

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



St. Patrick's Church, Kissy

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, 14 March 2012

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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The Exclusive

Wednesday, 14 March 2012

Charles Taylor Cries for Pension Benefit

Information available to this paper indicates that ex-president Charles Taylor is said to be putting together a legal team to push for his severance benefits for services he rendered here as former president of the Republic of Liberia, an aide has disclosed.

Mr. Taylor currently faces 11 charges of war crimes and crimes against humanity for allegedly arming Sierra Leonean rebels. But he had since denied all charges.

The UN-backed Special Court for Sierra Leone prosecuting Taylor in The Hague announced last week that it will hand down verdict on April 26.

"Mr. Taylor has not received a dime from this government in terms of his pen-

suring that Taylor gets his pension money denied the link, but questioned whether it is prudent to discuss the issue of Taylor's benefits in the press and not with the proper source.

"If it were true (meaning that I was Taylor's lawyer), I would be talking to the proper sources and not discussing this in the press," Cllr. Pear Brown-Bull told this paper Wednesday.

She further stated that assuming she was representing Taylor's interest, it would still not be proper to discuss the matter in the press because Taylor or the appropriate sources, including the Government, may not want the matter to be discussed in the press. On whether she thinks Taylor should be paid his pension money, Cllr. Bull said if the former president is entitled to it, then he should get it.

sion benefits as former president," a Taylor's aide said. "Taylor told me sometime last month that he was getting a lawyer to pursue it (the case)," said the aide.

The aide said he finds it very difficult to understand why the Government of Liberia would be paying severance benefits to former transitional chairman Gyude Bryant and Taylor's successor Moses Blah, but would refuse to do same for Taylor himself.

The Taylor aide believes that his boss is not on trial for crimes in Liberia but rather in Sierra Leone and, therefore, he deserves his pension benefits as former head of state here. One local lawyer, who is said to be linked to the pursuit of en-

Efforts to get officials of the Liberian Government to comment on the issue proved futile, as newly appointed Presidential Press Secretary Jerolinmick Piah, who was preoccupied in knowing the source of the information rather than its veracity or falsity, when asked on Tuesday, only promised to get back to this paper after consulting with his boss. However, he failed to do so as at press time.

Information Minister Lewis Brown, a one-time National Security Advisor and Acting Foreign Minister under the Taylor regime, failed to return a call after this paper called, leaving a message with a female aide, who said he was in a meeting Wednesday. Taylor is the first former African head of state to be tried by an international court. If convicted, he could face a maximum life sentence.

The Special Court said last Thursday that the Judgment will be delivered at 11:00 a.m. on April 26 in a courtroom that belongs to the Special Tribunal for Lebanon in The Hague, where the Taylor trial has been taking place.

The Exclusive

Wednesday, 14 March 2012

Taylor's Lawyers Motion Dismissed

Judges of the UN backed Special Court for Sierra Leone Friday unanimously dismissed a request by lawyers representing ex-president Charles Taylor's defense to push the date for his (Taylor) ruling from April 26 to 30.

Mr. Taylor's defense team filed a motion requesting a change in the trial judgment date days after the Court announced on March 1, 2012 that it will hand down its judgment in the protracted trial on April 26, due a prior engagement by lead counsel Courtenay Griffiths in a London High Court.

Griffiths had furthered argued that the timing of the ruling, which is on the eve of Sierra Leone's Independence Day, is in bad taste because a conviction would make Taylor appear as an offering to the people of Sierra Leone. But prosecutors objected the defense request, urging the judges to stand by their originally announced date of April 26.

In its decision Friday, the judges dismissed the defense request, noting that when it issued their Scheduling Order on March 1 confirming that the judgment will be delivered on April 26, this gave Taylor's lead counsel a notice of about eight weeks, which according to the judges "is more than reasonable time for Counsel to make arrangements to be present for delivery of judgment."

The judges also noted that there are other co-counsel as part of Taylor's defense team who would be present in court in a case that lead counsel cannot attend proceedings on that day.

On the point that delivery of the judgment on the eve of Sierra Leone's independence could pose potential risk to security in the country, the judges noted that such an assertion "is entirely speculative and without merit."

For these reasons, the judges maintain that they will deliver their verdict on the guilt or innocence of Mr. Taylor on April 26 as originally announced.

OSISA

Monday, 12 March 2012

<http://www.osisa.org/openspace>

Successes and failures of the Special Court on Sierra Leone's outreach programme

By Alpha Seesay

International criminal tribunals have come to occupy prominent roles in ensuring accountability for serious crimes in recent years. The International Criminal Tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR) set up in the 1990s were the precursors of the hybrid or mixed tribunals like the Special Court for Sierra Leone (SCSL) and the Extraordinary Chambers in the Courts of Cambodia (ECCC) in the 2000s. Although constituted in different ways, these tribunals have always had one thing in common – to prosecute high level officials for mass atrocities irrespective of the positions they held at the time of the commission of the crimes. However, increasingly these tribunals have also become more concerned about the visibility of their work, and about embarking on outreach activities to bring local and affected communities closer to the judicial process even when proceedings are taking place thousands of kilometres away.

In the case of the SCSL, which was set up by an agreement between the government of Sierra Leone and the United Nations to prosecute people bearing the greatest responsibility for crimes committed during the country's bloody civil conflict, the prosecutor of the Court went after Charles Taylor, who was then the sitting head of state in neighbouring Liberia. The prosecutor alleges that Taylor 'bears the greatest responsibility' for the serious crimes committed in Sierra Leone by the Revolutionary United Front (RUF) rebels – a group that waged a bloody war from 1991–2002. As the RUF fought for political power in Sierra Leone, atrocious crimes – including hacking off the arms and limbs of civilians, rape, destruction of civilian property, forced labour and murder – became their trademark.

It is alleged that Taylor was involved in a joint criminal enterprise with RUF, aimed at gaining political control of Sierra Leone and controlling the country's vast diamond resources – and that a campaign of terror lay at the foundation of this enterprise.

According to the prosecutors, the campaign saw thousands of civilians murdered and raped, many others had their arms and limbs crudely amputated, some were forced to labour in the diamond fields and hundreds of children were coerced into combat activities. Prosecutors say that Taylor exercised control over rebel forces in Sierra Leone: he knew or had reason to know that these crimes were being committed but failed to prevent their commission or punish RUF rebels who were his subordinates for committing these crimes.

Blood diamonds have taken centre stage in Taylor's trial as several witnesses have spoken about how Sierra Leonean rebel commanders travelled to Liberia and handed huge numbers of diamonds to Taylor, who in return gave them arms and ammunition, which were used to commit atrocities in Sierra Leone. The focus on blood diamonds in this trial has seen several witness testify in The Hague, including former rebel commanders in Sierra Leone and Liberia who claim to have been part of the network supplying diamonds to Taylor, as well as celebrities such as Supermodel Naomi Campbell, who prosecutors say received blood diamonds from Taylor after they both attended a dinner that was hosted by anti-apartheid icon Nelson Mandela in South Africa in 1997. Throughout his trial, Taylor has maintained his innocence.

Taylor himself waged a bloody war to gain control of Liberia. After years of bloodshed, he eventually won democratic elections in August 1997 and served as Liberia's 22nd President. However, five years later, as rebel forces advanced into Liberia's capital Monrovia with the aim of removing him from power and with a SCSL indictment hanging over his head, Taylor resigned as president and sought asylum in Nigeria. After sustained advocacy by civil society organisations and an official request from Liberia's newly-elected president, Ellen Johnson Sirleaf, Taylor was transferred to the custody of the SCSL in March 2006 to face charges of war crimes, crimes against humanity and other serious violations of international law allegedly committed in Sierra Leone. Due to concerns about security in the West African sub-region, Taylor's trial was transferred to The Hague in the Netherlands, where he would be tried before SCSL judges. After several delays, the former Liberian president's

trial commenced in January 2008, with prosecutors calling 94 witnesses to testify against him, some of whom had been part of Taylor's government in Liberia, including his former Vice-President Moses Blah.

During its lifespan, the SCSL has indicted thirteen people from the various factions involved in the Sierra Leone conflict. RUF leader Foday Sankoh died in the custody of the court before his trial commenced, while key RUF commander Sam Bockarie, aka Mosquito, died in Liberia, allegedly executed on the orders of Taylor. The military junta leader Johnny Paul Koroma remains at large. Chief Sam Hinga Norman, a former government minister and coordinator of a pro-government militia, the Civil Defence Forces, also died in the custody of the court after his trial had been concluded but before judgment was delivered in his case. All those who have actually been prosecuted, with the exception of Norman, have been convicted and are now serving jail terms in a Rwandan jail. As for Taylor, the evidence phase of his trial came to a close in March 2011 and the judges were expected to deliver their verdict as this journal was going to print.

Taylor's transfer to The Hague brought new challenges for the SCSL not only in terms of substantial extra costs for an already financially-burdened court, but also in terms of additional responsibility for outreach to local populations in Sierra Leone and Liberia about a trial that was going to take place very far away. The phrase 'justice must not only be done but must be seen to be done' had already been made manifest when the SCSL became the first tribunal to develop a separate section specifically for outreach. Other tribunals, including the permanent International Criminal Court (ICC), have subsequently copied the SCSL's lead by developing effective outreach programmes. In the SCSL's sixth annual report in 2009, the Court describes the central objective of its outreach section as being to bring 'the work of the court to the public'. And during the conduct of its other cases in Sierra Leone, the SCSL operated an innovative and very successful outreach programme, which did ensure that its work reached communities across the country, including victims groups, market women, the police and the army, academic institutions and civil society organisations.

When Taylor was apprehended and subsequently transferred to The Hague, the Court's outreach efforts shifted substantially. While Taylor's arrest brought renewed interest and international attention to the work of the SCSL, his subsequent transfer to The Hague created new challenges for the Court's outreach efforts. Bearing in mind the need to keep the local population informed of the daily happenings of the case, the UN Security Council adopted Resolution 1688, which directed the Court 'to make the trial proceedings accessible to the people of the sub-region'. Therefore, the Court sought innovative ways to conduct effective outreach in both Sierra Leone and Liberia.

Upon Taylor's arrest in 2006, the Court's outreach staff made a trip to Liberia, where they gathered information on the perceptions held by Liberians about the Court. Members of Liberian civil society were made to travel to Sierra Leone where they interacted with their Sierra Leonean counterparts in a seminar to share their experiences. The Court also opened an Outreach Secretariat in Liberia with headquarters in Monrovia. When the trial was set to commence in June 2007 (before it was subsequently postponed due to logistical constraints faced by the defence), the Court attempted to stream the proceedings live in Sierra Leone and Liberia. Television sets were displayed in various parts of both countries so that the public could see Taylor make his first court appearance in The Hague and listen to both the prosecution and the defence counsels make their opening statements.

But members of the public were disappointed on two fronts. Firstly, they did not see Taylor as he refused to show up in court. And secondly, the much anticipated live streaming of the proceedings did not work due to technical failures faced by the Court. The SCSL eventually abandoned its efforts to stream the proceedings live in public and instead only showed them live within the premises of the SCSL, although members of the public were encouraged to come to the courthouse to watch. While members of various institutions in Sierra Leone have paid official visits to the SCSL premises and been able to sit and watch the live stream from The Hague, the Court failed to develop an effective strategy to bring ordinary Sierra Leoneans into the court room to view the proceedings. A few media practitioners used to visit the Court to watch important proceedings but gradually, their visits also ceased. Most Sierra Leoneans found it difficult to leave their daily chores to go to the SCSL's premises. Armed UN personnel in front of the Court's barbed wire fence added to the cumbersome security procedures, which ordinary visitors had to go through in order to gain access to the Court's premises, and gave the impression that ordinary people were not really welcome inside the Court.

The Court needed to find innovative ways to encourage more people to watch the proceedings but this did not happen. For example, many people did not know that with high speed internet (although this is unavailable in most

parts of Sierra Leone), they could sit in their homes or offices and visit the Court's website, where they would be a click away from watching the live proceedings on their computers. Another institution that could have played an important role in showing live proceedings of the trial was the country's national television network. When Kenyan politicians recently made appearances at the ICC in The Hague, most television networks in Kenya dedicated hours to showing the proceedings live. Similar efforts were markedly absent in Sierra Leone.

The situation in Liberia, where the SCSL faced even bigger challenges in terms of running an effective outreach programme, was no better. Outreach staff visited Liberia and held town hall style meetings and showed recorded videos of the proceedings around the country. The SCSL also facilitated trips to The Hague for members of civil society from Sierra Leone and Liberia, who would then go back to their communities and give updates on the trial. However, Liberians complained that none of these activities were regular or sufficient enough to keep them engaged in the process.

Other organisations undertook programmes to complement the outreach efforts of the SCSL, including the BBC World Service Trust and the Open Society Justice Initiative (OSJI). The BBC trained and financed a journalist from Sierra Leone and one from Liberia to cover the proceedings in The Hague and send short radio reports to West Africa on a daily basis. Meanwhile, throughout the trial, OSJI has maintained a website (www.charlestaylortrial.org) that produces daily summaries and analysis of the proceedings for use by the general public. Sierra Leonean and Liberian journalists have often relied on this website to publish news about the trial. The website has also provided a forum for people to comment on the proceedings, which has fostered lively debates across West Africa.

However, interest in the Taylor trial has never been consistent – unsurprisingly considering it is taking place so far away from those most directly affected. Therefore, it is noteworthy that in recent months, with the trial phase of the case concluded and with the judges locked in deliberations for a final verdict, the Chief Prosecutor of the Court made a tour of various communities in Liberia and Sierra Leone, where she talked with local people and spoke to government officials about the conduct of the trial. The prosecutor claimed that this tour was an attempt to account to the people for whom she was providing services, mainly the victims and affected communities. Subsequently, the Registrar of the Court made similar trips to both countries in an effort to keep local people engaged with the work of the Court. These outreach efforts are particularly important in building momentum around, and creating a general awareness about, the final verdict, which was due to be delivered as this journal went to print. Outreach efforts after the verdict is delivered will also be critical to explain the judgment to the people of Sierra Leone and Liberia and to boost the credibility of the process and its legacy for the West African sub-region.

The SCSL has worked hard to make the trial visible to the public but it has faced numerous challenges. The Court's budget – financed mainly from voluntary contributions by UN member states – has never made provision for outreach. Therefore, the outreach section has had to raise its own funds. Despite this, outreach personnel have still managed to reach a large audience – explaining the legal mandate of the Court to punish a small group of perpetrators, as well as disseminating information about the Court's responsibility to promote respect for the rule of law in West Africa. With its limited funding and its mainly Sierra Leonean staff, the outreach section of the SCSL has done more than its predecessors – the ICTY and ICTR – to disseminate information and maintain awareness about the proceedings of the Court. Ideally, much more could have been done but the SCSL has shown future Tribunals how important outreach is and – through both its successes and its failures – provided lessons that those Tribunals must learn from.

Alpha Seesay, Open Society Justice Initiative Legal Officer for International Justice

ABC

Wednesday, 14 March 2012

<http://www.abc.net.au/worldtoday/content/2012/s3452949.htm>

International Criminal Court delivers first verdict

Kalvin Ng reported this story.

ELEANOR HALL: The International Criminal Court will hand down its first ever verdict later today when it announces whether Thomas Lubanga, is guilty of war crimes in the Democratic Republic of the Congo.

The Congolese rebel leader is accused of recruiting child soldiers to fight in the civil war in 2002 and 2003.

He was arrested in 2006 and remains in ICC custody, as Calvin Ng reports.

KALVIN NG: Almost six years to the day since he became the first person ever to face the International Criminal Court, Thomas Lubanga Dyilo is set to receive his judgement.

Lubanga is the alleged founder of the Union of Congolese Patriots, an armed group that waged war in the gold-rich province of Ituri in the Democratic Republic of Congo between 1999 and 2003.

Anneke van Woudenberg is from Human Rights Watch.

ANNEKE VAN WOUDEBERG: More than 60,000 people were brutally slaughtered. His group certainly participated in a lot of the crimes there.

The court has only decided to charge him with the use, so recruiting and using child soldiers, they have not added additional charges onto his charge sheet.

Initially the prosecutor said he wanted to make the case quick, that he wanted a fast verdict for the victims; that hasn't quite happened.

KALVIN NG: Former child soldiers and members of the armed group testified that Lubanga systematically recruited children to kill, rape, and rob their victims. It's also alleged young girls were used as sex slaves.

But Lubanga's lawyers argued he actually tried to free child soldiers, and claimed prosecution witnesses were bribed to give false evidence. The prosecutor also tried to keep some evidence secret from the defence.

A former coordinator of prosecutions at the International Criminal Court, James Goldston, says it took a while to resolve these issues.

JAMES GOLDSTON: One can see these as really the developments of a new institution. The rules around criminal procedures at the international level are complicated and the court is really going through some teething steps here in sorting out how it actually conducts itself.

KALVIN NG: Professor Tim McCormack, from the University of Melbourne, is an advisor to the chief prosecutor, Luis Moreno Ocampo, and helped to deliver the closing arguments.

TIM MCCORMACK: It's very important from the perspective of the credibility of the International Criminal Court that the judges feel entirely free of influence to deliver an acquittal if that's what they believe is required in the case.

KALVIN NG: And what if he is a critic, how would that be received?

TIM MCCORMACK: If the ICC delivers an acquittal in the very case, then there'll be a bold statement about the independence of the judges and the refusal to just convict because the prosecution would like them to.

KALVIN NG: Mr Moreno Ocampo is stepping down from June.

Anneke van Woudenberg from Human Rights Watch says a guilty verdict would leave a lasting legacy.

ANNEKE VAN WOUDEBERG: You know I've worked in Congo for more than 13 years. And when I first began, very few people would ever say that recruiting or using children in conflict was a crime. And that has begun to change in Congo.

Now people realise and I think are much more aware that this is a serious crime, and that it is one that should be stopped.

KALVIN NG: Tim McCormack, the special advisor to the prosecutor, hopes the judgement will give momentum to efforts by the International Criminal Court to chase after the big names on its hit-list, such as Saif al-Islam Gaddafi, the son of the former Libyan leader Muammar Gaddafi.

But he remains concerned that three permanent members of the United Nations Security Council still don't recognise the court's authority.

TIM MCCORMACK: We've seen a willingness of the Security Council members to refer the Libyan situation but not the Syrian situation. And there's also something discomfoting about the willingness of non-state parties to the Rome Statute, particularly China, Russia and the US, their willingness to refer situations to the very court of non-state parties that they themselves are not prepared to be subjected to.

KALVIN NG: If Thomas Lubanga is convicted, he'll be sentenced at a later date.

ELEANOR HALL: Kalvin Ng reporting.

BBC Online

Wednesday, 14 March 2012

ICC delivers first ever verdict in Thomas Lubanga trial



Thomas Lubanga has been held by the ICC at The Hague since 2006

The International Criminal Court (ICC) is set to deliver its first verdict, in the case of the Democratic Republic of Congo's Thomas Lubanga.

Mr Lubanga is charged with recruiting and using child soldiers in north-eastern DR Congo in 2002 and 2003.

He has pleaded not guilty saying he was only a politician and was not involved in the violence.

But the prosecution has accused him of using children as young as nine as bodyguards, sex slaves and fighters.

During the trial in The Hague-based court, videos were shown which appeared to show Mr Lubanga galvanising child soldiers to fight in the conflict between Hema and Lendu tribes in some of Africa's worst ever tribal warfare.

He does not deny that he led the Union of Congolese Patriots political group but insists he was not in charge of its armed wing.

Stolen childhood

The chief prosecutor at the ICC, Luis Moreno-Ocampo, told prosecutors: "The defendant stole the childhood of the victims by forcing them to kill and rape. Lubanga victimised the children before they ever had a chance to grow up."

Thomas Lubanga

- Leader of the Union of Congolese Patriots (UPC), an ethnic Hema militia
- Head of the UPC's military wing, the Patriotic Forces for the Liberation of Congo (FPLC)
- Accused of recruiting children under 15 as soldiers
- Arrested in Kinshasa in March 2005
- Held by the ICC at The Hague since 2006
- Born in 1960, has a degree in psychology

Anneke Van Woudenberg of Human Rights Watch has been to the scene of the conflict, Ituri, many times where she said "more than 60,000 people were brutally slaughtered, where there was really ethnically targeted violence, mass rape, mass torture, mass arbitrary arrest".

After documenting Mr Lubanga's activities, she said she was hoping "that this verdict will start to see the process of justice begin".

The verdict will be handed down by three judges and if Mr Lubanga is found guilty he will face a maximum sentence of life imprisonment.

The court cannot impose the death penalty.

Historic verdict

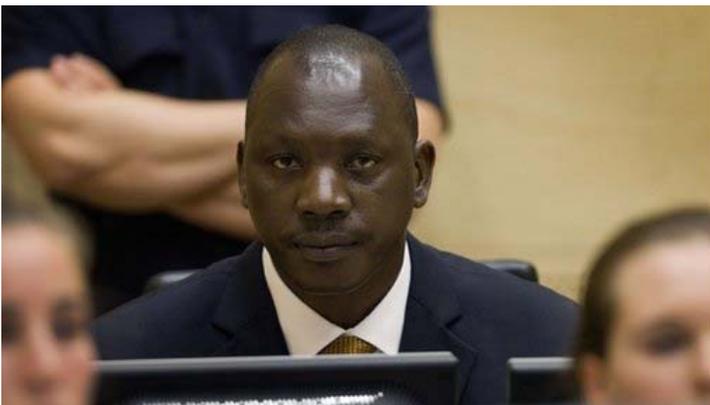
This is a landmark case for more than one reason.

After the ICC was set up 10 years ago Mr Lubanga became the first suspect to be taken into their custody.

It is also the first international trial focussing on the use of child soldiers and it could set legal precedents for others accused of similar crimes.

And while international criminal tribunals for the former Yugoslavia and Rwanda only try crimes committed in those territories over a limited time and will eventually be wound up, the ICC is a permanent body.

Mr Lubanga is one of 20 suspects who have been the subject of arrest warrants from the ICC - others include Saif al-Islam Gaddafi, the son of the former Libyan leader, and several members of the Sudanese government, including President Omar al-Bashir.



The court has had to overcome many delays but Mr Moreno-Ocampo told the AFP news agency it had been a success

"When I started people said we could not do it, we would never have a case in court. We now investigate in seven countries, we have people in prison, we are a court."

The United States' first ambassador-at-large for war crimes, Prof David Scheffer, told the BBC's Today programme the court was still "in its baby steps".

"It does take an enormous amount of effort to bring complex war crimes cases to trial," he said.

Bangkok Post

Tuesday, 13 March 2012

KRouge jailer to testify in key trial next week

A former Khmer Rouge jailer imprisoned for life by Cambodia's war crimes tribunal will take the stand again next week to testify in the trial of three ex-regime leaders, the court said Tuesday.

A handout photo taken and released by the Extraordinary Chamber in the Courts of Cambodia (ECCC) in February 2012 shows former Khmer Rouge prison chief Kaing Guek Eav - better known as Duch. Duch, a former Khmer Rouge jailer imprisoned for life by Cambodia's war crimes tribunal, will take the stand again next week to testify in the trial of three ex-regime leaders, the court said Tuesday. Kaing Guek Eav, better known as Duch, will be the first high-profile witness in the landmark proceedings, which aim to bring justice for the deaths of up to two million people under the Khmer Rouge's 1975-79 reign of terror.

"Duch is expected to be called for testimony on Monday afternoon," a spokesman for the UN-backed court, Lars Olsen, told AFP.

The 69-year-old was last month handed a life term on appeal for overseeing the deaths of some 15,000 people as head of the notorious S-21 torture prison.

His one-time superiors "Brother Number Two" Nuon Chea, ex-foreign minister Ieng Sary and former head of state Khieu Samphan deny charges of war crimes, crimes against humanity and genocide in what is the court's second trial.

Duch, a former maths teacher, is considered a key witness in the case against the trio, but with his own fate now sealed it is unclear how talkative he will be when he takes the stand.

"I hope he will co-operate with the court because he has shown his co-operative manner from the start," Kang Ritheary, one of Duch's lawyers, told AFP.

During his trial, Duch tried in vain to seek acquittal by arguing that he was only following orders, including from his direct supervisor Nuon Chea.

Observers say the two men are on bad terms with each other, and Duch has in the past said that Nuon Chea blamed him for not destroying documentary evidence from S-21 before the Vietnamese invaded and ousted the Khmer Rouge.

Duch is currently being held in the same detention facility as the other accused, and civil party lawyers recently asked for him to be kept away from Nuon Chea to avoid any pressure or interference.

Nuon Chea's defence team told the court last week that their client had no intention of pressuring the witness, and said the 85-year-old was himself fearful of being attacked by Duch.

Led by "Brother Number One" Pol Pot, who died in 1998, the Khmer Rouge wiped out nearly a quarter of the population through starvation, overwork and execution in a bid to forge a communist utopia.

AllAfrica.Com
Monday, 12 March 2012

Kenya: Raila - Ruto, Uhuru Setting Stage to Disprove ICC

By Bernard Momanyi



The two leaders no longer see eye to eye (file photo): Deputy Prime Minister Uhuru Kenyatta (left) and Prime Minister Raila Odinga (Photo Courtesy Capital FM Business/ File photo)

Nairobi, Kenya — Prime Minister Raila Odinga fired yet another salvo at his arch-rival William Ruto and Deputy Prime Minister Uhuru Kenyatta whom he accused of setting the stage for non-cooperation with the International Criminal Court (ICC) where they are facing charges for crimes against humanity.

In a statement attacking the two ICC suspects only a day after another one published in newspapers on Sunday, the Prime Minister said outcries by the two leaders was only meant to seek sympathy from Kenyans, yet some of them are the ones who voted to have cases against post-election violence suspects tried in The Hague.

"It is this spirit of impunity that frustrated efforts to establish a local tribunal to deal with post-election violence," a statement from the Raila Odinga Secretariat said adding "Parliament was mobilised to defeat the Constitutional amendment that sought to do this, with the main perpetrators cunningly creating the false impression that they sought real justice, and could only achieve it through the ICC. The reality is that they did not wish the matter to be addressed at all - locally or otherwise."

Ruto and Kenyatta have previously accused Odinga of using the ICC to lock them out of the presidential race in which both have expressed interest during the next general elections.

The statement issued late Monday went on to say "The same people shouting then, "Don't be vague, let us go to The Hague," are the ones now demonising the ICC. They seek to kill two birds with one stone - dragging the Prime Minister and other innocent parties into their self-inflicted woes, and at the same time making political capital out of the ICC matter."

An earlier statement issued on Saturday from the Prime Minister's secretariat was met with anger and fury from Kenyatta and Ruto who termed Odinga, a "principal beneficiary of the post election chaos" that rocked Kenya soon after the 2007 disputed presidential election.

The two last week lost a bid to appeal charges against them at the ICC and are now left with an admissibility challenge which will determine if they will stand trial at the Hague-based court, sometimes in May or even earlier.

The Prime Minister accused the two of "unnecessarily" linking the ICC charges to the country's national election.

Odinga believes Kenyatta and Ruto are the real beneficiaries of the post election violence, contrary to the Sunday announcement by Ruto that it is Odinga who benefited most.

"The real beneficiaries of post-election violence are only too evident. They include those currently in the process of returning property acquired in areas where post-election violence victims were known to have been dispossessed of their land. Now these beneficiaries are rushing to return the land, in order to evade court processes. What greater admission of guilt could there be?," the premier posed in an apparent reference to a move by Ruto to return land being claimed by an IDP in an ongoing court case.

Odinga said he does not see why the two are linking the ICC issue to the general election Kenyans are gearing up to participate in later this year when President Kibaki relinquishes power.

"The ICC has unfortunately now become an election issue. But since it is an election issue, let it now be known that the coming elections will also be a referendum on impunity. The time has come when every one of us must stand up to be counted. Either you are for the rule of law, or you are for impunity. It can't be both. A choice must be made," the terse statement from the Raila Odinga Secretariat said.

There was no immediate reaction to this latest barrage from the DPM or Ruto.

Cases against the two were confirmed in January alongside those of Journalist Joshua arap Sang and former Head of the Civil Service Francis Muthaura, a key ally of President Mwai Kibaki who served most of his life in the public service.

And to stress his point, Odinga did not mince his words in the statement which sought to elaborate on the exact cause of the 2007-08 chaos in the country, largely blaming suspects facing charges in The Hague.

"Some forces with a selfish agenda of their own, which included settling scores that had nothing to do with the elections, took advantage of the ensuing protest against this disenfranchisement of the Kenyan electorate," the statement said.

Similar occurrences had occurred in parts of the country in 1991-92 and in 1997.

Some 1,300 Kenyans were killed, more than half a million others forcefully renditioned and thousands suffered all manner of indignity, classified in the international system as crimes against humanity.

"The victims were Kenyan citizens. They were not occupying forces from some foreign country, whose killing and eviction might have been cause for heroism and celebration. The matter was then supposed to pass quietly away, as in 1992 and 1997, and to wait for another election and another wave of crimes against innocent citizens," said the statement from the Prime Minister's secretariat.

He also warned the duo against dragging him in the murky waters of the woes they are facing and instead advised them to "seek to defend themselves in the impending trial. If they are innocent, as they have frequently professed at charged public rallies, the court will no doubt acquit them. No public petulance on their part can substitute for the court process. Nor can forged documents and the besmirching of innocent persons' reputations assist them."

On Thursday, Yatta MP Charles Kilonzo tabled a document in Parliament purportedly authored by the British government which they also linked to Odinga alleging a conspiracy to have President Kibaki face charges at The Hague over the post election violence.

The UK government has since disowned the alleged dossier as a forgery.

"It is clear that the present posturing against the ICC, complete with the weaving in of the PM's name and that of the British Government, is a dress rehearsal for non-cooperation with the ICC. It is clear that the foundation is being laid for the accused to refuse to attend trials of the cases against them," the premier's secretariat said.

Prosecution Challenges Acquittal of MRND Officials on Conspiracy Charges

The Prosecutor of the International Criminal Tribunal for Rwanda (ICTR), Hassan Bubacar Jallow, has lodged a notice of appeal against the judgment of the Tribunal for not convicting two former top Rwandan politicians, Matthieu Ndirumputse and Edouard Karemera, of the charge of conspiracy to commit genocide.

In its judgment delivered on December 21, 2011, the Trial Chamber convicted Ndirumputse and Karemera of genocide, crimes against humanity and war crimes. It concluded that those crimes include rape and sexual violence perpetrated throughout the country constituted act of genocide and crimes against humanity.

The Chamber, however, dismissed the conspiracy to commit genocide charge, reasoning that the criminality of Ndirumputse and Karemera, who were respectively President and Vice-President of MRND, the former ruling party, was accounted for by a conviction for genocide and further conviction of conspiracy count would be duplicative and unfair.

During the trial, the prosecution had indicted the two officials for their superior responsibility as top officials of MRND for the crimes committed by members of their party, notably its youth wing, Interahamwe.

In the judgment, the judges found Karemera and Ndirumputse had authority and effective control over Interahamwe, who participated in the initial attacks on Tutsi civilians, throughout the genocide and failed to punish them.

They found that the two convicts had conspired with the Interim Government to adopt a policy of genocide, which they executed primarily through their Civil Defence Plan, a thinly veiled strategy for extermination of Tutsis.

According to the notice of appeal filed on March 5, 2012, Jallow is requesting the Appeals Chamber to correct the Trial Chamber's error and find that the accumulative convictions are permissible for conspiracy to commit genocide and genocide and should then enter an additional conviction for conspiracy to commit genocide.

"Having found Matthieu Ndirumputse and Edouard Karemera criminally responsible for both genocide and conspiracy to commit genocide, the Trial Chamber committed an error of law invalidating the Chamber's decision when it failed to enter a conviction for conspiracy," the prosecutor stated.

The prosecutor is further challenging the Trial Chamber's error in law and fact by acquitting the duo in relation to crimes connected to the killings of Tutsis in Bisesero area based on Karemera's speech of May 3, 1994 at Kibuye prefectural office. As said by prosecution, the Chamber failed to find that the speeches substantially contributed to the killings.

In its findings, the Chamber had entered acquittal over the event, ruling that the speeches were general calls for killings and not directly related to Bisesero.

Ndirumputse (73) and Karemera (61) were arrested in Mali and Togo, respectively in June 1998, and transferred to the ICTR in Arusha, Tanzania, a month later. Their trial began in November 2003. The prosecution fielded 46 witnesses whereas the defence called a total of 74 witnesses, including the defendants themselves.