

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



Big Market on a Saturday

Historic postcard of Big Market

**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:**

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Press clips are produced Monday through Friday.  
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## UNMIL Public Information Office Media Summary 16 June 2009

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

### **International Clips on Liberia**

#### **Liberia Retold History in USA**

Freetown, Jun 16, 2009 (Concord Times/All Africa Global Media via COMTEX) -- A Human Rights Watch new photographic exhibit, Long Story Bit by Bit: Liberia Retold, featuring the work of award-winning journalist Tim Hetherington has opened on June 12 at Lincoln Center's Furman Gallery in New York, USA. Long Story Bit by Bit: Liberia Retold explores the dynamics of power, international complicity, and the search for justice in recent Liberian history. Liberia's last three presidents have each faced a dramatic end - William Tolbert was disemboweled during a coup d'etat, Samuel Doe was filmed being tortured to death, and Charles Taylor is standing trial for war crimes in The Hague. The exhibit tracks both the terrible years of war and corruption and the more hopeful present, as Ellen Johnson-Sirleaf has taken charge of the country as Africa's first elected female head of state.

### **International Clips on West Africa**

#### **UN's Accolade for Koroma**

Freetown, Jun 16, 2009 (Concord Times/All Africa Global Media via COMTEX) -- The United Nations Under Secretary General for Political Affairs, Lynn Pascoe, has assured President Koroma that the UN would not only continue to support Sierra Leone but would align its priorities in accordance with the government's 'agenda for change'. Speaking during a brief visit at the President's Hill Station Lodge on Friday 12th June, Mr. Pascoe said the whole UN body was impressed with President Koroma's performance and presentation during the video link on the UN conference on Sierra Leone in New York, which he described as a "resounding success". In his remarks, President Koroma gave a detailed account of his government's aspirations and agenda. Starting with a note of gratitude for the world body's support during the country's most difficult period, the President said Sierra Leone is now engaged in real economic growth. He said the 'agenda for change' "addresses the aspirations and living standards of our people, addresses their poverty and the social services delivery system."

#### **'DAC - a Day to Advocate for Children' - Unicef Rep**

Freetown, Jun 16, 2009 (Concord Times/All Africa Global Media via COMTEX) -- Country Representative of the child advocacy agency, UNICEF has said that the 'Day of the African Child', celebrated all over Africa today, should be used as a day to advocate for the children of Sierra Leone. Speaking at a press conference organized by the Ministry of Social Welfare, Gender and Children's Affairs ahead of today's commemoration of the African child's day, Geert Cappelaere noted that child survival should be one of the major priorities of all non-governmental organizations operating in the country to help foster the standard of living for all children in Sierra Leone. He said UNICEF's theme for this year's commemoration is 'child survival' as the organization looks forward to scaling down child and maternal mortality rates in the country.

### **Local Media – Newspaper**

#### **Finance Ministry Concede Error in Budget Calculation**

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

- The Finance Ministry has admitted to an error in the 2009/2010 draft budget amounting to over half a million United States dollars.

- The amount was put in the proposed budget under the terms general claims without any explanation.
- The error was discovered by one of the Chairperson of the joint Legislative budget committee.
- Finance Minister Augustine Ngafuan confirmed the mistake involving such a huge amount but described it as human error. He however said until a decision on appropriation is made the controversial amount will be reserved under the contingency reserved fund.

### **U.N. Secretary Wants Continue Support to Liberia**

(New Vision)

- U. N. Secretary-General Ban Ki-moon has called on Liberia's partners to continue support to the country which remains fragile but has the potential to be a beacon on stability in the region.
- In his latest report to the Security Council on the UN Mission in Liberia (UNMIL), Mr. Ban proposed that the Council authorize the continuation of UNMIL's troop strength of nearly 8,000 until after the 2011 elections.
- He said security conditions permitting the UNMIL drawdown would resume at an accelerated pace during the post-election period.

### **US Visa 'Fraudsters' Face Prosecution**

(Daily Observer)

- Two persons, Wade Appleton and King Sun, have been sent to court in connection to an alleged U.S. visa scam in Monrovia.
- The defendants are said to have collected over US\$7,000 from five individuals with the understanding that they would have provided visas for the five to travel to the USA.

### **Avoid Un-ambitious Recommendations... Former TRC Chairman for Sierra Leone**

(Daily Observer, The News, The Inquirer, New Democrat, The Independent)

- Retired Bishop Joseph C. Humper, former Chairman of the Truth and Reconciliation Commission (TRC) in Sierra Leone, has cautioned the Liberian TRC commissioners against making 'un-ambitious and un-achievable' recommendations aimed at pleasing the victims and perpetrators of human rights abuses.
- Delivering the keynote address at the opening of a five-day national reconciliation conference in Monrovia Bishop Humper called on the government to ensure that the TRC recommendations were given deserved consideration.
- Meanwhile, the conference opened yesterday with President Ellen Johnson Sirleaf and top Government officials including the National Legislature being absent.
- Two commissioners of the TRC, Counselor Pearl Browne-Bull and Dedeh Dolopei were also reported to have boycotted the start of the conference.

### **WAEC Exams 'Fraudsters' Face NSA Inquest**

(Daily Observer)

- The Head of National Office of the West African Examinations Council (WAEC) in Monrovia, Prof. Thomas K. Gaie, said schools that had been caught in examination malpractices for this year would be 'thoroughly investigated' by the National Security Agency (NSA).
- Last month over 86,000 students including 6th, 9th and 12th graders sat the WAEC examinations across the country, but with reports of some alleged malpractices.
- Schools that are alleged to have been involved in the examination malpractice are the St. Michael Catholic School, St. Philip Ecumenical School, E.J. Goodridge High School, St. Peters High School all of Gardnersville.
- Others are the Cavalry Chapel Mission, Cathedral Catholic School, the Monrovia Free Pentecostal School, Paynesville Community School P.M. section and the Amos Taybior institute among others.

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

**Tension Mounts at Guthrie Rubber Plantation**

- Reports from Grand Cape Mount County say tension is mounting at the Guthrie Rubber Plantation
- The tension is as a result of the management's alleged failure to settle the arrears of the workers.
- The workers last week threatened series of go-slow action including the setting up of roadblocks to claim government's attention.
- The Guthrie Rubber Plantation has been the scene of many strike actions some of which turned out to be violent.

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

### **Finance Ministry Concede Error in Budget Calculation**

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

### **35 Inmates Break Jail In Maryland County**

- At least 35 inmates including murder and rape convicts are said to have broken jail in Harper, Maryland County.
- Reports say the escapees broke jail last week during a violent protest in Harper.
- The "mysterious" death of a man sparked the demonstration at which time angry youths vandalized the prison facility, the police depot and the home of the lone suspect in the case.
- Reports say the youths vandalized the prison because the police took the suspect into protective custody there.
- Police have meanwhile arrested 15 people including two youth leaders in connection with the violence. The youth leaders have denied any link to the violence.
- In April, dozens of inmates escaped the National Place of Correction in Zwedru, Grand Gedeh County but were all re-arrested.
- At the same time, the Justice Ministry has dismissed two senior officials of the Monrovia Central Prison for their alleged role in a recent jail break at the facility.

### **Truth F.M.** *(News monitored today at 10:00 am)*

#### **ECOWAS Donates Several Computers to Liberia News Agency**

- The Economic Community of West African States (ECOWAS) has donated a consignment of communication gadgets to the Liberia News Agency (LINA).
- During the turn over ceremony the Special Representative of the President of ECOWAS, Ambassador Ansumana Sesay said the presentation was intended to help build the capacity of the national news agencies of its member states.
- Mr. Sesay said the commission was ready to support the post-war recovery programme of member countries.
- ECOWAS donated several laptop and desk top computers among other things to help in the revitalization of the agency.
- Information Ministry authorities have meanwhile expressed gratitude for the donation.

#### **Chief Administrator of Largest Referral Hospital Admits to Bribery at the Facility**

- The Chief Administrator of the John F. Kennedy Medical Centre (JFK), Winnie Scott McDonald has admitted to bribery at the nation's number one referral Hospital.
- She said the act was undermining professionalism at the hospital but said low income was responsible for the problem.
- Speaking at the ongoing budget hearing, the JFK Administrator said the issue of bribery can only be curtailed if the salaries of health practitioners at the centre are improved.

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## Star Radio

Tuesday, 16 June 2009

### **Pro-war crimes group wants communication ban on Taylor and local lawyer lifted**

Written by Julius Kanubah

The Pro-war crimes court group has called for the unconditional lifting of the ban imposed on Charles Taylor and his local lawyer.

The Chairman of the group described as unfortunate the decision of the Special Court to ban Mr. Traylor from talking to his lawyer for now.

Mr. Mulbah Morlu told Star Radio the decision is a clear violation of the rights of the former Liberian President.

The Special Court for Sierra Leone imposed the ban against Taylor and his local lawyer because of what it called abused of the privilege.

However, the chairman of the Forum for the establishment of a war crimes court in Liberia said Taylor's right to his local lawyer is not a privilege.

Mr. Morlu expressed fear that if the ban is not lifted it would undermine and jeopardize the war crimes trial of Mr. Taylor.

He also reiterated calls for the Liberian and Sierra Leonean government to work out modalities to broadcast Taylor's testimony on June 29.

Meanwhile, Mr. Mulbah has urged delegates attending the reconciliation conference of the TRC to recommend prosecution for perpetrators of the war.

## New Democrat (Monrovia)

Tuesday, 16 June 2009

### **Liberia: Duport Road - Remembering Wartime Atrocities**

Aaron Weah

On Saturday 30 May 2009, over 200 people gathered at an old school compound in Duport Road, a suburb of Monrovia and the scene of two massacres perpetrated during the Liberian civil war, as well as several mass graves.

The occasion was a Beauty Queen contest held to raise funds to create a medical clinic and pay for a plaque commemorating the victims of those gruesome atrocities. This would be, for an impoverished community, both symbolic and useful: a visible reminder of a horrendous past and a facility providing health services for survivors and the community's residents.

It is, indeed, an extraordinarily important step, by a largely marginal community, to come to terms with a past that should neither be forgotten nor inhibit reconstruction and community revival.

The journey towards this project began last year, with meetings - supported by the International Center for Transitional Justice (ICTJ) - by community members and victims who witnessed those atrocities. Like many efforts to memorialize past conflicts, the Duport Road community began with a debate on how best to remember the past to make sure it never happens again. The discussions then narrowed to whether a memorial should be built.

There were two sides. One argued against building a memorial, and cited these reasons: First, a memorial would evoke a past dominated by pain, misery and mourning which many find emotionally troubling and prefer not to deal with. Second, building a memorial assign blame on some groups as being responsible for having committed atrocities. Third, many people in the community see putting their lives together as a more important priority.

But others argued that the past should be remembered, to serve as a reminder of what happened and to prevent its reoccurrence. A school teacher contributed to the debate by describing a memorial built in a remote village in Bong County called Samay.

A memorial can also assist victims to feel greater level of integration, recognition and acceptance into society; it can convince them of the possibility of non-repetition and can combat feelings of isolation and silence. A memorial also seeks to develop an existential conversion by asking, how did such tragedy occur? Why did this happen? And how can we stop it from happening again?

In post-conflict Liberia, there are calls at many levels of society to remember the past. At last year's Independence Day Celebration, Professor Malakpa Sakui, addressed the issue of the past in terms of national symbolism as a crucial aspect of making social advancement in post-war Liberia. In 2007, President Ellen Johnson-Sirleaf contributed to the debate by closing down two notorious prison centers -- Post Stockade and Belleh Yallah -- to preserve them for future generations. Even alleged warlords speaking before the Truth and Reconciliation Commission - despite their public denials and evasiveness about their involvement during the conflict - have recognized the urgent need to capture the past and preserve the memory for posterity.

At the unofficial community level, as the actions of the Duport Road residents demonstrate, the process is already underway. The community, on the outskirts of the capital, has transformed these statements and calls into positive action by engaging into creative and constructive efforts to remember the past. The

efforts are entirely community-driven, without any outside prompting. The community intends to commemorate in a special way horrific incidents which occurred at two different periods during the brutal civil wars.

Duport Road Community is one of those places that bore the brunt of the Liberian conflict. In 1990, rebels of the National Patriotic Front of Liberia (NPFL), led by Charles Taylor, allegedly arrested, tortured and summarily executed hundreds of innocent people on grounds that they were members of a particular ethnic group. Most of the killings were carried out at the end of Duport Road known as the Waterside.

Four years later, the community was attacked again. In December 1994, more than 44 people were massacred, allegedly by forces of the National Patriotic Front of Liberia, this time at a location in Duport Road known as the Cow Field. Men, women, children and the elderly were the victims. This place is remembered today as Cow Field Massacre.

18 years later, the community has decided to take steps beyond the having more dignified burials.

"Too many innocent people died in this community," one resident said, "and not to remember them is to forget our history. I am new in this community and am not related to anyone who died here but something has to be done. Their spirits must be uneasy and irritated over the continue neglect."

Duport Road residents have connected with residents in Samay, a town outside of Gbarnga in Bong County that in 2001 erected a monument in memory of community members killed during the civil crisis. The site is now used as a tool to teach children about the dangers and horrors of warfare. This project was entirely self-initiated. Though Duport Road has sought the technical assistance of an international NGO, the International Center for Transitional Justice that has collected global experience in similar projects, its efforts are also completely self-started and -led.

The work of Duport Road and that of other communities such as Samay are shining examples of what Liberians can achieve in dealing with their past when they come together to do so constructively and collaboratively. The Duport Road initiative and others that will follow need to be strongly supported by all actors in Liberia - community members, the government of Liberia, and the international community - as a remarkably useful and important part of Liberia's reconstruction and peace building effort.

AllAfrica.com  
Sunday, 14 June 2009

### **Rwanda: ICTR Must Focus on Completion - Ngoga**

Frank Kagabo

Kigali — Rwanda's chief prosecutor has urged the International Criminal Tribunal for Rwanda (ICTR) to "focus on completing" cases within their docket instead of pushing for an extension of their mandate.

Martin Ngoga made the remarks in reply to requests by the president of the ICTR, Judge Dennis Byron for an extension.

Byron told staff members of the tribunal this Friday that the court had requested for a yearlong extension because they could not meet December deadline. He informed his staff that a UN Security Council decision on the matter is expected "probably next week."

In a telephone interview with The Sunday Times, Ngoga stated that it was a matter for the Security Council to decide.

"Rwanda will not be bothered by whatever the decision the Security Council will take on this matter except that in the process, the ICTR is causing us serious damage in its decisions. As a result, the status quo is benefitting the suspects and creating an impunity gap," said Ngoga.

"Many options are in place that would help the ICTR complete on time without the excuses. That includes transfers to national jurisdictions."

Judge Byron presented his biannual report to the Security Council on June 4 where he said that the trials would not be finished by year's end. He informed the ICTR staff on Friday that the Security Council is aware that the court's work will continue beyond 2010.

The ICTR was established in November 1994 by a resolution of the United Nations to prosecute people responsible for the 1994 Genocide against the Tutsi and other violations of international humanitarian law in Rwanda committed between January 1, 1994 and December 31, 1994.

## Focus Media (Kigali)

Tuesday, 16 June 2009

### **Rwanda: Professors of Hate**

Editorial

A group of academics who call themselves defenders of human rights have begun a clamor, demanding that the International Criminal Tribunal for Rwanda indict senior members of the RDF for war crimes.

Sheltered from the real world, these so-called defenders of human rights - including people like Filip Reyntjens and Rene Lemarchand whose hobby is to write material trivializing the Genocide of Tutsis - have petitioned prominent personalities, including UN Secretary General Ban ki-Moon, US President Barack Obama, British Premier Gordon to have ICTR Prosecutor Hassan Jallow bring indictments against the unnamed members of the RDF (who were the Rwandan Patriotic Front in 1994).

Since these academics are talking about alleged war crimes that happened in 1994 and since they name no RPF soldiers in particular, it is safe to assume what they are demanding of Ban, Obama and Brown is nothing short of making Jallow indict the entire RPF high command of war crimes and have them join perpetrators of the Genocide at the ICTR detention center in Arusha.

They howl that the ICTR's failure to indict a single RPF soldier for killing civilians causes the tribunal to be dismissed as victor's justice. For these people there is nothing good to be said about the fact that the RPF itself court marshaled those of its soldiers who were caught committing acts of revenge. Some even got the death penalty.

For the academics the trial last year of four RPF officers for the June 1994 killing of the Catholic Archbishop of Kigali and twelve other priests was not justice, even though the proceedings resulted in five-year prison sentences for two of the officers. The only thing that would satisfy these academics, you can be certain, is if Maj. Gen. Wilson Gumisiriza and the others were shanghaied to Arusha to share a cell with a mastermind of the Genocide like Bagosora. Or, better still, for Bagosora to be declared innocent and Gumisiriza or any other senior RDF officer to take his place.

The academics in their petitions totally disregard the fact that every Hutu Roman Catholic priest in Rwanda turned into a combatant and participant in the Genocide. Or that Tutsi parishioners who fled to churches thinking they were going to places of sanctuary could only look on as their nightmares intensified when priest after priest turned up, AK 47s in their cassocks, to direct the massacres, calling in the Interahamwe, and shooting any poor Tutsis who tried to escape.

## Pretoria News

Wednesday, 17 June 2009

### ICC - an army for the downtrodden

Graeme Hosken

"We will not rest until those who perpetrate heinous crimes against humanity are brought to book and made to pay for their deeds."

This is the promise of Fatou Bensouda, the International Criminal Court's (ICC) deputy prosecutor.

Bensouda, one of the most powerful women in the ICC, was in Pretoria last week to open the International Committee of the Red Cross' (ICRC) ninth annual regional seminar on the implementation of international humanitarian law.

The four-day seminar saw government representatives, who are specialists in humanitarian law, from Botswana, Kenya, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe discussing and reviewing the progress in ratifying and implementing the various treaties in their countries.

Continues Below ↓

A determined Bensouda, who is in charge of the prosecution division of the Office of the Prosecutor, said the ICC was paramount in bringing perpetrators of crimes against humanity to book.

She said vital to helping the ICC to achieve its aims was Africa.

"For years Africa has been plagued by atrocities which have devastated our families. International humanitarian law is crucial for Africa, particularly now.

"It is time to pay attention to what is prohibited in war and to ensure that those responsible for crimes against humanity are held accountable.

"Africa can greatly help the ICC in achieving these aims by raising awareness about atrocities such as genocide," she said, adding that Africa was a responsible continent whose commitment to the ICC had never diminished.

Bensouda said an important and gravely overlooked point was the role Africa played when it came to upholding international humanitarian law.

"Africa has been at the forefront in the creation of the Rome Statute with over 30 African countries either currently signatories to, or ratifying the statute, which is more than half of the African Union (AU).

"This shows that Africa takes international law seriously and plays an important role in ensuring that international criminal justice is upheld," she said.

The Rome Statute of the International Criminal Court is the treaty that established the ICC and establishes the court's functions, jurisdiction and structure.

Bensouda, citing the Democratic Republic of Congo, Uganda and Central African Republic in a recent referral of war crimes and crimes against humanity to the ICC, said had it not been for Africa's leadership, the ICC would not have the cases against Africa's perpetrators that it has today.

She said that contrary to the suggestion that Africa and the AU was against the ICC, the continent did not tolerate impunity.

Referring to the AU's position on the recent issuing of a warrant of arrest for Sudanese president Omar al-Bashir, Bensouda said the position that the AU had adopted, by asking for a deferral of the warrant, was not an indication that the organisation was against the ICC.

"It is a perfectly legitimate position that is provided for under the Rome Statute. The AU is taking leadership to end impunity on the continent with the ICC backing it.

"Africa has become a beacon of light for the rest of the world and its states are living up to their international obligations of supporting the ICC in its role to prosecute crimes against humanity with all of our cases so far receiving the support of African states," Bensouda said.

She said contrary to the belief that the ICC was targeting Africa, the organisation was working for, and with Africa's victims of rape, pillage and murder. Bensouda said through the assistance of countries worldwide in ending crimes against humanity, the ICC was becoming stronger.

"We are here to stay and will do everything in our power to stop these heinous crimes, ensure there is accountability and that the rule of law is upheld with those who carry out international crimes being brought to book."

In a warning to states not wanting to prosecute human rights abusers, Bensouda said: "If countries do not want to prosecute these perpetrators then the ICC will. Impunity is no longer an option."

### **About Bensouda**

Fatou Bensouda, who was elected deputy prosecutor by the Assembly of States Parties on 8 September 2004, has worked as a legal advisor and trial attorney at the International Criminal Tribunal for Rwanda (ICTR) in Arusha, Tanzania, and rose to the position of senior legal advisor and head of the Legal Advisory Unit.

Before joining the ICTR, she was the general manager of a leading commercial bank in The Gambia. Between 1987 and 2000, she held a host of posts from deputy director of public prosecutions to attorney general to minister of justice, in which capacity she served as chief legal advisor to the President and Cabinet of the Republic of The Gambia.

Bensouda has been a delegate at UN conferences on crime prevention, the Organisation of African Unity's ministerial meetings on human rights, and a delegate of The Gambia to the meetings of the Preparatory Commission for the International Criminal Court.

She holds a Master's degree in international maritime law and law of the sea and as such is the first international maritime law expert of The Gambia.

## Daily Star.com (Lebanon)

Tuesday, 16 June 2009

### **Tribunal refuses to respond to criticism over procedural changes**

By Patrick Galey  
Daily Star staff

BEIRUT: The United Nations Special Tribunal for Lebanon (STL) on Monday did not respond to remarks made in a Lebanese newspaper, criticizing recent changes to its operating mandate.

On Monday, Al-Akhbar newspaper suggested that amendments to the 14 Rules of Procedure and Evidence (RPE), adopted unanimously by STL judges, could "blow the transparency of the tribunal."

In particular, the revision related to rule 96 - on exposing the court to skepticism - could allow the STL to "hide information" up to a non-specific date "if it needed to protect any person," it said.

A spokesperson for STL told The Daily Star: "For us it's just another article. Our policy is not to react to what the press says on its own interpretation of current developments."

"We don't react publicly to these sorts of things. The RPE are a matter for the judges. They are the ones who adopt them or refuse them. It's their prerogative," Radhia Ashouri said.

The STL was set up to try those allegedly responsible for the assassination of former Lebanese Prime Minister Rafik Hariri, who was killed along with 22 others by a massive car bomb in Beirut's Ain al-Mraisseh on February 14, 2005. It has been plagued by controversy since its inception in 2007.

Al-Akhbar's report comes six weeks after the STL ordered the release of four Lebanese generals held without charge since 2005 on suspicion of involvement in Hariri's assassination. The verdict was based on prosecutor Daniel Bellemare's report stating there was insufficient evidence to hold the men any longer.

Bellemare cited additional reasons for the men's release, including the fact that "a key witness expressly retracted his original statement which incriminated the persons detained."

The four, who headed Lebanon's pro-Syrian security institutions when Hariri was killed, had been incarcerated since August 2005 on the recommendation of former UN investigator Detlev Mehlis. None were ever formally charged.

Hariri's murder has been widely blamed on Damascus and prompted the withdrawal of Syrian troops from Lebanon after 30 years involvement in the country's political affairs.

Last month, the German publication Der Spiegel alleged that Hizbullah, not Syria, was behind Hariri's assassination, an allegation vigorously denied by the Shiite group.

The magazine claimed to have "learned from sources close to the tribunal and verified by examining internal documents" that the Hizbullah special forces "planned and executed [Hariri's assassination]."

A Hizbullah statement dismissed the accusations as "nothing but police-like fabrications."

**Cambodia genocide court rules ex-Khmer Rouge official detained unlawfully**

[JURIST] The Extraordinary Chambers in the Courts of Cambodia (ECCC) ruled Monday that former Khmer Rouge leader Kaing Guek Eav also known as "Duch," has been detained unlawfully for the past 10 years, but denied a defense request for his release. The defense had requested the release for the duration of his trial in light of the fact that Duch had been illegally held by a Cambodian Military Court prior to being transferred to the ECCC's custody. Considering the need to balance the rights of the accused against the rights of the community:

The Chamber [found] that although the Accused's prior detention amounted to a clear violation of his rights, absent allegations of torture or serious mistreatment by the national authorities, this would appear insufficient to debar the exercise of the ECCC's discretion to order provisional detention.

The court also deemed "provisional detention necessary in order to ensure the presence of the Accused Person during the proceedings and for the protection of his security and the preservation of public order." Accordingly, Kaing's request for release was denied, although he has the right to sue for compensation if found innocent or to be credited with time served if found guilty.

In April, Kaing admitted to training prison staff to use torture. He recently requested release to "safe house" during his Cambodia genocide trial, though he lost a similar appeal of his pre-trial detention in 2007. His trial is the first of eight that the ECCC hopes to hear against former members of the Khmer Rouge, which has been accused of murdering 1.7 million Cambodians during its nearly four-year reign. The ECCC has long been plagued with accusations of corruption and inadequate funding, with greater problems in recent years. In March, the ECCC reported that it would be unable to pay its Cambodian employees for that month, one year after the court had requested \$114 million dollars from the UN [JURIST report].

## Voice of America

Tuesday, 16 June 2009

### UN Official: Human Rights Situation in Sudan 'Critical'

By Lisa Schlein  
Geneva

A new report on the human rights situation in Sudan documents a wide range of serious violations committed throughout the whole country. The United Nations Special Human Rights Investigator for Sudan, Sima Samar, has submitted the report to the UN Human Rights Council in Geneva.



AP Photo Samar acknowledges some positive steps taken by the Sudanese government in ratifying a couple of international human rights conventions and in efforts to enact legislative reforms.

But, the thrust of her report is generally critical of the human rights situation on the ground. She says the right to life, security of the person and the effective administration of justice are not guaranteed.

"Since my last report to the Human Rights Council, I continue to receive reports of arbitrary arrests, detention, as well as allegations of ill-treatment and torture of human rights defenders and humanitarian workers by security forces, in particular by the National Intelligence and Security Services," she said. "This includes recent incidents of arbitrary arrests, detention, and ill-treatment amounting to torture of UNAMID [UN-African Union Mission in Darfur]."

In this regard, Samar expresses concern about the security situation in the conflict-ridden province of Darfur, which she says remains fluid and unpredictable. She highlights ongoing sexual and gender-based violence against women and girls and attacks against humanitarian workers.

The UN investigator criticizes the increasing censorship and restrictions on the media, human rights defenders and political opponents.

"In view of the upcoming elections in February 2010, it is imperative that restrictions on freedom of expression, association and assembly be removed to create a conducive environment for free and fair elections," added Samar.

UN Investigator Samar is also concerned by the humanitarian and human rights situation in southern Sudan, especially large-scale killings, and displacement of civilians caused by recent conflict.

"The killings of several hundred civilians in Jonglei state due to intertribal clashes, and the scale of these clashes over cattle rustling has been unprecedented, including the targeting of women and children," she said. "I also note that the administration of justice in the southern Sudan is hampered by lack of capacity, including the shortage of professional police, qualified judges and lawyers."

A Sudanese representative accuses the UN investigator of failing to give a true picture of human rights in Sudan. He says her report does not reflect the steps taken by the government to preserve national unity, to protect the rights of non-Muslims in the capital and to amend the criminal code so it recognizes crimes against humanity.

He urges the U.N. Human Rights Council to terminate the mandate of the special investigator, saying her work hinders the recognition of progress being made in the Sudan.

Human Rights Watch disagrees and warns that the victims of abuse in Sudan will be betrayed if the Council does not extend the mandate of the special investigator.