

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



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:

Monday, 16 March 2009

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Awareness Times

Monday, 16 March 2009

Civil Society Organisations Condemn Political Violence

By Abdul Karim Kabia

Civil Society Organisations in Sierra Leone have in no uncertain terms condemned the pattern of violent behaviours perpetrated by supporters of political parties in the country.

“We totally condemn the increasing level of violence in society which, the government has failed to address”, a press release issued on Saturday 14th March 2009 by the Civil Society Movement – Sierra Leone stated.

The release categorically noted that “Contrary to President Ernest Koroma’s lofty ideas, Sierra Leoneans have experienced increased level of violence, insecurity and a deteriorating standard of living.

“Civil Society Organisations are becoming worried that the incidences of political violence around the country have the potential to undermine the hard won peace and democracy in Sierra Leone, particularly, when

investigation reports of previous violent incidents are yet to be made public”.

CSMSL used the press release as a forum to assure the government that the civil society organisations will never again allow this country to degenerate into chaos. “We also call on the international community to pay attention to the trend of political intolerance and violence in Sierra Leone”, the release ended.

Awareness Times

Monday, 16 March 2009

War Amputees Will Never Forget

Chairman of Sierra Leone War Victims Association, Alhaji Lamin Jusu Jark is said to have disclosed that his colleagues will forgive perpetrators but will never forget atrocities committed on them. Reports say a lot of war victims are still suffering for their daily bread, whilst perpetrators enjoy better lives from donors and government programmes. War victims are therefore call on all stakeholders to quickly come to their aid.

National Public Radio (NPR)

Sunday, 15 March 2009

<http://www.npr.org>

Sierra Leone Special Court Sending Message

Last week, we told the story of Baindu, a young woman from Sierra Leone who witnessed some of the horrors of that country's civil war.

Days before the war ended in 2002, The Special Court for Sierra Leone was established by the UN and the government of Sierra Leone. The court recently convicted three leaders of a rebel group of crimes against humanity. They will be sentenced in the coming weeks.

Host Liane Hansen speaks with Stephen Rapp, prosecutor for The Special Court for Sierra Leone, about the court and some of its recent convictions.

Essay

by Deborah George

A Treasure Found Among Blood Diamonds



Courtesy Deborah George

Deborah George (right) says Baindu stole her heart when she met the young girl at a center for children who'd been kidnapped during Sierra Leone's war.

“Today, the kid who ran through the bush to escape the rebels is the fastest girl on her soccer team.”

From American RadioWorks

Every war brings new words and phrases into the lexicon. During the civil war in Sierra Leone, Americans learned about "blood diamonds." For more than a decade, rebels in that country kidnapped thousands of children to fight with them and to help them extract the diamonds that lay under the earth. Those diamonds were then traded for guns and ammunition. In 2001, I was in Sierra Leone reporting on how the worldwide trade in illicit diamonds was fuelling the war.

It was the rainy season, and I was on my way east to the diamond fields on a road lined with burnt-out cars and buses. In some places, there were pits filled with muddy water. They were formed when the rebels had forced people to dig for the diamonds that lay just under the ground. Near one village that had been raided by the rebels, I came across a centre for children who'd been kidnapped during the war.

These children had either escaped or been released during negotiations that were then going on between the government and the rebels. Most of them had missed years of school and even some of the older teenagers were just learning the alphabet. The boys had fought as child soldiers. There were girls there, too, and I asked if I might speak to some of them, one at a time.

Baindu's Story

The girls described how they'd been kidnapped and forced to work in the diamond mines. They told me about seeing airplanes landing in the bush. The planes carried white men who brought drugs and weapons to the rebels and left with the diamonds. One of the littlest girls I interviewed looked like an old woman in an oversized shirt. While she talked, her tiny hands twisted the cloth of her faded lapa.

She told me her name was Baindu. I asked her if she'd ever spoken into a microphone before. "No," she said, and I rewound the tape a little and held my headphones to her ear so she could hear her own voice. Then I pushed the record button. "We are starting?" she said. I laughed and thought, "She's a smart one."

Baindu told me that one day when she was about 8 years old, she and some other children had gone into the bush near her village to pick cassava leaves. They'd bring them home and pound them with wooden mortars. And their mothers would make a thick stew to eat with rice.

All of a sudden a group of rebels attacked and carried the children off. They were brought to a rebel camp and forced to work in the diamond pits. While men with AK-47s stood watch, the littlest children dug and sifted the mud with wooden shakers looking for diamonds.

One day, Baindu persuaded the rebels to let her walk a little into the bush to relieve herself. When she was just out of sight, she took off. She ran barefoot for miles until she found her way to a road and then found someone to help her get back to her village. While she'd been gone, her parents had been killed in a raid.

The little girl was angry about what had happened to her. Now, she said, she had one wish: to go to school and become a teacher.

A Lightning Bolt To The Heart

It was time to go, so I took her picture and left. I was standing by the gate to the compound waiting for a ride when it started raining. All of a sudden the little girl was at my side with a big black umbrella, trying to hoist it over my head. I took it so we were both covered. Then she put her hand in mine and we waited together.

The French use a warlike phrase to describe love at first sight — they call it a "coup de foudre" — meaning a kind of lightning bolt to the heart. That's what happened to me. In those few minutes there in the rain. The little girl's fierce longing seized my heart. She was way too young to have her dreams be over. And out of all the children I'd met, I thought, this one could make up for the lost time. She could have her childhood back. Together, we could defeat war itself.

I got back to the States and sent her picture to a friend, a Sierra Leonean journalist who went and found her. I sent money for her school fees and eventually placed her in a boarding school that reopened when the war ended. There

were no books, running water or electricity, but it was safe. After several years of red tape, adoption regulations and a child-trafficking investigation, Baidu finally came to the U.S. on a plane, by herself.

Today, the kid who ran through the bush to escape the rebels is the fastest girl on her soccer team, covering the ground with long easy lopes. She's in 11th grade and loves hip hop and hamburgers. She doesn't like to talk about the past. She doesn't forget, she says. When she's old, she'll still remember her stories. But, it's better, she says, to look to the future.

Deborah George is a writer and radio producer who lives in Takoma Park, Md.

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

**UNMIL Public Information Office Complete Media Summaries
13 March 2009**

[The media summaries and press clips do not necessarily represent the views of UNMIL.]

Newspaper Summary

Violent Protest At Red Commercial District

(The Inquirer and Daily Observer)

- Normal activities at the Red Light commercial district of Paynesville were disrupted yesterday during a violent protest by some residents.
- The irate mob attacked, brutalized and ransacked the properties of several Nigerian nationals accusing them of masterminding the torture and attempted murder of a Liberian youth who was due to testify in a murder case involving a Nigerian man.
- The man is accused of killing his Liberian girlfriend during a misunderstanding in the area.

Pro-Tempore Nyenabo under Pressure to Resign

(Daily Observer, National Chronicle, Heritage, The News, The Inquirer and New Democrat)

- Mounting pressure is underway at the Liberian Senate for the resignation of the President Pro-Tempore, Isaac Nyenabo.
- In their quest to remove Pro-temp Nyenabo over two-third member of the Senate on Thursday signed a resolution declaring a vote of no confidence in the entire leadership.
- Following the resolution signed by 23 of the 30 Senators, the five Chairpersons of the Senate statutory committees resigned their positions.
- Pro-temp Nyenabo told a "secret session" of the Senate that he will respond to a request for his resignation on Tuesday next week.

NEC Revokes Registration of Ten Political Parties

(National Chronicle, The Inquirer, Heritage and The News)

- The National Elections Commission has with immediate effect revoked the registration certificates of ten political parties, alliances and coalitions.
- The Chairman of the NEC, James Fromoyan said affected political parties were in violation of article 79 of the Liberian Constitution.
- According to him, the parties have been operating without offices where they could easily be located by the commission.
- He named the parties as the Liberia Equal Rights Party (LERP), The Independent Democratic Party and the Labour Party of Liberia. Others are United Democratic Alliance (UDA) and the People Democratic Party (PDP) among others.

World Bank Delegation Due In The Country Today

(The Informer, The News and The Inquirer)

- The Ministry of Finance says a delegation from the World Bank is expected in the country today.
- A Finance Ministry release said the nine-man delegation would be in the country for four days.
- Dr. Toga McIntosh of Liberia, Executive Director at the World Bank, is leading the delegation.
- According to the release, the visit would be the first ever-high level Executive Directors of the World Bank to Liberia.
- The delegation will assess the challenges facing post-war Liberia and hold talks with President Ellen Johnson Sirleaf, government officials and international development partners in Liberia.

Lead Defense Lawyer Linked to Little Angel Togbah "Death"

(The Informer, New Democrat and The News)

- The first state witness in the Angel Togbah murder case has linked the Defense lawyer to the death of the deceased.
- The body of Angel was found hanged in the bathroom of Mr. Hans Williams and his fiancée Mardea Paykue in November 2007.
- Both Hans and his fiancée have since been arrested, investigated and charged with murder.
- According to the Deputy Commissioner for Crime Services at the Liberia National Police, Mr. Sam Siryon, the lead defense lawyer assisted in removing the corpse from the crime scene without the knowledge of the police.
- Meanwhile, the Supreme Court has halted the ongoing murder trial in the wake of a petition for a writ of certiorari filed by the counsel of the Prosecution against Presiding Judge, Samuel Geevon Smith.

Radio Summary

Star Radio *(News culled from website today at 09:00 am)*

Liberians Facing Deportation in the U.S. Get More Support

- The Board of Trustees of the Friends (FOL) of Liberia has voted to support granting Deferred Enforced Departure (DED) to law abiding Liberians in the United States.
- The Friends of Liberia is a non-profit organization dedicated to promoting education, human rights and good governance in Liberia.
- Its membership includes former diplomats, business people, missionaries, Liberians and American Peace Corps volunteers who worked in the country.
- In a letter to U.S. President Barack Obama, the group said if the thousands of Liberians now living in the United States are deported it will overwhelm the fragile economy after years of war.
- Over three thousand Liberians will face deportation by the end of March if their Temporary Protection Status is not extended.

NEC Revokes Registration of Ten Political Parties

(Also reported on Truth F.M. and ELBC)

Crisis at Senate Deepens as Pressure for Pro-temp to Resign Mounts

(Also reported on Truth F.M. and ELBC)

Truth F.M. *(News monitored today at 9:00 am)*

A Rivergee Senator Accuses Media of Being "Sold Out"

- [SIC]Rivergee County Representative, Elijah Seah has branded the Liberian media as people going for the highest bidders.
- The remarks by the lawmaker were backed by four of his colleagues from Montserrado County.
- Correspondents say the comments by the lawmakers were triggered by what the Representatives called the action by journalists not to record a particular discussion that was going on during their regular session.
- Meanwhile, the Legislative Press Corps say they will complain Representative Seah and others to the Press Union of Liberia (PUL) terming the comments as an apparent attempt to ridicule the media.

Press Union of Liberia Worried Over Use of Violence to Seek Redress

- The Press Union of Liberia has condemned the continuous use of violence by some Liberians to solve their problems.
- The Union said despite local and international efforts to dissuade Liberians from studying war some Liberians were still resulting to violence as a means of seeking redress.
- PUL cited the burning of a police depot in Gbarnga recently by motor cyclist protesting the death of one of their members.

The Island Online

Sunday, 15 March 2009

Child soldiers root causes and UN initiatives

by Radhika Coomaraswamy

Let me begin my talk to you today with a description of my visit to a Maoist army cantonment site in eastern Nepal in December. The cantonment was set up after a peace agreement. In this cantonment were child soldiers recruited by the Communist Party of Nepal (Maoist) in their struggle against the Nepalese state. We had earlier met many young people who had been recruited by the Maoists with false promises, who had run away because of abuse. But these were another group, those who for some reason or another had chosen to remain. We were allowed to meet these children to have a discussion about their future. They were teenagers and about a third of them were female. Initially they were hostile. One of them told us to go away. "We are soldiers, we want to remain as soldiers, we want to be part of the armed forces, we do not need your help," he said. We had come to rescue them they did not want to be rescued.

Then we began a conversation with them about the future. We spoke of the many opportunities that are available to young people, opportunities that could be provided to them if they came to a civilian environment. We spoke of computers, of technical skills, of entertainment; we spoke of other child soldiers around the world and what they had done with their lives. After awhile their eyes stopped having that glazed over expression. They began to listen. When we left, they remained sceptical but no longer hostile. This would then be the beginning of a long conversation.

THE CONSTRUCTION OF CHILDHOOD

Before we begin our discussion of child soldiers, we must first ask— what do we mean by childhood? A great deal of discussion among academics has focused on the construction of childhood in different societies. For the most part, international law, influenced by the research of Piaget and his followers, accepts the fact that there is a link between chronological age and cognitive development; that there are stages in the development of cognitive thinking, especially the ability to make moral judgments, and that eighteen is the age where such development is complete. For this reason, the Convention on the Rights of the Child and other subsequent documents has stated the eighteen is the age of maturity.

Academics who are anthropologists, influenced by recent work by psychologists such as Lev Vygotsky and others who point to the influence of everyday life experience in the formation of moral judgment, argue that childhood is a construction that differs from place to place. As David Rosen, Professor of Anthropology at Pfarleigh Dickinson, writes "adopting a single universal definition ignore that childhood is understood and experienced in different societies in divergent ways". He argues that straight 18 is part of the modern politics of age" and an aspect of "norm entrepreneurship" that characterize humanitarian advocacy. At a UN gathering he presented a slideshow of children that voluntarily joined and fought with the military both in the war of independence and in the civil war in the United States. He points to the fact with regard to initiation rites in most tribes and ethnic groups, the age varies from 14-16 thus recognizing an early end to childhood.

Susan Shepler, Professor of Anthropology at University of California at Berkeley also concurs with this approach of childhood as a construction of a particular community. Focusing on Sierra Leone, she has outlined how the prevalence of child labour along with child soldiers was an acceptance that children could work, accept responsibility and need not be protected as expected in other societies. She also points to the initiation rituals in secret societies for young adolescents, both male and female. Joining an armed group was often seen as an extension of that ritual. These cultural factors, once understood in Sierra Leone, helps us understand how, when the social framework disintegrated due to war, these bizarre manifestations could take place. For both Rosen and

Shepler, understanding the cultural context was an absolute precondition to understanding the phenomenon of child soldiers.

There is no doubt that "straight 18" – children are children till they are eighteen – the backbone of international instruments with regard to children, is an aspirational statement, a product of international norm creation. Embedded in this "politics of age" as Rosen calls it is that children should enjoy their childhood for as long as possible, though one recognizes their "agency", they should be protected from harm and exploitation. Most importantly, they should not be given duties or burdens that prevent them from going to school and learning for a better future. These are the assumptions of this international normative framework as set out in international instruments. As the mandate of the Special Representative on Children and Armed Conflict is evidence, nothing binds nations together more than the need to protect children. There is a universal consensus on this issue, at least in terms of aspiration, judging from the number of signatories to the CRC as well as the unanimity before the Security Council with regard to Security Council Resolution 1612. The issue is then to turn the aspiration into practice in all parts of the globe. To do this, it is important to understand the research of anthropologists such as Shepler and Rosen – we cannot dismiss the cultural factors that define childhood in different societies. The cultural context and how we negotiate its terrain will determine whether international norms creation has local resonance. Unless we understand these factors we will not be able to devise effective programmes to prevent the recruitment of children or to reintegrate them back into their communities.

WHY ARE CHILDREN RECRUITED

Before discussing why children are recruited, we must come to terms with the fact that child recruitment is not always forced and that many children seem to join military groups willingly. For a long time, the Sierra Leone and Northern Uganda model forced recruitment, where many children were abducted. Dragged and then beaten into submission was the archetype for the campaign on child soldiering. There is no doubt that many groups abduct, intimidate and coerce children to join them. Families are sometimes asked to give a child each to the cause. Brute force is often used to take children away. Let me tell you the story of Moi – a young man I met from northern Uganda. He was playing with his friend when the LRA attacked his village. He was abducted with his friend and made to carry the loot from their village. On the way to the LRA camp, his friend fell and broke his ankle. The commander of the group just shot his friend in the head. Moi was taken to the camp and beaten, drugged and trained to be a child soldier. He was made to attack his own village and kill and steal from family and friends. After years of this activity, Moi had a crisis of conscience and escaped to a UNICEF funded project where I met him.

Not all children however are abducted. In a recent survey of former child soldiers in the Democratic Republic of Congo and their motivation to join armed groups, it was found that only 9% were abducted or joined out of fear. 34% of these children said they joined for material reasons, 21% said they joined because they believed in the group's ideology, 10% said they wanted revenge and 11% wanted to leave their home." Even in the L.R.A. research shows that many of the children did join willingly for different reasons.

Despite the acceptance of the fact that many children do go on their own to join armed groups, there is disagreement of how much of this can be termed voluntary, or freely chosen. What is the nature of this agency? Some are of the belief, that children are not capable of this kind of moral judgment so any choice is not voluntary and that any decision to join such movements must be coerced. On the other side, there are those who celebrate these moments of agency, as freely chosen as participatory and as an expression of true will, requiring that we as adults respect those choices made by the children. The reality must lie somewhere in-between. Though seemingly chosen, those decisions are also conditioned by material and cultural realities that allow for such choice and therefore must be understood in that context. Without understanding the social and economic conditions that create the space for children to make such choices, it is difficult to either deny children agency or to claim without doubt that the agency was freely chosen.

Any discussion of recruitment must begin with an attempt to understand the material conditions that often drive children to violence. As Oxford University professor Jason Hart writes, in many of these societies, the "profoundly

asymmetrical power relations giving rise to systematic oppression" often colours the political understanding of young, people and drives them into action.

Most social scientists agree that poverty is a factor that leads to child soldiering but it is also important to underscore that not all poor children become child soldiers – poverty therefore is only a contributing factor. Poverty lessens options for children and therefore makes child soldiering a possible avenue for their energies. Poverty in some areas also means a lack of access to education and other basic resources and therefore the possibility of any other form of mobility is often non-existent. For some children, especially orphans, joining armed groups would ensure at least one meal a day and some poor parents give their children to the movement in the hope that they will be well fed and housed. In this context, providing infrastructure to combat poverty and implementing development projects that try to grapple with poverty by motivating young people to develop skills and go forward with their lives must be seen as very important to prevent the recruitment of child soldiers.

Discrimination, perceived or real, is often a key motivating factor for children to join the armed groups. It is not unusual that many of the armed groups that recruit child soldiers are drawn from ethnic, class and caste groupings that see their struggle in terms of discrimination and exploitation. Whether it is language discrimination, denial of access to state resources, denial of political representation, the question of equality is central to many of these struggles. Even the Lords Resistance Army played on the perceived sense of discrimination of the Acholi people while they abducted children.

Ethnic, tribal and religious identity, linked to notions of perceived discrimination, is particularly potent in the mobilization of whole communities, including the children. In ethnic and religious wars, families sometimes give their children voluntarily when commanders speak of "defending the community". Loyalty to ethnic, religious or tribal group becomes the bargaining tool for armed groups where every member of the community is called upon to play their part. Children are very susceptible to these demands and are easily manipulated into contributing their energies for the cause.

Resistance to discrimination often results in brutal suppression by security forces or armed groups of another ethnic group. This only compounds feelings of oppression. As Jason Hart points out the feeling of "humiliation" is key in this struggle." This humiliation draws on a collective history and strengthens a sense of group identity. Benedict Anderson in his study of nationalist narratives notes that collective humiliation and suffering is one of the key elements related to the development of identity." Children, being emotionally vulnerable, are easily seduced by such narratives. Many of them have lost loved ones and a personal desire for revenge often combines with nationalist/ethnic/tribal myths to encourage young people to join armed groups.

The recent trend in the formation of self-defense groups in communities that are subject to threat from the outside also poses serious challenges. The leaders of the community feel that the children must play their part and help defend their families and their communities. The notion of self-defense may be exploited but is sometimes very real in countries such as Sudan and Chad.

Displacement is another factor that contributes to the phenomenon of child soldiers. According to research done by the University of Pittsburg," a large number of children are recruited from refugee camps. Jason Hart also points to how conditions in the camp are very conducive to children being drawn into violence. The resources are often meagre with very few education and employment opportunities. The camp also heightens group identity and a group sense of grievance. There are often restrictions on freedom of movement, frustrating young people. Families of rebel groups are often in the camps. All this contributes to children being easily recruited from the camp environment. In fact some researchers argue that security around the camps is one way of ensuring that children are not recruited.

Finally it must be understood that war in some societies, after it has existed for sometime, is a "growth industry" with its own logic and trajectory.

The supply of arms, control of resources through force, the recruitment of fighters all become part of the political economy. Arms dealers acquire vested interest in perpetuating the war, as do local commanders and local warlords. In such context children are socialized to accept war as a part of life and to seek advancement within the structures that creates.

The material factors contributing to the recruitment of children would not result in child soldiering if the leadership of a particular group was to refuse to exploit the conditions that vulnerable children face. The organization of the armed group is critical to whether children are recruited. It is for this reason that activists place an emphasis on the accountability of these actors. Armed struggle or armed warfare is often chosen by political, ethnic and gang leaders as a means of political confrontation in a particular society or in fighting for the control of resources. However, there are many armed groups that do not recruit child soldiers because they refuse to accept them. The groups are usually ideologically more sophisticated. Unfortunately, if a group decides to accept child soldiers then the potential for exploitation is great.

The armed group often presents itself as a military vanguard of an important cause. The military life and the military commanders become role models for the young people. The military ethos becomes part of everyday life.

There is sometimes a call to martyrdom, sacrifice and heroic death, something that often excites romantic, young men and women. This can even take the form of suicide killings. This military ethos has logic of its own and is an attraction to vulnerable children. Many young people come to commanders even if they are not abducted. Responsible commanders turn them away. Others, however, see that children actually may make great soldiers. With what psychologists call "underdeveloped" concepts of death, they are fearless in fighting, taking great risk and seeing much of it as a game. They obey commands and pose little threat to the hierarchy. As a result a group begins to employ more and more child soldiers even to the extent of abducting them. The proliferation of small arms adds to the ease of continuing with this type of recruitment. According to specialists it takes a child on average 45 minutes to master an AK 47.

As many anthropologists point out individual factors also condition whether a child will become a child soldier. As was pointed out earlier, feelings of revenge and a sense of humiliation often drives children into armed groups. Seeing their parents killed or humiliated, their sisters raped and their community attacked is a powerful motivating force. This often results in adding to the cycle of violence, with revenge leading to counter-revenge and children often becoming victim and perpetrator at the same time.

Some children join armed groups for family reasons. Domestic violence in the home, dysfunctional families, and the prevalence of orphans in societies affected by AIDS, etc. ...all lead to children seeking new forms of shelter and security. Many groups assure us that most of the children who come to them are orphans or children who refuse to go back to their parents. This is often true of girl children. They join armed groups for the sense of freedom they may experience away from traditional and often oppressive upbringings. Being a female combatant allows them to transgress gender roles and gender stereotypes, while learning self confidence and leadership skills. This poses major problems for reintegration of girls after the war since the child does not want to go back home. Nevertheless, these seemingly positive factors must be counterbalanced by the fact that in some wars girls are abducted, made into sex slaves and have to play the role of combatant, wife and domestic aid and all at the same time.

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Some male children, being emotionally vulnerable, are drawn toward role models who express their masculinity through the use of force. This is common in many societies where to be masculine also means the readiness to use force when necessary. This is coupled in some societies with the desire to join an armed group as a means of social mobility. Joining may give access to resources and the ability to wield power and influence in the territory controlled by the armed group. Many children see this as a legitimate avenue of advancement in a society that offers them few other options, though they often lament the fact that they cannot go to school or see their families.

UN INITIATIVES

So what are the international initiatives that try and deal with this problem of child soldiers? It is clear from the analysis of root causes that the leadership of the armed group is a key factor in the recruitment of children. Therefore the fight against impunity, holding these leaders accountable, and deterring them from future action must continue. Though conditions for child recruitment exist because of root causes, it is the decision of armed actors to recruit or enlist these children that is the final marker and unless they are taken to task there will be no possibility of dealing with this issue in a comprehensive way.

The international community has recently begun to deal with the issue of impunity and accountability in a more systematic way. Last year the International Criminal Court indicted Thomas Lubanga of the Democratic Republic of Congo on the charges of recruitment and use of child soldiers. This was the first case to be brought before the Court and the prosecutors decided that they would begin with the path breaking prosecution to send a message that such practices are war crimes and crimes against humanity. Since then three other warlords have also been charged with the recruitment and use of children. Though these are only a few select cases, they have sent out the necessary of the Darfur peace agreement, they questioned me in detail about the court and the indictments – they seemed preoccupied with what is meant for them. The deterrence effect of even one conviction should be substantial, though we must accept the most fanatical will continue to recruit without concern for the consequences.

It is not only the criminal court that has moved forward on this issue. The Security Council has chosen children and armed conflict as the only human rights issue with which to have a continuous engagement. Under Security Council resolution 1612, they have set up a working group to study the issue in more detail, a monitoring and reporting mechanism that will gather information at the country level on grave violations against children during armed conflict, and they hold out the prospect of the possibility of sanctions against groups that continue to recruit and use child soldiers. This is a unique mechanism. Our office is the facilitator for the UN process before the Council. Since the resolution was passed in 2005 over twenty country reports have been submitted and the Council has come up with recommendations and conclusions.

The threat of Security Council sanction has moved many groups to enter into action plans with the UN system to release children. Over the last year five groups in Cote D'Ivoire, two groups in the Central African Republic, one in Nepal, one in Sri Lanka and one in the Philippines have agreed to enter into such action plans. Many are ignorant of Security Council processes and when you meet them, even deep in the African bush, to explain their implications, they agree to co-operate with the United Nations to release the children. They have aspirations of becoming national leaders and do not wish to be tarred with sanctions. Other, unfortunately remain incaltrant, seeing children as an important resource in their armed struggle and are therefore prepared to risk the possibility of sanctions.

The fight against impunity at the international level is at its nascent stage and serves as a signal that this crime will no longer be tolerated. To be truly effective, there must be action at the national level. National legislation, national prosecutions and national systems to prevent recruitment must be set up if the struggle against the recruitment and use of child soldiers is to be sustainable. Building national capacity to do that is one of the most important challenges of the next few years.

Besides fighting the impunity of recruiters, it becomes important to ensure prevention at the community level. For this reason identifying the root causes, including the cultural factors is the first step. In this context our office is calling for the development agencies of the United Nations to be brought together for a discussion on how we could

deal with some of the structural issues relating to recruitment of children, in particular the problem of poverty. Targeting youth in a systematic way as a beneficiary for development programmes may be one way of dealing with this problem, especially in countries where there is a youth bulge in the population. Making youth development a high priority in development assistance, especially in countries prone to conflict, is a core advocacy point for the OSRSG/CAAC and UNICEF.

Development agencies as well as humanitarian agencies must also work together to ensure the successful reintegration of children, once they have been released in their communities. UNICEF, and UNDP take the lead in this regard. For example in Nepal they stand ready with 60 reintegration package options for the children so that they can find a package that would be best suited for the individual child. The packages provide technical and vocational training as well as other support for the children. In addition, the agencies will work with the families and the communities to reintegrate the children. They will do so by providing similar opportunities to children who did not become child soldiers so as not to stigmatise returning children and they will also try to provide psychosocial support to families to assist in the reintegration. Successful reintegration is not only healthy for the child but will also prevent re-recruitment or the criminalization of children as part of youth gangs. The UN system has come together and formulated the Paris Principles for the reintegration of children associated with armed groups. Through a consultative process – these Principles will guide child protection practitioners in delivering the most effective programme for reintegration and recovery.

Reintegration has not always proved to be an easy process. Though the Paris Principles calls for an inclusive community oriented programme that does not stigmatise children, as can be seen from the Maoist example, many children do not want to go home or may have special needs. Research has shown that children who are victims of sexual violence or children who forced to commit terrible acts of violence require special care. The real success of such programmes is when they tailor make their solutions to the needs of the individual child, taking into consideration the society he lives in, and capitalize on the skills and qualities he has cultivated during his period with an armed group.

Since IDP camps are often a site for recruitment, the management of these camps is to be reviewed with the view of stopping children from being taken from the camp. Camp security could be advised and trained and the internal management of the camp could be trained to be vigilant. This should be coupled with programmes in the camp to allow children to continue with their education and to receive training in skills that are relevant to their age and to the geographical area. UNHCR and the office of the Special Representative on the Internally Displaced Persons have taken a lead on this and it is our expectation that as far as possible, given the limitations, security will be strengthened in light of these research findings.

The cultural factors outlined by many researchers are extremely important and it outlines the need for the United Nations to ensure that the universal norms it advocates has cultural resonance in different societies

The AM Law Daily

Friday, 13 March 2009

<http://amlawdaily.typepad.com>

Proskauer Associate Joins Cambodian War Crimes Legal Team Posted by Brian Baxter

Thirty years after the totalitarian Khmer Rouge regime headed by the notorious dictator Pol Pot was forced from power, proceedings in the Extraordinary Chambers in the Courts of Cambodia (ECCC) have finally begun.

Pol Pot's dream of an agrarian utopia resulted in a genocide that's thought to have claimed the lives of nearly 2 million people--about a third of Cambodia's population.

While Academy Award-winning films would capture the horror of the massacre, it wasn't until Pol Pot's death in 1998 and the eradication of the last vestiges of the Khmer Rouge that Cambodia began the process of bringing former regime figures to justice.

The venue will be the ECCC, which has its roots in a Cambodian government task force formed in 1997, and which under an agreement with the United Nations is now a "hybrid" tribunal consisting of both Cambodian and international judges and lawyers.

Daniella Rudy, a third-year litigation associate with Proskauer Rose in New York, will soon be a part of that international legal team. Rudy leaves in two weeks for Cambodia, where she will work for British barrister Karim Khan in trying a civil case against Kaing Guek Eav, a former Khmer official nicknamed "Duch" who ran the regime's most notorious prison.

We caught up with Rudy to chat about her decision to head to Phnom Penh, the ECCC, and international living.

Hi, Daniella. So, why are you doing this?

I've always been interested in this type of work, having been active in Proskauer's pro bono program and working closely with [international legal counsel] Eric Blinderman, who heads a program here assisting Iraqi refugees. He's always known about my interests--I was a former intern at the Yugoslav war crimes tribunal in The Hague--and when he saw the application [for the ECCC job] he forwarded it to me. I thought it sounded like a fantastic opportunity and the firm's been really supportive and encouraging.

Did you apply through the UN for this position?

No, I actually went through the legal team [in Cambodia]. I'm going to be working with one of the legal teams representing a group of victims who are civil parties to this trial. And they sent out an application through a variety of different means and channels. And through that it got to Eric Blinderman and then it made its way to me. As a team, they made the selection.

The individual going on trial is called "Duch" (pronounced "doik")?

Yeah. Pretrial hearings commenced February 17, which dealt with the procedural aspects of the court, and the actual substantive trial is set to start on March 30. So we're definitely going ahead and it will be quite fascinating to see how it all goes, especially with respect to my case, where the civil parties will have a pretty substantial part in these proceedings.

It's my understanding that Duch has admitted some guilt. Is that correct?

That's right, he has said that he's sorry and not denying what has happened. A large part of this process is certainly seeking justice in a retributive system, but it's also a court that seeks reconciliation. Since this whole country was affected, [reconciliation] is something this whole country is committed too.

(Note: Former American Lawyer colleague Claire Duffett is now a freelance journalist based in Cambodia. You can find a detailed account of the charges against Duch in this piece she penned for The Economist as well as in a Q&A with a former Coudert Brothers patent litigator turned ECCC defense chief, available on Law.com's international page.)

This being a civil case, are you seeking damages from Duch?

There are moral collective damages. The basic structure is based on Cambodian law, which is in turn based on French civil law. In this case parties can join the criminal proceedings as civil parties. So it's not a true civil case as we would know it here, but a hybrid form whereby the civil parties seek moral damages and reparations for what has occurred.

Have you been to Cambodia before?

No I have not. I've been to Thailand but I'm sure [Cambodia] is quite different and unique.

When do you leave?

March 24th and I'll get there on the 25th. With the trial starting five days later, I'll definitely hit the ground running. Hopefully there won't be a delay.

How long do you expect to stay there? Is it just for this trial?

Yes. All of the attorneys out there on this case are working pro bono, including myself, so I'm planning to be there for five months. The trial is expected to last three to four months, give or take, and if possible I'd like to see it through. But it depends on how things go.

I understand that Mr. Khan is British. How about the rest of the trial team?

We've got Alain Werner, who worked as an assistant prosecutor for the Special Court for Sierra Leone on the Charles Taylor case. He's Swiss. Then we've got a fantastic Cambodian attorney named Ty Srinna. And we have Brianne McGonigle, who is a U.S. attorney that will be returning to Holland soon, where she is working at the University of Utrecht. So I'm going to be filling in for her, more or less. All of them have been working extremely hard to this point. We might get two more interns joining, but we're not sure yet.

And what's your status with Proskauer? Are you still on the payroll?

I will be taking a leave of absence but I will still receive a stipend. I plan on returning to the firm in September.

What do you hope to gain from this experience?

I'm looking forward to the hands-on experience since the team is very small, but the responsibilities will be great. And just working on a trial of such significance and being a part of that will help me [as a litigator], especially one that's representing the victim's in this case. I feel privileged to be a part of it.

