

**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:

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Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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Taylor did not send NPFL fighters to Salone' ...witness says



Liberian members of Charles Taylor's rebel group who assisted Sierra Leonean rebels during the country's civil conflict were not sent by the former Liberian president, but did so voluntarily, a defense witness for Mr. Taylor told Special Court judges in The Hague.

The defense witness is testifying with partial protective measures and is therefore only identified by pseudonym number DCT-292. The witness, who lived in Liberia before Mr. Taylor's National Patriotic Front of Liberia (NPFL) rebels invaded the country in 1989, said he later joined Revolutionary United Front (RUF) rebels in Sierra Leone, a group that Taylor is on trial for allegedly providing support for through supply of arms and ammunition in return for supply of diamonds. Taylor has denied the allegations against him.

Prosecutors say when the conflict started in Sierra Leone in 1991, Taylor provided support to NPFL personnel who helped RUF rebels to attack Sierra Leonean towns and villages.

Under cross-examination yesterday, DCT-292 told the court that the NPFL fighters who went to Sierra Leone did so voluntarily and allegations that they were sent by Taylor were wrong. The witness mentioned that NPFL commanders Anthony

Menkunagbe, Dupoe Menkazohn, Francis Menwon, and Nixon Gaye, among many others, volunteered to help the RUF in Sierra Leone. These Liberian fighters, prosecution witnesses have said, committed atrocities in Sierra Leone and were later forced to leave the country. The witness said that he cautioned RUF leader Foday Sankoh to seek advice from Taylor even though the men had indicated that they were in Sierra Leone to help the RUF voluntarily. Prosecution counsel Nicholas Koumjian had his doubts. "Sir, when you said that he (Foday Sankoh) should go talk to Charles Taylor that was because you knew that these Liberian soldiers who were creating the problems were under the command of Charles Taylor, correct?" Koumjian asked the witness.

In his response, the witness said that "when they came they said they were not under the supervision, so I came to conclude that it was not Charles Taylor that sent these people."

"I told Foday Sankoh to go back and tell Charles Taylor about it," he added.

"Because you understood Charles Taylor was able to command those men, correct?" Mr. Koumjian

asked again.

"He was their leader, yes, he can command them," the witness responded.

On prosecution suggestion as to why he did not ask Sankoh to inform Amos Sawyer, who was the interim Liberian president at that time, the witness agreed with Koumjian that it was Taylor who had control over the Liberian fighters.

The witness also told the court that the relationship between the NPFL fighters in Sierra Leone and their RUF counterparts broke up when RUF members tried to initiate the NPFL rebels into a secret society. When the NPFL rebels heard about the plan to initiate them into the secret society, they went on the rampage, killing an RUF senior fighter and maltreating some other members of the Sierra Leone rebel group, the witness explained. He said after consulting Taylor, RUF leader Foday Sankoh expelled the NPFL fighters from Sierra Leone.

"He (Sankoh) left and when he came back, he came and told the people, you have come but what you are doing is not in the interest of the revolution, therefore, I have given you 48 hours to move from Sierra Leone," he said. Asked whether Sankoh told them he had agreed to something with Taylor, the witness said "he didn't discuss that with me at all sir."

The cross-examination of the witness continues today.

The defense witness is testifying with
partial protective measures and is
therefore only identified by pseudonym
number DCT-292

LOCAL NEWS

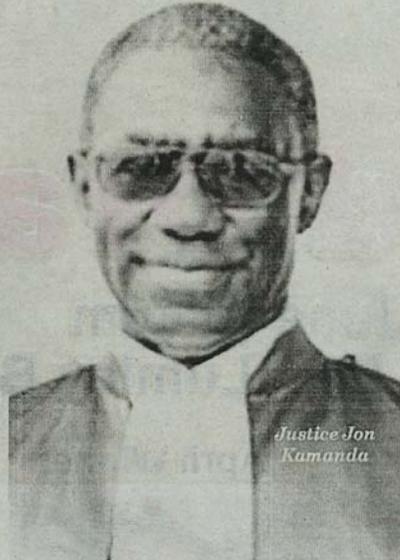
Justice Kamanda retains Special Court presidency

Sierra Leonean-born Justice Jon Kamanda has been re-elected to a one-year term to serve as president of the United Nations-backed war crimes tribunal set up to deal with the worst acts committed during the long and brutal civil war in the country.

This will be his second term as the Presiding Judge of the appeals chamber, a post which automatically makes him the president of the Special Court for Sierra Leone.

Justice Emmanuel Ayoola of Nigeria, who previously served as the court's president, was also re-elected as vice-president, according to a release issued by the court in Freetown.

The court's judges wrapped up their 14th plenary last Friday in The Hague, voicing "sincere appreciation and gratitude" to the International Criminal Court (ICC) for the use of its courtroom and other support for the trial of former Liberian president



Justice Jon Kamanda

Charles Taylor, who is under indictment for war crimes and crimes against humanity.

The Special Court is an independent tribunal established jointly by the Sierra Leone government and the UN in 2002. It is mandated to try those who bear the greatest responsibility for

maintaining trial, involving Mr. Taylor, is continuing at The Hague, where it was moved 'for security reasons'.

Justice Kamanda was educated in Sierra Leone and in the UK. He trained as a Barrister at the Inns of Court School of Law in London, and was called to the Bar at the Middle Temple in

1975. From 1976-80 he worked as State Prosecutor in the Government Law Office, rising to the rank of Senior State Counsel.

In 1980 he entered private practice in criminal law. He has served as an Appeals Court Justice in the Sierra Leone judiciary since 2004, where he was the Presiding

Judge in criminal appeals. He has also served as a High Court Judge in the Civil Division. In 1982 he was elected to Parliament, and he has served as Deputy Minister of Mineral Resources and Minister of Health. He was sworn in as a Judge of the Appeals Chamber in November 2007.

...

Fambul Tok visits Peace Farms in Moyamba

By Ahibatu Kamara

In their strides to ensure that Sierra Leoneans maintain and sustain peace among themselves in their communities, Fambul Tok International has visited peace farms in the Moyamba District.

The Peace Farm is an initiative developed by Peace Mothers who were victims of the eleven years civil war.

Fambul Tok is rooted in the understanding that reconciliation is a process and not a one-time event and thus the program works with community on a long-term basis.

Fambul Tok is built upon Sierra Leone's "family talk" tradition of discussing and resolving issues within the security of a family circle. The program at the village level help communities organize ceremonies that include truth-telling, bonfires and traditional cleansing ceremonies- practices that many communities have not employed before the war.

Following the ceremonies, Fambul Tok works with the communities to organize activities to support and sustain the reconciliation process and these include radio-listening clubs, football games,



Peace Mothers in their farm in Congonaine village

and even village-initiated community farms, projects through which newly reconciled individuals are able to come together for the good of the community.

At Tindale Chiefdom, Mye Section, Sembahun Kannah Town, Jeneba Momodu one of the peace mothers, explained that she was happy for the timely intervention of Fambul Tok by reconciling them in their communities.

She disclosed that after the reconciliation process in their communities they decided to engage on farming activities which will foster peace among themselves, and called on World Food Programme (WFP), Action Aid International and other Non

governmental organizations to assist them with their farming activities as they lack tools and food for work.

The Director of Fambul Tok, John Caulker explained that, Peace Mothers is an initiative developed from the women themselves after they have been reconciled in their communities while he emphasized that there vision is to foster sustainable peace in Sierra Leone through reviving communities traditions and values of confession, forgiveness and reconciliation. The Director maintained that "with Fambul Tok we hope to address reconciliation at community level, to create space for victims and offenders to sit together, to start the long journey to reconciliation".

These peace mothers, he said are eager to develop their communities through farming activities.

Another peace mother, Jattu Pessima in Bangruwa Chiefdom, Sembahun Section, Congonaine village, while thanking Fambul Tok for healing their wounds, calls for support in their farming activities as they are ready to develop their communities.

Masu Sesay, Fambul Tok, District Coordinator explained that the farming activities started this year with the planting of rice, cassava and groundnut and added that after cultivation some of the harvest will be used for sale and some as revolving loans in other communities. Another peace mother, Mary Yambasu of Taninehun Village called on government to help as there is no school, hospital, and even clean water to drink in their community, while calling on other organization to emulate the style of Fambul Tok in engaging them in activities that are geared towards sustaining peace.

BBC World Service Trust

Thursday, 3 June 2010

Daily Summary

A Defence witness testifying in The Hague has concurred with the Prosecution that Former Liberian President, Charles Taylor lied under oath when he testified about the settlement of a dispute within the RUF rebel organization in 1997. The Defence 13th Witness however denied Prosecution allegation that it was Mr. Taylor who negotiated the transfer of the RUF personnel from Sierra Leone to the Liberian capital, Monrovia. The Defence 14th witness later took the stand and denied the allegation of Cannibalism. From the trial in The Hague Amara Bangura reports from The Hague.

Script

The Defence 13th witness has agreed with the Prosecution that Mr. Charles Taylor lied under oath when he testified on August 19, 2009 about the resolution of a dispute within the RUF.

Mr. Taylor in his testimonies denied that he ordered Former RUF Commander, Issa Sesay to take back to Sierra Leone Sam Bockarie who had fled to Liberia as a result of a conflict within the RUF.

But the Defence witness after being pressed by Prosecution Lawyer, Nicholas Kumjian agreed that Mr. Taylor had not told the truth.

KOUMJIAN: Mr. Taylor was asked by his counsel, “Now, did you suggest that Mosquito be taken back,” and Mr. Taylor said “No, I did not suggest that.” Mr. Witness, Charles Taylor lied to these judges when he said that, because you were present when he asked Issa Sesay to take Sam Bockarie back to Sierra Leone – correct?

KOUMJIAN: Yes My Lord.

LAWYER: No further questions, Your Honour.

The Defence witness also told the court that Former Nigerian President, Olussegun Obasanjo negotiated the establishment of an RUF headquarters in Monrovia, and not Charles Taylor.

The witness said Mr. Obasanjo personally invited Former RUF Commander Sam Bockarie to Monrovia to find a residence for RUF officials.

But Presiding Judge Julia Sebutinde wondered why Mr. Obasanjo did not negotiate for an RUF residence in Nigeria, but in Liberia.

JUSTICE SEBUTINDE: Why would Olusegun Obasanjo, the President of Nigeria, be concerned with the residences in Liberia?

WITNESS: He was the leading negotiator from the international community who volunteered to take the initiative of making a corridor for us to any meeting that would be called by the international community.

Defence witness DCT 292 concluded his testimonies Thursday afternoon and the Defence 14th witness took the stand immediately.

The new Defence witness is Madam Annie Yeney, a Former Liberian Parliamentarian . On March 14, 2008, Prosecution Witness, Zigzah Marzah accused Madam Yeney of engaging in cannibalism with Mr. Charles Taylor.

Zigzah Marzah had said Former Liberian Politician, Samuel Dokie was killed along with some members of his family in 1997, and Madam Yeney cooked his liver for Mr. Taylor. But Defence witness Annie Yeney who is speaking through an interpreter denied the allegation.

YENEY: It is not true. That is what we call an assassination of character. It is not true. For a woman like me to cook a human being – it's not true. I never, I never ever, I am speaking to my God that I serve. He knows my heart. Madam Yeney alleged that Zigzag Marzah was a mad man who raped, stole and boasted of cannibalism.

For the BBCWST Amara Bangura reporting from The Hague.

**UNMIL Public Information Office Media Summary
3 June 2010**

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

UN News in Liberia

UNMIL was not reported in the news today.

Local News on Liberian issues

President Sirleaf Arrives from Overseas Visit

[Daily Observer, The Informer, New Vision, The Monitor, National Chronicle]

- President Ellen Johnson Sirleaf returned home last evening from an official visit to the United States and France to a rousing welcome from over 1,000 government officials, diplomats and local residents.
- While in the United States, the President met with President Barack Obama and discussed a wide range of issues, including the global war against drug trafficking and the US support to Liberia's reconstruction programs.
- From the US, President Sirleaf travelled to France where she participated in a Francophone conference and held talks with French government officials and other African leaders.
- On her return last evening, the President attended a brief service at Winners' Chapel in Congo Town, outside Monrovia.
- Meanwhile, Assistant Foreign Minister for Public Affairs Josephus M. Gray disclosed that Liberia's international status and standing among the comity of nations has improved immensely from a failed state situation to a responsible and well respected member of the international community.
- According to Minister Gray, this new status of Liberia was due primarily to the radical change in the country's new foreign policy posture adopted since the incumbency of President Sirleaf.

Senate Split Over Two Threshold Versions, vote taking due today

[Heritage]

- Members of the Liberian Senate are split over whether to concur with the House of Representatives on the controversial threshold bill or apportion the bill at their own version.
- The House of Representatives passed the threshold at 46,000 and forwarded same to the Senate for concurrence.
- The decision of the House came after the Senate apportioned the threshold at 54,500 provided that no county get less than two seats.
- However, the Senate's version was critiqued by the House, thus prompting the body to reach a threshold decision of 46,000.

- In the Senate, lawmakers are divided on accepting the House's version of 46,000 and the Senate's 54,500.
- Additional 12 lawmakers will be added to the current 64 members of the House of Representatives if the threshold bill is passed at 46,000.
- At a threshold of 54,500, however, the current number of 64 members of the House will remain stable.
- The division amongst members of the Senate over the two threshold versions is fueled by claims that the Unity Party-led government does not have the resources to cater for any additional lawmaker.

Auditor General Files US\$30M Libel Suit against Employee

[The Analyst, Front Page Africa, New Democrat, The News]

- Auditor General John Morlu has filed a US\$30 million libel suit against suspended GAC employee, Mrs. Ruth Yeaher.
- Mrs. Yeaher had accused the Auditor General of repeatedly making sexual advances on her, a situation which led to her suspension.
- In the 17-count damage suit filed Wednesday at the Civil Law Court, Mr. Morlu said Mrs. Yeaher falsely defamed his personal and professional reputation.
- According to the Auditor General, Mrs. Yeaher has failed since 2007 to file any complaint against him as stated in section 6.22 of the human resource policy handbook at the GAC.
- Mr. Morlu said instead, Mrs. Yeaher chose to go public with intent to destroy his character.

Four Persons Confirmed Dead in Maryland Ship Wreck

[The Inquirer]

- Reports say four persons have been confirmed dead in Tuesday's Ship disaster in Maryland County.
- According to the report among the dead are the president of the Maryland Women Association Clara Nyumah and three children.
- The chairperson of the Maryland Legislative Caucus, Senator Gloria Scott said Ms. Nyumah alias Iyor and the children are still missing.
- Senator Scott quoting reports from Maryland said some dead bodies are now floating on the river between Liberia and neighboring Ivory Coast.

On Abstractive Industry: LEITI Holds Media Roundtable with Media Executives

[Heritage, The Analyst]

- The Liberia Extractive Industries Transparency Initiative (LEITI) Wednesday held a one-day media roundtable with media executives in Monrovia.
- The media roundtable was aimed at forging a real and strong partnership with the Liberian media.
- The gathering was also intended to provide information to the media on how to report on the Abstractive Industry and LEITI's activities.
- An executive of the Centre for Transparency and Accountability (CENTAL), Mr. Thomas Doe-Nah, said the gathering was intended to educate the media how to breach the gap of information dissemination to the public.
- "We want to use the media to explain to the Liberia people through the contents of your newspapers and your radios the LEITI process on the Abstractive Industry" Mr. Doe-Nah said.
- The CENTAL boss described the media as a critical partner in the LEITI process, noting that it has an important role to play in understanding the LEITI.

Pressure Group Vows to Take Action on Threshold Saga

[National Chronicle, The Monitor, The News, The Inquirer, Heritage, Daily Observer, The New Republic]

- The Coalition of Youths and Women on transparent and participatory electoral processes says it has now resolved to take action to end the entire threshold saga.
- The coalition said it would mobilize hundreds of people to move on the Capitol Building today in demand of an immediate passage of the bill.

Liberia's PRS Will Fail unless... Says Former Information Minister

[Heritage]

- Former Information Minister Laurence Bropleh says Liberia's Poverty Reduction Strategy (PRS) or 'Lift Liberia' will not be achieved as intended unless intentional emphasis regarding policies geared toward the empowerment of disabled people are manifested.
- "Let me boldly suggest that Liberia needs to urgently act to mainstream disability in the PRS processes", Dr. Bropleh said.
- Speaking at the launch of the European Union sponsored three-year initiative for disabled people in Liberia, Dr. Bropleh emphasized "We cannot lift Liberia and we cannot and will not reduce poverty without giving real meaning to concepts of people-centred services and individualized funding for the disability community."
- The former Information Minister said there is a compelling need to ensure possibilities for transforming the availability, adequacy and responsiveness of the disability services sector to enhance freedom and independence as well as education.
- Dr. Bropleh who spoke on the theme: "Empowering the Disabled for Participatory and Sustained Development," said prejudice and discrimination directed towards the disabled must be eliminated in a bid to give them the opportunity of enjoying their basic human and fundamental rights.

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

US President Expresses Interest in Agriculture and Energy Sectors, Says President Sirleaf

- President Ellen Johnson Sirleaf says US President Barack Obama has expressed interest in the agriculture and energy sectors of Liberia.
- President Sirleaf said her US counterpart spoke of food security for Liberia with concentration on small farmers and revamping the hydro.
- On the issue of a recent report from Human Rights Watch and Amnesty International, the President described the international rights groups' report as an opinion.
- She spoke Wednesday at the Roberts International Airport following nearly three weeks of stay in the United States.

Conflicting Accounts Emerge Between the Senate and High Court

- Conflicting accounts have emerged between the Supreme Court and the Senate over the status of the controversial population threshold bill.
- The contradictions relate to two documents from the Supreme Court over the withdrawal of the last lawsuit against the passage of the bill.
- One of the documents dated May 27 spoke of the withdrawal of the case filed by the Concerned Setor Youths headed by one James Doe.
- However, another document sent to the Legislature maintained that the lawsuit against the Legislature and other parties remains before the Supreme Court.
- Reports say the situation has left the threshold bill in a state of confusion.

Senate Launches Probe Into Education Ministry-Benoni Urey US\$4 Million Deal

- The Senate has launched an investigation into a report that the Education Ministry is concluding a US\$4 million deal with Mr. Benoni Urey.

- The reported deal relates to a move by the Education Ministry to purchase the flashy Congotown estate of Mr. Urey to pave the way for its relocation.
- The Senate ordered the enquiry Tuesday following concern by some Senators over the reported deal.
- The enquiry is being conducted by the Senate's Education Committee chair by Grand Kru Senator Blamo Nelson.
- Senator Nelson said as part of the probe, Education Minister Othello Gongar would appear before the committee today.

**Four Persons Confirmed Dead in Maryland Ship Wreck
Pressure Group Vows to Take Action on Threshold Saga**
(Also reported Truth FM, Sky FM, and ELBC)

Auditor General Files US\$30M Libel Suit against Employee
(Also reported Radio Veritas, Truth FM, Sky FM, and ELBC)

UL Releases Financial Report

- Authorities of the University of Liberia (UL) have released what appears to be a comprehensive financial report to the public, detailing expenditure and surplus.
- UL Vice President for Financial Affairs said the report shows a responsible administration that regards the culture of accountability and transparency.
- Professor Wilson Tarpeh described the document as credible and a demonstration of what he called proper corporate governance.
- According to Professor Tarpeh, the report details a total of US\$5.5 million revenue inflow, US\$1.8 million of which came from tuition fees.
- The UL Vice President for Financial Affairs disclosed that salaries account for US\$4.2 million.
- According to Professor Tarpeh, the slight adjustment in tuition fees is still unable to cover the cost of education at the university.
- Professor Tarpeh has meanwhile renewed calls for more financial support to the university.

LNP Investigates Alleged Armed Robbers

- The Liberia National Police (LNP) is investigating two men in connection with an armed robbery incident in Mount Barclay.
- The two, a Sierra Leonean and a Liberian were arrested Tuesday after they allegedly shot a motorcyclist identified as Yekeh.
- Mohammed Sheriff, 23 and Jonathan Morris, 20 are said to have shot the victim with a single barrel gun and made away with his motorbike.
- According to the Police, Yekeh is currently undergoing medical treatment at the John F. Kennedy Medical Centre in Sinkor.
- The Police said the single barrel gun and motorbike were retrieved from the suspects.
- Nearly a week ago, another motorcyclist was shot in the neck in the Matadi estate area.
- Though no arrest has been made, there are reports that a Nigerian shot the commercial motorcyclist and took away his bike.
- Reports also say the motorcyclist shot in the Matadi area has died in a hospital in Monrovia.

International Clips on Liberia

Liberia's Truth Commission Threatens Legal Action over Wages
VOA

The Liberia Truth and Reconciliation Commission (TRC) has threatened to sue the government of President Ellen Johnson Sirleaf for what the TRC calls its failure to pay back salaries and other compensations. The TRC was established in 2003 to look into the causes of Liberia's civil conflict from 1979 to 2003, and to make recommendations on accountability for perpetrators of gross human rights violations. A year ago, the commission submitted its final report recommending that President Sirleaf and other senior government and legislative officials be barred from holding political office for 30 years because of their roles in supporting the civil war. Commissioner Massa Washington said is obligated to pay the arrears. "Last year, before we handed in the unedited report of the commission on 30 June, we had allotment in the national budget for our wrap-up period of the commission's work. That period was extending from July to August. The TRC mandate gives room for that. So, that money was due before the mandate was over. So, they need to pay not only the salaries of commissioners and staff, but they also need to pay vendors," she said. But, Acting Information Minister Norris Tweah told VOA the government does not owe the TRC back salaries because the mandate of the commission ended as of 30 June, 2009. "There's absolutely no political motivation. Why would the government refuse to pay former commissioners of the TRC? We paid them; we don't owe them. If you add the three extra months that they took for severance pay then, technically, we overpaid them," he said. Tweah said if the former TRC commissioners feel that the Liberian government owes them salary arrears, then they should bring the claims to the government.

Liberian teen gets probation in rape of child **The Associated Press**

A 15-year-old Liberian refugee who pleaded guilty to participating in the gang rape of an 8-year-old girl was sentenced to probation. Maricopa County Juvenile Court Judge Samuel Thumma Wednesday also sent the boy to a secure treatment centre for at least a year for last summer's assault in Phoenix. The Associated Press is not naming the teen because of his age, 14 at the time of the assault and the oldest of four boys accused. He was originally charged as an adult but later sent to juvenile court where he pleaded guilty to sexual assault, kidnapping, three counts of sexual conduct with a minor and one count of attempted sexual conduct with a minor. Unless a judge rules otherwise, he will remain on probation until he is 18. If he had been convicted in adult court, he could have been sentenced up to 21 years in prison. Prosecutors said the girl was lured July 16 to an empty storage shed at a west Phoenix apartment complex with the promise of chewing gum. The oldest boy admitted holding the victim down while he and three other boys - ages 9, 10 and 13 - sexually assaulted the girl, according to authorities. "I struggle to figure out how anything like this could have happened," said Thumma. The teen apologized at the hearing. The two youngest boys have been found incompetent to stand trial, while the other boy's case is pending. All of the children, including the victim, are Liberian refugees. The girl is in foster care. Her parents were charged with child abuse but were released from jail last month because the court was unable to provide interpreters for court appearances.

International Clips on West Africa

Ivory Coast

UNOCI number two participates in electoral process meeting

ABIDJAN, Côte d'Ivoire, African Press Organization (APO) — The Principal Deputy Special Representative of the United Nations Secretary-General for Côte d'Ivoire, Abou Moussa, on Monday morning took part in a meeting which brought together the technical operators of the electoral process at the Prime Minister's office. According to Mr. Moussa, the meeting, whose aim was to harmonize views, was part of Prime Minister Guillaume Soro efforts to search for solutions to end the deadlock. However Mr. Moussa said, though the meeting on Monday heard the proposals on the white list from the presidential camp, "we cannot draw any conclusions until we hear the other side. Generally there are appeals on the list and as long as we do not have full confidence it is difficult to progress and this is the reason for the meeting held today in order to re-

establish full confidence and move forward". For the Chairman of the Independent Electoral Commission (IEC), Youssouf Bakayoko, since the pre-appeals process was due to be completed on Monday, it was necessary to continue discussions to allow a quick process and make decision regarding the remaining aspects. "We want the technicians to continue the consultations in this regard," he said.

Sierra Leone

Sierra Leone's most wanted captured www.africanews.com

Sierra Leone's 'most wanted' Gibrila Kamara has been captured alongside eight others in "Operation Relentless". The operation was carried out by agents of the Drug Enforcement Agency with the help of the son of the Liberian President Ellen Johnson Sirleaf, who acted as one of the agents. Kamara was implicated almost three years ago as one of the ring leaders in a small cargo plane with over 500kg of cocaine which forcefully landed at Sierra Leone's International airport. Although arrests were made, Kamara was able to flee the country for an unknown destination until he was reportedly arrested in Liberia. The Sierra Leone Police has earlier placed US\$2000 for any information that will lead to his arrest. The eight have already been transferred to the US where they have been charged among other things for trying to import illegal drugs to US. Before their arrest, the US Department of State alleged that the men attempted to bribe high-level officials in the Liberian Government in order to protect shipments of vast quantities of cocaine, and to use Liberia as a trans-shipment point for further distribution of the cocaine in Africa and Europe.

Sierra Leone parents seek answers in adoption case Associated Press

Balia Kamara's mother sent her to a centre in northern Sierra Leone so the 5-year-old could receive an education and food, and stay out of harm's way during the West African country's brutal civil war. The mother visited Balia at the Help A Needy Child International centre, known as HANCI, regularly for two years until 1998, when the children there were taken to Sierra Leone's capital for medical examinations. They never returned. Parents of about 30 children at the centre say they only later learned that the children had been adopted by Americans and sent abroad without permission. "We were reluctant to hand over the child," recalled Balia's mother, Mariama Jabbie, in an interview with The Associated Press. "When they told us that they were going to educate her up to college level, we decided to hand her over. That was how they were able to entice us to do so." In 2004, the centre's director and two of his employees were arrested and charged with conspiracy to violate adoption laws. Those charges against them though ultimately were dropped and the case disbanded, according to court records. Now more than a decade after the children disappeared, Sierra Leone's government said late Wednesday it is setting up a national commission of inquiry to re-examine the case of the HANCI children following years of pressure from their biological parents.

Ex-general: Serb officer not guilty of Vukovar massacre



*Vukovar massacre Yugoslavia Miodrag Panic Croatia
Serbia Veselin Sljivancanin*

A former general told an international crimes court for the former Yugoslavia that a Serb officer who had his sentence tripled on appeal over a 1991 massacre was not

guilty of murder.

Miodrag Panic told the International Criminal Tribunal for the former Yugoslavia that Veselin Sljivancanin, whose sentence was extended to 17 years last year, had no hand in the slaying of 194 prisoners of war.

He said Sljivancanin had not received any orders to evacuate the soldiers charged with protecting the prisoners in a Croat hospital in Vukovar, from where they were later taken and murdered.

- I was present when there was a conversation - between Sljivancanin and his superior and co-accused Mile Mrksic, Panic said.

- It is impossible that Mrksic could have given this information to Sljivancanin without passing it on to me then, or before or afterwards - he said.

- I would have been the first to react - he added.

Mrksic, a colonel, has been sentenced to 20 years in jail for murder, torture and inhuman treatment.

The Vukovar massacre was one of the worst incidents of the war linked to the break-up of the erstwhile Yugoslavia.

After a referendum, Croatia declared independence in June 1991 and the Serb minority living in the country started an armed insurrection against the new nationalist Croatian authorities.

The Yugoslav army intervened on the side of the Serbs and the conflict escalated.

The Yugoslav army took control of Vukovar and ringed the hospital where several hundreds Croats and other non-Serbs had sought refuge in the last days of the siege thinking they would be given safe passage.

Although this had been agreed in talks between the Yugoslav army and the Croatian authorities in the capital Zagreb, about 300 men were loaded on to buses on November 20, taken to a nearby farm and beaten.

A total of 194 of them were then killed by paramilitary forces and Serb self-defence groups.

Sljivancanin, 56, was sentenced to five years in prison on September 27, 2007 over the massacre before it was tripled on appeal.

New York Times
Thursday, 3 June 2010

Accused of War Crimes, and Living With Perks



Courtesy of the ICTY

A standard cell in the detention unit of the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague, the Netherlands.

By DOREEN CARVAJAL

THE HAGUE — Since the days after World War II when people accused as Nazi criminals awaited their fates in the grimness of Nuremberg Prison, reformers have dramatically reshaped the standards under which suspects accused of the vilest war crimes are being held.



Courtesy of the ICTY

The communal area of the detention unit of the International Criminal Court.

Beyond the brick towers of a Dutch prison just east of here is a compound where former Congolese warlords, Serbian militia leaders and a former Liberian president accused of instigating murder, rape and enslavement are confined in two detention centers with private cells stocked like college dormitories, with wooden bookcases, television sets and personal computers. Among the other amenities are a gym, a trainer, a spiritual room and a common kitchen where some former enemies trade recipes and dine on cevapi, or Balkan meatballs.

Three warlords whose cases are before the International Criminal Court are also receiving free legal aid at a monthly cost of about €35,000, or \$43,000. They are classified as indigent, one of them despite assets that include €500,000 in investments, €150,000 in savings, €300,000 in paintings and jewelry, three automobiles and four properties.

But an additional benefit — travel subsidies of tens of thousands of euros for family visits from distant African countries — is stirring an emotional debate among the court’s donor nations about whether the entitlements at the cluster of international courts meeting here have reached their limits.

Each court was intended, in part, to provide a model of humane, civilized detention that contrasts starkly with the horrific nature of the crimes the inmates are accused of. But how much is too much?

A group including France, Italy and smaller states is arguing that the nations financing the courts should not be covering benefits that they do not provide in their own prisons — and do not want to. What precedent might be set, they ask, if they contribute to these provisions here?

“We’re not treating them as equals to the rest of detainees in national prisons,” said Francisco José Aguilar Urbina, the Costa Rican ambassador to the Netherlands. “A guy who steals a chicken to feed his family will not be paid by the states for family visits.”

The visits make up a small part of the budget of the International Criminal Court, which authorized the travel subsidies and spends about €102 million yearly for court costs, staff and investigators along with housing and prosecuting four men. But the dispute is scratching at bigger concerns about costly legal processes that have dragged on, yielded no convictions and put a lot of focus on the benefits at the detention facilities, which some critics mock as the Hague Hilton.

“Behind this issue is a tug of war,” said William Schabas, director of the Irish Center for Human Rights in Galway, Ireland — one between the court’s judges, who have generally supported broad prisoner rights, and many of the countries that are paying the bills. “They are wondering what they are getting for their money. This is a court that has existed for seven years and hasn’t finished one trial.”

Diplomats from more than 100 nations are gathered in Kampala, Uganda, to take stock of the court, though the dispute over family travel is moving toward a resolution this autumn. The court was created almost eight years ago as a permanent tribunal to prosecute genocide and war crimes. Its 12-cell detention center houses five prisoners: four from Congo and Charles G. Taylor, the deposed president of Liberia, who has two cells, one where he lives and one where he keeps his documents.

They share the gym with 36 defendants, including the Bosnian Serb leader Radovan Karadzic, who are before a sister court dealing exclusively with Balkan war crimes and who are housed

separately. That court does not provide travel benefits, but many of the prisoners' home nations do, albeit far more modestly than the International Criminal Court.

Defending the International Criminal Court's policy, Marc Dubuisson, its director of court services, said: "I'm not here to judge whether a person is worse than another. We have an obligation to show the world what is good management. Why would you want to sentence the children not to see their own parent?"

Thanks to conjugal visits, several detainees became new fathers, including a Serbian general and Mr. Taylor, 62, whose baby girl was born in February.

The first to tap family travel funds, back in 2006, were the wife and five children of Thomas Lubanga Dyilo, 49, a former rebel leader from the Democratic Republic of Congo, formerly Zaire, who is accused of enslaving child soldiers who were forced to rape, kill and plunder. The court paid more than \$16,000 in expenses covering air fare from Kinshasa, two hotel rooms for 15 nights, temporary medical insurance, passport and visa fees and a daily "dignity allowance" of \$24 for adults and \$12 for children. Court officials also provided winter clothes and a babysitter for the children during conjugal visits.



Courtesy of the ICTY

One of the amenities available to the inmates is a gym.



Ed Oudenaarden/Agence France-Presse — Getty Images

Thomas Lubanga Dyilo, the former leader of the Union of Congolese Patriots accused of using youths as killers, in court in 2006.

Two years later, Mr. Lubanga's old enemy, Mathieu Ngudjolo Chui, 39, sought money for visits three times a year for his wife and six children. Mr. Ngudjolo is accused of organizing a massacre in the village of Bogoro in which boy soldiers hacked and burned alive about 200 people.

When the court registrar sought to curb spending by rotating visits among relatives, Mr. Ngudjolo successfully appealed, demanding “respect for the entitlement of his children to visit their father.” His travel budget this year: €6,180.

On the day he retired in March, the court’s president, Philippe Kirsch, a former Canadian diplomat, affirmed the right to the travel payments for Mr. Ngudjolo, saying that administrators had reviewed his finances and that at best “his assets are only just sufficient to enable him to meet his obligations to his dependents.”

One of the court’s top donors, Italy, disputed Mr. Kirsch’s ruling as having no legal basis. The French Foreign Ministry supported Italy, saying, “There is no reason to fund family visits for indigent detainees with the court’s budget since it could go too far, especially since the court’s concept of poverty is fuzzy.”

Stephen Rapp, the U.S. ambassador-at-large for war crime issues, advocates alternatives such as videoconference calls, which are under consideration. The United States is the top donor for the Special Court for Sierra Leone, where Mr. Taylor is being tried.

“These are sensitive issues,” Mr. Rapp said. “We have to make sure that they are humanely treated at an international standard, but whether we should go to this whole level of flying families thousands of kilometers is much more doubtful. I prefer another practical approach.”

The court’s supporters argue that the decision has been taken out of context. “Our message was let’s not make a big deal about this,” said Cecilia Nilsson, who heads the legal section for the Coalition for the International Criminal Court, a network of 2,500 groups. “It’s not a lot of money. It’s part of keeping the detainees happy or, I don’t know the word — managing — the detainees. The court is still very young and the decision was from just one case. It was blown out of proportion.”

The debate is reaching another threshold — over whether to pay for visits not only for the accused but those convicted of war crimes. The Special Court for Sierra Leone is considering that for convicts serving lengthy sentences in Rwanda.

“Yes, they have committed atrocities, but is the goal to reintegrate them back into society or is the goal to cut them off from society?” asked Binta Mansaray, the court’s administrative registrar.

In the meantime, the International Criminal Court is economizing and exploring alternatives large and small: eliminating subsidies for family phone calls or excess baggage, for example, or placing visitors on empty returning military planes. A court report is expected on a proposal to finance

family travel through a voluntary fund, although supporters and critics of the current system wonder who would volunteer.

How the detainees would react to any retrenchment is unclear, but some of them are not fully happy with their treatment now.

Mr. Taylor, for one, has complained about “Eurocentric meals” and boycotted his trial for a day after having to sit handcuffed in a vehicle outside the court for several minutes, which he considered “disrespectful.”

International Criminal Court

Wednesday, 2 June 2010

ICC Registrar participates in panel on impact of the Rome Statute system on victims and affected communities

The Registrar of the International Criminal Court (ICC), Madame Silvana Arbia, participated today in a panel discussion on the impact of the work of the Court on victims and affected communities. Discussions focused on participation of victims, protection of victims and witnesses, the role of outreach and the Trust Fund for Victims.

The event was organised by the Assembly of States Parties to the Rome Statute as part of its stocktaking exercise during the Review Conference of the Rome Statute, held in Kampala, Uganda. The discussion was opened with a presentation by Ms Radhika Coomaraswamy, Special Representative of the United Nations Secretary-General for Children and Armed Conflict, followed by the screening of a video honouring victims of atrocities committed during conflicts.

Besides Ms Arbia, speakers also included Ms Binta Mansaray, Registrar of the Special Court for Sierra Leone and former chief of its Outreach Section; Carla Ferstman, Executive Director of the NGO Redress; Ms Elisabeth Rehn, President of the Board of Directors of the Trust Fund for Victims of the ICC; Ms Justine Masika Bihanba of the NGO Synergie des femmes pour les victimes de violence sexuelle in the Democratic Republic of the Congo; David Tolbert, President of the International Center for Transitional Justice and former Deputy Prosecutor of the International Criminal Tribunal for the Former Yugoslavia. The discussions were moderated by Mr Eric Stover, Director of the University of California, Berkeley Human Rights Center.

The ICC Registrar explained that the Rome Statute was a landmark in furthering victims' rights by codifying their right to participation. She indicated that in many systems, the only role for victims in criminal proceedings is as witnesses. However, the ICC system enables victims to participate in proceedings. This means that they can give their views and express their concerns directly to the judges where their interests are affected. It is crucial that the process of enabling victims to make their applications for participation is done in the place where victims are located, and in a safe and secure environment so as not to put them at risk.

To date 2,648 victims have applied; 770 have been authorised to participate in the proceedings. Ms Arbia indicated that the experience made victims feel that their suffering is acknowledged. "It is a way by which they honour those relatives, friends and community members lost or injured in the atrocities under investigation. Furthermore, they feel that they are best placed to explain the historical and cultural background to the events and, in this sense, they feel they can contribute to the establishment of the truth", she said.

With regard to protection of victims and witnesses, Ms Arbia stressed that the Court has developed sustainable protective measures, beginning with local protection measures. This can entail strengthening the physical security of the residence of witnesses and victims as well as use of Initial Response System; this is a 24/7 emergency response system that enables the Court to be informed at short notice of any immediate threat to victims and witnesses in order to take appropriate action, including relocating the person, if necessary.

The ICC Outreach was presented as a third generation programme following the work done in this field by the International Criminal Tribunal for the Former Yugoslavia and the Special Court for Sierra Leone. The Registrar explained that outreach is a two-way communication between the Court and communities affected by situations currently before the Court. The Programme was established to make judicial proceedings accessible to communities, including victims, in countries where the Court operates. The importance of a robust outreach programme and the need to act where the victims live was underlined by several speakers.

Finally, participants praised the work done by the co-facilitators who had organised the Panel, Chile and Finland, and in particular Ms Elena Bornand and Ms Miia Aró-Sánchez.

International Criminal Court: only as strong as its member states

The conference in Kampala to review the performance of the International Criminal Court should take the opportunity look at the responsibilities of the member states.

James A Goldston for the OSI blog, part of the Guardian Legal Network guardian.co.uk, Wednesday 2 June 2010 19.53 BST Although 111 countries have ratified the Rome Statute establishing the International Criminal Court, many have consistently failed to cooperate with the court's operations or to effectively support its work.

This week, government representatives from around the world are meeting in Kampala, Uganda, for what will be the most important gathering about the Court since the 1998 adoption of the Rome Statute. Member states should take this opportunity to identify how they can better support the court and its mission, culminating in a public commitment to ensure appropriate policy changes and funding.

For too long, public debate has focused almost entirely on decisions and actions of the ICC itself: the impact of the arrest warrant against President Bashir of Sudan on peace in Darfur; the scope of the charges in the ICC's first trial against a Congolese warlord accused of recruiting child soldiers; the fact that, until now, all active investigations have concerned crimes in Africa.

In contrast, the responsibilities of states have not received due attention.

To be sure, the court matters. And it has some way to go in ironing out its internal operations. But on almost every major challenge the court confronts, the role of states party to the Rome Statute is critical.

For example, unlike the courts in our own countries, the International Criminal Court lacks a police force to enforce its subpoenas, arrest warrants, and orders. The court depends entirely upon member states' law enforcement agencies to secure the arrest and detention of persons it has charged with crimes.

To date, states have proven unwilling to fulfill this responsibility consistently. As a result, the court's detention facility in The Netherlands holds only four of the thirteen persons for whom the court has issued arrest warrants. One of the court's main purposes is to deter political and military leaders from ordering massive violence. If the risk of being arrested, tried, and punished remains so absurdly low, it will diminish the court's ability to deter such mass crimes.

In addition, the court faces formidable challenges in reaching out to societies where the abuses it addresses take place, thousands of miles away from the Hague. Surveys have

revealed that people in countries suffering mass violence have little knowledge of the court and its role, unrealistically high expectations of its potential impact, and low levels of trust and goodwill toward its staff.

This disconnect could be remedied if member states allocated sufficient funds for public outreach. Continued failure to prioritize connecting with affected communities will prevent the court from involving the public meaningfully in its operations. Ultimately, this weakens the institution's legitimacy and limits its impact in the countries where its work matters most.

Although states have the principal responsibility to pursue perpetrators of mass violence, few have done so. The concept of "complementarity," which underlies the Rome Statute, permits the court to assert its jurisdiction only when national authorities are unable or unwilling to do so. Yet in practice, political will and judicial capacity are too often lacking among domestic actors.

To make matters worse, the court's major international donors—many of whom are members of its governing assembly of member states—have not aligned their funding patterns in a way that will bolster complementarity. As a result, even as donors spend millions on projects to promote economic development and the rule of law in countries where the court is engaged, they fail to provide the basic prerequisites for successful war crimes prosecutions: skilled investigators, sound witness protection systems, and technology for managing sensitive information. As a result, the court is being saddled with sole responsibility for ending impunity—a burden no single institution can possibly bear.

The gathering in Kampala offers International Criminal Court member states a chance to assume their proper place in the international system of accountability for atrocities. A good start would be to create a standing committee that will develop tools to enhance national-level prosecutions and improve donor cooperation. In addition, member states should pledge to increase funding for the Court's outreach activities. Finally, the gathering can foster a more supportive diplomatic environment for the court by having member states agree to raise concerns about individual state cooperation in bilateral discussions as well as at sessions of the United Nations Security Council, General Assembly, and Human Rights Council.

Minnesota Public Radio

Friday, 4 June 2010

<http://minnesota.publicradio.org/display/web/2010/06/04/phillips/>

Rwandan law on "genocide ideology" impossibly vague

By Robin Phillips

Last week, as most Minnesotans set out to enjoy the long Memorial Day weekend, one Minnesotan embarked on a journey of a different sort. On Friday, St. Paul law professor Peter Erlinder was arrested by Rwandan police on charges under that country's "genocide ideology" law.

Erlinder went to Rwanda as part of the legal defense team of opposition political candidate Victoire Ingabire Umuhoza, who faces charges under the genocide ideology law.

Throughout the past several years, Erlinder has represented people accused of genocide before the International Criminal Tribunal of Rwanda. In the course of this work, he has developed an argument that questions whether the violence in Rwanda was, technically speaking, genocide. Erlinder hasn't been shy about putting forth his theory; he helped organize and presented a paper at an international criminal defense conference on the subject in Brussels just days before entering Rwanda.

International law recognizes that genocide -- the killing, causing of serious bodily or mental harm, deliberate infliction of conditions calculated to bring about the physical destruction, imposition of measures intended to prevent births, or forcible transfer of children to another group, with intent to destroy, in whole or in part, a national, ethnic, racial or religious group -- is among the most serious of crimes.

Is what happened in Rwanda "genocide?" Most international human rights experts think so. And if any country has an interest in ensuring that public safety is balanced against the right to free speech, arguably it's Rwanda. Radio broadcasts deliberately inciting ethnic violence fueled much of the brutality that killed upwards of 800,000 people in just 100 days in 1994.

International human rights law recognizes freedom of expression as a fundamental human right. That right is not without limits. Governments can and must limit dangerous speech. But those limits must themselves be narrowly tailored and carefully applied.

The Rwandan genocide ideology law falls far short of what international human rights law requires. It has been characterized by one human rights organization as "a very broad, imprecise and even confusing array of activities and expression" which includes "terms which are widely open for abusive interpretation -- such as 'marginalising,' 'laughing,' 'mocking,' 'boasting,' and 'creating confusion aiming at negating the genocide

which occurred' and 'stirring up ill feelings' -- or which very obviously have no place in any law -- such as 'propounding wickedness.'"

The evidence suggests that potential abuses of this vaguely worded crime have come to pass. Human rights organizations and the U.S. government alike have denounced the law for having been used to silence those who oppose the government. Erlinder himself went to Rwanda to defend a political opposition leader accused of genocide ideology. Amnesty International reports that at last count there were 912 people in prison, either awaiting trial or serving sentences, on genocide ideology charges.

The government of Rwanda today is under the control of Paul Kagame and his Rwandan Patriotic Front. Exploiting the tragedy of the genocide for political purposes is apparently just one part of Kagame's strategy to continue to hold power. A glance through the U.S. State Department's most recent assessment of human rights in Rwanda reveals that its record of ensuring freedom of speech, assembly, association, and the right of citizens to change their government is abysmal.

In addition to politically motivated use of the genocide ideology law to keep government opponents quiet, Amnesty International reports substantial restriction of press freedom, active restriction of opposition political parties, and widespread impunity for members of the Rwandan Patriotic Army and Rwandan Patriotic Front.

Erlinder's arrest gives us a glimpse of what Rwandans and millions of others living under repressive governments around the world face every day. In the United States, Memorial Day is an opportunity to remember those who gave their lives to protect our freedoms. This incident serves as a poignant reminder of what those human rights really mean.

Robin Phillips is executive director of The Advocates for Human Rights, a nonprofit organization dedicated to promoting and protecting human rights.

Agence France Presse

Wednesday, 2 June 2010

Rwanda court rejects inaction charge in lawyer case

ARUSHA — The International Criminal Tribunal for Rwanda on Wednesday rejected charges it has failed to take action after the arrest in Rwanda of a US lawyer accused of denying the 1994 Tutsi genocide.

Peter Erlinder, who heads the association of defence lawyers at the ICTR, was arrested on Friday in Kigali where he went to defend opposition leader Victoire Ingabire, who is also accused of denying the genocide.

Two French lawyers at the tribunal, Arthur Vercken and Anta Guisse, on Tuesday slammed what they said was the ICTR's silence over Erlinder's arrest.

"To date it seems the ICTR has not raised the slightest protest against this arrest or demanded the immediate freedom of this lawyer who is on its list and who represents an accused person," Vercken and Guisse said.

The two, who are defending a former senior official in Rwanda's interior ministry, Callixte Kalimanzira, charged with genocide, said they fear Erlinder's pleas at the ICTR may be used as evidence against him in Rwanda.

"The ICTR acted swiftly, by communicating as early as Monday with the Rwandan authorities," the court's spokesman Roland Amoussouga said, emphasizing that the ICTR is "in contact with the relevant Rwandan authorities and with Peter Erlinder's legal team".

He said the court was trying to find out if the Rwandan judicial authorities "intend to use Erlinder's work at the ICTR as evidence for the prosecution".

"Erlinder was not in Rwanda for reasons linked to his activities at the ICTR. This doesn't mean the ICTR will not take an interest in his fate, but rather that the formulation of the ICTR's reaction will depend on what elements the prosecution decides to use against the accused," Amoussouga said.

He said the court does not claim to have the power or the mandate to obtain immunity for its lawyers in cases that are not directly linked to their work at the ICTR.

"There are two situations where we can claim immunity for our lawyers: when they are on a trip for the ICTR and when the actions they are accused of committing were carried out in the framework of a case they are defending at the ICTR," he said.

The arrest of Erlinder "and the questions he is being asked do not seem to be linked to his activities at the tribunal", Amoussouga said.

New Vision (Uganda)

Thursday, 3 June 2010

Uganda: ICC Boss Launches War Victims Office

Cyprian Musoke

Kampala — The president of the International Criminal Court (ICC), Justice Sang-Hyun Song, has said the longer the arrest warrant for the Lord's Resistance Army leader, Joseph Kony, remains unimplemented, the more frustrated the people in northern Uganda would become.

Song, who has just undertaken a fact-finding tour of northern Uganda, said many people are losing hope because no action is being taken against Kony.

He was speaking at the official opening of the ICC Kampala offices on Baskerville Avenue in Kololo on Tuesday.

The office, he noted, was opened to carry out ground work and give hope to the people of northern Uganda.

The office, the first of its kind to be established in this jurisdiction of the court, represents the public face of the ICC in the country, facilitates investigations, is responsible for security, defence, logistics, witness protection, victim participation and outreach activities, Song noted.

"The people of northern Uganda have suffered for a long time. That is why they see hope in ICC's intervention," he observed.

The president of the ICC State Parties, ambassador Christian Wenaweser, said it is an amazing experience to be part of the journey towards a world free of conflict and war.

He said the Kampala office was established to contribute to people who lost their loved ones in northern Uganda.

"The court is about hope, lifting ourselves above conflict, war and the pursuit for justice," he said.

The ICC deputy prosecutor, Fatou Bensouda, said since the old tools used to stop impunity did not work, there was need to establish a new set of tools to ensure accountability for crimes that concern the international community.

The officials are here to participate in the first ICC review conference at Speke Resort Munyonyo.

The conference, which opened on Monday, will review the Rome Statute of the ICC. It will end on June 11.

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