

**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
as at:**

Wednesday, 21 September 2011

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

International News

Once Upon a Time in West Africa: Second Chance Africa, Part I / <i>Africa.Com</i>	Page 3
UN Reinforces Troops Ahead of Polls in Liberia / <i>The Daily Nation</i>	Page 4
Judge Convenes STL Trial Chamber / <i>The Daily Star</i>	Page 5
Lebanon's Leaders Recognize Need to Fund STL / <i>The Daily Star</i>	Pages 6-7
Mikati heads to NY with no deal on STL funding / <i>The Daily Star</i>	Pages 8-9
STL Says Legal Aid Available for Suspects if Needed / <i>The Daily Star</i>	Page 10
Face-off at ICC as Ocampo Picks New Team / <i>Kenya Broadcasting Corporation</i>	Page 11
Rwanda: Mother and Son Genocidaires / <i>Pambazuka News</i>	Pages 12-14
Gacaca Judge Denies Ngirabatware Participation in Genocide / <i>Hirondelle News Agency</i>	Page 15
Closing Arguments in Youth Minister Trial Scheduled for October / <i>Hirondelle News Agency</i>	Page 16
Rwanda: Jallow Reappointed ICTR Prosecutor / <i>The New Times</i>	Page 17
UN War Crimes Tribunal Jails Kosovo Witness Who Refused to Testify / <i>United Nations News</i>	Page 18

Africa.Com

Friday, 16 September 2011

Once Upon a Time in West Africa: Second Chance Africa, Part I

By Arielle Sklar, Independent Communications Specialist

She sharply grabbed my wrists. "Please, help me," she hissed. No one in the crowded New York City Au Bon Pain seemed ruffled by our intense conversation. Jana, a trauma therapist was sharing her experience working with former child soldiers in Liberia. Her plea for help was a reiteration of the voices that clawed at her while working at her nonprofit counseling clinic called Second Chance Africa.

When I decided to go to Liberia, my only references were National Geographic and names on a map. Since then, the story of this country has unfolded before me in stilted, unexpected ways.

There are no books exclusively on Liberia in Barnes & Noble or the local library. Static interviews from expats living in Liberia became the best resources for historic and cultural anecdotes.

I heard snippets like "Liberia has the largest U.N. presence;" "the U.N. is keeping the peace;" "the U.N. officials don't do anything;" "Liberia is the closest thing the United States has to a colony;" "Liberia is where the American Colonization Society sent all the freed slaves in 1822;" "when slaves arrived they continued the cycle by making the indigenous people their slaves;" "there are no traffic lights;" "the Chinese are invading;" "there is no electricity;" "there are great sushi restaurants," and "Liberia is famous for its child soldiers."

Child what? According to the Human Rights Watch, thousands of children have been recruited to fight for the main rebel forces, Charles Taylor's National Patriotic Front of Liberia.

The psychological consequences of war on adult soldiers are crippling. Rehabilitating a child exposed to the ravages of violence must be a lost cause, or at least I thought.

The goal of Second Chance Africa says otherwise. The civil war ended in 2003. The child soldiers are now young adults. There are serious and vast security risks for calling them a "lost generation." Violence has been woven into the future. If the youngest war victims do not receive proper detoxification, both mentally and physically can there be hope for a peaceful Liberia? A formidable Africa? A collaborative and productive global community?

Naiveté about the Liberian plight is not for lack of trying. Even news junkies rarely receive information about the West African melting pot. Second Chance Africa needs an educated public to see psychological services as fundamental to peace building. Donors need a sensitive translator to turn them on to a cause too often left in the dark.

I hold my breath while pressing the submit button on the Delta flight to Monrovia and reassure myself that advocating without due diligence could be lethal to the operation.

The 11-day visit is a necessary step to strategize how to gain attention for multicultural psychological services and make counselling a priority on par with shelter, schooling, and traditional medicine. Exhale.

The Daily Nation (Kenya)

Tuesday, 20 September 2011

UN reinforces troops ahead of polls in Liberia

By TAMBA MATTHEW NATION Correspondent in Dakar

The UN says it will need more of its peacekeepers from neighbouring Cote d' Ivoire to beef up security ahead of the October polls in Liberia.

“This is especially important given the tendency for elections in post-conflict countries to lead to violence,” Ms Ellen Margarethe Loj said.

A UN statement at the weekend quoted Madam Loj, its special representative in Liberia as saying in New York as the security situation grows tense in the post war country. (READ: Liberia kicks off campaigns ahead of polls)

Last year, the UN undertook a similar action to reinforce its peacekeepers in Cote d'Ivoire from its contingency in Liberia in order to quell down a post electoral violence that left hundreds dead.

Even though Madam Loj did not say how many troops would be called in, they would join several battalions of their counterparts stationed in Liberia since nearly a decade.

Liberia for its part is deploying a special police force throughout the country to forestall violence during and after the high-profile polls next month.

Tension has been rising since a few weeks now between the opposition coalition parties and the ruling Unity Party-led government of Ellen Johnson Sirleaf over accusations of fraud and the use of force by the national security.

Police checkpoints are being mounted in the capital, Monrovia and in several major towns at night while the headquarters of the nearly two dozen presidential candidates are being protected by heavily armed national security agents.

Compounding this situation is the continued influx of armed Liberian and Ivorian gangs since several months now.

Many of them have been arrested and awaiting trial in Liberia while the security has discovered and impounded a large cache of assorted arms and ammunition brought in from Cote d'Ivoire.

Next month's elections will be second since the end of the civil war in 2003 that witnessed the arrest, detention and trial of Charles Taylor, the former warlord and head of state.

The Daily Star (Lebanon)

Monday, 19 September 2011

Judge convenes STL Trial Chamber

BEIRUT: The president of the Special Tribunal for Lebanon, Judge Antonio Cassesse, Thursday issued an order convening the Trial Chamber for the first time.

The U.N.-backed court in June indicted four Hezbollah members in the 2005 assassination of former Prime Minister Rafik Hariri and 22 others.

No progress has yet been made in efforts to arrest the suspects – Salim Jamil Ayyash, Mustafa Amine Badreddine, Hussein Hassan Oneissi and Assad Hassan Sabra. It is not known whether or not they remain in Lebanon.

The Trial Chamber, a statement from the STL said, will decide whether or not to hold the trial in absentia. It may also meet before the trial starts, the timing of which will be decided by the court, to discuss various matters, such as holding an initial appearance with any of the accused, if one is in custody, and to rule on preliminary motions.

The judges of the Trial Chamber are Judge Robert Roth of Switzerland, the Presiding Judge of the Chamber; Judge Micheline Braidı of Lebanon and Judge David Re of Australia. Judge Janet Nosworthy of Jamaica and Judge Walid Akoum of Lebanon are both alternate judges.

Alternate judges are present at each stage of the proceedings and may pose questions during hearings, but do not vote during deliberations.

They can replace Judges of the Trial Chamber if the voting judges are unable to continue sitting.

The Daily Star
Friday, 16 September 2011

Lebanon's leaders recognize need to fund STL



BEIRUT: Lebanon's top three leaders recognize that they must continue funding the Special Tribunal for Lebanon to avoid facing sanctions that would hurt the country's banking sector, An-Nahar reported Friday.

Parliament Speaker Nabih Berri, President Michel Sleiman, and Prime Minister Najib Mikati have all been warned by international figures of the risks of halting the country's 49 percent share of the funding for the tribunal investigating the 2005 assassination of former Prime Minister Rafik Hariri.

"Officials privately recognize the need to fund the tribunal after they were clearly told by certain international elements that Lebanon would face sanctions that might hurt its banking sector if any delay in funding occurs," the paper said.

This understanding cuts across the political spectrum, with even Hezbollah, which has publicly strongly rejected the tribunal which indicted four of its members in June this year, aware of the danger posed to Lebanon if the government decided to halt the funding, the newspaper reported.

Lebanon's banking sector is vital to its economy, as one of the strongest in the region and the most successful industry in the country.

Although the international community has urged Lebanon to preserve its commitment to U.N. Resolution 1757, which established the tribunal and lays out the requirement that Lebanon pay the 49 percent share, it has never publicly warned of any possible sanctions.

Earlier this month the prime minister said that funding the tribunal was in the interests of the country, and that the government would continue to pay the country's share of the tribunal's budget so long as it was.

Sources told An-Nahar that funding for the tribunal would come from a loan from the treasury, transferred to the Ministry of Foreign Affairs.

Official spokesman Martin Youssef told An-Nahar in comments published Friday that the country still owes 70 percent of its share of the tribunal's funding for 2011.

"We are confident of Prime Minister Najib Mikati's promises. It is true that there are other countries participating in the funding, but that doesn't mean that we are not waiting for Lebanon's share," Youssef said.

Meanwhile, March 14 sources told local newspaper Al-Joumhouria in comments published Friday that the funding did not require a government decree and that it was therefore not in a hurry to pass a proposal in Parliament to protect the funds.

"The international tribunal, Lebanon's commitment and what comes with it from financial commitments were issued by an international law in the Security Council under Chapter 7. Therefore, the commitment overrides any domestic law," sources told Al Joumhouria.

The Daily Star

Tuesday, 20 September 2011

Mikati heads to NY with no deal on STL funding

By Patrick Galey

BEIRUT: Prime Minister Najib Mikati will head to New York this weekend without Cabinet agreement on Lebanon's share of funding for the United Nations-backed court probing the assassination of statesman Rafik Hariri, a political source said Monday.

This week's two Cabinet meetings will avoid the divisive issue, meaning Mikati will travel Saturday to the U.N. Security Council with Lebanon still undecided on when it will pay its dues to the Special Tribunal for Lebanon, a source familiar with negotiations told The Daily Star.

It added that "under the table" talks were however ongoing, with Lebanon obliged under U.N. Security Council Resolution 1757 to pay over \$30 million of court-running costs – something it has failed to do in 2011.

"The Lebanese government is committed to implementing international resolutions especially those related to the funding of the STL," the source said.

A spokesperson for the court said it had repeatedly asked Beirut for its share this year.

"Our position has not changed on this issue. Lebanon is obliged to contribute 49 per cent of the STL expenditure. It has not yet done so for 2011," spokesperson Marten Youssef said. "We have reminded the Lebanese government several times and we trust they will fulfill their promises."

Youssef added that the court had been surviving off handouts from other countries and said that Lebanon's tardiness in financial support had not affected the running of The Hague-based tribunal.

"In the absence of Lebanon's contribution we have been relying on the voluntary contributions of other countries. We continue to work in the most efficient way possible with or without Lebanon's contributions," he said.

The issue of STL funding has divided political circles, with those in favor of the court insisting Lebanon would be renegeing on an international agreement if it refused to come up with the cash. Hezbollah, the tribunal's most strident opponent, has called for a boycott of what it calls "an Israeli project."

The Cabinet's policy statement, while pledging to honor international commitments, stopped short of explicitly promising to continue supporting the STL.

Mikati is set to meet at the Security Council – where Lebanon holds the presidency throughout September – with U.N. Secretary General Ban Ki-moon. Although the prime minister is expected to voice Lebanon's support for the STL, it now appears that he will be unable announce any concrete funding commitment.

State Prosecutor Saeed Mirza submitted Monday the judiciary's first monthly report on the progress of the hunt for the four suspects named by the Special Tribunal for Lebanon.

Mustapha Amine Badreddine, Salim Jamil Ayyash, Hussein Hassan Oneissi and Hassan Assad Sabra were all accused back in June by STL Prosecutor Daniel Bellemare of being involved in the car bomb that killed Hariri and 22 others on Feb. 14, 2005.

Authorities in Beirut said they conducted extensive searches for the men, all of whom are members of Hezbollah, following the issuing of international arrest warrants, but were unable to apprehend the suspects.

STL President Antonio Cassese, after reading Mirza's initial report on the manhunt, said the efforts made by security forces to capture the accused were "not sufficient," and ordered Mirza to file monthly progress reports to The Hague.

Sayed Hassan Nasrallah, in a televised speech shortly after the filing of the court's first indictment, vowed the four individuals would not be arrested "even in 300 years."

Mirza said that the content of the periodical report would remain confidential in line with Lebanon's cooperation agreement with the court, although Cassese has made the contents of documents sent from Beirut public in the past.

The state prosecutor also announced that the case files of slain former Communist Party Leader George Hawi, former Deputy Prime Minister Elias Murr and Former Telecommunications Minister Marwan Hamadeh had been sent to the tribunal, as requested by Cassese.

STL Pre-Trial Judge Daniel Fransen has ruled that the assassination of Hawi and the attempts on the lives of Murr and Hamadeh could be related to the attack that killed Hariri.

The U.N.-backed court will now investigate the case files.

Mirza added that the investigation into a controversial TIME interview, which purported to feature an interview with one of the four indicted men, was continuing.

The Daily Star

Monday, 19 September 2011

STL says legal aid available for suspects if needed

The defense office at the Special Tribunal for Lebanon (STL) will provide funding for suspects unable to cover the costs of their defense, the STL announced Friday.

“All accused persons before the STL have the right to legal representation. If an accused does not have sufficient financial means to pay for his own defense, the tribunal will pay for [their] legal representation,” the STL said in a statement.

Those accused would have to apply for “legal aid,” the STL said, adding that the amount of the aid would be determined by the registrar after assessment of the suspect’s financial circumstances and ability to pay.

However, persons accused and then found guilty would be required to contribute to the cost of defense.

The STL, established in 2007 to try those involved in the assassination of former Prime Minister Rafik Hariri in 2005, has indicted four members of Hezbollah in the case. Hezbollah denies any role in the assassination and says its members are innocent. Hezbollah has vowed not to cooperate with the court, which it describes as part of a “U.S.-Israeli” project aimed targeting the resistance group.

The legal aid policy also stipulates that the defense team, made up of a lead counsel and a co-counsel, a junior lawyer, a case manager, an investigator and a language assistant, should have sufficient resources “so as not to place them at a procedural disadvantage vis-a-vis the prosecution with regards to the preparation and presentation of their case.”

“The legal aid policy seeks to effectively implement this right by paying defense counsel the equivalent net salary of that accorded to a senior trial attorney for the prosecution, and by making available to the defense counsel adequate human and financial resources,” the statement said, adding that defense for trials in absentia would have similar resources.

The policy covers expenses for experts and expenses related to defense investigations. The legal aid would be administered by the defense office and paid for from the overall budget of the STL.

Kenya Broadcasting Corporation

Tuesday, 20 September 2011

Face-off at ICC as Ocampo picks new team

Written By: Mary Daraja,



Judge Ekaterina Trendafilova will kick off the hearings against the three at 3.30pm Kenyan time

The International Criminal Court Chief Prosecutor Luis Moreno Ocampo has picked a new team of eight experienced prosecutors for the second round of confirmation of charges hearings.

Some of the prosecutors have previously worked or are working on cases for the ICC in Africa.

Prosecutor Luis Moreno- Ocampo is scheduled to have a round table meeting Wednesday with Kenyan journalists at the ICC.

The team will be led by Ms Adesola Adeboyejo assisted by Adeboye Akingbolahan, Olivia Struyven, Desiree Lurf, Shamiso Mbivso, Ramu Bittaye, Arthur Siribu and Nawamaka Enjebe.

The prosecution will rely on witness statements and other material.

The team will battle it out with the defense counsel of Deputy Prime Minister Uhuru Kenyatta, Head of Civil Service Francis Muthaura and Postmaster General Hussein Ali.

The defense counsel for the three also comprises foreign and local lawyers with vast experience in international cases touching on crimes against humanity.

British counsel Steven Kay QC will lead Uhuru's team while Muthaura's team is led by Karim Khan. Evans Monari and Gershom Otachi are in Ali's defence team.

Morris Anyah will represent the victims of the 2007 violence without any knowledge of what is contained in documents filed by the prosecution and defense.

Uhuru Kenyatta who is at The Hague plans to give his defence.

However, Ocampo wants the appeals Chamber to disqualify Muthaura's counsel Essa Faal on grounds that he had access to information touching on the suspects during the time he worked in the prosecutor's office.

The Pre-Trial Chamber II cleared him. Judge Ekaterina Trendafilova will kick off the hearings against the three at 3.30pm Kenyan time.

The sessions will run up to October 5. Uhuru, Muthaura and Ali are facing charges of murder, forcible transfer of persons, rape, persecution and other inhuman acts.

The crimes were allegedly committed during the 2007-2008 post-election violence.

Pambazuka News

Thursday, 15 September 2011

Rwanda: Mother and Son Genocidaires

By Elizabeth Barad

Analysis

Pauline Nyiramasuhuko, the only woman indicted for rape and genocide at the International Criminal Tribunal for Rwanda, was sentenced to life imprisonment on 24 June 2011. Elizabeth Barad reflects on the 10-year trial of Rwanda's former minister for family and women's affairs and her son, who was also given a life sentence for rape, genocide and crimes against humanity.

She'll die in prison.

The only woman indicted for rape and genocide at the International Criminal Tribunal for Rwanda (ICTR), Pauline Nyiramasuhuko, was sentenced to life imprisonment on 24 June 2011. Her son, Arsene Shalom Ntahobali, called 'Shalom' (meaning peace), was also given a life sentence for rape, genocide and crimes against humanity. Shalom's wife, Beatrice Munyenyezi, having fled to the US and claiming asylum, is also now in jail; she was indicted for falsifying her refugee application, and charged with encouraging rapes and slaughters during the 1994 Rwandan genocide.

Through luck and guile, I was able to speak to Nyiramasuhuko alone which no other journalist or lawyer, other than her own, has been able to do. She was incarcerated at the Detention Center of the ICTR where she was allowed no interviews, only visits by her family. She was awaiting trial that first time I saw her in September 2003. She complained that she was lonely, being the only woman there. 'It's very difficult for me. I don't have my own doctor. I do get to see Shalom, but only once a week,' she said. It was reported that Nyrimasahuko's main concern was for Shalom. Although she had special female guards, she said, 'They don't speak French and I don't like them.'

The 57-year old, portly woman, who sat before me, her guard having left us alone, insisted, 'I'm not guilty of rape and crimes against humanity.' She, being a part of the Hutu political elite, claimed that the 1994 Rwandan genocide was committed by the former Rwandan rebels from Uganda, the Rwanda Patriotic Front that now controls the country. 'It was the Tutsis who massacred the Hutus,' she said. Nearly all the defendants and defense witnesses made this claim.

Dressed in a navy-blue, nondescript dress only brightened by a floral scarf around her throat, Nyiramasuhuko spoke with me cordially. I attributed her warm attitude to the fact that, as the only interviewer to see her, she hoped I'd tell the world of her innocence; she offered to give me documents to prove it. But when I returned the next day to get those documents, my entry to the Detention Center was barred by the UN Detention Facility Commanding Officer. He was distressed that I had previously gained access to the Center.

In the years since that meeting Nyiramasuhuko's appearance changed dramatically and accusations against her were increasingly proven. She gradually lost a great deal of weight and dressed in brighter, more flattering colours with her head wrapped in African fashion. One of her judges, Arlette Ramarason, told me in her chambers, 'She's now wearing a gold cross around her neck; I never saw that before.' Numerous

witnesses testified about Nyiramasuhuko's involvement in the Rwandan genocide which lasted over a brief 100-day period, killing 800,000 Tutsis and moderate Hutus, mostly with machetes. Between 250,000 and 500,000 women were raped, a minimum of 2,500 a day, many with machetes, rifle butts and broken bottles.

As the former minister of Family and Women's Affairs, Nyiramasahuko, instead of protecting women, incited her son and others to rape and kill Tutsi women as she stood in a military uniform at roadblocks, sometimes carrying a machine gun. She even included in her diary, admitted as an exhibit, lists of victims killed during the genocide, with, in a different ink, checkmarks after each name. On the same pages there were also domestic jottings detailing what she spent on vegetables, sugar and rice.

'She makes me ashamed to be a woman,' said Angelina Muganza, a former Rwandan minister of Gender, when I told her that I interviewed Nyiramasuhuko. Under Muganza's leadership, a five-year program was initiated to improve women's rights, including their right inherit land, which they previously were unable to do. Having grown up in a Ugandan refugee camp, Muganza returned, as many others did, to serve her country. She always greeted me warmly when I saw her during my many trips to Rwanda to do ethics and gender-sensitivity trainings for the justice system.

The Presiding Judge on The Prosecutor v. Nyiramasuhuko et. al. case, William H. Sekule, said 'evidence clearly established Nyiramasuhuko's direct role in ordering Interhamwe (the Hutu militia) to rape Tutsi women.....and (she) is responsible as a superior for rapes committed by members of the Interhamwe.' The previous landmark Akayesu case at the ICTR established that rape is a crime against humanity and superiors will be prosecuted under the theory of 'command responsibility' for the acts of their inferiors. But the presiding judge also said that the mother and son defendants could not be charged for genocide for the rapes because the 'Indictment was defective in failing to plead rape as genocide.'

The Trial Chamber also found that Nyiramasahuko along with her son, accompanied by Interhamwe and soldiers went to government offices where Tutsis had sought shelter and assaulted, raped, abducted and later killed them. 'Both Nyiramasahuko and Ntahobali ordered killings. They also ordered rapes. Ntahobali further committed rapes, and Nyiramasuhuko aided and abetted rapes,' said the Presiding Judge.

The US State Department lauded the ICTR's verdict and said that, 'This ruling is an important step in providing justice...for the Rwandan people and the international community...this conviction is a...milestone because it demonstrates that rape is a crime of violence and it can be used as a tool of war by both men and women.' Hopefully, these words are sincere and not just guilt for having persuaded the international community not to interfere when the UN was warned that there was going to be a genocide.

Mother and son were tried in the largest and longest case at the ICTR. It included four other Hutu leaders accused of genocide. All were from Butare, a city in Southern Rwanda, near where Nyiramasuhuko was born in humble circumstances. She later became a lawyer and married the rector of the National University in Butare, formerly the president of the National Assembly. Nyiramasuhuko had four children and became part of the presidential inner circle, making her a principal political personality.

Arrested in Kenya in 1997, Nyiramasuhuko was later transferred to the ICTR along with Shalom. In 2001, their trial began. The case lasted ten years. It took so long, not only because there were 189 witnesses but also because every witness had to be cross-examined by each of the six defendants' counsels. Nyiramasuhuko's lead lawyer, Nicole Bergevin, initially pleasant, later refused to speak me, possibly because she learned I had talked to her client.

I traveled to Butare, a two-hour drive from the capital, Kigali, to see where the atrocities had taken place and where Nyiramasuhuko and Shalom had lived. The family owned and lived in the Hotel Uhiliro, where Shalom set up a roadblock and raped and killed Tutsis. Their house, which had overlooked the National University, was razed to the ground shortly after the Rwandan Patriotic Front, comprised of Tutsis from the Ugandan diaspora, had stopped the genocide. Butare, long considered the intellectual capital of the country, is the site of the National University of Rwanda, and the National Institute of Scientific Research. The National Museum is close by as is a major genocide site that was a former technical school. It houses 50,000 skeletons and skulls, many of young children, who sought refuge in the former school. The site incongruously sits on a lush green hill that overlooks a flowering valley below. The hill, if not its people, has retained its quiet calm for centuries.

The only woman charged with rape and genocide at an international tribunal, Nyiramasuhuko was also convicted of conspiracy to commit genocide, of ordering the killing of Tutsis, extermination and persecution as crimes against humanity, rape as a crime against humanity as a superior of the Interhamwe, whose members raped Tutsis and outrages upon the personal dignity as a war crime. Shalom was convicted of genocide, extermination in killing Tutsis and a young girl at the Hotel Ihuliro roadblock and ordering the massacre of Tutsis taking refuge at government offices and schools, rape and persecution as crimes against humanity and violence to life and outrages upon personal dignity as war crimes. Also given a life sentence was the former mayor of a Butare commune. A former police commander was given a 30-year sentence, a former prefect of Butare got 25 years and former mayor of another Butare commune was sentenced to 35 years.

As a former prosecutor on the case, Gregory Townsend, said to me, 'It was a long road with many participants but we got the just result.'

Elizabeth Barad practices international human rights law, gender and intellectual property law. As Chair of the New York City Bar's Rwanda Legal Task Force, Elizabeth organised two ethics seminar and a gender-sensitivity workshop for the Rwandan justice system.

Hirondelle News Agency

Monday, 19 September 2011

Gacaca judge denies Ngirabatware participation in genocide

A gacaca judge testifying for the defence of former Rwandan Planning minister Augustin Ngirabatware Monday denied before the International Criminal Tribunal for Rwanda (ICTR) that the defendant was involved in the Rwandan 1994 genocide in his native commune of Nyamyumba (North Rwanda).

"I did not hear anyone, be it a suspect, witness or victim who mentioned Augustin Ngirabatware's, involving him with crimes of genocide. If he was mentioned we would have prepared a file for him and submit it to relevant authorities for trial," protected witness DWAN49 told the Chamber presided by Judge William Sekule.

Earlier the witness said that he alongside other residents in his area got involved in the information gathering for semi-traditional Gacaca courts and later on served as presiding judge in several gacaca trials in the area in question.

Led in his examination in chief by the accused Co-counsel, Mylene Dimitri, DWAN49 also denied that he saw minister Ngirabatware between January and July 1994 in Nyamyumba commune.

"I never saw Augustin Ngirabatware in Nyamyumba commune between January and July, 1994 and nobody told me he was seen in the commune," he told the Chamber.

The former minister is accused of genocide or in the alternative conspiracy to commit genocide, direct and public incitement to commit genocide and extermination and rape as crimes against humanity allegedly committed in his commune and Gisenyi prefecture during the 1994 massacres in Rwanda.

The prosecution led by Rashid Rashid took over the floor to cross examine the witness. The trial continues Tuesday.

Ngirabatware has already called 16 witnesses for his defence including himself. A total of 19 remaining defence witnesses are scheduled for presentation of their evidence until October 31, 2011.

The prosecution closed its case on August 31, 2010, after presenting 20 witnesses.

Meanwhile the Trial Chamber denied defence motion requesting the ICTR President to report the republic of Togo to the Security Council for failure to facilitate a meeting between the defence and Togolese potential witness. "The Chamber does not believe at this stage that the circumstances warrant a request to the President to report Togo to the Security Council," reads part of the decision issued on September 14, 2011.

However according to the decision, the Chamber requested the Togolese authorities to facilitate and ensure that the defence is able to meet with the Togolese national as soon as possible.

NI/FK/GF

Hirondelle News Agency

Monday, 19 September 2011

Closing arguments in youth minister trial scheduled for October

The International Criminal Tribunal for Rwanda (ICTR) will conduct closing arguments in the case of former Youth Minister Callixte Nzabonimana on October 20 and 21, 2011, according to a scheduling order.

Nzabonimana is charged with genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, extermination and murder, as crimes against humanity. The Prosecution presents him as the main instigator of the killings in his home prefecture of Gitarama, Central Rwanda.

According to the prosecution, Nzabonimana was a member of the then Rwandan ruling party, MRND, at both national and prefecture level and at various times between 1989 and 1994, held the positions of Planning Minister and later Minister of Youth.

As Chairman of MRND in Gitarama prefecture and a serving minister in 1994, the prosecution alleges, the defendant was a person of great prominence and consequently, was able to wield considerable influence within his local community and civilians and law enforcement agents likely followed his orders.

During genocide in April and May, 1994, Nzabonimana is alleged to have encouraged the killings of Tutsis at various locations in his home commune of Nyabikenke. Born in 1953, the defendant was arrested in connection with the charges on February 18, 2008 in Tanzania.

His trial opened on November 9, 2009 and was concluded on September 12, 2011. The prosecution called 20 witnesses, while the defence fielded 38.

FK/ER/GF

The New Times (Kigali)

Tuesday, 20 September 2011

Rwanda: Jallow Reappointed ICTR Prosecutor

The UN Security Council on Wednesday reappointed Hassan Bubacar Jallow as the Prosecutor of the Tanzania-based International Criminal Tribunal for Rwanda (ICTR) for a term of three years and three months.

The move also saw the Security Council reappoint Serge Brammertz as the prosecutor at the UN Criminal Tribunal for Yugoslavia (ICTY) who will serve until 2014.

The UN News Centre noted that acting on Resolution 2006 (2011), which was adopted unanimously, the Council reappointed Jallow, a Gambian, for a new term with effect from September 15, running until December 31, 2014.

The new terms are subject to an earlier termination by the Council "upon the completion of the work" of the tribunals, according to the texts, both of which were adopted unanimously.

Both tribunals are required to take measures to expeditiously complete their remaining work no later than the end of December 2014.

By June 30, the ICTR, based in the Tanzanian city of Arusha, made a ruling in six trial judgements, while six other others involving 10 accused remain to be delivered.

Jallow was first appointed to the Tanzanian-based tribunal post on September 4, 2003, taking over from Swiss national, Carla Del Ponte.

United Nations News

Monday, 20 September 2011

UN war crimes tribunal jails Kosovo witness who refused to testify

The United Nations war crimes tribunal for the conflicts in the former Yugoslavia Friday convicted a man of contempt of court charges and sentenced him to two months in jail for refusing to answer questions on two occasions during trials related to Kosovo in 2007.

The International Criminal Tribunal for the former Yugoslavia (ICTY) heard that the convicted man, Shefqet Kabashi, was supposed to be a witness in the trial and re-trial of former Kosovo prime minister Ramush Haradinaj, who was charged with crimes against humanity for his actions as commander of the Kosovo Liberation Army (KLA) during its conflict with Serb forces in 1998-99.

“By contumaciously refusing or failing to answer questions as a witness, Mr. Kabashi deprived the Haradinaj et al. Trial Chamber of evidence relevant for an effective ascertainment of truth in the adjudication of that case,” said Judge Alphons Orie, delivering the ICTY judgement Friday in The Hague.

The trial chamber found that any of the motives submitted by defence lawyers for Mr. Kabashi over his refusal or failure to answer questions remained vague and could not be considered in determining the appropriate sentence.

The court considered as mitigating factors his family situation and the fact that, according to medical documents, Mr. Kabashi suffers from post-traumatic stress disorder which worsens in a prison environment.

Although the trial chamber considered Mr. Kabashi’s apology and his guilty plea as genuine, the weight of his remorse was reduced by the fact that he had failed to come before the tribunal to face the charges against him for more than four years.

The ICTY acquitted Mr. Haradinaj in 2008 of charges of murder, rape, torture, abduction, cruel treatment, imprisonment and the forced deportation of ethnic Serbian and Kosovar Roma civilians.

But appeals judges partially quashed the acquittal last year, calling for a re-trial because the trial chamber had not done enough to ensure the testimony of Mr. Kabashi and another witness who experienced “serious witness intimidation,” thus depriving the prosecution of vital support for its case. The original trial had heard how many witnesses felt unsafe.

Source: U.N.