

**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:**

Thursday, 16 December 2010

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

**Local News**

Kenya Elections Violence: ICC Names Suspects / *The Senator* Page 3

**International News**

Kenya's Ruto Seeks to End Obligations to International Criminal Court / *Bloomberg* Page 4

Kenya Election Violence: ICC Names Suspects / *BBC Online* Pages 5-7

Nasrallah Urges Lebanese Parties to let Hizbullah Handle Tribunal / *The Daily Star* Pages 8-9

Let's Explore Other Transitional Justice Mechanisms - Justice Kuenyehia / *Ghana News Agency* Pages 10-11

UN Chief Warns of Possible War in Ivory Coast / *Voice of America* Page 12

# Kenya election violence: ICC names suspects



The prosecutor at the International Criminal Court (ICC) has named six high-profile Kenyans he accuses of being behind the violence that followed the disputed 2007 elections.

Deputy PM and Finance Minister Uhuru Kenyatta, one of those named, immediately protested his innocence.

Some 1,200 people died and more than 500,000 fled homes in the violence.

In the peace deal that followed it was agreed perpetrators would face justice in Kenya or at the ICC in The Hague.

Kenyan MPs have so far blocked moves to set up a local tribunal.

On Monday, President Mwai Kibaki announced the government would launch its own investigation - a move his critics have denounced as an attempt to prevent suspects being sent to The Hague.

But US President Barack Obama, whose own father was Kenyan, called on the country to cooperate with the ICC.

"The path ahead is not easy, but I believe that the Kenyan people have the courage and resolve to reject those who would drag the country back into the past and rob Kenyans of the singular opportunity that is before them to realise the country's vast potential," he said.

The violence broke out three years ago af-

ter Mr Kibaki's supporters were accused of trying to rig the presidential election.

It ended when Mr Kibaki and his rival Raila Odinga agreed to share power, with Mr Odinga becoming prime minister.

The ICC alleges a criminal plan was put in place in the Rift Valley for supporters of President Kibaki to be attacked after the election.

ICC prosecutor Luis Moreno Ocampo said that in retaliation, police were given the green light to use excessive force and a vigilante group was organised to attack civilians.

Mr Ocampo said: "These were not just crimes against innocent Kenyans. They were crimes against humanity."

He has summoned higher education minister William Ruto (who is suspended amid corruption allegations), radio executive Joshua Arap Sang and Minister for Industrialisation Henry Kosgey on charges of murder, deportation, persecutions and torture, carried out on behalf of the former opposition.

On President Kibaki's side, secretary to the cabinet Francis Kirimi Muthaura, former police chief Mohammed Hussein Ali and Mr Kenyatta, son of founding President Jomo Kenyatta, face charges of murder, deportation, persecutions and rape.

Uhuru Kenyatta said: "My record is clear and it remains very clear that I have never committed any crime."

**Bloomberg**

Thursday, 16 December 2010

## **Kenya's Ruto Seeks to End Obligations to International Criminal Court**

By Sarah McGregor

Kenya lawmaker Isaac Ruto presented a motion in parliament today calling for Kenya to repeal the International Crimes Act, effectively ending the country's obligation to cooperate with the International Criminal Court.

Kenya Broadcasting Corp., the nation's state-run television station aired Ruto's comments as part of a live broadcast of parliamentary proceedings.

A copy of the motion on Kenya's parliamentary website also said repealing the act will ensure 'any criminal investigations or prosecutions arising out of the post election violence of 2007/2008 be undertaken under the framework of the new constitution and that the government suspends any links, cooperation and assistance to the International Criminal Court forthwith.'

## BBC Online

Wednesday, 15 December 2010

### Kenya election violence: ICC names suspects

Clashes in the Mathare slum in Nairobi in January 2008. Some 1,200 people were killed in violence after the 2007 elections.

The prosecutor at the International Criminal Court (ICC) has named six high-profile Kenyans he accuses of being behind the violence that followed the disputed 2007 elections.

Deputy PM and Finance Minister Uhuru Kenyatta, one of those named, immediately protested his innocence.



*Some 1,200 people died and more than 500,000 fled homes in the violence.*

In the peace deal that followed it was agreed perpetrators would face justice in Kenya or at the ICC in The Hague.

Kenyan MPs have so far blocked moves to set up a local tribunal.

On Monday, President Mwai Kibaki announced the government would launch its own investigation - a move his critics have denounced as an attempt to prevent suspects being sent to The Hague.

But US President Barack Obama, whose own father was Kenyan, called on the country to cooperate with the ICC.

"The path ahead is not easy, but I believe that the Kenyan people have the courage and resolve to reject those who would drag the country back into the past and rob Kenyans of the singular opportunity that is before them to realise the country's vast potential," he said.

The violence broke out three years ago after Mr Kibaki's supporters were accused of trying to rig the presidential election.

It ended when Mr Kibaki and his rival Raila Odinga agreed to share power, with Mr Odinga becoming prime minister.

The ICC alleges a criminal plan was put in place in the Rift Valley for supporters of President Kibaki to be attacked after the election.

ICC prosecutor Luis Moreno Ocampo said that in retaliation, police were given the green light to use excessive force and a vigilante group was organised to attack civilians.

Continue reading the main story



#### *Uhuru Kenyatta*

Mr Ocampo said: "These were not just crimes against innocent Kenyans. They were crimes against humanity."

He has summoned higher education minister William Ruto (who is suspended amid corruption allegations), radio executive Joshua Arap Sang and Minister for Industrialisation Henry Kosgey on charges of murder, deportation, persecutions and torture, carried out on behalf of the former

opposition.

On President Kibaki's side, secretary to the cabinet Francis Kirimi Muthaura, former police chief Mohammed Hussein Ali and Mr Kenyatta, son of founding President Jomo Kenyatta, face charges of murder, deportation, persecutions and rape.

Uhuru Kenyatta said: "My record is clear and it remains very clear that I have never committed any crime."

The other five people named have also denied any involvement and say they are ready to face justice.

Mr Ocampo said he did not have evidence to pursue charges against Mr Kibaki or Mr Odinga.

"We follow the evidence where it takes us. We are not taking into account political responsibilities... there are political debates, but it is not my responsibility," Mr Ocampo said.

He said the six were the "most responsible" but there were "many others" that Kenya could decide to prosecute.

Kenyan police have been put on alert in case the announcement sparks renewed clashes.

President Kibaki issued a statement appealing for calm.

He said the ICC process had only just begun and that until it had been completed any other calls for action to be taken against the six would be "against the rules of natural justice".

Mr Kibaki again said he was "fully committed to the establishment of a local tribunal".

Each of the six will be served with a court summons, but if they fail to turn up or if they attempt to hinder the investigation - for example by intimidating witnesses - Mr Ocampo says he will request arrest warrants.

BBC East Africa correspondent Will Ross says in recent days there has been a degree of panic among some members of the usually untouchable political elite.

Most Kenyans feel these prosecutions are vital in order to undermine the deeply rooted culture of impunity, our correspondent says.

The key question now is whether those accused will hand themselves over or be shielded by politicians and evade justice, he says.

### **Church atrocity**

The BBC's Wanyama Chebusiri in Eldoret says there is an unusually heavy police presence in the Rift Valley town, the scene of some of the worst violence.

There were divergent reactions from residents to the list, broadcast live on television, but no sign of trouble, he reports.

"Maybe justice will finally be done," a woman told the BBC.

But another man felt it was a wasted opportunity: "It has failed miserably, these are the small fish."

In Kibera, another scene of election protests, news of the six names was taken calmly, the BBC's Odhiambo Joseph reports.

The Nairobi slum is a stronghold of Mr Odinga, and residents seemed relieved he was not named, he says.

Kenya has had a series of violent elections, but the disputed poll in 2007 saw the country taken to the brink of civil war.

There were revenge attacks, with long-standing ethnic and economic rivalries ignited by political divisions.

Communities turned on each other with crude weapons as they were encouraged, and even paid, by power-hungry politicians, our correspondent says.

One of the worst incidents saw a church where about 100 people had sought sanctuary set on fire, killing dozens of people inside.

Weapons were put down only after former UN Secretary General Kofi Annan brokered a peace deal between the two presidential rivals.

# The Daily Star

Thursday, 16 December 2010

## **Nasrallah urges Lebanese parties to let Hizbullah handle Tribunal**

By Wassim Mroueh

BEIRUT: Hizbullah leader Sayyed Hassan Nasrallah called Wednesday on all Lebanese factions defending the Special Tribunal for Lebanon (STL) to step back, and allow Hizbullah to deal with the UN-backed court.

“Let us discuss a formula by which the government withdraws from the issue, we will confront [the STL] alone,” he added, saying such a step would ease tension in Lebanon

“Leave the dispute between us and the international tribunal, why do you spend days and nights defending the tribunal, investigations, and false witnesses?” asked Nasrallah.

Hizbullah has since July slammed the STL – established by the UN to try the assassins of former Prime Minister Rafik Hariri – as an “Israeli project” targeting the resistance. The Netherlands-based court is believed to be moving toward indicting Hizbullah.

But March 14 parties, led by Prime Minister Saad Hariri, Rafik’s son, reject claims the court was politicized, arguing it is the only means to punish criminals.

Nasrallah, who addressed supporters via video link in the Beirut southern suburbs during a rally to commemorate Ashura, stepped up his offensive against the UN probe.

He held Gerhard Lehmann, the deputy head of the UN International Independent Investigation Commission (UNIIC) responsible for leaking documents and information related to the investigations in return for money.

“He [Lehmann] is corrupt and cheap ... he sold documents [related to the probes] to some people in Lebanon who passed them to me,” said Nasrallah.

He added that Lehmann offered selling documents for prices ranging between \$50,000 and \$70,000.

“Middlemen offered that they will provide us with everything related to the probes for \$1 million, but we declined,” explained Nasrallah. “Does anyone seeking the truth accept such an investigation, such corrupt investigators, such false witnesses?” he asked.

Lehmann was the deputy of Detlev Mehlis, the president of the UNIIC.

The Hizbullah-led March 8 coalition believes the key to revealing the truth into Hariri’s case lies in referring the issue of “false witnesses” linked to the probes to the Judicial Council, the highest judicial authority in Lebanon.

But March 14 parties insist the matter should be handled by regular judiciary after the indictment is handed down.

A Cabinet session Wednesday failed to tackle the issue, which has paralyzed Cabinet sessions for more than one month.

“Tonight, the Cabinet has protected false witnesses,” said Nasrallah, adding that the STL, Mehlis, Lehman, and some Lebanese figures were protecting “false witnesses.”

“This tribunal is not independent. God willing, a day will come when the tribunal’s officials and all who conspired will witness a scandal that is greater than that of WikiLeaks,” he added.

Nasrallah proposed that the Cabinet evaluate the functions of the STL and the UNIIC and figure out what are the best means to serve justice in Hariri’s case.

The STL’s indictment is rumored to be handed down in December. The Hizbullah leader said his party views the indictment as a card used by Israel to foment Sunni-Shiite strife in Lebanon. He said the party had known about the indictment years earlier, but had not acted until it became imminent.

But Nasrallah stressed that the indictment would not lead to Sunni-Shiite strife, noting that many of the indictment’s planned goals were thwarted when Hizbullah launched a campaign to defend itself a few months ago. He said the indictment would neither be able to tarnish Hizbullah’s reputation, nor corner Hizbullah’s Sunni allies.

He also said Hizbullah succeeded in fostering a sense of national, Arab and Islamic sense of responsibility, as he reiterated his support to Syrian-Saudi efforts to reach a compromise. “Syria and Saudi Arabia are concerned parties [in the deadlock] and they are making efforts supported by Iran,” he added.

Concerning the looming indictment, Nasrallah said his party would “act on the matter when it happens,” and added: “We will evaluate it [the indictment], its repercussions, examine how the other party will react to it and consult our allies.”

“We will say this indictment targets the resistance, and decide what to do, Hizbullah is neither worried nor afraid, but we are concerned about the country,” he said, adding Hizbullah was aware the indictment would be issued within the next few days.

Ghana News Agency  
Saturday, 11 December 2010

### **Let's explore other transitional justice mechanisms - Justice Kuenyehia**

A Judge at the International Criminal Court (ICC) has advocated for other forms of transitional justice mechanisms apart from the international criminal justice system to advance the rule of law and democracy in Africa.

Mrs Justice Professor Akua Kuenyehia said: "I believe that a holistic approach is needed to advance the rule of law and democracy in Africa.

International criminal justice alone cannot bring about the needed reform."

She made the observation at the 2010 Alumni Lecture organised by the University of Ghana (UG) in Accra.

The topic for the 22nd Alumni Lecture was: "The ICC: Friend or Foe to the Rule of Law and Democracy in Africa."

Speaking on popular beliefs that the ICC was unfairly focusing on Africa, prolonging conflicts rather than terminating them, failing to address root cause of conflicts, hindering reconciliation efforts and slow to bring the needed justice, Justice Prof Kuenyehia stressed that some of the beliefs were rather overstated and misconstrued the role of ICC.

"It needs to be emphasised that the ICC is but one of the means of combating impunity on the continent. It is intended to complement other mechanisms in the promotion of the rule of law internationally", she said adding, the ICC could not bring about the rule of law in Africa on its own.

On the issue of the claim made by some people that the ICC was unfairly focusing on Africa, Justice Prof Kuenyehia said the criticism often diverted attention from the real issues facing the continent adding the claim shielded the alleged perpetrators and maintained the bad human rights abuse, criminal and bad governance record on the continent.

"The truth is that serious crimes that require international intervention have been or are being committed in conflicts in Africa.

The victims of these crimes are invariably defenceless Africans who, having sometimes been let down by their governments, look to the international community for justice and protection", she added.

Mrs Justice Prof Kuenyehia stressed that the assertion that ICC focused unfairly on the continent failed to look at the fact that the respective African States voluntarily referred to the ICC all the cases before it with the exception of the situation in Darfur, Sudan and Kenya.

"The truth is that African countries have been cooperating with the ICC in the investigation and prosecution of cases before it. This shows that, in a bid for accountability and given their own limited judicial capacity, some African states are looking up to the ICC for assistance", she said.

Mrs Justice Prof Kuenyehia said the criticism that ICC would not deter future commission of serious crimes could not be said of any criminal justice system adding, "International criminal justice cannot deter international crimes any more than domestic criminal law is able to prevent domestic crime."

She stressed that deterrence could not be the only yardstick for measuring the success of international criminal justice or the existence of the rule of law.

Mrs Justice Prof Kuenyehia however, expressed optimism that the ICC would grow its reputation so that those States that see the court as a threat would give it the needed support.

She said the existence of the ICC had symbolic consequences that should not be underestimated.

"The creation of a permanent institution with a mandate to bring current and future perpetrators of genocide, crimes against humanity and war crimes to trial will stand as a towering monument to the collective conscience of humankind. On this symbolic level, the ICC has already made a difference", she added.

Mrs Justice Prof Kuenyehia conceded that the ICC faced serious challenges, which included promoting human rights and the rule of law in Africa, weak enforcement mechanisms and lack of broad political support.

Professor Ernest Aryeetey, Vice-Chancellor of UG, said Ghana needed to learn from the bad situation on the continent to strengthen her institutions to promote good governance, rule of law and respect for human rights to avoid going to the ICC for a redress.

The ICC, a permanent international criminal court, was created by the Rome Statute and negotiated by member states of the United Nations in 1998.

It is a treaty based institution which came into force on July 1, 2002 following its ratification by 60 countries.

Currently there are 114 States parties to the Rome Statute and out of the number, 31 are Africans. Ghana has a drafted implementing legislation of the Rome Statute.

ICC aims at putting an end to impunity for the perpetrators of serious crimes of concern to the international community and thus contribute to the prevention of such crimes.

It also seeks to guarantee lasting respect for the enforcement of international justice

## Voice of America

Wednesday, 15 December 2010

### UN Chief Warns of Possible War in Ivory Coast



**Photo: AP**

*United Nations soldiers from Senegal patrol the streets of Abidjan, Ivory Coast, Dec 9, 2010 (file photo)*

United Nations chief Ban Ki-moon says he is deeply concerned about the threat of violence in Ivory Coast as a result of that country's continuing political stalemate.

In a statement through his spokesman Wednesday, Ban said recent developments have created a politically-charged environment where actions could have "unpredictable consequences," including the renewal of civil war.

He called on all parties to avoid any action that could trigger violence. Ban also called on incumbent President Laurent Gbagbo to respect the will of the Ivorian people and step down so Alassane Ouattara, whom Ban called president-elect, can assume office.

The U.N., African Union and European Union all have recognized Ouattara as the winner of the Nov 28 runoff election.

Gbagbo and Ouattara each have declared themselves president and named governments, raising fears of a new conflict eight years after Ivory Coast's civil war.

The two leaders have the support of rival armed forces. Gbagbo is supported by senior military officers who control the south, while Ouattara has the support of former rebels in the north.

Gbagbo has ruled the country since 2000. His term officially ended in 2005, but he has remained in office through repeated election delays.