

**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, 24 March 2011

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

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The Miscellany News

Wednesday, 23 March 2011

<http://www.miscellanynews.com/2.1576/rapp-delivers-lecture-on-war-crimes-international-law-1.2>

Rapp delivers lecture on war crimes, international law

By Breanna Amorde



U.S. Ambassador-at-Large for War Crimes Issues Stephen J. Rapp spoke on Tuesday, March 1 in Sanders Classroom about his experience advocating for victims of genocide all throughout the world. Rapp's presentation was the annual Mildred C. Thompson History Lecture, which honors a Vassar alumna from the class of 1903 who went on to be a professor of history and a dean at Vassar.

The importance of the victims was emphasized throughout Rapp's lecture. He began speaking by stating that the main focus of his office is to achieve justice for the victims, saying, "If justice doesn't have meaning to them, then it's just an obscure concept." He was so deeply disturbed by crimes against humanity because its victims suffered not by acts of nature, but by acts of men. He went on to describe the encounters he has had since taking his position as Ambassador-at-Large.

Rapp explained that the Nuremberg trials served as a template for prosecuting war crimes; however, he noted that it was not until the 1990s that international courts took up the challenge of prosecuting such crimes. Rapp explained that the power struggles and arms races of the Cold War prevented the advancement of global peacekeeping movements.

In 1994, following the Rwandan genocide, another tribunal was established. There weren't many high expectations. But, as Ambassador Rapp stated, it offered some hope. Though it was difficult to get these countries to cooperate, Rapp explained that influential countries made it a point to refuse aid to those that did not comply with the UN tribunals, and so there were results. The Rwandan tribunal, with Rapp's help, brought over 200 people to trial for their actions during the genocide.

Ambassador Rapp went on to work in the Special Court for Sierra Leone, where, he said, "the courts exceeded expectations in regards to how people were charged." He also stated that the law, in regards to war and genocide actions, was changing. The ambassador was able to set precedents for charges that were still undefined in international law. For example, the Special Court set a charge for conscripting child

soldiers, then convicted five offenders. The Court also worked on defining rape, as well as forced marriage and sexual slavery, as crimes against humanity.

Rapp returned to the victims. "What does it mean to the victims? Did it [justice] mean anything?" The ambassador recalled the words of a Rwandan man who had lost most of his family in the genocide: "I never thought that those who were so far [referring to status] and put this hate forth, that they would face justice. This is the greatest day of my life."

Concluding his lecture, Rapp asked, "Where are we in international justice?" Is the International Criminal Court (ICC) the future for international justice? Rapp believes—from the United States' point of view—it is, especially under the current administration in the White House.

Though the United States is not a member, it has assisted the courts and Rapp believes it has made them more effective. Rapp pointed to Libya as an example of the possible circumstances in which the courts will exert influence, with the continued help of the United States.

The ambassador was quick to warn that the ICC is not the only answer. It is the national justice system in each and every country as well as the ICC that is meant to work together for international justice. Ambassador Rapp's final comment again referenced the important role of the victims: "We owe it to these victims ... and fundamentally, we owe it to all humankind to seek justice."

World Politics Review

Thursday, 24 March 2011

The United States' Evolving Stance on the ICC

Robbie Corey-Boulet

For observers and advocates of the International Criminal Court (ICC), the Feb. 26 U.N. Security Council resolution imposing sanctions on Libya was nothing short of a breakthrough: It marked the first time a decision to refer crimes to the ICC was backed by all members -- including the United States, which has been openly hostile to the court for much of its existence.

Three weeks later, the U.S. showed support for the ICC yet again, albeit less publicly. During informal talks at the Security Council on March 18, a Kenyan delegation lobbied for a one-year deferral of two ICC cases stemming from the country's 2007-2008 post-election violence that claimed more than 1,000 lives. High-ranking Kenyan politicians have been named as suspects in both cases, and the delegation argued that the court's actions jeopardized "international peace and security." But the U.S., joined by France and the U.K., steadfastly opposed the deferral bid, effectively killing its chances. ...

The Daily Star (Lebanon)

Thursday, 24 March 2011

Beirut has not yet paid STL dues for 2011

‘We look forward to receiving the money, which the state is obliged to pay under Chapter 7’

By Michael Bluhm

BEIRUT: Lebanon has not yet paid its roughly \$32-million share of the 2011 budget of the Special Tribunal for Lebanon (STL), while the potential ascension to power of a March 8-led government could throw the country’s funding for the court into question.

“The STL has not received a contribution from the government of Lebanon in 2011,” tribunal spokesman Crispin Thorold told The Daily Star Wednesday.

Because of the numerous layers of bureaucracy in moving the court’s budget through various U.N. bodies, U.N. Secretary-General Ban Ki-moon sent the request for this year’s funding last month, Thorold added. The tribunal’s management committee approved this year’s \$65.7-million budget in mid-November last year.

The Finance Ministry did not respond to repeated requests for comment on the matter.

Lebanon has agreed to pay 49 percent of the tribunal’s costs for the first three years of its operations, but differences over support for the STL largely led to the toppling of caretaker Prime Minister Saad Hariri’s government in January.

Prime Minister-designate Najib Mikati was nominated by politicians siding with the Hezbollah-led March 8 alliance, and Hezbollah leader Sayyed Hassan Nasrallah has said the court is part of a U.S. and Israeli conspiracy to weaken the group, and he called on all Lebanese to boycott any cooperation with the tribunal.

The STL, meanwhile, has taken the position that Lebanon must continue cooperating with the tribunal because the court was founded by the U.N. Security Council with the authority of Chapter VII of the U.N. Charter; this provision mandates that all U.N. member states must provide “assistance” in carrying out the decisions of the Security Council.

Concerning Lebanon’s 2011 share of the STL budget, tribunal spokesman Thorold said: “We look forward to receiving the money, which the Lebanese state is obliged to pay under Chapter VII of the U.N. Charter.”

Should Lebanon fail to comply with the court’s requests for cooperation, the Security Council would have the authority to slap sanctions on Lebanon.

A spokesman for MP Michel Aoun’s Free Patriotic Movement outlined the March 8 bloc’s opposition to the tribunal, saying he doubted the court’s neutrality and credibility, although he stopped short of stating that the party would not allow Lebanon to continue financing the U.N.-backed court.

“The tribunal has to prove some more objectivity,” said Wassim Hnoud, head of the party’s department of internal communication.

“We don’t see much neutrality coming from the tribunal. It has lost a lot of credibility.”

Hnoud said the court’s legitimacy was undercut because its cooperation agreement with Lebanon was signed when the rival March 14 camp alone controlled Lebanon’s government.

“It was not founded in a consensual way,” he said.

In addition, the FPM representative said the court’s work had paralyzed Lebanon; the squabbling political camps were never able to resolve their differences over the issue of how to pursue the so-called false witnesses – those who gave testimony to U.N. or Lebanese investigators that was later judged to be unsubstantiated.

Hnoud also said the STL had lost credibility by holding for years and then freeing without charges four generals who headed Lebanon’s security services when former Prime Minister Rafik Hariri was assassinated in February 2005.

Hnoud added that the tribunal was, in the end, unnecessary and hypocritical, after the international community was not roused to take any similar action during or after Lebanon’s 1975-90 Civil War.

The creation of the STL “was absolutely not warranted under any circumstances,” he added. “This also adds to us doubting the credibility of the tribunal.”

Retired Gen. Elias Hanna, who teaches political science at various universities, said that any government formed by Mikati would have to cut off Lebanon’s cooperation with the tribunal, including the funding, because of Hezbollah’s leading role in changing the country’s cabinets.

“Would Hezbollah accept being in the government and financing [the tribunal]?” Hanna asked. “It’s not doable. How can [Mikati] finance it – in order to indict Hezbollah? It’s not logical.”

Should Lebanon not provide its share of the tribunal’s budget, the international community could without much strain gather an extra \$32 million for the STL, Hanna said.

Court spokesman Thorold said donors had been giving “very positive” reactions to requests for funding.

Eurasia Review

Thursday, 24 March 2011

Senegal: Calls To Accept AU Plan For Hissène Habré Case

Written by: Eurasia Review

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 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

Senegal

“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.

Habre 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. Senegal 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.