

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



Monkey Island panorama

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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Human Rights Watch

Friday, 17 May 2013

Press Release

AU: African Groups Call for Justice at Summit

Governments Should Assist Victims of Atrocities

(Johannesburg, May 17, 2013) – Civil society groups from more than 30 African countries called on African Union (AU) member countries to ensure that the AU promotes justice for grave international crimes, in a letter to the foreign ministers of African Union member states which was made public by the groups today.

The letter was sent in advance of the 21st summit meeting of the African Union, at which it will celebrate 50 years since the establishment of its predecessor, the Organization for African Unity. The summit is scheduled for May 19 to 27, 2013, at the seat of the AU in Addis Ababa, Ethiopia.

The groups noted that recent strain in the African Union's relationship with the International Criminal Court (ICC) has created significant risks to ensuring victims of the gravest crimes and their families have access to redress. As a result, they said, "[m]uch more remains to be done to advance accountability. Cooperation between international, regional, and national levels is crucial to promote justice and peace."

The letter was endorsed by 60 African civil society organizations and international organizations with a presence in Africa. The groups recognized a number of achievements by African Union members to promote justice on the continent, including supporting accountability for crimes committed in Sierra Leone, Rwanda, Democratic Republic of Congo, Central African Republic, Chad, Côte d'Ivoire, Mali, and Uganda.

The groups urged African Union members to press the AU to:

Take account of Africa's support for the ICC and its role activating ICC involvement in AU countries. Thirty-four out of 54 African countries are ICC members and African countries brought most of the situations the ICC is considering before the court.

Take steps to strengthen domestic criminal justice systems to deal with international crimes. This is the best way to ensure victims have access to redress over the long term, while addressing AU concerns about holding perpetrators to account outside the continent.

Ensure that any expansion of the jurisdiction of the African Court advances justice by carefully considering the resource implications for an expanded mandate. This would include supporting the wide range of needs associated with a criminal jurisdiction, such as witness protection and fair trials for the accused.

Improve communications between the AU and the ICC. Both institutions have nuanced mandates, and more frequent information exchange could help advance dialogue and clarify misconceptions.

Agence France Presses

Friday, 17 May 2013

Bosnian Serb woman sentenced for war crimes

A Bosnian Serb woman was sentenced on Friday to four years in prison for war crimes committed against non-Serb civilians in northeastern Bosnia at the start of the 1992-1995 war, a court said.

Monika Karan Ilic, 37, is the third woman sentenced for war crimes by Bosnian justice.

She "was convicted of war crimes against civilian population", committed in a detention camp and a police station in northeastern town Brcko in May and June 1992, the Brcko court said in a statement.

Karan Ilic, arrested in December 2011, had "tortured and subjected civilians to inhuman treatment on a daily basis," it added.

At the time only 17 years old, Karan Ilic had taken part in cruel crimes committed against Muslim and Croat detainees in the Bosnian Serb-run Luka detention camp, associations of war crimes victims said.

She was in a relationship with Bosnian Serb Goran Jelusic, notorious under his nom-de-guerre "Serb Adolf," sentenced in 1999 by the International Criminal Tribunal for the former Yugoslavia (ICTY) to 40 years in prison for the murder of more than 100 people in the Luka camp.

According to the ICTY, hundreds of Muslims and Croats were detained at Luka camp between May and July 1992.

Two other women have been convicted of war crimes by the Bosnian justice so far.

Rasema Handanovic, a Bosnian Muslim, was sentenced in April 2012 to five and a half years in prison, while Bosnian Croat Albina Terzic was sentenced in October 2012 to five years imprisonment.

Another Bosnian Croat woman is currently on trial.

The Bosnian war crimes prosecution office said a dozen women suspects have been under investigation.

The Daily Star
Friday, 17 May 2013

STL list leaked, stolen or fabricated?

BEIRUT: Outrage, condemnation and the initiation of contempt proceedings have characterized the past month at the Special Tribunal for Lebanon following the latest publication of an alleged confidential witness list.

But as the STL press office repeatedly tells media outlets to not assume the published list is a leak, and as the court awaits the appointment of an independent investigator to examine whether contempt charges can be brought against those responsible for publishing the list, the question remains as to how the names and details of the alleged witnesses originated.

Three theories appear to be viable: The list was indeed leaked; it was stolen at one point; or the names were either completely or partially fabricated.



The first theory appears to be the most plausible explanation, according to sources familiar with the issue.

An exterior view of the building that will house the Special Tribunal for Lebanon, in Leidschendam, Netherlands, Tuesday Feb. 24, 2009. (AP Photo/ Bas Czerwinski)

When Al-Akhbar newspaper published the witness' details on Jan. 15, the daily described the information as "leaked," however the method by which hackers obtained a similar list, which was posted on the website of AlMustaqbal newspaper on April 9, was not revealed.

Instead, the hackers provided a link to another website called "Journalists for the Truth," which has since been taken offline, with the list published under the title "Secret witnesses in the Special Tribunal for Lebanon (Group #1)."

According to various sources, that the list was leaked from within the STL seems like the most plausible way by which the so-called confidential witness information entered the public domain.

"If I had to speculate on the rumors," said academic and political commentator Elias Muhanna, "I'd say that the theft and fabrication theories are least plausible to me. ... With an investigation that has gone on as long as this one, with so many people involved, intelligence agencies, diplomats and local police, it seems inevitable that information would eventually leak."

In 2009, the STL took over the inquiry into the 2005 assassination of former Prime Minister Rafik Hariri and related attacks from its predecessor, the United Nations International Independent Investigative Commission. Over the eight years since Hariri's death, hundreds of people have worked on the investigation, which in turn has interviewed thousands.

Although the STL has stated that the most recently published witness list on the Al-Mustaqbal website is inaccurate, in the past leaked information, published in local and international news outlets, was proven accurate.

A Lebanon-based source close to the STL defense, speaking on condition of anonymity, dismisses the notion that the witness lists are informed fabrications.

The source claims that while none of the published lists names all of the 557 witnesses included in the confidential list the prosecution filed with the court in November last year, the lists offer too much detail to be a fabrication, as some included the content of witness testimonies.

The source argues that the repeated appearance of so-called witness lists “means that the STL has no effective protection system.”

Referencing previous leaks, the source recommends that “[STL president] David Baragwanath initiate ... a strong inquiry [within the STL].”

Although the court has announced it will appoint an independent investigator to probe the three incidents in which lists were published, on the grounds that they may interfere with its work, it has not clarified what the scope of this investigation will be.

The STL has, however, repeatedly stated the importance of keeping witness information confidential and emphasized the intimidation resulting from publishing the so-called lists negatively affects their work.

Asked about the methods it uses to protect confidential information, the STL told The Daily Star that it “employs a list of internal measures,” but declined to disclose their exact nature. However, the tribunal did explain how it goes about classifying documents.

There are four classification levels at the STL for documents filed to the court, and successive levels place additional barriers to access.

The party that files the documents determines how it will be classified. In the case of the witness lists, the filing party was the prosecution. The court’s judges can modify the classification.

When the prosecution filed the witness list last November, it classified the document as “confidential,” which is the second classification level, the first being “public” documents.

A “confidential” classification effectively means that though the document cannot be disclosed to the public, it can be made available in both hard copy and electronic format to all of the court’s bodies.

The court did not reveal how many individuals would have access to the witness list under this classification.

Filings that are marked “confidential and ex parte,” or “under seal and ex parte with limited distribution,” are less accessible. The former is available in electronic and hard copy formats to a limited number of parties within the court, with the latter being available in hardy copy only to the relevant judge, the president and the registrar.

The prosecution confidentially filed its witness list, along with its pretrial brief and its exhibit list on Nov. 15, and as required by the court’s rules these documents were disclosed to the defense counsel. A public redacted version of the filing was issued, naturally excluding the witness details.

The court also pointed out to The Daily Star that the prosecution’s witness lists are not final, and can be subject to change, with the possibility that names can be removed or added before trial.

The tribunal declined to further comment on the nature or management of the list, although it said that “in order to better guarantee the security of those individuals included in the witness list, it is of paramount importance to keep the list confidential.”

There is one known theft of information from the STL. On Nov. 27, 2010, a briefcase was stolen from representatives of the court in Beirut’s southern suburbs.

It is noteworthy that when asked if this incident compromised witness details, the court replied: "It is not possible to state the nature of information that was stolen in Beirut on Oct. 27, 2010," adding, "the contempt judge ordered the appointment of an amicus investigator who will be designated by the registrar in due course."

The court would not be drawn further on what role, if any, the investigator would play in probing the theft.

Read more: <http://www.dailystar.com.lb/News/Local-News/2013/May-13/216844-stl-list-leaked-stolen-or-fabricated.ashx#ixzz2TpbPFmG>

(The Daily Star :: Lebanon News :: <http://www.dailystar.com.lb>)

Capital FM (Kenya)

Thursday, 16 May 2013

Kenya: Ruto Knew He Had ICC Case Before Vying – Judges

Nairobi — Judges presiding over Deputy President William Ruto's case at The Hague have questioned his application not to be physically present at all times during his trial.

Judge Chile Eboe-Osuji queried the basis of Ruto's application given that he had vied for the deputy president's position knowing he had a case at the ICC.

Ruto's lead lawyer Karim Khan defended his client's application, saying the deputy president's political career did not start in Kenya's last election.

"He was engaged in politics long before these proceedings commenced," Khan argued. "And the highest office he has attained thus far is deputy president so it's a continuation of his public service to the Republic of Kenya."



ICC questions Ruto's request to be excused from physically attending all his trial sessions (file photo).

Khan had on Tuesday explained that his client would be present for the trial at critical junctures but it would be a challenge for the deputy president to be physically present for the entire process given the demands his office makes on his time.

"An accused is presumed innocent and it's not house detention. Ruto is not only an individual literally bowing to justice, he is also the deputy Head of State of the Republic of Kenya with unique responsibilities and bound by the constitution of that country," Khan said.

The judge also grappled with the precedent Ruto's application - if granted - would set, and if the same should be extended to Ruto's co-accused Joshua arap Sang.

Sang's lawyer Katwa Kigen had on Tuesday argued: "If an order is made for an accused to participate without necessarily being physically present, we would assume the order would not necessarily be saying only the first (Ruto) accused."

On Wednesday however, Khan called on the judges to consider the application on a case-by-case basis: "Two suspects in the same case may have personal circumstances that may be different to them. And the court in every situation must balance. You can't have a one size fits all package to justice. Your honours have the sophistication and the experience to hear and to determine what amounts to justice."

Khan also disputed the prosecution's argument that it would be unfair to the victims of the 2007/2008 post-election violence if Ruto were not physically present for the entire course of his trial.

"They need to be reassured that there are people who are listening. They need to say, it counts, it matters and it will be heard not only by your honours but by the parties that are present," Cynthia Tai argued for the prosecution on Tuesday.

But Khan countered on Wednesday: "Normally, what's said is it's scary, it's fearful, a witness is somehow constrained if a perpetrator is before them; from that perspective, victims and witnesses should be emboldened."

The arguments made at Tuesday and Wednesday's status conference will help the ICC judges determine when Ruto's case will be heard and if he will be required to be present throughout the trial.

Khan and his team want Ruto's trial to be held in November to allow them sufficient time to prepare a formidable defence: "Trust us as experienced counsel when we say we need additional time. We are working as hard as we can. Seven days a week. Literally."

As do Kigen and his team: "We have over 11,000 pages to read. We have over 41 witnesses to deal with, 980 documents to read and the disclosure is still goes on."

The prosecution has however dubbed the delay "excessive" even as it faced accusations of waiting until the last minute to disclose developments in their investigations to the defence.

The Standard

Thursday, 16 May 2013

International Criminal Court prosecutor Fatou Bensouda denies false witnesses claims in Kenyan cases

By Roselyne Obala in Geneva, Switzerland

International Criminal Court (ICC) prosecutor Fatou Bensouda has denied claims that some witnesses have given false information in the two Kenyan cases.

Bensouda declined to comment on the issue of witnesses, especially top government officials stressing that she was not in a position to discuss the matter.

“Am not aware of any witness that has given false information to the ICC, am not aware,” she stated.

Some of the ICC witnesses have in the recent past backed out retracting their initial statements in cases against President Uhuru Kenyatta and his Deputy William Ruto.

Bensouda sought the assurance of the Kenyan Government of cooperation in the cases before the ICC.

In an exclusive interview with the Standard in Geneva, Switzerland she stressed the importance of full co-operation to dispense justice to the Kenyan people.

The Prosecutor who spoke after giving a lecture on ICC at Geneva University maintained that the Government’s co-operation will aid in determining the case.

She said that if the Kenyan government fails to co-operate, they will have no option but to seek direction from the Chamber.

“I have been very clear all the time about this matter. I have stated that what we want is the full and unwavering co-operation of the Kenyan Government,” she stressed.

She continued, “in the event that this doesn’t happen, will have no option but to bring the matter to the attention of the Chamber for direction.”

Bensouda reiterated that the Kenyan case will be treated just like any other before the court.

“There will be no favours, Kenyan are seeking justice,” affirmed Bensouda.

President Uhuru, Ruto and former Kass Radio presenter Joshua Arap Sang are facing criminal charges at the ICC in The Hague.

However the Chief Prosecuted guaranteed Kenyans that they will ensure the victims get justice.