

**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.
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Charlestaylortrial.org (The Hague)

Wednesday, 19 January 2011

Sierra Leone: Upon Request by Defense Lawyers, Judges Will Convene Status Conference

Alpha Sesay

The Special Court for Sierra Leone judges in The Hague have ordered that a Status Conference be convened on Thursday, January 20, 2011 after a request was made by defense lawyers for former Liberian president Charles Taylor.

On Tuesday, January 18, 2011, Mr. Taylor's defense lawyers filed a "Defense Request for a Status Conference" in order "to review the status of the case."

"The Defense notes the outstanding matters which it submits are crucial to conclusively and properly litigating its case through the final brief," the defense application stated.

The "outstanding matters" relate to a notice of appeal and several motions that have been filed by defense lawyers including an effort to appeal a Trial Chamber decision on the "Defense Motion Requesting an Investigation into Contempt of Court by the Office of the Prosecutor and Its Investigators," a "Defense Motion to Recall Four Prosecution Witnesses and to Hear Evidence From the Chief of WVS [Witness and Victims Services] Regarding Relocation of Prosecution Witnesses," and "Defense Motion for Disclosure and/or Investigation of United States Government Sources Within the Trial Chamber, The Prosecution and the Registry, Based on Leaked USG Cables."

Prior, a scheduling order issued by the judges required both prosecution and defense to file their final trial briefs by January 14, 2011 in anticipation of hearing closing arguments from February 8 to 11, 2011. While prosecutors filed their final brief by the deadline, defense lawyers on their part failed to do so.

"The Defense acknowledges that it has yet to file a final brief. The Defense emphasises this decision was not made in deliberate disdain of the Court or its orders, and it was not intended to demonstrate any disrespect for the Court's authority. Instead, the Defense was guided by its professional duty to its client," defense lawyers wrote in their application.

Defense lawyers also stated that they had refused to accept service of the prosecution's final brief until such a time when they would have filed their own final brief.

On same Tuesday, January 18, Trial Chamber judges issued a decision in which they granted the defense request to convene a Status Conference.

In the decision, the judges stated that they were granting the defense request, "[c]onsidering that it is in the interest of justice to give the Defense an opportunity to explain why it failed to file its final trial brief on 14 January 2011, as ordered, and why it has refused to accept service of the Prosecution final trial brief."

The Status Conference is scheduled to take place at 2:00PM in The Hague, on Thursday, January 20.

Charlestaylortrial.org (The Hague)

Wednesday, 19 January 2011

Liberia: Judgment in the Charles Taylor Trial - Final Chance to Determine Responsibility for the January 1999 Attack On Freetown

Alpha Sesay

When Special Court for Sierra Leone Judges (SCSL) in The Hague delivers their final judgment in the trial of former Liberian President Charles Taylor sometime this year, it could be the final chance to determine responsibility for the January 1999 rebel attack on Sierra Leone's capital Freetown. Taylor is on trial for allegedly supporting Revolutionary United Front (RUF) rebels in Sierra Leone, a rebel group which attacked the country in March 1991, a war that would last for eleven years.

The January 1999 attack on Freetown occupies huge significance in the history of the conflict in Sierra Leone. For many, this event truly brought the world's attention to an otherwise forgotten conflict. Pictures on televisions of babies whose arms were amputated by rebel forces while under the protection of their parents showed the world that something serious was happening in that tiny West African nation. The January 1999 invasion also convinced the government of Sierra Leone that a military solution to the conflict was almost impossible. There was a need to negotiate with the rebels, thus leading to the signing of the 1999 Peace Agreement in Lome, Togo. This eventually led to the release of RUF leader Foday Sankoh, who had been incarcerated since 1997.

The scars of this attack exist in Freetown until this day. Amputees still roam the streets of Freetown as beggars, burnt houses still remain, and women still need medical help as a result of being raped by rebel forces.

This year, on January 6, I participated in radio programs to commemorate the events of that fateful day in 1999. Many civilians, including victims of the events of that day called into the radio programs and made contributions. A woman recounted how rebel forces poured petrol and set fire on her son even when she begged them to spare his life. She cried as she recounted her experience. A man called and explained how she lost family members on that day. Another called and spoke about how rebel forces burnt down his house, leaving him homeless. In the streets of Freetown, an elderly amputee wept as he explained how the rebels asked him to lay down his hand before it was chopped off by a rebel young enough to be his grandson.

Sierra Leoneans agree on the nature of the crimes committed on that day, but they cannot seem to agree on who committed these heinous acts.

Eleven years after this attack, debate is still hot among Sierra Leoneans as to who was responsible for the carnage meted out on innocent civilians in Freetown. To some people, the invasion was the work of RUF rebels, to others, it was the work of the Armed Forces Revolutionary Council (AFRC), a group of Sierra Leonean soldiers, who in 1997 overthrew the elected government of Sierra Leone and formed a junta government together with RUF rebels. When the AFRC junta was forced out of power by West African peacekeepers in 1998, they retreated to Sierra Leone's provincial towns. These renegade soldiers, some believe, were the ones who came back to Freetown on that fateful day.

There is still a school of thought with the belief that this invasion was a combined attack by the AFRC and RUF as part of a joint criminal enterprise to destabilize and take control of the territory of Sierra Leone. An influential voice among this group is the Office of the Prosecutor (OTP) of the Special Court for Sierra Leone.

During the trials at the SCSL, Prosecutors have led evidence in support their position. Through several witnesses, first in the AFRC and RUF trials in Freetown, and reechoed in the Taylor trial in The Hague, Prosecutors have maintained that this operation was a combined AFRC-RUF affair, with support from that man now on trial in The Hague, Charles Taylor.

Voice of America

Wednesday, 19 January 2011

UN Committee Against Torture Calls for Prosecution of Former Chad President

Anne Look



Photo: AFP

File photo taken on 21 Oct 1989 shows then-Chadian President Hissene Habre on an official visit in Paris

The U.N. Committee Against Torture is calling for Senegal to either prosecute former Chad president Hissene Habre for crimes against humanity or extradite him to a country that will. Habre has been under house arrest in

Dakar since 2000.

In 2006, the African Union called for Senegal to try Hissene Habre in the name of Africa. Senegal adopted laws that would allow it to do so, but the case continued to stall over funding.

That looked to be changing in November, when international donors meeting in Dakar pledged to fund an \$11.7-million trial budget presented by the African Union and the European Union. The Senegalese government, which had originally asked for \$36 million, said it would proceed with the trial as soon as it received all the funding.

It was therefore a surprise in December when Senegalese president Abdoulaye Wade told French broadcasters that he wanted to return the case to the African Union. Mr. Wade reaffirmed this decision to his Council of Ministers in a January 13 Cabinet meeting.

Mr. Wade's announcement stemmed from a November ruling by the court of West African regional bloc, ECOWAS, that Senegal alone cannot try Habre, but must instead try him in front of a special tribunal. In 2008, Habre had asked the ECOWAS court to block his trial in Senegal, citing violations of his rights.

In a letter dated January 12, the U.N. Committee Against Torture reminded Senegal of its "obligation" under the U.N. Convention against Torture to either prosecute

Habre or extradite him to Belgium, or another country that will try him.

Legal counsel Reed Brody is with Human Rights Watch in Belgium, which issued an international arrest warrant for Habre in 2005.

"It is not an African Union case. Habre is in Senegal. Senegal failed to prosecute in 2000 and 2001. It refused to extradite him to Belgium in 2005. It has got to do one or the other," said Brody.

In December, Mr. Wade told French media he planned to, in his words, "get rid of Habre." The president did not say where he planned to send Habre, but said he no longer excluded Belgium as an option, albeit less than ideal.

The former Chadian leader fled to Senegal after being deposed in 1990. He has since been accused of crimes against humanity and thousands of political killings and cases of torture during his eight years in power. He has been under house arrest in Dakar since 2000.

Human rights activists, like HRW's Brody, say a trial in Senegal would set a landmark legal precedent of African courts judging African rulers on the continent, but the priority now is to get the trial underway.

"Belgium has already put together an indictment. Belgium, we believe, would be ready to give Hissene Habre a fair trial. We have always wanted the trial to be in Africa. We think it would have greater symbolic value if it were in Africa, but I have to say that after twenty years the victims would be happy to see a fair trial for Hissene Habre anywhere," said Brody.

A Senegalese presidential spokesman was not immediately available for comment on the issue.

The African Union is scheduled to discuss the Habre case at its summit in Addis Ababa in Ethiopia at the end of this month.

Voice of America

Wednesday, 19 January 2011

Ivory Coast Mediator Says Presidential Deadlock May Not End Peacefully

The African Union's mediator in the Ivory Coast presidential crisis says sanctions or possibly force may have to be used to resolve the situation as he left the country Wednesday after failing to make progress toward ending presidential standoff.

Before Kenyan Prime Minister Raila Odinga left for Ghana, Angola and Burkina Faso to discuss the situation, he said time is running out to peacefully resolve the crisis.

During his time in the Ivory Coast, Mr. Odinga met separately with the internationally-recognized winner of the country's recent presidential election, Alassane Ouattara, and incumbent leader Laurent Gbagbo, who refuses to give up power.

Mr. Odinga blamed Mr. Gbagbo for a breakdown in the talks, saying he backed out of a promise to remove a blockade around the hotel serving as Mr. Ouattara's temporary headquarters.

Several West African countries have threatened to remove Mr. Gbagbo by force if he continues to refuse demands to relinquish power. However, Mr. Odinga said Monday that a military solution is the "last resort."

Tuesday, the United Nations Security Council postponed a vote on sending additional peacekeepers because of objections from Russia. However, the current security council president assured reporters the council would vote on the resolution on Wednesday.

Mr. Gbagbo has called for the withdrawal of all U.N. troops. And last week, pro-Gbagbo mobs attacked and burned several U.N. vehicles.

Voice of America
 Tuesday, 18 January 2011

Germany Opens First Rwanda Genocide Trial

Selah Hennessy



Photo: AP

Onesphore Rwabukombe, 53, is photographed by media as he waits for the beginning of his trial at a court in Frankfurt, central Germany, 18 Jan 2011

Germany's first trial related to the Rwandan genocide is underway with a former Rwandan mayor accused of ordering three Tutsi massacres. There are dozens of Rwandans accused of taking part in the genocide living in Europe.

Onesphore Rwabukombe is standing trial in Frankfurt accused of murder, genocide, and incitement to both.

The prosecutor Christian Ritscher charges Rwabukombe ordered the killing of more than 3,000 people during the Rwandan genocide. Ritscher said the Tutsis who were killed were seeking refuge in a church.

It is the first trial in Germany related to the Rwandan genocide.

A legal advisor with the London-based human rights group Redress, Jurgen Schurr, says it is crucial that European courts try suspected genocide suspects.

"These trials of course send the important signal that these countries do not accept to provide a safe haven to suspects of such crimes," said Schurr.

Schurr says the international policing organization Interpol has issued red notices for almost 100 Rwandans living in Europe who may have been involved in the country's genocide.

"A lot of them are living often under known addresses in European countries, such as particularly in France, in Belgium, but also in the United Kingdom, in the

Netherlands as well as in Italy, Germany, Denmark, Norway, Finland, and Sweden. So, we see that they are fairly widespread currently living in European countries," added Schurr.

Belgium and Norway have conducted genocide-related trials. But Schurr says many European countries are failing to investigate.

He says European courts need to overcome geographical and logistical challenges to make sure that justice is done in their country, at least until a future time when the suspects can be extradited to Rwanda for trial.

"Ideally these cases take place in the countries where the crimes have been committed, as this is where most of the evidence is located and as this is where the trial will have most of the impact on the society most affected," Schurr explained. "And if it is possible for Rwanda to guarantee a fair trial of these suspects they should be sent back to Rwanda."

Onesphore Rwabukombe was formerly mayor of a town in northeastern Rwanda. He moved to Germany more than a decade ago.

Rwanda's Prosecutor General Martin Ngoga has said he welcomes the trial.

IRIN

Thursday, 20 January 2011

KENYA: For and against the ICC



Photo: [Manoocher Deghati/IRIN](#)

An estimated 600,000 people fled their homes after the 2007 polls (file photo)

After the Kenyan parliament failed last year to form a special tribunal to try those suspected of bearing the greatest responsibility for post-election violence in 2007-2008, the International Criminal Court (ICC) was called in by the government. Some months later, its role has elicited debate.

An estimated 600,000 people fled their homes during the weeks of violence that followed the announcement of election results and more than 1,000 died. According to the UN Office for the Coordination of Humanitarian Affairs, at least 31,000 displaced people have yet to be resettled.

The Court has since named six prominent Kenyans and is evaluating the prosecutor's request to charge them. Established by the Rome Statute on 1 July 2002, the ICC has also conducted investigations in the Democratic Republic of Congo, Uganda, Central African Republic, Kenya and Sudan, and issued 13 arrest warrants in eight cases.

But some members of parliament are planning a motion for Kenya to withdraw from the ICC altogether. On 18 January, a campaign dubbed "Yes to ICC" was launched in Nairobi; four days earlier, a public debate was held where the pros and cons of ICC involvement generated heated discussion.

The panelists were researchers David Hoile and Stephen Morris from the United Kingdom, and Godfrey Musila and Myango Oloo from Kenya. The debate was moderated by Farah Maalim, deputy speaker of Kenya's parliament. Below are some of the key arguments raised:

In support of the ICC:

- The ICC was called in because the Kenyan parliament failed to endorse the creation of a local tribunal;
- The independence of Kenya's judiciary is questionable due to reported political influence and bribery. "Everybody knows how easy it is to pay to get rid of a fine after being caught without a seatbelt in a matatu [taxi]," said Oloo;
- The ICC could be a catalyst to institutional reforms that could address other crucial issues regarding Kenya's future, including poverty, inequality and education, Musila, an international criminal law expert, said;
- The Court could discourage impunity during the 2012 presidential elections. "If we have peace and a judicial process on its way, people would at least know that the question of justice is being looked at," added Oloo;
- By targeting Kenyan politicians, the ICC will discourage them from taking decisions that favour themselves.

Against the ICC:

- The ICC's presence in Kenya is a sign that the country's national justice system is incompetent. To Morris, it would be better to develop Kenya's own institutions without giving up sovereignty;
- The ICC's actions in Sudan and the Democratic Republic of Congo have so far not delivered reparations to victims. "Who is going to give the survivors justice? The ICC, miles away, using their own criteria? It's better to clean your own mess," Morris said;
- The court's legitimacy is questionable because it represents fewer than half the countries in the world and depends on the UN Security Council to define war crimes. "Almost 60 percent of the ICC's budget comes from the European Union. War crime perpetrators have not been charged in Iraq or Afghanistan," said Hoile, author of a number of publications on African affairs;
- The ICC could weaken Kenya's judicial institutions. "That is sub-prime justice... it can lead to a crisis if it is not properly addressed by each country with its own judicial system," Hoile said;
- Going for the ICC is giving up an opportunity for Kenyans to choose how to handle the matter. "It's a political and judicial price to pay, but Kenya has to make its choice by itself and decide how it wants peace and at which cost," said Hoile.

IRIN

Wednesday, 19 January 2011

Analysis: Jury still out on ICC trials in DRC

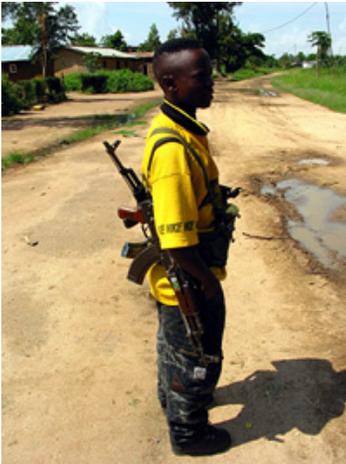


Photo: Anthony Morland/IRIN

A young member of Thomas Lubanga's rebel group in Bunia in 2003

Almost two years into the trial of Thomas Lubanga for war crimes by the International Criminal Court (ICC), several international justice experts and observers say the court has had a largely positive impact on the ground in the Democratic Republic of Congo, but some differ.

Indicted for enlisting, conscripting and engaging children in armed hostilities in eastern DRC in 2002 and 2003, Lubanga, alleged leader of the Union of Congolese Patriots and of the Patriotic Forces for the Liberation of Congo, was detained by the ICC in 2006. His trial began in January 2009.

Two other Congolese nationals, Germain Katanga and Mathieu Ngudjolo Chui, have been indicted on several charges, including using child soldiers. They were detained in 2007 and 2008, respectively, and their trial began in November 2009.

According to Mariana Goetz, programme adviser for REDRESS, a London-based legal/human rights NGO, the biggest impact of the trials has been that there is now “no doubt in eastern DRC about the fact that child soldiering is a crime. Previously people thought that children were doing military service that was somehow legitimized by the state of conflict.”

She attributed this awareness-raising effect primarily to the Lubanga case, which has garnered significant international attention as the ICC's maiden trial.

Radhika Coomaraswamy, UN special envoy for children and armed conflict, pointed to the “enormous impact” of the ICC indictments, which have driven home the message that recruiting child soldiers was a serious offence.

John Tinanzabo, a resident of Ituri, said the ICC had had a positive educational impact: “Several leaders have finally realized that they can be prosecuted for recruitment of children into the army.”

Others are not so convinced, however.

“The impact of the Congo trials will depend heavily on whether they result in successful prosecutions,” said Phil Clark, lecturer in comparative and international politics at the School of Oriental and African Studies at the University of London. “In Ituri, the prosecutor's strategy is seen more as fulfilling his own need to get fast judicial results than reflecting the magnitude of Lubanga's crimes.”

Deterrence

The deterrent effect of the cases has been more difficult to gauge, but anecdotal evidence suggests that at least some Congolese rebels voiced concern or modified their behaviour out of fear of being indicted and prosecuted by the ICC.

“Today many leaders of armed groups are afraid to engage in hostilities or recruit child soldiers [for] fear of being charged by the International Criminal Court,” said Nicolas Mateso, an ex-combatant in Ituri.

According to the 2010 Victims' Rights Working Group report, “the fear of the ICC, the improved knowledge that crimes should not go unpunished, and the fact that the international community is watching, have had a positive

effect on deterring the commission of further crimes”. Evidence to support this claim, however, is scant.

Another argument in support of the ICC trials suggests that survivors have benefited from having perpetrators brought to justice. Speaking in their personal capacities, John Washburn and Matthew Heaphy from the American NGO, Coalition for the ICC, noted that “victims very badly desire to have their story told”.

The ICC has also given survivors the right to participate in proceedings for the first time in the history of international criminal justice, which some analysts say is important for former child soldiers. But according to human rights lawyer Kate Cronin-Furman, survivors are “not a homogenous group” and have mixed feelings about the trials and those accused of war crimes.

Some former child soldiers interviewed by IRIN showed no interest in the trial. “For us what matters is harmonious reintegration into civilian life and the enjoyment of a good life,” said Alex Shukuru, formerly with the Congolese People's Army armed wing of the Congolese Rally for Democracy.

Criticism

Those sceptical of overall deterrence point to the way the ICC trials have unfolded and say the Court cannot target most war criminals. According to Cronin-Furman, punishment, in criminal law, “has to be quick, severe and reliable in order for deterrence to operate”. International justice, in contrast, is long, lacking in severity and “only a handful of people are indicted”.

Challenging the significance of awareness-raising, Dan Fahey, a visiting professor at California-based Deep Springs College, suggested that the potential negative effects of the trials could outweigh the positive effects of current and future warlords knowing that child soldiering is a war crime. “While Ituri is largely at peace now,” he said, the peace is “very fragile”.

“The impact of the Congo trials will depend heavily on whether they result in successful prosecutions”

Community elders in Ituri urged the ICC to also arrest those in power. “The ICC must also arrest members of the government who are implicated in various crimes in Ituri,” said Alex Losinu, a Lendu elder.

“The ICC trial has no deterrent effect because the real criminals are exempt from charges and are integrated in communities. Moreover, this trial is taking place thousands of kilometres outside Ituri. Elsewhere we know that the world tries to demonize Ituri as they arrested only Ituriens,” added Losinu.

Some observers say the ICC was a missed opportunity to build the local capacity of DRC's judicial system. “The ICC's actions have undermined the Bunia judicial system, which has made considerable strides since the beginning of the domestic reform process in 2003,” Clark said. “The ICC has also denied the local population the opportunity to witness the trials first hand.”

Fahey believes a hybrid court was a better option because it would “give the Congolese a stake in this”.

The justice system in DRC is severely limited, resulting in widespread impunity. “Ending impunity in the DRC isn't going to be addressed by the ICC on its own,” Goetz noted.

“The ICC is just one small brick contributing to the rebuilding of law and order in the DRC,” she added. “Ending impunity is a long-term issue for the Congolese to address with the help of the international community, given the involvement of both internal and external actors in the conflict.”

Washburn and Heaphy, on the other hand, said “the court has had to learn on the job in conducting these first cases which have inevitably raised procedural and legal issues not foreseen in the treaty establishing the Court and which have had to be resolved in numerous appeals”.

The Ituri conflict came to an end in 2007. According to Fahey, “people in Ituri are just very tired of war” and this partly explains why a delicate peace has endured in the region. But in the wider eastern DRC, conflict persists and so does the recruitment and use of child soldiers.

Ahram Online

Wednesday, 19 January 2011

<http://english.ahram.org.eg/NewsContent/2/8/4332/>

Special Tribunal to recommend UN sanctions for Lebanon

Saleh Naami

The Special Tribunal for Lebanon (STL) would ask Security Council to impose sanctions on Lebanon if the government failed to fulfill its international obligation, Israeli media reported.

“The Lebanese government is obligated to contribute 49 per cent of the international tribunal's cost, keep the Lebanese judges and extradite suspects to the court” a source close to the tribunal told Tid Dibka, an Israeli website specializing in intelligence.

The website cited the source who stressed that the agreement was signed between Lebanon and the court and is therefore a commitment by the Lebanese state itself and not a particular government – implying that any government which comes to power must fulfill this international obligation.

He added that US assistant Secretary Jeffrey Feltman has convinced the court to carry out trials in absentia for potentially indicted Hezbollah members if the Lebanese government refused to extradite them to the court. The Special Tribunal for Lebanon (STL) would ask Security Council to impose sanctions on Lebanon if the government failed to fulfil its international obligation, Israeli media reported.

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Radio Netherlands Worldwide

Thursday, 20 January 2011

The Hague welcomes successor of Yugoslavia Tribunal



The city of The Hague is pleased with a UN Security Council decision to locate the successor of the Yugoslavia Tribunal (ICTY) in the city.

The Dutch foreign ministry and city council lobbied hard to win the allocation. Mayor of The Hague Jozias van Aartsen said, "The Security Council's choice reaffirms The Hague's position as the international city of peace and law." It is not yet known which building will be used, when the new organisation, the Residual Mechanism, starts work on 1 July 2013.

The remaining duties of the International Criminal Tribunal of former Yugoslavia to be taken over by the new international organisation will include taking over cases of people who have been tried by the tribunal in absentia, handling requests to review cases, and supervising sentencing and considering requests for clemency.

The new organisation will also manage the archives of the ICTY. The archives of the Nuremberg trials and the Special Court for Sierra Leone are also located in The Hague.

Foreign Minister Uri Rosenthal welcomes the decision, "This means the Netherlands can make an important contribution to promoting international law and lasting peace in the Balkans."