

**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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## Free African Media

Friday, 25 March 2011

### Photojournalist Gregory Stemm on living and documenting the war in Liberia

By MICHAEL KEATING



*Main photo: Killing fields of NPFL in Payn*

Gregory Stemm had some narrow escapes covering the civil war in Liberia. Even though he now lives in the US, he admits to still hearing bullets flying over his head. Stemm hopes that his recently published book, "Liberia: When Darkness Falls", will be widely distributed in his home country - so that people remember what they've lived through.

**MK:** Where did you learn your craft?

**GS:** I studied photography in high school. I also trained at the ministry of information and the US embassy.

**MK:** What was your first job as a photographer?

**GS:** I was hired as a sports reporter at the Daily Observer. I loved sports, but because I was junior, I didn't cover football, but ping-pong, basketball and boxing.



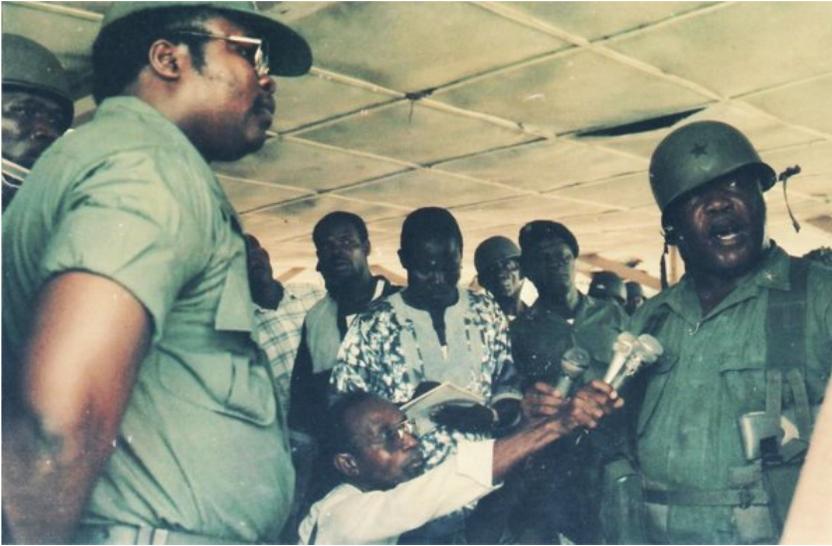
*Photo: Living skeletons of people in Bomi's humanitarian crisis.*

**MK:** Did you take to the work right away?

**GS:** Oh yes. I loved all the technical parts of photography. I loved working with the chemicals in the darkroom. Originally I wanted to be an artist, but the work of a photojournalist looked really exciting.

**MK:** When did things start to change?

**GS:** In the 1980s when Samuel Doe came to power (via a military coup) everything changed; then one day the editor of the Daily Observer came to me and said he wanted me to cover a speech Doe was giving. So I went to the mansion and shot five rolls of Doe.



*Photo: Frontline commander brigadier Gen. Edward Smith, of the armed forces of Liberia, briefs Commander in Chief Samuel Doe on current military activities against the NPFL rebels.*

**MK:** So that was a move from a sports reporter to political reporter. When did the shift to war reporter take place?

**GS:** Oh, that was in 1990 when the crisis began, when (Charles) Taylor (and his National Patriotic Front of Liberia) crossed into Liberia from

Cote d'Ivoire. It was also when I started working with Elizabeth Blunt of the BBC. My editor told me to take care of her while she did her work in Liberia. It was me and Maureen Sieh, another Liberian reporter who now lives in the US.

**MK:** What happened when Prince Johnson took over Monrovia? (The rebel leader, now a senator, had initially been part of the NPFL, but formed his own faction – the Independent National Patriotic Front of Liberia, after an internal power struggle. After his supporters executed Doe in 1990, Johnson briefly claimed the Liberian presidency. - Ed)



**GS:** It was really tough for the media. Most of the major dailies were closed, but we started a small paper called the Torchlight. I used equipment that I had bought off the street from Johnson's soldiers, who had looted a photographic shop. I set up a makeshift darkroom in my father's house.

*Photo: Photo left: Prince Y. Johnson leader INPFL. Photo right: One of the common features the war was the Amputation of people's Arms and Limbs by combatants. This 14 year old is one of many victims.*

**MK:** Did you have any close calls when working with Blunt?

**GS:** (In 1990) we were at the port when Doe came to visit the Ecomog (Economic Community of West African States Monitoring Group) commander. When Johnson's men came we had to hide behind the containers. There was a lot of screaming and shouting and we really didn't understand what happened until the next morning when I saw Doe's body in a wheelbarrow. It was really a shock to see someone so powerful brought so low. At that point Prince Johnson said that the war was over, but it was really just the beginning

**MK:** When did you first meet Charles Taylor?

**GS:** I met him in 1991 in Gbarnga at his headquarters. It was very strange because he had all the trappings of being the president, but he wasn't the president.



*Photo: Deputy force commander of Ecomog, presents the flag of the peace keepers to NPFL rebels high military officer, Isaac Musa during one of the peacekeepers' confidence building visits into the rebels' controlled areas.*

**MK:** How did Taylor treat the media?

**GS:** At first he loved the media, especially the cameras. He had his own media around him at his headquarters. He also loved the foreign media. He was always calling the BBC and Radio France but by 1998 he was banning the independent media and singling out journalists he didn't like.

**MK:** How did he feel about you?



**GS:** At first it was okay, but then he got uncomfortable with me because I hung out a lot at the American embassy. There were a lot of foreign and Liberian journalists who worked over there.

*Photo: Rebel militias of the NPFL riding the trunk of a seized vehicle.*

**MK:** Do you think the international media had a good fix on Taylor?

**GS:** No. They got it all wrong. They never saw the terrible things Taylor was doing.

**MK:** The first time I saw your photos was in the very popular book “The Mask of Anarchy” by Stephen Ellis. However, you are not credited for the photos in that book. What happened?

**GS:** A friend of mine introduced me to Ellis because he was looking for photos for his book. When it came time to publish my friend warned me that if I was associated with the book, which was very critical of Taylor, it would be bad for me. It turned out that Taylor was very unhappy with that book and vowed to get even with people who had co-operated with Ellis.

**MK:** Is that why you left Liberia?



*Photo: President Doe visits the war front in Nimba in the early days of the war against Charles Taylor's rebels.*

**GS:** I vowed to stay in Liberia until the end even though the threats against me were growing. The people at the American embassy were telling me to leave. They had even organised a visa. The final straw was when we reported that the Lurd (Liberians United for Reconciliation and Democracy) rebels were on the march to Liberia when Taylor’s people were denying it. (This was in 2003.) That report was pretty much the last straw for me.

**MK:** Were you surprised that Taylor ended up the way he did? (Taylor is currently on trial at the Special Court for Sierra Leone in The Hague on charges of war crimes and crimes against humanity. - Ed)

**GS:** No.

**MK:** Did the Truth and Reconciliation Commission of Liberia use your photos?

**GS:** Yes. I prepared an album that was presented as part of a friend’s testimony.

**MK:** What was the last photo you took in Liberia?

**GS:** Two child soldiers manning a Lurd roadblock.



*Photo: Election day in Liberia, 19 July 1997.*

**MK:** What were you thinking?

**GS:** I was thinking that those kids should have been in school.

**MK:** What would be your advice to an aspiring young war photographer?

**GS:** You have to be very brave. You are going to experience some very difficult things. I can still hear the sounds of bullets passing over my

head.

*Watch: Greg Stemm interview (Mikail Mihailovich)*

**MK:** What do you think about the recent events in the Middle East and North Africa?

**GS:** I am so happy to see Gaddafi starting to fall. People don't remember the Libyan connection in Liberia. It was Gaddafi who supported Taylor. Gaddafi is responsible in part for the destruction of Liberia.

**MK:** What's next? What would you like to accomplish with your book?

**GS:** I would like to get a lot of copies to Liberia. The people have to remember. There is a prison where journalists used to be kept during the Doe years. I would like to see them turn that prison into a museum of remembrance. I would donate all my pictures if they did that. **FAM**

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## Radio Netherlands Worldwide

Thursday, 24 March 2011

### ICC hears first defence witness about Bogoro massacre

*By Thijs Bouwknecht*



The Hague, Netherlands

It is far from concluded that the first murder trial before the International Criminal Court (ICC) will lead to a conviction of Germain Katanga. That is the firm conviction of the lawyers of the youngest ever suspect in the dock in The Hague.

Lawyers on Thursday began the defence phase of the 32-year-old Katanga, nick-named "Simba" (lion in kiswahili). He's been on trial at the ICC since November 2009.

There are two Congolese former militiamen in the dock, both dressed in neat suits: the court's youngest suspect, Germain Katanga and Mathieu Ngudjolo Chui. Prosecutors allege the two men's militia orchestrated the massacre of more than 200 civilians in Bogoro, a small town in the Ituri province of the Democratic Republic of Congo (DRC). They called 26 witnesses to prove the two suspects' involvement, among them former child soldiers and women who were sexually abused.

But the defence, led by British barrister David Hooper, will challenge the credibility of these prosecution witnesses, claiming most of them are indirect. They will call 23 witnesses including Katanga himself, who denies he has committed a range of war crimes and crimes against humanity in Ituri.

Ituri has been one of the bloodiest areas of the DRC. Since 1999, up to 100,000 civilians have been slaughtered in a conflict rooted in ethnic rivalries, primarily between the Lendu and the Hema ethnic groups. In the battle for Ituri's mineral riches, a myriad of armed groups have been implicated in massacres, torture and rape.

Thomas Lubanga Dyilo was the first to be brought to the ICC in The Hague. He has been in the dock for using child soldiers in his Hema militia, the Union of Congolese Patriots.

But since November 2009, his former rivals Katanga and Ngudjolo have also been in front of the same court. They respectively led the Nationalist and Integrationist Front and the Patriotic Resistance Force, both fighting for the Lendu.

They face charges for their alleged involvement in the Bogoro massacre.

### **Bogoro massacre**

In the early morning of February 24th 2003, their militia entered the village and attacked Hema civilians. “They used children as soldiers. They killed more than 200 civilians in a few hours. They raped women, girls and the elderly. They looted the entire village and they transformed women into sexual slaves,” prosecutor Luis Moreno Ocampo told the court at the opening of the trial in 2009.

“Some were shot in their sleep, some cut up with machetes to preserve bullets. Others were burnt alive after their houses were set on fire by the attackers,” he added.

“Undoubtedly, there was an attack on Bogoro that day and excesses were committed”, Katanga’s lawyers replied. However, said David Hooper, “those excesses were not committed by Germain Katanga.”

### **Other atrocities**

Human rights organisations say Katanga was involved in other atrocities as well. His militia allegedly attacked the Nyakunde hospital in September 2002, killing at least 1,200 Hema. He is also said to have led his group during attacks in Bunia and Komanda. Eyewitnesses say Katanga’s men carried severed hands through the streets and ate their victims’ livers and hearts.

These incidents, however, are not included in the ICC charge sheet. By restricting the investigation to the atrocities committed in Bogoro, the prosecutors were able to investigate multiple charges instead of spreading resources thinly over various crime scenes. As a result, the two men face charges of, inter alia - murder, using child soldiers, pillage, rape and sexual slavery.

### **ICC’s first murder trial**

Katanga was arrested by the DRC after an attack that killed nine United Nations peacekeepers in 2004. He was held on charges of war crimes but never saw the courtroom in Kinshasa. Instead, the ICC brought him to The Hague in 2007 where he unsuccessfully tried to have his case returned to the DRC.

Ngudjolo, meanwhile, was granted a general amnesty by the DRC in exchange for the demobilisation of his troops in 2006. Two years later, however, the ICC indicted him and he was transferred to The Hague to stand trial.

The Katanga case was the ICC’s first murder trial - since Lubanga only faces charges of using child soldiers - but it is also the last Ituri trial. ICC Chief Prosecutor Luis Moreno Ocampo said in July 2009 that the court had no more investigations in the province and he is now focusing on atrocities committed in the Kivu region.

### **Other Congo cases**

The DRC has so far been the ICC’s most productive hunting ground. Four prisoners at the court’s detention centre in the Netherlands are Congolese.

The court’s third trial involves the country's former vice president, Jean-Pierre Bemba Gombo whose rebel group allegedly committed atrocities in the Central African Republic. While it was President Kabila who invited Ocampo to investigate crimes in his country, Kinshasa still refuses to arrest the ICC’s most wanted fugitive, Bosco Ntaganda and has even promoted him to General in the Congolese army.

Another suspect – Calixte Mbarushimana from Rwanda – might go to trial later this year for crimes his FDLR militia – a group of former Rwandan génocidaires - committed in eastern Congo. He was arrested in France last year and brought to The Hague in January.

## Hirondelle News Agency

Thursday, 24 March 2011

### **"Special deposition does not amount to trial in absentia"**

The International Criminal Tribunal for Rwanda (ICTR) which is going to conduct this year "special deposition" in order to preserve prosecution evidence against three accused still at large, in a ruling, explains that this procedure does not amount to trial in absentia.

Those hearings will be conducted under rule 71 bis adopted in May 2009 at the Plenary Session of ICTR Judges.

Among the three accused concerned is Félicien Kabuga presented by the prosecution as the main financier of the 1994 Tutsi genocide.

In his submissions, Mr Bahame Tom Nyanduga, Duty Counsel representing Kabuga's interests at the stage, had claimed that the procedure violates the rights of the accused to a fair trial.

"In the Chamber's view, it needs to be clearly emphasized that Rule 71 bis procedure does not amount to a trial in absentia", reads part of the decision. "An important distinction between this procedure and a trial is that the single Judge presiding over these proceedings will not have the powers to enter a verdict of guilt or innocence, and cannot make decisions regarding the admissibility or the weight of the deposition evidence," the tribunal further says.

"It will be for a future Trial Chamber, acting within the confines Rule 71bis (O), to decide the admissibility of evidence recorded and preserved through the Rule 71 bis procedure," according to the Tribunal.

Although Rule 71 bis does appear to impose some limitations in the accused's fair trial rights, the Tribunal further said, it is worth noting that a future Trial Chamber would be able to assess the relevance and probative value of the preserved evidence.

The future judges will take "into consideration the rights of the accused and the fact that the Duty Counsel cross-examining the witness during the special deposition did not receive instructions from the accused and was not Counsel of the accused's choice," it added.

Rule 71 bis states, among others, that "if within a reasonable time, a warrant of arrest has not been executed, the Prosecutor may submit a request to the President that evidence relating to the indictment be preserved for a further trial by special deposition recorded in a proceeding conducted by a single Judge."

According to sources inside the ICTR, Kabuga has been carrying out prosperous business in Kenya. The two other accused targeted for preservation of prosecution evidence are former minister for Defence Augustin Bizimana who is said to be hiding in RDC and former Commander of the Presidential Guard Major Protais Mpiranya who may be hiding in Zimbabwe.

For the prosecutor, Hassan Bubacar Jallow, the three are key suspects among the 10 accused still on the run. He fears that evidence against them may be lost or deteriorate due to the passage of time, death and incapacity of unavailability of witnesses later on.

Special deposition will be conducted in closed session.

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## Hirondelle News Agency

Wednesday, 23 March 2011

### **American lawyer fears to travel to ICTR headquarters**

American lawyer, Peter Erlinder, lead defence counsel for genocide-convict, Major Aloys Ntabakuze is reportedly worried to travel to Tanzania to the International Criminal Tribunal for Rwanda (ICTR) for the appeal hearing of his client, allegedly for threats on his life.

The appeal hearing of the convict who was sentenced to life imprisonment alongside two other former military officers on December 18, 2008 is scheduled to be conducted in Arusha, Tanzania at the Tribunal's seat between March 30 through April 1, 2011.

Backing the alleged safety threats for his lead counsel, Major Ntabakuze filed a motion before the Appeals Chamber seeking for his counsel to participate in the appeal hearing by video-conference but the Chamber denied the motion.

"The Appeals Chamber finds that Ntabakuze has failed to demonstrate that the grant of a video-conference is warranted in this case and that the request for Lead Counsel's appearance by way of video-conference should therefore be denied," reads part of the ruling.

"It recalls that failure by Counsel to appear before the Tribunal may be a ground for the imposition of sanctions or may constitute contempt of the Tribunal," warns the decision.

Erlinder was arrested in Rwanda on May 28, 2010 on grounds of genocide denial but was later released "on medical grounds". He was in Rwanda to prepare the defence of opposition leader Victoire Ingabire, herself charged with "negationism" by Kigali.

After his release, Rwandan prosecution said Erlinder would be summoned any time to face charges and if he would jump bail and not respond to the summons, it would use the Interpol to track him down for his arrest.

Other appellants alongside Major Ntabakuze are Colonel Théoneste Bagosora, former Director of Cabinet in the ministry of Defence and Lt.Col Anatole Nsengiyumva.

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# The Economist

Thursday, 24 March 2011

War crimes and misdemeanours

## Justice, reconciliation-or score-settling?



The price of collaboration, then

IT IS almost 40 years since Bangladesh's independence and a year since a war-crimes tribunal set out to try those accused of committing atrocities during the bloodstained conflict that led to it. The tribunal is due to lay formal charges this month or soon after. Dozens of suspects live under travel bans. Even so, the country remains haunted by the terrible memories of war. The tribunal seems unlikely to achieve either justice for the victims or reconciliation for the country.

Bangladesh has said that as many as 3m people died in the conflict, though others put the figure lower. What is certain is that many thousands of civilians were killed in cold blood by members of what was then the West Pakistan army (which later became Pakistan's army). Bangladesh is seeking to put in the dock not the main perpetrators of the

genocide but their local collaborators, who helped identify victims and took part in the killings. Notable among those accused of collaboration are members of an Islamist party, Jamaat-e-Islami, which formed part of a coalition government with the Bangladesh Nationalist Party (BNP) in 2001-06.

During the war, Jamaat's student wing organised a militia, called Al Badr, to support the West Pakistan army. The party denies any part in the war crimes and its leaders say they were not members of Al Badr. But last August the war-crimes tribunal issued arrest warrants for five party leaders, including two former ministers. They have not been charged with war crimes (they are being held in jail on other counts) and are due to appear before the tribunal next month. Also in the clink and awaiting possible future war-crimes charges is a senior leader of Khaleda Zia's BNP, now the main opposition. Officials say at least six more Jamaat leaders will be arrested on war-crimes charges, including the 89-year-old Gholam Azom, who led the party in 1971.

Partly because of the political implications, the war-crimes trials have run into trouble before they have even started. Emboldened by an unexpectedly good

showing in municipal polls in January, the BNP has stepped up a programme of *hartals* (protest strikes) against the government. The timing is propitious: for separate reasons, one of the government's main allies, Mohammad Ershad (a former dictator), has threatened to quit the ruling coalition.

Everyone believes the opposition would scrap the trials if it were to win the next election, which is due in 2013. And if history is any guide, it probably will win: no democratic government in Bangladesh has ever secured a second term. That gives the government less than two years to complete the trials. A formidable task.

The trials have a tiny budget of 100m taka (\$1.4m). They are being held under a 1973 law which does not comply with international norms. The local prosecutors are widely seen as weak and inexperienced. In contrast, the defence team includes the counsel for the former Yugoslav president, Slobodan Milosevic, and a defence lawyer from the Special Court for Sierra Leone (which is trying Charles Taylor, Liberia's former president). The authorities have also denied entry to an American-based lawyer for one of the accused, the BNP's Salauddin Quader Chowdhury, an adviser to Mrs Zia. His family says he has been tortured while in detention, which the government denies. The tribunal has yet to determine whether foreign lawyers may even appear to plead before it.

The chances that the trials will win international recognition appear slim. Initial enthusiasm for them among foreign governments has worn off. Many Western diplomats think the government has taken to using the courts to pursue rivals and enemies—as many say it did when it insisted recently that Muhammad Yunus, a Nobel laureate, should retire as head of Grameen Bank, a microcredit institution. The war-crimes process was supposed to produce a measure of truth and reconciliation. It has taken an inauspicious turn.