

**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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Press clips are produced Monday through Friday.
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The Financial Times

Wednesday, 13 April 2011

Gaddafi must face the music

Christopher Stephen

Peace versus Justice; it is an old question for prosecutors at the International Criminal Court and one they are hearing all over again as they plunge into investigations in Libya and Ivory Coast.

Both conflicts are now in their endgames and the outside world is trying to decide how to settle things down. One obvious answer is to offer immunity to Muammar Gaddafi if he goes quietly. In an ideal world, he and Ivory Coast's Laurent Gbagbo would pay for their records of killings, torture, rape and imprisonment. But in the real world, the argument goes, the key is stability, and that is more easily bought by offering exile in exchange for going quietly.

David Cameron is among those who have suggested such immunity for Col Gaddafi and a similar deal for Mr Gbagbo may be proposed. While he is already in custody, he has the capacity to cause trouble with his militias, and may do so if he sees nothing but a Hague jail cell awaiting him. A further difficulty concerns credible reports of massacres in the western town of Duekoue by forces loyal to the elected president Alassane Ouattara. What price stability, the argument goes, if the new leaders find themselves in the ICC crosshairs?

Peace, in other words, trumps justice. It is a short term solution, but it is the wrong one, and not just on moral grounds – though the horrors both Col Gaddafi and Mr Gbagbo perpetuated should be cause for outrage.

No, the real reason to back the ICC is practical. African history is littered with cases of rebels deposing tyrants only to become tyrants themselves; for the ordinary people, the cap badges of their oppressors may change but the suffering remains the same.

The ICC has a chance to break the circle.

For one thing, the Hague prosecutors are equal to the task. The ICC has been around for seven years and is finally getting to grips with cases in Central African Republic and Democratic Republic of Congo.

Last week it arraigned former Kenyan officials accused of post-election violence in 2009.

No war crimes case is ever easy, but the investigations chief prosecutor Luis Moreno Ocampo has begun in Libya and Ivory Coast are as straightforward as they come in his line of work.

In both wars, the crimes are fresh – in the case of Libya, they are still taking place. Investigators have uncontaminated crimes scenes, access to witnesses and evidence. It is a stark contrast to the problems that have bedevilled the Sierra Leone Special Court prosecution of former Liberian president Charles Taylor, with investigators trying to piece together evidence years after the fact.

The mechanism, in other words, and it will work well. And by backing it, the outside world will send a message that the new powers in both states will be as answerable as were the former ones. Libya's rebels and Ivory Coast's president will get the message that revenge and oppression will not be tolerated.

In so doing, the outside world can also find some framework for dealing with the unrest across the Middle East. So far, the policy has been one of muddle. Killing of civilians in Libya is punished with air strikes, while events in Bahrain, Syria and Yemen trigger only meek protest.

The lack of a framework for Libya has seen the United Nations impose an arms embargo and the International Criminal Court, then talk of arming the rebels and giving Col Gaddafi immunity.

But as the Arab Spring gains pace, and spawns new violence, the outside world will be in need of a framework for dealing with it. Events in Libya have shown that the West cannot be the world's policeman. It cannot stop every abuse and outrage. But it can, through the ICC, call those committing abuses to account.

In so doing, it can encourage other tyrants across the world to think twice before committing abuses of their own. Justice can be the cement that binds the new leaders of both Ivory Coast and Libya into a framework where abuses and murder are no longer tolerated. And where justice is in fact the glue that binds any long term peace.

The writer is author of 'Judgement Day: The Trial of Slobodan Milosevic'

The Sate

Thursday, 14 April 2011

War and remembrance: Confronting ‘General Butt Naked’

By OTIS R. TAYLOR JR.

He looks into the camera and bluntly tells you why he used child soldiers during the first Liberian civil war. There’s no menace in his voice, and his honesty is frightening.

“(Children are) more effective because they have not started thinking about their future,” Joshua Milton Blayhi says.

Blayhi, now a Liberian evangelist, once terrorized the West Africa nation, particularly the capital city Monrovia in the early ‘90s when he was commonly known as General Butt Naked. Many in the Butt Naked Battalion believed fighting in the nude granted them spiritual powers that allowed them to move faster than the enemy — and bullets.



Daniele Anastasion



Jay Premack/Special to The State

Blayhi says it gave his fighters a psychological advantage. "The Redemption of General Butt Naked," which will screen tonight at Town Theatre as part of The Indie Grits Film Festival, is in many ways a psychological

thriller. The film was co-directed by Columbia native Daniele Anastasion, a Richland Northeast High School graduate.

How can a man who was responsible for thousands of deaths now be a man of God? How can a man who slaughtered families and sacrificed babies now ask forgiveness from family members? How can a man who took children away from their loved ones and forced them to shoot automatic weapons now expect to foster a brotherly relationship?

But this is what Blayhi does.

"A compelling portrait of an extraordinarily complex personal odyssey, a film that explores both the power and the limitations of faith and forgiveness," wrote the Los Angeles Times about the film that screened at the Sundance Film Festival.

Does Anastasion, who directed with Eric Strauss, believe Blayhi?

"I believe his conversion is real. I believe that he believes that wholeheartedly," she replied. "I believe he's a deeply troubled person who is desperate for forgiveness."

Blayhi's former bodyguard, a young man nicknamed Senegalese, is legless and lives in the slums. His story will cause gasps of horror and sorrow. When Blayhi asks him for forgiveness, the film seems to pause as if giving the audience time to consider the dilemma.

"The scenes of reconciliation are so complex," Anastasion said. "There's so much going on there."

The filmmakers followed Blayhi, 39, as he preached, visited former soldiers, begged forgiveness and when he appeared in front of the

government-convened Truth and Reconciliation Commission. There he took responsibility for at least 20,000 deaths. The commission pardoned Blayhi from prosecution because of his admitted guilt. His role as a faith minister probably helped, too.

Blayhi is a friendly, likable guy until you remember his previous life. Can he get far enough away from it?

"It's definitely challenging subject matter, but it's important to grapple with these issues," Anastasion said. "This is a story that tests the extreme limits of our belief.

"I think what he's done raises so many important questions about the limits of forgiveness. He's a really challenging individual."

Blayhi's actions were committed during a chaotic war and he was on the side that opposed the rule of Charles Taylor, the former Liberian president who is being held for war crimes. Blayhi was a mid-level general who is known because he isn't shy about sharing his past. He supports his family by telling his story, atoning for his wrongs.

Strauss, who read about Blayhi in a book, found him in a refugee camp in Ghana. Strauss and Anastasion took four trips to Liberia for filming, staying two or three weeks at a time.

"There's a lot of suffering and poverty," said Anastasion, who attended USC for a year before finishing college at Wesleyan University. "But Liberians are an incredibly resourceful people."

"Butt Naked" won an excellence in cinematography award at Sundance, and now the film is making the rounds on the festival circuit. A distribution strategy is in the works.

"Just being able to premiere the film at Sundance was remarkable," Anastasion said.

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Bernamea.Com

Wednesday, 13 April 2011

War Crimes Prosecutor: Bosnia Needs Independent Judiciary to Continue Work

War crimes prosecutor Serge Brammertz said on Tuesday in Sarajevo that Bosnia and Herzegovina (BiH) needed an independent and capable judiciary to continue with the task of prosecuting war criminals after the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) comes to a close, Xinhua news agency reported, citing the Serbian news agency Tanjug.

Brammertz, who is on a three-day fact-finding mission to BiH, said after meeting with Valentin Inzko, the international community's High Representative and the EU's special envoy for BiH, that there could be "no reconciliation without justice" and that an independent judiciary was important to ensure war crimes cases were resolved professionally.

Both Inzko and Brammertz underscored support for the arrest of the remaining fugitives, which include former Bosnian Serb commander Ratko Mladic and the former leader of Serbs in Croatia, Goran Hadzic.

"The Office of the High Representative has previously used the powers within its mandate, in coordination with Bosnian and international partners, to ensure that justice be done in the interest of all victims," read an official statement from Inzko.

Brammertz also met with members of the Bosnian Presidency and representatives of the BiH Prosecutors Office. His trip ends on Wednesday, whereupon he is expected to visit Croatia and Serbia. The results of his mission will be presented to the UN Security Council in June.

Voice of America
 Wednesday, 13 April 2011

Return to Cabinet Possible for Kenyan ICC Suspect William Ruto

Michael Onyiego



Photo: AP

Kenya's former Education Minister William Ruto, center left, Kenya's Deputy Prime Minister Uhuru Kenyatta, center, and Kenya's Vice President Kalonzo Musyoka, center right, wave to thousands of people during a prayer rally at Uhuru Park, Kenya, April 11, 2011

International Criminal Court suspect William Ruto has been cleared of fraud charges in Kenya's courts, paving the way for his return to the cabinet.

After nearly seven years of legal battles, suspended Kenyan Higher Education Minister Ruto has been cleared of fraud charges. Ruto faced trial for his alleged involvement in the illegal sale of land in the protected Ngong Forest to the Kenya Pipeline Corporation for an estimated \$3.4 million. Ruto was accused of receiving more than half a million dollars in the illicit deal.

In a ruling late Tuesday, Nairobi Chief Magistrate Gilbert Mutembei dismissed the case, finding the evidence insufficient to indict the Kenyan politician and his co-defendants. As the chairman of the Law Society of Kenya, Apollo Mboya, explains, though, the ruling did not address the innocence or guilt of Ruto.

"The magistrate was of the view that it was not enough evidence to put them on their defense," said Mboya. "It doesn't mean that he did not do it, but the evidence as presented did not warrant him to be put on his defense."

Mboya told VOA that while appeal was possible, it was not common or likely in a situation such as Ruto's. Charges were first brought against Ruto in June of 2004. Shortly after, he challenged their validity in Kenya's Constitutional Court. The challenge was not heard until October of last year, when the court's judges ordered Ruto to stand trial. The politician was suspended from his post as higher education minister by President Mwai Kibaki, a move mandated by Kenya's Economic Crimes Act.

With the charges against him dropped, the former minister is now legally cleared to retake his post. But while Kenya's laws mandate the removal of ministers facing fraud charges, Mboya explained that they do not require his reappointment.

"It is not mandatory that he has to go back because it is at the discretion of the principals. Depending on the way the politics play out, it might be another point of contention," said Mboya.

Ruto is a member of the Orange Democratic Movement, the party of Prime Minister Raila Odinga. While the two were once close allies, they have become estranged over the past year.

The split first occurred when Ruto was demoted by the prime minister from his former post at the Ministry of Agriculture for his opposition to Kenya's proposed constitution, approved last August. Public disagreements quickly morphed into open hostility once Ruto was named as a suspect in the ICC investigation into Kenya's 2007-2008 post election violence.

The Kenyan government, especially those members loyal to President Mwai Kibaki, were quick to denounce the ICC process and demand local trials. While his position has since softened, Odinga initially refused to withdraw his support for the Hague.

With Odinga legally required to weigh in on Ruto's reappointment, it appears unlikely the embattled politician will resume his former post.

Hirondelle News Agency

Wednesday, 13 April 2011

Witness to testify for Ngirabatware via video-link from France

The International Criminal Tribunal for Rwanda (ICTR) has granted the defence motion, seeking its protected witness to testify for former Rwandan Planning Minister Augustin Ngirabatware through video-link from France, where he is living.

"The Chamber is of the view that the defence has met all three factors to be considered when determining whether a witness may testify by video-link. In the interests of justice, DWAN-7 may testify via video-link," it said in the decision dated April 12, 2011.

According to the Chamber, proposed testimony of witness DWAN-7, as it concerns one of the accused's alibis, was sufficiently important and relevant while medical certificate presented by the defence sufficiently describes the nature and gravity of the witness's health condition preventing him from traveling to Arusha.

Earlier, the defence had submitted that the witness's testimony would show that the accused never made any anti-Tutsi sentiments and that would corroborate his alibi that he was in Kigali on April 7, 1994.

Furthermore, the defence submitted a medical report from a doctor in France, indicating that the witness was 78 years old when the certificate was issued on November 26, 2010 and that he had suffered a stroke in the past and suffers from hypertension.

The prosecution, in its response had, however, opposed to the motion on grounds that the medical certificate attached could not be relied upon to justify the exceptional measure of the testimony through video-link.

The trial resumes on June 6, 2011 when Ngirabatware is expected to continue presenting his defence case. He is charged with genocide or in the alternative conspiracy to commit genocide, direct and public incitement to commit genocide and extermination and rape as crimes against humanity.

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