

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



SCSL football team displaying their recently won trophy.

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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Peace Museum preview

opens at Special Court

Sierra Leone's new Peace Museum opened a three-day preview exhibition Thursday at its future location on the Special Court complex in Freetown. The opening ceremony was chaired by the President of the Special Court, Justice Jon Kamanda. Michael Schulenberg, the Executive Representative of the Secretary-General, represented the United Nations and the UN Peacebuilding Fund, which is funding the establishment of the Museum.

The Peace Museum was proposed by the Government of Sierra Leone as a future use of the Special Court site. When it opens officially in 2012, the Museum will tell the story of Sierra Leone's decade-long civil war and its return to peace, and honour the victims of the conflict. It will also contain an archive of war-related materials, including the permanent archives of the Special Court.

The preview was organized as part of celebrations for Sierra Leone's 50th Independence Anniversary. Yasmin Jusu-Sheriff, a Commissioner for Sierra Leone's Human Rights Commission, declared the exhibition officially open.

On display this week are videos, including "The Sierra Leone Story," on the country's independence; materials relating to the Truth and Reconciliation Commission's "National Vision," and a preview of the Special Court's archives. A number of historical documents are on loan from the National Archives, including the 1788 treaty between King Naimbama and the British Government.

Thursday's exhibition was organized by the Peace Museum Project Management Team, which includes representatives from the Special Court, the Ministry of Justice, the Sierra Leone Judiciary, the Human Rights Commission, the Sierra Leone Museum, the National Archives, the Monuments and Relics Commission, and Civil Society.



Human Rights Watch

Monday, 2 May 2011

Germany: Groundbreaking Trial for Congo War Crimes

The trial of two Rwandan rebel leaders arrested in Germany for alleged war crimes and crimes against humanity in the Democratic Republic of Congo makes the world a smaller place for suspected war criminals, Human Rights Watch said today.

On May 4, 2011, judges in Stuttgart, Germany, will begin hearing evidence against Ignace Murwanashyaka and Straton Musoni, respectively president and vice president of the Democratic Forces for the Liberation of Rwanda (Forces Démocratiques de Libération du Rwanda, FDLR). The FDLR is a predominately Rwandan Hutu armed group that has been operating in eastern Congo, under various names, since 1994.

"The trial of Murwanashyaka and Musoni is a powerful statement that courts - even thousands of miles away from where the atrocities occurred - can play a decisive role in combating impunity," said Geraldine Mattioli-Zeltner, international justice advocacy director at Human Rights Watch. "The German authorities took an important step in carrying out their legal obligation to prosecute these horrific crimes."

Both men were arrested on November 17, 2009, in Germany, where they had been living for several years. They are charged with 26 counts of crimes against humanity and 39 counts of war crimes allegedly committed by FDLR troops on Congolese territory between January 2008 and November 2009. These charges were brought under the German Code of Crimes Against International Law (CCAIL). They are also charged with belonging to a terrorist group.

For several years, FDLR troops have conducted widespread and brutal attacks against civilians in eastern Congo. These intensified in 2009 following Congolese army military operations against the FDLR with the backing of the Rwandan army and later United Nations peacekeepers. Human Rights Watch documented numerous deliberate killings of civilians by the FDLR. The victims included women, children, and the elderly, many of whom were hacked to death with machetes and hoes. FDLR combatants pillaged and burned homes, sometimes with their victims locked inside. FDLR attacks were regularly accompanied by rape. Most victims were gang raped, with combatants deliberately using sexual violence as a weapon of war, Human Rights Watch found.

Murwanashyaka and Musoni were not in the DRC when these crimes were committed. However, they were known to be closely communicating with and ordering operations by FDLR troops in eastern DRC. As senior leaders of the movement, they both may carry responsibility for the crimes the troops committed if it can be shown that they ordered the crimes or if they knew of the crimes and did nothing to stop them, for example. They are also suspected of instigating and ordering a strategy in which FDLR troops on the ground would deliberately create a "humanitarian catastrophe" by attacking civilians, in an apparent effort to force the international community to call for an end to the military operations against them.

The FDLR has received significant support from diaspora cells and satellites in European, North American, and African countries, which have facilitated money transfers, coordinated arms deliveries or facilitated recruitment for the group. The conflict is still ongoing in North and South Kivu provinces in eastern Congo, and the FDLR, as well as other armed groups, continue to carry out grave human rights abuses against civilians. In one of the worst recent incidents, at least 53 women and girls were raped by FDLR combatants in southern Fizi, South Kivu Province, between January 19 and 21, according to humanitarian and UN sources.

"Murwanashyaka and Musoni could be found criminally responsible for the atrocities committed by their troops in Congo," Mattioli-Zeltner said. "This trial should send a strong signal to FDLR commanders still ordering crimes in eastern Congo, including the military commander, General Sylvestre Mudacumura, as well as others who may believe they can support or order mass human rights violations from the comfort of their homes in Europe or North America."

This case is the first to be tried under the German Code of Crimes Against International Law (CCAIL), passed in June 2002, which integrates the crimes under the jurisdiction of the International Criminal Court (ICC) - war crimes, crimes against humanity, and genocide - into German criminal law. The CCAIL provides the basis for pursuing suspected war criminals under the principle of universal jurisdiction - which allows a state to prosecute foreigners even absent a connection to the state in question. Murwanashyaka and Musoni could also be tried because they are accused of committing the crimes from the territory of Germany, where they are residents.

In October 2010, French police arrested in Paris Callixte Mbarushimana, who had moved into the leadership role of the FDLR following the arrest of Murwanashyaka and Musoni, under a warrant from the ICC. Mbarushimana was wanted by the ICC on charges of crimes against humanity and war crimes. He was transferred to The Hague in January. The ICC's hearing to determine whether there is sufficient evidence to send his case to trial is scheduled to start on July 4.

In April 2009, the German Federal Police office created a Central Unit for the Fight against War Crimes and other offenses under the CCAIL. This unit helps police and prosecutors to investigate grave international crimes.

With the conflict ongoing in eastern Congo, ensuring the security and safety of witnesses, victims, and judicial staff is a major challenge. The court in Stuttgart bears the responsibility of safeguarding the physical and psychological well-being of Congolese victims who are brave enough to testify, Human Rights Watch said. The court should also make information about the trial accessible to communities affected by the FDLR's many crimes.

"The trial of Murwanashyaka and Musoni presents an opportunity for victims of FDLR crimes to finally see justice after so many years of suffering," Mattioli-Zeltner said. "The court in Stuttgart should find innovative ways to communicate vital information about the trial to affected communities in Congo."

Naharnet

Tuesday, 3 May 2011

Indictment to be issued in May



The indictment in ex-Premier Rafik Hariri's assassination case could be issued by the Special Tribunal for Lebanon this month, political sources told An Nahar daily.

The sources said in remarks published Tuesday that the issue could further complicate the government formation process.

In March, STL Prosecutor Daniel Bellemare filed an amended indictment based on further evidence in the probe into the 2005 killing of Hariri.

The indictment, which is being kept confidential, is under examination by Belgian judge Daniel Franssen who has the responsibility of confirming it before arrest warrants or summonses are issued.

The first indictment, filed by Bellemare in January, is widely believed to name Hizbullah members.

Associated Press

Monday, 2 May 2011

AP Interview: International court prosecutor has 'strong evidence' of crimes in Libya

By Edith M. Lederer

The International Criminal Court prosecutor said Monday he has "strong evidence" of crimes against humanity in Libya committed by Moammar Gadhafi's regime which he will present to a judge in a few weeks.

Luis Moreno-Ocampo said in an interview with The Associated Press he has documented the shooting of civilians in demonstrations, a systematic campaign to illegally arrest and torture civilians connected with protests, and a pattern of forced disappearances.

The U.N. Security Council voted unanimously on Feb. 26 to refer the Libyan crisis to the International Criminal Court, the world's permanent war crimes tribunal, and asked the prosecutor to report in two months.

Moreno-Ocampo said he plans to tell the council on Wednesday that "in a few weeks, we'll present our first case and we will have strong evidence of the crimes committed."

"We are going to present the case of crimes against humanity — for those crimes committed against demonstrators and those crimes (which) are today committed in different cities of Libya, illegal arrest, torture, forced disappearances. We have evidence of that," he said.

Gadhafi, who has been in power for more than four decades, has fought fiercely to put down an uprising against his regime that began with protests inspired by a wave of Mideast unrest and escalated into an armed rebellion.

Moreno-Ocampo said other crimes were also committed in Libya since the uprising began in February "including war crimes."

The prosecutor said his office is continuing investigations on the use of cluster bombs, the targeting of civilian areas, serious allegations of rape, and "allegations that the rebel groups killed black people, considering them mercenaries."

When he goes to the judges in the next few weeks to present his evidence, Moreno-Ocampo said he will identify the senior Libyan or Libyans his office alleges committed crimes against humanity.

"The judges can decide to accept my request and issue an arrest warrant, to refuse, or to request more evidence," he said.

Moreno-Ocampo said he believes strongly that issuing arrest warrants offers "an opportunity to stop the crimes and protect civilians" if the alleged perpetrators can be quickly arrested.

He said he plans to discuss with the Security Council how to carry out an arrest, if authorized by the court.

"The world has to be ready," Moreno-Ocampo said. "Implementing an arrest warrant in the middle of a conflict is a complex operation that will require planning. ... So I think it's better to start to study the feasibility right now."

The prosecutor said his office sent letters to the rebels' transitional government and the Gadhafi regime asking about their ability to implement arrest warrants.

The transitional government said they are ready "but they need international support," Moreno-Ocampo said. "We are still waiting for the Gadhafi government" to respond.

He recalled that in former Yugoslavia, Bosnia's wartime leader Radovan Karadzic and his military chief Gen. Ratko Mladic were indicted in the middle of a war "but there was not a real attempt to arrest them in those days."

What's different in Libya, Moreno-Ocampo said, is that "it's the middle of the conflict and we (could) have a judicial decision that if implemented could end the war."

The Standard

Tuesday, 3 May 2011

Ocampo loses bid to appeal over evidence disclosure

By Evelyn Kwamboka

International Criminal Court prosecutor Luis Moreno-Ocampo has lost his bid to appeal against an order requiring him to disclose all his evidence against six post-election violence suspects.

Pre-Trial Chamber II judge Ekaterina Trendafilova dismissed the application on grounds the court did not order him to prepare an in-depth analysis that included exculpatory evidence.

Judge Ekaterina on Monday said Ocampo's argument was based on a misconception that did not constitute a subject for resolution by the court.

She pointed out that Ocampo failed to demonstrate an "issue" within the meaning of the Rome Statute, adding that disclosure of all evidence before hearing the confirmation of charges does not affect the fairness or expeditiousness of the proceedings.

The single judge considered that the prosecutor was expected to organise his office in such a professional manner that he could comply with duties under the Statute timely and properly.

The judge said she was not persuaded by the prosecutor on how disclosure of incriminating and exonerating evidence against Eldoret North MP William Ruto, Tinderet MP Henry Kosgey, Finance Minister Uhuru Kenyatta, Head of Civil Service Francis Muthaura, Postmaster General Hussein Ali and radio presenter Joshua Sang in his control, would unfairly hamper his preparations for the confirmation hearing set for September.

"By the same token, the prosecutor has not convincingly put forward any argument why disclosure of exculpatory evidence already in his possession or control may be considered "onerous requirement" warranting the postponing of the confirmation of charges hearing," she ruled.

On the issue of communicating all evidence to the Chamber, the judge said the defence had not complained, adding the suspects had a right to remain silent by not challenging the prosecution's evidence or producing any at the confirmation of charges hearing.

421 days

In his application seeking the court's permission to appeal against judge Trendafilova's decision, Ocampo said he needed 421 days to review the evidence to comply with orders.

He said it was unfair to require him to disclose all his evidence now, when the confirmation of the hearings are still so far away.

He also said if he were to fully comply with Judge Ekaterina's order, he would have to review and disclose 12,900 pages of documents.

This, he said, would take him 421 days.

In a response signed and filed at the ICC by Kosgey through his lawyer George Oraro, he argued that if the prosecutor is allowed to appeal against the decision in which he was ordered to disclose his evidence, it would hinder the defence's preparation of its case.

Referring to ICC's previous decisions, Oraro said the defence had absolutely no duty to allow the prosecutor to inspect the defence files or have any other form of access to defence information.

"None of the three issues raised by the prosecution affect the fairness and expeditiousness of the proceedings," he said.