

**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.
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Concord Times (Freetown)

Tuesday, 9 November 2010

Sierra Leone: Bar Association Gets New Prexy

Chrispin Davies

Freetown — Following the appointment of the former president of the Bar Association of Sierra Leone, Joseph Fitzgerald Kamara as the commissioner for the anti-corruption commission, a just concluded by-election has made Reginald Fynn Esq. the new president of the Bar Association.

Speaking to this press, lawyer Fynn expressed happiness over his election as the new president of the Bar. He explained that he was called to the Bar in 1998 and that he had been practising for the past twelve years with no bad record. He went on to say that if he hadn't been doing his work well his colleagues would not have voted for him and that he is relatively a young lawyer considering the fact that there are other lawyers who are much more senior than him.

Lawyer Fynn has served the association in various executive positions such as assistant treasurer, treasurer, general secretary and vice president. He said he is very well determined to transform the association into a much better one by way of doing so many great things just like his predecessor whom he owes great respect for.

He said as the association is normally known for taking up human rights issues, they will through his leadership be looking at other areas like being involved in developmental programmes, commenting on the running of the judiciary, economic development and also how the executive is carrying itself.

He went on to say that as the Bar is currently engaged in a project which provides legal aid for the poor and less privileged which he takes very seriously, he will also be continuing the gender and sexual based violence issue that the former president started during his tenure of office.

He said as current president of the Sierra Leone Bar Association he will not only be working in the interest of making a mark for himself but for that of the association so that its name will be placed higher than it is now.

Charlestaylortrial.org (The Hague)

Tuesday, 9 November 2010

Liberia: Last Witness Concludes His Testimony, Defense to Officially Close Their Case On Friday

Alpha Sesay

Sam Flomo Kolleh, a Liberian national and former member of Sierra Leone's Revolutionary United Front (RUF) rebel group, concluded his evidence today in The Hague as the last live witness in the trial of former Liberian president Charles Taylor. The conclusion of Mr. Kolleh's evidence paves the way for defense lawyers to officially close Mr. Taylor's defense on Friday, November 12, 2010.

Mr. Kolleh's evidence, which commenced last week Monday, focused on rebutting prosecution evidence that Mr. Taylor was responsible for providing support to RUF rebels in Sierra Leone during that country's 11 year civil conflict. Mr. Kolleh also alleged that he had been intimidated and bribed by prosecutors for him to tell lies against Mr. Taylor.

Under cross-examination, prosecutors have tried to establish that Mr. Kolleh lied in the statements he made to prosecutors before he became a defense witness and that allegations that he was coerced to tell lies against Mr. Taylor are false. Mr. Kolleh denied the prosecution claims, telling the court that when he met with prosecutors, he gave false information about his name and participation in the war because he was afraid that he would be prosecuted.

As prosecution counsel Nicholas Koumjian concluded the witness's cross-examination today, he emphasized that Mr. Taylor was responsible for the war that took place in Sierra Leone, an assertion that the witness denied.

"The war in Sierra Leone was promoted by the man who set up Camp Naama...you know who that man was and it was Charles Taylor, don't you?" Mr. Koumjian asked the witness.

"No sir," the witness responded.

In reference to a statement earlier on made by the witness that "the war in Sierra Leone was not made by human beings, it was made by God," Mr. Koumjian put to the witness that "It was a human being - Charles Taylor, that made all that possible," to which the witness responded, "No sir."

Mr. Koumjian also pressed the witness about the statements he made to prosecutors, saying that the witness had lied in order to protect Mr. Taylor. In his statement to prosecutors, the witness said that his name was Sam Mustapha Koroma and that he was not captured by Mr. Taylor's National Patriotic Front of Liberia (NPFL) rebels in Liberia but rather by RUF rebels in Sierra Leone under the command of a man named Tunkara. In his present testimony, he has said that his real name is "Sam Flomo Kolleh" and that he was captured by NPFL rebels in Liberia and trained at Camp Naama before the invasion of Sierra Leone.

"I told you earlier on that I was scared. That's why I changed my name. I've told you this over three different times," Mr. Kolleh said when put to him that he had lied about his name to Prosecutors.

"You lied in all of your interviews with the prosecution by saying, not the truth that you were captured by the NPFL in Liberia, but that you were captured by Tunkara in Sierra Leone?" Mr. Koumjian asked witness again.

In his response, the witness said, "I told you I lied because of fear."

When put to him that he lied in order to protect Mr. Taylor, the witness said, "No, that was not the reason."

Mr. Koumjian also pointed out that in his first meeting with defense lawyers for Mr. Taylor, the witness did not tell them that he had been threatened and bribed by prosecutors to lie against Mr. Taylor.

"That's something you have made up since May 2010 as the case has become more desperate for the defence," Mr. Koumjian said.

"No." the witness responded.

As he was reexamined by Mr. Taylor's defense counsel, Terry Munyard, the witness denied any relationship with Mr. Taylor as alleged in a report of the non-governmental organization Global Witness.

Mr. Munyard read that in the Global Witness report of 2002 to 2003, it is stated, "A Liberian by the name of Sam Kolley, a close associate to Charles Taylor has changed his name to Sam Koroma to appear Sierra Leonean."

When asked by Mr. Munyard whether he is a "close associate to Charles Taylor," the witness said, "No sir," adding that he has "never met Mr. Taylor in person before."

The witness reiterated that he only changed his name because of fear and on the question of why he specifically chose that name "Sam Mustapha Koroma," he said, "It was the name of my step-father...a Sierra Leonean."

As the witness made his exit from the court room, both prosecution and defense lawyers filed several documents to be admitted into evidence.

The trial is adjourned until Friday, November 12, for the formal closure of the defense case.

Mr. Kolley is the 21st witness to have testified for Mr. Taylor, after prosecutors had presented more than 90 witness to testify against the former Liberian president. The testimonies of prosecution witnesses dealt with the crimes that were committed in Sierra Leone by RUF rebels and Mr. Taylor's alleged support to the RUF rebels and his alleged involvement in planning and implementing a campaign of terror in Sierra Leone. This, according to prosecutors forms part of a joint criminal enterprise that was formed by Mr. Taylor and rebel forces in Sierra Leone. Mr. Taylor's 21 witnesses have made attempts to rebut the evidence of prosecution witnesses and establish that his involvement in the conflict in Sierra Leone was only for peaceful purposes in that West African country.

The Canadian Press

Tuesday, 9 November 2010

Last witness completes testimony at war crimes trial of ex-Liberia president Charles Taylor

By Mike Corder (CP)

LEIDSCHENDAM, Netherlands — The war crimes trial of former Liberian President Charles Taylor approached a conclusion Tuesday with the close of witness testimony, amid mutual accusations by a former Sierra Leone rebel and prosecutors of seeking to subvert the landmark case.

Sam Kolley, an ex-member of the Revolutionary United Front (RUF) rebel group, was the last of 21 defence witnesses to testify in the Special Court of Sierra Leone's final trial.

The marathon case has shone a spotlight on atrocities committed by rebels during Sierra Leone's 1992-2002 civil war such as the amputations of limbs by rebels that became the conflict's grisly trademark.

Prosecutors say Taylor armed and supported the RUF, one of the most notorious rebel groups, in exchange for so-called blood diamonds mined by slave labourers in Sierra Leone.

From his presidential palace in Liberia's capital Monrovia, Taylor allegedly supplied not only arms and ammunition to the RUF but also drugs and alcohol given to child soldiers to desensitize them to the horrors of the war they were forced to fight.

In months on the witness stand testifying in his own defence, Taylor denied the allegations and cast himself instead as a statesman and peacemaker in the troubled West African region.

In his testimony, Kolley also insisted Taylor did not arm the RUF and said they obtained weapons from another rebel group in Liberia.

He also claimed that court officials tried to bribe and threaten him to testify that rebels gave Taylor diamonds.

Kolley, however, undermined his credibility by admitting that he lied during three different interviews with prosecution investigators.

Prosecution lawyer Nicholas Koumjian rejected the bribery and threat claims, calling them "something you have made up since May, as this case has gotten more and more desperate for the defence."

Taylor has pleaded not guilty to 11 charges of war crimes and crimes against humanity including murder, rape, sexual enslavement and recruiting child soldiers.

Defence and prosecution attorneys will now prepare closing statements summing up their cases, to be presented Feb. 8-11, before judges retire to consider their verdicts.

Among harrowing testimony at the trial, one witness described how a villager had his fingers hacked off and strung together to make a necklace before being shot; another witness recalled how rebels disemboweled a prisoner and used the intestines as ropes at a roadblock.

The trial started nearly three and a half years ago with Taylor boycotting the proceedings and firing his lawyer, saying he did not have enough time or money to prepare his defence and claiming he was being

railroaded to a conviction. The first witnesses only appeared at the trial in January 2008 after Taylor had hired new lawyers.

The defence case was sensationally interrupted by the court's decision to subpoena supermodel Naomi Campbell to testify about claims Taylor gave her rough diamonds at a 1997 party at Nelson Mandela's presidential mansion in South Africa.

Campbell said she was given diamonds, but said she did not know they were a gift from Taylor.

Eight rebel leaders have been tried, convicted and sentenced to prison terms ranging from 15 to 52 years by the Sierra Leone court. Those trials were held at the court's headquarters in the Sierra Leone capital, Freetown. Taylor's trial was shifted to The Hague because of security fears.

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Is the Case Against Charles Taylor Falling Apart?

By Thomas Darnstädt and Jan Puhl

Former Liberian President Charles Taylor has been on trial in The Hague for the last three years. The International Criminal Court accuses him of mass murder, rape and acts of terror. But the most promising prospect of using international law to punish a former dictator is threatening to fail.

The court is not spared anything, including this cross-examination on the subject of cannibalism.

Question: "How do you prepare a human being for a pot?" The witness: "We lay you down, slit your throat and butcher you and throw your head away, your intestines."

This is more than the court wants to hear. The audience turns away in disgust.

"With pepper and salt," the witness adds.

These are scenes from a nightmare that never seems to end. The trial of Charles Taylor, the former president of Liberia, before the Special Court for Sierra Leone in The Hague has been underway for more than three years -- without palpable results.

Crimes against humanity, mass murder, rape, mutilation, the blame for the massacres that took place during the civil war that raged in neighboring Sierra Leone between 1991 and 2002: the charges against the African politician are as massive as the prosecutors' ambition to force a murderous head of state to atone for his crimes for the first time in history. But the more unbearable the details of this bloody African conflict become in the neon-lit courtroom, the more agonizing is the game of guilt and atonement, and the more untouchable this former president, in his silver-gray tie, gray suit and white pocket handkerchief, becomes.

Nothing seems to stick to this defendant. Cannibalism? Taylor feigns disgust. What does he have to do with such atrocities, he asks?

More than 90 witnesses have already testified. The International Criminal Court in The Hague is currently in the process of hearing the last of the oral evidence, and the man who was almost certain of taking his place in history as the "Butcher of Monrovia" appears to be emerging as a winner, at least for now.

In Freetown, the devastated capital of Sierra Leone, where the ravages of the civil war continue to shape the misery of everyday life, and where the country's war crimes tribunal has its headquarters between NATO barbed wire fences, mutilated victims follow the Internet broadcasts from faraway The Hague with trepidation. Musa Mewa, a journalist, senses that a catastrophe is unfolding in Europe. If Taylor is not punished for the suffering that the people in his native West Africa still endure today, it will be "the end of justice," says Mewa.

Gangsters of World Politics

Peace through justice: Using a formula established in 1945 during the Nuremberg trials of the surviving perpetrators of Nazi atrocities, international courts have been trying for almost 20 years to make the worst gangsters of world politics, tyrants and war criminals alike, accountable for their crimes.

In 2006, the International Criminal Tribunal for the Former Yugoslavia failed in its attempt to convict former Serbian dictator Slobodan Milosevic. The defendant died of a heart attack before the court could fully process the completely overloaded indictment against him. The prospects of bringing Omar al-Bashir, the president of Sudan, before the International Criminal Court are also slim. Although the court has issued an arrest warrant against the tyrant, he remains untouchable in the Sudanese capital Khartoum, where he continues his dictatorial rule.

Now the Taylor trial, seen as the most promising of such cases to date, threatens to fall apart in The Hague. In the worst case, the Taylor trial could reveal to the world that it's impossible to measure national leaders by the yardstick of the law.

Stephen Rapp, the chief prosecutor in the Taylor trial until a year ago and now an advisor in the United States State Department, must already regret the bold statement he made after the defense had submitted its evidence: "It has been demonstrated that it is possible to prosecute a former chief of state in a trial that is fair and efficient, even where the indictment covers wide-ranging crimes."

Rapp's self-praise was "overstated and entirely premature," experts at the University of California, Berkeley, who have monitored and analyzed the trial for years, said recently. In a study, the international law experts accuse the judges and prosecutors in the case of making serious mistakes. They characterize the often insensitive treatment of victims who were willing to testify as "surprising and disappointing" and the prosecutors' financial payments to key witnesses as irritating.

According to the Berkeley study, the "excessive delay" of the apparently overwhelmed court in reaching important interim decisions can be attributed to the "apparent violation of the defendant's fair trial rights." The defendant as a victim of an overly zealous judiciary? The gray-haired man, wearing cufflinks in the shape of the African continent, can lean back and relax.

The prosecution's biggest challenge has not been to provide the court with evidence of the horrors of the civil war in Sierra Leone. No one doubts that the 1990s uprising by the "Revolutionary United Front" (RUF), under its bloodthirsty leader Foday Sankoh, claimed far more than 100,000 lives. The death squads that mowed down entire villages for the RUF referred to their operation as "No Living Thing." The gruesome details are collected in 42,000 pages of evidentiary material. They include accounts of children butchering their own parents on Sankoh's orders, mass rapes and ritual bloodbaths.

Amputees Living in Misery

The rebels chopped off the arms, legs or all the limbs of thousands of people. A population of amputees lives a life of misery in the slums of Freetown today. In a degrading procedure, some were even forced to parade their mutilations before the court in The Hague. Mothers broke down in tears when called upon to describe to the court how their children were murdered.

RUF ringleaders were convicted and imprisoned for these crimes in other trials in Freetown. Only the most important of the trials was moved to The Hague, for security reasons.

It is unsettling enough for the victims, after being put through the ordeals of traveling from the broken end of the world to the high-tech courtroom in the Netherlands, to arrive there and be told that the suffering they endured is not the central issue in this trial. In The Hague, far away from the scene of the crime, the unspeakable things that were done to the witnesses at home are reshaped into the cold, hard facts the legal experts call the "crime base."

In The Hague, all of this is nothing more than background noise for the "linkage," or establishment of a legal connection between the distant catastrophe and the ultimate responsibility being attributed to a polite man sitting in the corner who sometimes flips through *Newsweek* when he's bored.

Charles Taylor, who has been held at the tribunal's prison in The Hague's Scheveningen district for the last four years, was allegedly the mastermind of the carnage in neighboring Sierra Leone. After seizing power in Liberia with no less brutal means in 1996 and having himself elected president, he allegedly fueled the civil war in Sierra Leone with arms shipments. For years, politicians and legal experts alike were convinced all of this was done out of pure greed. Taylor, whose reputation as a swindler had already preceded him as a young man, was allegedly trying to gain control over the hugely productive diamond mines in Sierra Leone.

Taylor's lust for diamonds is the link prosecutors have tried to establish. So far, however, they have not managed to offer convincing proof of this crime story in public court hearings. The most important witness, former RUF commandant Foday Sankoh, one of Taylor's comrades from the wild days, died of a stroke years ago.

His successor in the RUF, Issa Sesay, testified as a witness for the defense in The Hague. Despite days of cross-examination Sesay, who has already been sentenced to a 52-year prison term and therefore has nothing to lose, continued to insist that Taylor had had nothing to do with the arms shipments to the RUF.

Now much will depend on whether the court believes the man telling the cannibal stories.

Prosecution's Problems

The witness, who goes by the nickname Zigzag, spent days describing the gruesome massacres and acts of torture in which he had been involved. He also insisted that Taylor had given the orders to commit these atrocities himself, and that he had had no choice but to obey. If he had refused, Zigzag claimed, Taylor would have had him and his family killed. "It is the truth. Before God and man, that is what I am telling you," he told the court.

It didn't take much effort for the defense attorney to expose Zigzag as a cynical blusterer who was unable to name specific numbers, dates and places. He had killed so many thousands of people, he said, that he could hardly be expected to remember the individual cases.

Zigzag's testimony was shaped primarily by the desire to save his own skin. The defense submitted investigative files that suggest that the prosecutors had used excessive pressure when describing the legal situation to the witness. If he did not assign the full blame for his crimes to former President Taylor, the files read, he could expect to receive the worst possible sentence.

If it was a ploy, it worked. Zigzag left the courtroom a free man, but not before his testimony had prompted the frustrated defense attorney to ask him whether he couldn't speak a sentence that didn't include the words "on the instructions of Charles Taylor."

"No, I can't," he replied.

With the exception of Zigzag, the prosecution was unable to call any witnesses publicly who could credibly confirm, based on their own experiences, that Taylor was in fact the source of the weapons that were supplied to the RUF in Sierra Leone. Zigzag is also the only one who claims that he brought home a diamond from Sierra Leone ("a large passport-sized shaped like a human head") and gave it to Taylor.

Dealing with Bribery Accusations

Other witnesses could only report indirectly on the diamond-weapons link to Taylor, but the credibility of some was damaged by the claim that they received payments from the prosecutors. "We have never paid a witness for his testimony," says Chief Prosecutor Brenda Hollis, noting that all funds were paid in the form of reparations.

But the defense believes that it can prove that the investigators in Sierra Leone and Liberia used substantial financial promises in an attempt to convince witnesses to make false statements. Only a few weeks ago, Taylor's attorneys presented the court with at least a dozen secret payment orders to potential witnesses, coupled with the spectacular motion that the prosecutors themselves should be prosecuted for "contempt of court."

The judges are apparently struggling with how to deal with the bribery accusations. A decision, which is expected in the next few days, could result in the trial being taken back to square one.

The difficulties the prosecution has had in finding credible witnesses are reflected in the attempt to turn the stuff of gossip columns into evidence. When Woody Allen's former partner Mia Farrow said that she remembered how British supermodel Naomi Campbell had told her about an uncut diamond Taylor had given her in South Africa in 1997, Campbell was summoned to appear in the courtroom in August.

But Campbell could not confirm that the messengers who had knocked on her door at night and given her the small bag containing the diamond were in fact coming from Taylor. "It is not abnormal for me to get gifts. I get gifts all the time. Sometimes in the middle of the night," Campbell said.

The prosecution was getting nowhere. With tears in his eyes, the former president complained about a web of "diabolical lies" against him. He told the court that this is what happens to the leader of a "small country" who becomes trapped in the slander mills of international politics. He said that he had acted as a responsible president and had tried to promote peace in neighboring Sierra Leone. "We heard that people were being killed and women were being raped there," he said. "We couldn't understand it."

Hidden Assets

This angel of peace has always liked playing the desperado. The politician always wore a white suit with an ornate silver-plated walking stick as he strolled through the Liberian capital, Monrovia. If enough people were watching, he would sometimes throw himself into the dust and beg God to forgive him for his sins. He once declared Jesus Christ to be the ruler of Liberia.

Taylor, whose private fortune is estimated at up to \$3 billion (€2.1 billion), even managed to plead poverty and collect legal aid. The prosecution deployed a task force to find Taylor's hidden assets.

The team managed to find one account with the Liberian Bank for Development and Investment. Some \$24 million (€17.1 million) were deposited into the account between 2000 and 2003, but when the investigators discovered the account, it was empty. Millions in cash had been withdrawn a short time earlier.

The Taylor case shows that condemning a politician politically and doing so in a fair trial are two different things. Convicting someone "several levels above the direct perpetrator" of a crime, says prosecutor Hollis, requires "more time and more evidence. We have a very complex mix."

Many problems stem from the fact that the prosecution relied on the UN's political verdict. A 2000 UN report had drawn the investigators' attention to the Liberian president in the first place. According to the document from New York, there was "unequivocal and overwhelming evidence that Liberia has been actively supporting the RUF at all levels."

But there was actually no evidence. For example, the UN report cited, as evidence of Taylor's alleged personal involvement in the arms trade, the fact that weapons that were -- presumably -- bound for Sierra Leone had been flown to Liberia on a plane belonging to one of Taylor's business associates. This is certainly suspicious, but it isn't evidence.

The impression that the UN sometimes bases its case on dilettantes was reinforced when, in the courtroom, Taylor's lawyers quoted from an internal letter written by the UN special envoy for Sierra Leone, who complained to headquarters in New York about the "amateurish" research being done by UN investigators in the Taylor case. According to the letter, compiling "chatty cocktail gossip" about the president was downright "journalistic."

The prosecution made the problem even worse by declaring the story of the diamond-hungry warmonger Taylor disseminated worldwide by the UN to be the equivalent of a crime under international law. Taylor, according to the 2003 indictment, was the head of a "joint criminal enterprise" with the aim of gaining "political power and control over the territory of Sierra Leone, in particular the diamond mining areas."

But the lawyers became entangled in their attempt to define the savage bloodbath as a major political crime. The defense pointed to a hole in the prosecution's case: It is still not a crime under international law to seize the natural resources of another country. But what was Taylor's criminal objective? "This very important element has led to some confusion," Chief Prosecutor Hollis concedes.

Reinterpreting the Indictment

For almost a year, as the trial continued, the court pondered over how it should respond to the objection raised by the defense. Finally, in February 2009, the judges rescued the prosecution, after heated debate, with a creative reinterpretation: In a second indictment, written in 2007, the prosecutors also charged Taylor with having systematically terrorized the civilian population of Sierra Leone. The terror itself, the judges explained, and not the diamonds, was the objective for which Taylor was in fact being charged with a crime. One of the judges who was against his colleagues' sleight of hand called it "brain-twisting."

But if the issue was terror, not diamonds, what was to become of the charges that the president of Liberia had procured diamonds? And what was the purpose of the RUF's attempt, allegedly ordered by Taylor, to assume power in Freetown?

Several studies by British experts do not attribute the carnage to Taylor's influence as much as to the rage of young, violent fringe groups against the corrupt post-colonial regime in an African country with such abundant natural resources.

Introducing all of this information into the case is no longer possible. The taking of oral evidence was long complete by the time the court had decided to reinterpret the indictment. Prosecutor Hollis is trying to rescue the case from a verdict of a lack of fairness. "The defense was on notice of what they had to defend the defendant against," she says.

But some insiders in The Hague believe it is only a question of the judges' courage as to whether the trial will end with an acquittal.

Peace through justice? In the Liberian capital Monrovia, where there is now a democratic government, the many supporters of the former president now in detention in Europe still go into raptures over the thought that he could return to Liberia one day. Bars throughout West Africa still show the video that Taylor's revolutionaries made when they assumed power. It shows them cutting off the ears of Taylor's ousted predecessor, Samuel Doe. Taylor's former brother-in-arms Prince Johnson is also in the video, as he sits at a table covered with beer cans and gives the torturers instructions.

Johnson is back in the limelight in Monrovia, where he is running for president.

Translated from the German by Christopher Sultan

Hirondelle News Agency

Monday, 8 November 2010

Prosecution seeks life imprisonment for former Rwandan director

The Prosecution Monday requested the International Criminal Tribunal for Rwanda (ICTR) to hand down life imprisonment sentence to former Rwandan Director in the Ministry of Women and Family Affairs, Jean-Baptiste Gatete, if convicted of offences allegedly committed in 1994.

"The only sentence he deserves is life imprisonment for each offence he may be convicted of. There is no little sentence that can be given," Trial Attorney Drew White told a Chamber presided over by Judge Khalida Khan, when presenting the prosecution closing remarks.

According to him, there was strong evidence presented before the court by prosecutions witnesses detailing about the killers and the victims and also what the accused did himself.

Gatete has denied charges of genocide, conspiracy to commit genocide, incitement to commit genocide and crimes against humanity.

His lead counsel Marie-Pierre Poulain requested for acquittal because of the allegedly prosecution's failure to substantiate the charges beyond reasonable doubts.

"The accused is presumed innocent and the prosecution bears obligation to prove its case. Since the prosecution chose to bring charges against him, then has to prove to the highest standard. The prosecution has failed to do so," the counsel submitted.

She cited several shortcomings including contradictions and hearsay evidence given by prosecution witnesses, saying, "This is a fundamental fault on the prosecution. We cannot take these inconsistencies lightly. They go directly to the root of the prosecution's case."

Gatete, who also served as mayor of Murambi commune in Byumba prefecture (Northeast Rwanda) between 1987 and 1993, was relieved of his duty amidst allegations of persecuting Tutsis. But soon after, he was appointed Director in the Women and Family Affairs Ministry then headed by Pauline Nyiramasuhuko, who is also on trial before the ICTR.

He was a member of the National Congress of former ruling party MRND and was active in party politics both at national and provincial level. He allegedly continued to control local police, gendarmes and militiamen in the Byumba and Kibungo prefectures after his dismissal and used his influence to organize massacres of Tutsis in both prefectures.

The defendant was arrested in Congo-Brazzaville on September 11, 2002, and subsequently transferred to the UN Detention Facility in Arusha. His trial started on October 20, 2009. The Defence closed its case on March 29, 2010 after fielding 27 witnesses while the prosecution closed its case on November 16, 2009 after calling 22 witnesses.

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Foreign Policy

Tuesday, 9 November 2010

The shadow of the ICC

Posted By David Bosco

According to the *Guardian*, the British ministry of defense is investigating several soldiers and interrogators for their conduct in Iraq.

A number of British military interrogators may face war crimes charges after members of their unit filmed themselves while threatening and abusing Iraqi detainees at a secret prison near Basra, the high court heard today.

The men have been referred to the Director of Service Prosecutions (DSP) after an investigation considered whether they had breached the International Criminal Court Act, which prohibits war crimes.

The ICC prosecutor, Luis Moreno-Ocampo, has often insisted that the International Criminal Court can be a success even without many prosecutions of its own so long as the court alters the conduct of member states and their militaries. And he's pointed to some evidence that the court is having precisely that kind of effect, in places as different as Colombia, Sri Lanka, and Russia. Moreno-Ocampo has argued that the Russian military took the ICC into account when it planned its offensive in Georgia and that "armies all over the world... are adjusting their standards and rules of engagement" to ensure that they don't fall afoul of the court.

It's possible to see this British investigation as evidence of that behavior-changing effect; would the British have been as vigilant about prosecuting their own absent the ICC's looming presence? Of course the fact that these investigations are necessary points to a breakdown in prevention. And more fundamentally, skeptics will point out that relying on an abstract and almost unverifiable preventive function is mighty convenient for a court still struggling to secure its first conviction.

Emirates24/7 News

Tuesday, 9 November 2010

<http://www.emirates247.com/news/special-court-for-human-trafficking-cases-set-up-2010-11-09-1.31>

Special court for human trafficking cases set up

By Mohammed Al Sadafy

Judge Ahmed Ibrahim Saif, Head of the Dubai Criminal Court has issued a resolution forming a new judicial circuit (the Criminal Department) competent to hear cases of human trafficking.

The new department will be under the chairmanship of Judge Fahmi Mounir. Dr Ali Galadari and Judge Mansour Al Awadh, are members.

Judge Saif said "the step of forming such judicial department aims to expedite the consideration of such issues and adjudication without prejudice to the rights of the accused in the provision of defence.

He told Emirates 24|7 that, "the number of trafficking cases referred by the Public Prosecutor to the courts of Dubai since the beginning of 2010 to September amounted to 14 cases.

"The estimated number of cases still under investigation of the Attorney General of Dubai is another 12 cases. They are still under investigation and will be referred to Dubai Courts immediately after the end of such investigation," said judge Saif.

Judge Saif disclosed "the Dubai Courts issued verdicts in some of the issues that have been referred since the beginning of the year, while others are still under trial.

He added "this important step comes in order to prevent the suffering of women victims in such cases, where some of them wish to return to countries while procedures require a fair trial."

He added that the decision to establish a judicial department competent to hear cases of trafficking in human beings comes in line with the UAE policy to fight trafficking in human beings and protect victims of these crimes.

He said the decision was issued in coordination with the Dubai Attorney General Counselor Khalifa bin Dimas. The department had initiated its work from November 7.

Judge Saif said the first hearing session is in a case to enable a victim to leave the UAE.

He also stated that the sessions would be public and if necessary, secret sessions.

The UAE has made great strides in reducing this dangerous international phenomenon. It is determined to continue these efforts and take a leading role in the establishment of international initiatives to curb it.

The Guardian

Tuesday, 9 November 2010

British troops may face Iraq war crimes trial



Interrogators at secret jail dubbed 'UK's Abu Ghraib' referred to chief military prosecutor.

British troops leave Basra in September 2007 after the handover to Iraqi troops. British personnel may face a trial for alleged war crimes during their stint in the southern city. Photograph: Handout/Getty Images

A number of British military interrogators may face war crimes charges after members of their unit filmed themselves while threatening and abusing Iraqi detainees at a secret prison near Basra, the high court heard today.

The men have been referred to the Director of Service Prosecutions (DSP) after an investigation considered whether they had breached the International Criminal Court Act, which prohibits war crimes.

The referral was accompanied by "a recommendation that he consider charges under the 2001 Act", Philip Havers QC, counsel for the Ministry of Defence, told the court. He added that Article 8 of the act defines and prohibits a number of actions as war crimes, including "committing outrages upon personal dignity, in particular humiliating and degrading treatment".

It is thought that three men have been referred to the DSP. A number of other military interrogators – some of them reservists with the Territorial Army, and the Royal Navy and RAF reserves – are also under investigation and could also face war crimes charges.

The disclosure came at the end of proceedings brought on behalf of 222 Iraqi men who were detained by British forces following the 2003 invasion, in an attempt to force a public inquiry into allegations of systematic mistreatment.

The court was told there was evidence that detainees were starved, deprived of sleep, subjected to sensory deprivation, and threatened with execution at the shadowy facilities near Basra which were operated by the Joint Forces Interrogation Team.

It also received allegations that the team's prisoners were beaten and forced to kneel in stressful positions for up to 30 hours at a time. Some of the prisoners claim they were subject to sexual humiliation by women soldiers, while others allege they were held for days in cells as small as one-metre square.

Many of the detainees claim that before the interrogation sessions they were forced to run around an obstacle course while wearing blackened goggles, where they were kicked or beaten with rifle butts.

For reasons that remain unclear, many of the interrogation sessions were video recorded by the interrogators themselves. A team of military police, which has been investigating the allegations under the leadership of a retired former civilian detective, has seized a further 1,250 recordings which could be used as evidence during any future prosecutions.

The MoD told the court it believes a public inquiry would be costly and unnecessary, and says the military police team should be permitted to continue with its investigation.