

**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

as at:

Monday, 16 September 2013

Press clips are produced Monday through Friday.
Any omission, comment or suggestion, please contact
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New Storm
Friday, 13 September 2013

Stormtorial

CHARLES TAYLOR'S FINAL HOURS, ANY JUSTICE FOR SIERRA LEONEAN VICTIMS

The long-awaited appeal of former Liberian leader Charles Taylor will be decided at the end of this month. This will close the marathon chapter of the Special Court for Sierra Leone, which was set up to try those deemed to bear the greatest responsibility for heinous crimes committed during Sierra Leone's bloody civil war of the 90s.

Mr. Taylor had already been found guilty and sentenced to 50 years imprisonment, on various charges ranging from war crimes, crimes against humanity and the conscription of child soldiers. It is still not clear whether the ex-warlord will serve his sentence in a British jail, as was earlier indicated.

What is clear though is that the judgment in the Taylor appeal will bring to an end the operation of the Special Court for Sierra Leone. The court was set up in 2004, through an agreement between the government of Sierra Leone and the United Nations Security Council, as a hybrid experiment in international criminal jurisprudence.

Throughout its existence, the court managed to convict only three AFRC commanders, two RUF leaders and two pro-government Kamajor militia leaders. To this, many especially victims of the conflict, are asking the question whether in fact justice has actually been dispensed.

The scars of war are still very much around: burnt houses, limbless survivors and a country grounded to its knees. People here are still struggling to pick the pieces of their broken lives. And, for many the convictions are not worth the agony, destruction and killings that they witnessed.

In fact, some of the key perpetrators of the horrendous crimes, committed during the war are moving out and about the streets of the capital and other towns and villages, unfettered. They pose themselves as “Roman Conquerors” and are ever defiant and unrepentant. They can be named and identified. This is a real sore for the victims who today live in squalor and destitution.

Also worth looking at is the colossal amount of money poured into the Special Court for Sierra Leone to conduct the trials. Tens of millions of United States dollars were expended on the exercise and many see this as frugal spending.

Some argue that those monies could better have been spent on rehabilitating victims of the war. True, some humanitarian organizations built modest homes for amputee families and the government, through its NaCSA, doled out a few hundred dollars to those families. But, it is just not enough.

The victims of the war will forever live with their scars, while the convicted perpetrators eat ham, bacon and sausages, in the Whiteman’s jail, complete with TVs and laptop computers. This can in no way compensate the victims for all their losses.

And, there are bitter lessons for all Sierra Leoneans to learn. War is destructive and there can be no justification for it. We must learn to settle our problems amicably and consider our country as the only one we have.

As for the political elite, they know quite clearly that it is their penchant for bad governance and state neglect that led us to war, in the first place. We entreat them not to take us back to those ugly days, which have the potential to ignite another round of blood-letting.

This is time now for true national reconciliation and cohesion. Toying with divisive politics, ethno-regional polarization and unbridled corruption is a recipe for anarchy and state collapse. We hope our politicians are listening.

Standard

Sunday, 15 September 2013

International Criminal Court is our national life insurance policy

Should Kenya pull out of the Rome Statute that established the International Criminal Court (ICC)? The answer is NO! A very big NO, if the word has different sizes!

It does not matter what the members of the majority in the 11th Parliament say. It does not matter what the majority in the Kenyan Senate say and it does not matter what all of our new cabinet secretaries say.

If we soberly consider the long-term interests of this country and our own chequered history, we should come to the conclusion that, for the time being and probably for the next 50 years, we need the ICC much more than the ICC needs us.

Majorities are always majorities but they are not always right. Some of the worst political decisions that the histories of many countries record have been made or vigorously supported by majorities of one hue or another.

It was the Hutu majority that perpetrated the Rwanda genocide of 1994. It was the Nazi dominance of German politics in the early 1940s that drove the final solution to the Jewish problem, which accounted for the extermination of more than six million European Jews.

We must never fail to carefully interrogate a decision merely because it was made or endorsed by a majority.

An intelligent and experienced warlord can build an effective armed force within no more than two or three years. Reasonably free and fair elections can be achieved in any country after only two or three attempts.

Of the major institutions that collate to form a modern state, the most difficult one to construct is an authoritative and corruption-free judiciary that is roundly respected both within and beyond its own jurisdiction. This is a judiciary in which no one would seriously think of bribing the judge, the prosecutor or the policeman.

Both the majority and the minority in our two houses of Parliament know very well that, even though our judiciary has made tremendous progress over the last few years, it is still a work-in-progress.

Scales of justice

All of our MPs and senators know that our scales of justice do not always swing blindly. They know that there are certain people in this country whom it would be virtually impossible to prosecute effectively within our own borders.

They know that there are certain cases within our courts that have taken over 20 years to hear and determine. And they know that, at the height of the post-election violence of 2008, there was no indigenous judicial mechanism to which the victims or their relatives could turn.

If, for example, any parliamentary majority passes a law abolishing the Ten Commandments, the Christian citizens of this country must certainly consider themselves justified to disregard and disobey such a law.

The main reason why we joined the ICC is because we believed at the time that our internal judicial mechanisms and structures were not strong, deep or widespread enough to deal with all our emerging judicial, security and political problems.

Eight years later, our circumstances in this regard have not substantively changed. We have come a long way, only to realise that we have not arrived.

The main reason why we need to remain in the ICC has very little to do with the on-going cases at that court involving the president and his deputy. They have everything to do with our future national security and the rule of law in this country.

From this perspective, therefore, it does not really matter whether the current charges against these Kenyans at that court ultimately stand or collapse.

Today we might be living at relative peace with each other in most parts of this country. But that is just today. We do not know what might happen tomorrow. A ruthless warlord might spring up overnight determined to exterminate whole segments of our population with the overt or covert support of our armed forces.

What, then, would we do in such a situation? What would the majority in Parliament that now wants us out of the ICC advise us to do to avoid such an eventuality?

The ICC is meant to serve as a deterrent against such eventualities. Whether the cases now going on at The Hague stand or collapse, all of us are watching and, through history, our children, too, will watch.

We now know which red lines we must not even appear to have crossed. In a sense, the ICC is our national life insurance policy, which we scrap at our own peril.

BBC

Friday, 13 September 2013

Rwanda genocide: France to release suspect Serubuga

A French court has ordered the release of a former Rwandan colonel, wanted by the African nation for his alleged role in the 1994 genocide.

Rwanda had requested the extradition of Laurent Serubuga, a Hutu, who served as Rwanda's deputy army chief-of-staff.



The 77-year-old was arrested in July in northern France under an international arrest warrant issued by Rwanda.

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An estimated 800,000 people, mostly minority Tutsis, were killed by the ethnic majority Hutus in 1994.

Mr Serubuga's son, Paulin, who was present at the tribunal said his family was relieved by the ruling.

"We were expecting a political trial. The lies of Rwanda have not been heard before the judges," he was quoted by AFP as saying.

'Classic case'

The court in Douai, France, found that at the time the atrocities were committed, genocide and crimes against humanity were not punishable by law in Rwanda, therefore Mr Serubuga could not be tried retroactively for crimes that were not part of the penal code.

French law does not grant extradition in cases where the defendant does not have fundamental guarantees that his rights will be protected, Mr Serubuga's lawyer, Thierry Massis, said.

"It's a pretty classic case," Mr Massis, told Reuters.

The lawyer representing Rwanda's interests, Gilles Paruelle, said he was not surprised by the decision as France had rejected several similar previous extradition requests.