

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



Staff members pose for snap shot with UN Secretary General Ban ki Moon during his visit to the Court last week.

PRESS CLIPPINGS

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

as at:

Tuesday, 22 June 2010

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Charles Taylor's Trial

Former Liberian VP's Wife Concludes Testimony

The wife of Liberia's former Vice President maintained in her testimony that her husband's death was from illness, not from torture at the hands of Charles Taylor's security forces as prosecutors have alleged. She told the Special Court for Sierra Leone yesterday that her husband's illness got worse after he was treated with traditional medicines by relatives before he died.

On Friday, Regina Dogolea, wife of Charles Taylor's former Vice President, Enoch Dogolea, responded to suggestions that her husband had died in 2000 after being severely beaten on the orders of Mr. Taylor. Prosecution witness, Joseph "Zig Zag" Maazah told the court in 2008 that Mr. Taylor had ordered that Mr. Dogolea be beaten an action which he said had caused Mr. Dogolea's death. Mrs. Dogolea on Friday denied such claims, telling the court that her husband died because he was seriously ill.

In her testimony yesterday, Mrs. Dogolea explained that after falling ill, Mr. Dogolea had called his relatives who took him to a nearby bush in Gbanga and offered him traditional medications. This, she said, was done in her absence and had the effect of making her husband's condition worse. This account drew questions from Special Court for Sierra Leone judges.

Presiding judge, Justice Julia Sebutinde, sought to know the relationship that existed between Mr. Dogolea and the men who took him to the bush for traditional treatment.

"Now, were any of these three people your husband's

security?" Justice Sebutinde asked the witness.

"No, they were his own people," Mrs. Dogolea said. Asked what she meant by "they were his own people," Mrs. Dogolea said that "they were his relatives, he sent for them to do the treatment."

"So when they were administering the treatment, none of your bodyguards or his bodyguards were present, were they?" Justice Sebutinde asked further.

"I was not in the bush," Mrs. Dogolea responded, prompting Justice Sebutinde to seek a more direct answer from the witness.

"Were any of his bodyguards or your bodyguards, did they escort him to the bush, to the best of your knowledge?" Justice Sebutinde asked again.

"No," the witness said.

"It was his own relatives who took him to the bush, that's what I saw," she added.

Another judge of the Trial Chamber, Justice Richard Lussick, asked the witness to explain more details about how her husband returned from the bush after he got sick.

"You told us on Friday that when you wanted your husband to return, you sent your security to get him, you remember saying that?" Justice Lussick asked Mrs. Dogolea.

The witness agreed that she did say so.

"But I think you told Mr. Munyard (Mr. Taylor's defense lawyer) when he was asking you questions on Friday that only the people who took your husband into the bush came out of the bush with him. You remember saying that? ...now you are saying that apart from the people who took him into the bush, your security also came back with him?" Justice Lussick asked again.

"Yes, but I told you that the only thing they said that women were not allowed to go to the place but men could go there, so at last, he did say that he sent for me for someone to collect me but because I could not go

there as a woman, I sent my security to go there and bring him," Mrs. Dogolea said.

As the former Liberian second lady ended her testimony, defense lawyers

explained that they would only be ready to present their next witness on Wednesday.

The court adjourned and will resume on Wednesday morning.



Charlestaylortrial.org

Tuesday, 22 June 2010

Witness Encouraged RUF Rebels to join the AFRC in 1997, She Says

A woman who said she helped the Sierra Leonean rebels during the country's 11-year brutal war today said she also persuaded them to come out of the bush and join disgruntled Sierra Leonean soldiers who had overthrown their government in a military coup in 1997.

Isatu. Kallon today told the Special Court for Sierra Leone that when a group of Sierra Leonean soldiers who formed the Armed Forces Revolutionary Council (AFRC) under the leadership of Major Johnny Paul Koroma and overthrew the government of President Ahmed Tejan Kabbah in 1997, the soldiers put her in radio communication with RUF rebels. She said she convinced the rebels to come out of the bush and form a coalition government with the soldiers.

"I spoke to them [RUF rebels], I said to them I am Isatu Kallon, please come out of the bush. Everything is finished," Mrs. Kallon told the court.

When asked to explain why she thought the soldiers, formerly of the Sierra Leone Army (SLA), had asked her to speak with the rebels, Mrs. Kallon responded that "the SLA had been talking to the RUF, maybe it was during those conversations that my name came up."

"They said it was Johnny Paul Koroma who had asked that I help with the peace process," she added.

Prosecutors have alleged that Mr. Taylor was influential in getting the RUF to join the AFRC after the 1997 coup in Sierra Leone but Mr. Taylor has said that he had nothing to do with the RUF's decision to join the soldiers. In her testimony today, Mrs. Kallon did not mention Mr. Taylor's name but pointed out that the AFRC soldiers had already established dialogue with the RUF rebels before she spoke with RUF commanders to travel to the country's capital in Freetown to join the junta government. She said that RUF leader, Foday Sankoh, also communicated with the RUF rebels and told them to join the AFRC.

The RUF rebels, the witness said, requested that the AFRC "authorities should send food and vehicles for them.

Asked by Mr. Taylor's defense counsel Morris Anyah whether "the SLA soldiers responded to the request of the RUF," the witness said "yes."

After the 1997 coup, the soldiers were able to have access to Mrs. Kallon because she was already in the country's capital when the coup took place, having been arrested in Guinea when she was there to buy arms and ammunition for the RUF. In her testimony last week, the witness said that she travelled to the Guinean capital, Conakry, in the company of a Guinean army captain to purchase arms and ammunition for the RUF. She did not say whether she obtained the arms and ammunition when the court adjourned on Friday.

Today, the witness said she was arrested by Guinean security forces on her return from Conakry with a truck load of ammunition boxes and 19,000 United States dollars in her possession. She was later transferred to Sierra Leone where she was detained by the then military junta, the National Provisional Ruling Council (NPRC) under the leadership of Captain Valentine Strasser. The witness testified about meeting NPRC officials including the country's then Vice Head of State Brigadier Julius Maada Bio. When Brigadier Bio overthrew Captain Strasser in a palace coup in 1996, the witness said she encouraged Brigadier Bio to reach out to RUF leader Mr. Sankoh for peaceful end to the conflict in Sierra Leone.

“Now that you have overthrown, maybe you’ll be the one to bring peace to this country because maybe the Pa [Sankoh] will talk to you,” the witness referenced her discussion with Brigadier Bio in 1996.

“After that, Maada Bio started the process of negotiating with Foday Sankoh over the radio,” she said.

These discussions eventually led to the signing of the peace agreement between the government of Sierra Leone and the RUF in the Ivorian capital Abidjan on November 30 1996.

The witness also spoke about efforts she made to settle internal disputes in the RUF during the course of the conflict in the country. When asked why she exercised so much influence over the rebels, the witness said that it was because the rebels had immense respect for her, having supported them as recruits when they underwent training in Liberia.

Mrs. Kallon’s testimony continues tomorrow.

CharlesTaylorTrial.org (The Hague)

Friday, 18 June 2010

Sierra Leone: RUF Used Diamonds to Purchase Arms And Ammunition From Guinean Soldiers, Witness Says

Alpha Sesay

Rebel forces fighting to take power in Sierra Leone from 1991 to 2002 used the country's diamonds to purchase arms and ammunition from military officers in neighboring Guinea, a defense witness for Charles Taylor told Special Court for Sierra Leone judges today in The Hague.

Isatu Kallon, a Sierra Leonean woman who helped Revolutionary United Front (RUF) leader, Foday Sankoh, in recruiting fighters to invade Sierra Leone in 1991 has testified that she was involved in purchasing arms and ammunition from Guinean military officers for use by the RUF in Sierra Leone. The witness said that her contact in Guinea was a Guinean Army Captain who was based in the Guinean town of Gekedou. The Captain, the witness said, had requested an amount of 16,000 United States dollars for the supply of arms and ammunition contained in a list prepared by RUF rebels. The witness explained to the court that RUF commanders did not have the physical cash to make the required payment and so they gave her pieces of diamonds which she sold in order to obtain what was needed by the RUF. Defense lawyer for Mr. Taylor, Morris Anyah asked the witness to describe the diamonds that were given to her by the rebels and the price at which she sold them.

"They [diamonds] were packaged in a white paper, the papers were doubled, but the smaller pieces were in the majority, there was one large one that weighed seven carats," Mrs. Kallon told the court.

"How many others were there apart from this one seven carat diamond?" Mr. Anyah asked.

"I did not count them, when I wanted to sell them, I sold them wholesale," she replied, adding that the diamonds given to her could fit into her one hand.

Asked specifically about the price at which she sold the big seven carat diamond, the witness said that she "sold it for 15,500 United States dollars."

Mr. Anyah also asked the witness whether she could remember "the type of things that were on the list."

Mrs. Kallon told the court that "the one they said 20 boxes of AK, the other one, they said 15 G-3, then the other one was a sort of RPG bomb, that's between 5-10 boxes."

The witness said she later travelled with the Army Captain to the Guinean capital Conakry to obtain the arms and ammunition. The witness did not say whether she travelled back from Conakry with the arms and ammunition when the court adjourned for the day.

According to Mrs. Kallon, in her initial contact with the Guinean Army captain, which was prior to RUF rebels giving her the diamonds for the purchase of materials, she was able to obtain two cans of ammunition for use in an AK-47 rifle. She said that when she reported this to RUF commander Peter Vandy, the rebel commander informed her that on the other side of the Sierra Leonean border with Liberia, the RUF was transacting successful arms trade with United Liberation Movement for Democracy in Liberia (ULIMO) rebels, a rival faction to Mr. Taylor's National Patriotic Front of Liberia (NPFL) rebel group.

Prosecutors have alleged that Mr. Taylor was the main source of support for RUF rebels during the conflict in Sierra Leone. It has been alleged that diamonds obtained by RUF rebels were taken to Mr. Taylor in Liberia who in turn supplied them with arms and ammunition. Mr. Taylor has denied these allegations, saying in his testimony that there was sufficient evidence to point that RUF rebels were involved in diamond trades with ULIMO rebels as well as West African peacekeepers from Nigeria and Guinea. Today, the former president's 18th witness, Mrs. Kallon, sought to establish that she was a key person involved in facilitating the arms trade for the RUF and that the said business was not transacted with Mr. Taylor.

Mrs. Kallon's testimony is continuing.


United Nations **Nations Unies**

United Nations Mission in Liberia (UNMIL)

UNMIL Public Information Office Media Summary
21 June 2010

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

UN News in Liberia

“Liberia Remains a Safe Haven”, UNHCR Boss Tells Would-be Asylum Seekers

[The Informer]

- The UN refugee agency, UNHCR says Liberia remains a safe haven for would be asylum seekers.
- The statement was in reference to hundreds of Sierra Leone refugees who have integrated in the Liberian society.
- The UNHCR Representative to Liberia Ibrahim Coly observed the ex-refugees are residing in Liberia without any form of discrimination and are treated with dignity.
- Mr. Coly spoke Saturday at programme marking the official celebration of this year’s World Refugee Day at VOA outside Monrovia.
- The UNHCR Representative commended the Liberian government for creating what he called a conducive environment for refugees in the country.
- The celebration began Wednesday with a groundbreaking ceremony for the construction of 75 housing units in Tieni, Grand Cape Mount County for Sierra Leonean refugees in the country.
- At the groundbreaking ceremony, ECOWAS Representative Assumma Cessey, described the incident as emerging from ECOWAS state to ECOWAS people.
- Mr. Cessey disclosed that ECOWAS is now concentrating on building the capacity of the people than dealing with just the states.
- This year’s Day was celebrated under the theme: “They Took My Home but Not My Future.”

Local News on Liberian issues

Induction Ceremony of Officers-elect of New Ruling UP Failed Saturday

[The News, The Inquirer, The Monitor, Liberian Express, Front Page Africa, In Profile Daily, New Democrat, Daily Observer]

- The Chairman-elect of the new ruling Unity Party (UP), Cllr. Varney Sherman has requested the resignation of the Party’s Secretary General-elect Henry Fahnbulleh.
- Cllr. Sherman claimed that Mr. Fahnbulleh is his cousin and could therefore not occupy the line of position in the Party and as such he wants him to step down before proceeding to the induction ceremony of the newly-elected party officers.
- Both men were elected at the Party’s convention in Ganta, Nimba County.
- At a news conference over the weekend, Cllr. Sherman announced the indefinite suspension of the induction ceremony of the newly-elected UP officials until the Secretary General-elect steps down.
- There has been no immediate reaction from Mr. Fahnbulleh so far.

NEC May Change Voter Registration Date

[New Democrat, Heritage, Liberia Journal]

- The National Elections Commission (NEC) says it is tempted to change the date for the voter registration exercise ahead of the 2011 elections.
- The Commission attributes the planned change in schedule to the continued delay in the passage of the population threshold bill
- NEC acting Chairman Cllr. Elizabeth Nelson said the Commission had initially set 1 - 27 November 2010 for the conduct of the process.

- She however indicated the date will now have to be changed.
- Cllr. Nelson speaking Friday at the opening of a three-day voter registration training for magisterial staff of the Commission in Monrovia said the exercise is intended to enhance the capacity of the electoral staff for the pending voter registration exercise.
- She described the passage of the threshold bill as one of the benchmarks leading to the conduct of the 2011 general and presidential elections.

Armed Men Hit Nimba County Superintendent Home

[New Democrat, The News]

- Nimba County Superintendent Edith Gongloe Weh has reported that her Zuba Town, Duport Road residence was during the weekend attacked by men believed to be armed robbers.
- Superintendent Weh said the men who did not take away anything, rained insults when they discovered that she was not home.
- According to her, the situation now makes her to wonder if the men were true armed robbers, because breaking into her house and taking away nothing is something that needs a second thought.
- The Nimba County Superintendent, quoting eyewitness account, said the men carried AK-47 and other machetes.
- She wants the police to launch serious investigation into the matter.

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

Grand Kru Lawmaker Cautions Colleagues

- Grand Kru Senator Blamo Nelson has warned his colleagues in the House of Representatives against issuing threatening statements to their fellow lawmakers.
- Senator Nelson said it was troubling for some members of the House to issue frightening remarks if the passage of the threshold bill is not finalized.
- He told newsmen Friday the six highly populated-county lawmakers must exercise restraint and engage their other colleagues.
- The Grand Kru lawmaker said the engagement should be moderate with the view of reaching an amicable solution on the threshold bill currently before the Supreme Court.
- He also appealed to protesting lawmakers of the six large counties to call-off their boycott of legislative sitting arguing that the boycott was not in the good direction and it was time for reasoning on the threshold bill.

Lawmaker Reconsiders Decision

- Grand Kru Representative Wesseh Blamo has reconsidered his decision to resign as Chairman of the House Committee on Peace and Reconciliation.
- Representative Blamo said the decision followed consultations with older people and the rejection of his resignation by the House leadership.
- The Grand Kru lawmaker said the reconsideration decision is in the national interest amidst the debate over the controversial report of the Truth and Reconciliation Commission (TRC).
- Representative Blamo in January 2010 resigned from the House Committee which is overseeing the TRC report with a view to advice the plenary.
- Speaking to newsmen Friday, the Grand Kru lawmaker said he was resuming authority over the Committee to finalize the debate on the TRC report.
- He said the Committee will now begin receiving briefings from members of the House on the position of their constituents on the TRC report.

Network of Human Traffickers Operates in Liberia Says Attorney General

- Government has announced that a huge number of human traffickers operating in a network with some Bangladeshi nationals have been arrested.
- Justice Minister Christiana Tah said the traffickers were arrested after they brought in a large number of Bangladeshi citizens.
- According to Minister Tah some of Bangladeshi nationals trafficked to Liberia had since been repatriated.
- The Attorney General said government is decisively dealing cases of human trafficking, recounting a trafficking case involving a UN personnel who committed suicide while investigation was ongoing.
- Minister Tah also spoke of a case involving two foreign nationals posing as missionaries but in actuality they were said to be trafficking Liberian children to foreign countries.

NEC May Change Voter Registration Date

Police Sent to Sinoe to Probe ERU Looting Allegation

- The Liberia National Police (LNP) says it has dispatched men to Sinoe County to investigate allegation of looting against Emergency Response Unit (ERU) officers.
- Pyne District Commissioner Ralph Wilson accused ERU officers of looting generators and other items from the district.
- Commissioner Wilson also alleged the officers fired in the air to put fear in the residents before looting their belongings.
- The local government official in an interview called on police Director Marc Amblard to retrieve what he called the looted generators and other items.
- Police spokesman George Bardue said the allegations are grave and the LNP was not taking them lightly.
- Commissioner Bardue said anyone linked to the acts would be investigated in accordance with the LNP professional standards and those found liable, would be disrobed and sent to court.

“Liberia Remains a Safe Haven”, UNHCR Boss Tells Would-be Asylum Seekers

Unknown Men Flog Voinjama City Mayor

- Unknown men have reportedly attacked and flogged the newly appointed City Mayor of Voinjama in Lofa County, Ms. Yongor Sherman.
- Ms. Sherman said the men, about five in number attacked her with sticks wounding her all over her body and fractured a bone in her left hand.
- The Voinjama City Mayor explained she had gone on national assignment in Zorzor, when the baton-wielding men moved on her and took away some personal effects including US\$4,000.
- No one has so far been arrested following Sunday night’s raid on Ms. Sherman.

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

Induction Ceremony of Officers-elect of New Ruling UP Failed Saturday

Over Intrusion of Presidential Convoy, Government Warns Vehicles, Motorcycles

- The Liberian government says it is concern about the continuous intrusion of the presidential convoy despite numerous warnings from the Special Security Service (SSS).
- A press statement says the act of intrusion grossly violates Section 10.45 of the Vehicle and Traffic Laws of Liberia.
- The statement noted that such act seriously undermines the work of the elite presidential guard force, the SSS.
- The government through the Information Ministry is warning all vehicles and motorcycles to keep at least a 100-yard away from the president’s convoy.

Firestone Agrees on Proposals to Improve Welfare for Workers

- The Firestone Agricultural Workers’ Union of Liberia (FAWUL) says the management of Firestone has finally agreed to a number of proposals that would help improve the social and economic welfare of its workers.
- Firestone has among other things agreed to increase the salaries of workers by 3.5 percent and change the mode of transportation during the collection latex on the plantation.
- FAWUL says the Firestone management took the decision through the intervention of the Liberian government.
- Speaking to newsmen in Kakata, Margibi County, FAWUL’s Secretary General Edwin Cisco recalled that in earlier years tappers carried latex on their backs a situation he said posed a serious health problem.
- Mr. Cisco said these modern changes will force other rubber companies and plantations to transform their current working conditions for workers.

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

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

Margibi County Receives US\$1.6M for Development

- Authorities of Margibi County have received US\$1.6 million for the China Union, Firestone and Salala Rubber Corporation for county development.
- Making the disclosure at the week in Kakata at a development meeting, Margibi Superintendent Levi Piah said the money will be used to refurbish the town hall, the administrative building and to complete other projects in the county.
- Superintendent Piah said the county leadership was grateful for the level of assistance from the institutions.
- The Margibi Superintendent stressed the need for unity in promoting government’s poverty reduction strategy.

International Clips on West Africa

Ivory Coast

Graft: Ivory Coast minister probed Reuters

President Laurent Gbagbo has ordered an inquiry into allegations his interior minister stole cash from public programmes, including compensation for victims of a toxic waste dumping, the president's spokesperson said on Monday. Interior Minister Desire Tagro, seen as one of Gbagbo's closest allies, was also accused of stealing funds from a police training school, a national voter ID scheme and a pot of money meant to aid travel by Muslims to the hajj pilgrimage, spokesperson Gervais Coulibaly said in a statement. Tagro will not be suspended pending the inquiry and many Ivorians doubt he will be prosecuted because of his closeness to Gbagbo. "Certain sections of the press have accused the interior minister of redirecting to his account money meant for the organisation of the hajj, and a part of that paid by the Trafigura Company for compensating victims of the toxic waste dumping," the spokesman said. "Faced with these accusations, the president of the republic ordered ... the public prosecutor to open an investigation." Oil trader Trafigura agreed to a \$198m out-of-court settlement with the Ivory Coast government in 2007, after its toxic waste ended up being dumped in open air sites across Abidjan, Ivory Coast's main commercial city. Thousands complained of illnesses, although Trafigura denies wrongdoing. Coulibaly said the investigation would probe questions surrounding funds from four areas: the National Police Academy, hajj money, the toxic waste compensation money, and 10 billion CFA francs (\$19m) meant to facilitate producing identity cards for long-delayed elections. In response, Tagro was quoted in the state-owned Fraternelle Matin as saying: "I will wait for the results of the inquiry before I make any comment." The investigation comes as Ivory Coast is still awaiting a date for elections that are nearly five years overdue, but held up by rows over voter identity and rebel disarmament.

Cote d'Ivoire sets up lab to fight pollution PANA

Cote d'Ivoire has set up a laboratory, built and equipped with assistance from the United Nations Environment Programme (UNEP), in its effort to combat environmental pollution, PANA learnt from the Ministry for Environment and Forestry. According to the Minister, Karim Fadiga, the laboratory is a powerful modern tool which will make it possible to detect and analyze quickly any pollution. To effectively operate the laboratory, 16 engineers and technicians from the Ivorian anti-pollution unit (CIAPOL) have since 14 October 2008 received six modules of training provided by UNEP. In the 2006 tragedy in Cote d'Ivoire, in which the Probo Koala ship dumped toxic waste in the country, there were no means - with the country - to identify the chemicals involved and the nature of gases released into the atmosphere.

The Citizen

Monday, 21 June 2010

Court takes Kenya to UN

The Rwanda war crimes tribunal says it wants action by the UN Security Council after reporting Kenya to the 15-nation body for failing to cooperate in prosecution of a Rwandan genocide suspect.

Kenya dismissed the charge that it was not cooperating and denied sheltering the suspect, Felicien Kabuga.

A Hutu businessman, Kabuga is accused of funding the militias that butchered some 800,000 Tutsis and moderate Hutus over a span of 100 days in 1994. He is Rwanda's most-wanted man and the United States has put a \$5 million bounty on his head.

In an address to the Security Council, Dennis Byron, president of the UN International Criminal Tribunal for Rwanda, noted that he had forwarded to the council late last month the allegation of non-cooperation "for consideration and appropriate action."

Council diplomats said no action was planned ahead of a new visit they said Kenya had now agreed that the court's prosecutor, Hassan Jallow, could make there next month.

"The Security Council will wait to see what that visit produces before any further action is taken," one diplomat said.

Jallow, who last visited Kenya in March 2009, earlier told the council there had been "no further progress" in the country's cooperation.

Kenya had failed to comply with numerous requests for details of Kabuga's alleged departure from the country, reported to the court by Nairobi in 2008.

"Despite the copious evidence of Kabuga's entry, residence, activities and occasional reported sightings of him in that country, Kenya has neither arrested him nor provided the information requested by the prosecutor to assist in the tracking and arrest of this fugitive," Jallow said.

Experts say Kabuga had extensive business dealings with powerful individuals in the government of former Kenyan President Daniel arap Moi.

Kenyan officials have said Kenyan police unknowingly detained Kabuga in a crackdown on illegal migrants just a month after the Rwandan genocide began and released him on May 19, 1994, after which he vanished.

Francis Kimemia, an official at Kenya's ministry of internal security, told the Security Council on Friday Nairobi took "strong exception" to what he called "baseless and persistent imputations of complicity in this matter."

"No evidence has ever been adduced to the effect that Kenya is harboring Mr. Kabuga," he said, adding that Kenya had handed over 14 suspects and given "full support and assistance" to the court, which is based in Arusha, Tanzania.

A team set up in 2007 by the Kenyan government to search for Kabuga and his assets found that his wife had invested in property and deposited the rent in a bank account in Kenya but had later moved the funds to Belgium where she lives, he said.

The Guardian

Tuesday, 22 June 2010

<http://www.guardian.co.uk>

ICC hypocrisy over war crimes

Chandra Lekha Sriram

At the review conference of the international criminal court (ICC), which I attended in Uganda earlier this month, there were several important issues on the agenda. The debate that attracted most attention was about defining the crime of aggression. However, another important matter was disposed of with shockingly little discussion: the fate of article 124 of the ICC's Rome statute.

What is article 124, and why should we – or, for that matter, major military powers – care? Article 124 is important because it allows states parties to suspend the jurisdiction of the international court for war crimes committed by their citizens or on their territory for a period of seven years.

It was originally included in the statute as a "transitional" provision – on the grounds that states with existing internal conflicts or military engagements abroad might otherwise be discouraged from signing and ratifying the statute.

Those pushing for the deletion of article 124, such as Amnesty International, refer to it as a "licence to kill", pointing out that its effect is to permit states to shield their citizens and others on their territories from prosecution for war crimes.

Only two states have ever availed themselves of article 124: France and Colombia. France subsequently rescinded its decision, and the seven-year grace period for Colombia – a state with ongoing internal armed conflicts – expired in late 2009.

Article 124 was due for review at this month's conference in Kampala, with many states arguing for its deletion, since it is only a transitional provision and inconsistent with the overall object and purpose of the statute. Costa Rica, for example, was particularly vocal in its support of the deletion during working-group discussions. Even many states with ongoing armed conflicts, which may be concerned about the prosecution of their own officials for war crimes, were if not supportive of its deletion, not publicly opposed. A significant number of states appeared to share the view that article 124 undermined the purposes of the statute and was outmoded and irrelevant.

Yet the proposal that went forward from the working sessions on article 124 was to retain it, and revisit the issue at the next review conference. The resolution supporting its inclusion was accepted by consensus in the plenary of the conference, essentially without comment. How did this come about?

Curiously, the states that argued most vociferously in working sessions for the retention of article 124 were those that are not parties to the statute and who would therefore not have had a vote should one have been called. Specifically, Russia and China (both permanent members of the UN security council) were publicly opposed to deletion, and the US also made its objections clear behind the scenes.

Curiously, they claimed that article 124 was an essential measure to induce states that are not parties to sign and ratify – not a wildly compelling argument from states that have themselves chosen not to become state parties. Yet their argument won the day, over the objections of states which have ratified the statute without invoking article 124 (and in so doing knowingly put their own officials at risk of prosecution). Such is the sway of great powers in international negotiations, even where they don't have voting rights, to promote a "consensus" that suits them.

The desire of these non-party states to keep article 124 in the statute is made more curious by the fact that, even if they should choose to join the statute in the future, they would always have the power to veto any security council resolution referring to a situation where war crimes (or genocide and crimes against humanity) were alleged, and could also, provided they could muster the support of a sufficient number of other states on the security council, push for a resolution suspending any proceedings at the ICC for 12 months under article 16 of the statute.

In the light of these evident powers to protect themselves, the vociferousness with which these few states argued for retention of article 124 seems rather like overkill. We will now have to wait to see what the next review conference decides, seven years from now.

Inner City Press
Saturday, 19 June 2010

On War Crimes, US Rapp Says Sri Lanka Panel Doesn't Meet Standards, Ban Names Next Week

By Matthew Russell Lee

UNITED NATIONS, June 19 -- Sri Lanka's Rajapaksa administration insists that its panel on "Lessons Learned" is a sufficient response to reports of tens of thousands of civilians killed in the final stage of the conflict last year. On June 18, Inner City Press asked Stephen Rapp, US ambassador at large for war crimes issues, if "Lessons Learned" are enough.

"Obviously, what's been announced to date has not met the standard," Rapp said. "They're telling use it does have that capacity, to investigate these cases, to follow up and call witnesses. We're hearing it, but we're not seeing it."



Rapp, whom Inner City Press had previously questioned as prosecutor of the Special Court for Sierra Leone, said his office will be filing another report with the U.S. Congress by the end of July, on "what has been done." He said, "they will not have concluded their investigation, but we can talk about the standards."

Surprisingly, while Rapp responded to Inner City Press that he had seen the BBC Hard Talk interview with Gotabaya Rajapaksa, he said he had "missed" the portion in which Gotabaya Rajapaksa said that if former top general Sarath Fonseka testified about war crimes, he would be "hung" as a traitor.

"He said that?" Rapp asked. "It missed that... Witnesses need to testify freely, without consequences." Yeah. Rapp emphasized that the US is "engaged... Samantha Power was there." Yes, in the run up to the victory celebration.

UN Secretary Ban Ki-moon, who back on March 5 said he would appoint of Group of Experts to advise him on accountability in Sri Lanka, is belatedly slated to name the Group this coming week.

Stephen Rapp in previous role, new US position on Sri Lanka not shown

Beyond a Austrian member whose nationality but not name Inner City Press has previously reported, an intrepid publication in Sri Lanka has named as a pane member Indonesia's former attorney general Marzuki Darusman.

While the wires may be crossed -- Darusman was on June 18 named the new Special Rapporteur on human rights in North Korea by the UN Human Rights Council -- Inner City Press has previously questioned Darusman, after the April 15, 2010 press conference on the Benazir Bhutto report. Darusman told Inner City Press he had not interviewed Mugran bin Abdul Aziz, nor former US Ambassador to the UN Zalmay Khalilzad. We'll see -- watch this site.

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Balkan Insight

Tuesday, 22 June 2010

<http://www.balkaninsight.com/en/main/news/28952/>

ICTY Denies Request for Gojko Jankovic Review

Gojko Janković

The International Criminal Tribunal for the former Yugoslavia, ICTY, has denied the request of Gojko Jankovic, convicted of war crimes by the Bosnian state court in Sarajevo, to review his case.

Jankovic, wartime commander of a paramilitary unit that operated together with the Army of Republika Srpska, VRS, in the area of Foca, eastern Bosnia, filed a motion for the review of his case in April 2010, more than two and a half years after he was convicted.

In the motion Jankovic argued that his rights were violated during the trial before the State Court of Bosnia and Herzegovina in Sarajevo.

He claimed that he was indicted by a law that did not exist in 1992, when the crimes were committed, that the State Court was biased in his case, and that there were various incorrect findings “stating misidentification, misapprehension of his role in the events, incorrect determination regarding witnesses...”

Jankovic also argued that he was improperly convicted on charges outside the scope of the indictment confirmed by the Tribunal.

He proposed that his case be referred back to the ICTY or that the Tribunal should order the Court of Bosnia and Herzegovina to re-try him on the basis of the Tribunal's original indictment.

Jankovic was charged by the ICTY in 1996. His indictment was amended in 1999.

In March 2005 he was arrested and transferred to The Hague. The same year his case was referred to the war crimes chamber of the Bosnian state court and he was transferred to Bosnia, as the part of the completion strategy for the Tribunal. The ICTY has transferred a total of seven cases to the State Court of Bosnia and Herzegovina.

The state prosecution in Sarajevo adapted his indictment and a trial was held. In 2007 he was sentenced to 34 years for crimes against humanity and war crimes, including rape and sexual enslavement of young women and girls in Foca. His youngest victim was 12 years old at the time of the rape.

The ICTY concluded that the OSCE mission in Bosnia regularly monitors war crimes trial, including this case, and no issues of concern were found.

The Tribunal concluded that they do not have appellate jurisdiction in regard to the national courts, calling on Jankovic to refer his concerns to local judicial bodies.

Hirondelle News Agency

Saturday, 19 June 2010

ICTR Will not wind up its first instance trials this year

Arusha, June 19, 2010 (FH) - President of the International Criminal Tribunal for Rwanda judge Dennis Byron admitted on Friday before the UN Security council that it would be impossible for his institution to wind up first instance trials before December 31, as requested.

Dennis Byron was in New York to address the Security Council on progress towards completing cases before the tribunal.

Two ongoing cases and two trials that have yet to begin would continue in 2011, he said.

Former minister of Planning Augustin Ndirabatware and former minister of Youth Callixte Nzabonimana are currently on trial, whereas former mayor Grégoire Ndahimana and former Captain Ildephonse Nizeyimana are waiting for theirs to open.

"But we believe that our goal of completing the first instance trials within the next year can be achieved", Byron added, underlining that appeals trials won't be over before 2013.

At last, he called upon the States to cooperate for the arrest of eleven accused still on the run, including Felicien Kabuga who is alleged to be hiding in Kenya.

"The prosecutor has reported to me that Kenya continuously fails to comply with its cooperation obligations and I have brought his report to the attention of this distinguished Council for consideration and appropriate action".

Daily Nation (Uganda)

Tuesday, 22 June 2010

International Criminal Court has lost its impartiality

OpEdCommentary

By Mubarak M. Musa

The so called voluntary appearance at the International Criminal Court in The Hague, of another two Sudanese rebel leaders suspected of war crimes in Darfur, is widely perceived as a sheer beautification or face-saving campaign orchestrated by the International Criminal Court's prosecutor, Moreno Ocampo.

It's a bid to soften the mounting criticism of the ICC's selective approach in handling the cases currently under the court's investigations, key among which being the Darfur conflict. The rebels' voyage to The Hague is no more than a public relations campaign the ICC is desperately in need of today to regain a lost impartiality particularly with the case of Darfur.

It is a new phenomenon in international justice, which Sudan's permanent representative to the United Nations, has managed to aptly and derisively describe as a sort of "criminal tourism".

Similar to the trial of Bahr Idriss Abu Garda, the self-proclaimed rebel leader, who in October 2007, appeared before such a fixed and farcical trial, and subsequently acquitted soon after, the two said rebels, Banda and Jerbo, on their turn, having perhaps sufficiently coached and rehearsed on how to plead their innocence, shall shortly be seen in their full elegant suits sending smiles here and there to flashing cameras.

They know that they were not brought to the Hague to be held culpable anyway, but instead to serve some other paramount ulterior objective; to be used further to incriminate the government of the Sudan .

Like Abu Garda addressing journalists, the two rebels shall not miss to conclude their speech by demanding President Al- Bashir and the other presumed indictees to follow their example, and voluntarily hand themselves to the court . What a mockery.

ICC's selectivity against the Sudanese government during the course of the conflict in Darfur, has widely disrupted the quest for peace and efforts of national reconciliation in Darfur.

Indeed in other aspects, the ICC has only succeeded in sending wrong signals to the splintering Darfuri rebel factions, encouraging them stubbornly to disdain and shun all internally and regionally mediated peace efforts in the volatile region.

These rebel factions have never hesitated to indulge in all mad condemnable spates of killing, ransacking and kidnapping, that still mars Darfur.

In doing this, they are targeting mainly, the AU forces and some humanitarian organisations and personnel on the ground as easy and vulnerable targets. It should therefore be understood that any hostility targeting to falsely discredit the legitimately elected regime of the Sudanese people and its leader will not only fall flat on its face, but undermine the aspirations of the ordinary Sudanese to embrace reconciliation, peace and development. And history will harshly judge the likes of Mr Ocampo and whatever interests he seeks to advance.

*Mr Mahgoub Musa is a diplomat and deputy head of mission, Sudan
Consulate General – Gulu*