

**SPECIAL COURT FOR SIERRA LEONE
OUTREACH AND PUBLIC AFFAIRS OFFICE**



Children in a farm house

PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office

as at:

Thursday, 5 February 2009

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
Martin Royston-Wright
Ext 7217

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United Nations

Tuesday, 3 February 2009

UN: Daily Press Briefing

Sierra Leone

Out as a document today is the Secretary-General's first report on the UN Integrated Peacebuilding Office in Sierra Leone. The office is a follow-on mission whose mandate took effect on the first of October of last year. In the report, the Secretary-General says Sierra Leone has continued to make progress in consolidating peace, but much remains to be done, particularly in the areas of youth unemployment, poor infrastructure and an extremely low revenue base.

A new phenomenon of particular concern is illicit drug trafficking, with Sierra Leone being used as a trans-shipment point, he says. It is critical that the country's capacity to address this issue be enhanced, including through assistance in combating piracy in coastal waters, before the problem takes root and poses even greater challenges.

New Liberian.com

Wednesday, 4 February 2009

George Boley to Finally Testify at TRC Thursday

The leader of the defunct Liberia Peace Council George E. S. Boley and former Internal Affairs Minister Horatio Dan Morais will Thursday testify before the Truth and Reconciliation Commission of Liberia (TRC).

Mr. Boley, a former minister of education and state for presidential affairs will testify about his role and experience during the country's conflict past. He also served on a collective presidency onetime comprising heads of the major warring factions styled the Liberia National Transitional Government (LNTG).

Boley's appearance will complete testimonies of heads of the former warring factions except defunct NPFL leader Charles Taylor who is presently facing war crimes trial in The Hague before the United Nations backed Special Court for Sierra Leone.

Mr. Morais was onetime superintendent of Maryland County during the regime of former President Charles Taylor.

Their appearance is part of the commission's ongoing "Contemporary History of the Conflict (1979-2003)" Public Hearings at the historic Centennial Memorial Pavilion in Monrovia.

Meanwhile, two former Special Forces commandos of Charles Taylor's defunct NPFL and government Wednesday joined the chorus of denials of allegations of atrocities and human rights violations during the country's brutal decade and a half conflict.

Rebel Generals George Mansuo and Edward T. Zamay, two notable commanders in the defunct NPFL made separate appearances before the Truth Commission categorically denying allegations of gross human rights violations against them.

"I did not witness killings, raping, looting and burning of houses. Killings, looting, raping and burning houses were against our SOP and so our forces did not engage in them," Mansuo, a once dreaded commander told commissioners of the TRC at ongoing public hearings at the Centennial Memorial Pavilion in Monrovia.

Mansuo denied knowledge of massacres allegedly committed by the rebel group adding also that during his more than one decade involvement with the front he only witnessed one execution, that of a former battlefield commander, Sam Lato.

He also told the commission that during his years of service within the rebel group he did not engage in gun battles with rival warring factions, although he was amongst the first band of rebel fighters that crossed the Ivorian frontier to engage troops loyal to then President Samuel Kanyon Doe.

For Edward T. Zamay, the man who rose from the rebel group to become Military Police Commander of the Armed Forces of Liberia (AFL) in the Taylor led government, news of atrocities and allegations of gross human rights abuses against the rebel group were strange to him.

Mr. Zamay said that NPFL fighters who invaded the country and fought their way to the gates of the Executive Mansion refrained from acts of atrocities and human rights violations.

“The NPFL I know that invaded this country and fought from Gborplay straight in front of the Executive Mansion did not harassed, killed, raped and loot from civilians,” he said.

He said the front fought the war pursuant to rules governing combat and its forces did not involve in acts of atrocities and rights violations.

Scores of key military and political actors appearing before the TRC have denied responsibilities of atrocities.

With the spate of denials from these key war actors, one question lingering on the minds of most Liberians is how could nearly 300,000 Liberians died in an arm conflict with no perpetrator to take responsibility for their deaths.

Under the theme: “Understanding the Conflict Through its Principal Events and Actors,” the ongoing hearings are addressing the root causes of the conflict, including its military and political dimensions.

The hearings are focused on events between 1979 and 2003 and the national and external actors that helped to shape those events.

The TRC was agreed upon in the August 2003 peace agreement and created by the TRC Act of 2005. The TRC was established to “promote national peace, security, unity and reconciliation,” and at the same time make it possible to hold perpetrators accountable for gross human rights violations and violations of international humanitarian law that occurred in Liberia between January 1979 and October 2003.

BBC Online

Tuesday, 3 February 2009

Palestinians make ICC overtures

International Criminal Court officials are considering an application by the Palestinian Authority that could allow it to investigate war crimes in Gaza.

The Palestinians have accused Israel of breaking the laws of war during its recent 22-day offensive in Gaza.

The PA hopes recognition of the court's jurisdiction will allow it to investigate allegations. Israel does not recognise the ICC's jurisdiction.

The ICC's founding statute says only states can recognise its jurisdiction.

Prosecutor Luis Moreno-Ocampo said it could take some time to decide whether the Palestinian Authority was legally able to make this move.

The court has made public a letter from Palestinian Justice Minister Ali Khashan recognising the authority of the ICC - the world's first permanent war crimes tribunal.

"My work now is to analyse if this is in accordance with the law," Mr Moreno-Ocampo said.

Human rights groups have called for international investigation of alleged war crimes during the conflict by both Israeli forces and Hamas militants.

Mr Moreno-Ocampo said he had received 150 separate communications alleging war crimes during the Gaza conflict.

Some analysts said the Palestinian plan was unlikely to succeed because the ICC is only open to states and the PA could not unilaterally recognise its authority.

"Who is the state in Gaza?" Mr Moreno-Ocampo was quoted saying. Prosecutor Luis Moreno-Ocampo

"What is a state in international law, in particular in the Gaza territory - that is the discussion. It is a complicated discussion."

If the prosecutor accepts Palestinian jurisdiction, he must then determine whether war crimes were been committed in Gaza and whether national criminal proceedings had been launched.

If not, the court could authorise an official investigation.



Israel admits using white phosphorus in Gaza, but says it was used legally



“ What is a state in international law, in particular in the Gaza territory - that is the discussion ”

Israel's military tactics came under intense scrutiny as evidence emerged of the high numbers of Palestinian civilians killed in Gaza.

Among complaints made by human rights groups were accusations of indiscriminate firing and the use of white phosphorus shells in civilian areas.

There was no immediate Israeli response to the announcement at the Hague-based ICC.

Israel admitted using white phosphorus in Gaza but said it did not break international law in doing so. Outgoing Prime Minister Ehud Olmert announced the state would keep serving soldiers "safe from any tribunal".

United Nations

Thursday, 5 February 2009

UN: Press Senegal on Habré Trial

Despite Rulings and Promises, Case Has Failed to Move Forward

(Geneva, February 5, 2009) – The United Nations Human Rights Council should ask Senegal to move forward on the trial of the exiled former Chadian dictator Hissène Habré, five African and international human rights groups said today. On February 6, 2009, the council will examine Senegal's human rights record as part of its Universal Periodic Review (UPR) procedure.

Habré, accused of mass atrocities during his 1982-1990 rule, has been living in Senegal since 1990. A Senegalese court indicted him in 2000, but higher courts blocked the prosecution. Belgium sought his extradition in 2005 to put him on trial, but Senegal refused. In May 2006, the United Nations Committee Against Torture found that Senegal had violated the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and called on Senegal to prosecute or extradite Habré.

In 2006, Senegalese President Abdoulaye Wade accepted an African Union mandate to prosecute Habré in Senegal “on behalf of Africa.” But Senegal has not even begun the legal proceedings, said the Chadian Association for the Promotion and Defense of Human Rights (ATPDH), the Chadian Association of Victims of Political Repression and Crime (AVCRP), the African Assembly for the Defense of Human Rights (RADDHO), Human Rights Watch, and the International Federation of Human Rights (FIDH).

“Senegal has mocked us for 18 years and now it is mocking the United Nations,” said Souleymane Guengueng, founder of the Chadian Association of Victims of Political Repression and Crime, and the lead petitioner in the case that led to the UN ruling. “The Human Rights Council needs to tell Senegal to comply with the UN ruling and bring Habré to justice.”

On September 16, 2008, 14 victims filed new complaints with a Senegalese prosecutor accusing Habré of crimes against humanity and torture, in an attempt to get the case started, but the Senegalese authorities have refused to act on the complaints. In November 2008, the Committee Against Torture met with the Senegalese ambassador in Geneva to express its frustration that Senegal had not complied with its ruling.

Senegal has said that it will not move forward until it receives full international funding for all the costs of the trial, which Senegal puts at €27.4 million over three years, including €8 million to reconstruct a courthouse. The rights groups noted that the European Commission, Chad, France, Switzerland, Belgium, and the Netherlands have already agreed to help fund the trial, but are still waiting for Senegal to present a detailed budget, and that the normal procedure is to fund such trials year by year.

“It's not the money that is lacking for Hissène Habré's trial, but Senegal's political will,” said Dobian Assingar, a Chadian activist with the FIDH.

“For my country to say that it won't start proceedings until it gets three-years of funding upfront seems a lot like blackmail,” said Alioune Tine, president of the Dakar-based RADDHO.

The Universal Periodic Review is the Human Rights Council's most innovative and ambitious instrument, with reviews of the human rights situations in all 192 UN member states over a four-year cycle. The February 6 review will be Senegal's first.

In its May 2006 ruling in the case *Guengueng v. Senegal*, ([http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/aafdd8e81a424894c125718c004490f6?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/aafdd8e81a424894c125718c004490f6?Opendocument)), the UN committee found that Senegal had violated the Convention against Torture twice, first by failing to prosecute Habré when the victims first filed their case in 2000, and then by failing to prosecute or extradite him when Belgium filed an extradition request in September 2005. The committee ruled that Senegal was “obliged to submit the present case to its competent authorities for the purpose of prosecution.” Failing that, it said, it should comply with Belgium’s extradition request, or with any other extradition request made by another country in accordance with the convention.

Background

Hissène Habré ruled Chad from 1982 until he was deposed in 1990 by President Idriss Déby Itno and fled to Senegal. His one-party regime was marked by widespread atrocities, including waves of campaigns against ethnic minorities. Files of Habré’s political police, the DDS (Direction de la Documentation et de la Sécurité), which were discovered by Human Rights Watch in 2001, (<http://www.hrw.org/justice/habre/habre-police.htm>) reveal the names of 1,208 persons who were killed or died in detention. A total of 12,321 victims of human rights violations were mentioned in the files.

Habré was first indicted in Senegal in 2000, but then its courts ruled that he could not be tried there. His victims then turned to Belgium and, after a four-year investigation, a Belgian judge in September 2005 charged Habré with crimes against humanity, war crimes, and torture.

After Belgium made its extradition request, Senegalese authorities arrested Habré, in November 2005, but did not extradite him. The Senegalese government then asked the African Union to recommend how to try Habré. On July 2, 2006, the African Union, following the recommendation of a Committee of Eminent African Jurists, called on Senegal to prosecute Habré “in the name of Africa,” and President Wade said that it would.

Senegal has amended its laws and constitution to allow its courts to prosecute genocide, crimes against humanity, torture, and war crimes committed in the past. At the same time, however, it has appointed the former coordinator of Habré’s legal defense team, Madické Niang, as minister of justice – the government official heading the agency responsible for the organization of the trial.

For additional background on the case against Hissène Habré, please visit:
<http://www.hrw.org/en/habre-case>