

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



Bai Bureh, Sierra Leone's greatest hero who led northerners in the Hut Tax War against the British in 1896-98. He was photographed in Ascension Town in 1898 by a British lieutenant. This photograph, the only known one in existence, was rediscovered after 115 years by RPCV Gary Schulze. Digitally restored by Peter Andersen.

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:

Friday, 24 May 2013

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

Not an honorary consul

The Italian businessman who claims to have been cheated by Ibrahim Bah over gold deals, Vittorio Narciso Ruello, made other interesting connections through Bah in the region. In 2010, Ruello claimed to police, he had asked Bah to get the Sierra Leonean authorities, to whom Bah claimed to be very close, to make him the country's honorary consul in Mexico. Bah told him this would be impossible but he was well acquainted with the authorities in Guinea Bissau and for US\$50,000 he could make him consul.

Bah said in his own statement to police that the two men had visited Bissau in late 2010, meeting top politicians and military men, including the late President Malam Bacai Sanhá and other important people, including the former navy chief, Rear Admiral José Américo Bubo Na Tchuto (who was arrested for drugs and arms trafficking on 5 April 2013 in a United States Drug Enforcement Administration operation. AC Vol 54 No 8, Admiral of the white).

Despite the high-level contacts and the money he had paid, Ruello told police in Freetown that he had received nothing in the end. Bah told him that the honorary consul's appointment was not automatic. After the April 2012 coup in Bissau, Bah told Ruello he would have to wait longer. This proved the last straw for Ruello, who went to the Sierra Leonean police to complain about being cheated.

Testimony on Bah

Transcripts from the Special Court on Sierra Leone's trial of Charles McArthur Ghankay Taylor contain copious evidence about the central role of Ibrahim

Bah in diamond trading and arms supply, under the heading 'The Role of Intermediaries'.

'The witness stated that Ibrahim Bah was a liaison with Charles Taylor, and the witness was present in 1999 when Ibrahim Bah, who said he was sent by Mr Taylor, gave \$USD 20,000 to Mr [Foday] Sankoh in Lomé... Prosecution Witness TF 1-567, an RUF [Revolutionary United Front] member, testified that Foday Sankoh said that Ibrahim Bah, from Burkina Faso, was his friend, that Ibrahim Bah was with the NPFL [National Patriotic Front of Liberia], and that he was helping the establishment of the RUF movement as an agent for the RUF. According to the witness, any time 'Jungle' went to see Charles Taylor, Ibrahim Bah would join him, and Sankoh told "us" that he often sent Ibrahim Bah on missions to see Taylor.'

Another witness testified to what the sanguinary RUF leader Issa Hassan Sesay had told him (AC Vol 47 No 8, Taylor's trajectories, Courting disaster & The accused).

'The witness said that Issa Sesay told him that he gave diamonds to Ibrahim Bah, who said that he had business partners, and Ibrahim Bah provided satellite phones, computers, food, and US\$50,000 for the RUF movement between 1999 and 2001... he testified that he and others went to Hotel Boulevard with diamonds to meet General Ibrahim [Bah] to make arrangements,

and Benjamin Yeaten would take Issa Sesay and General Ibrahim to bring the diamonds to Charles Taylor... [AC Vol 43 No 9, UN gumshoes in Taylorland] Ibrahim Bah said that he was sent by Mr Taylor with a message "asking" that the AFRC and RUF work together. He said that Ibrahim Bah was a liaison officer who had been with the RUF. After this meeting, the witness took Ibrahim Bah to Johnny Paul Koroma's house and Ibrahim Bah said again that Mr Taylor sent him with the message that they should work together'.

The records continue: 'The Accused [Charles Taylor] heard that after 1994 and after he became president Bah came to Liberia a few times as a businessman. He testified that Ibrahim Bah "is now fully with Foday Sankoh, based on even evidence before this court" and that he had no reason to doubt that Ibrahim Bah helped Foday Sankoh coordinate RUF affairs outside of Sierra Leone between 1996 and 1999'.

[Bah facilitated several arms shipment to the AFRC in 1998; the arms were used to attack Freetown in January 1999, according to the documents. Over 6000 people were brutally murdered during those attacks - ed.]

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'The witness said that Issa Sesay told him that he gave diamonds to Ibrahim Bah, who said that he had business partners, and Ibrahim Bah provided satellite phones, computers, food, and US\$50,000 for the RUF movement between 1999 and 2001

Rwanda Focus

Thursday, 123 May 2013

Rwanda: Ban Ki-Moon Visits Kigali Memorial Center

By Stevenson Mugisha,

The UN secretary general Ban Ki-moon, who is on a visit in the region, yesterday visited Kigali Genocide Memorial Center where he laid a wreath on one of the tombs.

During his visit together with the president of the World Bank Jim Kim, Ban was briefed about what happened during the 1994 Genocide against the Tutsis. In his remarks shortly after touring the center, he said that due to its failure to stop the 1994 Genocide, the UN has learnt a great lesson of always striving for the promotion of peace, security and humanity across the globe.

"This is my third time visiting this memorial center and it's important to always remember the thousands of innocent Rwandans who were killed during the Genocide and to thank those who stood up to stop it as well," Ban said. adding that Kigali Genocide Memorial Center is very important to the world as it serves as a historical site which will enable to avoid similar inhuman incidents to happen anywhere in the world in the future.

He said that the UN has played a key role in helping Rwanda recover from the Genocide through the establishment of the International Criminal Tribunal for Rwanda (ICTR) which was set up to bring justice to perpetrators of the massacres.

Ban recommended President Kagame and the government of Rwanda as whole for the tremendous work they have done towards promoting peace, unity and reconciliation among Rwandans in a period of less than two decades. He noted that the UN will continue to support the government in different developmental programs aimed at rebuilding the country,

After visiting the Memorial center, the secretary general also visited the Rwanda national police headquarters where he laid the foundation stone for the African Center of Excellence for security organs coordination of action to end violence against women and girls during conflict situations.

Ban Ki-moon and Jim Kim, also toured the nearby Isange one-stop center where they met some victims of gender-based violence.

"Women and girls are the foundation of societies and it's in this regard that I call on all security organs and the population in general to play a key role in eradicating gender-based violence against women and girls because this will enable the entire world to achieve sustainable development in the future."

The UN secretary general hailed the government for its endeavors towards gender equality in the country which made Rwanda the country with the largest number of women members of parliament.

He added that Rwanda is also the second largest contributor of women peace keepers to the UN globally.

In the evening, Ban had a meeting with President Kagame.

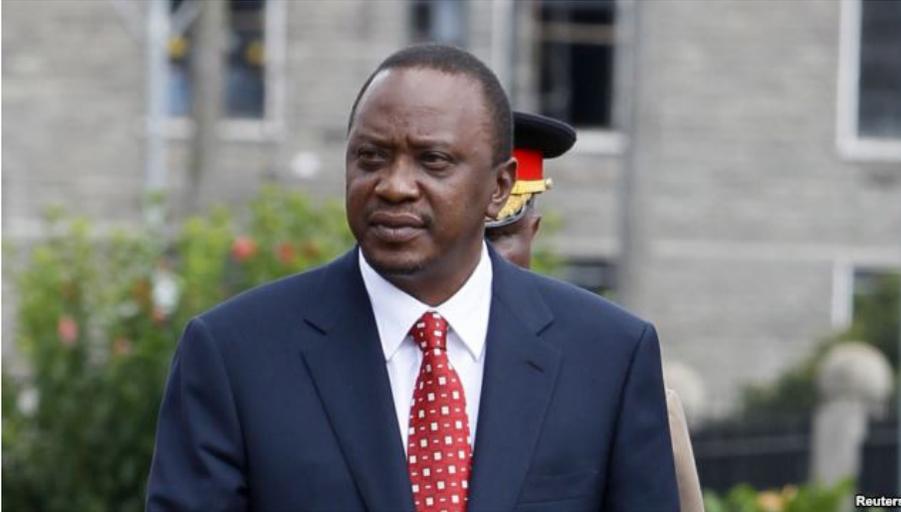
Reuters

Friday, 24 May 2013

Africa Backs Kenya's Request to Drop ICC Kenyatta Case

ADDIS ABABA — African nations have backed a request by Kenya for charges of crimes against humanity by its president to be referred back to the east African country, African Union documents show.

President Uhuru Kenyatta and his deputy, William Ruto, are both facing trial in the International Criminal Court (ICC), accused of masterminding ethnic bloodshed in post-election violence five years ago that killed more than 1,200 people. Both deny the charges.



Kenya's President Uhuru Kenyatta prepares to inspect a guard of honor before the opening of the 11th Parliament at the National Assembly Chamber in Nairobi, April 16, 2013.

One minister, who asked to remain anonymous, told Reuters that the African Union specifically avoided calling on the war crimes tribunal to drop its prosecution, but he acknowledged that the request for a local process amounted to the same thing.

The document seen by Reuters on Friday said: “[The Assembly] supports and endorses the eastern Africa region's request for a referral of the ICC investigations and prosecutions.”

The proposal, drafted after foreign ministers had debated the issue late on Thursday, now has to be voted on by heads of state, which diplomats say is typically a rubber-stamping exercise.

Kenya told the assembly that the ICC trials risked destabilizing east Africa's biggest economy when it was undertaking reforms to avoid a repeat of the violence after the election in December 2007.

The African Union said that a referral of the cases would “allow for a national mechanism to investigate and prosecute the cases under a reformed judiciary ... to prevent the resumption of conflict and violence in Kenya.”

The ICC's chief prosecutor, Fatou Bensouda, has previously said that she will not drop the cases. Many Africans feel that the continent is targeted by the ICC, making the court deeply unpopular across Africa.

Kenyatta's trial is due to begin in July.

Voice of America

Thursday, 23 May 2013

South Sudan's President Says 'Never' to ICC

Hannah McNeish

JUBA, SOUTH SUDAN — South Sudan President Salva Kiir said Thursday that he would “never accept” the International Criminal Court. He spoke during a visit from new Kenyan president and ICC indictee Uhuru Kenyatta, who pledged the creation of roads, rail and pipelines to deepen economic ties between Kenya and the new nation.

It was Uhuru Kenyatta’s first visit to South Sudan since becoming Kenya’s president, and he was greeted with open arms by Salva Kiir, who told him “this is your home” and pledged the new nation’s solidarity with the contentious leader and his people.

Kenyatta took office after winning a March election while under indictment from the ICC, which accuses him of inciting some of the ethnic violence that followed the disputed 2007 vote.

But while western nations were slow to congratulate him, other African leaders were quick to support him, regardless of looming charges at the Hague tribunal.

On Thursday, Kiir dismissed the court and South Sudan’s willingness to sign up to it via the Rome Statute, echoing statements by some other African leaders that the court seems to target them.

"We have talked about these problems of the ICC, that the ICC, whatever has been written in Rome, has never been used against any one of their presidents or heads of states. It seems that this thing has been meant for African leaders, that they have to be humiliated," said Kiir.

He also said the international community has used aid as a carrot to try and get the new nation to sign up to the court.

"In brief, it has been something that we have been straightforward in it, and we never accept it. And they have been coming to us as a condition that we have to sign the Rome Statute so that we get assistance, but we have refused," said Kiir.

Sudan President Omar al-Bashir also has been indicted by the ICC on charges of war crimes and genocide in Sudan's Darfur region, where his government has battled rebels since 2003.

Kiir said that he and other African leaders would discuss the ICC’s role further at the African Union summit this weekend in Ethiopia, as the organization celebrates its 50th birthday.

"So we talked about this, and we are going to talk about this in Addis Ababa, and it is something that you know, we will sit together with our brothers and sisters in Kenya," he said.

In his remarks, Kenyatta called for the continent to stand together and re-assert its authority over its own matters.

“We have also underscored the importance for us as Africans being able to work together to create a solution for our own problems and issues that we face,” said Kenyatta.

As the continuing pledges of solidarity rolled in, he also promised a deepening of economic ties with South Sudan via road and railway links and an oil pipeline. The pipeline would ease South Sudan's reliance on Sudan to the north to export its vast crude oil wealth.

Transitions Online

Friday, 24 May 2013

Two Decades of the Balkans Tribunal

In its 20 years, has the court furthered reconciliation? Was it even supposed to?

By Tihomir Loza

When in May 1993 the UN Security Council passed a resolution to establish a tribunal to prosecute those responsible for serious breaches of international humanitarian law in the former Yugoslavia, Balkans watchers commonly saw it as a fig leaf for the unwillingness or inability of the West's three permanent members to stop the carnage in Bosnia.

The Security Council, in fact, followed the advice of a commission it had set up six months earlier, it was thought, out of desperation to be seen to be doing something. That skepticism wasn't surprising, considering that the resolution creating the International Criminal Tribunal for the Former Yugoslavia (ICTY) was born at the same time and, presumably, out of the same mood music that gave birth to the concept of "safe areas" in Bosnia. Like the ICTY, "safe areas" were hatched under a part of the UN charter that allows the Security Council to use any means to maintain or restore peace. They were then recklessly applied to places such as Srebrenica, giving people there an expectation of international protection, while the Security Council resolutions establishing the safe areas were really written to avoid legal commitment to providing such protection, with UN troops deployed in these places mandated to use force only in self-defense.



Detainees line up at the Omarska camp, near Prijedor, Bosnia, in this undated photo from the International Criminal Tribunal for the Former Yugoslavia.

under the right circumstances, assume something of a life of its own, irrespective of what its creators may have had in mind.

That such circumstances may one day be in place was first apparent in the autumn of 1995, when the indictments a few months earlier of Bosnian Serb leaders Radovan Karadzic and Ratko Mladic allowed U.S. mediators to exclude the men from key negotiations to end the war in Bosnia, a development that happily coincided with the desire of then-Serbian strongman Slobodan Milosevic to sideline the two.

Yet, to truly matter, the ICTY needed suspects in the dock. It could have them only if key governments happened to be willing at the same time to take active measures to see this happen. Such a constellation of political wills first appeared in 1997 with the advent of the second Clinton administration, complete with the interventionist Madeleine Albright in the State Department, and the change of government in London. The Americans were suddenly prepared to do whatever it took to secure the arrest and transfer of suspects to The Hague as long as it didn't require their own troops to get out of armored vehicles, while after only two months in office, the Blair government first showed in Bosnia what would later be seen as its trademark trigger-happiness. Its first arrest operation, though, went wrong,

with one of the two suspects killed. But subsequent arrests, now also involving troops from other countries, followed, as did a number of surrenders.

The tribunal was now undeniably open for business. Still, as only a few suspects in its custody could be described as significant players, that business impressed few. By this time, quite a few top leaders, though by no means all, had been indicted, yet there were few signs either that the NATO troops in Bosnia were seriously looking to arrest them or that the key Western governments were ready to put pressure on the regimes of Milosevic or Croatia's Franjo Tudjman to hand over top suspects in their countries.



Then halfway through the 1999 NATO bombing campaign against Serbia, the tribunal's prosecutors indicted Milosevic. The timing of the move, coupled with its initial focus on Kosovo – and not on Bosnia and Croatia, where crimes committed by forces under Milosevic's influence or direct control were far more serious and numerous – was bound to raise eyebrows. In terms of the tribunal's weight in Balkan affairs, this was a game-changer: The court was obviously escalating its approach with support from major governments. When later that year it emerged that prosecutors were also preparing an indictment against Tudjman, who conveniently died shortly afterward, it was impossible to see how this policy of going after the very top brass could ever be reversed. Indeed, by the early 2000s, and coinciding with the installation of democratic governments in Zagreb and Belgrade, the tribunal became the most potent and most frequently used instrument in both the EU and U.S. policy toward the region. New indictments against top officials were issued. Leader upon leader faced the choice of delivering a suspect or suspects to The Hague or being denied access to aid or investment, or progress in Euro-Atlantic integration. All complied

eventually, with more or less drama or prevarication. What's more, ever since the then-Serbian Prime Minister Zoran Djindjic handed over Milosevic in June 2001, there was a sense of inevitability about it all.

Judged on this front alone, the court has been nothing less than a spectacular success. It actually tried scores of presidents, prime ministers, generals, and top security officials. Nor can the ICTY's contribution to the development of international humanitarian law be denied, for example, in laying the ground for ending impunity for perpetrators of sexual violence in war or the definition of the crime of genocide. The tribunal's existence and experiences informed the establishment of similar courts for Rwanda and Sierra Leone.

But what of the court's overall credibility and the impact of its trials? ICTY procedures, time-management, witness protection provisions, prosecution policies and priorities, as well as the profiles of some of its senior personnel have all been criticized, often persuasively. Yet, until recent acquittals of a number of very high-profile suspects, the ICTY's credibility had rarely been questioned in fundamental ways and rarely by independent observers. While it was assumed and occasionally evidenced that the governments providing most of the ICTY's funding also exercised direct influence on the ICTY, the overall fairness of what went on in the courtroom was never seriously in doubt.

In contrast, the tribunal has often stood accused – today perhaps more than ever – of failing to generate, or even of halting, a process of meaningful “dealing” with the past in the region, a process that would then lead to what is commonly referred to as reconciliation. While this has never explicitly been part of the ICTY mandate, it has widely been seen as the tribunal's primary purpose. In fact, a scenario that would see the region first take on board facts established by the ICTY and then move to reconciliation to get ready for a brighter Euro-Atlantic future was

the currency of choice in dealing with the Western Balkans throughout the 2000s, invoked by ICTY officials and major Western governments as well as academics and human rights activists.

In many ways the tribunal's failure, if it was its failure, to kick-start such a scenario is self-evident. The region has so obviously dealt with the past only sporadically and mainly at the level of civil society, with dominant takes on wartime events hardly changed. If anything, the views of rights and wrongs of the 1990s may have been cemented, even if sentiments have abated. If by reconciliation one means a situation in which former foes – whether societies or individuals – have achieved a friendly and open relationship, the countries that came out of the former Yugoslavia, their ethnic groups, and individual citizens give plenty of evidence of unwavering distance, mutual prejudice, and open hatred. And, yes, that is generally more in evidence on days when things like interethnic football matches or ICTY verdicts feature prominently in the news.

Yet, one can find as much evidence to the contrary. With the Kosovo-Serbia relationship a partial exception until very recently, the region's governments do cooperate on a number of fronts. Sometimes they even have cordial relationships. When and where they don't cooperate enough, the reason is more likely to do with things other than their different takes on the recent past. Levels of interaction among businesses, cultural and social institutions, as well as private citizens often match those before the 1990s wars.

Attitudes to war crimes have even changed. Outright denial has for years been an exception rather than the norm. Facts and verdicts related to individual crimes are rarely denied. Instead, nationalists nowadays prefer to put a spin on them. The Serb ones, for example, now regularly refer to the Srebrenica massacre as a terrible crime but often deny it constituted genocide, a piece of progress for which at least some credit must go to the ICTY.

While this hardly amounts to meaningful dealing with the past, the fact that there has been both civil society and government activity on this front, let alone cooperation with an international court, is something of an unappreciated societal miracle. Consider that none of the political and military structures that took part in the 1990s conflicts was completely defeated. None of the ethnic groups they presided over broke with the wartime past like Eastern Europe rejected communism. The Western Balkan societies of today are, in fact, constituted on aspirations for which their dominant ethnic groups went to war with one another, with individuals who defined these aspirations still playing prominent roles in public life. These aspirations survived the wars more or less intact, whether they were fully or partly achieved and subsequently written into constitutions, or whether they failed, such as in the case of Serbia's desire to keep Kosovo, with the former province's status as part of Serbian territory surviving as popular constitutional fiction. The crimes that the ICTY is interested in were committed in the name of these aspirations, none of which was in itself illegal or even illegitimate, and in truth are inseparable from them.

So to pretend that mass crimes committed in the name of aspirations still supported by masses never happened is hardly a viable option. These crimes are the proverbial elephant in the room exactly because they were mass crimes, not isolated incidents. You can pretend to ignore them as long as you please, but at some level you know that they are essentially undeniable. Which is why few people now deny them and fewer still acknowledge them in a meaningful way. This is also one reason why all Western Balkan governments were able to sooner or later start cooperating with the ICTY, albeit grudgingly. The other reason being, of course, the EU's policy of linking cooperation with the tribunal to closer ties with the union.

In other words, the Balkan dealing with the grim past unfolds largely in shades of gray, which inevitably complicates the relationship between the ICTY and the societies the court's justice is primarily intended for. Unlike the Rwanda or Nuremberg tribunals, the ICTY has prosecuted crimes from a past that morphed into the present in which the court is addressing the Balkan societies. Correctly sensing that this limits the impact of ICTY justice, some tribunal officials have defensively insisted that the court was never mandated to deliver anything beyond justice for the sake of justice, which is technically true but substantially false, for the expectations of the human rights community in the region and internationally so obviously went much further. Yet, the ICTY needn't apologize for its own limitations in this domain, as they are by and large not of its own making. And even here, we are looking at the ICTY's limitations in contributing to the region's dealing with the past rather than a complete failure to do so.

The tribunal and its backers may have a bit more to answer for when it comes to the view of the ICTY as a political court primarily concerned with apportioning blame for the 1990s conflicts among the former Yugoslavia's ethnic groups and successor entities, rather than individuals, and imposing on that basis a narrative of the decade on the

region. This view of the tribunal is held by substantial sections of local political classes and populations and is obvious in the type of ICTY-related developments that manage to grab the region's attention. While the facts established in the courtroom typically receive only sporadic attention, individual arrests, convictions or acquittals of well-known suspects in particular have always been multiday prime-time topics revolving around a single question: whether they bolstered or weakened our version of the 1990s.

In a way, the view of the ICTY as a political court was inevitable given the nature of its dealing with the region. With no enforcement means of its own, the ICTY could get what it wanted only through political means. To an ordinary member of the public, the endless bargaining over suspect handovers or access to state archives between the tribunal's prosecutors and local governments, complete with full view arm-twisting by powerful governments, could not possibly look like activity aimed merely at achieving something as intangible as justice. Those sent to The Hague were widely portrayed as martyrs doing something dangerous for the common good. Government aircraft often carried them in both directions between The Hague and the region. What's more, governments often arranged and paid for their defense and provided for their families. This was all OK with the ICTY as long as suspects and evidence were delivered.

What should, for example, the Serb Joe Public think when, working closely with The Hague and after much undignified moaning, Serbia's prime minister arranges a series of surrenders greased with generous monetary incentives and other benefits for the families of the accused, or when a justice minister leads a government delegation that on the same day holds meetings with tribunal officials and then spends hours in the tribunal detention center with Serb suspects in an atmosphere that the media describe as cordial and jokey? Or what should an ordinary Croat make of the fact that the country's progress toward EU membership was halted for years because of the government's failure to hand over a single document the prosecutors wanted as evidence? Unless you are an enthusiastic believer in international justice well-versed in international affairs, you are highly unlikely to conclude that this whole Hague thing is about establishing individual criminal responsibility. You are, in fact, more likely to think that your government's wrangling with The Hague and its most powerful backers is a political game with national interests at stake and many frogs to be swallowed for the sake of those interests.

While it is certainly debatable to what extent it is the ICTY's own fault that it is seen as a political court by those who should see it as a court of justice, the result is that individual crimes established in its courtrooms are at best seen as own goals. They are regrettable and our own idiots were stupid to have committed them because clearly they weaken our case, but our case remains our case. This, of course, is preferable to outright denial, yet does little to help Balkan societies grasp the gravity of the crimes committed in their names, nor does it do much for the families of the victims.

The view of the ICTY as a political court also adds to the already skewed picture of the world and its own place in it that the region has developed in recent years. It is a picture of desolate passivity in which things are only ever demanded of or done to, never successfully initiated or carried out by, people from the Balkans. Incidentally, this image is almost the exact opposite of the self-portrait that the Yugoslavs painted during the Cold War, of a country that effortlessly played in the same league as the United States and the Soviet Union. While neither picture would pass a reality check, no points for guessing correctly which one puts you in a worse frame of mind when you need to deal with little matters such as rampant corruption, organized crime, institutional neglect, or recession.

InSerbia Info

Thursday, 23 May 2013

Serbian prosecution wants to question former general Djordjevic

BELGRADE – The Serbian War Crimes Prosecutor’s Office will ask for permission of the International Criminal Tribunal for former Yugoslavia (ICTY) to interrogate former assistant to the interior minister, retired police general Vlastimir Djordjevic, on the issue of concealing the bodies of Albanians murdered in Kosovo-Metohija, Serbian Deputy Prosecutor for War Crimes Bruno Vekaric told Tanjug on Tuesday.

This is a case we have been working on for quite a long time, Vekaric said and added that certain progress has been made but a number of already interrogated witnesses said that Djordjevic is in possession of the key findings.



Photo credits: www.kurir-info.rs

Vekaric said that the ICTY is expected to deliver a positive response soon.

In February 2011, Djordjevic was found guilty of crimes committed against Albanian civilians in Kosovo-Metohija in the first half of 1999, and he was sentenced to 27 years in prison.

In the address to the Appeal Chamber, Djordjevic admitted on May 13 that he participated in the transfer of bodies and that he did not oppose the cover-up of the crime because he did not have the strength or power to oppose the then interior minister Vljako Stojiljkovic, which is why he considers himself responsible.

As Djordjevic admitted that he has certain information about the transfer of bodies to the mass grave in Batajnica, near Belgrade, it is now necessary for him to provide details to the local judiciary as well, Vekaric said.

He expressed the hope that the talks with Djordjevic would contribute to closing the cases of cover-up of crimes against Kosovo Albanians, and underscored that this is also important because of the victims’ families and reconciliation in the region.