

**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:**

Friday, 16 July 2010

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

Friday, 16 July 2010

## NEWS NaCSA secures US\$999,000 to capacitate 650 female war victims

By William Freeman

In a move towards the implementation of the Truth and Reconciliation Commission's recommendation to restore the dignity of war victims the National Commission for Social Action (NaCSA) will be providing skills training to 650 women who suffered sexual violence through the reparation program.

At the official launch of the skills training project yesterday at the Commission's office in Freetown the Deputy Commissioner, Charles Rogers disclosed that the United Nations Trust fund which is managed by the United Nations Development Fund for Women (UNIFEM) has provided the sum of US\$999,000 to enable the Commission develop their skills in livelihood generating activities.

The Deputy Commissioner explained that will take place within a two-year's period adding that the 300



*Some female war survivors at the launching ceremony*  
women will benefit from the first phase of six

Months training that will start this year while the second phase will include 350 women. He also disclosed that micro-grants will be given to these women to start up a new life at the end of their training.

"We are certain that this training will help victims to take control of their own destiny" he lamented.

The ultimate objective of the vocational skills training programme is to enable the beneficiaries to attain self-sufficiency and financial independence by providing survivors with the opportunity to find employment or run their own business.

Charles Rogers thanked UNIFEM, the German government and other agencies that have been supporting the reparations programme which started in 2009 after the commission succeeded in registering 3,133 war victims of which 56 of them have already undergone emergency surgery.

Charlestaylortrial.org (The Hague)

Thursday, 15 July 2010

### **Liberia: Court Adjourned for the Day Due to Absence of Defense Counsel**

Alpha Sesay

The trial of Charles Taylor took an early adjournment today as the former Liberian president's defense counsel, Courtenay Griffiths, was absent from court.

The Special Court for Sierra Leone discussed Mr. Griffiths absence in a private session, and the Trial Chamber's Presiding Judge, Justice Julia Sebutinde, informed the court in a public session that the trial could not proceed for the day as the defense counsel was indisposed.

The trial will resume on Friday with a continuation of the testimony of convicted former interim leader of the Sierra Leonean rebel group, the Revolutionary United Front (RUF), Issa Hassan Sesay.

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## Associated Press

Thursday, 15 July 2010

### **Court upholds torture conviction of Taylor's son**

By CURT ANDERSON

MIAMI — A federal appeals court Thursday upheld the torture convictions and 97-year sentence imposed on the son of former Liberian President Charles Taylor, who led a notorious paramilitary unit during his father's bloody rule.

In an 87-page ruling, a three-judge panel of the 11th U.S. Circuit Court of Appeals also affirmed the constitutionality of a 1994 law allowing prosecution for overseas torture that was used for the first time against Charles McArthur Emmanuel, also known as Chuckie Taylor.

Emmanuel, a 33-year-old U.S. citizen born in Boston while his father was a student there, was convicted in 2008 of torturing or ordering the torture of dozens of the Taylor government's political opponents with numerous gruesome techniques. These included electric shocks; bayonet stabbing; burning with cigarettes, clothes irons, melted plastic and scalding water; shoveling of biting ants on people's bodies; and imprisoning people in water-filled holes covered by iron bars.

"The facts of this case are riddled with extraordinary cruelty and evil," U.S. Circuit Judge Stanley Marcus wrote in the ruling.

Emmanuel's attorneys had argued that the torture law under which he was prosecuted is far broader than the international treaty authorizing it, known as the Convention Against Torture. They also claimed U.S. law making it an additional crime if a firearm is involved should not apply to actions in Liberia, and contended his trial was filled with errors and sentence far too lengthy.

The appeals panel rejected all of those arguments, specifically holding that Congress had the power to criminalize torture and torture conspiracy committed overseas under the torture treaty.

"We are satisfied that the Torture Act is a valid exercise of congressional authority," the judges concluded.

"Those who suffered at the hands of Mr. Taylor can today rest assured that he remains convicted of torture and related crimes, and that he will remain in prison for a very long time," said Assistant Attorney General Lanny A. Breuer of the Criminal Division of the Department of Justice.

Emmanuel was tried in Miami because he was arrested at the airport in 2006 after using a false name for his father on passport application. He had been tracked for years by U.S. Immigration and Customs Enforcement agents, initially for possible illegal arms violations, and was the model for one of the African characters in the 2005 film "Lord of War."

He led his father's Anti-Terrorist Unit from 1997 to 2003, when Taylor was driven from power under U.S. pressure. The elder Taylor is on trial in The Hague, Netherlands before a special tribunal on war crimes committed in Sierra Leone.

After his criminal trial, Emmanuel was sued by five Liberian torture victims who were awarded \$22.4 million in damages. At that trial, Emmanuel labeled as "deceptive and propaganda" charges from opponents and the U.S. that he was "this poster boy for human rights abuse."

Emmanuel is currently serving his sentence at a federal prison in Kentucky.

## BBC World Service Trust

Thursday, 15 July 2010

### Communicating Justice reporter wins major journalism award



Liberian journalist Joseph Cheeseman has been reporting from the International Criminal Court in The Hague on the trial of former President Charles Taylor for over two years. He was recently named Journalist of the Year at the Press Union of Liberia awards.

As one of six West African journalists trained by the BBC WST for the Communicating Justice project, he continues to provide daily updates from The Hague which are broadcast throughout Liberia and Sierra Leone.

Now, as the trial once again hits international headlines over revelations that UK supermodel Naomi Campbell is to testify, Joseph describes his experiences and outlines his hopes to inspire the next generation of Liberian journalists.

On the 7th January 2008, when the first of the 91 Prosecution Witnesses in this historic trial was put on the stand, I was there. When Charles Taylor appeared in his own defence for the first time, I was there. But more importantly, a thousand miles away, the people of West Africa were there, listening to the reports from our BBC World Service Trust sponsored team.

This is not only a ground-breaking trial but a ground-breaking radio journalism project.

#### Full of surprises

I was originally employed on a three-month contract and I never expected this trial to have lasted so long. Just as no-one expected the judges to agree to subpoena one of the world's most famous supermodels, Naomi Campbell, to give evidence later this month (29th July).

But we are used to surprises by now - and for me the biggest and most pleasant surprise of all was to receive the award of Journalist of the Year from my colleagues in Liberia. That really means something to me.

#### Truth and accuracy

In Liberia and Sierra Leone, rumour is sometimes a substitute for truth

Some of you may have been in a courtroom or even had experience of reporting on a trial. But probably not a trial where a wrong fact or badly phrased sentence can trigger dangerous rumours or even put someone's life at risk.

In Liberia and Sierra Leone, rumour is sometimes a substitute for truth and my job is to make sure that every dispatch is a fair and accurate reflection of what is said in court. As you can imagine, that demands full concentration at all times.

There are also lawyers to interview and liaise with, plus representatives from civil society and human rights groups in Sierra Leone and Liberia who come to observe the trial.

You can never really switch off.

But I have had two distinct advantages. My mentor, former BBC Legal Affairs Correspondent Jon Silverman has coached me in accurate court reporting.

I hope this project has inspired the next generation of Liberian journalists

I am also a trained lawyer as well as a journalist and this has enabled me to follow the legal jargon, and simplify it for the understanding of people in Liberia and Sierra Leone.

### **Culture shock**

The one thing that no-one can prepare you for, as a native of one of Africa's poorest regions, is the shock of coming to Europe for the first time and adapting to an unfamiliar lifestyle - and, above all, the unpredictable weather!

Not just seeing snow for the first time in my life but having to buy a new set of clothes just to keep warm in the winter.

It did make me a little less homesick to discover a market with a good supply of African food. And I won't forget our neighbours in the suburb of Voorburg for their generosity and friendliness. Some of them were still smiling (only just...) at the end of the World Cup final.

I'm sticking with the trial until the judgment is delivered - probably during next year. And after that, I intend to swap my microphone for a lawyer's gown.

But I hope this project has inspired the next generation of Liberian journalists. Perhaps one day, I'll be on the receiving end of their questions and reports. I'll certainly know how it feels

## UNMIL Public Information Office Media Summary 15 July 2010

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

### UN News in Liberia

#### **UNIFEM, Justice Ministry End 3-Day Training in SEA for Border Security Personnel**

[Daily Observer]

- About 90 state security personnel are in Monrovia participating in a three-day training on Sexual Exploitation and Abuse (SEA).
- The training is being organized jointly by the United Nations Fund for Women and the Justice Ministry.
- The training which ends today seeks to address issues of Sexual Gender-Based Violence outlined in the national Plan of Action and related Gender-Based Violence at border points of Liberia.
- A coordinator of the training, Ms. Fatu Daramy-Mensah said the training was organized following a survey which shows that businesswomen at border points are faced with sexual harassment in exchange of easy business transaction, border movement and accommodation.
- Ms. Daramy-Mensah said the campaign was intended to raise awareness and show the role of security officers in curbing the situation.

### Local News on Liberian Issues

#### **President Sirleaf Extols France on 221<sup>st</sup> Anniversary**

[Daily Observer, New Vision]

- President Ellen Johnson Sirleaf has sent a message of congratulations to the Government and People of France on the occasion marking their 221<sup>st</sup> Independence Anniversary.
- In the message addressed to France President Nicholas Sarkozy, the Liberian Leader extended sincere best wishes on the celebrations of his country's independence and hoped that long friendship between Liberia and France continues.
- A Foreign Ministry release say President Sirleaf believes that the national day of France now reaffirms the noble ideals of liberty, equality and fraternity of the country.

#### **2008 Census May Not Qualify to Set Threshold Bill**

[Heritage, New Democrat, The Informer]

- Reports say the Senate has adopted a contentious joint resolution outlawing the use of the census report to set the threshold for constituency representations.
- According to the reports, the Senate resolved to simply use the 2008 census results for development purposes.
- It was also gathered that the Senate agreed for the current seats in the House of Representatives to be maintained without any constituency re-demarcation.
- The report emerged Wednesday following hours of a special session of the Senate held behind in camera.
- The report was not however confirmed nor denied by Senate president pro-tempore Cletus Wotorson who refused media interview.
- The latest resolution by the Senate supports the petition by the National Traditional Council of Liberia which recommended similar treatment to the census report.

#### **House States Position in Deputy Speaker, Police Scuffle**

[Heritage, New Vision, The Inquirer, The New Republic]

- The House of Representatives has released a statement in Monrovia condemning the scuffle between aides of House deputy speaker Tokpa Mulbah and a police officer.

- The House described the fight as outrageous and unfortunate and said it supports the ongoing investigation into the situation.
- The House expressed the hope that the truth would be derived from the investigation to bring the perpetrators to justice.
- House spokesman Isaac Redd said the position of the body is in keeping with its constitutional mandate to uphold the rule of law.
- Mr. Redd said it was unfortunate that the scuffle led to police officer Lexington Beh being hospitalized while seven Liberians were arrested.
- He expressed concern over the whereabouts of the seven aides and family members of the deputy speaker arrested by the police.
- According to Mr. Redd, if deputy speaker Mulbah is indicted in the investigation he would face the rule of law.

### **ADB Donates to Judiciary**

[The Inquirer, Heritage, The Analyst]

- The African Development Bank (ADB) has made available a consignment of books to the Judicial Branch of Government.
- The donation is part of a grant to the Liberian government under the bank's institutional support programme.
- ADB Representative Wisdom Dafeamekor said the donation of books is indented to support capacity building which will lead to improvement in the rule of law system of Liberia.
- ADB procurement specialist Kenneth Geyi who also spoke at the presentation ceremony disclosed that the bank will shortly donate some computers and office furniture to the judiciary.
- Receiving the consignment, Chief Justice Johnnie Lewis thanked the ADB for the donation and described the offer as one that will enhance the work of the judicial system in the country.

### **July 26 Celebration in Nimba Encounters Hitches**

[The News]

- Nimba County superintendent Edith Gonglo Weh says key facilities meant for the hosting of the July 26 Independence Day celebrations have come to a standstill.
- Superintendent Weh said rehabilitation work on the Sanniquellie Administration Hall where the July 26 programme is to be officially held has stopped.
- She said renovation on the building stopped nearly a week ago due to the lack of funding to procure materials.
- According to her apart from the US\$800,000 taken from the Nimba County Social Development Fund another budgetary allotment of about US\$800,000 by the Ministry of State is yet to be made available by the Finance Ministry.
- According to Mrs. Weh, the Superintendent's Compound and other important edifices are yet to be rehabilitated for the July 26 celebrations.
- Providing update on the preparations, Mrs. Weh reported that the sports stadium where the military parade is to take place is in a deplorable state.
- She however said the Presidential Palace has been completed and appealed for a twenty-four hour around the clock work to speed up the renovation of the facilities.

### **Foreign Ministry Resumes Issuance of ECOWAS Passport**

[Heritage, National Chronicle, New Vision, The Analyst, The Inquirer, The News]

- The Foreign Ministry has resumed the issuance of the ECOWAS Passport.
- Assistant Foreign Minister for Public Affairs Josephus Gray said the exercise commenced after the repairs of the passport machines.
- The Ministry said some of the conditions in obtaining the passport have been relaxed and applicants can now obtain their passports in seven days.
- Minister Gray said the passport will now be issued for US\$23 and no additional fees are required.

### **Government Does Not Owe Widows" – Defense Minister**

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

- The Defense Ministry says government does not owe any group of women under the banner "Armed Forces of Liberia Widows".
- Defense Minister Brownie Samukai said the issue of benefits to the widows has been dealt with by government.

- Minister Samukai noted that the Liberian government made available 78 million 260 thousand Liberian dollars to the group.
- According to him there is no allotment under the budget for the group because the issue has been put to rest.

### **National Health Review Conference Underway**

[Heritage, In Profile Daily, The News]

- The Health Ministry in collaboration with its partners will next week hold a three-day National Health Review Conference in Monrovia.
- The Director of External Aid Coordination Unit at the Ministry said the conference will discuss the implementation of the National Health Plan and Policy since 2007.
- Mr. Momolu V. O. Sirleaf said the conference will also set priorities for 2010/2011 and develop key policy recommendations for 2011 and beyond.
- Mr. Sirleaf said over 400 stakeholders in the health sector will attend the conference which is the third of its kind and will draw up a ten-year development plan for the health sector.
- Vice President Joseph Boakai is expected to deliver the opening address of the conference.

### **Liberia, EU Conclude Voluntary Partnership Agreement**

[The Inquirer]

- The Liberian government and the European Union (EU) Wednesday ended a three-day negotiation session as part of efforts to reach the Voluntary Partnership Agreement (VPA).
- The VPA seeks to reinforce the reform of good governance in the forest sector.
- The VPA guarantees that timber and timber products shipped to European countries are free of all forms of illegal trade.
- Agriculture Minister Florence Chenoweth said the just-ended negotiation was the third of its kind and brought Liberia closer to concluding the VPA in early 2011.
- According to Minister Chenoweth, the VPA system requires all timber entering the EU from a partner country to have a license to show it has been legally processed.
- Under the Agreement, legally harvested timber must provide benefits to local forest communities as outlined in the Liberian law.

### **Regional Watch Speaks on Flogging of Police Officer, Signs MOU with ICJ**

[National Chronicle]

- The Regional Watch for Human Rights (RWHR) has described as power drunk the flogging of police officer Lexington Beh allegedly on orders of House deputy speaker Tokpa Mulbah.
- The group's director Thompson Adebayor said it was unfortunate and paradoxical for a lawmaker to be linked to the flogging of a Police officer.
- The RWHR director urged government to conduct speedy investigation into the alleged brutality and ensure justice is done.
- He spoke to newsmen while commenting on a Memorandum of Understanding (MOU) signed between his group and the International Commission of Jurists.
- According to Mr. Adebayor, the MOU is intended to provide structured and systematic capacity building for members of the justice sector in the Mano River Union countries.

### **CDC Splits over House Deputy Speaker's Action**

[In Profile Daily, National Chronicle]

- The secretary general of the opposition Congress for Democratic Change (CDC), Eugene Nagbe has strongly disassociated himself from statement emanating from within the corridors of the party, which he believes is in support of deputy speaker Tokpa Mulbah's action.
- Mr. Nagbe stressed that the party would in no way want to nurse such habit that has the propensity to undermine the nascent democracy the country is relishing.
- He stated that the recent utterances of some of the party officials do not reflect the official representation of the executive of the party, and as such, "must not be entertained as the party stands in respect of the rule of law which is an integral component and embodiment of the true tenet of democracy."
- The CDC secretary general pointed out that his deputy, Acarius Gray acted upon his own volition "and that was not the party's position regarding what transpired between patrolman Lexington Beh and that of the deputy speaker."

- Meanwhile, assistant secretary general Acarius Gray said the statement issued Monday remains the position of the CDC noting that he has the overwhelming support of the executive and administration of the party, as official party spokesman.
- He declared that while it is true that CDC remains a people-oriented mass base movement, it was equally important to acknowledge its many partisans regarding an episode that had endangered the free movement of one of its officials.

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

#### **2008 Census May Not Qualify to Set Threshold Bill**

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

#### **House States Position in Deputy Speaker, Police Scuffle**

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

#### **Liberian, Ghanaian Parliamentarians Hold Talks**

- The chairman on land and forestry of the Ghanaian Parliament has pledged to work with the Community Rights Caucus of the Liberian Legislature.
- The community Rights Caucus of Liberia was set up to ensure communities benefit from their resources.
- Parliamentarian Gbeheson Gbediame said his committee will support efforts by Liberian lawmakers in fostering development at the local level.
- The Ghanaian MP also called for the establishment of a common network between the Caucus and its Ghanaian counterparts.
- Mr. Gbediame said it was important for community members to have a greater say in investment negotiations affecting them.
- He spoke Tuesday in Accra, Ghana during an interactive forum with four members of the Community Rights Caucus of Liberia.
- The Liberian delegation headed by Bong County Representative George Mulbah is in Accra holding discussions with Ghanaian MPs on land and forestry issues.

#### **“Government Does Not Owe Widows” – Defense Minister**

#### **July 26 Celebration in Nimba Encounters Hitches**

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

#### **National Health Review Conference Underway**

#### **Liberia, EU Conclude Voluntary Partnership Agreement**

#### **Regional Watch Speaks on Flogging of Police Officer, Signs MOU with ICJ**

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

#### **Demarcation of East Nimba Nature Reserve Begins in Nimba**

- The process leading to the smooth demarcation of the East Nimba Nature Reserve has been launched in Zotapi, Gbelegeh District, Nimba County.
- The demarcation and survey process followed the intervention of the Land Rights and Community Forestry Programme.

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

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

#### **Foreign Ministry Resumes Issuance of ECOWAS Passport**

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

#### **Court Takes Custody of Four Accused in Bank Burglary**

- Criminal Court ‘A’ has taken custody of four men arrested by the Liberia National Police in connection with the recent International Bank of Liberia burglary.
- The men Thomas Jebbo, Jallah Sekor, Amos Dahn and Momo Konneh were arrested for burglarizing and stealing nearly US\$500,000 from the bank.
- The court reached the decision Wednesday when the men appeared before it.
- The Public Defenders told the court that their clients were illegally arrested from their homes without warrant and detained since Friday without charge.

- Prosecution said the argument of the defense was without facts.

## International Clips on Liberia

### **The trial of Charles Taylor: Court Adjourned for the Day Due To Absence of Defense Counsel** [www.charlestaylortrial.org](http://www.charlestaylortrial.org)

The trial of Charles Taylor took an early adjournment today as the former Liberian president's defense counsel, Courtenay Griffiths, was absent from court. The Special Court for Sierra Leone discussed Mr. Griffiths' absence in a private session, and the Trial Chamber's Presiding Judge, Justice Julia Sebutinde, informed the court in a public session that the trial could not proceed for the day as the defense counsel was indisposed. The trial will resume on Friday with a continuation of the testimony of convicted former interim leader of the Sierra Leonean rebel group, the Revolutionary United Front (RUF), Issa Hassan Sesay.

### **North Dakota won't block book deliveries to Liberia** [www.inforum.com](http://www.inforum.com)

North Dakota's attorney general won't stand in the way of donated books and computers being delivered to children in Liberia, as long as it's done through the appropriate channels, a state official said this week. North Dakota's attorney general won't stand in the way of donated books and computers being delivered to children in Liberia, as long as it's done through the appropriate channels, a state official said this week. But first, Fargo Liberians need to find someone who can make it happen. The estimated 50,000-plus books are sitting in three storage units after Attorney General Wayne Stenehjem last week issued a cease-and-desist order against Liberian Center for Growth and Development, the unlicensed Fargo charity that collected them. The group's president, Naboth Bahnsaideth Zondo Highfill, known locally as Naboth Zondo, was subsequently arrested in Fargo on a warrant out of Baltimore County, Md., where he faces charges of identity fraud, credit card misuse and theft stemming from alleged offenses in 2004. Zondo remained in the Cass County Jail on Wednesday, waiting for Maryland authorities to pick him up after he waived his right to an extradition hearing. Two others named in the order, Jenkins Tarwoe and Peter Belleh, met with an assistant attorney general Monday and were told that while they can't have anything to do with collecting or distributing the books, they may try to find a non-profit or charity that can. "We are very hopeful that the books can go to Liberia," Belleh said Tuesday.

### **New Schools along Liberia's Border Aim to Strengthen Trade, Peace Initiative by UNICEF and Government of Liberia aims to prevent war by building high tech schools in neglected communities** [www1.voanews.com](http://www1.voanews.com)

Liberia's government has teamed up with UNICEF to build the first of what it calls "child friendly schools" in Liberia, in the border town of Ganta. The high tech school is part of a multi-million dollar initiative by the agency to help foster peace and prevent a recurrence of war in impoverished border communities. Organizers say the process of building the school has already changed peoples' lives. Six-year-old Salome Gaye is a prime example. In a few months time Salome and 270 other children will be the first pupils at the Charles Boyu Elementary and Junior High School. "This school is being constructed around the border community and Ganta has been ideally selected, and it should be serving as a means to be able to prevent conflict and try to cement the peace that exists," says Mathew Flomo UNICEF Education Officer in Ganta.

## International Clips on West Africa

### **Guinea**

#### **Stellar Diamonds expands production capacity at Mandala and Bomboko in Guinea** <http://proactiveinvestors.co.uk>

Stellar Diamonds told investors that it has now increased its production capacity at the Mandala and Bomboko properties in Guinea. Earth moving equipment has been introduced at both sites over the last three-months - including 4 30-ton dump trucks, 2 excavators and 2 front end loaders - to enable increased production at both mines in the second half of the year. "After boosting our mining capacity at Mandala and Bomboko, Stellar is well positioned to significantly increase its production and revenues as well as reduce its unit costs per carat produced," Stellar chief executive Karl Smithson said. "This should place the company in a strong financial position enabling us to progress with our core strategy of developing our key kimberlite assets in Sierra Leone and Guinea." The company reported its interim results for H1-2010m, for period ended 31st March 2010, late in June. To date, at the

Guinea mining operations, total production has reached 83,000 carats at Mandala (78,491 carats at the end of H1) and 4,500 carats (4,157 carats at the end of H1).

### **Guinea fails to attend French national day celebrations** **APA**

Guinea received no invitation from Paris to attend France's 14 July National Day celebrations because during the arrangements for this commemoration, the then junta leader Moussa Dadis Camara was at loggerheads with the French authorities, a reliable source told APA here. Thirteen African troops on Wednesday paraded on the Champs Elysees, following an invitation from President Nicolas Sarkozy, who wanted to give some poignancy to the celebration of the golden independence jubilees of these former French colonies. Guinea, which celebrated its golden jubilee anniversary on 2nd October 2008, failed to attend these celebrations in the French capital. According to a source close to the French embassy in Conakry, Guinea's absence is due to the fact that Captain Moussa Dadis Camara, who came to power during the preparation for the celebrations, was not in the French authorities' good books. The military parade on the Champs-Elysees was attended by a total of 12 African heads of state while President Laurent Gbagbo of Cote d'Ivoire who wants first to iron out his discrepancies with France, was absent.

### **Ivory Coast**

#### **Presidential Adviser Expects Ivory Coast Election Date Soon** **www1.voanews.com**

A special adviser to Ivorian President Laurent Gbagbo told VOA an election date will soon be announced, a day before the Independent Electoral Commission (CEI) said it will publish the provisional voter register list Thursday. Lambert Bahi Serry said the "re-unification" of the country, among other benchmarks, needs to be met under the Lome Peace Accord before credible elections can be held this year. "The president, as you know, is the one who needs the elections so that he can have the full control of the state apparatus, and be able to implement the program on which the Ivorian people had elected him in the first place in 2002, and will re-elect him in the coming election," he said. Serry also said that President Gbagbo is confident that the electoral commission is on the right track after the electoral body announced it will be publishing the provisional voter register list. CEI announced it has expanded the provisional voter list from 5.3 million people to an estimated 5.8 million including 490,000 voters who were said to be too young to vote in the last election held in 2000. Analysts have said the electoral process was derailed after President Gbagbo dissolved the electoral commission after he accused its former chairman of illegally adding names to the register.

### **Sierra Leone**

#### **Sierra Leone gives land to ECOWAS** **www.africanews.com**

Sierra Leone President Ernest Bai Koroma has handed over a 70 acre plot of land to the Economic Commission of West African States (ECOWAS) for the establishment of a regional logistic depot. The land is situated in the Northern Sierra Leone town of Lungui and also shares part of the International airport. In his statement before handing over the land to leaders of the regional body, Koroma echoed the significance of peace. "Without peace there will be no sustainable growth and development," he said. Victor Gbeho, President of the ECOWAS Commission said the creation of the ECOWAS depot will "support democracy and peace throughout the West Africa region" and therefore called on countries in the region to ensure maximum cooperation. Upon completion the site will train peacekeepers and also provide rapid response to humanitarian catastrophes in the region. The United States is said to be providing a huge percentage of the total cost.

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## BBC Online

Thursday, 15 July 2010

### First ICC accused - DR Congo's Lubanga - 'to be freed'



Thomas Lubanga is the first person to go on trial at the ICC in The Hague

Judges at the International Criminal Court in The Hague have ordered the accused in its first case - Thomas Lubanga from Democratic Republic of Congo - to be freed.

However, he will not be released for at least five days, while the prosecution considers whether to appeal.

The trial was suspended last week after judges cited procedural irregularities.

Mr Lubanga has pleaded not guilty to charges of recruiting child soldiers.

The office of the prosecutor - Luis Moreno-Ocampo - was found to have not identified a key witness.

Judge Adrian Fulford said Mr Lubanga should be "freed without condition", saying his detention was "no longer fair" after the trial was suspended.

In their ruling, the judges said: "An accused cannot be held in preventative custody on a speculative basis, namely that at some stage in the future the proceedings may be resurrected."

However, the prosecution has five days to seek an appeal and, if the challenge is accepted, Mr Lubanga will remain in detention until that appeal is heard, the ICC said in a statement.

#### Thomas Lubanga

- Leader of the Union of Congolese Patriots, an ethnic Hema militia
- Accused of recruiting children under 15 as soldiers
- Arrested in Kinshasa in March 2005
- Held by the ICC at The Hague since 2006
- Born in 1960, has a degree in psychology

It is understood that the prosecution will appeal.

The trial of Mr Lubanga, which opened in 2009 after a seven-month delay over disputed confidential evidence, has been plagued by legal challenges.

The first witness at the trial retracted his testimony after first saying he had been recruited by Mr Lubanga's fighters on his way home from school.

One of the problems facing the court is that Bunia - the capital of the Ituri region where Mr Lubanga was a rebel leader - was still considered a conflict zone.

This meant the safety of potential witnesses could not be guaranteed.

Mr Lubanga led the Union of Congolese Patriots (UPC), an ethnic Hema militia - one of six groups that fought for control of the gold-rich Ituri region from 1999 until 2003.

The land struggle turned into an inter-ethnic war in which an estimated 50,000 people were killed and hundreds of thousands were left homeless.

BBC Online

Thursday, 15 July 2010

## Tanzania lawyer at Rwanda genocide court shot dead



Jwani Mwaikusa worked as a defence counsel for Yussuf Munyakazi (pictured)

A senior Tanzanian defence lawyer at the UN-backed tribunal for Rwanda has been shot dead outside his home in Tanzania's main city of Dar es Salaam.

Jwani Mwaikusa, who also taught law at the University of Dar es Salaam, was killed as he drove into his compound on the outskirts of the town.

Police say his nephew and a neighbour were also killed on Tuesday night.

The attackers are reported to have ransacked the professor's car, taking a briefcase and some documents.

Mr Mwaikusa worked as a defence counsel for Rwandan businessman Yussuf Munyakazi who is being tried on genocide crimes at the the International Criminal Tribunal for Rwanda (ICTR), based in Arusha, northern Tanzania.

He successfully blocked the transfer of Mr Munyakazi's trial to Rwanda, saying he would not receive a fair trial there.

According to Tanzania's Citizen newspaper, there has been an increase in violent crime in Dar es Salaam recently.

Five people have been shot dead by armed robbers in the last two months, the paper reports.

## Hirondelle News Agency

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### **Nzabonimana's trial adjourned to October 11**

The defence case of genocide-accused and former Rwandan minister of Youth, Callixte Nzabonimana was on Thursday adjourned before the International Criminal Tribunal for Rwanda (ICTR) to October 11.

Nzabonimana's defence case opened on April 14, 2010. The prosecution concluded its case on April 13, 2010 after fielding 19 witnesses.

The accused is facing five charges of genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, extermination and murder. He denied the charges.

According to the indictment, Nzabonimana allegedly played an important role in the massacres of Tutsis in his native prefecture of Gitarama, central Rwanda . He was an active member of the then ruling party, MRND, at his prefecture and the national level.

Nzabonima was arrested in the western part of Tanzania on February 18, 2008. The next day he was transferred to the United Nations Detention Facility (UNDF) in Arusha at headquarters of the UN Tribunal.

The case is presided by Ugandan Judge Salomy Balungi Bossa.

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## Furthering the reach of international justice

STEVEN FREELAND



*Former Chilean dictator Augusto Pinochet was one of the disgraced national leaders to face International Criminal Court action. Photo: MARCO UGARTE*

On July 17, 1998, delegates attending a conference in Rome voted to establish the International Criminal Court, to act when the most serious forms of international crimes were committed. The Rome Statute confirmed the international community's aim of "putting an end to impunity".

The ICC began work in July 2002. There are 111 state parties to the Rome Statute. They include Australia, which remains a strong supporter of universal justice and the work of the court.

The ICC has become increasingly active and is dealing with situations in Uganda, the Democratic Republic of the Congo, Sudan, Kenya and the Central African Republic, with others also under investigation. The court is an integral part of the international judicial landscape and has even featured in popular Hollywood movies.

At a recent review conference in Uganda, about 4600 representatives from states, intergovernmental and non-governmental organisations strongly endorsed the court's work and agreed on a definition of the crime of aggression, to add to crimes that fall within the ICC's jurisdiction (genocide, crimes against humanity and war crimes).

While these are still relatively early days and there are undoubtedly challenges ahead, these developments represent positive illustrations of what has been described as the "internationalisation of justice".

Indeed, as an indication of the court's reach, it has issued an arrest warrant against Sudanese President Omar Hassan al-Bashir, for alleged war crimes and crimes against humanity (and possibly genocide) committed in Darfur. This marks the first time that an incumbent political leader has been indicted by this court.

The denial of immunity to heads of states is, however, part of a more general trend that would have been unthinkable 10 years ago. We have, for instance, seen former leaders such as Serbia's Slobodan Milosevic, Chile's Augusto Pinochet, Rwanda's Jean Kambanda, Liberia's Charles Taylor, Peru's Alberto Fujimori, Iraq's Saddam Hussein and Chad's Hissene Habre all face legal processes relating to their alleged crimes.

In 2007, *The Economist* quoted Libya's leader, Muammar Gaddafi, as lamenting that "this means that every head of state could meet a similar fate. It sets a serious precedent." This is a direct consequence of the evolution of international criminal justice. Criminologists now talk about a "Pinochet syndrome" — where senior political and military leaders can no longer ignore the rule of law and the reach of the various systems of national and international criminal justice.

Yet, despite these positive developments, the inescapable spectre of realpolitik still hinders the progression of justice. Powers such as the US, Russia and China are not parties to the Rome Statute, although the Obama

administration has become increasingly supportive of its activities. To assuage the concerns of larger countries, the crime of aggression will only become operable from 2017.

Several countries have called for the ICC to drop its case against Joseph Kony, the feared leader of the Lords Resistance Army in Uganda, as a condition of a peace agreement being negotiated there. Shortly after the indictment was issued against President Bashir, the African Union (with President Gaddafi as its chairman) called for an African boycott of the court.

If the politicians win the day, the victims of brutality will be deprived of the opportunity for finality and a sense of real justice. We must not allow this to happen. There is a positive relationship between peace and justice — true peace cannot exist without justice and vice versa.

In the end, therefore, the ICC's effectiveness will largely depend on the efforts of states to demonstrate the requisite political will, backed by tangible resources and action. In this states have, and will continue, also to play a crucial role. The ICC has no police force and, to a large degree, relies on states to arrest indicted individuals.

States also have another, even more, important role. The ICC has been established as "complementary to national criminal jurisdictions". The primary responsibility for prosecuting the perpetrators of these crimes thus lies with states. This requires them to not only upgrade their national laws to include these crimes, but also to enhance the capacity of national jurisdictions to investigate and prosecute them.

So far, Australia has fulfilled only the first half of this matrix. Our federal criminal code was amended in 2002 to include all of the crimes (apart from aggression) in the Rome Statute.

Yet what is missing is appropriate legislation, and a dedicated investigative agency, that would allow more comprehensive prosecution of war crimes committed overseas by persons now in Australia. A War Crimes Unit was established in the late 1980s but was disbanded after only a few years, largely because, at the time, the issue of prosecuting Australian citizens for crimes committed during World War II was difficult from an evidentiary perspective and seen as divisive in the broader community.

However, as demonstrated by the recent extradition proceedings regarding Daniel Snedden (aka Dragan Vasiljkovic) and Charles Zentai, and the earlier case of Konrad Kalejs, such trials might now be appropriate and feasible in Australia. This is especially so given our increased consciousness of the need for proper accountability for those who commit gross violations of human rights and humanitarian law.

In the end, the true measure of the ICC's success will be the increased preparedness of national governments to pursue suspected criminals. What is required is the political will to ensure that this vital element in the internationalisation of justice operates effectively and transparently, in the interests of today's and future generations.

*Steven Freeland is professor of international law at the University of Western Sydney and a visiting professional at the International Criminal Court, The Hague. These are his personal views.*