

**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

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

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Charles Taylor's Trial

Liberian RUF member Makes Final Testimony For Taylor

A Liberian member of Sierra Leone's Revolutionary United Front (RUF) on Monday commenced testimony as the final defense witness for former Liberian president, Charles Taylor.

The witness, Sam Flomo Kolley, in his testimony spoke about several issues including his background, how he was abducted by rebel forces in Liberia during that country's civil conflict, his participation in the war in Sierra Leone, and the actions of the RUF in securing ammunition from the United Liberation Movement of Liberia for Democracy (ULIMO) rebel group, a former rival armed faction to Taylor's National Patriotic Front of Liberia (NPFL) rebel group.

The witness also refuted the evidence of prosecution witnesses about Taylor's alleged association with RUF rebels in Sierra Leone.

Speaking about his background, Kolley said that he was a university student in Liberia when Taylor's NPFL rebel group invaded the country in 1989. On a day when he went out to look for food, he said he was "intercepted by NPFL rebels" and after spending about two months with the group's commander called Arthur, he was later taken to Camp Naama where he underwent military training with the RUF. The training, he said was conducted at a portion of Camp Naama called "Crab Hole." Many other witnesses have testified about being trained by the RUF at "Crab Hole." After the training, the witness said he invaded Sierra Leone in 1991 together with other RUF fighters.

Speaking of their movement into Sierra Leone, Kolley said, "It was one morning that they brought a truck and I was on board the second truck."

"The second truck went straight to Bomi Hills and then to Bo Waterside. On the 3rd of April (1991), we entered into Sierra Leone," he said.

When asked what prompted the RUF fighters to leave Camp Naama for Sierra Leone at the time they did, the witness explained that the RUF's leader, Foday Sankoh, was subjected to arrest by NPFL Special Forces because he was training men to fight in Sierra Leone without their knowledge.

"We were on the base (Camp Naama) at one time one Anthony, one Special Forces Anthony Menkunagbe, arrested Foday Sankoh...that they heard that he's training people to go to Sierra Leone ...and Sankoh tried to deny, he was put under house arrest for nearly three to four, five hours and I don't know, we were all asked to fall out, to leave the area," Kolley said.

He added, "After that, we were hurriedly ordered to leave by Sankoh."

Kolley explained that when the RUF invaded Sierra Leone in 1991, the group comprised of both Sierra Leoneans and Liberians, but after some disagreement between the rebels from both Sierra Leone and Liberia, those from Liberia were forcefully driven out of the country and returned to Liberia.

When asked why he had been allowed to stay with the RUF in Sierra Leone even though he was a Liberian, the witness said, "I am a Liberian but I was trained directly by Foday Sankoh."

"These people were not trained by Sankoh, and so we did not allow them to stay in our midst," he added.

He said that other Liberians who were allowed to stay with the RUF in Sierra Leone included Rocky CO, Monica Pearson, Fatu Gbemo, Napan Weawea, Base Marine, Isaac Mongo, Pa Moriba, and Jungle.

Prosecutors have made several allegations including that Taylor helped to train RUF rebels at Camp Naama in Liberia before they invaded Sierra Leone in 1991 and that while in Sierra Leone, the rebels received substantial support such as supply of arms and ammunition from Taylor.

Taylor has denied these allegations.

On the issue of arms and ammunition, Kolleh testified that sometime in 1996, the RUF, through one of its main commanders, Sam Bockarie, travelled to Liberia and bought ammunition from ULIMO rebels who had been fighting against Mr. Taylor in Liberia.

The ammunition that was brought from ULIMO was transported by some RUF bodyguards from Liberia to Sierra Leone. This, he said, happened in his presence. The witness also identified a copy of a group photograph taken with Bockarie and the bodyguards who went to collect the ammunition from ULIMO.

After this initial purchase, the witness said that "some ULIMO fighters were bringing ammunition individually...this was just individuals bringing ammunition and given compensation for it."

He said that "some even crossed from ULIMO and joined the RUF."

Those ULIMO fighters who joined the RUF included Abu Keita, who later became a commander in the RUF and testified against Taylor in The Hague in 2008, telling the court that it was Taylor who sent him to join the RUF.

The witness also refuted allegations by the prosecution that it was the RUF that invaded Sierra Leone's capital Freetown in January 1999.

Kolleh said that the invasion of Freetown was solely undertaken by members of the Sierra Leone Army (SLA), who had been forced out of power by West African peacekeepers after they had overthrown the democratic government of Sierra Leone in 1997.

The witness explained that the RUF had its independent plan to invade Freetown, and RUF commander Bockarie had given instructions to other RUF commanders Rambo, Issa Sesay, and Morris Kallon to attack Freetown. The RUF forces, he said, could not enter Freetown.

"No RUF forces entered Freetown in January 1999," the witness said.

Prosecutors claim that the arms and ammunition used by the RUF to attack Freetown were provided by Mr. Taylor as part of a grand plan to take control of the country's mining towns and the capital. Taylor has denied these allegations.

When put to him that RUF commander Mr. Bockarie was on BBC telling the world that his men had entered Freetown in January 1999, Kolleh said that "he (Bockarie) was just a flamboyant person...his forces were not in Freetown."

Kolleh's evidence continues on Wednesday.

Israel halts 'dialogue' with UK over war crimes law

Israel is postponing "strategic dialogue" with Britain over defence and security issues, an Israeli Foreign Ministry spokesman has said.

The move is a protest over attempts to use British law to prosecute visiting Israeli officials, the spokesman added.

The news comes on the first day of an official visit to Israel by the UK's Foreign Secretary William Hague.

The Foreign Office said the British government was moving to curb the use of "mischievous" arrest warrants.

Mr Hague will also be visiting the occupied territories during his visit. An arrest warrant was issued through UK courts for Israeli former Foreign Minister Tzipi Livni in December last year. The warrant was granted by a London court at the request of Palestinian plaintiffs, provoking Israeli anger.

It was revoked when it was found Ms Livni was not visiting the UK.

The Israeli Foreign Ministry spokesman denied that the latest development was a deliberate "ambush" to humiliate Mr Hague.

Earlier this week it was reported that Israel's Intelligence Minister, Dan Meridor, cancelled a trip to Britain amid concerns that he risked being arrested on war crimes charges. Israel has expressed anger that, in the past, ministers and senior military figures have had to cancel visits to the UK because of concerns that pro-Palestinian groups might use the courts to seek their arrest over Israeli military action in Gaza, or this year's raid on a Gaza-bound aid ship in which nine Turkish activists were killed.

Pro-Palestinian campaigners have tried several times to have Israeli officials arrested



William Hague is paying an official visit to Israel and the occupied territories.

under the principle of universal jurisdiction, which holds that some alleged crimes are so grave that they can be tried anywhere, regardless of where the offences were committed.

The BBC's Wyre Davies said the news that Israel was postponing an annual round of strategic talks with Britain was potentially embarrassing, even though the Conservatives have already promised to amend those laws which could expose visiting Israeli politicians to arrest. The Israeli Foreign Ministry said the issue would be at the top of the agenda during Mr Hague's visit.

A Foreign Office spokeswoman said: "We share Israeli concerns about the current universal jurisdiction arrangements which inhibit Israelis visiting the UK without fear of mischievous arrest warrants. That's exactly why the government is moving as quickly as possible to

amend them. A Written Ministerial Statement was tabled to parliament in July and legislation will be tabled in the very near future. We remain committed to the strategic dialogue with Israel and have an ongoing dialogue on a whole range of issues including Iran. "We are discussing dates for the next round of the strategic dialogue with Israel. In this context Israel has made clear its concerns about the current universal jurisdiction arrangements which inhibit Israelis visiting the UK without fear of mischievous arrest warrants. We share these."

Charlestaylortrial.org (The Hague)

Wednesday, 3 November 2010

Liberian RUF Member Continues Testimony; Cross-Examination Begins

Judith Armatta

Dear Readers - Ms. Judith Armatta is a lawyer, journalist, and human rights advocate who has previously monitored the trial of Slobodan Milosevic on behalf of the Coalition for International Justice. She will be reporting on the trial of Charles Taylor this week in place of our regular monitor, Mr. Alpha Sesay. We hope you find her reports helpful.

Today, Sam Flomo Kolleh, a.k.a. Sam Mustapha Karome, a Liberian member of Sierra Leone's Revolutionary United Front (RUF) and the last witness for the accused Charles Taylor, completed his direct testimony and the prosecution began cross-examination.

The direct examination appeared designed to address potential credibility problems of the witness, who admits falsifying his identity and other matters in three interviews with prosecution investigators and before Sierra Leone's Truth and Reconciliation Commission. In those venues, he claimed his name was Sam Mustapha Karome, as well as lying about his date and place of birth. When questioned about it, Mr. Kolleh said he did it because he feared being arrested by the Special Court for Sierra Leone.

On cross-examination, however, the prosecutor pointed out that, at the time he lied to investigators, the Special Court had arrested only four men. Mr. Kolleh insisted he was neither afraid of nor trying to protect the accused, Mr. Charles Taylor. He was trying to protect himself, though he denies any wrongdoing. The prosecutor read from a press release by Global Witness about a Briefing Document, identified as "Liberia's Logs of War," which provides another reason for a name change: "Sam Kolleh, Liberian, close associate of Charles Taylor, now in Sierra Leone and has changed his name to Sam Karome to appear Sierra Leonean." Mr. Kolleh responded that he had no idea about this document, and his testimony before the TRC was not public.

Additionally, Mr. Kolleh lied to the TRC and prosecution investigators when he said he was captured in Sierra Leone and Sierra Leone's RUF trained him to fight, not Mr. Taylor's National Patriotic Front of Liberia (NPFL) in Liberia, where he was in fact captured, trained, and became a member of the RUF. The witness has said that the commander called Arthur led him to the RUF for training. Moreover, Arthur, who initially captured Mr. Kolleh, was an officer in the NPFL, not the RUF, as he formerly claimed. This supports the close connection between the NPFL and the RUF, which the prosecution claims operated together under the control or influence of Mr. Taylor.

Mr. Kolleh also made accusations against the prosecution, claiming they attempted to bribe him if he would implicate Mr. Taylor in the exchange of Liberian arms for Sierra Leonean diamonds and, thereby, supporting the war and its atrocities in Sierra Leone. Answering defense counsel, he asserted that Special Court investigator Chris Bomford sought him out privately with an offer to place 90,000 USD in an account in his name if he would tie Mr. Taylor to the arms for diamonds scheme.

That was the carrot, but the witness claimed the stick was wielded by former Special Court Chief Prosecutor David Crane, who allegedly threatened him with prison if he refused to cooperate. Mr. Kolleh testified that Mr. Crane began an interview by stating, "I want the truth: diamonds to Taylor; arms to the RUF. Are you ready to cooperate?" Mr. Crane allegedly followed this up by handing the witness a card showing a tall policeman holding open a cell door with a message for kids on the reverse side, "If you

choose not to listen to your parents, you will have no choice but to listen to me." Mr. Kolleh took that to mean that if he failed to cooperate he would join his former comrades in jail.

To buttress his claim, Mr. Kolleh said the prosecution investigators questioned him about diamonds a number of times during his first interview. On cross-examination, however, the prosecutor presented the 173 page transcript of the interview. An electronic search revealed that the witness raised the issue of diamonds himself near the end of the interview when the investigators asked if there was anything he would like to add. Also, Mr. Kolleh's earlier assertion that the interview focused on diamonds and Charles Taylor was contradicted by a search of the transcript which failed to turn up any reference to Mr. Taylor.

Mr. Kolleh also told the court that a former radio operator for the RUF, who testified for the prosecution, stated on the radio that he had no choice but to testify against Charles Taylor. He was in jail, and he had to be free.

On direct examination, the witness testified that heavy weapons and equipment could not have been transported from Sierra Leone to Liberia because the ferry necessary to transport them over a river was not working. And, rather than being supplied by the NPFL, weapons came from the ULIMO, a group opposed to Taylor's NPFL, and by seizing arms from the enemy.

Mr. Kolleh seemed confused about his importance in the events at issue. While claiming to be a senior officer in the RUF with responsibility for transporting diamonds and overseeing part of the extraction operation, he said the diamond trade was top secret and only top commanders knew about it of which he was not one. Still, he shared their knowledge and was trusted to transport diamonds.

When questioned about the RUF's recruitment, training, and use of child soldiers, Mr. Kolleh admitted that they had a Small Boys Unit (SBU), but said he could not discern their ages from appearances and had never asked.

Tomorrow, the prosecution will continue and likely conclude its cross-examination of Mr. Kolleh, to be followed by defense counsel's redirect, if any.

BBC Online

Wednesday, 3 November 2010

French court orders Rwandan rebel leader to face ICC



Callixte Mbarushimana defends the FDLR's human rights record

A French court has ordered the extradition of Rwandan rebel leader Callixte Mbarushimana to face trial at the International Criminal Court.

Mr Mbarushimana is accused of 11 counts of war crimes and crimes against humanity, committed in the Democratic Republic of Congo last year.

His ethnic Hutu FDLR group is at the heart of years of conflict in eastern DR Congo, near Rwanda.

Arrested in France last month, he has previously denied war crimes charges.

Mr Mbarushimana faces five counts of crimes against humanity and six counts of war crimes, including charges of murder, torture, rape, inhumane acts and persecution, and destruction of property.

The Paris court approved his transfer to The Hague's ICC "on condition that under no circumstances should Mr Mbarushimana be taken back by any means to Rwanda".

Some FDLR leaders have been accused of taking part in the 1994 genocide of ethnic Tutsis and moderate Hutus in Rwanda.

ICC spokesperson Pascal Turlan said that unless Mr Mbarushimana's lawyers appealed against the decision, he would be handed over to the court within a month.



DR Congo and Rwanda: Troublesome neighbours

His lawyers had tried to block the ICC warrant, arguing it could be a first step towards sending him back to Rwanda, where they say he would not get a fair trial.

But Mr Turlan said the defendant would be tried in The Hague.

"Mr Mbarushimana is under two arrest warrants in Rwanda and the fear of the defence was that this would be a kind of a smokescreen to actually send him to Rwanda," he said.

"Of course it's not the case. Of course the person is surrendered to the ICC to be tried before the ICC."

Powerful force

FDLR fighters were recently accused of raping hundreds of people in DR Congo, although the group has denied responsibility.

After a Tutsi-dominated group took power in Rwanda ending the genocide, Mr Mbarushimana's FDLR group fled into what is now the Democratic Republic of Congo, sparking years of unrest in the region.

Rwanda has twice sent its troops into DR Congo, saying they are needed to stop Hutu fighters, such as the FDLR, from using Congolese territory to attack Rwanda.

This led to the six-year conflict in DR Congo and the deaths of some five million people.

The FDLR are now one of the most powerful rebel forces operating in the east of the country, where they are believed to make millions of dollars a year by controlling mines rich in gold and other minerals, and extorting money from local people.

Mr Mbarushimana, who has been living in Paris, has described the force as a freedom movement, fighting "to liberate the Rwandan people from the yoke of the fascist regime" of the governing Rwandan Patriotic Front (RPF).

Hirondelle News Agency

Tuesday, 2 November 2010

I committed several atrocities without being prosecuted, claims witness

The seventh prosecution witness in the trial of former Rwandan mayor Grégoire Ndahimana Tuesday admitted before the International Criminal Tribunal for Rwanda (ICTR) to have killed Tutsis and committed several other atrocities in his native Kivumu Commune in Kibuye prefecture (Western Rwanda), without being prosecuted by the authority.

"What I did in Kivumu Commune is rather immense. I now have a peaceful mind before the Almighty God. I am ready to say anything. I went and killed this and that. I committed several atrocities and there was no prosecution about that," claimed the witness code named CBR to protect his identity.

He was being cross-examined by Ndahimana's co-counsel Wilfred Nderitu, who asked him to account how many Tutsis he had killed before going to Nyange church on April 16, 1994 to launch an attack against several refugees gathered at the area following a wide spread of massacres in the commune.

Presiding Judge Florence Rita Arrey was forced to intervene as the witness was seemingly irritated and became excited, asking him to cool down. "Can you calm down and speak slowly. Do not get excited," the judge told the witness. The witness claimed that he was closer to the authority and had the right of doing anything.

"I drew closer to the authority. I did many things," the witness testified when answering a question by the counsel whether he had participated in the attack of Tutsis at the church. The witness added, "I took part in the attacks when I arrived between 6.00 am and 7.00 am. I killed a number of refugees."

The witness admitted further that he killed two Tutsis before going to the church that morning to accompany others in the attack. The prosecution alleges in the indictment, among others, that Ndahimana failed to take necessary and reasonable measures to prevent such kind of acts or punish perpetrators of the crimes.

According to the witness, he was arrested in July 1994 when the RPF took power. The witness explained further that he confessed in Kigali on the killings of the two people and was jailed 10 years before the sentence was enhanced to 20 years after dismissal of his appeal.

The trial continues Wednesday. Ndahimana is charged with genocide or complicity in genocide, in the alternative and extermination as crime against humanity. Between April 6 and 20, 1994, it is alleged, he was responsible for killing or causing serious bodily or mental harm to Tutsis.

Ndahimana allegedly planned the massacres at Nyange Parish jointly with parish priest Athanase Seromba, prominent businessman Gaspard Kanyarukiga and Judicial Police Inspector of the commune Fulgence Kayishema who is in the wanted list to be indicted at ICTR.

Kanyarukiga was sentenced to 30 years imprisonment on Monday for the role he played in the massacres at the church, while Seromba was jailed for life by the Appeals Chamber for similar involvement. In these massacres, more than 2000 Tutsi refugees were killed.

Born in 1952, Ndahimana was arrested on August 10, 2009 in the Democratic Republic of Congo (DRC). He was transferred to the United Nations Detention Facility in Arusha on August 21, 2009.

He made his initial appearance on September 28, 2009 and pleaded not guilty to all the charges. His trial took off on September 6.

FK/NI/ER/GF

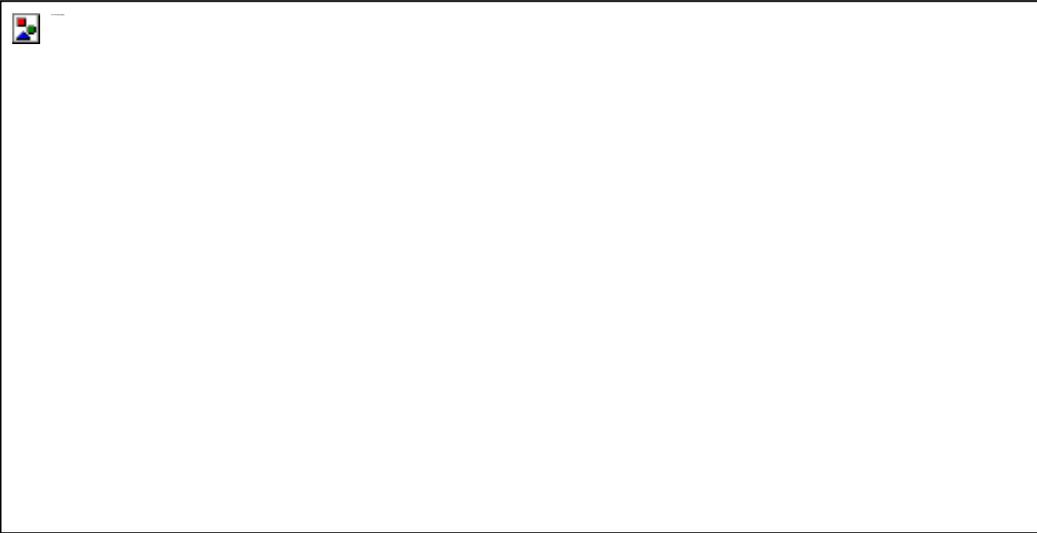
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Radio Netherlands Worldwide

Tuesday, 2 November 2010

Prosecuting pillage

By International Justice Tribune



Leiden, Netherlands

Commercially motivated pillage has taken on increasing importance in recent years as the illegal exploitation of natural resources has emerged as a primary

means of financing conflict. But efforts to hold disreputable commercial actors responsible for war crimes or other serious human rights violations have been frustrated, frequently because of difficulties in proving corporate complicity. Larissa van den Herik of Leiden University organised the conference 'Corporate War Crimes: Prosecuting Pillage of Natural Resources' in The Hague last week.

By Thijs Bouwknecht

Van den Herik told the IJT that prosecuting pillage could play a critical role in challenging the companies and businessmen who fuel wars while also deterring future abuse.

Why is it necessary to talk about the issue now?

Addressing theft during armed conflict is not something new. Already in the 1907 Hague treaties we see that pillage is prohibited. But what we see now is that the traditional prohibition of pillage is revived, and in a way applied to new and different crime scenes. Whereas traditional pillage concerned more looting of villages, we now deal with the relatively new phenomenon of illegal exploitation of natural resources.

What is a corporate war crime?

In the conference we focus on pillage, which is a war crime. That is also why we speak of corporate war crimes. However, this concept might be too restrictive if we apply it to different international crimes, because not all international crimes are war crimes. Genocide and crimes against humanity are also international crimes in which corporations can be involved. The term corporate war crime is appropriate for our conference, but is not a concept as such.

What kind of crimes are we talking about?

The term corporate war crime as used in our conference relates to pillage, and more specifically the illegal exploitation of natural resources that fuels armed conflicts. But there are also other examples. Recently, a criminal complaint was filed against the Dutch private rental company Riwal. It is alleged that Riwal has aided or abetted, or even co-perpetrated, war crimes in the Netherlands and/or Occupied Palestinian

Territories through assisting in the construction of the Israeli wall and constructions settlements in the West Bank. That might be another example of a corporate war crime.

Is there a difference between pillage and financing conflict?

Pillage is an accepted war crime, but financing a conflict as such is not. As conflict is not an international crime, financing one in it self is not an international crime. However, if you finance genocide, or if you directly finance a crime against humanity, that might be criminal. For instance in the context of the Rwanda tribunal [ICTR], we see that the main financier of the genocide, Félicien Kabuga, is also wanted by the tribunal. So financing genocide or a war crime can be seen as aiding and abetting these crimes and thus criminal, but financing a conflict in itself is not a crime.

But what if the finances come from stolen resources such as blood diamonds?

We see that this might be conceived as pillage, but then you have to make the link to the blood diamonds itself.

Is illegal exploitation of resources an African problem?

Natural resources have played an important role in conflicts in Africa, in particular West Africa, Angola, Sudan and the Democratic Republic of Congo. But in other parts of the world we also see a link between natural resources and conflict.

We see it with timber in the case of Cambodia in the 1970s, in Afghanistan in relation to opium production and also in East-Timor, which is very rich in natural resources. So more generally we can say that conflicts are about political power but also about economic gain, and that is obviously not an African phenomenon.

Who are committing these crimes?

There is not just one entity that commits these crimes. Local militia play an important role. We see, for instance, that the International Criminal Court has filed pillage charges against some individuals. But the idea is that local militia as well as corporations and individuals working for the corporations play a role in the crimes. Thus, perhaps people higher up in the production chain can incur criminal responsibility for using those resources.

But the ICC can only prosecute individuals?

Yes. The ICC cannot prosecute corporations. And I don't think the ICC's main task is to deal with business leaders, since they might not be those most responsible for the international crimes described in the ICC mandate.

So then we move to the national level. In general I would say that domestic courts play the most important role in prosecuting business actors, both individuals as well as corporations. Not all states are familiar with the concept of criminal responsibility of corporations, but a significant number of states are, including for instance the Netherlands.

Positive precedents?

Although these were no corporate crimes cases, we do have a number of Dutch cases involving individual businessmen. Guus Kouwenhoven stands trial for violating the UN arms embargo and smuggling arms into Liberia, while Frans van Anraat was convicted for providing Saddam Hussein with chemicals for the production of Mustard gas.

I think we are now in a new era. Most states have just implemented the ICC into the domestic legislation, so now they have to connect that to the concept of corporate criminal responsibility that already existed. Then we have to see how we apply concepts as guilt in the context of corporations. Prosecutors will have to be creative, and they might then need to be inspired by conferences like this to guide them.

What have been the biggest legal hurdles so far?

The legal hurdles are primarily that some states do not know the concept of criminal responsibility of corporations. So in those states it will be difficult to prosecute corporations, and you will have to go after business leaders.

In states where we do have corporate criminal responsibility it might be difficult to disentangle corporate structures, so this is always quite a challenge. And then there are always huge evidentiary challenges that we also saw in the Kouwenhoven case, which are intricate to international crimes cases.

What would you suggest as a solution?

In an ideal world, the ICC can play a very important role as a model court. It has pillage charges, for instance in the case against former Congolese militiamen Germain Katanga and Matthieu Ngudjolo Chui. These cases might set precedents on how to apply pillage in current day conflicts. Also, by prosecuting pillage they set an example in that they find this an important crime, a serious crime. Hopefully domestic courts follow suit, and they will also take pillage seriously. They will carry the greatest burden of cases, so to say.

Ideally, it would be national courts of perhaps the states where the crimes were actually committed and if not, it can be home states of corporations.

It's important that the ICC has charged pillage in some of its cases. It illustrates that it is an important and serious crime. In the ongoing cases, however, it doesn't set an example of trying business leaders, and that is then for national courts to take up. But if the ICC cases show that business actors are implicated in international crimes, this can also constitute an impetus for domestic prosecutors to act.

Do you think it is a missed opportunity that the Special Court for Sierra Leone did not investigate the blood diamond industry?

Yes. The primary mandate, of course, of international courts is to prosecute those most responsible. But, in addition, they are role models for domestic jurisdictions. And if they take pillage seriously, they might inspire domestic prosecutors. Since we are applying an old crime to new circumstances we need inspirations, we need role models to show us the way.

What about truth and reconciliation commissions? Can their records be used in future cases?

Yes. Perhaps not always directly, but most certainly indirectly. The commissions have played a very important role in terms of raising awareness on the role of the private sector in armed conflict. And more broadly, we also see that NGOs and the media play a very important role in raising awareness generally, but also in concrete cases.

The Van Anraat case, in a way, started with an interview by Van Anraat in a popular Dutch news show. If we look at Kouwenhoven, we see that the NGO Global Witness played a significant role in implicating him, and in making his activities in Liberia known. In the Riwal case, we also see that the media was an important factor in exposing the company's activities in the Occupied Palestinian Territories.

What about settlements?

One of the goals of international criminal law is its deterrent effect. So even if corporations settle or if there is no final judgement, there may be this deterrent effect. Even if you start a case but you don't conclude it - in terms of having a conviction - you may have this deterrent effect and you may have some indirect success.

The Daily Star

Thursday, 4 November 2010

Security Council mulls special session to discuss Tribunal

BEIRUT: The Security Council is considering convening a special session to discuss the issue of the UN-backed court probing the murder of former Lebanese Prime Minister Rafik Hariri.

While the US and France are pushing the Security Council to hold a session to discuss last week's attack in Beirut's southern suburbs on two international investigators, the Lebanese mission at the UN has called upon Security Council members to delay talks on the issue pending an accord, several media reports quoted diplomatic sources as saying Tuesday.

"Some member countries have objected to holding a session on the issue for fear that it might lead to further tensions in Lebanon," the United Kingdom's permanent representative Mark Lyall, who's country currently heads the UN Security Council, told Lebanon's As-Safir newspaper. "We take all factors into consideration."

Tensions have mounted in Lebanon over the indictment to be issued by the Special Tribunal for Lebanon (STL).

Hizbullah had announced over the summer that the tribunal was moving toward indicting "rogue" members from the group and slammed the STL as an "Israeli project."

The party's leader Sayyed Hassan Nasrallah said his group rejected such an accusation and warned of the repercussions of such an indictment.

Many fear that if Hizbullah is indicted violence might spill in the streets of Beirut and drag the country into a civil war.

Following a Cabinet decision in 2008 to dismantle Hizbullah's private telecommunications network, violence erupted in the streets of Beirut and many fear the occurrence of a similar scenario.

Lyall told As-Safir that STL's Prosecutor Daniel Bellemare cancelled a visit to New York to submit his report on the work of the STL "to closely follow-up" on the situation in Lebanon.

The British diplomat said he did not receive any information that Lebanon's government had withdrawn support of the STL.

Rafik Hariri's son, Prime Minister Saad Hariri, reaffirmed during talks in London this week his government's intention to honor its commitments toward the STL.

Two STL investigators and their interpreter came under attack by dozens of angry women at a gynecology clinic in Beirut's southern suburbs last week. The briefcase of one of the investigators was snatched.

In a televised speech commenting on the incident, Nasrallah called on Lebanese to boycott the STL, saying all the information gathered by the court's investigators was passed on to Israel.

But the STL said the incident would not deter it from performing its mission. The incident also gathered a wave of condemnations from the international community.

A diplomatic source told As-Safir if a session to discuss the Dahiyeh incident was decided, United Nations Undersecretary for Legal Affairs Patricia O'Brien would submit a report on the attack to the UNSC.

Quoting diplomatic sources, An-Nahar newspaper said extensive contacts had been undertaken to hold a session to discuss the issue of the STL.

“However,” according to An-Nahar, “Lebanon’s representative at the Security Council Ambassador Nawwaf Salam convinced parties at the UN to postpone talks on the issue in order to give a chance to discussions taking place in Beirut.” – The Daily Star

Voice of America

Wednesday, 3 November 2010

UN Official: Somalia PM Promises to Stop Using Child Soldiers

A top United Nations official says Somalia's new Prime Minister Mohamed Abdullahi Mohamed is committed to eradicating the use of child soldiers.

U.N. special representative for children in war, Radhika Coomaraswamy, reported Wednesday on her visit this week with Mr. Mohamed in Mogadishu.

She says Mr. Mohamed calls the use of children as soldiers a terrible phenomenon.

The prime minister says his government plans to appoint an official who will work with the U.N. with the aim of signing a deal to verify the release of all child fighters.

Coomaraswamy calls the prime minister's promises a welcome first step.

Somalia has been on a U.N. list of governments and militias who recruit child soldiers.

Coomaraswamy said she unfortunately has no access to the Islamic militant groups al-Shabab and Hizbul Islam who control much of Somalia. Both are also on the list.

She said she hopes they will abide by international humanitarian law and release all child soldiers.

Reuters

Thursday, 4 November 2010

Ex-minister flies to Hague over Kenya clashes: media

By James Macharia

NAIROBI (Reuters) - Kenya's Higher Education Minister William Ruto, who has been suspended on fraud charges, has flown to The Hague to meet the International Criminal Court's (ICC) prosecutor, local media reported on Thursday.

Ruto was quoted in Kenya's the Daily Nation newspaper as saying he requested the meeting to give his version of events to the ICC, which is investigating the deadly violence that followed a disputed 2007 election.

Prosecutor Luis Moreno-Ocampo has previously said he aims to issue arrest warrants against the masterminds of the killings and complete confirmation hearings by the end of 2011, with trials to start in 2012, when Kenya's next elections are due.

Analysts say any arrest warrants against cabinet ministers could widen rifts in the coalition government of President Mwai Kibaki in east Africa's biggest economy and trigger unrest among the suspects' communities.

"I asked for an appointment with Ocampo and his group so that we can set the record straight and get to the truth and I'm happy that they gave me the appointment," Ruto said.

Neither Ruto's aides nor ICC officials were reachable to confirm the meeting.

The state-funded Kenya National Commission on Human Rights named senior cabinet ministers as architects of the violence including Finance Minister Uhuru Kenyatta and Ruto. Kenyan judges blocked a bid by Kenyatta to remove his name from the report. Ruto is still fighting a legal battle to remove his name.

Moreno-Ocampo said on October 14 that a prominent Kenyan had said he would voluntarily face the ICC if named as a suspect in post-election clashes.

The Daily Nation said Ruto told journalists at the Jomo Kenyatta International Airport that he was the prominent Kenyan who had written to Ocampo to volunteer his assistance.

Many Kenyans are hopeful arrests and convictions will act as a deterrent against a repeat of violence at the next elections.

About 1,300 people were killed and more than 300,000 displaced by violence when opposition candidate Raila Odinga accused the incumbent Kibaki of stealing the election. At the time, Ruto was an ally of Odinga, but the two have fallen out.

A powersharing deal brokered by former U.N. Secretary General Kofi Annan in late February 2008 stopped the bloodshed and created Kenya's first coalition government, with Odinga in the post of prime minister.

Kibaki suspended Ruto from the cabinet after high court judges ruled he should stand trial for fraud over a land deal. His case will be heard starting late January next year. Ruto has said he is innocent of the charges.