

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



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 June 2010

Press clips are produced Monday through Friday.
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The Exclusive
Thursday, 10 June 2010

Guinea Assisted Lurd Invade Liberia

A Former Rebel Commander testifying in defence of Charles Taylor alleged on Tuesday that the Guinean Government headed by then President, Lasannah Conteh aided the invasion of Liberia by the rebel group, Liberian United for Reconciliation and Democracy, LURD. The witness who claimed he fought for both ULIMO-J and LURD also alleged that Liberian Journalist, Hassan Bility was engaged in covert operations for LURD against the Taylor Government. John Kollie reports for the BBC World Service Trust...

The witness testifying under anonymity said LURD would have not succeeded in its invasion of Liberia if the Guinean Government had not given its backing. He said with the approval of the Guinean Govern-

ment, a group of Liberian fighters attacked Guinea in 2000 in an operation called Mosquito Spray as pretext for the Guinean Government to assist LURD invade Liberia. The witness gave graphic description of how the Guinean Army assisted the Liberian rebels against the government of Charles Taylor. The Defence 15th witness also testified that Liberian Journalist, Hassan Bility worked for LURD as an undercover agent in Monrovia.

Mr. Bility testified for the Prosecution last year and said he was arrested on numerous occasions and tortured by the Liberian Government for reporting on Mr. Taylor's alleged support to the Sierra Leone rebels.

But a Former Commander of the LURD rebel group giving testimonies in

The Hague has said Mr. Bility provided valuable military information for LURD's entry into Monrovia.

The cross-examination of Defence Witness DCT 190 was postponed when the Defence concluded its direct examination. The Prosecution said it could not conduct the cross-examination of the witness because the witness summary provided to them by the Defence was too inadequate.

The Defence 16th witness, a Liberian woman identified as Aletha Hoff has taken the stand. Madam Hoff is testifying to a dispute between her telephone number and that of Mr. Charles Taylor. Madam Hoff started her cross-examination immediately after her direct examination was concluded Tuesday afternoon.

ECOMOG Mined Diamonds In Sierra Leone

By Richard B. Bockarie
Sierra Express has learnt that a Liberian-born Sierra Leonean who fought for the ULIMO-J rebel faction and is currently a defence

witness in the ongoing Taylor Trial in The Hague has revealed that West African Peacekeeping Force, ECOMOG engaged in diamond mining in Sierra Leone too.

The 15th Defence witness testifying under anonymity, also said Former ULIMO-J Leader, Roosevelt Johnson connived with ECOMOG and attacked the government of

Former Liberian President, Charles Taylor. The 15th Defence witness only identified as DCT 190 said the West African Peacekeeping Force,

ECOMOG mined diamonds in the Sierra Leonean Town of Tongo during the civil war in that country, a story he said he had known.
Contd. page 2

ECOMOG Mined Diamonds In Sierra Leone



edge of. Former Liberian Leader, Charles Taylor is the only foreigner accused in collaboration with the RUF in looting the diamonds of Sierra Leone. But a Former fighter of the Liberian rebel faction, ULIMO-J testifying in Mr. Taylor's defence alleged ECOMOG commanded by Major General Maxwell Krobe in Sierra Leone did diamond business with the locals. The witness further said the Sierra Leone Government and ECOMOG recruited and armed Ex-combatants of both ULIMO-J and ULIMO-K at the Ricks Institute in Liberia. He said the recruits from the Ricks Institute were armed and taken to Sierra Leone by ECOMOG Forces to as-

sist restore the ousted government of Former President Ahmed Tejan Kabbah in 1997. The witness testified that the Liberian fighters were fully supported by ECOMOG during their attacks against the combined RUF and AFRC forces in Sierra Leone. The Defence witness also told the court that the African Peacekeepers provided ULIMO-J leader, Roosevelt Johnson with trucks, arms and ammunition to attack and overthrow the government of Charles Taylor in 1998. He said ECOMOG loaded a truck with ULIMO-J fighters from Duala and transported them to Camp Johnson Road to fight the Taylor Government

forces. The witness, a Sierra Leonean partly educated in Liberia, said the primary instruction to ULIMO fighters was to attack the Barclay Training Centre in Monrovia. He told the court that the second instruction was to take Mr. Johnson to safety. According the Defence witness, ECOMOG had further planned to use ULIMO Fighters in an operation code named Operation Eagle to capture Mr. Taylor alive in Monrovia. The witness said the plan was for ULIMO fighters wearing ECOMOG uniforms to ambush Mr. Taylor's convoy near the James Spriggs Airfield. But he told the court the plan failed because Mr. Taylor's intelligence picked up the information.

American expert warns Western powers against failing ICC on 'crime of aggression'

Kampala, Uganda - An American expert on crimes against humanity has warned the 'big nations' of dire consequences in the near future, if they frustrate the adoption of the crime of aggression in the Rome Statute setting up the International Criminal Court (ICC).

"A country should not commit crimes for its own benefit thinking no one will question it," said Benjamin Ferencz, a former chief prosecutor during the 1946 Nuremberg Tribunal trials that brought to book top Nazi war criminals

Ferencz was criticising his own country, US, as well as Russia and China, who are opposed to making the crime of aggression triable by the ICC.

"This is the time all nations in the world should come in full support of the crime of aggression to be part of crimes tried by ICC so that we can end impunity and open a new chapter of accountability," he said on the sidelines of the ICC review conference in Uganda.

Ferencz, 91, who served in the US army during the Second World War, said the Nazi government committed genocide to exterminate the Jews in Germany; but were later

made to account for the six million deaths they caused when the Nuremberg Tribunal came into force.

"In 1998 during the establishment of the Rome Statute, the big nations delayed the inclusion of the crime of aggression on the list of crimes to be tried by the ICC because they felt that they would dodge it and make it die out completely. They set up conditions that they felt would never be met.

"They wanted the crime of aggression to be defined and wanted to be sure that the UN Security Council will run the show when ICC was implementing it. But the definition had long been made. The trick behind all this is that the big countries

are still in the cold war. No big nation trusts the other on how it will be handled in case it became party to the Rome Statute and when is fully implemented,' he said.

The 33 African states that form the biggest single continental block that is party to the Rome Statute last week issued a joint statement in Kampala opposing the suggestion to put the UN Security Council in charge of running the crime of aggression issue.

By John Kollie

NEWS ITEM

A Liberian woman has concluded her testimonies in The Hague clarifying confusion surrounding her Liberian mobile phone number and the Liberian mobile phone number of Indicted Former Liberian President, Charles Taylor. Madam Aletha Hoff said the Lone Star mobile number in dispute belongs to her not to Charles Taylor. John Kollie reports for the BBC World Service Trust...

Madam Hoff told the court that many people have mistaken her Liberian mobile number for that of Charles Taylor.

Last year a Prosecution witness testified to a Liberian mobile phone number he claimed belonged to Mr. Taylor.

But Madam Hoff, a witness testifying in Mr. Taylor's defence has said the mobile number in question belongs to her.

Madam Hoff said even though the Former Liberian Leader is in The Hague she still receives calls from many people mistaking her number for of Mr. Taylor.

The court adjourned for the day during its morning break on Wednesday because the Defence team was unable to produce their next after Madam Hoff concluded her testimonies.

Defence witness DCT 190 whose cross-examination was suspended on Tuesday is expected to resume his testimonies on tomorrow Thursday.

Meanwhile, the accused Former Liberian President was absent from court on Wednesday.

Authorities of the detention centre informed the Judges and the parties that Mr. Taylor would not be in court today. But the reason for his absence was not disclosed to the public.


United Nations **Nations Unies**

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary
9 June 2010

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

UN News in Liberia

UNMIL

Top UN Envoy Dialogues with Liberian Women Leaders

[The Inquirer, The Informer, Front Page Africa]

- The Special Representative of the Secretary-General in Liberia, Ms. Ellen Margrethe Løj Tuesday interacted with Liberian women leaders at the Angie Brooks International Centre at the University of Liberia Fendell Campus.
- The interaction was part of ceremony in commemoration of Security Council Resolution 1325 on women, peace and security as "Global Open Day for Women and Peace."
- The women were given the opportunity to express their views on women peace building and gender-based violence against women during a dialogue which brought together women leaders from Monrovia and other parts of the country.
- The UN Gender Team Group in Liberia facilitated the opening day of the dialogue between Ms. Løj and 20 Liberian women leaders.
- The forum was meant to allow the UN hears Liberian women's voices on how contemporary processes of conflict resolution and peace building can be enhanced through the integration of women's concerns.
- In her opening remarks, SRSG Løj said among other things that October marked the tenth anniversary of the Security Council's groundbreaking Resolution 1325 on Women, Peace and Security, which called for higher levels of women's involvement in peacemaking and peace building.
- "The "Global Open Day for Women and Peace" is meant to re-invigorate our efforts to realize the vision set out in Resolution 1325. I count on all partners to support the United Nations in translating women's priorities into real and meaningful action," the UN envoy concluded.

Other UN News

Liberia's Infrastructure Hurdle

[Daily Observer]

- Millions of United States dollars is needed to rebuild Liberia's shattered infrastructure, the World Bank-Liberia Country Manager, Dr. Ohene Owusu Nyanin, has said.
- According to Dr. Nyanin, despite spending approximately US\$100 million donor and public funds annually on infrastructure, the dilapidated state of the country's road networks, sea and airports as well as the acute lack of safe drinking water and electricity remain the most difficult challenges facing the Government and people.
- He disclosed that Liberia needs between US\$350 to US\$600 million per annum in order to make serious impact on the country's infrastructure.
- Speaking at the official launch of the Infrastructure Country Diagnostic (AICD) report in Monrovia Monday Dr. Nyanin craved for more international and domestic financing to rebuild the country's damaged road network, restore port facilities and safe drinking water to all parts of the country as well as restore electricity across the country.

Local News on Liberian issues

Parties to Threshold Bill Debate Reappear in High Court Today

[The News, Daily Observer]

- Parties to the controversial threshold bill debate are to appear before the Supreme Court today.
- Their reappearance is in continuation of the case filed by the Concerned Setor Youth against any further action on the constituency representation bill.
- It followed the appearance of the parties on Monday at the Supreme Court.
- A lawyer of the Senate, Senator Frederick Cherue told the Plenary Tuesday Legislature and the Justice Ministry are meeting to file a joint legal return.
- The legal return relates to the position of the Legislature and the other respondents of the lawsuit filed against the use of the census results to set the threshold.
- The other respondents include the Liberia Institute for Statistics and Geo-Information Service and the National Elections Commission.

Montserrado Lawmaker Wants Former Internal Affairs Minister Audited

[Heritage]

- Montserrado Senator Geraldine Doe Sheriff is calling for an audit of former Internal Affairs Minister Ambullai Johnson.
- Senator Sheriff also wants the audit of the former Superintendent of Montserrado County Beauty Bacon.
- The request of the Montserrado lawmaker was contained in a communication to the Liberian Senate.
- Senator Sheriff believes the two former officials must be made to account for development funds intended for Montserrado County.
- She said the two officials allegedly misappropriated the development funds with several projects still left uncompleted.
- Mr. Ambullai Johnson has since resigned his post as Internal Affairs Minister and Madam Beauty Bacon dismissed amid huge controversy over the development funds of Montserrado County.
- Meanwhile, the Senate has mandated its committee on Internal Affairs, Judiciary and Public Accounts and Audit to review the communication by Senator Sheriff and report to the plenary subsequently.

Mount Coffee Hydro Needs US\$162M

[Daily Observer]

- A high-powered joint Liberian delegation comprising the Senate committee of the Ministry of Land, Mines and Energy (LME) and of Environmental Protection Agency (EPA) and of the Liberia Electricity Corporation (LEC) on Monday visited and toured the war-devastated Mount Coffee Hydro Power Plant situated in Harrisburg, Careysburg District in Montserrado County.
- The fact-finding delegation was headed by LEC Managing Director Joseph T. Mayah.
- Mr. Mayah briefed the senators on problems, prospects, progress, development and growth of the LEC and on efforts and strides being made by his outfit in the restoration of power to the nation.
- During the briefing, the LEC boss intimated that for a full restoration of power to the nation, LEC needs US\$162 million for the rehabilitation of the Mount Coffee Hydro.
- He also disclosed plans by the LEC and the Liberian Government to negotiate with the Economic Community of West African States for a regional interconnectivity of power for the country.

YMCA, Others Train 200 Motorcyclists in Margibi

[Daily Observer]

- The third phase of training under the project, 'Supporting Peaceful Reintegration of High Risk Youth into Their Communities through Facilitating Rural Transport Livelihood Opportunities' has begun at the YMCA Centre in Kakata, Margibi County.
- It is being sponsored under the Liberia Peace Building Fund.
- The training, according to the Liberia YMCA, is in collaboration with the Liberian government, United Nations Development Programme and the United Nations Mission in Liberia.
- The project is aimed at enhancing the socio-economic reintegration of high-risk youth operating commercial motorcycles, and the promotion of a means for resolving conflict among motorcycle riders, the community and the Police.
- Two hundred commercial motorcyclists will receive training on Highway Code, safety signs and other safety measures, with the objective of promoting human safety and lives, psychosocial counseling, awareness sensitization campaign on HIV/AIDS and civic education.

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

Government Charges Three Finance Ministry Officials

- Government says the three Finance Ministry officials accused of dubious transaction have been charged with bribery and economic sabotage.

- The three Finance Ministry officials were arrested by state security when they received a US\$10,000 kickback.
- The US\$10,000 kickback was part of a deal with an agent of the Cocopa Rubber Plantation in Nimba County.
- Solicitor General Wilkins Wright said the three officials agreed to reduce certain portion of the taxes due government and the balance diverted.
- Cllr. Wright said the Cocopa Rubber Plantation owes government over US\$200,000 in taxes.
- The three officials include Dawo Morris, Director of Large Tax Revenue Bureau; Brenda Dahn Caine, another director and Kollie Dogba, analyst at the Finance Ministry.
- The Solicitor General said the Cocopa agent is helping state security with the investigation and may not be charged.
- Cllr. Wright described the crimes committed by the three Finance Ministry officials as grave.
- Meanwhile, Finance Minister Augustine Kpehe Ngafuan says he is waiting for a full report from the National Security Agency following which appropriate action will be taken against the accused officials.

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

Parties to Threshold Bill Debate Reappear in High Court Today

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

Police Charge Health Ministry Employee, Two Others with Economic Sabotage

- Police have charged and sent to court an employee of the Health Ministry and two others for economic sabotage and forgery.
- The Police said the three men were linked to a fraudulent voucher worth over US\$38,000.
- The Police named the men as Ezekiel Darwin, a local money exchanger; Khaki Lacini, a resident of the Stephen Tolbert Estate; and Emmanuel Blackie, an employee of the Health Ministry.
- The Police revealed that US\$19,000 of the over US\$38,000 was deposited in an account titled: Ellen E Trading belonging to co-defendant Khaki Lacini.

Truth FM *(News monitored today at 10:00 am)*

Montserrado Lawmaker Wants Former Internal Affairs Minister Audited

Demonstrators Transform Protest into Sit-in Action

- Demonstrators in Maryland County have transformed their protest into a sit-in action before the Harper City Hall.
- This is the second day running of the protest in demand of better roads in the wake of the boat that capsized and left several dead and wounded.
- The protesters said President Ellen Johnson Sirleaf is the only government official that will overturn their action promising not to take instruction from the local authorities and the county caucus.
- The protesters through their spokesperson Josephine Allison said they were running out of patience in engaging the local authorities in demand of better roads.

Newspaper Publisher Complains of Death Threats

- In the wake of reports in the Front Page Africa newspaper about the alleged arrest and interrogation of Ambassador George Weah, the publisher of the paper has reported threat on his life by some unknown men.
- Mr. Rodney Sieh said some unknown persons have been sending him SMS messages threatening to finish him up and burn his printing press if he continues to publish what they called falsehood about Ambassador Weah.
- Mr. Sieh said some of the 'texters' claimed to be partisans of the opposition Congress for Democratic Change (CDC).
- He said he remains steadfast in the performance of his professional duties rather than seeking his personal interest.
- But CDC deputy secretary general, Acarius Gray said it was the work of detractors and not CDC partisans.
- Mr. Gray said the CDC has no interest in intimidating the media as portrayed in some quarters.

International Clips on Liberia

Liberian Opposition Leader Denies Drug and Money Laundering Allegations
www.thedailyafrican.com

Liberia's football legend and leader of the main opposition Congress for Democratic Change (CDC) party George Weah said he is not involved in illegal drug and money laundering. The online Liberian publication FrontPage Africa earlier this week wrote that Weah was at the house of a childhood friend and close aide – James Bestman – in the U.S. state of Maryland when federal agents raided the home and arrested Bestman for alleged drug and money laundering. The report said Weah was handcuffed, questioned and later released. But, Weah, who nearly defeated President Ellen Johnson-Sirleaf in the 2005 election, told VOA he was never arrested and that the FrontPage Africa story is unsubstantiated. "I assure you, you know me well. I will never get involved in any drugs and money laundering. I don't understand why any journalist would want to write stories and would not substantiate or corroborate his claims against me. As much as I believe in the freedom of press, I think, at the end of the day, when they are bringing the news, I think it should be news for the people to have peace," he said. Weah said he has known and had a good relationship with Bestman for more than 20 years. But, he said he never witnessed a drug raid or money laundering involving U.S. federal officials. "What happened there was I was on my way to Minnesota to the (CDC U.S. members') convention, and I decided to pass to James (because) he should have been one of those who were trying to watch (attend) the convention. When I pulled into the driveway, Mr. James came down the stairs and I saw two officers that served him a warrant that he needed to come with them," Weah said.

Arizona City Independent AC librarian to help set up Liberia's first children's library
www.trivalleycentral.com

Arizona City's Librarian, Joyce Baker, is going to Yekepa, Liberia in June to help prepare and catalog books for a children's library. There are no public libraries in the entire country and there has never been a children's library. Students at schools in Gilbert and Chandler collected more than 10,000 used books and teaching materials to help the Liberian children. Yekepa is a remote village at the base of the Nimba Mountains, about an eight hour drive from the Liberia's capital, Monrovia. After a 14-year civil war, educational resources are very limited. In many cases, five children share one photo copied textbook. Teachers are often barely a lesson ahead of their students. Gilbert mom, Sheri Wang, was shocked to hear of the lack of materials available to the teachers and students in this country. Determined to help somehow, she organized a book drive. More and more people became involved and before long, backpacks, supplies and teaching tools were all donated to begin to rebuild the education opportunities in this remote village. Joyce is going with her husband, a counselor, to teach Liberian nationals basic counseling techniques. This will be their third trip abroad. Their first trip was to Uganda where they instructed nationals on counselling techniques for the country's children soldiers. Their second trip was to Congo where they worked with people who help rape victims. However, for the upcoming trip to Liberia, which will include working with local people associated with local churches, she plans to also help prepare the books for circulation while she is there. Around 30 people are going with the group to Liberia including a musical group, basketball players, a medical team as well as a group of men that will rent motorcycles to use to deliver shoes to different outlying villages.

International Clips on West Africa

Guinea

Guinea leader postpones Moscow trip, mining talk
Reuters

Guinean acting President Sekouba Kanate postponed a visit to Moscow this week that was to have included talks with President Dmitry Medvedev, the Kremlin said. Kanate's talks had been expected to touch on troubles Russian aluminium giant RUSAL has faced in Guinea, which is struggling to hold a June 27 presidential election after decades of harsh authoritarian rule. "Due to pressing domestic matters that have arisen in Guinea, the Guinean side has requested a postponement of the working visit to Russia," a statement on the Kremlin website late on Tuesday said. It did not say when the visit might take place. RUSAL in April rejected a claim by Guinea's mines minister that it owes at least \$860 million in unpaid taxes and said it aims to "protect its rights." The Guinean government has also said RUSAL paid too little for the Friguia bauxite and alumina complex in 2006 and a local court last year ruled that the sale was unlawful. RUSAL then agreed to establish a joint high-level commission with the Guinean government to discuss long-term cooperation. Mining companies have had a rocky time in Guinea since the December 2008 coup that followed the death of ruler Lansana Conte. Guinea's Moscow ties date to Soviet times, when it received Kremlin backing after the end of French colonial rule in 1958. RUSAL also operates the Compagnie des Bauxites de Kindia (CBK) which develops one of the world's largest bauxite deposits. It has a

design capacity of 3.1 million tonnes of bauxite per year and delivers more than 2 million tonnes of bauxite per year to Russia's Nikolaev alumina refinery and more than 500,000 tonnes to other facilities.

Ivory Coast

Cocoa Rises as Disease Threatens Ivory Coast Crop; Coffee Gains Bloomberg

Cocoa futures rose for the third straight day in New York on concern that output in Ivory Coast, the world's largest producer, may decline because of crop damage caused by a viral disease. Coffee also gained. The government of Ivory Coast must make fighting the spread of the swollen-shoot disease "a priority," a union representing cocoa-bean growers said. Swollen shoot is spread by insects and usually kills infected plants within two years. Farmers can stop the disease from spreading only by uprooting and burning infected trees. "Production may be tight this year," said Adam Klopfenstein, a senior market strategist at broker Lind-Waldock in Chicago. "Also, the broader market rally is helping prices trade higher." Cocoa for July delivery gained \$13, or 0.4 percent, to \$2,994 a metric ton at 10:16 a.m. on ICE Futures U.S. in New York. Prices rose 1.4 percent in the previous two sessions. Global production will trail demand by 69,000 metric tons in the year ending Sept. 30, wider than a March projection of 18,000 tons, the International Cocoa Organization has said. Prices advanced 9.8 percent in 12 months through yesterday. Arabica-coffee futures for July delivery rose 0.15 cent, or 0.1 percent, to \$1.337 a pound on ICE.

Sierra Leone

Sierra Leone to liberalize International gateway www.computerworld.com

Sierra Leone's international mobile gateway, which has been run as a monopoly to strengthen the national carrier, Sierratel, will be deregulated as the Africa Coast to Europe ACE fiber-optic project enters the implementation phase, according to government officials. The liberalization effort is a precondition for the landing of the fiber-optic cable, which will allow for operation of the country's international gateway by competing GSM (Global System for Mobile Communications) operators, according to Minister of Information and Communication Ibrahim Kargbo. A consortium of 20 members has joined forces to build the ACE cable. The 17,000-kilometer-long fiber-optic cable should be completely operational in the first half of 2012 and connect 23 countries, according to a statement from France Telecom Tuesday. After the launch of the Sierra Leone GSM Operators Association SLGSMOA in July 2008, the group claimed that operation of the country's international gateway is a provision of their GSM licenses and called for a transparent examination of its allocation.

Hirondelle News Agency

Wednesday, 9 June 2010

Appeals chamber rejects Fr. Rukundo's plea for Additional Evidence

The Appeals Chamber of the International Criminal Tribunal for Rwanda (ICTR) has refused to admit additional evidence in the appeal lodged by Rwandan Roman Catholic Priest Emmanuel Rukundo, who was sentenced to 25 years in jail for genocide.

In its decision dated June 4, 2010, the Appeals Chamber said that Rukundo (51) failed to demonstrate that the additional evidence he had sought to include in his appeal scheduled for hearing on June 15, would have had an impact on the verdict given by the lower court.

"The Appeals Chamber is also not convinced that the exclusion of this material would amount at a miscarriage of justice," it said.

Trial Chamber II of the UN-Tribunal convicted former Military Chaplain on February 27, 2009 of genocide, extermination and murder of people sought refuge at St. Joseph's College and St. Leon Minor Seminary in Gitarama area, Central Rwanda.

Father Rukundo had requested admission of statements given in Rwanda by prosecution witness code named "BLP" relating to his credibility on evidence concerning crimes committed at St. Joseph's College. He had also sought for hearing of testimonies of two defence witnesses "SLB" and "SLZ" concerning St Leon Minor Seminary event.

The Appeals Chamber ruled that it was not persuaded that Rukundo had exercised due diligence in his attempts to present the evidence of the two witnesses at the trial, noting that the Trial Chamber had denied his request because of failure to substantiate it adequately.

Rukundo was found to have played an integral role on four occasions in abduction and killing of the Tutsi refugees. The Trial Chamber held that there was clear evidence that Rukundo directed the killings of Tutsi civilians at Gitarama area during the 1994 genocide.

He was arrested in Switzerland July 2001 and transferred to the ICTR detention center two months later.

FK/ER/GF

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Radio Netherlands Worldwide

Thursday, 10 June 2010

Srebrenica genocide perpetrators get life sentences

By Linawati Sidarto



*The Hague,
Netherlands*

The International Criminal Tribunal for the former Yugoslavia (ICTY) on Thursday sentenced seven defendants related to the

genocide in Srebrenica to sentences ranging from five years to live imprisonment.

Two defendants, Vujadin Popović and Ljubiša Beara, were found guilty of genocide and received life sentences. Reading the verdict on Popović, presiding Judge Carmel Agius pointed out that “the only appropriate sentence is life imprisonment.”

Four others received sentences of between 13 and 35 years, while only one defendant received a sentence of five years.

Throughout the session in the courtroom in the Hague, which lasted for less than two hours, the defendants remained quiet and without emotion, including during the reading of the verdict.

The seven defendants were accused of crimes ranging from genocide to forcible transfer and deportation, related to the genocide in Srebrenica in 1995 which left more than 7,000 Bosnian Muslim dead. Six defendants were members of the Bosnian Serb army, while one was part of the country’s special police forces.

Five defendants -- Vujadin Popović, Ljubiša Beara, Drago Nikolić, Ljubomir Borovčanin and Vinko Pandurević -- are charged with genocide, conspiracy to commit genocide and extermination. Meanwhile Radivoje Miletić and Milan Gvero are charged with crimes against humanity and violations of the laws or customs of war, including murder, persecutions, forcible transfer and deportation.

The prosecution at the International Criminal Tribunal for the former Yugoslavia (ICTY) has asked for life sentences for all the defendants. The seven men have pleaded not guilty to the charges.

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

This has been the largest trial conducted by the ICTY to date. The case started in July 2006 and heard over 300 witnesses. Since its establishment in 1993, the ICTY has indicted 161 people for violations of humanitarian law committed on the territory of the former Yugoslavia between 1991 and 2001.

The ICTY has indicted a total of 21 people for crimes committed in connection with Srebrenica. The most notable ongoing case is that against Former Republika Srpska Radovan Karadžić.



Presiding Judge Camel Aguis



Ljubomir Borovcanin



The accused at court



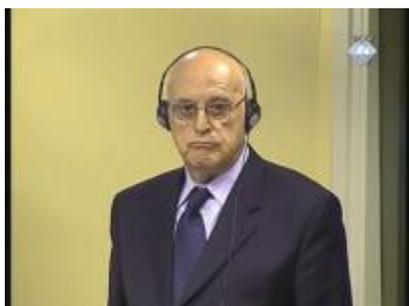
Milan Gvero



Drago Nikolic



Vujadin Popovic



Ljubica Beara



Radivoje Miletic



Vinko Pandurevic

CNN

Thursday, 10 June 2010

Former Nuremberg prosecutor chides U.S., China, Russia

From Samson Ntale, For CNN

Kampala, Uganda (CNN) -- One of the attorneys who prosecuted Nazi war criminals at the end of World War II cautioned the United States, Russia and China on Wednesday over their opposition to the final inclusion of "crimes of aggression" in the mandate for the International Criminal Court.

"Crimes of aggression" were initially included in the court's Rome Statute of 1998, but unlike the other three crimes put under the tribunal's jurisdiction -- genocide, crimes against humanity and war crimes -- crimes of aggression were not defined and jurisdictional conditions were not set.

A review conference, which began May 31 in Kampala and continues through Friday, hopes to accept a proposal that will finally give the court what it needs to try cases of crimes against aggression. But the United States, Russia and China have balked.

"A country should not commit crimes for its own benefit thinking no one will question it," said Benjamin Ferencz, a former chief prosecutor during the 1946 Nuremberg Tribunal that brought top Nazi war officials to justice.

"This is the time all nations in the world should come in full support of the crime of aggression to be part of crimes tried by ICC so that we put to past impunity and open a new chapter to accountability," he said.

As for those opposed, Ferencz said, "the court of opinion will judge them harshly."

Ferencz, 91, accused "the big nations" of delaying inclusion of crimes of aggressions in 1998 "because they felt they would dodge it, make it die out completely."

"They set up conditions that they felt would never be met," he added. "They wanted the crime of aggression defined and wanted to be sure that the U.N. Security Council will run the show when the ICC was implementing it."

The proposal under consideration in Kampala defines crimes of aggression as "the planning, preparation, initiation or execution, by a person in a position effectively to exercise control over or to direct the political or military action of a State, of an act of aggression." The trigger for the action is that it violates the U.N. Charters.

But three proposals are under consideration regarding when and how an investigation might proceed. Two proposals require the U.N. Security Council to determine whether an act of aggression has been committed, but one of those allows an investigation to proceed without the Security Council determination for six months.

The third proposal would give the authority to trigger an investigation to the tribunal's pre-trial Chamber, the U.N. General Assembly or the International Court of Justice.

The five permanent members of the U.N. Security Council -- China, Russia and the United States along with France and the United Kingdom -- have veto power on the 15-member council.

The 33 African states that form the biggest single continental block among the 111 states who have signed onto the Rome Statute last week issued a joint statement in Kampala opposing the suggestion to make the U.N. Security Council the arbiter of crimes of aggression.

Individual countries and the Security Council may refer cases from the other three crimes under the court's jurisdiction to the prosecutor, or, under certain circumstances, the prosecutor may begin an investigation unsolicited.

"The trick behind all this is that the big countries are still in the cold war," Ferencz said. "No big nation trusts the other on how it will be handled in case it becomes party to the Rome Statute and when is fully implemented."

Ferencz's comments came just a day after lawyers representing Sudanese President Omar al-Bashir accused ICC chief prosecutor Luis Moreno-Ocampo of politicizing the court's operations by focusing on Africa. Al-Bashir was indicted in March on three counts of genocide, five of crimes against humanity and two of murder, most connected with the Darfur region of Sudan.

Al-Bashir's attorneys urged Moreno-Ocampo to indict former U.S. President George W. Bush and his close ally former British Prime Minister Tony Blair for lying to the world of existence of weapons of mass destruction to support their invasion of Iraq in 2002.

U.S. State Department legal adviser Harold H. Koh, attending the Kampala conference, urged attendees to deliberate slowly.

"Surely finishing the unfinished business of Rome does not mean rushing to a premature conclusion of institution-transforming amendments on which there is not yet genuine consensus," Koh told the conference.

"Instead, finishing the work of Rome means building a stronger court with a renewed commitment to pursuing meaningful solutions by genuine consensus that can advance the cause of human rights and international justice," he said.

Koh argued against finalizing the Rome Statute's sections on crimes of aggression, saying not enough agreement yet existed to move forward.

"Although we respect the considerable effort that has gone into (drafting the amendment), we believe that without agreed-upon understandings, the current draft definition remains flawed," he said.

Among the items that lacked "agreed-upon understandings," he said, were the meaning of the definition of crimes of aggression and the concern about potential prosecutions of "mere acts of aggression, as opposed to the 'wars of aggression' that were prosecuted in Nuremberg and Tokyo."

China is not a party to the Rome Statute. The United States and Russia signed the document but have not ratified it, and the U.S. Congress in 2002 nullified the U.S. signature on the document. Israel and Sudan also "unsigned" the statute. Congress also passed an act that year preventing U.S. service members from providing military aid to countries that had ratified the Rome Statute and giving the president permission to authorize military force to free any U.S. soldier, sailor, airman or marine who is being held by the International Criminal Court.

That same year, the United States threatened blanket vetoes of the renewal of the U.N. peacekeeping mission unless the ICC granted its troops immunity from prosecution. As a compromise, the Security Council passed a resolution granting immunity for a year to U.N. nations who were not parties to the court and renewed that resolution in 2003.

But the council dropped the exemption in 2004 when photographs of U.S. troops abusing Iraqi prisoners at Abu Ghraib surfaced.

Ferencz, who served in the U.S. Army during World War II, said such maneuverings might delay but would not stop prosecutions.

"The world is changing very fast and perpetrators of atrocities will be held to account even after a century," he warned.

"No one should use his military prowess to terrorize the rest of the world thinking no one will hold him accountable."

But the former prosecutor was optimistic that the holdouts would see reason.

"I hope that President Obama, after accepting the Nobel Peace Prize, will also support the ICC on crimes of aggression and that Russia and China will not find it acceptable to commit the old mistakes to stop the process," he said.

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<http://www.theatlantic.com/international/archive/2010/06/making-good-on-nuremberg/57894/>

Making Good on Nuremberg

KAMPALA -- On the margins of the Review Conference for the International Criminal Court -- a two-week convocation at Lake Victoria, outside the Ugandan capital -- delegates and non-governmental officials from more than 100 countries have attended screenings of a newly restored version of "Nuremberg: Its Lesson for Today," a 1948 documentary on the trial of key members of the Nazi hierarchy. The film concludes with a powerful summation by the chief U.S. prosecutor for the trials, Robert H. Jackson: "Nuremberg stands as a warning to all those who plan and wage aggressive war." It's a message echoed by former Nuremberg prosecutor Benjamin B. Ferencz and others here this week, who hope to spur conference delegates to approve a new statute for prosecuting the crime of aggression.

Whether or not delegates succeed in codifying such a crime before the conference closes on Friday, Nuremberg's unfinished business has been one of its major themes. And it's a major conference: the most significant convocation of international law experts since the gathering in Rome 12 years ago that gave birth to the International Criminal Court (ICC). Nearly 65 years after the Nuremberg judgment of 1946, the world has yet to achieve a reliable system for assuring that perpetrators of society's worst offenses -- genocide and crimes against humanity -- are held to account.

The ICC was intended to achieve such a system, but even supporters of the Court are ambivalent about its record to date, given that it has yet to complete its first trial, and that its most celebrated indictees -- Sudan's president Omar al-Bashir and Joseph Kony, the notorious Ugandan leader of the Lord's Resistance Army -- are still at large. Plans to implement a system of victim reparations remain unfulfilled, as is the intention to help strengthen judicial and other institutional capacities of member states, such as the Democratic Republic of Congo, so that they can take the lead in prosecuting their own cases.

While the court is still young -- and some of its problems can be traced to non-cooperation by individual states and other political factors beyond the ICC's control -- at this point, the court's track record cannot match those of the more focused tribunals that prosecuted war-crime perpetrators in the former Yugoslavia, Rwanda, and Sierra Leone. "The most important thing this conference can do is improve the Court and strengthen the system of international justice," War Crimes Ambassador Stephen J. Rapp, the co-chair of the U.S. delegation here, told me.

The presence of a sizeable and active U.S. delegation, led by Rapp and State Department legal adviser Harold Hongju Koh, is a big story here in Uganda. The Bush Administration had been deeply skeptical of the Court, and early in its tenure had "unsigned" the Rome statute -- which President Clinton had previously agreed to but did not submit for Senate ratification. In later years, Bush officials relaxed their opposition to the Court and permitted the UN Security Council to refer the atrocities in Darfur for consideration by the ICC prosecutor.

Although the 18-person U.S. delegation is only here as a "non-state party" -- and the U.S. officially joining the Court is not in the cards for now -- its presence looms large. The size and composition of the delegation, which includes officials from State, Justice, and the Pentagon, are signals that the administration is committed to strengthening the Court. They are also perhaps signs of the political sensitivities of deepening U.S. involvement with an institution that has many vocal critics at home.

The debate over the crime of aggression has been the major focus of the talks here, with the United States and the other permanent members of the Security Council on one side and Germany, Brazil, and many smaller countries, on the other. Proponents see the statute under debate as a key step to fulfilling the

Nuremberg legacy while reining in aggressor states. The U.S. and others are worried, however, that such a statute could be used to criminalize the lawful use of force (to stop a genocide, for instance) or lead to unjustified prosecutions of political leaders by other countries. Negotiations for a compromise have been intensifying in recent days.

The focus on aggression has perhaps distracted from the other main purpose of the conference: to take stock of how the international justice system is functioning. Last week, delegates engaged in lengthy explorations of related themes, such as the impact of the Rome Statute on victims and enhancing the cooperation of states with the ICC. One particularly involving discussion for delegates, on the tensions between peace and justice, looked at the question of whether ICC prosecutions have interfered with the resolution of conflict in places like Sudan and Uganda.

Whatever the flaws of the ICC, the discussions here have highlighted the extent to which the Court has become a consequential presence on the international scene. Many countries are clearly committed to making the Court the key international institution for enforcing accountability for gross human right violations. The president of Sudan and other alleged perpetrators cannot travel freely for fear that they will end up in the dock in the Hague. For better or worse, mediators seeking to end longstanding conflicts can no longer promise leading war criminals that they will not be prosecuted, because Court prosecutors are not bound by mediated agreements. "Amnesty is now off the table in the era of the ICC," said David Tolbert, the new president of the International Center for Transitional Justice, addressing delegates last week.

Perhaps most significantly, victims and survivors of atrocities are now looking to the Court for some measure of justice. One of the more moving elements of the week's proceedings has been the presence and testimony of ordinary people from places such as Congo and Sudan, who have been celebrating court indictments and prosecutions, even some that so far remain incomplete, as a promise that the crimes they suffered will not go unpunished.

I spoke with two women from Northern Uganda, where a brutal 20-year conflict involving Kony's Lord's Resistance Army displaced close to 2 million people and resulted in some of the worst atrocities endured by civilians anywhere in recent years. The Ugandan government's decision to refer Kony and his associates to the ICC, which has issued a warrant for their arrest, was controversial in Africa. But Margaret Elem, a teacher, and Odongkara Lilly Apio, a social worker and local political leader, said that they wanted to come to the conference to make clear their support for the ICC's action -- and their conviction that the Court has finally put justice within their reach.

Kony and his dwindling band of militia fighters are believed to be operating somewhere in eastern Congo or the Central African Republic, but they have disappeared from the region in Uganda they once terrorized, and peace has largely returned. "We are so grateful for what the ICC has done," said Apio. "Whether we like the ICC or not, it is the ICC which made Kony take off. That is when the guns went silent."

Apio said that unless perpetrators like Kony are held to account, post-conflict societies will never be able to fully heal. "Victims and survivors will keep it in their hearts for 100 years if they don't have justice," she said. "If justice prevails, people will say it is time for forgiveness."

Michael Abramowitz - Michael Abramowitz directs the genocide prevention program of the U.S. Holocaust Memorial Museum.

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African justice systems promote reconciliation



By Richard Todwong

I have been following the issues on the International Criminal Court (ICC) and realised that the Court, though good, needs to study the African justice system. Since the ICC started in July 2002, it is more pronounced as a court for Europeans to try Africans.

If this observation is not true, the Court has to do more to convince the African states that its scope is an international one. The trial of Slobodan Milosevic, former President of Yugoslavia, was a good one, but the impending trial of Saddam Hussein was going to be a real test of contest between the ICC and the US. The Americans took Saddam's case as a project of American interest. However, one wonders how the ICC could have tried Saddam owing to the fact that the US went against the Security Council resolution to attack Iraq.

Much as the ICC exists, some countries prefer to try their citizens in their domestic courts.

Referrals to the ICC by member states are always problematic because the ICC relies on states to enforce its decisions.

To make matters worse, their complementary principle is not respected by powerful states.

The African model of justice works best when it comes to the issue of dealing with victims.

Reconciliation is best seen from the victims' side. In Africa, individual compensation works best. Formal courts punish impunity according to a country's statutory requirements.

In most cases, imprisonment is the ultimate way to punish impunity. However, in Africa justice is so elaborate that truth must first be told by the aggrieved parties. Aggrieved parties seek to forgive and reconcile above punishment.

On the other hand, the ICC system is a one straight approach of court procedures and locking away the culprits. This does not reconcile the culprit with the victim.

With the ICC, evidence gathered can implicate a suspect whereas in Africa, a suspect must appear before an assembly of clan heads for his case to be decided. If such a meeting does not take place and the person is convicted, the clan of the victim (the person who claims to be aggrieved) is punished.

Impunity in the African approach to justice is punished because the suspect's family and clan are the ones to pay compensation. If a person of a certain clan is convicted, the clan will, for a long time, have difficulties in marry women from other families or clans and their daughters are not married by others.

The ICC should focus on reconciliation as is the case with the African tradition. Kony and his colleagues preferred the traditional approach to justice to the formal court approach.

The Government of Uganda had to establish a special division of the High Court to amalgamate the formal and informal approaches. In addition to this, other than Kony, Dominic Ongwen and Odiambo who have been indicted by the ICC, the other rebel commanders and child soldiers are perceived to have been abducted and conscripted into the LRA by the above top commanders.

Hence there is no standard approach to receive and try them other than reconciling them with the individual victims through the Amnesty Commission, church leaders or the traditional clan leaders for the sole purpose of reconciliation.

It is a good idea to have a standard procedure of international justice when dealing with universal interest.

However, it is worth noting that there are practices in the various states that need gradual transition to the international system.

The writer is a presidential advisor on northern Uganda