

**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, 8 October 2010

Press clips are produced Monday through Friday.
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Agence France Presse

Thursday, 7 October 2010

Rwanda tribunal asks UN chief to help host acquitted man

ARUSHA, Tanzania — The International Criminal Tribunal for Rwanda (ICTR) has asked the UN secretary-general to help find a host country for an acquitted man, Andre Ntagerura, a court spokesman said Thursday.

The transport minister in Rwanda's government during the genocide of Tutsis in 1994, Ntagerura was acquitted of any part in the mass slaughter after his trial in February 2004, and again on appeal two years later.

He currently lives in a safe house at the expense of the ICTR near its premises at Arusha, in northern Tanzania. The premises are shared by General Gratién Kabiligi, who was acquitted in December 2008, and Protais Zigiranyirazo, known as "Monsieur Z," who was acquitted by the court of appeal in November 2009.

The ICTR, which was set up by the UN Security Council in 1994 to try key suspects in the genocide that claimed about 800,000 lives, is trying to find host countries to take in people who have been tried and acquitted.

In theory, they are free to leave Arusha, but have concerns for their own safety and nowhere to live.

"For Ntagerura, the court clerk's office has been making efforts for five years. His dossier is on the desk of the (UN) secretary-general (Ban Ki-moon). The United Nations is very sensitive to his case, which is symbolic," ICTR spokesman Roland Amoussouga told AFP.

"The ICTR has sought the help of the secretary-general and of the (UN) service for legal affairs," Amoussouga said, adding that the two other acquitted men had also not been forgotten.

"All three have expressed the wish to find a host country in the West. We are pursuing our efforts and support the efforts made by their lawyers," the spokesman added.

Zigiranyirazo is the brother of Agathe Kanziga, the widow of ex-president Juvenal Habyarimana, who is currently under investigation in France for her alleged role in the genocide.

The 100 days of slaughter in Rwanda began just after Habyarimana was killed on April 6, 1994, when his plane was shot down over the capital Kigali. Fellow president Cyprien Ntaryamira of Burundi was on board and also died.

Each time he addresses the UN Security Council or Assembly General, ICTR president Dennis Byron calls on member states to take in those whom the tribunal has acquitted. In all, the tribunal has acquitted eight people, five of whom have found host countries.

According to the ICTR web site, 34 suspects have been found guilty and 10 are currently pending appeal.

Associated Press
Friday, 8 October 2010

Int'l court to rule on halting first trial

By MIKE CORDER (AP)

THE HAGUE, Netherlands — The International Criminal Court is announcing Friday whether it will halt the court's first trial and release the defendant, an alleged Congolese warlord.

Aborting the case against Thomas Lubanga, who is charged with using child soldiers in a brutal conflict in eastern Congo in 2002-2003, would be a serious blow to prosecutor Luis Moreno Ocampo.

The judges criticized Moreno Ocampo's refusal earlier this year to disclose to Lubanga's lawyers the identity of an intermediary used by investigators to work with witnesses. In July, they halted the case and ordered Lubanga freed.

Prosecutors quickly appealed, blocking Lubanga's release, and have since revealed the identity.

But an appellate court must decide Friday whether Moreno Ocampo's initial defiance of instructions from the bench was preventing Lubanga getting a fair trial.

Presiding Judge Adrian Fulford wrote in July that Moreno Ocampo "revealed that he does not consider that he is bound to comply with judicial decisions that relate to a fundamental aspect of trial proceedings."

In a stinging written order, Fulford added that Moreno Ocampo's actions amounted to "a profound, unacceptable and unjustified intrusion into the role of the judiciary."

Lubanga, 49, is charged with recruiting and sending child soldiers into deadly battles in eastern Congo's Ituri region. He denies the allegations and insists he was a politician and peacemaker, not a warlord.

His trial has been troubled almost from its start in January 2009. Prosecutors tussled with judges over the admissibility of evidence gathered in confidence from U.N. personnel and nongovernment volunteers in the battlefield, who believed disclosure of their identities could jeopardize their lives or work.

The court is the world's first permanent war crimes tribunal, designed to end impunity for the most serious perpetrators of atrocities in conflicts around the world.

It started work in 2002 and so far has launched cases only in Africa. Its highest profile indictment is against Sudanese President Omar al-Bashir, who is charged with genocide in the Darfur conflict. Al-Bashir has vowed never to surrender to the court, and the court lacks its own police force to arrest suspects.

Hirondelle News Agency

Thursday, 7 October 2010

Opening of captain Nizeyimana's trial postponed to January 17

Arusha, October 7, 2010 (FH) - The commencement of the genocide case against former military officer in the Rwandan Armed Forces (FAR) in 1994, Captain Ildephonse Nizeyimana, scheduled on November 1, was on Thursday postponed to January 17, next year.

In his three previous appearances before the International Criminal Tribunal for Rwanda (ICTR), the accused pleaded not guilty to six charges related to genocide, including genocide and extermination, murder and rape as a crimes against humanity, murder as violation of article 3 common to Geneva convention and rape as a violation of article 3 of the statute.

"I plead not guilty your honour," responded Captain Nizeyimana as the Presiding Judge, Lee Muthoga read the charges one after another and asked how he would plead.

The defendant was second in command in charge of intelligence and military operations of the Non-commissioned Officers School (ESO) in the southern town of Butare.

"From on or about 20 April, 1994, Idelphonse Nizeyimana authorized, ordered or instigated soldiers from the FAR, ESO, Ngoma Camp and Butare Gendarmerie Camp, and Interahamwe, who were the members of the joint criminal enterprise (...) to kill many civilians identified as Tutsis at Butare Hospital," stated part of the amended indictment.

The indictment also alleged that he made a similar order to kill many Tutsi civilians at Butare University with words to the effect that "no Tutsi should remain."

"Your are presumably not guilty as you may be aware of that unless the prosecution proved that, beyond reasonable doubts," Judge Muthoga assured Capt. Nizeyimana immediately after finishing pleading his innocence.

Prosecution Counsel Drew White told the Chamber that he expected to present 40 witnesses for his case while the opposing team led by its lead defense Counsel John Philpot anticipated to field between 30 and 40 defense witnesses for his client.

Capt. Nizeyimana made his initial appearance on October 14, 2009 and pleaded not guilty.

On February 25, 2010, the Chamber granted the prosecution leave to amend the indictment and filed the amended indictment on March 1. Nizeyimana pleaded not guilty to the charges in further appearance on March 5.

On March 29, the Chamber granted partially a motion by the accused alleging defects on the amended indictment. This forced the prosecution on August 31, to seek further amendments.

Nizeyimana was arrested in Kampala (Uganda) on October 5, 2009 and transferred to the UN Detention facility in Arusha (Tanzania) the following day.

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