinic in Kigali. The services also include provision of Anti-Retroviral (ARVs) drugs to those affected by HIV /AIDS.

Such services are offered through the tribunal's programme targeting about 2,300 witnesses, including those who have already testified along with potential witnesses for both prosecution and defence.

"We also ensure that if they have any physical conditions that may hamper their testimony, to try and help them not only overcome this, but also try to rehabilitate them. We try to give them psychological

counselling and medical support," says Mbella.

She adds that it is not known how some of the witnesses will react when they come face to face in court with the persons whom they allege raped them.

"Sometimes the reaction is so emotionally traumatising for them and so we have managed to get a provision that the court allows a psychologist to accompany them when they come to testify" Mbella says.

This programme, which falls under the office of the Registrar was set up in 1997 but was restructured last year to specifically provide medical support to the witnesses and to address the plight of those affected by HIV/ AIDS.

The ICTR clinic in Kigali is currently taking care of 33 HIV/AIDS patients. Seven women and two men are on anti-retroviral drugs.

The Gender advisor says that the tribunal spent US\$ 200,000 on medication for the HIV/AIDS patients in 2004.

Since February last year, the clinic has been run by a team of medical experts, including a gynaecologist, a psychologist, a nurse psychologist and a laboratory technician.

"The work has been quite intense at the clinic because these people receive about 200-300 patients weekly and they have been counselling them systematically," says Mbella.

Despite the free services offered at the clinic, Mbella says that many of the witnesses who are HIV positive either do not know their status or are afraid to come for systematic voluntary HIV/AIDS testing because of stigmatisation.

Assistance by the Rwandan government

The Rwandan government is also helping to give out medication but a mode of operation between the tribunal and the government of Rwanda is yet to be worked out.

The Rwandan Representative to ICTR, Alloys Mutabingwa, says that his government has been working with the tribunal to see significant improvements in order to adhere to a General Assembly resolution passed in December 2004 for the provision of support to genocide survivors.

"I have been strongly advising to have such a programme running through the same framework and enhancing co-operation between the programme itself, the institutions that are running similar programmes in Rwanda, and specifically, structures that exist in governmental and the civil society," says Mutabingwa.

He adds that now the UN General Assembly has passed the resolution, it is time for the ICTR to make public how much it spends on health related issues for witnesses in Kigali.

"Now that the resolution is in place and it is directing UN institutions to deal with this problem in specific terms and mandating them to spend resources on this issue, it is now high time for the tribunal to state categorically, in terms of budgeting and resource utilisation, how much it intends to spend in dealing with problems related to witnesses' health and other similar problems," suggested the Rwandan envoy.

The tribunal has been obtaining the funds through voluntary contributions from the member states, but according to Elsie Effange-Mbella, the voluntary trust fund has been run low because some states have not been contributing for some time.

Mutabingwa feels that the ICTR programme should be expanded to cater not only for the witnesses, but

also their dependants and immediate family members.

According to Mbella, the witnesses are always given some money for their transportation when they have to visit the clinic. The tribunal is also considering giving nutritional support to those who are on ARV treatment.

"These kinds of medication (ARVs) are very strong and one cannot work if his or her nutrition is poor. So we are hoping to expand and give nutritional support", revealed the UN official.

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Nyiramasuhuko Did Not Practice Ethnic Discrimination, Says Witness

Hirondelle News Agency (Lausanne)

NEWS

January 31, 2005

Posted to the web January 31, 2005

Arusha

The first witness to defend the former Rwandan minister of Family and Women Affairs, Pauline Nyiramasuhuko, on charges of genocide and crimes against humanity, including rape, at the International Criminal Tribunal for Rwanda (ICTR) alleged that the accused was simple and human and was close to her employees.

The witness, a Hutu woman, code-named as WFGS to protect her identity, also explained the suspect did not practice Hutu-Tutsi ethnic discrimination as alleged by the prosecutor in the indictment.

The witness was responding to Canadian Lawyer Guy Poupart, co-counsel for the accused, who requested the witness to describe how Pauline Nyiramasuhuko behaved during the time she worked under her. Nyiramasuhuko was her former boss in the Ministry.

Earlier, during her opening remarks, Nicole Bergevin, also from Canada, lead counsel for the accused, blamed the media and some expert witnesses for mudslinging her client's character by portraying her as "minister of rape or first woman to be indicted by the tribunal for genocide."

WFGS also said that in May 1994, she went to Nyiramasuhuko's residence in Butare to enquire about her salary. She testified that she did not witness any road block between Nyiramasuhuko's house and the office of the Rector of Butare University, as claimed by the prosecutor.

Others on trial with Nyiramasuhuko are her son and alleged militia leader Shalom Arsene Ntahobali, former prefects (Governors) of Butare, Sylvain Nsabimana and Alphonse Nteziryayo, and two former mayors: Joseph Kanyabashi and Elie Ndayambaje of Ngoma and Muganza communes respectively. They all pleaded not guilty. The trial commenced on June 12, 2001.

The case is before Trial Chamber Two presided over by Judge William Hussein Sekule (Tanzania). He is assisted by Judge Arlette Ramaroson (Madagascar) and Judge Solomy Balungi Bossa of Uganda.

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Wanted Serbian general surrenders

A Serbian army general, Vladimir Lazarevic, has surrendered and will go to the UN war crimes tribunal in The Hague next week to face charges.

Mr Lazarevic is one of four generals indicted 15 months ago in connection with war crimes in Kosovo in 1999.

His surrender was announced by the Serbian government on Friday.

War crimes investigators have been putting pressure on Belgrade to hand over suspects still wanted over the 1990s Balkan wars.

Mr Lazarevic made the decision to surrender during talks on Friday with Serbian Prime Minister Vojislav Kostunica, the statement said.

It said his decision showed his wish "to fulfil, in this most difficult way, his duty to the fatherland and to help his country".

Kosovo crackdown

Mr Lazarevic, 55, led Serbia's Pristina Corps during the Kosovo crisis, including the 1999 Nato bombing.

He was made commander of the Third Army in Kosovo in March, 2000.

The indictment says he and three other Serbian generals "planned, instigated, ordered, committed" crimes against Kosovo Albanians during Belgrade's campaign against separatist guerrillas.

Police General Sreten Lukic and Army General Nebojsa Pavkovic are also wanted in The Hague. They are reported to be in poor health.

A fourth indicted general, Vlastimir Djordjevic, is believed to be in Russia.

The indictment says forces under their command "murdered hundreds of Kosovo Albanian civilians" in a "deliberate and widespread or systematic campaign of terror and violence".

The violence resulted "in the forced deportation of approximately 800,000 Kosovo Albanian civilians," it says.

Angered by Belgrade's perceived reluctance to hand over suspects, the United States has suspended financial and political aid to Serbia.

The European Union has made it clear that the development of closer EU-Serbia ties depends on Belgrade extraditing wanted war crimes suspects.