

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



Landscape near Makeni

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.
Any omission, comment or suggestion, please contact
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'Charles Taylor' Found Dead

By Aruna Turay

A notorious armed robber who was identified as Charles Dankay Bayraytay, aka Charles Taylor of 14A Teneba Road, Brima Lane in the east end of Freetown was found dead at dawn on Monday 28th March, 2011. Charles Taylor's body was discovered dangling from a mango tree which suggested that he was either strangulated or committed suicide by hanging himself.

According to eyewitness reports, the deceased is a Liberian who migrated to Sierra Leone at the height of the civil war in that country and that he had since been living in that community. A neighbor, Mr. Morlai Sesay told this reporter that Charles was living in isolation with obscure parentage.

"Since 'Charles Taylor' surfaced in this community in the 1990's, we have not seen any relative visiting him," he observed, saying with the exception of some bad guys who are often associated with armed robbery in the area, he was rarely seen in decent company.

Further, Mr. Sesay informed that in several instances the deceased had been named and arrested in connection with robbery incidences. According to him, few days before he was found neck-tied on the tree, the late Charles was overheard arguing with some unknown men over phone; and that they agreed on an appointed location to meet.

"The place called 'Up Mountain' in Kontoloh where he told the men to

meet him was where we discovered his body," so stated our eyewitness.

"The death of Charles Taylor has brought respite to us in the community because he is often suspected of passing with a thieving gang that terrorizes the area," a trader who said her name is Mabinty Kargbo of the same neighbourhood claimed. "Our family house has been attacked twice by Taylor and his gang, and at one time he even threatened to kill me should I disclose his identity to the police," Mabinty further claimed.

This view was held by many other residents interviewed.

Charles Taylor's remains have already been buried as police continue in their investigations.

Business Day

Wednesday, 30 March 2011

Warlords may be returning to West Africa

RICHARD MONCRIEFF:

THE slide towards civil war in Côte d'Ivoire looks, on the face of it, like a fight between two men in business suits, one who refuses to relinquish power and the other who wants to exercise the right bestowed on him by voters to take over as president.

THE slide towards civil war in Côte d'Ivoire looks, on the face of it, like a fight between two men in business suits, one who refuses to relinquish power and the other who wants to exercise the right bestowed on him by voters to take over as president. However, as fighting breaks out in the area bordering Liberia, added to growing violence in the capital Abidjan, a new worrying question needs to be raised — is this region witnessing a resurgence of "warlordism" via Côte d'Ivoire's crisis?

"Warlord" is a term used to describe the violent political entrepreneurs who drove the civil wars in Liberia and Sierra Leone in the 1990s. Charles Taylor, who destabilised neighbouring Sierra Leone and Guinea in order to build up his power in Liberia, is often cited as the archetypal figure. Similar figures have emerged in different countries in the subregion, such as Foday Sankoh in Sierra Leone.

The end of Sierra Leone's civil war in 2002 and Liberia's in 2003 has restricted the opportunities for such entrepreneurs of violence. But they have not gone away. Dadis Camara, the tempestuous junta leader in Guinea in 2008 and 2009, displayed some unmistakable warlord characteristics during his 11 months in power, as do militia leaders who currently hold sway over parts of western Côte d'Ivoire, such as the leader of the pro-Gbagbo Miloci movement, Pasteur Gammi.

Beyond the more obvious aspects of recruiting, arming and leading informal militia groups, three characteristics of warlordism stand out in West Africa. First, the region's warlords tend to mobilise people through notions of "spiritual renewal" or "adventure" couched in religious or mystical terms. This augments their legitimacy in the eyes of their supporters, and stimulates fear. It also offers young men, frustrated in their attempts to get ahead in society through the normal channels of education and work, a chance to begin a new path where illicit wealth, power and spiritual renewal are seen as closely linked. This mystical aspect is vitally important to understand how the region's wars have been sustained.

Second, warlords frequently play on historical communal grievances, both between neighbouring ethnic groups and more distant colonial or precolonial imperial powers. They dig deep into cultural memories to set one community against another — as some analysts have termed it, the "politics of resentment". This helps explain why West African warlordism does not respect national boundaries. The "nomad war" it stimulates taps into long-term historical patterns, including slave raiding and pillaging, which were transformed but not eradicated by colonisation. The very fact that similarities exist between warlord practices in countries of very different colonial pasts indicates that transregional and long-term historical forces need to be taken into account.

Third, while drawing on different forms of localism, these warlords are also typically connected to a whole series of international business networks, both licit and, more often, illicit.

The gloomy reality is the likelihood of a protracted and factious Liberian-type conflict in Côte d'Ivoire. The past 10 years have seen individuals emerge in all parts of the country in the patterns described above, including several of the leaders of the Forces Nouvelles rebel group.

Most worrying is that the incumbent president, Laurent Gbagbo, is increasingly looking like a warlord in the making. Holding state power has always been one strategy, among others, in the warlord's armoury. They often use state institutions even as they undermine them. Charles Taylor himself alternated between insurgency and the presidential office.

Ever since coming to power, Gbagbo has been adroit at playing both a conventional political game, and controlling the informal mechanisms typical of warlord politics, including recruitment of militia, tapping into informal economic networks and, strikingly, the use of a discourse of spiritual renewal and cleansing. As he becomes isolated internationally, and as militia loyal to him spring up in Abidjan and along the Liberian border, the conventional politician is increasingly taking a back seat.

If this analysis is right, it can only underline the urgency of working towards a political solution to draw the country back from a civil war. Warlord politics and nomad wars tend to become self-sustaining. The wars in Sierra Leone and Liberia lasted 12 and 14 years. This is not yet inevitable in Côte d'Ivoire, but with each clash it becomes more likely.

Moncrieff is Bradlow research fellow at the South African Institute for International Affairs.

The New Times (Kigali)

Wednesday, 30 March 2011

Rwanda: Govt Welcomes Gatete War Crimes Verdict

Felly Kimenyi

The government has said that its earlier request to have key genocide suspect, Jean Baptiste Gatete transferred to Rwanda for trial, has been vindicated.

This follows yesterday's decision by the International Criminal Tribunal for Rwanda (ICTR) to hand a life sentence against Gatete, after finding him guilty of the 1994 Genocide against the Tutsi, especially in the Eastern Province.

Life is the heaviest sentence that can be handed down by the UN-backed court that is based in Arusha, Tanzania.

Gatete is one of the five suspects who had been referred for trial to Rwanda by the ICTR prosecutor, but the referral was rejected by the Trial Chamber.

"The fact that an international court handed him a life sentence only vindicates our request...who knows, maybe he could have received a lighter sentence in our courts, but the important thing is that he was found guilty," said Justice Minister, Tharcisse Karugarama.

Gatete, who during the Genocide was a director in the Ministry of Women and Family Affairs, is infamous in the former Murambi Commune, now in Eastern Province, where he had served as Bourgmestre (Mayor) many years prior to the Genocide.

According to a statement, the tribunal concluded that he had retained influence in Murambi and surrounding areas and was responsible for the massacres of thousands of Tutsis in three parishes of Rwankuba, Kiziguro and Mukarange.

Pronouncing the judgment, Khalida Rachid Khan, the presiding judge said that Gatete equipped Interahamwe militias to kill Tutsis in these areas.

"The guns and grenades brought by Gatete and other officials were a decisive factor in the success of the assault," the ruling reads in part.

However, Karugarama was generally upbeat on the ruling, saying that justice had prevailed.

"The life imprisonment against Gatete is a deserved sentence. He will go where he belongs; away from the public which he sought to exterminate," said Karugarama.

The minister accused the convict of having been 'vicious' and 'thorough' in organising killings of innocent people which, he said ,qualifies him to be a human butcher.

Janvier Folongo, the Executive Secretary of the Genocide survivors' umbrella IBUKA, said that the ruling coming just a few days before the 17th commemoration of the Genocide, sends good signals.

"There is nothing more comforting to survivors than seeing justice prevailing against those who took away our loved ones. This even decreases the rate of trauma cases that are rampant during this difficult period of mourning," said Folongo.

For Ezekiel Gasheruka, a genocide survivor from Murambi, the sentence should be complemented by bringing Gatete to Rwanda to complete his sentence.

"It is a good thing that he has received a well-deserved sentence, but he should be brought to Rwanda to complete the sentence. And before being taken wherever he would be detained, he should be brought to Murambi to witness his failure of finishing us off as he had wished," said Gasheruka.

Gatete becomes the first suspect to be sentenced, this year, by the 16-year old tribunal that has been given until the end of next year to close shop.

The ICTR was instituted by the UN Security Council with a mandate to try masterminds of the Genocide that left over 1 million people dead.

The New Times (Kigali)

Wednesday, 30 March 2011

Rwanda: General Gatsinzi to Testify At ICTR

Eric Kabeera

The Minister for Disaster preparedness and Refugee Affairs, Gen.Marcel Gatsinzi, yesterday travelled to Arusha Tanzania to testify in cases related to genocide suspects and convicts, including Theoneste Bagosora.

Robert Bimenyimana, a Public Relations Officer in the ministry, confirmed the development adding that the minister travelled at the invitation of the International Criminal Tribunal of Rwanda (ICTR).

According to sources at the tribunal, Gatsinzi will neither testify for the defence nor the prosecution, but will do so on behalf of the trial chamber.

Gatsinzi's appearance in Arusha is mainly motivated by the fact that he was, for a short period, the Chief of Staff of the then government forces during the 1994 Genocide against the Tutsi

"The minister got an invitation from ICTR to go and testify on a few issues concerning the participation of Bagosora and his co-accused in the 1994 genocide against Tutsi," Bimenyimana said in an interview.

Bagosora, who was handed a life sentence in late 2008, has since appealed against the ruling. Gatsinzi is expected back on April 2.

Bagosora had earlier requested the Appeals chamber of the ICTR to order Gatsinzi to testify at his hearing. Gatsinzi told reporters that he would go to Arusha only if the ICTR officially invited him.

Bagosora, who was a Permanent Secretary in the Ministry of Defence, is regarded as the mastermind of the Genocide.

He was convicted for, among other crimes, ordering the killing of former Prime Minister, Agathe Uwilingiyimana and 10 Belgian soldiers.

Radio Free Asia

Wednesday, 30 March 2011

Prosecution Demands Life for Duch

Appellants at Cambodia's war crimes tribunal say the former jailer 'showed no remorse.'



AFP

Cambodians attend Duch's trial at the ECCC in Phnom Penh, March 29, 2011.

Prosecutors at Cambodia's UN-backed war crimes tribunal have demanded a life sentence for convicted former Khmer Rouge prison warden Duch, saying he showed no remorse for his role in the slaughter of thousands of his compatriots.

Duch, 68, whose real name is Kaing Guek Eav, was sentenced by the Extraordinary Chambers in the Courts of Cambodia (ECCC) to 30 years in prison last July for crimes against humanity, torture, and premeditated murder as overseer of the notorious Tuol Sleng torture prison in the late 1970s.

On the second day of a three-day appeal process, the prosecution on Tuesday requested the ECCC's Supreme Court judges to order that Duch be locked up for life.

Duch's defense attorneys had appealed to overturn or reduce the sentence on Monday.

Co-prosecutor Andrew T. Cayley told the Supreme Court that the 30-year sentence was inadequate because Duch would likely see his sentence shortened due to a lengthy detention before his arrest.

"The prosecution requested the court to sentence [Duch] to life imprisonment. But, because he had been illegally detained in the military prison, we have no objection if the court rules in favor of leniency," Cayley said.

"However, whatever sentence the court decides, it should be according to a timeframe proposed by the prosecutor that is ... a 45-year sentence or longer."

Duch was detained in 1999 after he was found to be working as a Christian aid worker in the jungle but was not formally arrested until 2007 and, because of time already served, could be set free in less than 19 years.

The former jailer apologized for his part in the murders at Tuol Sleng, also known as S-21, at his trial, but asked to be acquitted during his closing statement in November 2009.

Cayley said Duch's refusal to accept responsibility for the mass-killings demonstrated that he "to this day lacks a real, sincere remorse for what happened."

The prosecution has also asked the court to add enslavement, imprisonment, torture, extermination, rape and other inhumane acts to Duch's list of convictions.

Defense appeal

Meanwhile, defense lawyer Kong Ritheary said Tuesday that the ECCC should reduce Duch's sentence because of his illegal detention.

"Based on ... the Cambodian Criminal Law, the minimum penalty is 15 years and that should be sufficient because of the mitigating circumstances recognized by the court," he said.

Ritheary added that Duch had confessed to committing his crimes and that he had been cooperative with the court during the investigation and court proceedings.

On Monday, the defense team argued that Duch's sentence should be overturned because he was only following the orders of superiors and therefore not subject to trial by a war crimes tribunal.

The same line of defense was used by Nazi war criminals during the Nuremburg trials in the aftermath of World War II, but an International Tribunal ruled that following orders did not absolve perpetrators of their actions.

The ECCC's Supreme Court Chamber is expected to rule on the appeals in late June.

The Khmer Rouge operated its security apparatus in Phnom Penh out of S-21 and thousands of inmates were taken from the prison for execution in a nearby orchard.

The tribunal will try an additional four more members of the Khmer Rouge regime later this year, and Duch will be called to appear as a witness in the cases.

Reported by RFA's Khmer service. Translated by Sum Sok Ry. Written in English by Joshua Lipes.

The Standard

Wednesday, 30 March 2011

Are the suspects safe from ICC detention?

By Evelyn Kwamboka

Concern is growing that President Kibaki's decision to retain two of the 'Ocampo Six' suspects in Government has put them at risk of tougher sanctions by the International Criminal Court at The Hague.

The two are Deputy Prime Minister Uhuru Kenyatta and Head of the Public Service and Secretary to the Cabinet Francis Muthaura

ICC Prosecutor Luis Moreno-Ocampo had demanded that Muthaura be stripped of his powers over the police by virtue of chairing the National Security Advisory Committee.

Members of the Committee include the Deputy Chief of General Staff, Commissioner of Police, Internal Security PS, and the National Security Intelligence Service Director.

Some senior policemen and Provincial Commissioners who were also serving in areas that were hard hit by the 2007-2008 post-election violence are witnesses in the cases against the Ocampo Six.

This month, civil society groups called on Uhuru to resign from the Witness Protection Advisory Board where he sits in his capacity as Finance Minister.

"Before we proceed, we need to be sure that Muthaura does not wield power over the police," said Ocampo via videoconference in early this month, when made the demands.

One of the fears has been that the two could be detained at The Hague when they appear before the court on April 8. But ICC Registrar Silvana Arbia said this month the six would not be detained as long as they adhere to the tough conditions the court set.

These include avoiding contact with victims or witnesses; not obstructing or interfering with the testimony of witnesses; not obstructing the Prosecution's investigations; and attending all hearings of the court.

"Because they are free, they are not supposed to stay in The Hague, or to be retained here for any purpose other than the initial appearance. After the initial appearance, they are free, and on that same day, the Chamber will announce the first day for the hearing of whether to confirm the charges," said Arbia.

Nevertheless the fear will not go away. One lawyer familiar with ICC procedures, but who asked not to be quoted, said that when making his demands, Moreno-Ocampo was careful not to call for the resignation of Muthaura from Government because he has no power to do so. According to the lawyer, at this stage of the investigations, any decision to detain any of the suspects is the prerogative of the judges, but the prosecutor must first apply for it.

Clip wings

Two of the ICC suspects: Deputy Prime Minister Uhuru Kenyatta and Head of the Public Service and Secretary to the Cabinet Francis Muthaura.

However, Moreno-Ocampo did make an application to the ICC Pre-Trial Chamber at The Hague in which he asked the judges for leave to demand that Muthaura's wings be clipped.

"As the Head of the Public Service and Secretary to the Cabinet, Muthaura is at the top of the administrative hierarchy, and all public servants and senior State House officials, including Ali as head of the Kenya Police, reported to him," said Moreno-Ocampo at the time.

Maj-Gen Hussein Ali, one of the Ocampo Six, has since been appointed Postmaster General. The other suspects are Tinderet MP Henry Kosgey, Kass FM presenter Joshua Sang, and Eldoret North MP William Ruto. Moreno-Ocampo can make an application for substitution of the summonses for any of the six with arrest warrants, by presenting evidence that they could be interfering with witnesses and investigations.

He can do this when the suspects appear at The Hague, but sources said the Government is ready to oppose any such application on grounds that no condition requiring Muthaura and Uhuru to quit office was given by the judges in their recent ruling.

But another advocate, International Criminal Tribunal for Rwanda (ICTR) defence lawyer, Duncan Mwanyumba said Muthaura and Uhuru should expect anything when they appear at The Hague along with former police Commissioner Hussein Ali. Ruto, Kosgey, and Sang are expected on April 7.

"Moreno-Ocampo has his own prosecutorial agenda. He can apply for substitution of the summonses with warrants of arrest by weighing prevailing circumstances. The court will have to take into account the interests of justice when making its decision," he said.

He said the court can issue warrants if there is any justification that the two are interfering with witnesses and evidence, and may also issue the order if it appears that the Government is refusing to co-operate with ICC.

"The judges are also interested in building a jurisprudence in case law. If they think the arrests are fine, the orders will be granted to ensure that there is no interference with witnesses or evidence," he said.

Issue is complicated

Referring to how former Liberian strongman Charles Taylor was arrested, Mwanyumba said ICC has the powers to grant an application by Moreno-Ocampo for Muthaura and Uhuru to be arrested, if the two do not step aside before going to The Hague. However, unlike Rwanda that had no government when cases touching on the genocide started, Mwanyumba said the Kenya issue is complicated because there is a Government.

He said there is a battle between ICC discharging its international mandate, and the Government, with authority over the six suspects.

"The Government has an ego in terms of sovereignty. It is the same Government being asked to release the six suspects to The Hague, when some of them are still serving in it," he said.

He said issuing warrants of arrest while the suspects are still in the country might make things difficult for the prosecution.

Mwanyumba represented Shalom, who was a former student and an alleged militia leader in Butare (Southern Rwanda). The man, who was arrested in Kenya in 1997 at the request of International Criminal Tribunal of Rwanda (ICTR) Prosecutor, is the son to Rwanda's former gender and family affairs minister Pauline Nyiramasuhuko.

Haki Forum Director Harun Ndubi said the positions of the two officers expose them to witnesses whom they are not supposed to have contact with.

"President Kibaki has shown unwillingness to assist ICC by refusing to replace the two officials. The positions have a huge influence on the Government's co-operation with ICC," he said.

UPI.Com

Wednesday, 23 March 2011

U.S. working behind scenes at tribunal?

Western diplomats wanted to use a possible indictment against Hezbollah to back the ousted Lebanese prime minister, sources said.

Sources to the Arabic-language as-Safir newspaper in Lebanon claim Washington wanted to use an indictment from the Special Tribunal for Lebanon to back Prime Minister Saad Hariri after Hezbollah toppled the government in January.

Hezbollah led opposition leaders in mass resignations while Hariri was in the United States meeting with U.S. President Barack Obama. Hezbollah is expected to be named by the tribunal for its alleged role in the 2005 assassination of former Prime Minister Rafik Hariri, Saad Hariri's father.

Sources said Washington officials contacted the tribunal after the Hezbollah move in an effort to use an indictment to return Hariri to power. Prime Minister-designate Najib Mikati hasn't been able to form a unity government since January.

Western diplomats told Hariri's March 14 movement that political developments in the Arab world meant the tribunal's work wasn't a top diplomatic priority for Washington, Lebanese news outlet Naharnet adds.

March 14 officials said they believed an indictment could surface in June. A sealed indictment was handed to tribunal judges in January.