

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



A glimpse of the rainbow

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:

Tuesday, 8 September 2009

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Independent Observer
Tuesday, 8 September 2009

OBSERVER VOICE

Nothing But The Truth

The Appeal Chamber of the Special Court has just concluded oral argument in the matter of the three RUF convicts. They were convicted in April 8th this year

Erstwhile interim leader of the defunct rebel outfit, Issa Sesay made a very passionate plea, at least for a reduction in their very lengthy jail term.

He spoke about his commitment to the peace process, which was reiterated by several witnesses who testified on his behalf, mentioning names of former UNAMSIL personnel and former Heads of State, our own President Kabbah included.

IN SYMPATHY WITH GEN. ISSA SESAY

We reproduce this editorial first
published on 14th April 2009

ISSA SESAY is indefinitely going to spend the rest of his life behind bars; sentenced last Wednesday by the Special Court to 52 years imprisonment.

WE AGREE that horrendous crimes were committed by the RUF of which ISSA SESAY was a member and later became it interim leader. His name was silent, infact unknown outside the rebel outfit while Foday Sankoh and Gen. Mosquito exist.

IT WAS the departure of Sankoh which brought him into prominence

and that signaled the turning point of the dreaded rebellion.

ISSA'S ASCENSION to the leadership of the RUF was blessing in disguise for Sierra Leoneans. His flexibility, sincerity and genuine intention towards the peace process were the reasons why we are where we are today.

IT WAS for this purpose of sincerity that General Daniel Opande, the retired UNAMSIL Force Commander, had to return to Sierra Leone to testify on his behalf.

OPANDE INSISTS on Issa's cooperation towards the peace process. But his testimony, like the about 50 defense witnesses, the presiding judge described as unreliable.

EVERY SIERRA Leonean appreciated Issa Sesay and the reason why in the year the war was finally declared over, he was overwhelming voted for an award at the annual AWOL ceremony.

DURING THE dark days of the war, the names Dennis 'Superman' Mingo, Mike Lamin, Gibril Massaquoi etc were most talked of and very prominent. And as mentioned earlier, Issa Sesay was less known.

HE WAS accused among the others to bear the greatest responsibility. Perhaps he was to have been a free man today had he not sacrificed to take over the RUF leadership so we can have peace.

TODAY, HE has been sent to long term imprisonment for sacrificing for peace in Sierra Leone. He was not pressured but volunteered to talk peace.

HJS LAWYER Wayne Jordash is making another last ditch attempt to at least have the sentence reduced. We cannot immediately rule out his success in that direction. Although the possibility is as tasking as a pregnant woman about to give birth.

ISSA SESAY is not likely to see the light of day but the history books will remember him as the rebel leader who brought peace to this country.

BBC World Service Trust

Monday, 7 September 2009

NEWS ITEM

To avoid being replaced by another Lawyer, Charles Taylor's sick lead Defence Lawyer, Courtenay Griffiths, returned to court Monday Morning. The Prosecution in its indictment accused Mr. Taylor and the RUF of committing Acts of Terrorism in Sierra Leone. Mr. Taylor said Libyan Leader Muammar Kaddafi who supported both National Patriotic Front of Liberia, and the Revolutionary United Front, is not a terrorist. Mr. Taylor told the court his predecessors, previous Presidents of Liberia, took several decisions that hurt Liberia. Adolphus Williams has this report from The Hague.

STORY

Constantly sneezing and coughing in court, Mr. Griffiths led Mr. Taylor's testimonies through the RUF written ideology which presents the group as a decent organization.

Mr. Taylor told the court the RUF was not a terrorist organization.

He said the founding father of the RUF, Ali Kabbah, whom he met in Libya, was not a terrorist.

Mr. Taylor said Libyan Leader, Muammar Kaddafi who provided training for the group exhibited no acts of terrorism.

TAYLOR: On the African continent, Kaddafi was and for me still considered an African hero, because getting rid of the colonial and neo-colonial rule in Africa took the strength and the will of a Kaddafi, okay, to assist in liberating Africa and giving Africa back to the Africans.

The RUF ideology compiled in a book entitled "Footpaths to Democracy," was tendered into evidence on Monday.

The RUF indicated in its ideology that the first group of its rebel fighters were Sierra Leonean Migrants recruited in Liberia.

Mr. Taylor confirmed that the first set of RUF Fighters had Sierra Leonean parentage.

TAYLOR: A lot of these people that were in Liberia, some of them were half, maybe mother Sierra Leoneans or father Sierra Leoneans, or both. We've had evidence [that for example] [names indistinct], he was partly Sierra Leonean. A lot of them had this connection with Sierra Leonean parents.

WILLIAMS: He testified that prior to his presidency, Lib was seen by the United States as its old rubber plantation in Africa.

Mr. Taylor told the court that during his presidency, he called for the review of the relationship between Liberia and United States.

He said the United States and Great Britain were not pleased when he called for the review of such relationship between two countries.

Mr. Taylor testified that Liberia had received only a little assistance from the United States.

He said the Firestone Rubber Plantation which has operated in Liberia since 1926 has never benefitted the country.

TAYLOR: 1926, up until today, I simplified it by saying not even a rubber band is produced in Liberia. There's no value-added to rubber in Liberia. Nothing! Not even an eraser for a pencil. The rubber is tapped, the latex is loaded and transported to Akron, Ohio.

BBC WORLD SERVICE TRUST

Monday, 7 September 2009

John Kollie

To avoid being replaced by another Lawyer, Charles Taylor's sick Lead Defence Lawyer, Courtenay Griffiths returned to court Monday Morning. The Prosecution in its indictment accused Mr. Taylor and the RUF of committing Acts of Terrorism in Sierra Leone. Mr. Taylor said Libyan Leader Muammar Kaddafi who supported both National Patriotic Front of Liberia, and the Revolutionary United Front, is not a terrorist. Mr. Taylor told the court America considers Liberia its plantation in Africa. John Kollie transcribes reports from The Hague for the BBC World Service Trust...

Constantly sneezing and coughing in court, Mr. Griffiths led Mr. Taylor's testimonies through the RUF written ideology which presents the group as a decent organization. Mr. Taylor told the court the RUF was not a terrorist organization.

He said the Founding Father of the RUF, Ali Kabbah whom he met in Libya was not a terrorist. Mr. Taylor said Libyan Leader, Muammar Kaddafi who provided training for the group exhibited no acts of terrorism.

The RUF ideology compiled in a book entitled: **Foot Path To Democracy** was adduced into evidence on Monday. The RUF indicated in its ideology that the first group of its Rebel Fighters were Sierra Leonean Migrants recruited in Liberia.

Mr. Taylor confirmed that the first group of RUF Fighters had Sierra Leonean Parentage. The Former Liberian Leader testified Monday that prior to his presidency, Liberia was seen by the United States as its old rubber plantation in Africa.

Mr. Taylor told the court that after his ascendancy to the presidency, he called for the review of the relationship between two countries. He said the United States and Great Britain were not pleased when he called for the relationship between two countries and Liberia to be re-defined.

Mr. Taylor testified that Liberia had received only meagre assistance from the United States. He said the Firestone Rubber Plantation which has operation in Liberia since 1926 has never benefited the country.

Taylor continues his testimonies at his war crimes trial.

BBC WORLD SERVICE TRUST

CharlesTaylorTrial.org (The Hague)

Monday, 7 September 2009

Taylor Did Not Have Any Pact With RUF Leader Foday Sankoh for Mutual Assistance, He Says

Alpha Sesay

Charles Taylor and Sierra Leone's rebel leader Foday Sankoh did not have any pact to render mutual assistance to each other for their respective wars in Sierra Leone and Liberia, the accused former Liberian president told Special Court for Sierra Leone judges today at his trial in The Hague.

"I had no pact with RUF leader Foday Sankoh for mutual assistance. That could not have been necessary," Mr. Taylor said.

Mr. Taylor asserted that if such mutual pact ever existed between himself and Revolutionary United Front (RUF) leader Foday Sankoh, the prosecution would have led evidence to show the assistance that Mr. Sankoh rendered to Mr. Taylor's National Patriotic Front of Liberia (NPFL).

"There has been no evidence in this court about Sankoh being involved in the conflict in Liberia or commanding an NPFL post. There was no such thing because I did not know him at this time," he said.

Mr. Taylor was responding to questions from his defense counsel Courtenay Griffiths –back in court today after falling ill last week – about allegations that while in Libya in the late 1980s, Mr. Taylor entered into an agreement with Mr. Sankoh for the RUF rebels to assist the NPFL during its initial war efforts in Liberia in exchange for Mr. Taylor's assistance to the RUF in attacking Sierra Leone. Mr. Taylor denied that this was ever the case. The accused former president reiterated his earlier position that while he was in Libya, he did not know about the existence of the RUF and that he did not meet with Mr. Sankoh.

"I did not know about the creation of the RUF in 1989. I did not know Foday Sankoh. I only knew Alie Kabbah and the Sierra Leone Pan African Movement," he said.


United Nations **Nations Unies**

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 7 September 2009

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

International Clips on Liberia

Remains of hundreds killed in Liberia reburied

KPOLOKPAI, Liberia (AP) -- The bones and skulls of hundreds of people killed 15 years ago near the small Liberian village of Kpolokpai were transported in wheelbarrows to a marked mass grave where they were buried during a formal ceremony Sunday. The church service honoring the dead is intended to try to put to rest this particular chapter in Liberia's 14-year civil war, which killed an estimated 250,000 people. Mourners, including church leaders and farmers, stood with their hands folded as the remains were lowered into a 10-foot-wide (three-meter-wide) pit. Liberia's Truth and Reconciliation commission determined that the 1994 Kpolokpai massacre was led by fighters of the Liberian Peace Council, a rebel group fighting Charles Taylor's National Patriotic Front of Liberia. The cocoa-growing village of Kpolokpai is located around 25 miles (40 kilometers) north of Gbarnga, the town that served as the headquarters of Taylor's rebels.

International Clips on West Africa

Sierra Leone

09/06/2009 10:44:40

Sierra Leone to deport illegal Taiwanese fishermen

FREETOWN, Sept 6, 2009 (AFP) - A court in Sierra Leone has ordered the deportation of 11 fishermen from Taiwan after their boats were intercepted in the west African nation's exclusive zone, immigration officials said Sunday. Each of the men was fined 1,000 dollars (700 euros) and will be kicked out of Sierra Leone on Monday, said the immigration officials, who spoke on condition of anonymity. The magistrate court issued its ruling Friday. The two trawlers carrying the 11 men were caught in late July by a joint Sierra Leone Navy and US Coast Guard team patrolling the country's territorial waters. US ambassador June Carter Perry recently said at an event in the capital Freetown that illegal fishing, drug trafficking and the smuggling of commodities were costing Sierra Leone 100 million dollars a year.

Ivory Coast

Call to tap opportunities in Ivory Coast

http://www.btimes.com.my/Current_News/BTIMES/articles/ivori/Article/index_html

MALAYSIAN businessmen are encouraged to explore business opportunities in the emerging nation of the Republic of Cote d'Ivoire, also known as the Ivory Coast. Its honorary consul to Malaysia Anthony Wong said there were many sectors where Malaysian businessman can tap into the republic which recently came out from a political crisis. "The Ivory Coast is what Malaysia once was 50 years ago. They have many raw products such as cocoa, coffee, cashew nuts and rubber that they produce, but

their problem is they don't know how to manufacture it and make it an end product, " he said at the celebration of the republic's national day at a hotel recently. "This is where Malaysians can come in by helping the nation to manufacture their produce. Take for instance rubber, they can produce them and make them into tyres but that is not happening now," he said.

Local Media – Newspaper

President Sirleaf Dismisses LPRC Managing Director

(Daily Observer, The Inquirer, New Democrat, Liberian Express, New Vision, Public Agenda, The Monitor, Plain Truth, The Analyst, The News, Heritage)

- President Ellen Johnson Sirleaf has dismissed the Managing Director of the Liberia Petroleum Refinery Corporation (LPRC), Mr. Harry Greaves.
- In an interview, Information Minister Dr. Laurence Bropleh said Mr. Greaves was dismissed following a review of the report on the LPRC-Zakhem International contract.
- He said the President's action was based on a review of the findings submitted to her by the Justice Ministry Friday.
- At the same time, the Executive Mansion says it would release a detailed account of the controversial LPRC-Zakhem contract today.
- The Legislature sometime this year placed a hold on the LPRC-Zakhem contract on grounds it was illegal, something Mr. Greaves challenged.
- Days later, President Ellen Johnson Sirleaf suspended the deal and set up a committee headed by former Chief Justice Henry Reed Cooper to probe the entire transaction.
- Mr. Greaves is a long-time confidante of President Ellen Johnson Sirleaf and has been embroiled in a number of controversies including an unexplained oil deal with a Nigerian company.

500 Massacred Victims Reburied in Marked Grave in Bong County

(Daily Observer, The Monitor, New Vision, New Democrat)

- A communion burial of the 15-year-old remains of at least 500 victims of a 1994 Massacre in Kolokpai village in central Liberia were laid to rest last weekend.
- The re-burial was organized by a local Non-Governmental Organization (NGO), Young Women Organized for Sustainable Development (YWOSD), with support from an international institution, Urgent Action Fund-Africa International Cross-Cultural Exchange Institute.
- The ceremony brought together several survivors of the massacre as well as children of those who were killed by the marauding armed men.

APS Distributes Food, Medical Supplies to Government

(The News)

- The Africa Partnership Station (APS) of the United States Naval at the weekend presented assorted food and medical supplies to the Liberian government.
- According to the Charge d'Affaires at the US Embassy, Brooks Robinson, the supplies include over 140,000 meals for Liberian School children and medical supplies for the Ministry of Health and Social Welfare.
- She said dozens of American military and civilian specialists will be in the country to help provide medical training, build and renovate hospital facilities, and offer medical examinations at various clinics.
- In response, President Ellen Johnson Sirleaf described Liberia's affiliation with the APS as a complete help to the Poverty Reduction Strategy (PRS).

MOA/FOA Launch Training Programme

(The Inquirer)

- The Ministry of Agriculture in collaboration with the Food and Agriculture Organization of the United Nations (FAO) has launched a training program in Power Tiller Operation, Management and Maintenance.

- Funded by the Danish Government, the project is intended to provide requisite training to rural women farmers in Bong, Lofa and Nimba Counties.
- The project is to enable the women specialize in the efficient operations, management and maintenance of power tiller machines and other agro-equipment.
- The DANIDA project, titled, "Improved Food Security and Nutrition through Economic Empowerment of Women: is in response to the Global Food Crisis and medium-term priorities of the Poverty Reduction Strategy (PRS).
- It is also a Joint Programme on Food Security and Nutrition developed by the Government of Liberia and the United Nations System.

AFL Soldiers Embarks on Clean-up Exercise

(Heritage, New Democrat, The Inquirer)

- Several soldiers of the Armed Forces of Liberia (AFL) at the weekend participated in a clean-up exercise of some communities in Monrovia.
- Defense Minister, Brownie Samukai led the clean-up exercise and said the soldiers were brought in to assist community dwellers.
- The clean-up exercise which also covered Redemption Road behind the Barclay Training Centre (BTC) saw the removal of a huge pile of garbage from the area.

PMC Trains 14 AFL Solider in Ford Vehicles Maintenance

(The Inquirer, Liberian Express)

- The Prestige Motor Corporation (PMC) has completed the training of 14 soldiers of the Armed Forces of Liberia (AFL) in the repairs and maintenance of ford vehicles for military use.
- PMC General Manager, Elie Haddad said the training of the soldiers in the repair and maintenance of Ford vehicle is in keeping with Ford dealership required standards.
- PMC Workshop Manager, Peter Saye said the training covered fuel system symptom and remedy for Ford vehicles, and specific important components that will always need special attention at particular service intervals.

Representative Biney Threatens Lawsuit against Local Daily

(The Analyst)

- Maryland County Representative James Biney has announced a lawsuit against the New Broom Newspaper for publishing what he called false stories about him.
- According to Representative Biney, the paper attributed a story to him which alleged that President Ellen Johnson Sirleaf received a bribe of US\$2 million to award the Cavalla Rubber Plantation in Maryland County to the Salala Rubber Investment Company. The paper however said it stands by it story and was prepared to go to Court.

Local Media – Star Radio (culled from website today at 09:00 am)

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

President Sirleaf Dismisses LPRC Managing Director

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

APS Distributes Food, Medical Supplies to Government

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

Water Supply Restored To Zwedru

- The Liberia Water and Sewer Corporation have reportedly restored pipe borne water to Zwedru, Grand Gedeh County in the southeast of the country.
- The restoration of pipe borne water to the city followed two months of repair works on the corporation's facilities in Zwedru.
- Authorities of the LWSC said the repair covered the transmission lines and will replace damaged private pipes and pumps for the effective supply of water to the reservoir.

- The 93,000 gallons reservoir will initially pump 80 gallons of clean and safe water on a daily basis.

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

Radio Veritas *(News monitored today at 09:45 am)*

Representative Biney Threatens Lawsuit against Local Daily

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

The East Africa

Monday, 7 September 2009

Sudan: ICC Must Consider the Security of War Victims

Chidi Anselm Odinkalu

Nairobi — At the conclusion of its Summit in Sirte, Libya, on July 1, 2009, the assembly of heads of state and government of the African Union (AU) decided that "AU member states shall not co-operate... in the arrest and surrender of President Omar al-Bashir of Sudan."

In a press release issued two weeks later, on July 14, the organisation explained that this decision "bears testimony to the glaring reality that the situation in Darfur is too serious and complex an issue to be resolved without recourse to a harmonised approach to justice and peace, neither of which should be pursued at the expense of the other."

This AU resolution responds to the decision of the judges of the International Criminal Court (ICC) in March 2009 to issue a warrant for the arrest of President Bashir in connection with alleged war crimes and crimes against humanity in Darfur, western Sudan. The AU's decision has rightly been criticised on legal and policy grounds.

The AU Summit is not the place to decide issues about the ICC because 23 of the 53 members of the AU have not yet accepted the ICC and this decision is capable of giving the unintended impression that the AU tolerates impunity for mass atrocities in Africa.

hat it does, however, is provide an opportunity to acknowledge and confront the many challenges currently facing international justice in Africa.

THE GREATEST FEARS ABOUT THE role that international justice is playing in Africa arise not from crimes behind us but in connection with a mass atrocity that some informed people foresee and all must work to prevent -- a disintegration of Sudan into a regional killing field.

I was born a refugee into the Nigerian civil war in which an estimated two million people were killed in 30 months. Most people in our continent are, like me, children of war, want, and deprivation caused mostly by bad government. Like the rest of the world, our needs are basic.

We desire a world in which our people, families and ourselves can harness our abilities in dignity, peace and justice under government that is for us and not against us.

In most of our countries, these basic expectations of citizenship are illusory. This is why most of us supported the establishment of the International Criminal Court (ICC). For us, justice for mass atrocities is intimately personal.

We believed the court would help to end high-level impunity for mass atrocities, enabling us to attain the best we are capable of.

Yet a little over five years since the Court received its first case from Uganda in 2003, the initial optimism from Africa that greeted it has been replaced by hardened scepticism from traditional opponents and, most worryingly, by fear among victims and host communities uncertain whether the court can help them.

THE ESTABLISHMENT OF THE ICC RE-presented a major breakthrough in international diplomacy: the creation of a mutually respectful consensus around the compelling idea of bringing to account those who bear the greatest responsibility for the worst crimes known to humanity.

But today mutual recrimination has replaced respectful dialogue, debates on the ICC often degenerate into epithets and supportive diplomacy is absent.

Criticism of the Court, no matter how constructive, risks being denounced as endorsing impunity; support for it, no matter how reasonable, is easily branded imperialism or its agent.

In authorising the arrest of Bashir, ICC judges agreed that he had a case to answer for his alleged role in war crimes and crimes against humanity committed in Darfur. But the execution of the warrant without an adequately managed transition could create a power vacuum in Khartoum, unleashing destabilising tremors beyond Sudan's borders.

Consequently, all nine countries that share a border with Sudan are on a war footing. Without a government for two decades, nearby Somalia is already a major destabilising factor in the region.

Uganda's murderous Lord's Resistance Army, long supported by Khartoum and whose leaders are also wanted by the ICC, is regrouping in vast ungoverned border territory between Sudan, Uganda and DR Congo.

The 2005 comprehensive peace agreement (CPA) that ended Sudan's half century-long north-south war risks breaking down, while the Darfur crisis in western Sudan remains active.

These uncertainties drive an undisguised arms race in the region. If the CPA collapses, many fear a transnational atrocity site like none this region has known.

I recognise most of those who harbour these fears. They are neither pillaging presidents nor ravaging rebels. Like the child refugee I was a few decades ago, they are victims driven by neither dollar nor dinar; widowed refugees from their homesteads, unsure whether the next meal will come or whether they will be alive at the next dawn.

VICTIMS NOW SEEM TO BE THE PEOPLE paying the highest cost for international justice. They suffer threats of death, exile, and other forms of persecution for their commitment to justice with little protection, assistance or acknowledgement from governments or international institutions.

I have heard claims that those who express uncertainties about the work of the ICC in Africa may have been purchased by powerful enemies of justice. This makes victims seem expendable and discredits their well-founded fears as dubious.

Most victims need reassurance that when the neighbourhood mass murderer arrives, their only defence is not the promise of a warrant from a distant tribunal on thin resources. They are right in asking that the promise of justice should be accompanied by credible protection from reprisals. The ICC's friends must address this.

While the misbegotten duel between supposed imperialists and alleged impunity apologists persists, the deadly business of mass atrocities continues unchecked, its victims in Africa fret, and the credibility of the ICC suffers.

To overcome these difficulties, four things are needed. First, the ICC's resources must be improved to focus more on winning back the trust of victims through better outreach and effective protection. Thus, better co-ordination is needed between African governments, the ICC, the UN at its highest levels, governments and philanthropies.

Next, the African Union must translate its rhetoric against impunity into a programme of action, showing that African lives matter and it will not issue a free pass to those -- big or small -- who violate Africans.

Third, principled multilateral diplomacy is needed to reassure both governments and victims that the Great Lakes countries will not be allowed to become a killing field. In particular, the five permanent members of the Security Council should use their strategic heft to engage intensively with this looming crisis.

Finally, we must re-establish mutual respect among people in the advocacy communities who sometimes disagree as to means but mostly agree as to ends.

Chidi Anselm Odinkalu heads the Africa Programme of the Open Society Justice Initiative and co-chairs the Darfur Consortium in Kampala, Uganda and New York, US

Radio Netherlands Worldwide

Friday, 4 September 2009

Serb war crimes accused wins Australia extradition fight

By Hermione Gee



Sydney, Australia

A former Serb paramilitary leader wanted in Croatia for war crimes won an appeal against his extradition from Australia Wednesday, and a court ordered he be freed from prison.

Dragan Vasiljkovic was arrested in January 2006 after Zagreb requested his extradition to face accusations of committing atrocities during the nation's 1991-1995 war of independence from the former Yugoslavia, opposed by rebel Serbs.

Vasiljkovic was deemed eligible for extradition in April 2007, but stalled his removal by mounting a series of legal challenges, arguing he would not receive a fair trial on the charges.

"Prejudice"

The full bench of Australia's Federal Court ruled the 54-year-old had established a "substantial or real chance of prejudice" if he was sent to Croatia for trial.

"The second ground of appeal is thus made out, that there are substantial grounds for believing that he may be punished or imprisoned... and that such treatment arises by reason of his nationality or political opinions," the court ruled. "The appeal should thus be allowed."

Zagreb accuses Vasiljkovic of involvement in the torture and killing of Croatian civilians and prisoners of war in the rebel Serb stronghold of Knin in 1991 and the southern village of Bruska in 1993.

He has denied committing war crimes but has admitted in media interviews to training Serbian recruits, killing in combat and interrogating enemy troops.

Political beliefs

Vasiljkovic successfully argued that Croatia was seeking to try him, in part, because of his political beliefs about the right to self-determination of Serbs in the Krajina region of the Balkans.

Extradition of a fugitive sought "for or in connection with his race, religion, nationality or political opinions" was not allowed under Australian law, the court said.

The three judges ordered Vasiljkovic be freed from prison, where he has been held since his 2006 arrest, but delayed his release until Friday afternoon to allow Croatia time to lodge an appeal if they wished. Vasiljkovic, who was working as a golf instructor in the western city of Perth until shortly before his

arrest, had earlier argued unsuccessfully in the High Court that his detention was illegal as Australia had no extradition treaty with Croatia.

Appeal

Croatia said it would appeal the ruling. Zagreb will lodge an appeal with both the Federal and the Supreme Court, Justice Minister Ivan Simonovic said on national radio adding he expected Vasiljkovic would be eventually extradited to Croatia.

"We believe to have the reason to expect that this (Supreme Court's) ruling will be positive," he said.

"Even it would be negative it would not mean freedom for Dragan Vasiljkovic," as there are not statutes of limitations for war crimes, Simonovic said adding that in that case Australia would be obliged to try him.

Radio Netherlands Worldwide

Tuesday, 8 September 2009

Prosecutor calls for life sentences for seven Srebrenica suspects

By Thijs Bouwknecht



*The Hague,
Netherlands*

The prosecution at the UN Yugoslavia tribunal has asked for life sentences against seven former senior Bosnian-Serb military and police officers for their role in

the Srebrenica genocide.

Prosecutor Peter McCloskey on Monday gave his closing arguments at the end of a three-year trial over the 1995 genocide that left almost 8,000 Bosnian Muslim men dead.

He said that not only the actual perpetrators deserve to be punished, but also the Bosnian-Serb authorities who did nothing to stop the the crimes from being committed.

Crucial Role

Amongst the defendants before the International Criminal Tribunal for the former Yugoslavia (ICTY) are close associates of the fugitive Bosnian-Serb military leader Ratko Mladic. Colonel Ljubise Beara (70) served as the Bosnian-Serb army's chief of security and is said to have played a crucial role in organising the Srebrenica massacre.

In addition to Beara, two other generals who reported directly to Mladic, Radivoje Miletic (61) and Milan Gvero (71), are also accused.

Three other defendants were part of the Bosnian-Serb Drina corps that conquered Srebrenica: lieutenant colonel Vujadin Popovic (52), Lieutenant Drago Nikolic (51) and lieutenant colonel Vinko Pandurevic (50). The seventh person in the case is police commander Ljubomir Borovcanin (49).

The men pleaded not guilty to war crimes, crimes against humanity and genocide by committing "systematic and large scale murder of the male population of Srebrenica".

The supervisor of the seven defendants, general Radislav Krstic was sentenced on appeal to 35 years in prison for complicity in genocide in 2004.

Bosnian-Serb leader Radovan Karadzic on Thursday asked the UN tribunal to delay his trial by 10 months to give him time to review nearly 1 million pages of prosecution evidence.

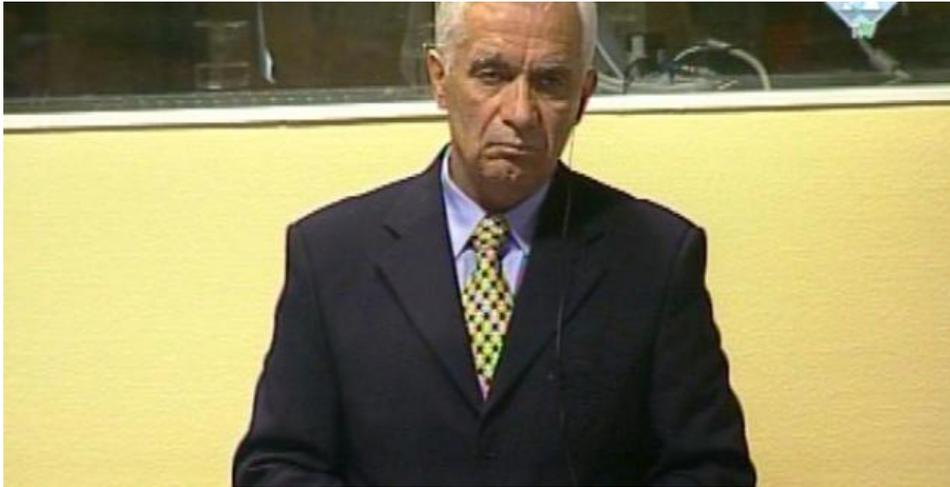
The responsibility for the Srebrenica massacre as part of a policy of "ethnic cleansing" of non-Serbs is also chief among the allegations against Karadzic.

Radio Netherlands Worldwide

Tuesday, 8 September 2009

Momcilo Krajsnik transferred to UK to serve sentence

By International Justice Desk



The Hague, Netherlands

Momcilo Krajsnik, one of the highest ranking war-time members of the Bosnian Serb leadership, was transferred to the United Kingdom to serve his 20-year sentence for war

crimes.

The International Criminal Tribunal for the former Yugoslavia (ICTY) convicted Krajsnik of deportations, forcible transfer and persecutions of Bosnian Muslim and Croat civilians including women, children and elderly persons.

These crimes were committed between April and December 1992 in Zvornik, Banja Luka, Sanski Most, Sokolac, Prnjavor, Bratunac, Bijeljina, Bosanska Krupa and Trnovo.

The international tribunal found that Krajsnik participated in a joint criminal enterprise whose objective was to ethnically recompose the territories under the control of Bosnian Serbs by drastically reducing the proportion of non-Serbs.

A leadership component of the JCE was based in the Bosnian-Serb capital of Pale, which included Krajsnik, Radovan Karadžić and other Bosnian-Serb leaders.

Krajsnik held a variety of senior positions in the Bosnian Serb leadership during the 1992-1995 war. He was the President of the Bosnian Serb Assembly, a member of the Main Board of the Serbian Democratic Party, as well as a member of the National Security Council.

Radio Netherlands Worldwide

Friday, 4 September 2009

Victims participate at KRouge trial

By Chris Tenove



Phnom Penh, Cambodia

If you were certain that you knew the man responsible for your interrogation by torture or your brother's murder, would you want to confront him? What would you say? And if he was put on trial, how should your

voice and your story contribute to the search for justice?

By Chris Tenove, Stoeng District, Kompong Thom Province, Cambodia ()*

Those questions are most acute and complex in the wake of mass atrocities, when thousands of victims wish to have their demands heard and their pain acknowledged. Today a new model to include victims in the processes of international justice is being tested at the Khmer Rouge tribunal, formally known as the Extraordinary Chambers in the Courts of Cambodia (ECCC). In the tribunal's first trial, 93 people have been given the status of "civil parties" in the case against Kaing Guek Eav. Known by his Khmer Rouge alias "Duch," he oversaw the S-21 torture and execution centre, where an estimated 14 000 people were killed.

The civil parties have heightened the drama and pathos of the Duch trial. One woman described how her baby died while she was incarcerated. Another admitted that prisoners got so little food that they eagerly ate any insects that crawled into their cells. Family members of S-21 victims gave searing testimony about the pain they have suffered for three decades, knowing that loved ones suffered gruesome tortures before being killed. At times civil party members have stood in court and directly challenged the words of Duch himself. And throughout the trial, the civil party lawyers have enjoyed the same rights as the prosecution and defense when it came to questioning witnesses, experts, and the accused.

But this experiment in victim participation has taken a dramatic turn. Last week, judges ruled that the civil party lawyers were forbidden to ask questions of witnesses, experts, or Duch in the final weeks of the trial.

Feeling betrayed, civil party members responded on Monday with a press conference in the parking lot outside the ECCC. Grim but determined, 28 of the most active civil parties announced that they would boycott the proceedings until the judges reversed their ruling.

"I'm dismayed that the court has taken a decision to silence our representatives in court," declared Chum Sirath, a local businessman whose two brothers and a sister-in-law were killed at S-21. "We will not return to the courtroom until our right to participate is restored."

Following that pronouncement, the civil party members climbed into a bus to visit the former site of S-21, now the Tuol Sleng Genocide Museum. There Chum Mey, one of a handful of inmates to survive S-21, walked through the cinder-block rooms where he was shackled, electrocuted, beaten, and had his toenails torn off by pliers. Like other inmates he was forced to confess to being an American or Soviet spy, nonsensical admissions that served only to stoke the paranoid propaganda of the Khmer Rouge regime.

Mey has attended the ECCC every day as a civil party. On June 30 he testified about his own torture, and the murder of his wife and children. That day he declared that the tribunal “can help to wash away the suffering” of Cambodia’s people. But today he is disillusioned.

“I want my lawyer to have the right to question Duch,” he explained. “Duch is very cunning. He confesses what he has done and he denies things at the same time. If my lawyer cannot ask questions, I am afraid that I will never know the truth.”

An Experiment in Victim Participation

Civil parties, which do not exist in criminal trials in common law systems, are familiar in the civil law systems of countries such as France, Germany, and Cambodia itself. Normally, civil parties can claim compensation for damages caused by crimes. But this claim for compensation becomes extremely complex in Cambodia, where almost every family has been touched by the Khmer Rouge. Between 1975 and 1979, an estimated two million people died of starvation or disease, or were executed in the regime’s notorious “killing fields”.

As a result, civil parties at the ECCC can only ask for “collective or moral reparations,” an ill-defined category that could include anything from mental health centres to public memorials. No one yet knows what form reparations should take, or who will pay for them.

In addition to lobbying for reparations, civil party members have testified in court to explain the types of psychological and material damage they have suffered. Alain Werner, a Swiss lawyer who represents several civil party members, believes that this has been a great contribution to the trial.

“We can completely lose sight of the suffering people have endured, especially when these crimes happened so many years ago and there are so very many victims,” says Werner. “We have seen that these crimes don’t just affect victims, but their entire families.”

One of Werner’s clients is Robert Hamill, whose brother Kerry was captured by the Khmer Rouge while yachting off the coast of Cambodia in 1978. The young New Zealander was taken to S-21, where he was tortured and executed. The Hamill family disintegrated after they heard this news—the parents sunk into depression and one brother committed suicide.

In court, Robert Hamill tearfully confronted the accused. “Duch, when you killed my brother Kerry, you killed my brother John as well. The effect these two devastating losses had on our family simply cannot be measured.”

Not everyone has been thrilled by the presentations of civil parties. “The voices of the victims are very important,” says Francois Roux, Duch’s French defense counsel. “But the civil parties made some pronouncements that were out of place in a court of justice, words of hate and words of vengeance. One person said [to Duch], ‘I wanted you to be smashed.’”

Roux asked the judges to better regulate the civil parties, but he didn’t ask for them to prohibit civil party lawyers from future questioning. “The civil parties lost but I also lost that argument,” says Roux. “We must continue searching for the right method to include victims in the trial.”

A Brother's Testimony

Next week the judges of the ECCC will meet behind closed doors to discuss issues that include civil party participation. The Duch trial has been a test run. For Case Two, the trial of four of the top Khmer Rouge leaders, over 2 000 people have applied to be civil parties. It will be a complex matter for the judges to include these victims in a meaningful way.

Chum Sirath hopes that other victims have the opportunity he enjoyed in the Duch trial. Sirath was working in Geneva when the Khmer Rouge took power. Two brothers and a sister-in-law died at S-21, and he testified to their memory at the ECCC.

“It was difficult for me to speak in public about my feelings,” says Sirath, 68, who now directs an IT company in Phnom Penh. We spoke on the beautiful tiled terrace of his home, next to a swimming pool surrounded by bamboo and flowering vines.

Sirath had never met the sister-in-law who died at S-21. In the hope that her relatives might be watching a TV broadcast of the trial, he asked them to contact the tribunal. Within the hour he received a call from her cousin. We spoke shortly before he met his newly-discovered relative, Kim Navy.

But Sirath is perhaps most pleased that he was able to confront several arguments put forward by Duch. He believes that despite Duch's guilty plea, he continues to withhold important information about S-21.

Would his brothers be happy with his courtroom performance?

Tears well in Sirath's eyes. “I think so,” he says, softly. “Yes.”

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New court hitch for Congo war crimes suspect

THE HAGUE — The International Criminal Court said on Friday it had postponed hearings planned for next week to examine six states' willingness to host a Congolese war crimes suspect ahead of his trial.

A pre-trial judge said it was not "feasible, at this stage, to proceed with convening the public hearings as initially scheduled" in the case against former Democratic Republic of Congo vice president Jean-Pierre Bemba.

The court's latest ruling follows the filing of an appeal by prosecutors against a decision last month to grant Bemba a conditional release ahead of his trial, for which no date has been set.

It said at the time that Bemba would have to stay in detention until a country is found that is willing to host him, and invited Belgium, Portugal, France, Germany, Italy and South Africa to make "observations" at hearings scheduled for September 7 to 14.

These were countries to which Bemba had asked to be released. Most of them have raised objections.

The five European countries had asked for the hearings to be postponed, while Bemba's lawyers had sought the DR Congo to be added to the list.

On Thursday, the ICC said Bemba would have to remain behind bars pending the outcome of the prosecution's appeal against his ordered release, even if a host country is found in the meantime.

Given the possibility that an appeals chamber may overturn the decision to free Bemba, the court therefore postponed the country hearings until after the appeal is decided.

Bemba, 46, stands accused of three charges of war crimes and two of crimes against humanity allegedly committed in the Central African Republic (CAR) from October 2002 to March 2003.

He will stand trial for acts of murder, rape and pillaging allegedly committed by members of his Congolese Liberation Movement (MLC) while helping troops of then CAR president Ange-Felix Patasse fight off a coup bid.

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