

**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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Monday, 11 April 2011

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

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University of Ulster

Sunday, 10 April 2011

University of Ulster to Honour High Achievers

Leading figures in sport, business, broadcasting, the health and legal professions are among those who will be honoured by the University of Ulster at graduation ceremonies this summer.

Liverpool Football Club manager Kenny Dalglish, US Open champion Graeme McDowell, broadcaster Miriam O'Callaghan and actress Susan Lynch are just some of the distinguished public figures who will receive honorary doctorates at ceremonies in Coleraine, Belfast and Londonderry.

The University of Ulster will award honorary doctorate to:

:: Teresa Doherty, LL.D for services to the promotion of human rights and humanitarian law

In a legal career spanning 33 years, Justice Teresa Doherty has been a leading figure in international human rights law and is the Presiding Judge in the Special Court for Sierra Leone. She began practicing law in Northern Ireland in 1976 before pursuing her career in Papua New Guinea. In 1987, she was appointed a Principal Magistrate there and a year later become the first woman to hold high judicial office in the country as a judge in the Supreme and National Courts. In 1998, she returned to private law practice in Northern Ireland where she worked until 2003. Since 2002, she has served as a Life Sentence Review and Parole Commissioner in Northern Ireland. From 2003-5, Justice Doherty served as a Judge of the High Court and the Court of Appeal of Sierra Leone. In 2005, she was appointed by the UN Secretary General to the Special Court for Sierra Leone which is looking into violations of human rights law in the country since November 1996.

The Standard

Sunday, 10 April 2011

Ocampo facing uphill task as Kenya suspects hire top-notch foreign lawyers

Evelyn Kwamboka

The International Court prosecutor Luis Moreno-Ocampo has an uphill task ahead of him following the decision by some of the suspects to hire foreign lawyers.

†The lawyers mainly from Britain and Canada have a vast experience in international criminal law and have seen some suspects charged with crimes against humanity set free by the court.

It is some of these lawyers who stole the show when the Ocampo six made their appearance before the Pre-Trial Chamber II last week.

They are working hand in hand with some lawyers who opted to sit in the public gallery instead of joining their clients in the Chamber.

Documents obtained by The Standard from the ICC registry indicate the foreign defence lawyers have a vast experience from defending Iraq, DRC Congo, Croatia, Bosnia, Liberia, Sudan and Rwanda suspects.

Given the weighty allegations against Eldoret North MP William Ruto, the legislator was forced to hire the services of British barrister David Hooper at last minute.

Mr Hooper arrived at the Chamber to defend his client before a three-judge bench presided by Bulgarian judge, Lady Justice Ekaterina Trendafilova, before filing the power of attorney at the ICC registry as required by the law.

Ruto informed the court orally that he had hired the barrister's services as the lead counsel in his team.

The barrister, who starred the April 7 appearance of the Ocampo six before the Chamber, is representing Congo's Germain Katanga. Katanga is alleged to have been the commander for the Patriotic Resistance Force in Ituri.

The suspect was arrested and transferred to the court pursuant to a warrant that was issued under seal on July 2, 2007 by Pre-Trial Chamber I.

Katanga is charged with war crimes and crimes against humanity. His charges have since been confirmed by the court. His case is the second in connection with the crimes against humanity committed in DRC. The first DRC case touches on Mr Thomas Lubanga.

Civil Service boss Francis Muthaura is banking on Mr Karim Khan, who is currently representing Sudan's Mr Abdallah Banda. Banda is charged along with Saleh Jerbo and other commanders in connection with attacks that were directed against the compound of the African Union mission in Sudan on the evening of September 29, 2007. †

Khan, who is ICC's Disciplinary Appeals Board permanent member, led former Liberian president Charles Taylor's defence team, for crimes committed in Sierra Leone.

Other cases handled by the barrister include those against Yugoslavia's Fatmir Libaj and that against Bahar Garda who was the first rebel leader to voluntarily surrender to ICC on allegations of war crimes arising out of the situation in Darfur.

Former Police Commissioner Hussein Ali has hired the services of Canadian and American lawyers.

American lawyer Mr Gregory W Kehoe who advised the Iraqi Special Tribunal formed to prosecute Saddam Hussein, is to work hand in hand with Mr John Philpot.

Mr Kehoe currently represents Croatian General Ante Gotovina, who was indicted by the International Criminal Tribunal for leading a military operation in 1995 known as "Operation Storm."

The trial commenced on March 11, 2008 at The Hague, Netherlands and final arguments completed on September 1, 2010.

Mr Kehoe won the conviction of Bosnian General Tihomir Blaskic, charged with war crimes that included the massacre of Muslim women and children, International War Crimes Tribunal, Former Yugoslavia, The Hague, Netherlands, 1995-1999.

Philpot, a senior Canadian criminal litigation attorney, serves as a defence counsel at the International Criminal Tribunal for Rwanda (ICTR).

He represented a brother in-law to former Rwandan President Juvenal Habyarimana, Mr Protais Zigiranyizar, who was charged with genocide.

Mr Protais Zigiranyizaro is now a free man. He was acquitted on appeal on November 16, 2009.

Philpot was allowed by the court to represent Jean-Paul Akayesu who had gone on a nine-day hunger strike in 1998.

Akayesu was judged guilty of genocide and crimes against humanity for acts he engaged in and oversaw while mayor of the Rwandan town of Taba.

Finance minister Uhuru Kenyatta has no local representative. He has Mr Stephen Kay QC, Ms Gillian Higgings and Benjamin Joyes on his list.

Uhuru's first two lawyers were defence counsels in the case against Yugoslavian President Slobodan Milosevick.

Hirondelle News Agency

Monday, 11 April 2011

Arusha commemorates genocide against Tutsis

The Rwandan community in Arusha which is the seat for the International Criminal Tribunal for Rwanda (ICTR) and the East African Community (EAC) Thursday organized a solidarity walk to commemorate the 17th Rwandan genocide against Tutsis.

The solidarity walk which drew over 2,000 people, mostly Tanzanians students commenced from the main stadium in town and ended up at the Arusha International Conference Centre (AICC). Addressing the gathering, Chief Guest, the outgoing EAC, Secretary General, Ambassador Juma Mwapachu commended Rwanda for having recovered hope and prosperity after the 1994 genocide.

"Never again shall Rwanda and us all course genocide to happen again... There is no revenge more complete than forgiveness," he said.

Interview by Hirondelle News Agency, James Temu, a student of information technology said the crimes of genocide touches the entire humanity. "Of course Tutsis were the most affected but the 1994 genocide affected all Rwandans, all Tanzanians, all Africans and the rest of humanity," he said in Kiswahili.

Genocide commemorations have been organized in Rwanda and in all its embassies in the world.

NI/ER/GF

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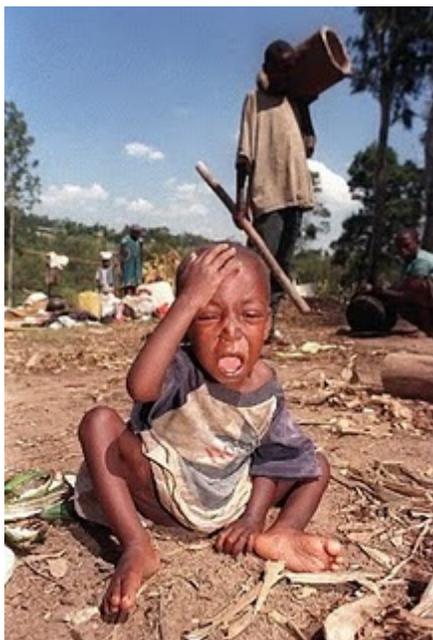
Global Research
 Sunday, 10 April 2011

Rwanda Genocide: Erlinder v. Kagame, Case Continued in the Court of Public Opinion

By Ann Garrison and Peter Erlinder

Law Professor and former National Lawyers Guild President Peter Erlinder's case against Rwandan President Paul Kagame continues in the court of public opinion, with Erlinder refusing to return to work at the International Criminal Tribunal on Rwanda, for fear Kagame might have him assassinated.

Erlinder has also published an 80-page analysis of documents which he says prove Kagame's culpability for the Rwanda Genocide and ensuing Congo Wars. KPFA Weekend News spoke to him on Saturday, 04-09-2011.



Rwanda Genocide, 1994.

KPFA Weekend News Anchor David Rosenberg: *April 6th was the 17th anniversary of events that triggered the massacres that the world came to know as the Rwanda Genocide. The history of the 1994 genocide and the ensuing war in Rwanda's resource rich neighbor, the Democratic Republic of Congo, are fiercely disputed by a growing number of scholars, journalists, and human rights investigators, and by Rwandan and Congolese opposition leaders, genocide survivors, exiles, and refugees. Victoire Ingabire Umuhiza, Rwanda's 43-year-old opposition leader, and mother of three, remains in Rwanda's 1930 maximum security prison, charged with terrorism and disputing the official Rwanda Genocide history. And, William Mitchell Law Professor and former National Lawyers Guild President Peter Erlinder has now published an 80-page, footnoted and documented report, in the DePaul University Law School's Journal of Justice, in which he argues that Rwandan President Paul Kagame and his Rwandan Patriotic Front regime bear responsibility for the Rwanda Genocide and Congo Wars.*

Last year Kagame arrested and imprisoned Erlinder in Rwanda, after he had traveled there to defend Ingabire, and last week the International Criminal Tribunal on Rwanda came close to sanctioning him for refusing to return to Arusha, Tanzania, to defend another client. Erlinder had said that he would not return because Kagame's Rwandan Patriotic Front agents might well assassinate, kidnap, or disappear him if he did. The court did not acknowledge Erlinder's claim that his life would be in danger in Arusha, but they did excuse him after his doctor reported that he suffers from post traumatic stress syndrome as a consequence of his arrest and imprisonment in Rwanda last year.

KPFA's Ann Garrison spoke to Professor Erlinder by phone from his office at William Mitchell College of Law, in St. Paul, Minneapolis:

TRANSCRIPT

Ann Garrison: Peter Erlinder, this story is still obscure to many KPFA listeners. Could you explain why Paul Kagame, the President of Rwanda, would conceivably want to assassinate, kidnap, or disappear you?

Peter Erlinder: Well, during my work at the UN Tribunal, I had an opportunity to have access to the previously secret United Nations files that were kept by UN personnel in Rwanda during the time that's known as the genocide. And those documents tell a completely different story than the story the world has heard about what happened in Rwanda during that time. Also I was able to link that to US documents from the State Department, the CIA and the Pentagon and the documents from other countries. And I used those documents to defend my client and he and other military officers were acquitted of the charge of conspiracy to commit genocide, which means there was no plan on the part of the previous government and military.

Ann Garrison: And do the documents that you've assembled demonstrate that President Kagame and the Rwandan Patriotic Front regime are most responsible for the mass slaughter of 1994 which came to be the principle justification of the Kagame regime?

Peter Erlinder: Yeah, what the documents show is that the RPF were the dominant military power in Rwanda. They were responsible for assassinating the Rwandan and Burundian Presidents, which touched off the mass violence. They were in a position to stop the mass violence and didn't do so because of their desire to win the war. And then once they did seize power continued carrying out violence against civilians.

Ann Garrison: And what do those documents that you've assembled say about the ensuing Congo War?

Peter Erlinder: Well, the documents make clear that the RPF went on to carry out an invasion of the eastern Congo along with Uganda and then essentially to control the eastern Congo, which they do to this day. And that was accomplished because of ongoing support from the Pentagon, and then, unfortunately, it becomes clear that this support was covered up as the ICTR began to develop.

Ann Garrison: Links to Professor Erlinder's report on the Rwanda Genocide and Congo War can be found on the websites of the San Francisco Bay View and AfrobeatRadio.net.
For Pacifica, KPFA and AfrobeatRadio, I'm Ann Garrison.

Hirondelle News Agency

Thursday, 7 April 2011

Exhibition about the history of genocide set up in Kigali stadium

Celebrating the 17th anniversary of the genocide, Rwanda has set up in April its first giant exhibition on the history of the massacres in Kigali stadium.

"I lost my life in the genocide" reads the inscription at the entrance of the exhibition, next to a big picture of a 7-year old killed on April 11, 1994.

The kid had promised his family that he would become a doctor. When he saw militiamen and gendarmes getting closer to the place where he stood, he told his mother: "Don't worry, the UNAMIR will save us", a guide explains to the visitors.

This kid was one out of around 5.000 Tutsis who had sought refuge at the ETO school in Kigali. They were finally let alone by the Belgian contingent of the UNAMIR, then killed by the Interahamwe.

The exhibition also shows examples of hate speeches delivered before the genocide, in the extremist newspaper Kangura or on Radio Télévision libre des milles collines (RTLM), and pictures of road-blocks made of human bodies, militiamen holding tools and weapons, churches filled with slaughtered people.

The exhibition also shows pictures of a few Hutus who saved Tutsis, risking their own lives.

Then, images of the RPF taking control of the situation and stopping the genocide are displayed.

Tough images of the life after genocide for people contaminated by the HIV can also be seen in the stadium, as well as pictures presenting the work of the ICTR and of gacaca justice.

At last, "a picture of hope" figures Rwanda rising from the ashes while a local documentary, "Dreams of future", shows survivors testifying that future sounds promising.

The exhibition will be open until the end of April.

SRE/ ER/GF

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Voice of America

Sunday, 10 April 2011

Kenyan Lawmaker Plans Homecoming for ICC Suspects

Peter Clottey

A Kenyan lawmaker says a “homecoming prayer rally,” which is scheduled for Monday, will be attended by the six suspects accused by the International Criminal Court (ICC) of masterminding the country’s 2007 post-election violence. The violence left more than 1300 people dead.

Charles Keter, who traveled in support of the accused to The Hague, denies concerns that the rally aims to politicize as well as divert attention from the alleged crimes committed by the six suspects. The rally is expected to be held at the Uhuru Park in Kenya’s capital, Nairobi.

“Today, we are retuning home from having been to The Hague and, after that, we are going to have prayers at the Uhuru Park, which has been planned. This is a follow-up to the first, which we had before we traveled to the Netherlands,” said Keter.

‘So, we are just basically going to say ‘Thank you’ to the people who have been praying for us, and then they say ‘Thank you’ to us, and then chat [about] the way forward for the next few months,’ he added.

Organizers of the homecoming prayer rally say there will be a procession from Jomo Kenyatta International Airport to Uhuru Park through Jogoo Road. The main rally will kick-off at 11.30am and end at 6.30pm [local Kenyan time].

But, some political analysts have expressed concern that the rally could take on an ethnic dimension, which they say will contradict the court’s warning that the suspects should not engage in activities that may inflame tensions.

“We have been having prayers before and those people who have been criticizing are the same people [who] will never say anything good...We are not politicizing any issue. We have never politicized and we are not [going to do that]. We are basically going for prayers,” said Keter.

“Everybody is welcome for prayers. It is not ethnic [because] we have people from divergent backgrounds and that is why you can see from the MPs [Members of Parliament] who are here are not from one group. It cuts across the section of the country. We have MPs from the coast, from [the] west, from Rift Valley, from central and from everywhere. So, it is not ethnic [based],” he added.

The ICC chief prosecutor, Luis Moreno-Ocampo, named the six Kenyan suspects in December and asked them to appear voluntarily at the Hague-based court. They appeared before the court Thursday and Friday to face charges that include murder, rape and persecution.

The six suspects that appeared include Finance Minister Uhuru Kenyatta, Industrialization Minister Henry Kosgey and suspended Education Minister William Ruto. The others are the Secretary to the Cabinet, Francis Kirimi Muthaura, former police chief Mohammed Hussein Ali and radio executive Joshua Arap Sang.

The court is expected to decide by September 1st whether the charges will proceed.

The U.N. Security Council, reacting to a request by Kenya’s U.N. representative, refused to suspend the cases against the six Kenyans.

The Standard

Sunday, 9 April 2011

We should allow The Hague to run its course because we chose it

Donald B Kipkorir

On April 7 and 8, Kenya crossed the Rubicon of international law by having six of her sons appear before the Pre-Trial Chamber of The International Criminal Court. Escorting the 'Ocampo Six', were MPs cheering them on and our own Attorney General.

Even at this late hour, our Government is still making attempts to stop the ICC from proceeding with the prosecutions. The history of ICC and our voluntary accession to the Rome Treaty militates against the Government's intention. It is time, we ask AG Amos Wako to focus his remaining tenure in preparing hand-over notes to the next holder of the office and not engaging in pyrrhic actions at The Hague.

The ICC arose from the ashes of the debilitating World War II. The victorious Allied Powers led by America wanted to punish the losing Nazi and Japanese armies. Military Tribunals were established in Nuremburg and Tokyo where the military commanders of Germany and Japan were hauled before and charged with violating the laws and custom of war and armed conflict.

The massacres and killings of innocents later in the defunct Yugoslavia and Rwanda led to the establishment of the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal For Rwanda that are still on-going. These four tribunals have established the jurisprudence on what entails international crimes and the law relating to their investigations, prosecutions and convictions.

Cognizant that there always will be tyrants who in pursuit of their political ambitions will sacrifice innocent people, the world in universal concurrence established the ICC by the adoption of the Rome Statute in July 17, 1998. One hundred and fourteen countries, Kenya included, acceded to the treaty.

And by own volition, we domesticated the Rome Treaty in December 30, 2008. By our accession and ratification, we bound ourselves to the provisions of The Rome Treaty. Our multiple attempts at undermining the treaty are the apogee of hubris compounded with hypocrisy. We are so impatient to undermine it that we even fail to follow the roadmap to pull out of ICC that is set out in the treaty.

Following post-election violence after the disputed 2007 General Election, we begged the world to intervene and they obliged. As part of our healing and reconciliation, we commissioned Justice Philip Waki to conduct an inquiry and make recommendations. Waki completed his report, which again we all praised. In January 27, 2009, The Waki Report was unanimously adopted by Parliament and thus obligating all to actualise its recommendations.

Waki gave us timeline to establish a local tribunal to prosecute post-election violence masterminds and perpetrators and that in default the ICC would step in. Parliamentary records show that the Government or parts of it, and also Imenti Central MP Gitobu Imanyara made several attempts to establish a local tribunal.

The records further show that the attempts were defeated by vote or lack of quorum. Then, MPs conflicting intentions converged: Most MPs across party lines preferred the ICC. What a reversal in interests. And politicians want us to believe that ICC was imposed on us. We had over two years to

establish a local tribunal and the MPs pooh-poohed the chance. By this deliberate omission by MPs, we invited ICC to come over.

And in spite of what The Rome Statute clearly states, Wako is spending our money to pay English lawyers to make applications on our behalf, when such applications will not be maintained. The application challenging admissibility of the cases against 'Ocampo Six' has no substratum. ICC exercises its jurisdiction over member states by the Doctrine of Complementarity.

By this doctrine, ICC only intervenes where a state does not have the capacity or has refused to establish internationally accepted investigation, arrest and prosecution process for those accused of committing international crimes. Do we meet these absolute irreducible minimums? Why did our Parliament enact The International Crimes Act, 2008 if they never intended to co-operate with the ICC? By its preamble, the Act states, "An Act of Parliament to make provision for the punishment of certain international crimes, namely genocide, crimes against humanity and war crimes, and to enable Kenya co-operate with the ICC ..." When then did we realise we do not want to co-operate with the ICC? If other 'Ocampo Six' had been indicted and not these suspects, will we be throwing tantrums? My support for the ICC process is because of my fidelity to the rule of law and our legislative process. We elected our MPs and gave them sole and exclusive power to enact laws.

They refused to establish a local tribunal and instead enacted The International Crimes Act domesticating the Rome Statute and inviting the ICC. Now, the MPs are running away from their actions and commissions. The law says you cannot reprobate and approbate.

'Ocampo Six' will do well to submit themselves to the ICC that offers a legal process not available in Kenya to acquit themselves. The irrational exuberance of the Government and the AG to scuttle the ICC process by all means possible will not augur well for us. We do not want sanctions imposed on us. We do not want to be a pariah state. Ooh! I haven't forgotten those waving the sovereignty flag against at the ICC.

They shout hoarse that we are an independent nation-state and should not be dictated to by Western powers. Who forced us to accede to the Rome Treaty? When did we discover we are a sovereign nation-state? And for the record, the Treaty of Westphalia of 1648 established the definition of a sovereign nation-state that is holding in international law to-date. By it, a sovereign nation-state is one that, has complete control of its borders and territories, is supreme on all its land and territories and has sole authority to enact laws and enforce them. Are we truly sovereign? Let ICC run its course.

The writer is an advocate of the High Court.