

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



PRESS CLIPPINGS

Enclosed are clippings of local and international press on the Special Court and related issues obtained by the Outreach and Public Affairs Office

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Press clips are produced Monday through Friday.
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International News

A Trial For Show / <i>Gulf News</i>	Pages 3-4
Berlusconi and 15 Other Convicted Heads of State / <i>The Epoch Times</i>	Page 5
Why the Murder of Five American Nuns Will Go Unavenged / <i>Time</i>	Pages 6-8
Photographer Tim Hetherington's Account of Wartime Liberia... / <i>Nashville Scene</i>	Pages 9-10

Gulf News

Sunday, 25 October 2012

A trial for show

Some nations don't have the political will to bring even the worst war criminals to justice

Reviewed by Joseph A. Kéchichian Senior Writer

All the Missing Souls: A Personal History of the War Crimes Tribunals

By David Scheffer, Princeton University Press, 533 pages, \$35

Time will tell whether Omar Al Bashir, the president of the Sudan, or Bashar Al Assad, the president of Syria, will ever be arrested and tried at the International Criminal Court (ICC).

In July 2008, the ICC prosecutor, Luis Moreno Ocampo, accused Al Bashir of genocide as well as war crimes in Darfur and issued a warrant for his arrest on March 4, 2009. Though Ocampo stated that there was insufficient evidence to prosecute him for genocide, the ICC ruled otherwise on July 12, 2010, and issued a second warrant containing three separate counts.

Al Bashir thus became the first sitting head of state indicted by the ICC, but he had the support of most African, Arab and Non-Aligned governments. Russia and China stood by him too as they hoped to benefit from commercial ties with Khartoum.

In June 2012, the UN High Commissioner for Human Rights, Navi Pillay, requested that UN investigators be granted full access to Syria and urged the UN Security Council to refer the incidents there to the ICC. She asserted that all those who ordered the attacks on civilians, helped carry them out, or failed to stop them, were criminally liable for their actions — which was telling indeed.

Neither of these “cases” are included in David Scheffer's tome, although he discusses earlier efforts to create criminal tribunals for the Balkans, Rwanda, Sierra Leone and Cambodia, laying the groundwork for the controversial process of bringing the world's architects of atrocities to justice. It is a big book — few will invest the required time to digest it, although no reader will put it away unsatisfied.

Scheffer, who is the Mayer Brown/Robert A. Helman Professor of Law and director of the Centre for International Human Rights at Northwestern University School of Law, was appointed UN secretary-general's special expert on the Khmer Rouge trials in the late 1990s. He also served as the first United States ambassador-at-large for war crimes issues (1997-2001) and led American initiatives on war crimes tribunals during the 1990s for the Bill Clinton Administration.

The book discusses how Madeleine Albright, who was the US ambassador to the United Nations under Clinton, instructed Scheffer to spearhead the historic mission to create a war crimes tribunal for former Yugoslavia. This was a daunting challenge in 1993, but the efforts paid off, as several senior Balkan “officials” were hunted down for their unspeakable massacres in Bosnia-Herzegovina, especially in Srebrenica, where at least 8,000 Bosniaks (Bosnian Muslims), mainly men and boys, were murdered.

On November 16, 1995, Radovan Karadzic, “president of the Republika Srpska”, and Ratko Mladic, a local commander, were indicted by the International Criminal Tribunal for the former Yugoslavia, holding them directly responsible for the atrocities committed in Srebrenica. Slobodan Milosevic, the president of Serbia from 1989 to 1997 and president of Yugoslavia from 1997 to 2000, was also arrested and

transferred to the Hague to face charges for genocide or, at least, complicity in genocide. However, Milosevic died on March 11, 2006, during his trial and so no verdict was reached.

Reading Scheffer's commentaries reveal how convoluted these efforts were. Nevertheless, criminal tribunals resulted in the creation of the permanent ICC, which proved that the international community faced serious dilemmas. As Scheffer asserts, the mere fact of holding such trials became a gamble, since prosecuting those responsible for genocide, war crimes and crimes against humanity, and redressing some of the bloodiest atrocities of our time, was neither easy nor consensual.

As a mandated representative anxious to prosecute criminals, Scheffer was astounded to learn how American exceptionalism undercut his diplomacy, especially during the 1994 Rwandan genocide and the 1995 Srebrenica massacre trials, when every step forward to hunt down notorious war criminals was hampered by political considerations.

The book contains interesting details on Kosovo, Cambodia and Sierra Leone, although the reader would probably learn far more from gripping tales in the corridors of the UN Security Council or allied Cabinet rooms. To his credit, Scheffer presents candid portraits of major figures such as Madeleine Albright, Anthony Lake, Richard Goldstone, Louise Arbour, Samuel "Sandy" Berger, Richard Holbrooke and Wesley Clark, among others, all of whom played the political game to the hilt. Some talked the talk but seldom walked the walk — of which Omar Al Bashir and Bashar Al Assad will be all too aware.

International justice was never an easy proposition, but as "All the Missing Souls" says, mankind eventually gets there — political roadblocks notwithstanding.

*Dr Joseph A. Kéchichian is the author of the forthcoming *Legal and Political Reforms in Saudi Arabia* (Routledge, 2012).*

The Epoch Times (Excerpts)

Wednesday, 30 October 2012

<http://www.theepochtimes.com/n2/world/berlusconi-and-15-other-convicted-heads-of-state-309119.html>

Berlusconi and 15 Other Convicted Heads of State

By Christian Watjen

After fighting numerous criminal allegations and court trials for two decades, former Italian Prime Minister Silvio Berlusconi was found guilty of tax fraud Friday.

-SNIP-

Here is a list of another 15 former state leaders who were convicted over the last two decades, either by domestic courts or international tribunals.

-SNIP-

Charles Taylor



Former rebel leader Charles Taylor (C) speaks with troops, July 1990. (Pascal Guyot/AFP/Getty Images)

The former African leader was the first former head of state to be convicted by an international tribunal since World War II. The UN-sponsored Special Court for Sierra Leone (SCSL) found Taylor, Liberia's president 1997-2003, guilty of 11 counts of war crimes and crimes against humanity in May 2012. The court deemed Taylor "individually responsible" for the gross violations committed by rebel forces during the devastating civil war in the 1990s that included pillage, rape, enslavement, amputations, and use of child soldiers.

-SNIP-

Time

Wednesday, 31 October 2012

Why the Murder of Five American Nuns Will Go Unavenged

By Johnny Dwyer



Corinne Dufka / Reuters

Charles Taylor's street forces in Liberia, May 8, 1996.

The five women were from small town America but chose to live in the midst of one of West Africa's most brutal civil wars. Each belonged to the Adorer's of the Blood of Christ, a St. Louis-based Catholic order; each had volunteered to live in Liberia, not only as missionaries, but as desperately needed relief workers.

In 1993 *St. Louis Post-Dispatch* profiled the nuns. Sister Barbara Muttra, the eldest of the group at 69, ministered to refugees in during the height of the Vietnam War before moving to Liberia in the early 1970s. Mary Joel Kolmer, 58, was a cancer survivor who returned to Liberia after surgery to remove a tumor. Agnes Mueller, 62, was both a trained nurse and a theologian who taught aspirant nuns at the sisters' convent. Shirley Kolmer, 61, who served as a high school principal in Monrovia, advocated forcefully—and successfully—for the nuns' return to Liberia after fighting between Charles Taylor's rebels and government forces forced the nuns to flee in 1990. And Kathleen McGuire, 54, the only sister who was new to Liberia, once made a pilgrimage the graves of five American nuns murdered in El Salvador in 1980. It would be a tragedy the five nuns in Liberia would share, slaughtered 20 years ago last week by men believed to be loyal to Charles Taylor.

Their deaths have gone unpunished, but not for lack of evidence. Investigators in Liberia and the U.S. identified some of the individuals they believed responsible, but for reasons both political and legal it is unlikely that anyone will ever be brought to justice.

The killings remain among the darkest episodes of the war for both Liberians and Americans. In October of 1992, Charles Taylor had launched the most notorious offensive in his bid to take power, a fast-moving, multi-pronged attack called "Operation Octopus".

On October 20, 1992, Sisters Muttra and Mary Joel Kolmer, left their Gardnersville, Liberia home to drive a Liberian colleague to his nearby village. They never made it to their destination: the women and Liberian man were shot to death in their vehicle, along with two African peacekeepers the women picked up along the way.

Three days later, according to testimony the sisters' order provided to Congress, a rebel from Taylor's faction identified as "Mosquito"—arrived at their convent with several fighters, announcing that "he was going to kill the white people." Kathleen McGuire was shot first, allegedly cut down by Mosquito as she opened the convent's gate. Another fighter, known only as "Black Devil," then executed Sisters Shirley Kolmer and Agnes Mueller. Their bodies were mutilated and the women's vehicle looted from the compound.

The U.S. government responded forcefully upon learning of the women's murders, according to a declassified State Department cable, warning Taylor directly that it would hold him and his commanders "personally responsible for mistreatment of any American citizens." Immediately afterward, Taylor denied responsibility; it was a position he maintained throughout his rise and fall as a warlord and president in Liberia. "We had protected Americans throughout that period and it was very — it was a sad situation even for me," he said at his trial before the Special Court for Sierra Leone in 2010. Taylor was sentenced to 50 years for crimes against humanity earlier this year. But no one has specifically been held accountable for the death of the nuns.

The pursuit of justice in the killings has always been dependent on U.S. policy on Liberia. During the civil war, when U.S. interests focused on stabilizing the nation, the nuns' murders went without criminal investigation. After Charles Taylor took power and U.S. policy shifted towards pressuring him from office, Congress voiced renewed interest in identifying the perpetrators.

In 2002, the FBI launched an investigation. A team of agents with an extraterritorial investigation squad combed Liberia and neighboring countries for leads, building a body of evidence, and most importantly, zeroing in on a suspect. Meanwhile, Liberia launched its own national inquiry into civil war atrocities. At a January 2008 hearing before Liberia's Truth and Reconciliation Commission, a former Taylor fighter confessed to his involvement in the murder of three of the nuns. That witness, a low-level Taylor fighter named Morris Padmore, also identified "Mosquito" as Christopher Vambo, a former Taylor commander who had worked with a security company for a legislator in Liberia's government.

Following that testimony, Sam Saryon, the director of the Liberian National Police's Criminal Investigations Division at that time, approached Vambo for what he described as an "off the record" conversation. Vambo, who lives in Buchanan, the nation's second largest city, denied any role in murder of the nuns saying, "he was trying to rescue them." "He was not credible," Saryon told TIME. "But, I could not do anything further with that investigation."

By then, the FBI team had also completed their investigation—though the lead agent in the case would not comment on whom they sought to indict in the crimes. "We

put together what I personally thought was a prosecutable case," former FBI Special Agent Christopher Locke, the lead investigator on the case, told TIME.

In April of 2010, Locke met with Justice Department attorneys in Washington to learn whether the nuns' case would be brought before an American court. The Justice Department prosecutors, however, had come across an arcane legal roadblock. The case law surrounding the statute of limitations on federal murder charges was ambiguous. The statute of limitations on federal murder charges had been five years until it was eliminated altogether in 1994. It was unclear, however, whether this change applied retroactively, opening the door to a prosecution's case becoming invalid if a judge decided the change could not be applied to the 1992 murders. Any indictment ran the risk of extraditing a suspect they believed to be a war criminal to the United States, only to see him let go on a technicality.

It was a risk that the Justice Department was unwilling to take—even if it meant that all of nuns' murderers would remain free. The FBI closed the nuns' investigation earlier this year, according to Locke, making any future U.S. prosecution highly unlikely.

"While prosecutions are not always possible in cases such as this, the FBI always continues to diligently work and follow all investigative leads towards the service of justice," Jacqueline Maguire, a spokesperson for FBI's Washington D.C. field office, told TIME. Similarly, the U.S. Attorney's office in Washington D.C. which handled the case, declined comment.

In Liberia, the search for justice ran headlong into a peculiar politics of the post-war society. Despite the death of nearly a quarter million people during the war, not a single person has been prosecuted domestically for a crime related to the conflict. President Ellen Johnson Sirleaf, a recent Nobel Peace prize recipient, has overseen near double-digit growth in the tiny nation's economy and enjoys international acclaim unparalleled for a Liberian leader. But, after six years in power, she appears unwilling to press for prosecutions and so the issue of impunity will not fade away.

Earlier this month, Leymah Gbowee, the Liberian peace activist who shared the Nobel Peace Prize with President Sirleaf, resigned from her position leading the National Peace and Reconciliation Initiative, a role appointed to her by Sirleaf. "We have a deficit when it comes to having a moral voice in the country," she told an audience in Paris, according to *The Telegraph*.

There appears little interest among Liberian law enforcement to pursue the matter. "Nobody is talking about that nun story anymore in Monrovia," a current Liberian National Police official said.

Yet for former Special Agent Locke, now an attorney in private practice, the case remains unfinished business. "It's an important message to send to the world: if you kill our citizens, it doesn't matter if it takes us 20 years, we'll never give up," says Locke. "There's still got to be accountability for their actions and we've missed that opportunity,".

Nashville Scene

Thursday, 1 November 2012

Photographer Tim Hetherington's account of wartime Liberia is haunting, eye-opening, transformative

By Eric Lehning

The Long Story Bit by Bit: Liberia Retold, Photography by Tim Hetherington

The story of Liberia is riddled with tragedy and hope. What began as a colony of freed American slaves became a corrupt nation of extreme inequality. The descendants of the formerly enslaved settlers suppressed the greater majority of indigenous peoples for more than 100 years. Retribution and vendetta passed from generation to generation, until the cycle of violence became woven into the fabric of the culture and the identity of the people. Liberia's leaders seemed more likely to be tortured, disemboweled or forced down rather than be voted out.

Indeed, after his resignation, Liberian president Charles Taylor became the first person to be tried and successfully convicted of war crimes by the International Criminal Court in The Hague. Yet the last decade has also seen the rise of the most powerful peace movement in the nation's history, a coalition of brave women whose unrelenting efforts culminated in the election of Africa's first female president, Ellen Johnson-Sirleaf.



In *Long Story Bit by Bit: Liberia Retold*, the photographs of Tim Hetherington provide an arresting glimpse into the West African nation's recent yet vast and complicated past. Hetherington's photo-documentation focuses on the rebel group LURD (Liberians United for Reconciliation and Democracy) and their struggle to force President Charles Taylor from office.

In one of the first photographs in the gallery, a haunting mural of an emaciated youth covers the wall of a health clinic. The figure's angelic face is a contrast to his sharp rib cage and the overall patina of conflict and neglect that scars the cement wall. In another photo, a little girl in a white bridesmaid's dress seems lost in a thousand-yard stare as the newlyweds behind her pose for a portrait on the steps of a monument in downtown Monrovia. Though she's only a child, her eyes have matured beyond her years, and somehow the adult couple in the background are the naive ones.

In an image from a series of two photographs documenting the rebels' demilitarization phase, two women turn in weapons to a disarmament point. One holds a rocket-propelled grenade in each hand. The other balances a case of ammunition on her head while her baby clings to her hips. Great mounds of weapons are piled high with machine guns and grenade launchers that were surrendered by the disbanding LURD army. The disarming process produced many

such mountains of armaments, hoarded like a mass of ugly kindling. Behind each discarded weapon one imagines the unseen citizen soldier taking the first step toward disentangling the cycle of violence from their country's tapestry.

In the photograph that most immediately struck me as emblematic of the conflict, a young LURD fighter sits at a table in quiet contemplation, but where one might expect a cup of coffee, there is instead a single grenade in front of him. He has the look of a man fully resigned to pull the pin, yet all too familiar with the indiscriminate result. It's always tempting to look for "good guys" and "bad guys" in a civil war, but the truth is never as simple as that. All the casualties are Liberian casualties, and though the dead are all brothers and sisters, the living must contend with one another through a political system of retribution. And it's this system of retribution that Ellen Johnson-Sirleaf's administration must confront if it is to succeed.

In April, Tim Hetherington was killed while documenting the Libyan revolution and the siege of Misrata. The photographs are more than incidentally beautiful — they compel the viewer to become a witness. His work demands the emotional attention of the viewer, and as a viewer I myself began to experience a somewhat doe-eyed feeling that these photos are inherently good for everyone to look at — because if everyone is watching, maybe people will treat each other better. The images are so invasive it's hard to look away. Then the guilt of having an aesthetic response kicks in, and you come away hoping you're not a sociopath. Still, you can't look away. Not because of some candid display of the grotesque, but rather the depiction of an onward march undaunted by all obstacles.