

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



See photos of Saturday's Security Exercise in today's *'Special Court Supplement'*.

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, 15 June 2009

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

Friday, 12 June 2009

Charles Taylor Had Crowned German Ambassador

The former German Ambassador to Sierra Leone, Karl Prinz, who was declared persona non grata during the NPRC Government years was not expelled out of the country because he was outspoken on the human rights abuses of the NPRC Regime. That is a myth. Rather, as is clearly stated in the book by the former American Ambassador, John L. Hirsch, who was US ambassador to Sierra Leone from 1995 to 1998, Karl Prinz, was expelled from Sierra Leone because of his undiplomatic conduct to the extent of him cavorting with the then NPFL Liberian rebel leader Charles Taylor in the jungles of Liberia's Gbarnga.

"Council ousted Ambassador Karl Prinz in early 1995 for meeting with Charles Taylor," the former American Ambassador writes in his book published in 2001 with title, "Sierra Leone: Diamonds and the Struggle for Democracy".

At Gbarnga, Karl Prinz secretly visited the now-indicted Charles Taylor when Taylor was still a warlord loathed by Sierra Leoneans. During Karl Prinz's secret visit to Liberia's jungles, he was given lots of as-yet-undisclosed gifts/emoluments and then he was crowned as a Paramount Chief by Charles Taylor.

Following his collection of his emoluments from Charles Taylor in the rebel heartland, Karl Prinz sneaked back into Sierra Leone without saying a word to the then NPRC Government that he had travelled into the NPFL Rebel heartland. It was only after a German magazine published photographs of the secret visit that Sierra Leoneans came to know about it thus sparking outrage that a sitting diplomat had been cavorting with the then-sworn enemy of Sierra Leone. At that time, Taylor had not yet won elections in Liberia and he had issued a threat to Sierra Leone which he had fulfilled; an intent to make Sierra Leone taste the bitterness of war.

Karl Prinz and his media handlers have loved to indict the NPRC claiming that his expulsion was due to him speaking out against the excesses of the NPRC. However, Dr. Abass Bundu, the NPRC Foreign Minister at the time, had back then issued a succinct Press Statement which had clearly explained why Karl Prinz was being expelled from Sierra Leone. It was because he secretly travelled to Liberia to wine, dine and dance with Charles Taylor in the deep heartlands of the NPFL held Gbarnga jungle.

Running Africa

Friday, 12 June 2009

"Call for war crimes court for Liberia justified", says Human Rights activist

Calls for a war crimes court for Liberia are justified but difficulties in securing funding for its operation may dampen prospects for its realization, Liberian human rights activist Torli Krua has said.

Speaking in an interview yesterday, Mr. Krua, who is executive director of the Boston-based Universal Human Rights International (UHRI), said "No one should be under the illusion that there is an unlimited supply of money sitting out there in the international community to pay for all the ills of the world." He however said Liberia can have a war crimes court today if Liberians are willing to pay for it.

Citizens from the 15 political subdivisions of Liberia, following regional consultative meetings organized by the country's Truth and Reconciliation Commission, recently called for a war crimes court for the war-ravaged West African state to prosecute individuals alleged to have committed heinous crimes and violated international humanitarian laws during the country's 14-year civil war. That call was strongly re-echoed a few days later by a consortium of Liberian women organizations.

Civil war broke out in Liberia on December 24, 1989, when rebels of Charles Taylor's National Patriotic Front of Liberia (NPFL) launched a cross-boarder attack from neighboring Ivory Coast. Taylor announced a week later his group had launched a "90-day armed campaign to remove (President) Samuel Doe from the backs of the Liberian people."

Doe was captured and tortured to death in September 1990 by a breakaway faction of the NPFL led by Prince Johnson who is now a senior senator for Nimba County. But the death of President Doe never ended the war, and despite massive international efforts to restore order, fighting intensified and armed groups proliferated until the country became a virtual patchwork of armed factions, with each fighting group targeting the NPFL, while at the same time turning the guns on each other, looting, raping, and executing civilians.

Despite stiff opposition against Taylor, his National Patriotic Party was declared winner of the 1997 general and presidential elections conducted on the basis of proportional representation in which the winner takes all. Those elections were intended to return the country to democratic civilian rule. But Taylor's resolve to use his victory as a license to revenge and run the country as a private firm led to much discontent, with rebel forces going back into the bush to regroup against him. Aid agencies conservatively estimate that over 250,000 people died in the war, which ended in 2003 with the ouster of Charles Taylor after the concerned parties signed a peace accord in Accra, Ghana, which also paved the way for the election of current President Ellen Johnson-Sirleaf in 2005.

"Liberians have been talking about a war crimes court for the country but this is the first time something concrete has come out of the street talks to demonstrate the seriousness of Liberians about a war crimes court," a journalist closely following the Charles Taylor's trial in The Hague said on condition of anonymity.

"We can have a war crimes court today if Liberians are able and willing to pay for it," Krua said, adding, "Right now, Liberians crying to the international community is not going to solve anything because the international community has its own interests which may not be the same as Liberia's."



Flashback: Partial view of the War Crimes court in session

Crimes committed during the Liberian civil war waged from 1989 to 2003 include the recruitment of child soldiers, massacres, rape, and sex slavery. “These crimes violate international humanitarian laws and the international community is under obligation to bring the perpetrators to justice,” one analyst says.

But the UHRI boss strongly believes Liberians are capable of paying for things they desire, including a war crimes court, if they stop taking what he called “free rides” and learn to live within their means. “It’s only then we can begin to benefit not only from a war crimes court but also from our places of worship, associations, political parties...” he pointed out.

Krua lamented what he called “excessive and unsustainable compensation of public servants” in Liberia. “When an impoverished post-conflict country pays \$20,000 salary per month to a public servant, it becomes clear to me that the unsustainable and reckless patterns of governance that make public service a path to personal wealth is totally out of step with democracies around the world,” he insinuated. Krua did not elaborate, but he called for legislations to limit the incentives and salaries of public officials to enable the government keep vital programs up and running.

He said Liberians should not expect taxpayers around the world to pay for something dear to the hearts – justice, if they cannot act responsibly in their associations, political parties and live within their means.

In budgetary terms, it’s not known what’s needed to set up a war crimes court for Liberia. But the United Nations-backed War Crimes Court for neighboring Sierra Leone set up to try rebels of the Revolutionary United Front (RUF) following that country’s brutal civil war, waged from 1991 to 2001, had an initial budget of US\$85 million, with a mandate of three years.

Former Liberian rebel leader turned President Charles Taylor, accused of supporting the RUF rebels known for chopping off the limbs, ears, and noses of thousands of civilians as they vandalized Liberia’s western neighbor, is presently on trial at the Sierra Leonean war crimes court now sitting in The Hague, the Netherlands, facing 17 counts of war crimes and crimes against humanity. Taylor, who is alleged to have trained and armed the RUF rebels for “blood diamonds”, is also accused of bearing the “greatest responsibility” for war crimes in Liberia. And with war crimes trouble already weighing heavily on him, the most flamboyant rebel leader in modern history could face war crimes charges again, this time in his own country, experts say.

However, Krua said for a war crimes court to become a reality in the country, “the system of politics in Liberia must be changed from one that perpetuates the professional governing class at the expense of individuals dedicated to serving the interests of constituents and the greater common good of the public...to a new system of governance not set up by the same people who benefited from the failed system.” He said most of the crucial decision makers in Liberia are “recycled politicians” who will never make a decision for a war crimes court because “they were all part of the war” and they want to avoid punishment for their crimes.

But internal political maneuvering, analysts say, can not stop the setting up of a war crimes court for a country in which war crimes are proven to have been committed and international humanitarian laws violated.

The issue of a war crimes court for Liberia has added to the ongoing debate regarding how to move the country forward following 14 years of devastating civil war. Opponents of the idea maintain the security situation in Liberia is still too fragile and indicting former warlords on any count of war crimes may spark off a new round of violence that may derail the peace process, but advocates of the court believe not holding people accountable for their roles in an armed conflict that left more than 250,000 people dead will send a wrong message to would-be trouble makers and set a dangerous precedence for the country.

Writes: James Seitua
Contributing writer

Star Radio (Liberia)

Sunday, 14 June 2009

Liberians to identify root cause of civil conflict at National Reconciliation Conference

Written by Matthias Daffah

The Truth and Reconciliation Commission will Monday begin a weeklong National Reconciliation Conference at the Unity Conference Center in Virginia, outside Monrovia.

According to a release the week-long event will afford Liberians a final opportunity to impact the TRC's peace building initiatives.

The conference will discuss the issues that led the nation to conflict and division.

The release said the conference will also begin the process of reconciliation aimed at bringing to a closure Liberia's bitter past.

The TRC Statement said the conference will provide an occasion to gather the contributions of all Liberians to the reconciliation process.

The statement said the conference will also establish a national consensus on the implementation of the TRC recommendations.

Delegates from the political subdivisions of Liberia, civil society and other stakeholders will make presentations at the conference.

The conference, the TRC said, is expected to create a forum where victims and perpetrators will engage each other.

United Nations  **Nations Unies**

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 12 June 2009

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

Local Media – Newspaper

UN Under-Secretary-General for Peacekeeping Operations visits Liberia Sunday

(The News, The Informer, Heritage, Public Agenda)

- The United Nations Under-Secretary-General for Peacekeeping Operations, Mr. Alain Le Roy arrives in Liberia on Sunday, 14 June on a three-day visit. Mr. Le Roy will meet with President Ellen Johnson Sirleaf and members of the Liberian Government Security Pillar, the leadership of the UN Mission in Liberia and members of the UN Country Team, the International Contact Group on Liberia, and political parties.
- The Under-Secretary-General will also visit a number of counties including Maryland, Bong and Bomi where he will hold talks with local officials and elders. While in the country, Mr. Le Roy will visit rule of law institutions such as courts and prisons. He will be briefed by UN military and police peacekeepers and hold a town hall meeting with the Mission's personnel before departing Liberia.
- Mr. Alain Le Roy of France was appointed Under-Secretary-General for Peacekeeping Operations by Secretary-General BAN Ki-moon on 30 June 2008.
- Prior to this appointment, Mr. Le Roy served as French Ambassador in charge of the Union for the Mediterranean Initiative. He brings an extensive experience in public administration, management, and international affairs, both at the political level and in the field. After serving in the private sector as a petroleum engineer, Mr. Le Roy joined the public service as Sous-préfet, before integrating the Audit Office.

Major Shakeup in Government - Justice Minister, Police Chief Sacked

(The News, The Informer, National Chronicle, The Inquirer, Daily Observer, Liberia Journal, New Vision, New Democrat, Liberian Express, Heritage, Public Agenda)

- President Ellen Johnson Sirleaf has made massive changes in her Government, affecting the justice system.
- Cllr. Christiana Tah takes over as Justice Minister replacing Cllr. Philip Banks who has been named as head of the Law Reform Commission.
- The President also appointed Cllr. Wilkins Wright as Solicitor General replacing Cllr. Taiwan Gonglo who has been named Labour Minister.
- Other appointments include Mr. Sam Russ, Deputy Justice Minister for Economic Affairs and Mark Amblard, Inspector General of Police.
- At the same time, the President has dismissed the Minister of National Security, Peter Bonner Jallah, and the Director of the National Bureau of Investigation Wolobah G. Zubah.

Population Threshold Bill Suffers Setback at Liberian Senate

(Daily Observer, Liberia Journal, Heritage)

- The passage of the "controversial" population threshold bill has suffered its first setback in the Senate.
- Amidst controversy, the Upper House on Thursday agreed to defer the passage of the bill for next week following protests by some Senators against the report by the joint committee on Internal Affairs and Judiciary.
- According to them, the joint committee failed to circulate its report on the threshold bill to each Senator in line with the rules of the Senate.
- The protests by the Senators came shortly after they cleverly prevented the Secretary of the Senate from reading the joint committee's report.

Lawlessness in Harper - Angry Mob Breaks Prison, Over 500 Prisoners Flee

(The Informer, The Inquirer)

- Angry citizens have broken into the Harper Correction Center in Maryland County, making way for more than 500 prisoners to flee, report reaching this paper last evening disclosed. They broke into the prison compound, damaged documents and looted food ration belonging prisoners. UN Pakistani peacekeepers opened fire into air to dissolve the angry mob that was protesting the mysterious death of a young man identified as Tom Dennis discovered Wednesday morning in another man's house. At least two persons were reported wounded - one from gunshot and another from mob action.
- They were rushed to hospital for treatment. The Informer Maryland correspondent Lewis Verdier, based in Harper, said the situation was very tense up to the evening hours and needed to be handled maturely if more casualties were to be avoided. He said notorious criminals overwhelmed very few security officers and walked into freedom with pride and dignity as the angry crowd threatened more violent actions including the damaging of police documents and facilities. The mob had gone to the prison center to take from police custody a man identified as Gbashe Wilson in whose house the late Dennis was found. They are accusing Wilson of being the murder of Dennis.
- They apprehended and flogged him severely before UN peace keepers stepped in to rescue him. Residents of Harper City, mostly youth, Wednesday demanded an immediate probe into mysterious death, before yesterday's mob action. The citizens warned local government and police authorities to conduct an immediate autopsy and inform the public without delay, by yesterday.
- Tom Dennis, the deceased, was discovered Wednesday morning at the home of Gbashe Wilson in Harper: the capital of Maryland County. As the news spread, an angry crowd demanded the body to be put outside for viewing, but police barred the angry crowd. The police and medical practitioners took the body to the J. J. Dossen Mortuary to conduct an examination to identify the cause of Tom's mysterious death.
- The crowd was told to be calm as the doctors and police go into investigation and examination. The president of the Maryland Youth Association Williams Wallace later called an emergency meeting and set up a 14-man jury to work with the police in investigating the incident.

Strike Action Hangs over Guthrie

(Public Agenda)

- [sic:] If nothing positive is done swiftly to address the plight of workers at the Guthrie Rubber Plantation, a strike action which has already been planned will shortly be unleashed. According to report from the Plantation, workers are congregating and would stage a strike action as a way of mounting pressure in demand of their salaries from the current management of the plantation called MARCO. The Chairman of the Union of Guthrie Association Incorporated, Mr. Morris S. Dukuly during an interview with the Public Agenda Tuesday maintained that the planned action would not be stopped until assurance is agreed between management of the farm and workers. He told this paper that the MARCO management has failed to pay salaries owed workers of the farm for several months something he said was an act of bad labor practices. "The Union of the Plantation will back the workers and our action would be in a peaceful way," Dukuly told the Public Agenda in an interview. According to the Union's Chairman, MARCO has refused to pay the workers even though officials earlier promised the workers that they would settle arrears of workers but that has not happened. Dukuly explained that tension is brewing at the plantation with every worker of the plantation developing anger over the refusal of MARCO to pay their salaries for employees and/or contractors. He said the hospital in the plantation has been closed down as nurses and doctors are being seeing abandoning their assignments. He said the action by the hospital staff was the consequence of the MARCO management not to pay workers of the plantation. Mr. Dukuly claimed that there are over 2,100 workers at the plantation. Ever since now, the Guthrie Plantation was involved in a strike action which led to the shooting of one of the workers, allegedly by a Senator of that County, Laha Lasana.

Local Media – Star Radio (News monitored today at 09:00 am)

More Changes in Government - Justice Minister, Police IG Affected

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

Electoral Faces Setback at Upper House

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

President Sirleaf's Convoy in Serious Accident, Ten Wounded

- At least ten persons have been wounded after a presidential pilot car travelling to Gbarnga, Bong County collided head on with a taxi marked TX- 2625.
- According to report, the driver of the newly donated BMW patrol-three is in serious condition.
- The incident happened in Sergeant Kollie Town on the main road leading to Gbarnga.
- The injured were later taken to the Phebe Hospital in Bong County.

- President Sirleaf made a brief stopover at the scene and expressed regrets over the incident.

WFP to Buy From Liberian Farmers

- The World Food Programme (WFP) has announced the purchase of 400 metric tons of rice from local farmers.
- The Coordinator of the WFP's Purchase for Progress Programme, Mr. Lansanah Wonneh said the 400 metric tons constitute 8000 bags of rice and would cost a little over 1.5 million United States dollars to purchase the rice.
- Mr. Wonneh disclosed that the locally made parboiled rice was purchased from about four thousand farmers in Lofa and Nimba counties and will be used to complement the entity's school feeding programme in Bong, Nimba and Lofa Counties.
- Mr. Wonneh revealed the WFP intends to purchase about ten thousand metric tons of rice from more than five thousand farmers in the country's three top rice producing counties.
- The Purchase for Progress Programme was launched early this year by the Ministry of Agriculture in collaboration with the WFP and other partners.

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

Woman Arrested in Nimba for Visa Scandal

- Police in Nimba County have re-arrested a lady for her alleged involvement in a visa scandal in Monrovia, Nimba and Grand Gedeh counties.
- Madam Appleton also known as Dolphine Morrison was first arrested in Ganta following a tip-off from the National Security Agency.
- Madam Appleton allegedly duped dozens of people under the guise of giving them visas to travel to the United States and other countries.
- She escaped from the Ganta police station but was re-arrested two days later in Tappita while enroute to Zwedru on a motorcycle.

Australian Network News

Sunday, 14 June 2009

Karen Percy, South East Asia correspondent

Cambodia war crime court rules Duch's rights violated



PHOTO: Cambodia's war crimes court has ruled Khmer Rouge jailer Kaing Guek Eav's (Comrade Duch) rights were violated. [Robert Carmichael/ABC]

Judges in Cambodia have ruled former Khmer Rouge prison chief Kaing Geuk Eav has been detained unlawfully for the past decade.

Kaing Geuk Eav, also known as Comrade Duch was arrested by the Cambodian military in 1999.

In a 15 page ruling, the five trial chamber judges of the Extraordinary Chambers in the Courts of Cambodia, have determined that Comrade Duch was imprisoned contrary to Cambodian law.

Comrade Duch was the supervisor of the infamous Tuol Sleng prison in Phnom Penh during the 1970s where more than 12,000 people were sent to their deaths in the "killing fields".

The ruling means that if he's found guilty the time he's been detained so far will probably be cut from any sentence.

If he's acquitted Comrade Duch will be able to claim compensation.

The judges refused a request to release Comrade Duch saying he remained a flight risk and say he must remain in detention for his own security and to ensure public order.

During his trial so far Comrade Duch has apologised to his victims.

He's also providing evidence that could prove to be crucial in the cases against four other defendants, who were senior Khmer Rogue members.

Pakistan Daily

Monday, 15 June 2009

In Other Words: Baltic Ghosts, Lithuania is investigating Jewish Holocaust survivors as war criminals

Written by www.daily.pk

Lithuania is investigating Jewish Holocaust survivors as war criminals—and using their own memoirs as evidence against them.

Yitzhak Arad escaped to the forest at the age of 16, days before the Jews in his native Lithuanian village were massacred. He is proud he joined the Soviet partisans to fight the Nazis and their collaborators. For a Jew, just to survive the Holocaust was a victory, he says; to tell about it was an obligation. That's why Arad wrote his memoir, *The Partisan: From the Valley of Death to Mt. Zion*, published in English in 1979.

The book is a raw account of an orphaned teenager fighting the Nazis in desperate conditions after the murder of 40 members of his family. Arad describes his main activities with the Soviet partisans as blowing up German military trains, and he also details some of the grislier aspects of forest warfare. In one passage, he describes a “punitive action” against the village of Girdan, where two partisans had been killed: “We broke into the village from two directions, and the defenders fled after putting up feeble resistance. We took the residents out of several houses in the section of the village where our two comrades fell and burned down the houses. Never again were partisans fired on from their village.”

“It was a cruel war,” the 82-year-old Arad recalled recently. “We did the best we could to survive.” He dedicated his memoir to those who fought with him and died along the way—his “heroic friends.”

But when Lithuania's chief war crimes prosecutor, Rimvydas Valentukevicius, read Arad's book, nearly 30 years after its publication, he didn't see a hero. He saw a possible war criminal. And in September 2007, when the prosecutor's office publicly announced an investigation into Arad, it was clear *The Partisan* would be Exhibit A against him. More war crimes investigations of Lithuanian Holocaust survivors have followed, and in each case, memoirs are playing a central role.

These events are all the more shocking to those who remember that the country was once a sort of Jewish promised land. Lithuania's capital, Vilnius, was known as “the Jerusalem of the North.” About one third of its population in the 1920s and 30s was Jewish. Yiddish was in the air then. Synagogues welcomed the faithful. Cafes overflowed with young Jewish painters, writers, and poets. Vilna, as the city is called in Yiddish, was the seat of intellectual, spiritual, and artistic life for Eastern European Jewry.

All of that is long gone, destroyed by the Nazi war machine with the active assistance, in a dark chapter for Lithuania, of many local collaborators. Vilnius today has only one synagogue. Lithuania's once flourishing community of more than 200,000 Jews—over 90 percent of whom were annihilated during the war—is now about 4,000. All that is left are the Holocaust survivors' stories, and now those, in the case of Arad and several others, are being used against them.

How a country that was once a center of Jewish life has now begun targeting the few remaining victims of history's worst crime is a story of foreign occupiers, former Jewish partisans, and modern-day Lithuanian ethnic nationalists. But more broadly, it is a story of books, memory, and a small country's ongoing struggle to make sense of its tangled, bloody historical narratives—a struggle facing all of Eastern Europe.

In a strange twist, this whole affair began with a good-faith effort to heal those deep, lingering ethnic divisions. In 1998, President Valdas Adamkus created a high-level commission to try to establish the “historical truth” about Lithuania's horrific occupations during the 20th century: first by the Soviets from 1940-41, then by the Nazis from 1941-44, followed again by the Soviets from 1944-90. The commission attracted a prestigious collection of international scholars, including Arad, who had gone on to become a brigadier general in the Israel Defense Forces

and director of Yad Vashem, Israel's Holocaust remembrance center. However, as the commission began excavating the layered narratives of guilt and suffering from this period, ethnic tensions flared.

The biggest obstacle for Lithuanians in confronting their history is the now well-established fact that hundreds, if not thousands, of Lithuanians voluntarily participated in the Holocaust. Many of the country's Jews were shot by local police and by a special unit of Lithuanian killers incorporated into the Nazi SS. Since its independence in 1990, only three Lithuanian collaborators have been charged with war crimes, and none was punished.

"The genocide of the Jews is the bloodiest page in the country's history," said Saulius Suziedelis, a Lithuanian historian and member of the presidential commission. But for many Lithuanians, he said, "just to mention that obvious fact turns them off because they want to talk about their own victimization."

That victimization came during the brutal Soviet occupation. It was marked by the repression of Lithuanian culture, the deportation of many thousands of Lithuanians to Siberia, and the murder of Lithuanian independence fighters. The Soviets strictly controlled information and wrote Lithuania's history books. Today, as the country struggles to write its own narrative, most Lithuanians see the Soviets as the real villains of World War II. "The Spielberg view of the war is totally irrelevant to [Lithuanians] because that was not their experience," Suziedelis said. Instead, Lithuanian Jews, who allied with the Soviets to fight the Nazis, are today often regarded as deserving of punishment for Soviet crimes.

This is certainly the view of many Lithuanian "ethno-nationalists," according to Antony Polonsky, professor of Holocaust studies at Brandeis University. In 2006, after the presidential commission published interim findings for a report that Polonsky called "a devastating account of the Lithuanian involvement in the mass murder of the Jews," these firebrands mobilized, he said. They took to the pink-tinted pages of the right-wing Respublika newspaper—Lithuania's second-leading daily, which has been sanctioned for running anti-Semitic material. Their target was Yitzhak Arad. In an April 2006 article, Respublika published portions of his memoir and denounced him as a murderer and war criminal. The following month, Lithuanian prosecutors opened their investigation into Arad.

Some might dismiss this timing as coincidence. But not Rytas Narvydas, head of special investigations for the Genocide and Resistance Research Centre of Lithuania, which investigates and memorializes past state crimes. He and the lead prosecutor, Valentukevicius, acknowledge that the Arad investigation started in response to the Respublika article. When asked whether anti-Semitic elements in Lithuania had manipulated the war crimes prosecutor's office, Narvydas conceded, "It does happen from time to time."

Lithuanian Foreign Affairs Secretary Oskaras Jusys criticized the prosecutor for getting pushed around by "outside" elements and said the investigations never should have been opened. "The mistake was made by the prosecutor's office from the very beginning," he said. "Their mistake was to go ahead without clear evidence."

The Arad case "created so much damage" for Lithuania, Jusys said, referring to the significant diplomatic pressure imposed by the United States, the European Union, Israel, and international Jewish groups. Lithuania's foreign minister and president appealed personally to the prosecutor to drop the Arad investigation, Jusys said, and in September of last year the case was closed. But in the meantime, prosecutors had opened investigations into several other Holocaust survivors. "We have been able to clean one mess," Jusys said in frustration, "and now other things are happening again."

The most public of the ongoing investigations involves Rachel Margolis, an 87-year-old former biology professor living in Israel who joined the Soviet partisans after escaping the Vilnius ghetto. Here, too, a book is at the heart of the case. In Margolis's memoir, published in 2005 in Polish (and later in Russian and German), she recounts a partisan raid on the village of Kaniukai on January 29, 1944. Facts about the raid are heavily disputed, including whether the villagers were acting in concert with the Nazis, but the war crimes prosecutor alleges that 46 people were murdered, 22 of them children.

According to Margolis's memoir, she did not take part in the Kaniukai raid, but her longtime friend and fellow partisan, Fania Brancovskaja, did. Now an 87-year-old librarian at the Vilnius Yiddish Institute, Brancovskaja was attacked in print last year by the ultraright-wing nationalist newspaper Lietuvos Aidas. It labeled her a murderer,

called on investigators to charge her with war crimes, and demanded they summon Margolis as a witness. And, last May, Lithuanian prosecutors publicly announced they were seeking to question the two women.

The heightened scrutiny of these investigations clearly frustrates Valentukevicius, the prosecutor, as does having to defend himself against accusations of anti-Semitism. When asked about it recently, he raised a copy of Lithuania's procedural code and said he's just doing his job—investigating all war crimes allegations as the law requires. But with dozens of potential cases of Lithuanian collaboration yet to be examined, the decision to focus on Jewish Soviet partisans has attracted suspicion.

So has the very public nature of the prosecutor's investigation. Faina Kukliansky, Brancovskaja's attorney and an ex-prosecutor, complained that the former partisans are being tried by "innuendo" in the court of public opinion because prosecutors lack any evidence to try them in a court of law. "Everything has been done with a wink and a nod," she said.

Many critics agree and say it is no coincidence that nationalists sought out Margolis's memoir, a light seller at best. Prior to its publication, Margolis had detailed aspects of Lithuania's history that many would rather ignore. She helped publish works on the Holocaust, including the diary of Kazimierz Sakowicz, a searing account of the heavy participation of Lithuanians in the murder of 50,000 to 60,000 Jews in the Ponary forest outside Vilnius. The 2005 English edition of the book, for which Margolis wrote the foreword, was edited by Yitzhak Arad.

Margolis has not returned to Lithuania since prosecutors came looking for her. Brancovskaja met with prosecutors last May to explain that she was recovering from an operation at the time of the Kaniukai raid and had not taken part in it. Margolis sent her old friend a letter backing up Brancovskaja's account, and said her memoir should be regarded as literature, not historical fact. That may be true of all memoirs, but the distinction takes on a special significance in the context of the Holocaust, where survivors write to bear witness and deniers have long seized on small inconsistencies to discount the larger event.

For his part, Arad stands by the accuracy of his account as vehemently as he denies committing any war crimes. "I am proud of what I did during the wartime," he said. "If I would feel I did something not to do, I wouldn't write a memoir."

As during the Arad affair, the world is watching Lithuania's investigations of the elderly Jews who fought with the Soviet partisans, and Brancovskaja and the others will likely escape war crimes charges. But charges may never have been the point. The prosecutor's simple act of initiating the Arad investigation was enough to derail the half of the presidential commission researching Nazi crimes and Lithuanian complicity in them. It has not published anything since 2006. This may be the investigations' most enduring harm.

"You have to do what's right, not what's easy," said David Crane, a law professor at Syracuse University and founding chief prosecutor for the U.N. war crimes court in Sierra Leone. "Some people in society may not want these things found, and in the short term, that may seem like a solution. But in the long term, 25 years from now, they'll still be arguing about this."

Other consequences are more personal. The relationship between Brancovskaja and Margolis, a friendship that started before the war, has suffered. The two women have been divided by a 65-year-old memory and a passage in a book. "It is very painful what they are doing," Brancovskaja said, sitting in the Yiddish library surrounded by the many volumes she tends. But then she added, "I have lived through so much. This is not the worst."

Special Court Supplement
Security Exercise
Saturday, 13 June 2009



