

**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:**

Wednesday, 25 August 2010

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

### Local News

Naomi Campbell Delivers a Dirt Message / *Concord Times* Pages 3-4

### International News

Charles Taylor Did Not Know About Benjamin Yeaten's Friendship.../ *Charlestaylortrial.org* Pages 5-6

Why Naomi Campbell's Testimony at The Hague Matters / *Los Angeles Times* Pages 7-8

The AU and the ICC Still not the Best of Friends / *Institute for Security Studies* Pages 9-10

Lebanon Tribunal Asks Hezbollah for More Evidence / *Reuters* Page 11

Commissioning Justice for Burma / *The Wall Street Journal* Pages 12-13

ICTY "Bullies" Given the Rap / *Radio Netherlands Worldwide* Page 14

# Concord Times

Wednesday, 25 August 2010

## Naomi Campbell Delivers a dirt message

### COMMENTARY

By Mariama Kande

I must admit that I have not been following news from the Special Court for Sierra Leone in The Hague, Netherlands. As a Sierra Leonean now living in London, I got sick of the dithering that marred the trial: the Prosecution versus Charles Taylor. Taylor himself did not treat the charges with seriousness. On the day of his first appearance, he boycotted the proceedings and later dismissed his legal team.

However, the trial was long overdue. Yet for some reason the world, including even me, had almost lost interest in it. That was until Naomi Campbell came along.

Campbell's testimony has created the type of media buzz for the Court that some of the worst crimes against humanity never achieved. One of Campbell's publicists has this week shamelessly noted that the former British supermodel's appearance has been responsible for more media coverage of the trial than anything else in the past three years. But Campbell has also been pilloried for her testimony, in which she called the trial an "inconvenience." A former child soldier has asked her to apologise. This week also saw the release of an online Campbell-themed video game in which players can throw "diamonds" at the glamour girl.

Campbell's testimony was meant to confirm the prosecution's allegations that Taylor dealt in blood diamonds from Sierra Leone to fuel war in that country. Little did I or most other Sierra Leoneans know that in 1997, when we were hiding under our beds and running from machete-wielding murderers and rapists, Nelson Mandela, Africa's hero, was dining with one of the men responsible for this bloodshed. And Campbell, a heroine to young black girls everywhere, was audaciously rubbing shoulders with a man responsible for the rape and murder of just such girls.

In her testimony, Campbell, who was also supping at this now-legendary function, told the Court how, in the middle of the night following the dinner, some men came to her hotel room and presented her with several "dirty-looking stones." I wonder whether the British supermodel realised that what she was describing as dirty pebbles were being

used to fuel one of the world's most atrocious conflicts. Suddenly the Taylor trial was interesting to the world. But for some of us who lived through (and survived) those bloody years, the Special Court proceedings have been too little too late.

The United Nations-backed Special Court for Sierra Leone was created to bring to book those who bore the greatest responsibility during the country's 11-year conflict. The trials have swallowed millions of dollars doled out by the international community, but until now, done little for the millions of Sierra Leoneans who still fight to move up from the very bottom of the United Nations Human Development Index.

It was a typically hot and sunny afternoon on 29 March 2006 when news reached Freetown that the former Liberian leader had been arrested in exile in Nigeria and would be brought to the Special Court to answer to crimes committed against the people of Sierra Leone. The details are well known, diamonds, death, child soldiers, and violence: for several years my region was infamous, even more so after the 2006 Hollywood blockbuster *Blood Diamond*, starring Leonardo DiCaprio.

On the ground, Taylor's arrest was the start of a long and torturous drama still unfolding. The news spread like wildfire during the harmattan and many like me heaved a sigh of relief: just the mention of Taylor's name still enough to bring back the most traumatic of memories. But Sierra Leoneans had become good at blocking such memories out, and for several years that's what I'd done.

But one morning recently I turned on the television and the top story was Campbell's testimony about allegedly receiving diamonds from Taylor after Mandela's charity dinner in South Africa. The news instantly took me back to that time in my life. While Taylor, Campbell and Mandela were enjoying a fancy dinner and Taylor was passing out Sierra Leone's diamonds, thousands of women and children were suffering and dying in the country from which these

dirty stones came.

As a young girl growing up during the gruesome civil war, the fear of being raped by a group of armed men was far greater than the fear of death. Had Campbell, a black supermodel who is apparently a role model for many women thought of this, I wonder if she would have minded the people she had dealings with.

Growing up in the 1990s in Sierra Leone was a childhood experience unlike most. As children we witnessed amputations, saw women raped or murdered in front of their families, and many of us lost loved ones. While others were enjoying uninterrupted academic years, ours were put on hold several times. While others enjoyed summer holidays on the beach, many of us were forced to leave the country and become refugees in another.

The Revolutionary United Front (RUF), allegedly sponsored by Taylor, was responsible for some of the worst crimes against women like me, including abduction and sexual slavery. Indeed, two of the Court's earlier convictions for the conscription of child soldiers and forced marriage were both landmarks creating a new precedent in international law. However, the western media quickly lost interest in these stories -- Naomi Campbell wasn't there.

This trial is very important for many reasons. Although the Special Court has swallowed more than US\$100 million, it is providing some form of justice to the thousands of innocent victims. Yet, while media coverage outside Sierra Leone has been unprecedented since Campbell took the stand, it was reported that only nine diehards turned up at the massive Special Court in Freetown to watch Campbell's testimony in The Hague. And the BBC's Umaru Fofana noted on his Facebook page that just one in seven Sierra Leoneans interviewed in the streets of Freetown this week actually knew who Campbell was or that she was testifying.

It seems the victimisation of the Sierra Leonean poor has still continued. How could their knowledge about a trial apparently being conducted for their benefit be so poor?

While all this money is poured into these proceedings for a handful of accused, the original victims are unaware and still trapped in poverty.

Even worse, the only knowledge many will have of this trial will be of Campbell and her references to dirty stones. If only she'd been aware of the problems those stones caused in the lives of many young girls, her role in this spectacle might have helped draw the right kind of attention. In the future Campbell should be more careful before accepting midnight gifts.

Editor's Note: Mariama Kandeh is a Sierra Leonean journalist currently living in the United Kingdom. She was former News Editor of Concord Times Newspaper. This article is part of the GL Opinion and Commentary Service.

Charlestaylortrial.org

Tuesday, 24 August 2010

Daily Summary

## **Charles Taylor Did Not Know About Benjamin Yeaten's Friendship With RUF Commander Sam Bockarie, Liberian Radio Operator Says**

By Alpha Sesay

Former Liberian president Charles Taylor had no knowledge that his Director of Special Security Services had a close friendship with a Sierra Leonean rebel commander in 1998, a Liberian national testifying on behalf of Mr. Taylor told the Special Court for Sierra Leone judges in The Hague today.

The witness, who worked as a radio operator in the National Patriotic Front of Liberia (NPFL) rebel group and later in Mr. Taylor's Executive Mansion under the Special Security Services (SSS) division, is testifying with partial protective measures and is only identified by the pseudonym DCT-008. Today, he told the court about the communications that took place between the radio station installed at the residence of Benjamin Yeaten, who was Director of the SSS, and Revolutionary United Front (RUF) commander Sam Bockarie's radio station installed at the RUF headquarters in Buedu, eastern Sierra Leone. The witness told the court that Mr. Taylor did not know about the contact and friendship that existed between Mr. Yeaten and Mr. Bockarie.

Several prosecution witnesses, including former RUF radio operators, have testified about radio communications between Mr. Bockarie and Mr. Yeaten. These communications were facilitated through Mr. Bockarie's radio operator called Sellay and a radio operator named Sunlight, who operated a radio at Mr. Yeaten's residence in Liberia, prosecution witnesses have said. They further told the court that Mr. Taylor had knowledge of these contacts, and it was through Mr. Yeaten that Mr. Taylor facilitated most of his communications and assistance to RUF commanders. Today, the witness, a former radio operator in Liberia, said this was not the case.

Explaining the nature of the radio contact that took place between Mr. Yeaten and the RUF, the witness told the court that "while Sunlight was operating the radio at the SSS Director's residence...one day, Samson came along with...Daniel Tamba, also called Jungle."

"Samson introduced Daniel Tamba to Sunlight saying the Chief [Yeaten] said I should bring this fellow to you so he can call Sierra Leone. He is a member of the RUF and he is one of [RUF leader Foday] Sankoh's boys...Jungle gave a piece of paper to Sunlight with a call sign for the RUF operator Sellay."

Samson, the witness said, was a former NPFL fighter, who was also one of the officers working under Mr. Yeaten in the SSS.

According to DCT-008, "[Samson] also said he had taken Jungle to the Executive Mansion for Jungle to communicate with the RUF in Sierra Leone."

He said that Samson had been working with another radio operator at the Executive Mansion called William Jimmy, who helped them communicate secretly with the RUF in Sierra Leone.

"Samson said they were hiding it and the [Liberian] government did not know about it, not even the president," the witness said.

When Sunlight discussed this with Mr. Yeaten, the SSS Director gave his consent to the contact with the RUF, telling Sunlight that nobody knew of such relationship that he had with the RUF.

“After the communication, when Benjamin Yeaten came home that evening, Sunlight told Benjamin Yeaten that Samson brought Jungle here so that Sunlight will connect him to Sierra Leone, and then Benjamin Yeaten told Sunlight that I have a friend in Sierra Leone and you should allow him to communicate with Sierra Leone anytime they come here,” the witness explained.

“Later, I got to know that [the friend] was Sam Bockarie,” he added.

When asked whether “Charles Taylor [was] aware of this,” the witness said, “No.”

“Charles Taylor did not know because Benjamin Yeaten told Sunlight that what I have told you should be kept to yourself and you must not share it with any other government radio operator...because this relationship between Sam Bockarie and myself, the president does not know about it and you should keep it to yourself,” the witness explained.

The witness said Mr. Yeaten added in his discussion with Sunlight that “if this information gets to anyone and the president knows about it, he will deal with me and I’ll be finished.”

“That’s how I came to know that the president did not know about it,” he said.

When asked about the nature of the friendship that existed between Mr. Yeaten and Mr. Bockarie, the witness said, “The friendship was so cordial, they were very close.

In response to allegations that RUF commanders, including Mr. Bockarie, made regular trips to Liberia and returned with arms and ammunition to Sierra Leone and that members of Mr. Taylor’s security apparatus had close links with RUF commanders, Mr. Taylor has told the court that as president of Liberia, he could not have known all the things that members of his security forces or his government did. These men could have had independent relationships or arms trade with the RUF without his knowledge, Mr. Taylor has stated. Today, the witness corroborated Mr. Taylor’s account when he told the court that Mr. Taylor did not know about the relationship that existed between the RUF members and Liberian security forces, including Mr. Yeaten and Samson.

Today’s witness was interposed in place of Issa Hassan Sesay, the former interim leader of the RUF, who has been testifying on behalf of Mr. Taylor for the past several weeks. Mr. Sesay could not be in court today because he had a dentist appointment. If Mr. Sesay is available tomorrow, then prosecutors will continue his cross-examination. If he is absent, DCT-008 will continue his testimony for the defense.

# Los Angeles Times

Tuesday, 24 August 2010

## Why Naomi Campbell's testimony at the Hague matters

By: Elisa Massimino - Los Angeles Times (MCT)

On Thursday, The Hague occupied a spotlight usually reserved for Paris, Milan and New York. Supermodel Naomi Campbell testified at the trial of Charles Taylor, the notorious former Liberian president who is charged with crimes against humanity including murder, sexual slavery and violence, and enslavement as well as acts of terrorism and torture.

How does a supermodel become a witness at an international tribunal? In 1997, Taylor allegedly gave Campbell the gift of a blood diamond: stones used to fund civil wars and other conflicts. Prosecutors sought Campbell's testimony to help establish the timing of Taylor's possession of diamonds from Sierra Leone, which he allegedly exchanged for weapons that armed Sierra Leonean rebels - including teenagers and children drugged and forced to fight - who used them in brutal attacks against civilians.

In public, Campbell has been hostile to any discussion about the case. Video of her slamming a news camera after a reporter asked her about the diamond has circulated online, and she protested when Oprah Winfrey raised the issue with her in an interview.

Protestations aside, Campbell's testimony matters because how mass atrocities are financed matters. Mass murder doesn't pay for itself. In Taylor's case, prosecutors charge that diamonds financed the purchase of weapons that killed many thousands of people and maimed and terrorized thousands more. The case against Taylor underscores the point that perpetrators of atrocities don't act alone. They depend on third parties who, knowingly or unwittingly, enable them by providing the means to carry out their crimes. Identifying enablers and disrupting their activities can hamper or halt a perpetrator.

For example, in the Democratic Republic of Congo, armed groups that murder and rape civilians trade minerals such as gold, tin, tungsten and tantalum taken from mines under their control for weapons, money and other resources. Some of these minerals end up in cellphones and computers sold in the United States.

Recently, Apple Chief Executive Steve Jobs wrote: "We require all of our suppliers to certify in writing that they use conflict (free) materials. But honestly there is no way for them to be sure. Until someone invents a way to chemically trace minerals from the source mine, it's a very difficult problem."

Jobs is right. Conflict minerals do present companies and consumers with a difficult problem. But we don't have to wait for a new chemical invention to begin to solve it. The United States has taken another approach. Tucked into the Wall Street reform bill that President Obama signed last month is a provision requiring U.S. companies to submit an annual report to the Securities and Exchange Commission disclosing whether their products contain minerals from Congo or neighboring countries. Companies, like Apple, will also be required to report on steps they are taking to exclude conflict minerals from their supply chains.

While tackling the problem of conflict minerals in Congo is vitally important, the United States' response to this problem must go beyond the gems and mineral trade and address all supply chains for atrocities, whether they carry the means of violence into a country or export goods that can fund such violence. In the coming months, one place where we might be able to cut off the supply chain and stop genocide before it happens again is in Sudan. While the people of the Darfur region in the western part of Sudan have been

the victims of atrocities for years, there are growing concerns about the risk of new violence in southern Sudan early next year.

In January, residents of the south will decide by referendum whether to secede. Earlier this year, then-Director of National Intelligence Dennis C. Blair told Congress that, of all the countries facing a risk of mass violence, "a new mass killing or genocide is most likely to occur in southern Sudan."

To prevent a genocide there, the Obama administration must engage with parties on the ground but should also pressure third parties, such as China and Russia, that have supplied arms and ammunition to the government of Sudan in the past, despite an arms embargo and even when it was clear that the government was involved in atrocities in Darfur. In March, Susan Rice, the U.S. ambassador to the United Nations, decried "cavalier violations" of the arms embargo on Darfur and said the U.N. Security Council's Sudan Sanctions Committee needs to take action to stop them. The intelligence community must also allocate resources to gathering and analyzing intelligence on third-party enablers so that policymakers can disrupt supply chains. In addition, the Treasury Department's Office of Foreign Assets Control needs sufficient resources to properly investigate people involved in embargo violations.

We may never understand what makes a human being like Charles Taylor capable of planning and executing such brutality. But by targeting the enablers of atrocities, we can make it more difficult and expensive for would-be perpetrators to carry out their crimes, and we may thereby help prevent violence against civilians. Though the British supermodel may not have intended to bring the issue of genocide's supply chain into the spotlight, if leaders can begin to address the underlying issues her testimony raises, she may help ensure that The Hague won't have to hold a future trial for genocide in southern Sudan. © Copyright 2010 Gateway

## Institute for Security Studies (Tshwane (Pretoria))

Wednesday, 25 August 2010

### **Africa: The AU and the ICC Still not the Best of Friends**

Nompumelelo Sibalukhulu and Antoinette Louw

#### Analysis

The recently concluded 15th African Union (AU) summit which took place in Kampala from 25-27 July 2010 made it clear that the International Criminal Court (ICC) has not yet succeeded in winning the hearts and minds of African leaders.

The summit reiterated its previous decision that AU member states should not cooperate with the ICC in the arrest and surrender of President Omar Hassan Al-Bashir of Sudan. The summit also delayed the opening of an ICC liaison office in Addis, censured the ICC prosecutor, and urged African states not to forget their obligations to the AU when considering cooperation with the court.

The AU has had a frosty relationship with the ICC ever since it issued the arrest warrant for Bashir on charges of war crimes and crimes against humanity in March 2009. The relationship grew colder when the court added the charge of genocide in July this year.

The most significant aspect of the recent AU summit decision is that it restates the agreement reached at the AU's 13th summit in Sirte, Libya, in July 2009 in which member states decided that because the AU's request to the UN Security Council (UNSC) for the deferral of ICC proceedings against Bashir had not been acted upon, member states would not cooperate in the arrest and surrender of the Sudanese president.

The 13th summit decision was widely attributed to the influence of the AU chairperson at the time, Libyan leader Muammar Ghaddafi. With Malawi's president, Bingu Wa Mutharika, now in the chair, the 15th summit decision was an unanticipated turn of events. But the main reason for the initial optimism about the course of Africa-ICC relations was the markedly more positive position taken towards the ICC at the AU's 14th summit in January 2010 in Addis Ababa: member states were silent on the call for non-cooperation with the ICC in the Bashir matter, and encouraged constructive engagement by African states at the ICC review conference.

The outcomes of the review conference provided further reasons for optimism: the conference was successfully held in Kampala, on African soil, and the majority of African ICC states parties sent high level delegations who pledged their commitment to the Rome Statute system.

Indeed, it was on the sidelines of the review conference that African states parties prepared a letter to the chairperson of the AU Commission supporting the opening of the ICC-AU liaison office in Addis Ababa. In further efforts to establish this office, ICC president Judge Sang-Hyun Song met in Addis Ababa with Dr Jean Ping, chairperson of the AU Commission on 9 July 2010 to discuss AU-ICC relations and the establishment of the liaison office. Taken together, all these events were surely a sign of better things to come for the ICC in Africa.

Against this backdrop, the 15th AU summit decision is disappointing for those who support the Rome Statute system as a central mechanism for tackling impunity for grave crimes. Nevertheless the decision confirms that AU concerns with the ICC are deep-seated and largely revolve around the Bashir indictment. It is this indictment that sparked AU concerns about the role of the UN Security Council in the

work of the ICC; brought debates about the timing of peace and justice to the fore; and raised the thorny issue of prosecuting a sitting head of state.

These concerns motivated the AU to request the UN Security Council, in 2009, to defer the proceedings against Bashir for a year under Article 16 of the Rome Statute. When the UNSC failed to issue a formal response, the AU not only withdrew cooperation with the ICC in the arrest of Bashir, but also proposed that Article 16 be amended to transfer the power of deferral to the UN General Assembly should the Security Council fail to respond to a request for deferral within a period of six months. This proposed amendment is up for discussion at the 9th ICC Assembly of States Parties meeting in New York in December 2010.

How far African states parties will go in supporting the AU on the amendment of Article 16, or indeed the organisation's other decisions on the ICC, remains to be seen however. When the amendment proposal was tabled at the 8th ASP in November 2009 by South Africa, only two other African states parties supported it. And since the AU first decided not to cooperate with the ICC on the Bashir matter, several African governments have confirmed their intention to fulfil their treaty (and in the case of South Africa, domestic) legal obligations to arrest the Sudanese president should he arrive on their territory.

The fact that individual African states parties do not clearly support AU decisions on the ICC has not escaped the intergovernmental organisation. The recent 15th summit decision called on member states 'to speak with one voice to ensure that the proposed amendment to Article 16 of the Rome Statute [is acted upon],' and more significantly, the decision 'Requests Member States to balance, where applicable, their obligations to the AU with their obligations to the ICC'.

Tensions between states parties and the AU on the matter however persist, with the Sudan Tribune reporting on 17 August 2010 that Botswana Foreign Affairs and International Cooperation Minister Phandu Skelemani told reporters, in response to these clauses in the 15th AU summit decision: 'We have not surrendered the sovereignty of this country to the AU' adding that 'the International Criminal Court (ICC) Rome Statute is signed by a Country not AU. Botswana does not fear being isolated by other African countries since they [Botswana] are implementing the international protocols they have signed'.

These latest developments suggest that much still needs to be done to foster, let alone build, confidence in the ICC at the level of the AU. Until the Bashir matter is resolved – one way or another – it seems unlikely that relations will improve dramatically. Given this, African states parties must be relied upon to take up the responsibility of ensuring that the Rome Statute system they signed up to works in the interests of African victims of mass atrocities.

*Nompumelelo Sibalukhulu is a junior researcher in the International Crime in Africa Programme and Antoinette Louw a senior research fellow in the International Crime in Africa Programme of the Institute for Security Studies.*

## Reuters

Wednesday, 25 August 2010

### **Lebanon tribunal asks Hezbollah for more evidence**

A U.N. prosecutor investigating the assassination of Lebanon's former prime minister Rafik al-Hariri has urged Hezbollah to hand over more of the information that Hezbollah says implicates Israel.

Two weeks ago the militant Shi'ite group unveiled what it said was Israeli aerial surveillance of routes taken by Hariri's motorcade before the 2005 bombing that killed him and 22 others.

The group then gave a dossier to Lebanese prosecutors, which was passed to the U.N.-backed Special Tribunal for Lebanon.

The dossier contained six DVDs, U.N. prosecutor Daniel Bellemare's office said in a statement, but was restricted to the footage shown by Hezbollah leader Sayyed Hassan Nasrallah at a news conference on Aug. 9.

Nasrallah said at the time that if there was to be a "serious investigation", he could also provide the court with evidence that an Israeli agent had surveyed the site of Hariri's killing a day before the attack.

"The preliminary assessment of the DVDs has determined that the response is incomplete, since the material that was handed over is limited to the material shown during the ... press conference and does not contain the 'rest of the evidence' that Mr Hassan Nasrallah referred to," Bellemare's office said.

There was no immediate response from Hezbollah. Nasrallah has repeatedly condemned the U.N. investigation, which he said last month was set to indict Hezbollah members over Hariri's killing. Nasrallah has denied any Hezbollah involvement.

In a speech on Tuesday night, he said the fact that Hezbollah had given evidence to Lebanese authorities, who transferred it to Bellemare's office the same day, did not mean Hezbollah was assisting the investigation.

The possibility of Hezbollah indictments has raised political tensions in Lebanon, where the group forms part of a fragile unity government led by Hariri's son Saad, who has backed the U.N. investigation.

Media reports had suggested the indictments could be announced in September or October, though Hezbollah's dossier could delay Bellemare's plans.

His office said no indictment would be issued "until the prosecutor is satisfied that, in light of all the circumstances, it is based on solid and convincing evidence". (Editing by Kevin Liffey)

# The Wall Street Journal

Tuesday, 24 August 2010

## Commissioning Justice for Burma

By KELLEY CURRIE

Last week, the U.S. indicated it would back a special United Nations investigation into allegations that the Burmese junta has committed crimes against humanity and war crimes. While it might seem obvious to most observers that the junta has committed these crimes and more, an effective Commission of Inquiry (COI) would be an important step toward justice for the junta's victims and a potential game-changer for Burma's disastrous internal politics.

There is little doubt about what the COI is likely to report if it is created. The regime's abuses stretching back for more than two decades are well-known: not only the brutalization of the country's democratic movement but also a series of vicious campaigns against ethnic minorities that include targeting civilians for systematic rape, indiscriminate use of force, destruction of villages, forced labor and other atrocities. The victims of these crimes, together with international rights groups, the U.N. and individual governments have collected a mountain of evidence of such offenses.

Rather, the COI would be significant for how it raises these abuses. In particular, the commission would have the power to refer specific junta members to the International Criminal Court for prosecution of their crimes. U.S. officials have indicated that they believe the COI could sow divisions within the ruling clique, and are therefore hoping to focus it on Than Shwe, the junta's leader. They believe that by putting the senior general in the international hot seat, the COI process could encourage others the regime to view him as a liability worth dumping overboard.

Before it can have any hope of achieving such results, the commission needs to get off the ground. Since it has not yet received a mandate from U.N. member states, it doesn't even exist. The idea so far has struggled to gain traction with a resistant U.N. bureaucracy and many member states are reluctant to single out countries like Burma. The effort should get a significant boost from U.S. support, but Washington will still need to devote substantial diplomatic resources and political will to the effort of establishing such a commission at a time when these resources are already stretched to the breaking point.

Assuming that the U.S. intends to devote the necessary energy to the commission, the first thing it must do is decide on a strategy for the upcoming sessions of the U.N. General Assembly and the Human Rights Council, both of which convene next month. While these are the two most viable channels for securing the required formal mandate to create the Burma commission, neither is a particularly friendly venue.

The Human Rights Council has been hijacked by rights-abusing countries, and seems hard-pressed to take time out from its busy schedule of Israel-bashing to move against Burma. But there are grounds for optimism. The U.N.'s Special Rapporteur on Human Rights in Burma, Tomas Quintana, will submit a follow-up report to his scathing March study—which endorsed convening a Commission of Inquiry for the first time—to the Human Rights Council in September. His work in this area provides key evidentiary support for the need to create a commission, and puts substantial pressure on the Council to act.

A U.S.-led effort may fare better working through the General Assembly, which for the past 19 years has passed annual resolutions condemning human rights abuses in Burma. These resolutions pass because they are purely hortatory, but a resolution with real teeth authorizing a commission will be a much heavier lift. Given that both of these forums begin in a matter of weeks, it is unlikely that the U.S. could develop a full-court press for either. Nonetheless, both provide opportunities to begin showing seriousness of purpose on a Burma commission.

One way to demonstrate American commitment would be to spend some of its recently earned diplomatic capital to persuade democratic Asian partners to come out publicly in support of a commission. Asian support is vital in moving this forward, and it will take major work to get them on board. South Korea and the Philippines in particular ought to be willing to support such a measure, and it should be possible to convince Indonesia to at least abstain from blocking it.

Because recent efforts at international justice have been neither swift nor particularly satisfying, they are little feared by those who do evil in the world. The cases referred by the International Commission of Inquiry on Darfur to the International Criminal Court, for example, have barely moved in the past six years, as the court is unable to execute arrest warrants against senior Sudanese leaders due to a lack of cooperation or political will on the part of other countries—including the U.S.

Now that the U.S. has expressed support for a Commission of Inquiry on Burma, it should move forward in a deliberate and serious way to build an effective commission, avoiding excessive focus on short-term tactical advantages. If the commission can be established with alacrity and a strong mandate, the tactical aspects will take care of themselves.

*Ms. Currie is a senior fellow with the Project 2049 Institute, a Washington, D.C.-based think tank.*

## Radio Netherlands Worldwide

Wednesday, 25 August 2010

### ICTY “bullies” given the rap

By Julia Romasevych



*The Hague, Netherlands*

(Photo: RNW)

Judges at the International Criminal Tribunal for the former Yugoslavia have ordered an independent investigation following complaints from witnesses that they have been intimidated by prosecutors.

Although the probe was ordered in late June, it only resurfaced when the matter was raised recently by a journalist at a news conference.

The witnesses claim to have been threatened and intimidated by sleep deprivation, psychological pressure and other tactics. One witness claimed that prosecutors promised that he could go to America and receive a good salary in addition to money for his statement. Another declared that he and his family "were subjected to tremendous pressure by the prosecution," including 30 to 50 telephone calls per day.

The allegations concern the witnesses that have testified in the case of Vojislav Seselj, a Serbian politician accused of war crimes. They cite former Chief Prosecutor Carla Del Ponte, who stepped down from the job in 2007, as well as prosecutors Hildegard Urtz-Retzlaff and Daniel Saxon.

In a statement on the court's website spokesman, Christian Chartier, said: "The chamber obviously took these allegations very seriously and decided that it would be wrong to leave any space for doubt".

Former ICTY prosecutor Richard Goldstone told IJT he has no knowledge of the facts on which the claims are based. "The allegations are of a serious nature and deserve to be fully and independently investigated", he said.

The special political advisor to the prosecutor, Frederick Swinnen said: "We don't agree with the complaints. We think they are not grounded".

He also emphasised that people should not lose the focus, which is to bring to justice those who are responsible for extremely serious crimes.

Presiding Judge Antonetti announced that he would appoint 'a friend of the court' to look into the charges and report back within six months on whether there are grounds to launch a contempt case against any prosecution office staff.