

**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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UN agrees to control arms trade - but can it?

The United Nations has finally succeeded in regulating the global arms trade. Governments and human rights organizations are describing this as an historic agreement - but some loopholes remain.

UN Secretary General Ban Ki Moon spoke of a "victory for the people of the world", and German Foreign Minister Guido Westerwelle of "a milestone in global efforts to ensure arms controls and security."

And in an interview with DW, Matthias John, Amnesty International's defense expert, called the Arms Trade Treaty a "truly historic achievement."

Subject to strict rules

Approval of the first international treaty on the global arms trade is indeed an historical decision taken by the UN General Assembly. Trade in conventional weapons, from guns to tanks, will now be subject to strict rules.

Negotiations had failed twice before, owing to resistance from countries including North Korea, Syria and Iran, as well as Russia, China and the United States. However, although the UN Conference that drafted the treaty could only decide on it unanimously, the UN General Assembly required just a two-thirds majority.

The treaty prohibits the export of weapons if such trade violates arms embargoes or if the weapons could be used in genocide and crimes against humanity.

National control systems
If, for instance, the agreement were already in

ammunition and weapon parts. It also controls arms dealers.

If such rules had existed several years earlier, it might have been easier, after the fall of the Libyan dictator Gaddafi, to trace the routes German assault rifles took to

clouding the joy over the Arms Trade Treaty. "I would have liked to have seen more content and more restrictions," Rolf Mützenich, the foreign affairs spokesman of Germany's centre-left Social Democrat parliamentary group, told DW. In particular, he said, the licensing process for arms exports, which remains in the



force today, Russia and Iran would not be able to supply the Syrian regime with weapons. The controls are designed to ensure that arms will not be used in human rights abuses, terrorism, or violations of humanitarian law.

The treaty calls for the establishment of national control systems to regulate the import and export of conventional arms,

land in the hands of Gaddafi's troops.

But the Arms Trade Treaty will now need to prove its effectiveness. "We will strive to enforce the treaty as soon as possible," Westerwelle said in New York. For that to happen, 50 states must ratify the treaty a move some experts believe could happen by June.

More transparency

However, some disillusionment is already

hands of national governments, and verification of the controls were not fully clarified. "These are things that would have made such a treaty much stronger," Mützenich added.

Amnesty defense expert Matthias John agrees there's room to improve the control mechanisms. "We need better measures for transparency and better reporting, and we would need to impose

sanctions if the treaty were violated," he said, adding that that now is the time "for states to adapt their own rules." The Arms Trade Treaty doesn't interfere with countries' domestic legislation. What is planned is for the UN members to issue a yearly report on all processes and progress they have achieved in arms control.

"In the spirit of the agreement"

The provisions don't restrict German arms exports. Existing EU export regulations and national German rules go further than the new international agreement. Yet Matthias John argues that Germany "has a duty to tighten German arms export practices in the spirit of this agreement."

After the US and Russia, Germany is the world's third largest arms exporter, with a global market share of seven percent. The country's top two buyers are the Netherlands and the US, followed by the United Arab Emirates in third place. Further down the list are Algeria (eighth), Saudi Arabia (at 12) and Egypt (at 18).

"Human rights must be given a greater priority," John said. "Other criteria such as the notorious new 'Merkel doctrine,' which stresses foreign and security issues, seem to be more important." If Germany acts in the spirit of this agreement, that should no longer be the case.

Agence France-Presse

Thursday, 4 April 2012

Arms dealer Bout's associate agrees to US extradition

MELBOURNE (AFP) - An alleged associate of notorious jailed international arms dealer Viktor Bout



agreed on Thursday to be extradited to the United States, telling an Australian court he was ready to go home.

Richard Ammar Chichakli, who holds both US and Syrian citizenship, told Melbourne Magistrates' Court he was "ready for the extradition" after his arrest in Australia in January at the request of the United States.

"I ask the court to kindly send me home to the US as soon as possible," Chichakli told magistrate Charles Rozenwajg, conceding to the US deportation order.

"I thank Australia for its hospitality. I just need to go home," said Chichakli, also telling the court he intended to protest his innocence.

Bout, who was convicted by a US court in 2011 of conspiring to sell arms to Colombia's FARC rebels, has been accused over the past two decades of selling arms to despots embroiled in some of the world's bloodiest conflicts.

He was the inspiration for the arms smuggler played by Nicolas Cage in "Lord of War" (2005), and has been dubbed the "Merchant of Death". Bout was arrested in Thailand and is now serving a 25-year jail term in the US.

Chichakli, 53, is wanted for conspiring with Bout in 2007 to try to purchase two aircraft from companies located in the US and use them to ship arms, in violation of an order banning them from doing business in America.

The executive order, imposed in line with UN sanctions, stemmed from their links with former Liberian president Charles Taylor, convicted of war crimes for supporting rebels in Sierra Leone in exchange for blood diamonds.

Chichakli is also charged with money laundering conspiracy, wire fraud conspiracy and six counts of wire fraud in connection with the attempted aircraft purchases -- nine charges in total.

He came to the attention of Australian authorities during routine background checks after he applied for a job with Victoria state's police force.

"Of course I deny all of them, but this is for the court of the US to try," Chichakli said of the charges against him, each of which carries a maximum 20-year jail term.

Human Rights Watch

Thursday, 4 April 2013

Press Release

Côte d'Ivoire: Unrealized Promises for Impartial Justice: International Community Should Press for Improvements

(Abidjan, April 4, 2013) – The Ivorian government has not yet delivered on its promises of impartial accountability for the serious international crimes from the 2010-2011 post-election crisis, Human Rights Watch said in a report released today. The government should step up support to judges and prosecutors handling these cases so that victims from both sides can finally see justice.

The 73-page report, “Turning Rhetoric Into Reality: Accountability for Serious International Crimes in Côte d'Ivoire,” analyzes Côte d'Ivoire’s uneven efforts to hold to account those responsible for serious international crimes committed following the November 2010 presidential election. Since his May 2011 inauguration, President Alassane Ouattara has repeatedly declared his commitment to bring all of those responsible to account, regardless of political affiliation or military rank. However, while prosecutors have charged more than 150 people with crimes committed during the post-election violence, none of those charged come from the pro-Ouattara forces.

“President Ouattara’s expressed support for impartial justice rings hollow without more concrete action to bring justice for victims of crimes committed by pro-government forces,” said Param-Preet Singh, senior international justice counsel at Human Rights Watch. “If Côte d'Ivoire is going to break from its dangerous legacy in which people close to the government are beyond the reach of the law, it needs credible prosecutions of those responsible for crimes on both sides of the post-election conflict.”

Côte d'Ivoire’s international partners – including the European Union, the United Nations, France, and the United States – should also increase diplomatic pressure and financial support for impartial accountability, Human Rights Watch said.

The report is based on research in Abidjan in September 2012 and follow-up interviews with government officials, lawyers, civil society members, UN representatives, diplomats, and officials from donor agencies.

Internationally recognized results proclaimed Ouattara the winner of the November 2010 election, but Laurent Gbagbo, his opponent, refused to step down as president. That caused a five-month crisis during which at least 3,000 people were killed and 150 women raped, with attacks often carried out along political, ethnic, and religious lines. In November 2011, Gbagbo was transferred to The Hague on a warrant from the International Criminal Court (ICC). He remains there in custody pending a determination of whether there is enough evidence to try him for four counts of crimes against humanity.

Cases involving serious international crimes can be sensitive, but the lack of justice can carry high costs. Chronic impunity has fed the repeated episodes of violence in Côte d'Ivoire over the last decade, with civilians paying the greatest price, Human Rights Watch said.

In June 2011, Ouattara created a National Commission of Inquiry, a Special Investigative Cell, and a Dialogue, Truth, and Reconciliation Commission to respond to the abuses committed during the post-election crisis. In August 2012, the National Commission of Inquiry released a summary of its report, which confirmed that serious crimes had been committed by pro-Gbagbo and pro-Ouattara forces, and recommended bringing those responsible for abuses to justice. These findings echoed a UN-mandated international commission of inquiry and reports by human rights groups.

Human Rights Watch called on the Special Investigative Cell, which is tasked with conducting judicial investigations of the post-election crimes, to use the National Commission of Inquiry’s report to conduct a “mapping exercise.” The exercise would essentially be an in-depth overview of the crimes committed by

region during the crisis, pinpointing individual suspects where possible. This would help the cell develop a strategy for selecting cases to investigate and prosecute, which it has not yet done.

Non-confidential portions of any “mapping exercise” and prosecutorial strategy should be shared with the public to help build confidence in the investigative unit’s ability to execute its mandate independently and impartially. The Special Investigative Cell likely needs more staff if it is to succeed in bringing impartial prosecutions for serious international crimes, Human Rights Watch said.

Human Rights Watch found that many people accused of post-election crimes have sat in pretrial detention for almost two years, in violation of their internationally recognized fair trial rights, in part as a result of the need to enact long overdue legal reforms. The government should expedite efforts to reform the criminal procedure code so that defendants already in custody can be brought to trial without further delay and are guaranteed a right of appeal. Access to a lawyer should also be made mandatory at an earlier stage, as well as legal assistance for those who cannot afford a lawyer.

ICC states parties, the EU, and the United Nations notably have increasingly signaled their commitment to promote accountability before national courts to make complementarity – the principle under which the ICC only intervenes when national courts are unable or unwilling to do so – a reality. However, the Human Rights Watch report sets out evidence that key partners have only made limited efforts toward those ends in Côte d’Ivoire.

Côte d’Ivoire’s international partners should learn from the mistakes made following the country’s 2002-2003 armed conflict, Human Rights Watch said. After the earlier conflict, the country’s international partners sat by silently while justice was sidelined and impunity took deeper root, helping set the stage for the devastating post-election crisis in 2010 and 2011.

“The lack of key reforms to provide needed support for investigations and prosecutions is holding back progress on accountability for serious international crimes in Côte d’Ivoire,” Singh said. “Côte d’Ivoire’s international partners should work with the government to provide assistance where needed, and use their diplomatic clout to reinforce the message that impunity is not an option.”

The Ivorian government and international donors should also work together to support the independence of judges and prosecutors, and to provide protection and security for witnesses, judges, prosecutors, and defense lawyers involved in cases of serious international crimes. This is of critical importance to ensure fair and impartial justice for the key crimes of the recent past, and to strengthen the Ivorian justice system overall so it can function efficiently and fairly in the future, Human Rights Watch said.

Following requests by both the Gbagbo and Ouattara governments to investigate the violence in Côte d’Ivoire, the ICC opened an investigation in October 2011. The ICC has jurisdiction to try crimes committed in the country after September 19, 2002. The ICC has only publicly issued two arrest warrants, against Gbagbo and his wife, Simone, both charged with crimes against humanity. The Human Rights Watch report concluded, based on interviews with numerous Ivorian civil society activists, that the ICC’s one-sided approach has legitimized the same approach by Ivorian judicial authorities and undermined perceptions of the ICC’s impartiality. Côte d’Ivoire ratified the Rome Statute, the ICC’s founding treaty, in February 2013, becoming the ICC’s 122nd state party.

Simone Gbagbo remains in Ivorian custody facing domestic charges of genocide, among other crimes. The Ivorian government should comply with its obligations either to surrender her to the ICC or, as an alternative, submit a challenge to the admissibility of the case before the ICC because she is being tried for similar crimes domestically.

“The ICC should swiftly investigate crimes committed by those on the Ouattara side and, based on the evidence, seek arrest warrants,” Singh said. “This is essential to restore the ICC’s legitimacy in Côte d’Ivoire and to put pressure on the Ivorian authorities to deliver credible, impartial results.”

Ghanaweb

Wednesday, 3 April 2012

Opinion

Ghana: End Impunity For Politicians Masterminding Widespread Violence

By Kofi Thompson

One finds it hard to understand those very intelligent Africans, who give one the distinct impression that because in their view no African leader ought to appear before the International Criminal Court (ICC) - which they regard as a tool of imperialism and neo-colonialism before which Western leaders never appear - somehow one ought to overlook the plight of the millions of fellow Africans, who are victims of the continent's cruel and murderous regimes.

Yet, one doubts very much that the victims of the cruel African leaders who cause unspeakable suffering in places like the eastern provinces of the Democratic Republic of Congo and Darfur in the west of Sudan, would hold demonstrations to protest against Africans writing opinion pieces, which call for those ultimately responsible for maiming and murdering them in eastern Democratic Republic of Congo and Darfur, to be sent to the ICC for their roles in what are indeed despicable crimes against humanity.

One also doubts that potential victims of any breakdown in law and order in Ghana, resulting from reaction by party foot-soldiers (from across the spectrum) to the outcome of the December 2012 presidential election petition brought before the Supreme Court by the presidential candidate of the New Patriotic Party (NPP), Nana Addo Danquah Akufo-Addo - challenging the declaration by the Electoral Commissioner of President Mahama as the winner - would condemn those in Ghana who insist that they will ensure that those politicians (from across the spectrum) bearing ultimate responsibility for such a breakdown in law and order in Ghana, are also brought before the ICC.

Surely, the millions of families whose lives could be turned upside down, were Ghana to descend into violence and chaos as a result of a breakdown in law and order, must have the assurance that there will be no impunity for those politicians whose actions and inaction lead to the creation of a hell on earth for them in their own country?

Should all such politicians in Ghana not eventually end up in the very same place that **Liberia's heartless leader Charles Taylor** was prosecuted and jailed for his crimes against humanity perpetrated in Sierra Leone, I ask?

Where in Africa, and who in the continent, will try cruel and ruthless African leaders like Sudan's Omar Bashir?

To ensure justice for ordinary Africans, including Ghanaians, we must encourage the ICC to act when the very politicians in Africa who are supposed to promote peace and stability and ensure our security, turn around to organise the maiming and murdering of their own people.

The time has come to end impunity for politicians masterminding widespread violence in Ghana and elsewhere in Africa - by having them indicted and prosecuted by the ICC.

Those who say they are in politics to serve ordinary people must never do anything that will end up destroying our homeland Ghana.

The period immediately after the Supreme Court of Ghana's presidential election petition verdict is announced, will be the perfect time to gather evidence for possible ICC prosecutions.

RTT News

Wednesday, 3 April 2012

US War Crimes Rewards Program To Include Joseph Kony, 3 Others

The US State Department has expanded its War Crimes Rewards Program (WCRP) under a recent legislation to include Joseph Kony of the Lord's Resistance Army (LRA) and three others, it was announced Wednesday.

Under this program, the State Department offers rewards of up to \$5 million for information leading to the arrest and conviction of Kony, his two deputies Okot Odhiambo and Dominic Ongwen, as well as Democratic Forces for the Liberation of Rwanda (FDLR) leader Sylvestre Mudacumura.

Notably, all the four men have been indicted by the International Criminal Court in the Hague. The nine fugitives who had earlier been indicted by the International Criminal Tribunal for Rwanda (ICTR) would also remain on the WCRP list.

They are Felicien Kabuga, Protais Mpiranya, Augustin Bizimana, Fulgence Kayishema, Pheneas Munyarugarama, Aloys Ndimbati, Ladislav Ntaganzwa, Charles Ryandikayo, and Charles Sikubwabo.

"We act so that there can be justice for the innocent men, women and children who have been subjected to mass murder, rape, amputation, enslavement and other atrocities," U.S. Ambassador-at-Large for Global Criminal Justice Stephen Rapp said as he announced the new bounties.

"With this program we also send a message to others who may perpetrate such crimes: 'There will be the means to bring you to account,'" Rapp added.

Under the previous version of the WCRP, rewards were limited to those indicted by specific tribunals: **the Special Court for Sierra Leone**, the International Criminal Tribunal for the Former Yugoslavia, and the ICTR. Incidentally, the US is not a member of the ICC, but maintains working relationship with the UN-backed court.

But under the revised program, the US State Department now offers rewards for information leading to the arrest, transfer, or conviction of designated foreign nationals accused of crimes against humanity, genocide, or war crimes by any international, mixed, or hybrid criminal tribunal.

According to the State Department, designated individuals themselves are "ineligible to receive rewards, as are US and foreign government officials, including military and police, if the information is furnished while in the performance of official duties."

New York Times

Tuesday, 2 April 2012

U.S. Grows More Helpful to International Criminal Court, a Body It First Scorned

By MARLISE SIMONS

THE HAGUE — When a fugitive African warlord, Gen. Bosco Ntaganda, gave himself up in March to the United States Embassy in Rwanda and asked to be sent to the International Criminal Court here, American diplomats publicized the episode and swiftly brokered the transfer.

Court officials were elated. “It was important that Washington was so upfront about cooperating,” one official said on the condition of anonymity because he was not an authorized spokesman. “It was a great boost for the court.”

On Wednesday, Washington is expected to further bolster the decade-old court, an institution that it initially tried to sink and still has no intention of joining.

As part of its Rewards for Justice program, the State Department plans to pay up to \$5 million for information leading to the arrests of fugitives in atrocity cases. It will issue a list of names that for the first time will include some of the court’s most-wanted fugitives, Stephen J. Rapp, the United States ambassador for global criminal justice, said in an interview. The names will be broadcast on radio and appear on reward posters printed in the languages of the fugitives’ countries, he said.

“The offer of rewards for I.C.C. fugitives will be the biggest step we’ve taken toward engagement and support” for the court, he said.

Under United States law, no money can be paid directly to the court. But a law adopted by Congress in January allows for payments to third parties for crucial information leading to fugitive arrests. Similar payments were offered to track down fugitives from the courts investigating atrocities in Rwanda and the former Yugoslavia.

“We have paid 14 rewards in the last three years,” from \$75,000 to \$2 million, Mr. Rapp said.

Washington can also help the court in more discreet, indirect ways, by, for example, protecting crucial witnesses, sharing DNA data and providing forensic assistance, he said, declining to give details.

As the court has become better known and its approval rating has risen in American public opinion polls, the United States has replaced its outright hostility with a measure of cooperation.

Harold H. Koh, the State Department’s legal adviser, speaking last November in the Netherlands, made a strong impact on his audience, including lawyers and diplomats, when he called the court “an important forum” for advancing United States national security and humanitarian interests. Global criminal justice “can help increase stability and thus decrease the need for more costly military interventions in the future,” he said.

Florian Jessberger, who teaches international criminal justice at the University of Hamburg, described the I.C.C. as a global court that is “somewhere between a court of justice and politics,” adding, “If the U.S. got involved without even being a member, it is to extend its influence for political reasons.”

Courtenay Griffiths, the defense lawyer for former President Charles Taylor of Liberia, called the United States’ shift in attitude toward the court a sea change.

“To use the court as an adjunct to soft power makes sense for the U.S.,” he said. “It’s cost-effective. If you can remove a warlord through the court, it’s a lot cheaper and more acceptable than using force.”

Other experts note that the court’s prosecutors have indicted only suspects from conflicts in Africa, which have not offered a true test of United States support for the court. “The U.S. wants to be at the table when the I.C.C. doesn’t touch on issues of vital interest to it,” said Philippe Sands, author of “Lawless World,” who teaches international law at University College in London. “I suspect the U.S. position would change direction rather quickly if issues of vital interest began to be investigated.”

He offered as possible examples investigations of Israel, Afghanistan and the treatment of prisoners during the United States-led war on terrorism.

Others see the growing cooperation with the court as a way for the United States to regain the moral standing they contend it lost as a result of the war in Iraq and the scandals surrounding waterboarding and other harsh treatment of prisoners.

“It deflects attention from the past American violations of international law and their own judicial anomalies like torture and disappearances,” said Antoine Bernard, a director of the International Federation for Human Rights, a group with members in more than 160 countries.

But others praised the Obama administration’s practical approach toward the court. About 100 elite American troops are training and advising forces in four African countries where brutal rebel leaders operate. No important fugitives have been caught, but attacks have reportedly decreased.

Court officials in The Hague often complain that while many of the court’s members pay their financial contributions as well as lip service to its goals, few throw their diplomatic weight behind the court. Yet it must rely on members’ cooperation for much of what happens outside its walls, including intelligence gathering, protecting its staff in insecure places and arresting suspects.

“This court needs some American muscle and power to produce in the future,” said Geoffrey Robertson, the author of “Crimes Against Humanity” and a former international judge. “The Obama administration could become an associate member, if this were on offer. That the United States remains leader of the free world should realistically be welcomed, given the alternative candidates.”