

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



Building ruins at Bunce Island

PRESS CLIPPINGS

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

as at:

Thursday, 10 October 2009

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

Thursday, 29 October 2009

"Outrageous, Cruel and Inhumane"

Lawyers blast transfer to Rwanda

By Betty Milton

Wayne Jordash the lawyer who has been defending Special Court convict Issa Hassan Sesay interim leader of the RUF has said that the proposed transfer of the convicts to serve their jail term in Rwanda is "outrageous, cruel and inhumane."

An obviously disappointed Jordash told Awoko that it is unreasonable and unfair to send convicted persons thousands of miles from their homes with no guarantee of any visitation facilities made by the court.

He said "to my mind as a human right lawyer it is cruel and inhumane ... Mr. Sesay and the other convicted persons had their liberty taken away so what they ought not to have taken away as well is the right to see their friends, family and children."

Highlighting a problem faced in the transfer process, Jordash said that the registry has made a decision to transfer the prisoners within the next 7 days. That is the only notice the convicted have got, that is the time period they may get to see their friends and family in what is going to be likely the last time.

"We have filed a motion today to the President and to the Appeals Chamber asking them to review that decision which in our view is irrational and perverse and offends the conscience of those who actually have one."

He added "Seven days is clearly not enough time to make practical and emotional arrangements to say goodbye to friends, family and country. We regard that decision as an outrageous one, and inhumane decision."

On the issue of family visitation to the convicts in Rwanda, the lawyer said, what they say is that in principle they [Registry] have agreed with the Rwandan authorities that at least one member of the family can visit once a year. "... but that guarantee is somewhat meaningless because what the registry has not done is secure funding for that visit. So Sesay's family cannot clearly enough afford what would be a trip in excess of two thousand dollars to go and visit him in Rwanda ... so

that arrangement is practically meaningless."

On the question of security if the convicts are serving their sentences in the country the lawyer said they [convicts] "have been in detention at the court for the last six years and the country appears to have become more secured" adding that with their continued stay in the country there would not be a security problem.

But if it is right in the area of security risk he said "then it is incumbent in a fair and reasonable way to make arrangement so that if the convicted person is transferred to another country they can at least see their friends and family."

Questioned as to whether the convicts would prefer to be jailed at Pademaba road prison, the lawyer said speaking to the convicted persons, especially Sesay "I think his preference would be to remain in the country. The money that the special court will spend in detaining them in Rwanda could have been spent on this country; it could have been spent in this country to continue their detention. So the question isn't whether to be detained at Pademba road but the money which would be used in transporting and detaining them in Rwanda, could have been spent here to create and maintain prison facility here."

Wayne Jordash lamented "I am continuously surprised and shocked by this court the way in which it tramples on

the accused' right to a fair trial, principles of law which have become time un-end in their observance of other international courts in the last fifteen years have been time and time again during the trial and appeal process simply discarded at this court so this latest decision is but this one that has shocked and saddened men in my entire time working here."

The lawyer continued to support Issa Sesay saying "I shall continue to be his legal representative for as long as he wants me. I will continue to maintain that the trial was a miscarriage of justice and I will continue to support those arguments with sound legal authorities from other international tribunals as long as Sesay wants me to represent him on those issues at any stage in the future I am ready to do so."

In the document filed to the Appeal Chamber of the court, it was disclosed that they have written several letters to the Acting Registrar of the court but on all her replies she has stated that they have not made arrangements for the transfer of the convicts as the matter of the RUF was still ongoing.

It was also disclosed that the Defence submitted that to move a convict to another country to serve a sentence which is likely to run for the rest of their natural life while affording less than 7 days' notice is clearly inhumane, unfair, irrational and an abuse of the process of the Court. It brings the Special Court into disrepute and breaches its commitment to the international and regional human rights standards.

Money Laundering, Drugs and Child Trafficking Continue to Trouble Interpol of SLP

By Abdul Samba Brima

Assistant Inspector General of Police, Francis Alicu Munu early this week disclosed that money laundering, vehicle theft, cyber crimes, human and drug trafficking were among many of the numerous problems the International Police Criminal Organization otherwise known as Interpol was faced with in the country.

He said many people who came from overseas on the pretext of adopting children with the hope of a better life abroad were engaged in using such children for their unintended purposes once they left the shores of Sierra Leone.

He mentioned that the crimes were on the increase in the country adding that "sadly, the Interpol division within the Sierra Leone police does not have the capability and

Premier News
Thursday, 29 October 2009

Justice Kamanda For Special Court President



Justice Renate Winter

The vice President of the Special Court for Sierra Leone, Justice Jon Kamanda, will relieve Justice Renate Winter as President of the Special Court for Sierra Leone (SCSL) following her departure on Friday.

By Alpha Bedoh Kamara

This information was made known to members of the Coalition on the International Criminal Court (ICC) in Sierra Leone during their visit to the President before her departure, to brief her on the Coalition's operations and to seek ways to complement each other in the effort towards ratification of the ICC in Sierra Leone.

The team was headed by James Mathew, Director of the coalition, who informed the President that many Sierra Leoneans don't know about the Rome Statute and that they are currently engaged in informing the people about the importance of the ICC and the rule of law.

Justice Renate Winter, who was appointed by the Secretary-General of

the United Nations to the position, has also served as international judge of the Supreme Court of Kosovo, as part of the UN's interim civilian administration.

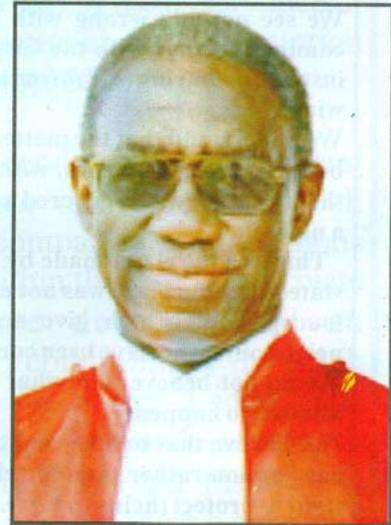
She is an expert on family law as well as juvenile justice systems, women's justice issues, pedophilia, child labour and the role of the media in advocacy.

She said the ICC is a subsidiary to national courts and that it will only come in when national courts fail to bring to justice nationals who violate international crimes.

She also said that the Special Court for Sierra Leone is non-political and works in the interest of the people of Sierra Leone, adding that it can only work with the coalition if it is non-political.

Justice Kamanda, who has served as an

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Justice Jon Kamanda

Justice Kamanda For Special Court

From front page

Appeals Court Justice in the Sierra Leone Judiciary since 2004 and a Presiding Judge in criminal appeals, said the ICC is called upon when the national courts are unable to prosecute impunity.

He said one factor that should be understood in the issue of the ratification of the ICC in Sierra Leone is the problem of an effective and capable national court

to try people with violations of international crimes.

"Are we ready and prepared?" he asked, adding that Sierra Leone doesn't have the wherewithal to handle international crimes.

He said nationalizing the ICC will have to do with changing the legal acts and procedures of the laws of Sierra Leone, specially the Criminal Procedure Act

and others.

Mathew replied that the coalition is not seeking for the changing of these laws but rather to seek ways by which they could be synchronized with international laws.

One example cited was the conviction of RUF indictees found guilty of forceful marriage in the recently concluded Appeals Chamber's ruling.

Wednesday, 28 October 2009

By John Kollie

Charles Taylor denies receiving weapons from Foday Sankor

The former Liberian president, Charles Taylor, has rejected prosecution evidence that he did a deal with the RUF commander, Foday Sankoh, in the summer of 1992 over heavy weapons. Last year, a former RUF radio operator testified that Sankoh gave Mr Taylor a heavy artillery cannon captured from ECOMOG troops in Sierra Leone. Mr Taylor said there was no deal between the two over weapons at that time. John Kollie has this transcribes the Hague reports for the BBC World Service Trust.

The witness, Foday Lansana, had said that the RUF leader, Sankoh travelled from Freetown to Monrovia after May 1992 with the captured ECOMOG long-range artillery piece and handed it over in exchange for light weapons such as AK 47 guns for the RUF to use in Sierra Leone.

Mr Taylor agreed he received the cannon but denied giving Sankoh anything in return. "I did receive an artillery piece from Sankoh, but in answering yes to that question, this did not happen after May 1992" Mr. Taylor asserted. In further response to a question from his lawyer, former president Taylor maintained, "No" but admitted that he had always given Sankoh what he called small amount of arms and ammunitions. "We were no doing a business to say there was some business" . Mr. Taylor continued.

Mr Taylor also denied sending weapons to Foday Sankoh or his successor, Sam Bockarie, after Sankoh's arrest in Nigeria, as the Prosecution witness had claimed.

Lansana also told the court last year that Mr Taylor gave him his first assignment, instructing him to install a radio communication system in Sankoh's house in the Sierra Leonean town of Pendembu. According to his testimony, Charles Taylor communicated with the RUF from Monrovia via the radio. He said Sankoh was code-named "Toyota", and Mr. Taylor was referred to as "Butterfly".

Mr. Taylor described Lansana's evidence as false and a total fabrication. "This whole nonsense about radio operators for the first time just going back to Sierra after May of 1992 is all hawk wash, that's what it is; trying to piece things together." The former Liberia claimed.

In apparent burst of emotions, Mr. Taylor asked, "How can there be radio stations in Sierra, that Foday Sankoh cannot contact me, he has to return with one radio before a contact can be made? It's a lie your honours. He did properly put this lie together. Either there are radios in Sierra Leone or he takes the first one there. Mr Taylor maintained.

Mr. Taylor's lead lawyer, Courtenay Griffiths said that he would conclude Mr. Taylor's direct examination by next week.

CharlesTaylorTrial.org (The Hague)

Wednesday, 28 October 2009

Liberia: Charles Taylor Did Not Plan Any Operations With Sierra Leonean Rebels, He Says

Alpha Sesay

Charles Taylor did not plan any operations with Sierra Leonean rebels during the country's 11-year civil conflict, he told Special Court for Sierra Leone judges today at his trial in The Hague.

"I did not plan any operations with them [Sierra Leonean rebels]," the accused former president said today in response to allegations that he helped the Revolutionary United Front (RUF) rebels in planning specific operations against the government and people of Sierra Leone.

"I never did. It is beyond my comprehension, how did these people manage this? It did not happen," he added.

Mr. Taylor was responding to the testimony of a former RUF insider Karmoh Kanneh who testified in May 2008 that Mr. Taylor helped the RUF rebels in planning how to attack Sierra Leone's capital Freetown in 1999. Mr. Kanneh's testimony reinforced prosecution allegations that Mr. Taylor was involved in a joint criminal enterprise with the RUF and the Armed Forces Revolutionary Council (AFRC) which overthrew the elected government of Ahmed Tejan Kabbah in May 1997. The AFRC junta, which formed an alliance with the RUF, was forcefully removed from power by West African peacekeepers in February 1998. As the AFRC/RUF forces withdrew to Sierra Leonean's hinterland, they committed various atrocities and in May 1999, there was an attack on the country's capital Freetown during which civilians were killed or amputated, houses set on fire and offences of sexual violence committed. The prosecution alleges that Mr. Taylor was part of the plan to commit these crimes and therefore bears responsibility for war crimes, crimes against humanity and other serious violations of international humanitarian law. Mr. Taylor has denied these allegations.

Dismissing Mr. Kanneh's testimony today that he (Taylor) was part of the "plan and design" to attack Freetown in 1999, Mr. Taylor claimed that the witness was "put together" with these legal terms (plan and design).

"This sounds like legal language, designed and planned, he was put together" he said. "I was never part of the plan. Who ever put this together is definitely lying," he added.

Mr. Taylor also reiterated a common position he has taken throughout his testimony, denying prosecution allegations that he supplied the RUF rebels with arms and ammunition, which were used to commit atrocities in Sierra Leone, in exchange for diamonds. Prosecution witnesses have testified that RUF commanders – including Sam Bockarie, Issa Sesay and Eddie Kanneh — made regular trips to Liberia, taking with them diamonds for Mr. Taylor. Mr. Taylor has consistently denied these allegations.

"Nobody is bringing me diamonds, not Eddie Kanneh, not Issa Sesay, nobody ever brought me diamonds. I never received diamonds from any human being in Sierra Leone," the accused former Liberian president persisted.

In response to allegations that Mr. Taylor supplied arms and ammunition to the AFRC and RUF sometime in 1998 using helicopters, Mr. Taylor today told the court that as of 1998, the Liberian government did not have any helicopters.

"I did not have a helicopter at this time," he told the judges.

He explained that it was only in the beginning of 1999 that his government obtained an MI2 helicopter, which he said was too small to even transport arms.

Mr. Taylor also refuted the witness' account that he ordered the RUF rebels to attack Liberians United for Reconciliation and Democracy (LURD) rebels in Lofa County in 2000. As in previous testimonies, Mr. Taylor dismissed as "lies" allegations that he gave promotions to RUF commanders Sam Bockarie and Issa Sesa.

"I never made any suggestion or recommendation for promotion in Sierra Leone or anything closer to that," he said.

Mr. Taylor dismissed Mr. Kanneh's entire testimony as a written script against him.

"It looks like a well written script," he said.

Mr. Taylor's testimony continues tomorrow.

United Nations  Nations Unies

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary 28 October 2009

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

International Clips on Liberia

Liberia: TGS Expands Regional 3D Coverage Offshore Liberia

28 October 2009- Sopuruchi Onwuka — Liberia TGS confirmed the start up of its next phase of regional multi-client 3D seismic acquisition in offshore Liberia. The new two-thousand square kilometer 3D program expands the existing 9,000 square kilometres of 3D coverage that TGS initiated in late 2008. The latest Liberia phase will be recorded with long offset acquisition and will incorporate state of the art Prestack Time and PreStack Depth data processing. TGS expects preliminary data to be available in the third quarter of 2010. Offshore Liberia has received significant interest in recent months due to the excitement generated by new oil discoveries in both the Gulf of Guinea and Sierra Leone.

Source: AllAfrica.com

Guinea

Guinean towns hit by massacre protests

CONAKRY, Oct 28, 2009 (AFP) - Residents of Guinea's capital Conakry and several provincial towns on Wednesday heeded union calls to stay at home as a way to protest against the army's bloody crackdown on protesters one month ago. On Tuesday evening, the junta-appointed government had warned that the stay-at-home protest would be a "provocation". In Conakry the port, banks and insurance companies were closed and schools were empty, an AFP journalist reported. The Madina market, the largest in Guinea and located in a Conakry suburb, was also closed and few taxis ventured out on the streets of the capital. The city was not completely paralysed by the protests, with small shops and markets still open. Government offices were also open but often only staffed by managers.

Guinea strike marks 1 month since bloody massacre

Source: AP Online Regional - Africa Date: October 28, 2009

CONAKRY, Guinea_Tens of thousands of workers in Guinea went on strike Wednesday to mark the one-month anniversary of a massacre in which troops fatally shot pro-democracy demonstrators and raped women in broad daylight, officials and workers said. Most of the capital's private businesses, shops and government offices were closed. Opposition member Mohamed Camara estimated that only 3,000 of some 97,000 government workers reported to work and said that many residents elsewhere in the West African country also heeded the call to strike. Guinea's government cautioned workers against causing unrest. The government supported unions' calls for two days of national mourning earlier this month but did not endorse Wednesday's strike. "We will not attack citizens, but we will not tolerate troublemakers," said anti-riot police force member Lt. Samoura Keita.

Ivory Coast

UN: Ivory Coast arms, diamond embargoes violated

Source: General Financial/ Business News Date: October 28, 2009 UNITED NATIONS_The government and former rebels in Ivory Coast have repeatedly violated a U.N. arms embargo _ and a ban on diamond exports is being flouted with help from many countries, according to a report by U.N. exports. The West African nation was split into a rebel-controlled north and government-controlled south after an attempted coup sparked civil war in 2002. A peace deal in March 2007 brought key rebel leaders into the administration and offered the best hope yet of a single government after years of foundering accords and disarmament plans _ but deep divisions remains. In the report to the U.N. Security Council circulated Tuesday, the experts recommended that Burkina Faso investigate the transfer of arms, ammunition and other military equipment across the border to the rebel-controlled north "without delay." They said the systematic transfer of weapons may be linked to the smuggling of cocoa. Ivory Coast is the world's largest cocoa producer and the government controls the largest share of cocoa production, in the south.

Local Media – Newspaper

U.S. Government Provides Over US\$17M Electoral Support for Liberia

(The Inquirer, The News, The Informer, Daily Observer)

- The US Government through its Agency for International Development, USAID has awarded a US\$17.5 million grant for the international election support programme for Liberia.
- The Acting USAID Director, Ms. Carolyn Brian told a news conference Tuesday, the 5-year project aims to build sustained election management in the country.
- Ms. Brian said the grant would not just help manage the 2011 elections but also help put in place operation system and capacity for the National Elections Commission (NEC).
- She said the grant which will be managed by International Foundation for Electoral Systems (IFES), would enable the NEC conduct highly complex and technical work without support from international partners.

IFES President Wants National Legislature to Pass the Threshold Bill

(Public Agenda)

- The President of the International Foundation for Electoral System (IFES), Mr. Williams Sweeney has called on members of the National Legislature to pass the Threshold Bill.
- Speaking yesterday at a joint-press conference at the head office of the National Elections Commission (NEC), Mr. Sweeney committed his organization to supporting the 2011 elections in Liberia.
- Also speaking at the press conference, the Chairman of the NEC, James Fromoyan said the delay in the passage of the Threshold Bill was unwarranted and could delay the holding of the 2011 elections.

Catholic teachers Abandon Strike...Return to Classes Today

(The Inquirer Heritage, The News, National Chronicle)

- Striking teachers and staff of the Catholic School System have agreed to return to work on today Wednesday, October 28.
- A release signed by the teachers' spokesman James Wrokpoh and the Catholic Education Secretary Saywon Nagbe said normal academic activities will resume at the schools early Wednesday morning.
- The decision was reached following a meeting with the Catholic Education Secretariat and Council.
- Spokesman Wrokpoh said their demands were not met but they agreed to return to classes because of appeals from students and threats of dismissal.
- But the Catholic Education Secretariat says some level of increment had already been done since September.

Public Works Minister says National Identity Remains Fundamental in the Country

(The Analyst, The Informer, Daily Observer)

- Public Works Minister Samuel Kofi Woods says the issue of national identity remains fundamental in Liberian history.
- Minister Woods said since the 1800s, Liberians have been repatriating from around the world but are still redefining who they really are.
- He said Liberians abroad and at home are ignoring the need for reconciliation but speaking on the issue of dual citizenship.
- The Minister said the lack of identity and reconciliation is evidenced by the leadership struggles and conflict of accountability and transparency in Liberian organizations.
- He highlighted the issues when he served as guest speaker of the 4th annual convention of the New Kru Town Association of the United States.

President Obama Commends President Sirleaf

(The Analyst, National Chronicle)

- US President Barack Obama has commended President Ellen Johnson Sirleaf for leading a discussion on job creation at a recent working luncheon which he hosted in New York in September for Heads of State and leaders of Sub-Saharan African countries.
- According to an Executive Mansion statement, President Obama also expressed appreciation to his Liberian counterpart for her efforts in Guinea.
- Mr. Obama said the United States shares President Sirleaf's concerns about violence and political instability spreading to other parts of Africa.
- He assured the Liberian leader that the U.S. is committed to working with Liberia and other global partners to re-energize the global economy.

Justice Ministry Authorities Refute Claims that Suspended Information Minister Cleared

(The News, New Vision, New Democrat, Liberian Express)

- Justice Ministry authorities have refuted claims that investigations in the ongoing Ministry of Information over US\$300,000 financial scandal has ended and suspended Minister Laurence Bropleh vindicated.
- Justice Minister Christiana Tarr said investigation was in progress and there is no report yet to vindicate anybody as the probe continues.
- At least two local newspapers reported Monday that suspended Information Minister has been exonerated from any wrongdoing by police investigators.
- The papers also said a recommendation to vindicate him has been submitted to the Ministry of Justice while the two other officials are about to be sent to court for further prosecution.

UNHCR Supports Rule of Law

(Daily Observer, The Informer)

- The United Nations Refugee Agency (UNHCR) has donated eight sets of generator to the Ministry of Justice.
- Speaking at the hand over ceremony in Monrovia, UNHCR Country Representative, Ibrahima Coly said the donation was part of the agency's contribution to strengthening rule of law in the country.
- Receiving the generators, Solicitor General Wilkins Wright thanked the UN refugee Agency for the donation saying it will help prosecutors deliver justice and also help implement Government's effort in making justice accessible to all.

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

USAID Launches US\$17M Electoral Support for Liberia

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

Catholic teachers Abandon Strike...Return to Classes Today

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

Information Ministry US\$300,000 Probe Nearing Conclusion

- Reports say investigation into the US\$300,000.00 scandal at the Information Ministry is in its concluding state.
- According to the reports, the investigation team is getting final clarifications and compiling its report.
- This latest information contradicts earlier media reports that the investigation had been completed and vindicated suspended Information Minister Laurence Bropleh.
- Reports gathered say the report might be officially released this week.

National Identity Remains Fundamental

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

UNMIL Fatal Accident Case starts in Zwedru, Grand Gedeh County

- Preliminary hearing into the killing of two persons last Friday by an UNMIL vehicle has begun in Zwedru, Grand Gedeh County.
- The hearing opened Tuesday at the Traffic Court with the defendant denying charges levied against him.
- According to the police charge sheet, the driver Gabriel Kelvin was charged with reckless driving resulting to death.
- He was charged with excessive speeding resulting into the deaths of Augustus Brooks and William Brown.

Cement Dealers Foresee Hike in Cement Price

- The Liberia Cement Dealers Association has warned of an imminent hike in the price of a bag of cement on the Liberian market.
- The Secretary General of the association, Stanley Torbor said the 10 percent customs duty announced by Government last week would trigger the hike.
- He said the 10 percent customs duty was unrealistic taking into account the US\$9.00 that has been officially charged for a bag of cement.
- He said the distributors are currently selling a bag of cement for US\$7.90 far lower than Government's stipulated price and could increase to US\$15.00 in the coming weeks if the 10 percent import duty is not withdrawn.

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

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

Former President Taylor Dismisses Link to Former RUF Leader's Death

- Former Liberian President Charles Taylor has again denied being responsible for the killing of Sierra Leonean rebel commander Sam Bockarie.
- At the resumption of his trial in The Hague after a three-week break, Mr. Taylor said he considered Bockarie his son and could not murder him.
- A number of prosecution witnesses alleged Bockarie was killed because he knew too much about the links between Charles Taylor and the RUF.
- But Mr. Taylor said he ordered his Vice President Moses Blah to ensure that armed men including Bockarie did not enter Liberia with weapons.

President Obama Commends President Sirleaf

Liberia Nearing Final Stage of Economic Stand Plan

- President Ellen Johnson Sirleaf says Liberia is nearing the final stage of reaching the trickle and structural benchmarks of its economic stand plan.
- President Sirleaf following an economic management meeting with representatives from the IMF, World Bank, ADB and local financial officials of government, said she was happy that a delegation from three international financial institutions were in the country on an assessment visit.

- She said despite the progress there were still challenges facing Liberia to reach the HIPC completion point.
- The President who chairs the Economic Management Team named some of those challenges as legislative enactment and putting in place a proper financial management system and expressed the hope that Liberia will reach the HIPC completion point by June 2010.

Radio Netherlands Worldwide

Thursday, 29 October 2009

Fifth Colloquium of Prosecutors of the international criminal tribunals announced

By International Justice Desk



Arusha, Tanzania

The Spokesperson of the International Criminal Tribunals for Rwanda (ICTR), Roland Amoussouga

has confirmed that the fifth Colloquium of Prosecutors of the international criminal tribunals will be organized in Kigali on 11 November until 13 November

The event will be held under the theme: "International criminal justice: lessons from the past, reflections on the future".

The meeting seeks to review new developments in international criminal law and share experiences.

The meeting will bring together current Prosecutors and Deputy Prosecutors, Chiefs of Prosecutions, Chiefs of Investigations, Chiefs of Appeal, all former Prosecutors and former Deputy Prosecutors of the ICTR, the Special Court for Sierra Leone (SCSL), the International Criminal Tribunal for ex-Yugoslavia (ICTY), the International Criminal Court (ICC) and the Extraordinary Chambers in the Court of Cambodia (ECCC).

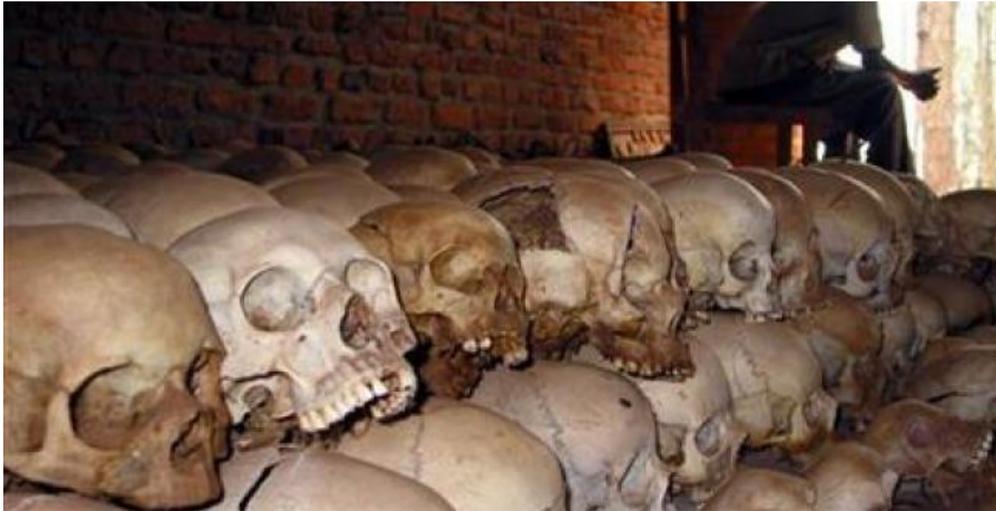
The event is usually held under a rotational basis. The first meeting, in 2004, was hosted by the ICTR in Arusha. Subsequent gatherings were hosted by the SCSL in 2005, jointly by the ICTY and the ICC in The Hague in 2006 and by the ECCC in Phnom Penh, Cambodia, in 2007.

Radio Netherlands Worldwide

Thursday, 29 October 2009

ICTR: Bagaragaza sentencing next week

By Karl Dowling



Arusha, Tanzania

The International Criminal Tribunal for Rwanda (ICTR), will next week sentence Michel Bagaragaza.

According to an ICTR statement, the sentencing

will begin on Monday and run up to Wednesday next week before a final decision is made Friday.

Bagaragaza, the former Managing Director of OCIR-Tea, the controlling organisation for the tea industry in Rwanda during the genocide period, entered a plea of guilty on 17 September to the count of complicity in genocide as contained in an amended indictment.

Bagaragaza, who voluntarily surrendered to the ICTR on 16 August 2005 initially pleaded not guilty to the four counts of which he was indicted including “genocide” and “conspiracy to commit genocide”.

He was later transferred to the UN prison quarters of the International Criminal Tribunal for the former Yugoslavia’s (ICTY) detention unit on 18 August 2005. The request came from the ICTR Prosecutor owing to security concerns related to Bagaragaza’s voluntary surrender to the tribunal.

Referral Orders Refused

Following the refusal of the ICTR’s Prosecutor request to have the trial moved to Norway on 19 May 2006 owing to the fact that Norway does not have a specific provision against genocide, the prosecutor requested the trial be moved to the Netherlands on December 12 2006.

On 13 April 2007 the ICTR-Trial Chamber III accepted the transfer of the case. However, in a similar case involving another Rwandan, The Hague District Court afterwards stated that the Dutch Courts do not have any jurisdiction in trying such a case. The referral order was therefore revoked and Bagaragaza was transferred back to Arusha, Tanzania on 20 May 2008.

Sentencing

The Chamber scheduled the hearing of character witnesses for the Defence in preparation for sentencing on 2 November 2009, following the Prosecutor’s presentation of the new indictment and pleas agreement.

The plea agreement was accepted by Trial Chamber III, composed of Judges Vagn Joensen, Bakhtiyar Tuzmukhamedov, and Gberdao Gustave Kam.