

**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, 13 January 2011

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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International News

Gbagbo Imposes Curfew in Ivory Coast / <i>Voice of America</i>	Page 3
Comment: Who Wants War Next Door? / <i>Daily Graphic</i>	Pages 4-6
Trial of Jean-Pierre Bemba Resumes / <i>Hirondelle News Agency</i>	Page 7
Former MRND President to Testify On His Own Defence Next Monday / <i>Hirondelle News Agency</i>	Page 8
Kenya Launches Anti-ICC Offensive Across Africa / <i>Africa Review</i>	Pages 9-10
MPs say Bill for Withdrawal from ICC Ready / <i>The Standard</i>	Page 11
Congolese Former Rebel's Case Postponed in Rwanda / <i>Radio Netherlands Worldwide</i>	Pages 12-13
No Settlement on STL's Expense... / <i>Naharnet</i>	Page 14

Voice of America

Thursday, 13 January 2011

Gbagbo Imposes Curfew in Ivory Coast

The Ivory Coast leader who has refused to cede power, Laurent Gbagbo, has imposed a curfew in an Abidjan neighborhood where deadly violence has erupted in recent days.

Army Chief of Staff Phillippe Mangou, who has backed Mr. Gbagbo, announced late Wednesday that the Abobo district will be under a 7 p.m. to 6 a.m. curfew until Saturday morning. Mangou warned that security forces are ready, in his words, to fight back.

Abobo is a stronghold of support for Mr. Gbagbo's rival, Alassane Ouattara,

United Nations Secretary-General Ban Ki-moon expressed, in his words, "deep concern" about the unfolding events in Abobo, saying there are reports that security forces loyal to Mr. Gbagbo are attempting to use the curfew to force peacekeepers to leave the area.

Mr. Ban said the U.N. peacekeepers are "determined" to stay and continue fulfilling their mandate to protect civilians.

Mr. Gbagbo's interior ministry said at least six policemen were killed in fighting in the area Wednesday, while witnesses said at least one civilian also was killed. Several police vehicles were burned during heavy pre-dawn fighting.

Similar clashes Tuesday left five people dead, including at least two police officers.

The U.N. said three of its peacekeepers were slightly wounded late Tuesday in an ambush by Gbagbo forces.

Mr. Gbagbo remains in control of the nation's security forces, despite pressure to cede power to Mr. Ouattara, the internationally recognized winner of presidential elections in November. Mr. Ouattara is confined to an Abidjan hotel that is under the protection of U.N. peacekeepers.

Kenyan Prime Minister Raila Odinga is expected to return to Ivory Coast this week in his latest effort to end the impasse. Mr. Odinga serves as the African Union's mediator for the country.

Daily Graphic (Ghana)

Thursday, 13 January 2011

<http://news.myjoyonline.com/features/201101/59218.asp>

Comment: Who Wants War Next Door?



The first troops of the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG) landed at the Freeport of Monrovia on August 24, 1990 at the invitation of Master-Sergeant Samuel K. Doe, President and Commander-in-Chief of the Republic of Liberia who was then under siege from the rebel forces of the National Patriotic Front of Liberia (NPFL), led by Charles Taylor.

The then President Doe had invoked Article 4 (b) of the Mutual Defence Assistance Protocol of the ECOWAS which was signed in Freetown on May 29, 1981.

That provides for a non-standing military force to be used to render mutual military aid and assistance to a member state that falls victim to external aggression.

Article 4 (b), under which Doe applied for the intervention of the ECOWAS military support, spells out a collective response where a member state is a victim of internal armed conflict that is engineered and supported actively from outside and which is likely to endanger the peace and security of other member states.

Article 18 (2) of the Protocol makes it clear that member states are not entitled to intervene militarily, if the internal armed conflict poses no danger outside the borders of the afflicted state, and if it is supported from outside.

In order to secure the military intervention of the sub-regional group, the Protocol demands that the head of state of the country desiring assistance should put it in writing to the chairperson of ECOWAS.

This force will then be known as the Allied Armed Forces of the Community (AAFC).

At the time President Doe made the request, it was commonly suspected that Libya, which trained the combatants, Cote d'Ivoire, whose President, Felix Houphouet-Boigny, was Taylor's in-law, and Burkina Faso, whose leader, Blasé Compoare, had a Libyan backing, were supporting the NPFL.

It was, therefore, not possible for ECOWAS to put together the AAFC for military intervention in Liberia. However, at an ECOWAS Standing Mediation Committee Meeting in Banjul, The Gambia, four countries, namely; Nigeria, Ghana, Guinea, Sierra Leone and The Gambia, decided to send a peace-monitoring group to Liberia.

Notwithstanding the initial setbacks of the group, the success story of ECOMOG, as it became to be known, when it was led into action by its first commander, General Arnold Quainoo of Ghana, had placed it on record as the first credible attempt at a regional security initiative since the Organisation of African Unity (OAU) tried to establish an Inter-African force in Chad in 1981.

Apart from stabilising the conflict situation in Liberia culminating in the election of Charles Taylor as President of Liberia on July 19, 1997, ECOMOG, which qualified to be described as the military wing of ECOWAS, carried out other operations in Sierra Leone (1997), and Guinea Bissau (1999).

In Sierra Leone, ECOMOG forces intervened to stop the combined forces of the Revolutionary United Front (RUF) and the Armed Forces Revolutionary Council (AFRC) led by Major Johnny Koromah from succeeding with a military coup against President Ahmed Tejan Kabbah while in Guinea Bissau, ECOMOG troops again went into battle when fighting broke out between troops loyal to President Bernado Viera and those of his army chief, Brigadier Ansumane Mane.

ECOWAS, through ECOMOG, played a major role in brokering a peace deal leading to a general election on November 28, 1999.

ECOMOG, in its nearly 10 years of peace-keeping and conflict resolution in the sub-region, has brought about a new evolution in inter-African affairs and rekindled hope that sub-regional conflicts could be handled without recourse to external involvement.

This might have been the reasoning behind the decision by ECOWAS leaders to resort to military intervention after diplomatic efforts have failed to settle the electoral impasse in Cote d'Ivoire.

Maybe with time, ECOWAS leaders could only see the success of ECOMOG without recounting the very demanding conditions under which it operated.

Right from the word go, ECOMOG did not receive the unanimous recognition and support of the whole ECOWAS group for obvious reasons as stated earlier.

There were serious operational command problems as field commanders were divided between taking orders from home authorities and operational commanders on the ground.

Again, heads of state had not established any guidelines, principles or rules of engagement for managing internal conflicts and more seriously, not all states were willing to work together or within institutions to ensure a regional response to conflicts.

It is instructive to remember that at the time ECOMOG was conceived, the sub-region was virtually under military dictatorship or autocratic civilian governments that had very little regard for democratic credentials.

It was, therefore, very easy for leaders at the time to take decisions that suit their individual interests and what to them constituted the common good.

The two major players in the ECOMOG operations were undoubtedly Nigeria and Ghana under General Ibrahim Babaginda and Flt Lt Jerry John Rawlings respectively, both military dictators.

Other military/civilian dictators at the time include General Gnansigbe Eyadema of Togo, Capt Blasé Campaore of Burkina Faso, General Lansana Conte of Guinea, Houphouet-Boigny of Cote d'Ivoire and the rest who were virtually answerable to no one within or without.

Things have changed considerably since those days and some of the countries in the sub-region cannot commit troops for international campaigns without getting the necessary backing of their elected representatives who must be convinced of the legitimacy and justification for such operations, as peace-keeping missions are not the same as combat operations.

In 1990, it was easy for President Doe to seek military assistance from ECOWAS, based on Article 4 (b) of the Mutual Defence Assistance Protocol, because Charles Taylor's Christmas Eve attack launched from the soil of Cote d'Ivoire and tacitly supported by the President of that country at the time and other African countries qualified it to be an external aggression to justify an intervention.

How justifiable is it to qualify an electoral impasse as an external aggression to necessitate invoking Article 4 (b) of the Mutual Defence Assistance Protocol?

As of now, Allassane Ouattara is not a President and has not written to ECOWAS as the Protocol requires to apply for military support to fight an enemy aggression. So wherein lays the legitimacy of any such action?

For now, the moral strength of ECOWAS is found in the determination of the sub-regional body and for that matter other bodies to safeguard and protect democracy first in West Africa, and then on the continent.

That is the wish of many if not all.

If a free and fair election is considered one of the essential pillars of democracy, who determines what constitutes a free and fair election among ECOWAS countries?

Nigeria, the sub-region's superpower, and the country to spearhead any military operation, should it become ECOWAS' final trump card, cannot stick out its neck on such a matter, remembering vividly, the 2007 general election in that country which brought Alhaji Umaru Musa Yar'dua and the now President Jonathan Goodluck to power.

Nobody could forget so soon how Faure Gnansigbe came to power by succeeding his father, the late General Eyadema, who himself was in power for well over 35 years till death took him away.

In Burkina Faso, Ghana's northern neighbour, Campaore has been in power since 1982 and recently won another term as a democratic ruler whose term seems not to have any constitutional limit.

So who are going to cast the first moral stone at Cote d'Ivoire and pass the democratic test? Ghana and Benin so far have the best results in terms of adherence to constitutional provisions of electoral practice and succession even though Ghana's case, as is evident, cannot be said to be smooth-sailing.

These are moral questions ECOWAS leaders have to ponder over as they try to solve the problem in Cote d'Ivoire. Morality and legitimacy aside, the military option which seems so fluid on the lips of some people has its own questions begging for answers.

Who pays for the military operation? Who bears responsibility for the thousands who will die and the millions who will be displaced? How do we reconcile the parties involved after the military might of the sub-region had been put on display?

By the way, is ECOWAS going to set the record as being the first sub-regional body that went to war against itself to enforce an electoral decision?

The Americans can afford to beat the war drums in far away Washington DC, the French can do so in Paris. Can we in Ghana so soon forget what led to the creation of a new township called Buduburam in the Central Region?

Do we remember that the Liberian conflict killed an estimated 200,000 people including 50,000 children?

These are just a few questions that should engage our attention as we confront the Ivorian crisis.

People like Laurent Gbagbo should not be tolerated, lest what they stand for becomes an addiction that will destroy all of us.

But they can still be handled not necessarily through military confrontation, which, as the Americans will admit, is a long a journey easy to embark upon but which hardly comes to an end with desired results.

Total isolation, if religiously enforced, can do the trick at a lesser cost.

Those far away can afford the luxury of trumpeting the virtues of military expedition.

Ghana, unfortunately, cannot afford international war next door when we have just been told we have turned middle-income and ready to enjoy the fruits of being an oil-exporting country.

Hirondelle News Agency

Tuesday, 11 January 2011

Trial of Jean-Pierre Bemba resumes

Jean-Pierre Bemba's trial resumed today before the International Criminal Court (ICC) with the hearing of the fourth prosecution's witness. The Congolese senator is charged with crimes against humanity and war crimes, notably for his command responsibility in rapes, murders and pillaging perpetrated by his militia in Central African Republic (CAR) between October 26, 2002 and March 15, 2003.

Testifying anonymously for security reasons, the fourth witness was partly heard in camera. She introduced herself as a direct victim of "Banyamulenge", the name given to troops of the Mouvement de Libération du Congo (MLC), Jean-Pierre Bemba's rebellion movement at the time.

She explained to the Court that On October 27, 2007, she was attacked twice by four members of the Banyamulenge militia. Her brother was killed. "Uncles and people from our neighborhood came. They took the corpse which was lying in a pool of blood. I heated water to wash it. I gave one of my loincloth", she remembered. Her brother was then buried at PK12, an area in the outskirts of Bangui.

She then testified in camera about her sexual aggression by militiamen.

When she came back to the stand, the witness explained how pillaging occurred : "They came into houses and said, "Give your money, give your money and we won't kill you".

On November 22, 2010, the trial of Jean-Pierre Bemba commenced before Trial Chamber III at the ICC. However, it was suspended on December 7. Since then, a decision from the judges allowed more victims to be part of the proceedings. They are now 1,312 to be represented by two defence lawyers.

On December 17, the Court rejected a request from the accused to be bailed out. However, according to Congolese media, Jean-Pierre Bemba was given the authorization to attend his step-mother funerals in Waterloo (Belgium) on January 11.

Jean-Pierre Bemba was arrested in Belgium on May 24, 2008. His trial continues on Wednesday.

SM/GF

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Tuesday, 11 December 2011

Former MRND president to testify on his own defence next Monday

The International Criminal Tribunal for Rwanda (ICTR) Tuesday adjourned defence hearing for Mathieu Ndirumpatse, former President of ruling party in 1994 (MRND), to January 17, when the defendant will start testifying on his own defence.

Ndirumpatse takes the floor because his counsel could not be able to secure first the testimony of witness code-named BU who was to testify through video link. The defendant's co-counsel, Frederic Weyl, told the Trial Chamber that the other remaining witness was not reliable and could also testify under similar condition.

The Chamber said it was taking measures, including compelling the state concerned to ensure the witness whose evidence would be received through video link testifies.

The defence request for adjournment was granted to next Monday after taking into consideration circumstances and the suggestion by the defendant's lead counsel Chantal Hounkpatin (not in court) that she would prefer the accused to start his evidence under her direct examination.

Before the adjournment, two defence witnesses, Malien Habyarimana, former Director General of Technical Coordination with Transport and Communications Ministry and Innocent Nzabona, former official with the Rwandan Central Intelligence Services, testified for Ndirumpatse.

Briefly, Habyarimana refuted the prosecution's claim that illegal aircrafts landed in Kigali between 1993 and 1994 and delivered illicit weapons that were used during the tragedy that struck Rwanda within the period.

In his part, Nzabona decorated the accused, describing him a "Man of God" based on his wisdom with exceptional human quality. "Ndirumpatse to me as far as I know and if journalists were to ask me I would say he is honest and very humble," the witness said.

In the case, Ndirumpatse is charged jointly with former Vice-president of MRND, Edouard Karemera, with genocide and crimes against humanity, mainly for their "command responsibility" in crimes committed in 1994 by members of their party. Both pleaded not guilty to the charges. Karemera has already presented his defence case.

FK/NI/ER/GF

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Africa Review

Thursday, 13 January 2011

<http://www.africareview.com/News/-/979180/1088884/-/i6rtxqz/-/>

Kenya launches anti-ICC offensive across Africa



Kenyan Vice-President Kalonzo Musyoka (left) meeting with South African President Jacob Zuma in Pretoria on January 12, 2011

The Kenyan government has launched a continental diplomatic offensive to win backing from African Union (AU) members in dissuading the International Criminal Court (ICC) from prosecuting six Kenyans named in connection with the 2007 post-election killings in Kenya.

The government has already dispatched six cabinet ministers, led by Vice-President Kalonzo Musyoka, to various African capitals to solicit support for its position.

The ICC Special Prosecutor Luis Moreno-Ocampo announced last year he would open charges against six top Kenyan officials he implicated in the violence.

They include Deputy Prime Minister Uhuru Kenyatta and head of the civil service Francis Muthaura, who is considered to be the most powerful adviser to President Mwai Kibaki.

ODM strongholds

Also implicated are two former cabinet ministers belonging to the Orange Democratic Movement party (ODM) and who have since been sidelined on unrelated corruption charges, Mr William Ruto and Mr Henry Kosgey.

The ODM was in opposition at the time of the violence and most of the killings were carried out in its strongholds. Subsequent peace efforts spearheaded by former UN Secretary-General Kofi Annan brought the ODM party into a coalition with Kibaki's Party of National Unity (PNU).

There have been conflicting reports over whether Kenya wants the AU to call for a mass African walkout from the ICC or whether her aim is to pressurise the Court to defer the Kenyan cases .

ICC rules require that any such deferral to local courts must be preceded by the establishment in the cited country of a judicial tribunal that meets international standards of independence and seriousness.

The Kenyan authorities have previously been ambivalent in setting up such a tribunal, but that was until the ICC moved to take over the cases last year.

Judicial vetting

In reaction, the Kenyans are now scrambling to convince the ICC that they will set up a special division within the Judiciary to specifically try the post-election violence cases.

A long-delayed clean-up of the Judiciary involving the appointment of a new chief justice and the vetting of new judges is now underway.

The apparent aim is display this “reforms” to the world before the ICC’s Pre-Trial chamber rules, possibly in March, on whether the Kenyan cases should formally go on trial.

On Wednesday, Vice-President Musyoka met with South African President Jacob Zuma and was due to fly to Malawi and Uganda for talks with Presidents Bingu wa Mutharika and Yoweri Museveni.

Kenya is also sending high-level emissaries Botswana, Lesotho, Zimbabwe, Djibouti, Ghana and Nigeria.

The visits come ahead of the AU summit in Addis Ababa on January 29.

The Standard (Kenya)

Thursday, 13 January 2011

MPs say Bill for withdrawal from ICC ready

By beaulttah omanga

Five MPs have said a Bill to facilitate withdrawal of Kenya from the International Criminal Court (ICC) was ready and will be tabled immediately Parliament resumes.

"We have decided to table the Bill as soon as the House reopens next week. The Bill is ready and we have the numbers to make sure it sails through," said Assistant Minister Aden Duale. Speaking during a one-day forum that brought together members of various NGOs, top lawyers, representatives from Rwanda, Somali, Sudan, ICC prosecution experts Steve Morris and author David Hoile, the MPs said Parliament was supreme and as soon as the Bill goes through, the country will have no basis of letting her citizens appear at the ICC.

Other MPs who attended the forum included Isaac Ruto, Zakayo Cheruiyot, Joseph Keter and Dr Julius Kones. Lawyer Kibe Muigai concurred with Ruto that Justice Philip Waki who chaired the Post Election Violence Commission committed 'treason by recommending to a foreign authority that Kenyans be tried outside the country.

Capital offence

"I am convinced that after reading what constitutes treason, Justice Waki committed the capital offence by seeking to oust the country's Constitution and the judicial system by recommending that Kenyans be tried outside the country," said Ruto.

He said President Kibaki and Prime Minister Raila Odinga would in future be accused of treason if they sat back and let Kenyans be tried in a foreign land. Both Morris and Hoile said Kenya should withdraw from the ICC saying history would judge the country's leadership harshly in case the Ocampo Six went to The Hague.

Radio Netherlands Worldwide

Tuesday, 11 January 2011

Congolese former rebel's case postponed in Rwanda

By Thijs Bouwknecht (RNW)



Kigali, Rwanda

Laurent Nkunda's fate has been unclear ever since his arrest two years ago and there is no progress so far in his trial. His lawyer said a Rwandan military court on Monday postponed the hearing of a plea to free the former Congolese rebel chief.

"The clerk's office decided to postpone the hearing sine die because the judge (General Steven Karyango) has been suspended," Aime Bokanga, a lawyer for Nkunda, told AFP.

"We're waiting for a new judge to be appointed. Under Rwandan law he needs to be a general because the person we have brought proceedings against is a general," the lawyer said.

This latest postponement is the fourth since the case was sent to the military courts.

Nkunda's lawyers say General James Kabarebe, former Rwandan army chief of staff who was appointed defence minister in April, is responsible for the "arrest and illegal detention" of their client. In March Rwanda's supreme court ruled that given Kabarebe's military status, it was not competent to hear the plea.

CNDP

Before the former Congolese rebel leader was put under house arrest in Rwanda two years ago, Nkunda led a force of an estimated 4,500 men called the National Congress for the Defence of the People (CNDP). The group purported to protect minority Tutsis in Congo's eastern Kivu provinces but the United Nations and human rights groups say it has uprooted hundreds of thousands of people.

The former general ruled his own 'mountain state' from his villa in Kitchanga in North Kivu. Nkunda raised road tolls, taxes on the sale of timber, coltan, gold and other natural treasures. But his small empire collapsed following the restoration of relations between

Rwanda and the DRC after two wars and years of trading allegations of aiding each other's rebels.

Nkunda's arrest in January 2009 was key to a deal between the Great Lakes neighbours to end the region's conflicts and ultimately to crush Hutu rebels. Rwandan and Congolese soldiers - including Nkunda's former men - then jointly turned their guns on the Democratic Forces for the Liberation of Rwanda (FDLR), a splinter group of Rwanda's former Interahamwe militia.

Rwanda connection

Laurent Nkunda Batware's life is intertwined with the history of the Tutsi in Rwanda and Congo. Nkunda was born in Congo as one of the sons of thousands of Tutsi's who fled Rwanda's ethnic persecutions in the 1960's. He studied psychology and was a school teacher before he took up arms. In 1993 he joined the Rwandan Patriotic Front's (RPF) rebellion against the Hutu regime in Rwanda. After the 1994 genocide, Nkunda was among the fighters who invaded Congo to rout Hutu extremists.

Nkunda stayed in Congo. He fought along with Laurent Kabila's rebels who overthrew Mobutu Sese Seko in 1997 but shifted sides to a Rwandan-backed militia - the Congolese Rally for Democracy (RCD)- during the country's back-to-back civil wars. He turned down a promotion to 'Général major' in the Congolese army (FARDC) because he believed it supported Hutu rebels. He then retreated with hundreds of his former troops to the forests of Masisi in North Kivu where he was said to have been protecting Congolese Tutsis from genocide.

Atrocities

Although Nkunda fought in both the Rwandan and Congolese conflicts, he first came to widespread notice when he led the brutal repression of an attempted mutiny in Kisangani in 2002, where more than 160 civilians were summarily executed. Two years later, he captured Bukavu, the capital of South-Kivu, where his men allegedly went on a killing spree, torturing and raping civilians. Human Rights Watch also reported that Nkunda's forces killed at least 150 people in Kiwanja in late 2008.

Kinshasa issued an arrest warrant for Nkunda in September 2005, charging him with desertion and war crimes.

The International Criminal Court (ICC) in The Hague has not publicly indicted Nkunda, but has opened investigations into the actions of his militia as the UN has accused his CNDP of serious human rights abuses, including sexual violence and recruitment of child soldiers during his five-year rebellion in eastern Congo.

The CNDP's current leader, Bosco Ntaganda, has been promoted to general in the Congolese army while he is wanted by the ICC for war crimes and crimes against humanity committed in Ituri.

Naharnet

Wednesday, 12 January 2011

March 14: No Settlement on STL's Expense, No Obstruction of Cabinet, No Manipulation of Stability



The March 14 General Secretariat noted on Wednesday its commitment to justice and the Special Tribunal for Lebanon. It stressed in a statement read by its coordinator Fares Soaid after its weekly meeting: "There can be no settlement or compromise at the expense of justice and the STL."

It expressed its opposition to the obstruction of the state institutions and support to Prime Minister Saad Hariri "because he did not arrive at his position through a settlement, but he became premier through the Lebanese' choice."

"The March 14 General Secretariat is committed to the peace and democratic measures to manage this political crisis and there can be no room for manipulating stability in Lebanon," it continued.

Addressing Progressive Socialist Party leader MP Walid Jumblat's recent statements from Bkirki, Soaid said: "We believe that he launched his initiative out of his keenness on Lebanon's stability and we encourage him to continue in this direction."

Regarding the possible resignation of opposition ministers from Cabinet, Soaid stated: "An attempt to impose a work schedule on the president and prime minister violates the constitution."

"No camp will benefit from violating political, constitutional, and moral political work," he added.

Commenting on the March 8 forces' announcement of the end of the Saudi-Syrian initiative, he said: "They have become adept at the obstruction of Lebanon's institutions after the obstruction of the national dialogue and Cabinet."