

**SPECIAL COURT FOR SIERRA LEONE
OUTREACH AND PUBLIC AFFAIRS OFFICE**



PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office

as at:

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Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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HRC Observes Start Of War

The Sierra Leone Human Rights Commission (SLHRC) is today remembering, like many other Sierra Leoneans, the start of war in this country.

In a press release yesterday from the commission, it said today marks the day Sierra Leoneans heard the first gun shot that led to the brutal 11-year war in Sierra Leone.

"Twenty years ago on this day, March 23, 1991, Sierra Leoneans heard the first gun shot, fired by the Revolutionary United Front (RUF) at Bomaru, Kailahun District. This day marked the dark and brutal epoch in the history of Sierra Leone," the release stated.

"The HRCSL sadly recalls protracted civil conflict that followed and that thousands of Sierra Leoneans lost their lives, body parts, suffered sexual violence, displacement and mutilation and as well as loss of property."

According to the HRC, this terrible chapter came to an end when the Government of Sierra Leone and the RUF signed on the "The Lome Peace Agreement" on 7th July 1999, and that the war was finally declared over three (3) years later on January 18, 2002.

"Article XXVI, Lome Peace Agreement was called for the establishment of a Truth and Reconciliation Commission (TRC)," the release states.

In 2004 the TRC produced its report with recommendations, which are critical to cementing our fragile peace and consolidating our democracy. T h e

HRCSL acknowledges Government's efforts in implementing some of the recommendations of the TRC in its reform agenda. "HRCSL also notes that the Reparations programme has commenced and the Special Fund for War Victims was launched. Though these are positive steps aimed at cementing our hard earned peace, we should remain committed to putting in place mechanisms that will avert the recurrence of such atrocities against defenceless citizens of this country."

HRCSL however urges Government to ensure that peace is consolidated and sustained by implementing in full the recommendations of the TRC, particularly the Reparations programme and also calls on Government to view the implementation of this programme as urgent priority and ensure that the Trust Fund is dully recovered and sustained.

The HRC further urges Government and all Sierra Leoneans to continue to respect human rights and the rule of law to not only maintain its hard won peace and democracy but also to accelerate its development. "HRCSL hopes that we will not just observe this day for its sad memories, but as another opportunity to recommit to living in peace and harmony with one another."



RUF Indictees at the Special Court for Sierra Leone

Concord Times Online

Monday, 21 March 2011

Advocaid on Female Detainees' Advocacy

Ben Samuel Turay

Freetown — Executive director of AdcovAid - a civil society organization that advocates for justice, education and reintegration for female detainees and their children - is currently lobbying for female prisoners in the country. Speaking at an AdvocAid fundraising event to commemorate "Sierra Leone at 50th forward views from Behind Bar" held last Thursday at Oasis Juice Bar, Murray Town Road in the west-end of Freetown, Sabrina Mahtani said her organization was founded in 2006 with the aim of strengthening access to justice, including increased ability to claim rights for women and to empower them as active citizens through the provision of education, welfare and post-prison support.

"We provide access to legal representation, legal education, education, welfare support, post-prison support, advocacy on a local and international level," said Mahtani. The fundraising event was attended by over 100 people. Mahtani worked at the Special Court for Sierra Leone for a year and is co-founder of AdvocAid, which supports women in Pademba Road prison by carrying out regular monitoring activities, facilitating access to legal representation and organising legal education workshops at the Pademba maximum prison headquarters, Bo prison, Makeni and Kenema prisons.

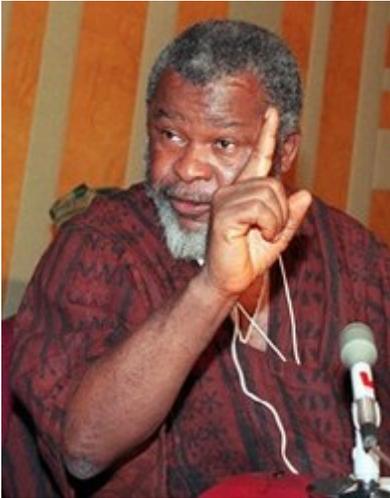
Sabrina said her organization was providing legal support, raising self esteem, increasing awareness of rights and procedures within the justice system, and giving some social support as well as basic literacy and numeracy skills to women who find themselves in the prisons.

Note: Sabrina Mahtani was a defence counsel at the Special Court.

Cocorioko

Tuesday, 22 March 2011

The RUF atrocities in retrospect: Can we exonerate the NPRC from facing justice?



Written by Joseph S. Sherman, Editor-in-Chief, New Daily Nation

Nothing can be right and balanced again until justice is won-the injured party has to have justice. Do you understand that? Nothing can be right, for years, for lifetimes, until that first crime is punished. Or else we would all be animals. Exonerating the NPRC from facing justice is depriving justice to the aggrieved people families of the 29 murdered in cold blood because of their political belief and tribal affiliations.

The January 1999 mission was code-named "Spare No Living Thing", and consisted of the murder, rape and mutilation of thousands of civilians. Other missions included "Operation Burn House" which was a series of arson attacks and "Operation Pay Yourself" which was a looting mission.

It is estimated that between 100,000 and 200,000 people (2-4% of the population) lost their lives during the war. An additional 100,000 or more were mutilated. Moreover, countless persons were displaced by the war. There is no single cause for the 11 year war in Sierra Leone, which began on March 23, 1991. The conflict started as a rebel incursion at Sierra Leone's border with Liberia. The RUF claimed responsibility for the uprising, declaring it was fighting against the corrupt middle-class in the capital, Freetown. Additional contributing causes include corruption, monopolization of power, and unequal distribution of wealth. The prominent human rights group, Human Rights Watch stated, the deep-rooted issues that gave rise to the war a culture of impunity, endemic corruption, and weak rule of law, crushing poverty, and the inequitable distribution of the country's vast natural resources.

The leader of the RUF was an ex-Corporal in the Sierra Leone Army ("SLA"), Foday Sankoh. The goal of the RUF was to overthrow the All People's Congress Party Government, headed by Major-General Joseph Saidu Momoh. While claiming they were liberating the people of Sierra Leone from Government corruption, the RUF began a reign of terror over them. No area of the country was spared. The rebels became notorious for hacking off limbs, predominantly of women and children. They conscripted children, often through coercion and drugs, to aid in the performance of atrocities. For instance, Musa Daboh was abducted when he was 13. The RUF made cuts in his leg and rubbed cocaine in before sending him into the front line. "Daboh says they were on drugs when they attacked the village [his home town Kabala], going on a firing spree, as humans 'were like chickens.'"

Rape and murder were widespread. “They stripped me naked and raped me in front of my husband. They told him to laugh in front of the children or he would be shot.’ [said Baindu] It didn’t matter. They shot him anyway, and their three children.” There was mass destruction of property and forced labor. Sahr Gbamanja saw the RUF burn his 13-year-old brother to death in their house. “The rebels, he said, tied people together in gangs and forced them to work or carry food and ammunition. Those who refused or were too weak to work had their hands cut off or were butchered.” These are just a few examples. A United Nations supported forensic team has uncovered more than 75 mass graves, which are exhumed after the final mapping of the sites took place. Additional information regarding how the bodies were killed should be available after the bodies are exhumed. The exhumation uncover atrocities that to date are unknown.

Articles 2 through 5 of the Statute outline the crimes that the Special Court has the jurisdiction to prosecute. These include: (i) Crimes against Humanity, (ii) Violations of Article 3 common to the Geneva Conventions of 12 August 1949 for the Protection of War Victims, and of Additional Protocol II thereto of June 8, 1977, (iii) Other serious violations of international humanitarian law, and (iv) Specific crimes under Sierra Leonean Law.

If the role of the Special Court in dealing with impunity and developing respect for the rule of law in Sierra Leone is to be fully understood, then prosecuting members of the NPRC who carried out extra judicial killings of 29 unarmed Sierra Leoneans without due process of law should be pursued by the government of Sierra Leone under its laws. This will send a message to Sierra Leoneans of all ages that the culture of impunity practiced by specific individuals will not be tolerated in Sierra Leone. The people of Sierra Leone need justice for the 29 people murdered in cold blood by the members of the NPRC and looting of state coffers that devastated their country. The most effective way for the people to reconcile with the past and start building a future is to see justice being done.

National Public Radio

Monday, 22 March 2011

After Liberia's Wars, A Forum For Forgiveness

Liberia's two civil wars killed nearly 250,000 people and pitted tribe against tribe, neighbor against neighbor and child soldier against parent. When the war officially ended and dictator Charles Taylor fled the country, Liberians began a long and painful process of reconciliation.

Agnes Fallah Kamara-Umunna found a way to help: She hosted a radio program in the capital, Monrovia, to promote reconciliation. On-air, former child soldiers apologized, women who were raped forgave their tormentors, and former warlords admitted crimes. She shares many of their stories, and her own, in her memoir, *And Still Peace Did Not Come*.

The stories of former child soldiers are especially poignant. Kamara-Umunna tells NPR's Neal Conan, that as a young woman, she witnessed the atrocities wrought by child soldiers firsthand. She followed her father, a doctor, to Tubmanburg Junction, north of Monrovia. Child soldiers huddled there with civilians displaced by the fighting.

A pregnant woman ran up to the Jeep Kamara-Umunna was sitting in, and died as she gave birth in the mud. And all around her, boys — the child soldiers, young and teenage — loomed.

Years later, Kamara-Umunna met one of the boys who was at Tubmanburg Junction, named Fofee Fofana. He told her he turned away from the dying woman to give her privacy. "But Foffee," she said, "Boys like you are the ones who *made* her suffer." She says he doesn't have a good reason for why he turned his face from that situation, when he could stand there and kill people, or witness killings.

Fofana appeared on Kamara-Umunna's radio show to discuss what it was like to be a child soldier — and a perpetrator of violence. She tried to understand what that scene meant to him as a fighter, and to her as a witness. "I tried to see what it means to him, when it comes to trauma and how he can reconcile his actions on that day."

It's a challenging process, she admits, but on her radio show she continually tried to see reconciliation from both the sides, that of the perpetrator and that of the victim.

Another former child soldier, George, admitted to her that he'd done terrible things, but that he wanted to turn his life around, go to school and become a carpenter. But at the school, he discovered one of the women he'd injured as a young man was a teacher.

Agnes Fallah Kamara-Umunna lives in New York City, where she records the stories of Liberians living in the U.S.



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"It's so hard for you to go back after the war, and you as a victim to see your perpetrator and say, 'Can I allow this person to be in my school? Or can I ... sit down and talk to this person?' ... It's a difficult spot." So on her show, she sometimes tries to ask the perpetrator how he'd feel if the situation were reversed, or if the same atrocities had been committed against his sister or mother.

"Sometimes," she says, "they bust out crying."

"Reconciliation is a huge word — people use it around the world, but everybody have a different meaning to it," she says. But to Kamara-Umunna, there's no one definition, or one way to bring it

about. "We have to sit down and think about it within ourselves: What does it mean to me? And what does it mean to you?"

Child soldiers were often abducted, as young as two-years-old, and drugged. "You have to make people understand these boys are victims, and they became perpetrators," she says. "Are we just going to abandon them?" She brings everyone to the radio, she says, "to talk about these issues."

Human Rights Watch

Tuesday, 22 March 2011

Senegal: Accept AU Plan for Hissène Habré Case

African Union Proposed Special Court for Long-Awaited Trial of Chad's Ex-Dictator

Senegal should accept an African Union (AU) plan for the trial of Hissène Habré during discussions set for March 23 and 24, 2011, in Addis Ababa, a coalition of human rights organizations said today in a letter to Senegal's president.

The African Union, which called at its summit in January for an "expeditious" start to a long-delayed trial, invited Senegal to the Ethiopian capital to discuss an AU proposal to try the former Chadian dictator before a special court within the Senegalese justice system whose president and appeals chamber president would be appointed by the AU. The Senegalese delegation to the talks will be led by Justice Minister Cheikh Tidiane Sy.

Habré is accused of thousands of political killings and systematic torture when he ruled Chad, from 1982 to 1990, before fleeing to Senegal. Senegal has raised one objection after another to bringing him to trial, while refusing to send him to Belgium, which sought his extradition in 2005.

"Senegal has two choices," said Assane Dioma Ndiaye, Président of the Senegalese League for Human Rights. "Either it accepts the African Union plan and begins proceedings against Habré right away, or it extradites Habré to Belgium. It would be a shame if Africa could not meet this challenge when everything is set for an African country to provide a fair trial for any crimes committed in Africa."

President Abdoulaye Wade of Senegal said recently that he was "returning" the case to the AU, and Foreign Minister Madické Niang has called for the establishment of an international tribunal to prosecute Habré.

The letter to President Wade was signed by the Association of Victims of Hissène Habré's Regime, the Senegalese League for Human Rights, the African Assembly for the Defense of Human Rights, Acting Together for Human Rights (Agir Ensemble pour les Droits de l'Homme), and Human Rights Watch. The letter warned that it would be impossible to finance an international tribunal, and that any attempt to create an ad hoc tribunal along the Sierra Leone or Rwanda models, or to add significant international staff to the AU proposal, would be seen as a way of "burying the case."

Last Friday, the United Nations High Commissioner for Human Rights Navi Pillay, also told President Wade that the Habré trial should begin "as soon as possible," and that if Senegal could not begin the case quickly, it should extradite Habré to Belgium.

Background

Habré ruled Chad from 1982 until he was deposed in 1990 by President Idriss Déby Itno and fled to Senegal. His one-party regime was marked by widespread atrocities, including waves of campaigns against various ethnic groups. Files of Habré's political police, the Documentation and Security Board (Direction de la Documentation et de la Sécurité, DDS), which were discovered by Human Rights Watch in 2001, reveal the names of 1,208 people who were killed or died in detention. A total of 12,321 victims of human rights violations were mentioned in the files.

Habré was first indicted in Senegal in 2000, but then Senegalese courts ruled that he could not be tried there. His victims then turned to Belgium, and after a four-year investigation, a Belgian judge in September 2005 issued an arrest warrant charging Habré with crimes against humanity, war crimes, and torture, and requested his extradition.

Senegal then asked the African Union to recommend a course of action. On July 2, 2006, the AU called on Senegal to prosecute Habré. Wade accepted, but refused to proceed for several years, until Senegal was provided with money to finance the trial. On November 24, 2010, international donors met in Dakar and agreed to fund the US\$11.7 million budget for the trial.

Before the donors' meeting, the Court of Justice of the Economic Community of West African States said that Habré's trial should be carried out by "a special ad hoc procedure of an international character." That decision has been severely criticized by the Journal of International Criminal Justice, the American Society of International Law, and the President of the Irish Section of the International Law Association.

The AU responded to that decision by proposing the creation of a special court within the Senegalese justice system with the presidents of the trial court and the appeals court appointed by the AU. The court would prosecute the person or persons "who bear the greatest responsibility" for genocide, crimes against humanity, war crimes, and torture committed in Chad from June 1982 to December 1990.

In July 2010, Archbishop Desmond Tutu and 117 groups from 25 African countries denounced the "interminable political and legal soap opera" to which the victims had been subjected over 20 years.

For more information on the Habré case, please visit:

- <http://www.hrw.org/en/habre-case>
- <http://fidh.org/-Hissene-Habre-Case->

Hirondelle News Agency

Tuesday, 22 March 2011

Cross examination of French investigator postponed for seven days

The International Criminal Tribunal for Rwanda (ICTR) Tuesday was compelled to postpone cross examination of Fernand Batard, Chief Investigator and witness in the defence case of former Rwandan Youth Minister, Callixte Nzabonimana for failure of the defence to disclose relevant evidence material to prosecution.

"The Trial Chamber notes that the duty to disclose exculpatory materials falls on all the parties. This duty was breached in this case by the defence. For the interest of justice we give the prosecution seven days to investigate the allegations," Presiding Judge Solomy Balungi Bossa ruled.

The Chamber scheduled cross examination for this French witness to commence on March 29 and at the meantime other defence witnesses would continue giving their evidence.

The ruling followed a motion presented by Prosecution Attorney, Paul Ng'arua before the Chamber asking adjournment of cross examination of Batard's evidence, alleging that he testified on matters in which the prosecution was never put on notice as required by the law.

The issues in question included allegations that the defence team was spied upon by the Rwandan authorities while on official duty in Rwanda, detention of Batard at Kigali airport in July, 2008 for 19 hours as he tried to enter the country for the investigation in Nzabonimana trial and setting up of special Gacaca court in Kiyumba sector, Gitarama prefecture to intimidate Nzabonimana's witnesses.

According to Ng'arua, the other point he asked to investigate before cross examining the witness was allegation about manipulation of defence and prosecution witnesses at Gitarama prison by the Rwandan authorities so that witnesses could give testimony against former leaders in power during genocide in 1994 and in return they received reduced sentence.

"We need to investigate all these issues. The defence counsel could have brought these allegations to our attention but he failed to do so. We ask 10 days adjournment to investigate these matters," Ng'arua suggested though the Chamber granted him seven days.

The Chamber then continued with the testimony of another defence witness.

The accused is facing five charges of genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, extermination and murder. He has denied the charges.

NI/FK/ER/GF

Agence France Presse

Wednesday, 23 March 2011

Bosnia war crimes trial ends in Stockholm

As the trial of a Swede of Bosnian origin accused of committing war crimes came to a close on Tuesday, the Swedish prosecutor requested eight years in prison.

The trial of 44-year-old Ahmet Makitan, which began in October, ended Tuesday with the defence lawyers' statements, the Stockholm district court confirmed.

According to news agency TT, the verdict is due on April 8th.

Makitan has been charged with "aggravated war crimes and abduction," and stands accused of torturing Serb prisoners, including civilians, between May and August 1992 during the war in the former Yugoslavia, court documents showed.

Some 20 witnesses took the stand during the five-month trial.

The accused was 25 at the time and allegedly committed the crimes while working as a guard at the Dretelj detention camp in southern Bosnia near the Neretva river, which divided Serb and Bosnian-Croat forces at the time.

"He should not be charged with war crimes, because he was only a foot soldier and did not know of the overall ethnic cleansing plans," defence lawyer Ola Salomonsson argued.

"He admitted only (the accusations of) abuse and molestation and those crimes are prescribed," he said, according to TT.

Makitan, who was born in Bosnia Herzegovina but obtained Swedish nationality in 2006, was arrested at the beginning of January in the northern Swedish town of Sollefteå where he lived with his family.

Sweden opened a probe on the matter in 2008, receiving assistance with the investigation from a number of countries as well as the UN International Criminal Tribunal for the former Yugoslavia in The Hague.