

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



Prosecutor Brenda Hollis at Rossus village, during a recent outreach event.

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:

Thursday, 21 June 2012

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

Thursday, 21 June 2012

Special Court contempt case Accused bail withheld

Despite the serious and persuasive plea made by Defence Counsel, Melron Nicole-Wilson on behalf of his client Hassan Papa Bangura in the contempt case at the Special Court for Sierra Leone, the Defendant's bail was withheld by the presiding Judge, Teresa Doherty.

In his plea for bail, Lawyer Nicole-Wilson submitted that the accused has adhered to all the calls by the trial as he has always made himself available to the court whenever he was needed, noting that the accused does not have any document to facilitate his movement out of the country since he submitted his only document to the court.

The Defence Counsel further submitted that the accused, Hassan Papa Bangura has moved away from his military past to now become a successful businessman, the sole proprietor of his business and a family man. He pleaded that if he continues to be detained it will cause an adverse effect on his business and family.

On the issue for his detention that he interfered with a Witness 334, Lawyer Nicole-Wilson submitted that being that the Special Court is a court of law, such an allegation should be proved by evidence and should not be determined by hear say.

The Prosecutor, Robert Herbst objected to the bail submission on the ground that the accused will continue interfering with the witness which will derail the trial procedures.

In her ruling, Justice Doherty stated notwithstanding the very strong and effective plea made by the Defence Counsel, she was still not prepared to reinstate the bail. She therefore ruled, "I am therefore not admitting that bail today."

The accused in the contempt case are AFRC convicts, Bazy Kamara and Santigie Borbor Kanu, aka "Five-Five along with Hassan Papa Bangura, aka "Bomblast" and Samuel Kargbo, aka "Sammy Ragga. The four were indicted last year on two counts of trying to bribe a witness to recant testimony given during the AFRC trial. Kamara faces an additional count of knowingly disclosing the name of a protected witness.

By Betty Milton

Spiked-online.Com

Tuesday, 19 June 2012

‘Let’s teach these darkies about the rule of law’

Tim Black

Courtenay Griffiths, lead counsel for ex-Liberian president Charles Taylor, tells spiked about the racial bias in international criminal justice.

We’re midway through a debate on the future of the International Criminal Court (ICC), and Courtenay Griffiths QC is almost bristling. An audience member at the London conference has questioned whether Griffiths’ criticism of the international criminal-justice system is tantamount to defending impunity. ‘My critique is based on my love and respect for the law’, counters Griffiths, ‘and my disgust at the way in which international criminal justice is currently being practised’.

‘Africa has suffered enough’, he continues, ‘from the atrocities committed by its own people - and I’m old enough to remember Emperor Bokassa. So yes, there is a need for an end to impunity. But in my mind, the push against impunity has to come from African people themselves, from the bottom up. The idea that the white man comes to Africa as he did during the nineteenth century - bearing the White Man’s Burden - to bring the benefits of international justice to black people... I reject that totally. It’s for black people to do it for themselves in Africa. That’s the start [of an end to impunity].’

Griffiths is well placed to deliver such a criticism. For the past five years he has been working at the heart of the international criminal-justice system in his role as the lead defence counsel for Charles Taylor, the ex-president of Liberia. It’s fair to say that the recent and long-awaited decision of the Special Court of Sierra Leone (an offshoot of the ICC) to find Taylor guilty of helping the Revolutionary United Front commit war crimes in Sierra Leone between 1991 and 2002 was not seen by Griffiths as a vindication of international justice. Rather, it was further proof of its double standards.

‘So Taylor was convicted of aiding and abetting combatant forces in a neighbouring country knowing that they were committing atrocities’, Griffiths tells the audience. ‘Help me here. What was the US doing with the Contras in Nicaragua? What did Kissinger do with the Indonesians in East Timor? I am not arguing here that because of that Taylor should not have stood trial. But when I went to university to study law I was told that whether you’re a princess or prostitute, whether you’re the president of the United States or the president of Liberia, the law should be above you.’

After the debate, I sit down with Griffiths to interview him. And it quickly becomes clear how thoroughgoing is his critique of the ICC. ‘There’s a new scramble for Africa going on at this point in the twentieth-first century’, he tells me. ‘And I think the West is seeking to use the tool of international criminal law to facilitate its penetration into that market. It seems somewhat coincidental that in virtually every situation where the ICC has intervened, a major economic interest is at stake. Darfur – there just happened to be oil. In northern Uganda and the great lakes region - they’ve discovered oil there. In Libya, [ex-British prime minister Tony] Blair made some major deals for oil there before Gaddafi was killed. Congo – one of the most minerally rich countries on the planet, a place where certain rare minerals used in mobile phones and laptops can only be found. Why only in those places? Why not in Zimbabwe? The West has long trumpeted what an ogre [President Robert] Mugabe is. So why not Zimbabwe?’

There is a whiff of conspiracy theory about this sort of quasi-economic determinism. After all, there must be easier ways for Western nations and interests to go about obtaining access to, and control over, Africa-based resources than interminable war-crimes trials. But Griffiths’ understanding is far subtler than this. To reverse the anti-war slogan of the Iraq War era, in his view it is not all about the oil. He also recognises

that international criminal law is being used as a means for the West to show and justify its authority, to furnish its existence with the appearance of moral purpose. It is not mere coincidence that the roots of the ICC are found in that strange moment of triumphalism and disorientation after the end of the Cold War. The ICC's forerunner, the International Criminal Tribunal for the Former Yugoslavia (ICTY) established in 1993, met an extant need for Western states, a need for a justifying purpose, for a political *raison d'être* to replace the dead Red menace.

'I think you have to look at the historical juncture in which that tribunal was set up', Griffiths explains. 'It was shortly after the fall of the Berlin Wall and a resurgent West, led by neocons in Britain and the US, were beginning to flex their muscles on the global stage. I recall a speech Blair made in Chicago [Doctrines of the International Community, 1999], in which he effectively said that there can be no boundaries to capitalism now. Nobody has the luxury of hiding behind their national borders, he was saying. And it seems to me that Yugoslavia was the first situation the West had, after the fall of the Berlin Wall, to flex their muscles on an international level. That then became the template, to my mind, for what has happened since.'

When it comes to the ICC proper, however, there is the added dimension of what Griffiths calls the 'historical relationship between the West and Africa'. In effect, the West's 'persistent idea of Africa being the Dark Continent, uncivilised' provides the perfect stage for Western nations, through the ICC, to demonstrate their moral superiority. International criminal justice as it stands, Griffiths explains, 'is in part... a civilising mission by the West. "Let's teach these darkies about the rule of law." I find this quite offensive, as if Africans don't understand what this rule of law is all about unless told and taught by the West.'

The colonial underpinnings of international criminal justice are hardly hidden. In its 10-year history, the ICC itself has only opened investigations into seven countries: the Democratic Republic of Congo, Uganda, the Central African Republic, Darfur/Sudan, Kenya, Libya and the Ivory Coast. All, of course, in Africa. Little wonder that international justice has long suffered from accusations of bias. As then British foreign secretary Robin Cook said of the ICTY in 2000, 'If I may say so, this is not a court set up to bring to book prime ministers of the United Kingdom or presidents of the United States.'

And yet, despite the fact that its focus is almost entirely on 'the Dark Continent', few in the West are willing to face up to the fundamental inequality of international law. All of which is a little puzzling. Those who get themselves into a froth over the 'unwitting' racial connotations of words, and who wear human rights as a badge of honour, are willing to stick by an institution that routinely singles out black people for selective punishment. Yes, its advocates are defensive, noting that the application of international justice has been far from universal. But, as leading human-rights lawyer Geoffrey Robertson said last year, when the ICC announced its indictment of Colonel Gaddafi, 'the ICC is a good thing and a necessary institution to have and to develop'.

I ask Griffiths why he thinks this liberal hypocrisy persists. 'I think that's because, however deceitful an idea is, it will always catch on if there is truth at one level in it', he answers. 'And the truth is that Africa has suffered more wars and more destruction than most other continents over the last 50 years. So there is a need for an end to impunity in Africa. But it's the way the West is going about it in a selective fashion. A selectivity of denunciation, a selectivity of investigation, a selectivity of prosecution, and even within Africa, a selectivity of indictment. Everyone knows, for example, that [Rwandan president Paul] Kagame and [Ugandan president Yoweri] Museveni have got their hands covered in blood in eastern Congo. But the West is never going to go after them because they're Western allies.'

There are limits to this critique of international law, however bracing and insightful it is. It assumes that the main problem is simply that international law is too partial, too selective. But would everything be okay if international law was genuinely universal? Would everything be hunky-dory if there really did

exist arbiters sitting high above human affairs capable of administering justice impartially and without selectivity? In short, would it be okay if Bush and Blair were tried at the ICC, too?

The problem with this thinking is that it is excessively legalistic. It assumes that the law is the answer to all problems, all conflicts, all struggles, no matter how bitter, how entrenched. Yet many struggles and conflicts, both within and between nations, exist precisely because law, and the possibility of a legal settlement, has broken down. They are complex, messy, political struggles. They are post-law, not pre-law. They are not conflicts simply awaiting the distinctly white knights of international justice to show them the way. Griffiths says he agrees. 'Court isn't necessarily, even though I'm a lawyer, the best way to deal with some of these conflicts', he tells me. 'They have social, economic and political roots, which the use of the law is never going to address.'

It seems clear that we shouldn't just be facing up to the limits of the ICC. We need to recognise that the whole project of international criminal justice is flawed. Griffiths' critique of these institutions is a very good starting point for asking how lawyers came to be the moral arbiters of international affairs – especially the affairs of 'darkies'.

Tim Black is senior writer at spiked.

Heritage (Monrovia)

Wednesday, 20 June 2012

Liberia: Lawmaker Backs Calls for War Crimes Court

By Emmanuel Weedee

Grand Bassa County District #4 Representative has backed calls for the establishment of a war crimes court in Liberia. Representative Baron Brown said the establishment of a war crimes court would deter people from supporting or waging war on the country. Of late, there have been persistent calls by some Liberians regarding the establishment of the war crimes court in the country. On the other hand, there other Liberians who are against the establishment of a war crimes court in the country.

Those advocating for the establishment of the court are of the views that it is very necessary. For the Liberians against it, argued that the erstwhile Accra Peace Accord, which led to the formation of the Transitional Government, called for the setting up of a Truth and Reconciliation Commission (TRC) rather than establishment of a war crimes court.

Quoting Article Two (2) of the Liberian Constitution, Rep. Brown contended that the Accra Peace Accord is not above the Constitution. The Constitution is the organic law of the country. In a chat with this paper Tuesday, June 19, 2012, the Grand Bassa lawmaker further contended that no other laws or treaties are supreme over the Constitution.

Hear Rep. Brown: "I strongly feel that the war crimes court is necessary to be established here. This will serve as deterrence for people waging or supporting war against this country."

"Our former leader, Mr. Charles Taylor was sentenced 50 years in jail for aiding and abating war in neighboring Sierra Leone. Now, what happens to those who aided and abated war here? Should they go scot free? I say this is very unfair for us," he continued.

Speaking further, Rep. Brown averred that President Ellen Johnson-Sirleaf has consistently failed to implement important portion of the TRC recommendations.

He among other things added that Section (44) of the TRC states that the President should make quarterly report to the Legislature to disclose to it (Legislature) which portion of the recommendations have been implemented or will be implemented at what time.

Human Rights Watch

Thursday, 20 June 2012

Senegal: US Urges Action on Chadian Ex-Dictator's Trial

Clinton Says Hissène Habré's "Victims Deserve Justice and Their Day in Court"

A new report from US Secretary of State Hillary Clinton noting Senegal's continued failure to bring former Chadian dictator Hissène Habré to justice, vindicates demands that Senegal should swiftly extradite Habré to Belgium to face trial, Human Rights Watch and Chadian victims' groups said today.

In a report made public on June 20, 2012, Secretary Clinton said that, "After 20 years, the victims deserve justice and their day in court." Clinton urged the Senegalese government to take "concrete steps" to prosecute Habré in Senegal or extradite him to Belgium.

Habré is accused of responsibility for thousands of political killings and systematic torture when he ruled Chad from 1982 to 1990. He has been living in exile in Senegal for more than 21 years but has yet to face justice there. Habré is wanted by Belgium on charges of crimes against humanity, war crimes, and torture.

"Hillary Clinton has recognized the suffering of Habré's victims and the need for justice as swiftly as possible," said Jacqueline Moudeřna, lawyer for Habré's victims and the president of the Chadian Association for the Promotion and Defense of Human Rights. "At this stage, the only realistic option for swift justice means Habré's extradition to Belgium, where he can be tried quickly. Otherwise we will be stuck in Senegal for many more years."

In December 2011, while approving US \$50 million in development assistance to Senegal, the US Congress expressed "concern that Hissène Habré has not been extradited for prosecution" and asked the secretary of state to report on "steps taken by the Government of Senegal to assist in bringing Habre to justice." Clinton delivered her report to the Senate Appropriations Committee on June 6.

Clinton urged the Senegalese government to "move quickly" in bringing Habré to justice. "If progress is not forthcoming on efforts to extradite or prosecute, the Department of State will continue to press vigorously for expedient action by Senegal in finally holding Habré to account," Clinton said in the report.

Following Macky Sall's defeat of Abdoulaye Wade in Senegal's presidential elections in March, the new Senegalese government has indicated that it prefers to prosecute Habré in Senegal rather than extradite him to Belgium. However, victims' groups have expressed concern that a trial in Senegal would require several more years and would undoubtedly put justice beyond the reach of more victims, many of whom have already died.

Secretary Clinton's report noted that she had sent a message to Wade, who was then the president, in September 2011 urging a trial in Senegal or extradition to Belgium but that efforts to hold Habré accountable had "effectively stalled." Clinton expressed the hope that the new administration "may help to catalyze action" to bring Habré to justice.

Habré was first indicted in Senegal in 2000. The country's courts said that he could not be tried there, however, so his victims filed a case in Belgium. In September 2005, after four years of investigation, a Belgian judge indicted Habré and Belgium requested his extradition, but a Senegalese court ruled that it lacked jurisdiction to decide on the extradition request.

Senegal then turned to the African Union (AU), which called on Senegal to prosecute Habré “on behalf of Africa.” President Wade accepted the AU mandate, but years of wrangling over the trial budget ensued. In November 2010, the international community pledged €8.6 million (US\$11.4 million) for Habré’s trial.

A ruling by the Court of Justice of the Economic Community of West African States (ECOWAS) in November 2010 required trying Habré before a “special ad hoc procedure of an international character.” In May 2011, Senegal withdrew from negotiations with the AU over creation of the court.

In July 2011, Senegal threatened to expel Habré to Chad. The Chadian government then announced its support for extraditing Habré to Belgium to face trial.

The International Court of Justice (ICJ) is expected to rule by the end of the year on a suit Belgium filed against Senegal in February 2009, alleging that Senegal has violated the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by failing to prosecute Habré or extradite him to Belgium.

Belgium submitted a new extradition request to Senegalese authorities in January 2012 following the dismissal of two earlier requests on technical grounds after the Senegalese government appeared to have failed to transmit the Belgian legal papers intact to the court. The latest extradition request is believed to be in the hands of the Senegalese national prosecutor’s office, which has yet to transmit the matter to the courts for adjudication.

Secretary Clinton’s report notes the new government’s intention to try Habré in Senegal and to comply with the forthcoming decision from the International Court of Justice. The report calls on Senegal not to wait for an ICJ ruling but to move forward quickly with his prosecution in Senegal or his extradition to Belgium.

“Time is running out for the survivors who are dying in growing numbers each year,” said Reed Brody, counsel and spokesperson at Human Rights Watch, who has worked with Habré’s victims for 13 years. “Belgium offers the most timely and realistic option of ensuring justice for Habré’s victims.”

Habré was deposed by President Idriss Déby Itno in 1990 and fled to Senegal. His one-party regime was marked by widespread atrocities, including waves of ethnic campaigns and systematic torture. Files of Habré’s political police, the Direction de la Documentation et de la Sécurité (DDS), which were discovered by Human Rights Watch in 2001, reveal the names of 1,208 people who were killed or died in detention and 12,321 victims of different human rights violations.

The Guardian

Thursday, 21 June 2012

Libya dashes hopes of early release for Australian ICC official

Melinda Taylor is being interrogated over claims documents were passed to Saif al-Islam Gaddafi, says government spokesman



Melinda Taylor, the Australian ICC official being held in Zintan, Libya, by the town's militia. Photograph: ICC/EPA

Libya has begun "interrogating" an official from the international criminal court who it has detained, apparently scuppering a deal for her early release brokered by Australia's foreign minister.

Melinda Taylor, an Australian ICC official, was arrested in the mountain town of Zintan on 7 June after meeting the indicted war crimes suspect Saif al-Islam Gaddafi, who is being held by the town's militia.

Tripoli said on Wednesday night that Taylor, one of four ICC officers who were on an official visit to Libya, had tried to deliver documents to Saif that were not part of her work for the court.

"An interrogation of them is under way," said the Libyan government spokesman Nassar el-Manee. "There is evidence that proves they have breached the law."

Tripoli says the documents represented a "threat to national security", but has given no details.

The decision comes after the Australian foreign minister Robert Carr met Libya's prime minister, Abdulrahim el-Keib, earlier this week, announcing the hope that Taylor would be released if the ICC issued an "apology".

Manee said such an apology would not prevent a criminal case being launched. "They [the ICC] should say: 'We have made a mistake,'" said Manee. "When the interrogation is complete we will explain everything."

Taylor's three colleagues – a Lebanese translator, Russian diplomat and Spanish legal expert – have been told they are free to leave Zintan but have elected to stay with Taylor.

The arrest of Taylor is spiralling into the most serious crisis in the ICC's 10-year history. Never before has one of its officials been arrested and held in detention.

The ICC spokesman Fadi el-Abdallah told the Guardian on Thursday that the court was holding negotiations with the Libyan government, and that Taylor was being held in Zintan incommunicado, with ICC lawyers allowed only one visit to her, on 12 June.

"She has immunity like all delegation members," he said. "Libya has the obligation to fully respect obligations in resolution 1970 by the [UN] Security Council."

Carr said earlier this week that Tripoli would be likely to release Taylor if the ICC agreed that Saif could be tried in Libya, rather than The Hague.

But ICC judges can make such a decision only if they are satisfied that Libya, struggling to rebuild a shattered country after last year's civil war, can guarantee Saif al-Islam Gaddafi a fair trial with a fully functioning legal system.

Message to the International Criminal Court's Judges



Laurent Gbagbo and wife after their arrest

As August 13th 2012 is approaching, the eyes of the world are turning on the International Criminal Court (ICC). But especially on the Court's judges who will deal with the trial of one of the most popular leaders of contemporary Africa, Laurent Gbagbo.

Yes, every single African, be he/she for or against Gbagbo, will be watching every single step of this historical trial.

Dear Honourable judges, as the decision making team, you have to take one of the two paths that are right in front of you; you either have to make history by tackling this trial on the lights of the international laws that each of you have vowed to obey during your oaths or you can simply decide to break your oaths by sticking to the politically motivated decision that previously brought Laurent Gbagbo to The Hague while the true criminals are free and continue to terrorise the inhabitants of Cote d'Ivoire since April, 11th, 2011.

Honourable Judges, peoples of Africa, though poor but being part of the humankind, are watching you with no reaction, but in prayer. Let us not ignore, dear friends, that since Gbagbo was sent to the ICC's custody, Africans have developed a clear perception that the institutions put in place by international community to regulate life in our global integrated society care more for Africa's raw materials than for the welfare of its people.

After an election won by president Gbagbo in November 2010, to justify their military intervention and their will for regime change in Côte d'Ivoire, the community of nuclear nations led by Sarkozy's France who supported M. Ouattara:

- Promised a peaceful future for all Ivoirians under Ouattara's leadership. Today, to live in peace in Cote d'Ivoire and in the sub-region, one must be pro- Ouattara and/or member of his tribe,
- They vowed to help the new head of state put in place a national unity government. Today, 90 % of Ouattara's government ministers are from his tribe or members of RHDP, the political organisation who sponsored him during the second round of the presidential election that he lost.
- They promised a democratically elected and representative National Assembly. Today, the Ivorian National Assembly is 100% pro-Ouattara.
- To obtain the transfer of Laurent Gbagbo to The Hague, M. Ouattara said to the world that this transfer could secure a peaceful parliamentary election and guaranty a successful national reconciliation. Today, only 15% of the national electorate put in place a pro-Ouattara legislative power and the institution in charge of the process of reconciliation has finally realised that there is no way out without Gbagbo free and back in Cote d'Ivoire. M. Konan Banny is on his way to The Hague to meet with president Gbagbo and seek his help to reconcile the ivorians.

In addition, all the institutions in Cote d'Ivoire that make up the state apparatus are 90 % loaded with unqualified civil servants loyal to Ouattara or the members of his tribe.

In lieu of peace and stability that western leaders promised once Ouattara in power, Cote d'Ivoire is today in total chaos. The country has become a real no man's land whose ownership is claimed by citizens of Burkina Faso. Throughout the country, M. Ouattara's militiamen are killing, raping, dispossessing peasants of their lands and plantations and arresting anyone suspected to be hostile to their leader's regime. On a daily basis. And it happens, at home and abroad. In a total impunity. This is the post-Gbagbo's country Ivoirians are living in. This is the paradise we were promised by Ouattara and his allies.

After Ouattara's more than twenty years of lies about the state of our nation, and his first year in power, the world has finally discovered the truth about the 2010 presidential election and known the man. And, therefore, it has understood the real motivation of those who overthrew president Gbagbo and sent him to the International Criminal Court.

This awareness has risen in every African's mind one single question; Is the ICC a judicial weapon put in place by imperialist nations to discipline African leaders and citizens and exploit the continent or a genuine judicial institution that can equally prosecute citizens of the poor and the rich, the strong and the weak nations?

From August 13th, you will have to give Africans and the world a clear and unequivocal response to this important question. It will be a yes or no response. Honourable Judges, with this trial, the credibility of your institution is at stake. And you are fully aware of it.

As independent judges, the pen of history, your history and that of the weaker nations around the world, is in your hand. This is your time and a lifetime occasion to write the golden pages of your own history at a global level. This is your chance to save a nation, Cote d'Ivoire, and give hope to a continent, Africa.

There is no doubt that you are academically well equipped for the mission; you are highly qualified law professionals and the ICC has given you the power to make your own judgment without fear of any reprisal from anyone. This trial will show the all world, including the United Nations, if you have accepted to remain independent or decided to serve as puppets.

As the trial's date is getting closer, what you have to do with courage, determination and dignity, if we may say that, is to get ready to show the world that you are free from any political ties and can say the law without fear of losing your jobs. In president Gbagbo's case, there is no hiding place for those corrupt law professionals who are always ready to give politically motivated verdicts to please western powers or protect their interests.

The forthcoming case is empty of any serious accusations backed with proves that can lead to any charges against the elected president of Cote d'Ivoire, Laurent Gbagbo. And you know it. A free and fare trial in this case can only lead to the release of president Gbagbo. And the world knows it.

If you hold this case with professionalism, I can guaranty you that you all will become heroes for weaker nations and peoples and the ICC, your institution, will gain in credibility before Africans. And most importantly, when president Gbagbo will walk free, Côte d'Ivoire will regain peace and stability and this will pave the way to the country's development.

This victory will not be seen by Gbagbo as his own victory, not even that of the millions of his supporters to whom he is grateful and he cherishes. This historical victory that you also will have made possible will be that of the future of the Ivorian nation. Honourables judges, as the people of Africa and weaker nations around the world are watching, the choice is yours.

May God Almighty bless you all while you are taking the right decision.

Tanzania Daily News (Dar es Salaam)

Wednesday, 20 June 2012

Tanzania: Former Rwanda Army Officer Jailed for Life By ICTR

By Faustine Kapama

Arusha — THE International Criminal Tribunal for Rwanda (ICTR) yesterday sentenced to life imprisonment former Rwandan military officer, Captain Ildephonse Nizeyimana, for his role in the 1994 genocide, including the killings of Rosalie Gicanda, the last Tutsi queen of Rwanda.

A panel of judges convicted the ex-Rwandan military officer of genocide, crimes against humanity (extermination and murder) and war crimes (murder) for ordering and planning massacres of several individuals at various locations in Burate prefecture, South Rwanda, mainly in April 1994.

"Having considered the gravity of the crimes for which Nizeyimana has been convicted as well as all the aggravating and mitigating circumstances, the Chamber sentences Ildephonse Nizeyimana to life imprisonment," presiding Judge Lee Muthoga pronounced. Apart from the Tutsi queen, other victims of the massacres include civilians who took refuge at Cyahinda Parish, where thousands of Tutsis were killed on April 18, 1994 and a Rwandan professor Pierre Claver Karenzi.

"Nizeyimana is responsible for all these crimes through his participation in basic joint criminal enterprise," the judges concluded. The judges rejected the defence of alibi advanced by Nizeyimana that as of April 20 and 22, 1994 and later from April 26 to the end of May, 1994, he was not in Butare.

"The alibi is not credible and does not call into question Nizeyimana's involvement," they ruled. After delivery of the judgment, Nizeyimana's Lead Counsel, John Philpot, was quick to react, "Of course we are going to appeal, but that is not the point. The point is that the Trial (Chamber) misapprehended the evidence which was mostly from the people organised from Rwanda ."

He went on, "Our client was a good fighter, a good soldier who was defending his country from an invasion and was absent when most of these things (attacks) happened." In the indictment, the prosecution had alleged that Nizeyimana was second in command, in charge of intelligence and military operations at the Non-Commissioned Officers School (ESO) in Butare, a town full of scholars in Rwanda.

Nizeyimana was born on October 5, 1963 in Mutura Commune, Gisenyi prefecture in Northwest Rwanda from Athanase Masiha, his father and Madeleine Mashavu, his mother. After completing primary school, he studied first at Inyemeramihigo College in Gisenyi and then at the Musanze School of Sciences in Ruhengeri, also in North Rwanda.

After finishing the studies in July 1983, he went to the Senior Military Academy (ESM) in Kigali. Before completing his studies at ESM, Nizeyimana obtained a scholarship to study in Germany and on his return, he went directly to work at ESO. He fled Rwanda in July 1994 to the neighbouring Democratic Republic of Congo (DRC).

Between July 1994 and November 1996, Nizeyimana lived in Kashusha refugee camp in South Kivu . After the camp was dismantled in 1996, he left for the eastern town of Goma, where he reportedly ran a small business of a local brew bar. But later he decide to leave for Nairobi, Kenya, via Uganda but on his way, without knowing the Interpol were tracking him, he was arrested in a hotel in Uganda on October 5, 2009.

He was transferred to the UN Detention facility in Arusha , Tanzania the following day, where he met his colleagues, including his namesake, Lieutenant Ildephonse Hategekimana, the former in charge of the small military camp of Ngoma, in Butare, popularly known as scholar's town.

Hategekimana is currently serving life imprisonment sentence for his role in the 1994 Tutsi genocide. Late American historian Alison des Forges writes in her book *Leave None to Tell the Story*, published in 1999 about

these two individuals. "At the start of massacres, the Ngoma camp, the ESO divided responsibility for the area around the town of Butare , with leadership in the hands of Nizeyimana and Hategekimana."

The book quotes one witness as saying that Nizeyimana played more of a role in the first days by allegedly committing massacres, with the ESO soldiers in the central part of the town. He then ceded to Hategekimana, who together with his troops allegedly executed killings in the southern part of the region.