

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



Discharging Produce, Sawpit, Freetown, Sierra Leone

A. Lisk-Carew, Photographer, Freetown, Sierra Leone.

Historic postcard

PRESS CLIPPINGS

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

as at:

Monday, 17 May 2010

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
Martin Royston-Wright
Ext 7217

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Special Court trains war affected women

By David Jayne Manley

Mrs. Josephine Buck, a worker at the Special Court for Sierra Leone, Coordinator of the Sewing Girls Project, a training project for war affected women, has told The Examiner that during Hon. Justice Renate Winters' tenure as President of the Special Court she wondered about the legacy she would leave after her services would have been summarized at the Court.

She explained that the Austrian born legal luminary saw the uniqueness of the traditional Creole print style dress worn by her which spurred her to initiate the Print Tailoring Project for war affected women.

She further revealed that using her own personal funds and securing contributions from several Austrian women's associations and female staff members of the Special Court, the first group of women completed their six month training in September 2008.

She said a second group of trainees followed up in October 2008, doing

an exhibition in May 2009. She also disclosed that the current group of trainees will conclude with an exhibition on June 4 this year.

She noted that certificates are issued to trainees upon completion of training, while start up kits like sewing machines, pairs of scissors and money are given to them to start their own businesses.

She pointed out that due to the possibility of trustees deviating from the original objective of the training of income earning skills for self reliance, the Sewing Girls Project has established an enterprise called Ayodelay Enterprises.

She further explained that during the training, allowances are given to trainees to cover lunch and transportation while trainees are selected from the witness and victims section upon recommendation.

She concluded that the June 4 exhibition will be open to members of the public where they can make purchases of various print styles.

UNMIL Public Information Office Media Summary

13 May 2010

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

UN News in Liberia

UNMIL

CPF Commends Police, UNMIL for Support

[National Chronicle]

- The national chairman of Community Policing Forum in Liberia has commended the Liberia National Police (LNP), United Nations Mission in Liberia (UNMIL) and the United Nations Development Programme (UNDP) for their maximum cooperation with the forum.
- Mr. I. Nyenati Kaffey made the commendation recently in Caldwell during the induction ceremony of CPF gender coordinators.
- Mr. Kaffey said with the mutual understanding between the LNP, UNMIL and UNDP, the CPF will achieve its goal.

Other UN News

UNDP, Partners Hold Disaster Risk Reduction Sensitization Workshop

[In Profile Daily, The Informer, The News, Daily Observer]

- The United Nations Development Programme (UNDP), in collaboration with the Ministry of Internal Affairs, has intensified sensitization on ways and means to reduce disaster risk in Liberia and the region as a whole.
- The UNDP and its partners Wednesday, May 12 began a two-day Disaster Risk Advocacy and sensitization Workshop for high level government officials, civil society organizations and learning institutions in Monrovia.
- In a special message, Vice President Joseph Boakai described the sensitization workshop as welcoming, pointing out that disasters due to natural phenomena have greatly hit the 21st Century.
- UNDP country representative, Dominic Sam expressed happiness for the high level of reasonability the Liberian government continues to demonstrate towards achieving disaster management.
- Mr. Sam said the UNDP will help government carry out action plans to reduce disaster risk.
- The workshop is being sponsored by the UNDP's Bureau of Crisis Prevention and Recovery.

Local News on Liberian issues

Education Ministry Employees Given Ultimatum

[Front Page Africa, In Profile Daily]

- Education Minister Othello Gongar has given employees of the Ministry who cannot cope with his administration up to the end of May to resign.
- Minister Gongar said his administration was not prepared to accommodate people who have the habit of non-cooperation.
- He said such people have the tendency to retard progress.
- Minister Gongar vowed to recommend to President Sirleaf, the withdrawal of any presidential appointee who will not cooperate with his administration.
- According to him, his administration intends to work cooperatively and collaboratively with donor partners and authorities of higher institutions.

- The Education Ministry boss said the strategy is intended to redesign the education system of the country.
- Minister Gongar spoke Wednesday when he officially took office from former Minister Dr. Joseph Korto who attributed the achievements of his administration to numerous supports from donor partners and other relevant institutions.

Special Court Says Charles Taylor Is Not Sick

[The Monitor, The Analyst, The News]

- The UN-backed Special Court for Sierra Leone has clarified that former president Charles Taylor is not facing any life threatening situation as claimed by his family.
- On Monday, Mr. Taylor's family in Liberia said the former president had developed a serious heart condition.
- The family spokesman, former Bomi County Representative Sando Johnson alleged Mr. Taylor was being denied advanced medical attention.
- Mr. Peter Anderson could not confirm nor deny if Mr. Taylor had been given access to medication, but said such disclosure would be a violation of his right to privacy.
- Mr. Anderson however said Mr. Taylor and other inmates receive quick medical attention whenever it is needed.
- The Special Court spokesman further said the court has medical practitioners on its staff that examine the inmates and provide them medical care when needed.

Ahead Of 2011 Elections: UP Using State Funds To Subvert Political Parties - New Deal Alleges; But UP Lawmaker Expects

[Heritage]

- The opposition New Deal Movement, has accused the ruling Unity Party (UP) of pre-occupying itself with the usage of state funds and resources to subvert and manipulate the opposition political parties, ahead of the 2011 general and presidential elections.
- The New Deal also accused the UP of corrupting and undermining the Legislature and the Judiciary Branches of the government.
- The New Deal further accused the UP of trying to corrupt the youthful population of the country.
- The New Deal's claims were contained in a formal statement delivered by its Chairman, Moses Mandy-Yuu, Monday when the party officially joined the Democratic Alliance.
- But a member of the UP Legislative Caucus, Gbarpolu County Senator, Daniel Naathern, described the accusations as naïve and irresponsible.
- According to him, the UP does not intend and will not manipulate and subvert any political party or use state resources at the disadvantage of other political institutions.

Former Education Minister Expresses Disappointment In President Sirleaf

[The News]

- Former Education Minister Dr. Joseph Korto has expressed disappointment in the failure of President Ellen Johnson Sirleaf to defend him following an audit report by the General Auditing Commission (GAC) linking him to misapplication of US\$450,000 allocated to the Education Ministry.
- Dr. Korto said he was disappointed that President Sirleaf defended other cabinet ministers like Finance Minister Augustine Ngafuan and his predecessor Dr. Antoinette Sayeh, who were accused by the GAC audit of misapplication of US\$5 million.
- In his farewell statement Wednesday at the Education Ministry during his official turnover, the outgoing minister said the educational system came under massive destruction due to the 14 years civil conflict.
- He said it was saddened that his effort in helping to revive the Liberian school system could not be recognized.

Friday Is 'National Unification Day' – To be Observed As National Holiday

[Daily Observer, Front Page Africa, The Informer]

- President Ellen Johnson Sirleaf has by proclamation declared Friday, May 14, 2010 as National Unification Day.
- The Day will be observed throughout the country as a National Holiday.
- According to a Foreign Ministry release, President Sirleaf has ordered that all public buildings and business houses be closed on the Day.

- The proclamation is in consonance with an Act passed by the National legislature at its Session of 1959/1960, declaring May 14 of each year as National Unification Day of Liberia.
- The Unification Monument was dedicated January 5, 1961 in Kolahun, Lofa County as a perpetual remembrance of the ideals.

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

President Sirleaf Announces Mass Eviction of Illegal Occupants

- President Ellen Johnson Sirleaf says government will shortly begin evicting people along the Mesurado River to give Monrovia a face lift.
- President Sirleaf noticed people living and selling along the river are using the river banks as dump sites.
- The President said the Public Works Ministry and other agencies concerned will ensure that structures illegally built along the river be demolished.
- She also noticed that business people were building stores in the right-of-way thus preventing the construction of streets reaching the riverside.
- Meanwhile, President Sirleaf has expressed satisfaction over the level of work being done on the Vai Town Bridge.
- The Liberian leader made the observation Wednesday when she toured the construction site of the bridge and the waterside area.
- At the same time CICO says it would complete the construction of the Vai Town Bridge by November 2011.

(Also reported Truth FM, Sky FM, and ELBC)

Maryland Lawmaker Wants SIFCA's Investment Halted

- A Maryland County Representative has called on government to halt the awarding of the Decoris Oil Palm to the foreign investment group, SIFCA.
- Representative Bhofal Chambers said the people of Maryland are not satisfied with the way the oil palm is being awarded to the Company.
- Representative Chambers claimed the group is offering little to government and also proposing a small employment for Marylanders compared to the offer from another company.
- According to him, the investment group Bakrie Sumatera Plantations has offered to invest over 100-million US dollars with the creation of huge employment.
- The Pleebo-Sodoken District lawmaker said it would be unfair for government to leave such a huge offer with many opportunities for another with little benefit.

Fire Guts Justice Ministry

- Fire Wednesday night gutted at least five Justice Ministry offices on Ashmun Street.
- Assistant Minister for Litigation Augustine Fayiah said his office and that of the Solicitor General, Wilkins Wright were affected.
- Cllr. Fayiah said the cause of the fire is not yet known.
- An investigation is expected to be launched into the fire disaster soon.

(Also reported Truth FM, Sky FM, and ELBC)

Education Ministry Employees Given Ultimatum

Suspected Bangladeshi Human Trafficker Arrested

- The Bureau of Immigration and Naturalization has arrested a Bangladeshi national for alleged human trafficking.
- Rayhon Mozumder, 22 was arrested on May 9, this year in the Sayon Town community on Bushrod Island.
- A BIN spokesman said Mr. Mozumder was picked up for his alleged connection to the trafficking of some forty Bangladeshi nationals.
- According to Mr. Smith, the 40 Bangladeshi were brought into the Liberia under the pretext that they were to be employed with a private company.
- Mr. Smith identified the self-styled company as the International Styled Talk Fusion Neray Liberia Incorporated.
- Mr. Smith said following investigation it was established that the company does not really exist.

Special Court Says Charles Taylor Is Not Sick

Woman, 21 Charged With Illegal Possession of Drugs

- The Drug Enforcement Agency (DEA) branch in Grand Bassa County has charged a 21-year old woman with illegal possession of narcotic drugs.
- Mrs. Frances David was arrested Monday in a ghetto operated by her husband one Paul David in the Moore Town Community.

- DEA agents in the county said, Mrs. David was also in possession of nine rocks of Italian White when she was arrested.
- DEA Grand Bassa Officer-In-Charge, Major Joseph Targedine said the arrest is part of Operation Dragnet, launched to rid the county of dangerous substances and that Mrs. David would be sent to the Buchanan Magisterial Court for prosecution.

(Also reported Truth FM, Sky FM, and ELBC)

International Clips on West Africa

Ivory Coast

Ivory Coast opposition calls off flashpoint march

Reuters - Ivory Coast's opposition on Wednesday called off a protest scheduled for the weekend after talks with President Laurent Gbagbo, who wanted it postponed until after an African Development Bank meeting this month. The march planned for May 15 to protest against the blocked electoral process had been a cause of tension between the government and the opposition in the world's top cocoa grower. Presidential polls meant to reunite the country have been delayed indefinitely because of rows over voter registration and rebel disarmament. The opposition accuses Gbagbo of stalling the process deliberately to extend his mandate. The government had requested the opposition delay the march until after an African Development Bank summit in Abidjan from May 24-28, but opposition leaders had vowed to go ahead with it. "Faced with the risk of clashes and loss of human life and remembering our commitment to take power by the ballot box rather than violence ... the (opposition) presidents have decided to delay the protests planned for May 15 to a date they will fix later," an opposition coalition statement said. Gbagbo had been in negotiations with opposition Democratic Party of Ivory Coast (PDCI) leader Henri Konan Bedie. Locals had feared he would just ban it by decree and the opposition would defy him, leading to clashes and bloodshed. At least seven people were killed in scuffles between security forces and opposition demonstrators in February.

US State Department Warning Issued for Ivory Coast

<http://www.articleant.com/gen/79180-cote-d-ivoire-travel-warning.html>

The Department of State warns U.S. citizens of the continued risks of traveling to Cote d'Ivoire and urges them to exercise caution while traveling there. This replaces the Travel Warning for Cote d'Ivoire dated September 22, 2009 to update information on the security and political situation, and to advise of the increased probability of political demonstrations and unrest. Cote d'Ivoire has been a divided country since a 2002 failed coup attempt evolved into an armed rebellion that split the country in two. Ivorian President Laurent Gbagbo and New Forces leader Guillaume Soro signed the Ouagadougou Political Agreement (OPA) in March 2007, and a new government was formed with Soro as Prime Minister. Implementation of the accord, including federal elections, is ongoing, but long-awaited elections have been postponed repeatedly. No new date for elections has been announced since cancellation of elections in November 2009. The government has not regained full control of the northern part of the country, which remains under the de-facto control of the New Forces.

More peacekeepers needed, say analysts

ABIDJAN, (IRIN) - An additional police unit and more troops should be added to the UN Office in Côte d'Ivoire's peacekeeping presence of 8,500 troops, to keep the peace in the west, say the International Crisis Group (ICG) and aid officials. There is broad support for the call among aid workers IRIN spoke to, and the general public. The mandate of the UN Operation in Côte d'Ivoire (UNOCI) comes up for renewal on 31 May and a UN Department of Peacekeeping Technical Assessment Mission recently visited the country to evaluate the situation. It is due to make recommendations to the UN Security Council at the end of May. The political focus of the concept of who is considered to be an Ivorian, and a deteriorating economic situation have combined with "armed groups and militias, the resurgence of xenophobic language, and a challenging socio-economic situation, to make for an explosive environment, threatening the stability of this country," said the ICG in its report. "If the UN and other international partners in Côte d'Ivoire do not rapidly put in place the political and security mechanisms capable of preventing violence, the Ivorian peace process is at the risk of derailing, with serious consequences for Côte d'Ivoire and its neighbours." The Interior Ministry must increase its security force presence in the west, says the ICG, and Guillaume Soro, prime minister and general secretary of the Forces Nouvelles, must accelerate disarmament in the Forces-Nouvelles-controlled west and north.

Star Radio Liberia

Saturday, 15 May 2010

Charles Taylor trial transferred to new location

Written by Matthias Daffah

The trial of Former Liberian President, Charles Taylor has been transferred to a new location in The Hague.

The Judges of the Special Court for Sierra Leone have also postponed the production of evidence until Monday May 17.

The postponement is intended to facilitate the re-location of Mr. Taylor's trial.

The new arrangement specifies that Mr. Taylor will still face the same Judges of the Special Court when his war crimes trial resumes Monday.

The trial will relocate from the courtroom of the International Criminal Court to a newly-constructed courtroom for the Special Tribunal for Lebanon.

The Special Tribunal for Lebanon was established by the United Nations to try people suspected of assassinating Former Lebanese Prime Minister Rafik al-Hariri.

But to date no one has been arrested in connection with the murder.

Mr. Taylor's trial will be the first to be held in the newly constructed courtroom of the Special Tribunal for Lebanon.

According to the MOU between the Special Court and the Special Tribunal for Lebanon, the Special Court will pay for all trial-related costs.

The Liberian Observer

Wednesday, 12 May 2010

Anti-TRC Forces Could Hijack TRC Report, Recommendations

By: I Giple Nagbe

A leading human rights group has called for new investigation into the Truth and Reconciliation Commission (TRC) Final Report to ward off any potential hindrance to its successful implementation. In its own report on the TRC's deliberation, titled 'Beyond the Truth and Reconciliation Commission: Transitional Justice Options in Liberia' launched on Tuesday, May 11, 2010 during a Press conference, held at its head office in Monrovia, the International Center for Transitional Justice (ICTJ) cites weaknesses and strengths of the TRC Report while at the same time stands in support of the TRC final Report.

The ICTJ however insists that the TRC did not follow international best practices in arriving at the recommendations and did not adhere to transparency and respect for due process. The human rights group still wonders how the TRC arrived at the recommendations of prosecution and lustration and questions its (TRC) validity in a bid to go forward in healing the country and totally reconciling its people.

Speaking to reporters, Paul James-Allen, one of three authors of the ICTJ'S report, the others being Aaron Weah and Lizzie Goodfriend, said that the ICTJ report is a product of nearly six years of dealings with and getting to know about Liberian TRC procedure and transitional justice landscape in the post war nation. According to him its (ICTJ) report also represents a review of the TRC process, analyzes the final report and its recommendations and suggests ways to address the transitional justice issues in the TRC report.

The International Center for Transitional Justice (ICTJ) works to redress and prevent the most severe violations of human rights by confronting legacies of mass abuse. ICTJ seeks holistic solutions to promote accountability and create just and peaceful societies. ICTJ works in societies emerging from repressive rule or armed conflict, as well as in other societies where legacies of abuse remain unresolved.

In a Position Statement, ICTJ's report on the TRC Final Report and Recommendations highlights the origin, mandate and operations of the TRC. It held that the TRC was set up to carry out a particular job and the reasons it came up with the kind of recommendations and responses that followed, based on the agreement between Liberians and members of the international community for Liberia to choose how it as a country, emerging from a bloody civil conflict, decides its path to pursue in terms of transitional justice.

The ICTJ also noted the strengths of the TRC Final Report in its 'innovative engagement' with the Diaspora community and dealing with economic crimes committed during the country's horrible past. However, ICTJ in the report, was quick to call members of the Press to the glaring discrepancy the TRC Report for lacking 'supporting evidence and information' to conclude and recommend that 124 and 58 persons respectively be prosecuted for gross violations of human rights, international humanitarian law and rank domestic crimes. The ICTJ report also questioned the reprieve from prosecution of 38 other individuals for 'cooperating with the TRC' but admitting to the commission of heinous crimes, as well as 49 other high-profile individuals, including President Ellen Johnson Sirleaf and Nimba County senior Senator, Prince Y. Johnson, who have declared their intentions to contest the forthcoming 2011 presidential election, despite being lustrated and banned from public office for 30 years by the TRC Final Report.

Some reasons why the ICTJ came to the conclusion that the TRC Final Report is questionable, come in the wake of notable challenges faced by the TRC during its operations then, which included limited

technical capacity, poorly coordinated programming and disharmony among its commissioners, to the effect that, two former commissioners of the Commission did not sign and endorse the TRC Final Report.

Furthermore, the ICTJ, fears that if anti-TRC forces are allowed to take over the prospects of real discussions on how progress in the TRC report can be reached concerning the implementation of the recommendations it will jeopardize Liberia's hard fought-for peace and stability and further encourage the culture of impunity that has become a part of political, social and economic life in the country since its founding in 1847.

When pressed as to whether the report of the ICTJ will not undermine effort of the Independent National Human Rights Commission (INHRC) when nominated and subsequently confirm by the Senate, Ms. Lizzie Goodfriend, a co-author of the ICTJ report wants stakeholders of transitional justice to see their report as a stance for human rights not only for the victims but also for alleged perpetrators as well.

When this reporter put it to the authors to identify some "anti-TRC forces" that it mentioned in its report, that should not be allowed to hijacked the TRC Final Report, the ICTJ believes there is no need to name a particular person or group as it is glaring from the day the TRC released its final report to the public.

In concluding, ICTJ suggested that, to ensure that Liberia is at peace with itself and its neighbors, the administration of President Sirleaf must come up with a policy paper on the way forward for the TRC recommendations to be implemented. By calling for the palava hut style to be employed in determining the final outcome of the TRC report is not enough, while at the same time the president has declared her intention to contest the forthcoming 2011 presidential election. The ICTJ also wants civil society groups, external partners, as well as the Fourth Estate to take advantage of the opportunities presented in the TRC report and to address the shortcomings of transitional justice as enshrined in the TRC Final Report.

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The East African
Monday, 17 May 2010

We must protect victims, Ocampo's witnesses too

By Muthoni Wanyeki



Louis Moreno-Ocampo, Prosecutor for the International Criminal Court, has come and gone. His visit did not, however, clarify what Kenyans are impatient to know.

We know he is pursuing cases involving politicians from both sides of the Grand Coalition, in which businesspeople, civil servants and state security agents may also be involved. But which cases specifically remain unclear.

We could guess, of course — the most illustrative cases on both sides being the attacks on the Kiambaa church as well as the attacks in Naivasha. But a guess is still only a guess.

And thus the only reassurance we have so far is that he is pursuing both the organised violence in the North Rift as well as the equally organised counter-attacks moving out from Central and Nairobi into the South Rift.

This is obviously a good thing in terms of mitigating the perception that politicians from one ethnicity/political persuasion only were involved — and thus too the potential for further violence in reaction to any possible indictments that could appear one-sided.

Not so reassuring, however, is his apparent reluctance to pursue cases specifically involving state security agents.

Because it is clear that if the ICC is to play a deterrent role with respect to the potential for future violence, accountability must also be sought from the highest possible levels of state security agencies — to remind them all of their responsibility to act impartially and in the public interest at all times.

Meanwhile, it is obvious that levels of risk and threat have increased since the decision of the ICC's pre-trial chamber — and in an entirely indiscriminate manner.

On the ground, communities of the ethnic/political persuasion who believe "their" men are being unfairly targeted are not making the distinction that we must all make between victims and potential witnesses.

So let us reiterate that distinction here. Victims are Kenyans who suffered the effects of the violence — those who lost family members, who were injured, who had their homes and property destroyed, who were forcibly displaced.

They are numerous. Many of them have already had the courage to share their experiences with numerous interlocutors — national and international human-rights organisations, humanitarian and relief organisations, the Commission of Inquiry into the Post Elections Violence and the media.

They have done so in the belief that their stories will not just be heard but be responded to — in terms of providing them not just with criminal justice but also with restorative justice.

Providing them with temporary refuge, an unsatisfactory resettlement exercise, only nominal medical and psychological care and even more nominal help to reconstruct their livelihoods simply is not good enough.

But the point here is that they are victims. And the ICC provides all victims, whether witnesses for the Prosecutors' cases or not, the right to both independently participate in the court's proceedings as well as to receive, in the event of successful convictions, reparations.

And the fact that victims are being subjected to coercion and intimidation is unacceptable.

Given what we already know about the forms and patterns of violence at the time, it seems naive to call upon the state to ensure the protection of victims — by ensuring intensified security in all areas affected by the violence.

But call on it we must.

The responsibility to protect lies with the state. And it is the state that will be held accountable should anything happen not only to victims, but to intermediaries and potential “insider” witnesses. That state failed us all in 2007/8. It must not do so again.

L. Muthoni Wanyeki is executive director of the Kenya Human Rights Commission

Daily Nation (Kenya)

Thursday, 13 May 2010

Ocampo's disarming handshake

By SAMWEL KUMBA

There is a buzz as International Criminal Court prosecutor Luis Moreno-Ocampo walks into the room. Ignoring aides and officials ushering him to a seat in front of the small hall, he starts a round of handshakes.

And to everyone's consternation, he does not stop with just a few people in the front row, but works his way through the gathering of community media practitioners at the event that also marked the launch of the *Internews* offices in the city centre on Tuesday morning.

Whisper anxiously

He shakes close to 100 hands, navigating his way through packed aisles and rows, stepping over peoples' feet and reaching over shoulders as officials look on perplexed and his security men whisper anxiously into their microphones. Casual and relaxed, perhaps, is the unknown side of the ICC prosecutor who otherwise comes across as a man out to slay all who cross the legal boundary.

Everybody is at ease, and Mr Moreno-Ocampo takes his seat. Three journalists make presentations on their experiences covering the post-election violence. First to go on stage is Moses Mogeni, a freelance cameraman, then based in Kisumu. "Kisumu was a police city. I was traumatised by what I saw and the killings I witnessed. The divisions spilled over into newsrooms," he says.

Mr Mogeni said he would never encourage his children to join the police force after what he saw. The Kenyan police officers attached to Mr Moreno-Ocampo are expressionless. Then in comes Carl Ndugu, names he adopted for convenience at the height of the violence.

Before, he was Lewis Usenge. "The situation was nasty. During the day I was a journalist. At night I joined other youths for community policing," he said. Mr Moreno-Ocampo interjects just as the master of ceremony is about to follow the programme that has time for just one or two questions from the floor and a short response from the ICC prosecutor.

He asks everybody in the room to introduce themselves. He also asks his audience to state their interest in the ICC process and ask a question. That made the entire session quite interactive, maybe a technique he uses to put witnesses at ease. So, how did he get his job?

He was then teaching at Stanford and Harvard universities. At Harvard, he taught two programmes, one about corruption and the other about establishing the rule of law worldwide. He had made that his dream.

After one class, he received a call informing him that his name had been included among candidates being considered for the post of chief prosecutor of the ICC. "The caller, indeed, told me that my name was top on the list and he wanted to establish if I would take the offer," he said.

After discussing the call with his wife, the prosecutor assured her that there was nothing wrong. He was interviewed in New York before he returned to teaching. "A few months later, I was appointed unanimously and became the first prosecutor of the ICC. I had the task of building the institution. That is why I am in Kenya today," he said.

He and the ICC are actualising a UN charter provision that nation states should not attack their citizens. Initially, states did whatever they liked with their citizens. That is how Hitler was able to kill his people. But after the UN was formed, people said “never again”. Mr Moreno-Ocampo says that the “never again” was a promise that was to take a long time to be fulfilled.

This perhaps explains why, although the convention against genocide was adopted in 1948, it was not implemented immediately. It required a tribunal to be implemented and this could not happen during the cold war which, he said, was about political life, not about legal life.

“Rwanda was the last shame in which almost a million people died,” he adds. But after the genocide, there was a new impetus and the ICC was created. “It was only then that the team started to transform the “never again” from a mere promise into a legal obligation.”

Hirondelle News Agency

Friday, 14 May 2010

Daughters come to dad's rescue in genocide trial

Two defence proceedings continued this week before the Arusha-based International Criminal Tribunal for Rwanda (ICTR) involving Joseph Nzirorera, former Secretary General of then Rwandan ruling party in 1994, MRND, and that of ex-Youth Minister Callixte Nzabonimana.

In Nzirorera's case, three defence witnesses testified on Wednesday, including his two daughters, Aurore Uwase (30) and Flora Kalisa (32). The two daughters separately backed their father's defence of alibi.

They claimed that the day Rwandan President Juvenal Habyarimana was killed on April 6, 1994 their father was at their home at Remera in Kigali, and not in Mukingo Commune, Northern Rwanda, as alleged by the prosecution.

They claimed that they only left the following day together with their father to Kiyovu area, also in Kigali city. The daughters, who are living in exile in Europe, also alleged that they had sought refuge at the residence of genocide-convict Lt. Col. Ephrem Setako until April 11, 1994.

During the time in question the prosecution alleges that Nzirorera was at his Mukingo commune busy inciting the population to exterminate ethnic-Tutsis.

Nzirorera is jointly tried with two other senior MRND leaders --President Mathieu Ndirumpatse and Vice-President Edouard Karemera. Karemera has already completed his defence case.

The trial continues on Monday.

As was the case last week, the defence case of genocide-accused Nzabonimana continued in closed session.

Eleven defence witnesses have already testified and the case continues on Monday.

FK/SC/GF

The Daily Star (Lebanon)

Monday, 17 May 2010

STL's Bellemare to press charges in Hariri case 'by fall'

By Michael Bluhm

BEIRUT: Special Tribunal for Lebanon prosecutor Daniel Bellemare plans to file charges this fall, tribunal President Antonio Cassese told The Daily Star in an exclusive interview on Saturday.

“Prosecutor Bellemare announced that he is likely to issue an indictment between September and December of this year,” Cassese said. “This is what he said ... This is my expectation.”

Cassese added that he did not have any information about the potential culprits or the details of Bellemare’s probe. “I have no idea, because we are very strict ... The prosecutor does not tell anything [about the investigation] to anybody within the tribunal,” Cassese said. Bellemare’s office did not respond to a request for comment.

The UN Security Council established the court to try suspects in the February 2005 assassination of former Prime Minister Rafik Hariri, although the tribunal has a mandate to pursue the perpetrators behind assassinations, attempted killings and political violence from October 2004 through January 2007. Hariri’s killing sparked a wave of popular demonstrations which brought about the withdrawal of Syrian troops from Lebanon after a 29-year presence. Syria has always denied any involvement in Hariri’s assassination.

At the same time, Cassese believes the tribunal will struggle to find enough donations for its budget next year, because the added costs of a trial would run into state budgets shrunken by the economic crisis afflicting the Western nations bankrolling the court. Lebanon pays 49 percent of the tribunal’s annual budget, which for 2010 amounts to \$55.35 million.

“There is no problem [with financing] this year,” said Cassese who also served as the first president of the International Criminal Tribunal for the former Yugoslavia. “The problem will be next year, because if next year – as I very much hope – we have a trial, then we will have to recruit staff.”

Critics have assailed the tribunal as a political tool for the US and its allies to pressure Damascus and Hizbullah. Syrian Foreign Minister Walid Moallem has said that Syria had received offers to terminate the tribunal in return for facilitating a presidential election in Lebanon. Cassese said that no one had spoken to him about political goals for the tribunal and that charges of politicization were “totally wrong.”

Since the UN voted in May 2007 to form the court, “the whole process has never been political or politicized,” said Cassese, who added that when he headed the Yugoslav tribunal and the International Commission of Inquiry on Darfur he rejected ambassadors’ requests for political favors.

“When we are going to pronounce upon a case brought before us, this will be done by us without any political considerations. We will never attach any importance to the political repercussions. I don’t care about political grounds. I go ahead and do my job.”

Experts on international law have said it remains unclear how far the tribunal could go in any case to pursue high-ranking politicians, because the court’s statutes do not address whether heads of state enjoy immunity from the court. While Cassese said he could not comment on his court’s jurisdiction, he added that he had previously published his opinion that international tribunals did not have to respect diplomatic immunity because of the serious nature of the crimes they deal with.

“As an academic studying international law, I am on record ... I have always argued that, as the International Court of Justice rightly pointed out, heads of state do not have functional immunity – that means that immunity because of the exercise of their functions while they were incumbent,” Cassese said.

“They enjoy personal immunities, however, before national courts. Before international tribunals they don’t enjoy any immunity whatsoever.”

The tribunal has also battled negative perceptions over the exodus of key personnel. Since being officially established in a suburb of Holland’s The Hague in March last year, the tribunal has witnessed the exits of the chief of investigations and two registrars – the officials who act as the court’s chief executive. Cassese said that all international courts experienced high rates of staff turnover, but the departures were usually connected to outside issues such as family or more lucrative job opportunities.

“I know that when [registrar Robin Vincent] left and then when [Vincent’s successor] David Tolbert left, people said, ‘So there is something wrong with this tribunal,’” Cassese said. “This happens all the time because these are international institutions where people are, in a way, taken away from their own countries. You don’t have friends. You don’t make friends in The Hague. I only go out to dinner with ambassadors or judges. So you get fed up.”

Cassese resigned from his post as president of the International Criminal Tribunal for the former Yugoslavia because his wife threatened him with divorce, even though he relished the work, he said. “I myself left after seven years because my wife said, look, either you come back or I will divorce you,” he said. “I had no choice. I was very happy to work there. I enjoyed my job very much, but then I had a family problem.”